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Neoliberalism Laid Bare: Feminism, Intersectionality, and Nude Protest in the 21st Century

Ashley Bohrer

Abstract

As the tactic of nude protest has witnessed a resurgence in recent years, so too has the backlash. Nude protestors have been criticized from a variety of feminist positions. This article examines the critiques of nude protest, offering an analysis that is simultaneously intersectional, aesthetic, and contextual. Examining the variety of contexts and staging of nude protests around the globe, this article not only offers a more complicated picture of the participants and motives behind nude protesting, but also examines the success and/or failure of these tactics inside the global hegemony of neoliberal capitalism.

In the eleventh century, an otherwise-unremarkable noblewoman from Coventry, known to history only by her title, became enshrined in history books and folklore. As legend has it, the venerable, god-fearing Lady mounted a horse (always white in the later versions) and rode stark naked through the streets. The public undress of Lady Godiva has captivated popular imagination for nearly a thousand years.

There are a few elements of the Lady Godiva story that merit further comment. First and foremost, as the legend has it, the Lady disrobed for social justice: outraged at the high taxes her husband, the 'grim' Lord Coventry, levied against the townsfolk, she pleaded repeatedly for the alleviation of the various tolls and duties. Lord Coventry, apparently after multiple pleading intercessions by his wife, agreed to abolish the duties on the surely outrageous condition that she ride naked through the streets. In the first place, then, Godiva viewed her naked body as a weapon, a weapon that could be deployed against a male-controlled financial power to protect a group of the poor, the exploited, and the powerless. As Phillip Carr-Gomm explains it, '[t]he power of the story lies in its alchemical nature, whereby she transforms the potential for humiliation into a moment of dignity and of pride... A woman with no weapon to defend herself has used her naked body to triumph over injustice' (Carr-Gomm 2010: 96). Second, despite the taboo on public nudity, especially for a woman of her station, Godiva's actions are not reviled, but rather glorified. The violation of social bounds of acceptability in this case is lauded, and her name enshrined in the folklore of disobedience. Third, her protest is successful. All accounts of the Godiva myth end with Coventry rescinding the taxes. In the medieval popular imagination, the naked female form is powerful enough to achieve its political aim. Fourth, this tale gives rise not to one staple of European folklore, but two: Lady Godiva and Peeping Tom emerge as twin figures in this history. As later versions of the legend have it, during her infamous ride, Godiva requested – or, as some versions have it, insisted on pain of death – that the villagers remain in their houses and avert their eyes. All of the villagers

except one complied: a tailor subsequently dubbed 'Peeping' Tom who, by the nineteenth century, was portrayed as 'a grotesque figure' at the yearly re-enactment of Godiva's ride (Reader 1826: 22). In many versions of the story, Peeping Tom is blinded by enraged townspeople, perhaps for his lewdness, but most likely for his betrayal.

Why might we revisit the ride of Lady Godiva in the twenty-first century? In recent years, nude protest has become an increasingly visible tactic in feminist protest culture. Unsurprisingly, this tactic has faced scrutiny from all sides. The moral majority of the self-righteous right wing has decried public female nudity as just one more indication of the loosening of moral purity driven by feminism's social parasitism. On the left, the criticisms have been more varied and more interesting, though frequently, just as problematic. I return to this moment of medieval mythology because it seems as though, in the contemporary analysis, left critics of nude protest are obsessed with the isomorphy between Lady Godiva and Peeping Tom: many argue that because nudity creates Peeping Toms, those who objectify the naked body rather than heed its message, 21st century Lady Godivas can never win, or at least can never win for feminism. As long as the female form is objectified, commodified, violated, brutalized, interpellated, critics argue, nudity can only ever feed the systematic oppression of women.

This paper seeks to examine this question and this critique by analysing nude protest from the perspective of the contemporary age of neoliberalism. In a world in which, as Nancy Fraser has argued, many positions and catchphrases of the feminist movement have been folded into the accumulative logic of neoliberal capitalism (Fraser 2013), the relationship between nudity, feminism, and objectification must be revisited. The co-optation of many aspects of the feminist movement bequeaths the urgency of reconceptualising both feminism as a movement and the tactics deployed to further it. And given the disproportionate effects of neoliberal programs of austerity, globalization, and structural adjustment on women of colour, any analysis of feminism under neoliberalism must foreground both the experiences and the resistances of women of colour. To this end, this paper asks the following questions: What does the neoliberal moment mean for contemporary feminist struggle? What does subjecting nude protest to an aesthetic analysis tell us about the pitfalls and possibilities of resistance? And crucially, what does intersectionality tell us about the world in which we consider these questions?

Nude protest: A concise global history in the era of neoliberalism

This section foregrounds the history of women of colour in the invention and appropriation of nude protest as a tactic. The media frenzy surrounding white women's nude and topless protests in recent years has obscured the vibrant history of this political mode of intervention, in particular of women in Latin America, sub-Saharan Africa, and East Asia. By reframing the narrative of global nude protest, I hope to do two things: first, to challenge feminist criticisms of public nudity who proclaim that this tactic is the provenance only of conventionally attractive white women and second, to draw out the distinctive reasoning and rhetoric that protesters use to justify the tactic which, I will argue, differs significantly from its use in the US and Western Europe.

Nudity and the body politic

In 1992, a group of dispossessed farmworkers formed El Movimiento de los 400 Pueblos de Veracruz after a governor enclosed 12,000 hectares of land from 14 villages and arrested 300 farmworkers on trumped-up charges. As Victor Allen describes in his book on the movement, the group began protesting nude in Mexico City after a decade of largely fruitless demands for justice (Allen 2009). These protests lasted six years, with up to 600 activists disrobing, sometimes up to three times daily. After a brief hiatus, the group has resumed nude protests as of March 2014. One of the protesters described the necessity of disrobing in the following way: ‘We are only peasants, we have no other arms, all we have are our bodies’ (H&E Naturist 2007: 13). Another protester, Escobar, proclaims that by taking off their clothes, ‘we reclaim a part of the state’ (Acento Veintiuno Staff 2014). In their nude protest, the men and women of Veracruz draw out two key aspects of the power of nude protest: first, it is the weapon of those without weapons, dramatizing the power of the bodies of workers to the workings of capitalist neoliberalism, even in the absence of arms or other methods of force, and second, they declare that it is their bodies which make them a part of the state, that the state’s interest in capitalist accumulation is constituted in and through the bodies of workers which, to borrow a phrase from French philosopher Jacques Rancière (2004), constitutes them as ‘the part which has no part’.

Nudity as defencelessness

In Venezuela in 2008, in order to protest the brutal repression against anti-government demonstrations that left 13 dead and over 1,700 wounded, ‘people marched naked because that is how they feel: naked and defenceless in the face of agencies who are under the control of the government...’ (H&E Naturist 2014: 12). In so doing, Venezuelan protesters use the nakedness of the body to dramatize the defencelessness against a state apparatus of brutal repression; their bodies, made powerless by the militarized state, can become powerful as symbolic markers of the power they lack. The very thing which makes the protester vulnerable to violence – her body-- becomes a site of power in the demand for accountability and the freedom of association.

In Cape Town in 2006, about 50 female inmates at Mthatha prison protested plans to move them 250 kilometres outside of the city where their families could not visit them (Die Burger 2006). The detainees used nude protest – *setshwella* – in combination with hunger strike to demand an amelioration of their conditions. In April 2008, a group of mothers in Yarl’s Wood immigration detention centre in Bedford, UK, an institution called an ‘offense to liberty’ and a ‘shame to any civilised nation’ by author Zadie Smith (Martinson 2014), removed their clothes when a pregnant Nigerian detainee was separated from her six-year-old and sent to solitary confinement in retaliation for an earlier protest against child detention policies. In both cases, incarcerated women used the only resource left to them – their own bodies – to protest inhumane and torturous conditions.

Nudity as care

In 2007, a group of Brazilian former oil workers stripped in front of the Petrobras headquarters in Rio de Janeiro to protest the company's pension policies. Similarly, 300 laid-off workers in Bangkok threatened to protest naked in front of the Government House if they did not receive compensation after being laid off from a garment factory. In 2008, the Malaysian Peoples' Reform Movement threatened to strip naked in front of a government building in Selangor after it increased the cost of low-income housing by nearly threefold. In these cases, and in others, the power of the naked body demands attention to the needs of that body – the care for all the aspects of that body that pensions, wages, and safe living conditions provide.

Nudity as attention

In March 2009, 100 female members of the Humanist Party demonstrated naked against nuclear weapons in Asnucion, Paraguay. Demonstrator Carola Gonzales explained the group's use of nudity: 'the public and the news media pay so much attention to breasts and bottoms' (Associated Press 2009). Their bodies decorated with slogans against nuclear arms, the protesters used nudity to rally around issues of war and brutality in a way that made news and generated an international conversation on nuclear arms in a way that had not been seen in years.

Nudity against militarism

The tactic of nude protest has been used frequently to disrupt reigning narratives of war, violence and occupation. In one such instance in 2005, Hala Faisal, a well-known Syrian artist, demonstrated nude in Washington Square Park in New York. Her body, adorned with the words 'Stop the War' in English and Arabic, drawing attention to both the US War in Iraq and the Israeli occupation of Palestine.

Nudity as truth

In April 2009, ten Tibetan students in New Delhi protested naked outside the Chinese Embassy after two Tibetan monks were sentenced to death for their role in the Lhasa uprisings the year before. Dorjee Tsetan proclaimed: 'We did this protest to show the Chinese leadership that their repressive policies in Tibet are naked truth no matter how hard they try to hide from the world what Tibetans in Tibet are going through' (Kunga 2009). Tsetan's metaphor is a powerful one: nudity dramatizes unmasking the truth. Nudity's relation to truth was mobilized a few years earlier in the Philippines as well. In 2005, fifteen students staged a nude protest in Manila, alleging that '[t]he naked truth [is] that the government never treats education as a basic right', and that there was a shortage of nearly 50,000 classrooms and 3.5 million books and desks.

The various explanations of nude protest given by these demonstrators and the myriad of causes for which the tactic has been deployed is especially interesting for one particular reason: the tactic of nude protest, deployed so frequently in Western Europe and the US in service of so-called 'women's issues' seems nearly absent in the rest of the

world.¹ Protesters around the globe deploy the tactic, not to dramatize the oppression of women, but to symbolize the oppression of workers, the dispossessed, the incarcerated, the disenfranchised. While in much of the English-language discourse, activists and academics fixate on the tactic's relationship to overtly feminist causes, this association seems not to hold so strong a sway over the political imagery in many parts of the globe. In the next section, I explore the ways in which the history of nude protest sketched above problematizes the 'Peeping Tom' critique of the tactic which has dominated both academic and activist feminism during nude protest's recent resurgence.

The insurgent body and/or the objectified body

One of the most persistent critiques of nude protest from the left has been that by undressing, protesters, especially women, are contributing to a culture of objectification. Because women are identified culturally with their bodies, the argument goes, their nudity can only be seen as complicit in their dehumanization. There are myriad variations on this argument, but their conclusions are almost always the same: in the words of journalist Lorelai Vener:

When media swarms semi-nude protests, women are not taking back their bodies. They are being objectified. They are supporting the very system they are trying to fight against, because nudity shocks. Nudity will sell papers, and get hits on online sites and draw the interest of people who might never think feminism is the right path for them.

(Vener 2013)

This position rests on some of the fundamental assumptions about women, their bodies, and their agency made famous by some of the American second-wave anti-pornography feminists like Catherine McKinnon (1986). Recent feminist scholarship has critiqued this position in a variety of ways and is so common that it hardly needs to be rehearsed here. Some have argued that this position strips women of any agency over their images and their bodies, reifying them in a position of victimization. Others have argued that this position affirms the dangerous notion that images operate culturally in only one way at a time, that they tell a single story, one which, by assuming that the meaning of nudity is wholly determined by the worst kind of misogynistic viewer, bolsters the power of the oppressor (Mulvey 1975). Trans women have long argued that any position which tells women to refrain from 'objectifying behaviour', be

¹ I do not mean to suggest that only white women of the global north use nude protest as a tactic to confront sexism, nor that all women who use the tactic in the global north are white. This would be a reductive and far too easy schematization. I am, however, referring to general trends that I and others have noticed in the reporting, both by major media outlets and by user-contributed media. But also, notably, many women of colour in the global north have written extensively on the implicit and explicit racism of nude protest cultures in the global north (especially in many local manifestations of FEMEN and SlutWalk). The contention of many women of colour in the global north is that not only are these protest spaces exclusionary to women of colour, but that the very use of sexualisation as a tactic in the global north may not be available to women of colour, queer women, sex workers, and transgender women who are assumed in advance to be hypersexual (Crunk Feminist Collective, 2011; Where is Your Line?, 2011; Black Women's Blueprint, 2011).

that through nudity or through the use of make-up or shaving one's body hair, cuts off many avenues of performing their genders (Serano 2007 and 2013).

Caroline Heldman elaborates a more nuanced description of sexual objectification. She neither categorically condemns nor affirms women's nudity, but seeks to develop a mechanism for evaluating the function of a nude image. She developed the Sexual Objectification Test (SOT), which she claims, sets out a set of strict criteria which can differentiate between objectifying and non-objectifying uses of nudity (Heldman 2012). She argues that an image is objectifying if one would answer yes to any of the following questions:

- Does the image show only part(s) of a sexualised person's body?
- Does the image present a sexualised person as a stand-in for an object?
- Does the image show sexualised persons as interchangeable?
- Does the image affirm the idea of violating the bodily integrity of a sexualised person who can't consent?
- Does the image suggest that sexual availability is the defining characteristic of the person?
- Does the image show a sexualised person as a commodity that can be bought and sold?
- Does the image treat a sexualised person's body as a canvas?

While this test should be lauded as a productive intervention into the objectification debate, I would like to discuss the last two questions in greater detail, as they seem to be those that are most applicable to nude protest. It seems like for any nude protest, one could easily answer 'no' to the first five, the last two seem to open up an interesting and contested terrain of aesthetic interpretation. I'll begin with question seven.

Answering 'yes' to question seven seems to be the very definition of nude protest. In protesting nude or topless, demonstrators seek to turn their bodies into canvases; indeed, this seems to be the entire point dramatized by the history sketched above. The body, when mobilized in nude protest, symbols and letters emblazoned on it, functions as an extremely powerful canvass. But in the protests the body does not function *merely* as a canvas, as a replaceable or exchangeable backdrop; the same message scrawled on a banner and across a breast functions differently. The banner does not simultaneously bear the explicit message and communicate the themes of defencelessness, truth, etc., explained above. As nude demonstrators well know, the medium is always part of the message, even if only part. In the case of the nude body, it functions dually, both as a canvas to display a message and as a potent message itself, both as canvas and symbol. In this way, the relationship between objectification and medium needs to be deepened and rethought, taking account of the various modes and ways in which objects themselves speak, communicate and dramatize a potency all their own.

The recognition that objects speak must inform the consideration of question six, whether the body is treated as a commodity. 'Listen how those commodities speak!' exhorts Marx (Marx 1988: 115). If we are to take the global hegemony or real

subsumption of capitalism seriously, then we might have to destroy the illusion that bodies are ever *not* commodities, being bought and sold all the time, and we must likewise listen to what these bodies say *as commodities*. A central node of a capitalist economy is the transformation of bodies into commodities, which are sold in exchange for a wage, a salary, or benefits, or which are always in the position of being potentially sold at this price. The idea that one should fight against *images* which treat the body as commodity frequently has the effect of obscuring the larger social phenomenon at issue: that in our societies, bodies already *are* commodities. Once objectification is discussed as disconnected from the social, political, economic, and historical conditions of its emergence, it begins to serve an ideological function, positing an immanent outside to the system of real objectification in which we all live. This kind of objectification critique posits that objectification is something done to the body at the level of its representation, when really objectification is something which is done always and all the time at the level of its constitution inside capitalism. When we condemn an image for portraying the body as a commodity, we, in effect, condemn the image for its truth. What many nude protesters are doing, in staging their bodies' vulnerability to the profit-logic which treats them always as commodities, is revealing the larger social logic of objectification on which capitalism rests. In this way, staging the body's consumability, in dramatizing its ability to be bought and sold, the objectification of the body might serve as a more potent form of social and political critique than so-called 'non-objectifying' images.

The only way to maintain the categorical denunciation of objectification is if one reifies the characterization of objects as dead and powerless. The problem with this position, from a feminist perspective, is that it denigrates the body to the realm of the 'mere', when part and parcel of the feminist project is the recovery of the body as a site of agency and power. As Jane Bennett argues in *Vibrant Matter*, the material world is best characterized as full of action, agency, and vitality, as objects are enmeshed in a variety of active and passive relationships with others (Bennett 2010). Much of feminist theory over the last half-century has focused on critiquing the current of the Western philosophical tradition that equates women with materiality and subordinates both to the 'male' powers of logic, reason, and intellect.² While I would seriously question this latter intellectual historiography and its occlusion of the vibrant veins of materialist theory, it does nonetheless give voice to a central feminist concern which is the body. We cannot at the same time condemn the 'reduction' of a person to her body and recover the power of the body. The former position treats the body as undignified, unworthy, or unimportant; the latter, as powerful, important, and primary to understanding personhood and society. While we can decry and mobilize against a social and political structure premised on objectification, we must also recognize that the condition in which we are all made objects does not strip us of our power of resistance to that system, nor of activating the entire field of productive possibilities of matter and embodiment that 'object' names. Given that global neoliberalism names the

² Many such critiques have been made, but a few of the most interesting and important can be found in Luce Irigaray's *Speculum of the Other Woman*, Julia Kristeva's *The Severed Head*, and many of the volumes in Pennsylvania State Press's *Re-Reading the Canon* series, which collects feminist essays on the history of philosophy.

condition of near-universal objectification, the question we will have to tackle is the possibility of nude protests' unsettling, *detourning*, and fighting global neoliberalism. This possibility will hinge on whether or not nude protest will be able to stage and criticize the real, material commodification of bodies under neoliberalism.

Intersectionality and the differential matrix of objectification

As discussed above, part of the problem with contemporary discussions of objectification is that they tend to denigrate the very thing to be recovered: femininity, materiality, embodiment. Perhaps even more troubling, however, is the way in which in much contemporary feminist discourse, objectification is conceived as a uniform process, one that affects all women's bodies in the same way and to the same extent. Latent in this concept of objectification is what we might call the 'Global Patriarchy' Thesis: the idea that all men exercise social, political, economic, military, and sexual power over all women in a more or less generalized and generalizable form. On this image, the world is Manichean; it is bifurcated into two opposed worlds, one populated by powerful, dominating men, the other, by powerless, dominated women. It is not coincidental that many sex-negative, anti-pornography feminists also ascribe to the Global Patriarchy Thesis.

The problems with the Global Patriarchy Thesis are well documented and theorized, articulated and explained by intersectionality theorists, who critique the single-axis approach to oppression and the refusal to recognize differences within groups of oppressed people. Developed by women of colour feminists, intersectionality sought to theorize the specific problems experienced by women of colour, problems that often involved racism, sexism, classism, and heterosexism, and that were often overlooked by single-axis theories. In her landmark work, *Black Feminist Thought*, Patricia Hill Collins describes intersectionality theory as an 'analysis claiming that systems of race, social class, gender, sexuality, ethnicity, nation, and age form mutually constructing features of a social organization, which shape Black women's experiences and, in turn, are shaped by Black Women' (2000: 299). As Barbara Smith explains this key insight, 'the major 'isms' ... are intimately intertwined' (1998: 112); they simply cannot be separated. Patricia Hill Collins and others frequently use the term 'matrix of domination' instead of 'intersecting oppressions'. Others use 'interlocking oppressions' or mutually-reinforcing oppressions to describe the same phenomena. Audre Lorde critiques the supposed homogeneity of experience in *Sister/Outsider* (1984: 115): 'There is a pretence to the homogeneity of experience covered by the word sisterhood that does not in fact exist... Certainly there are very real differences between us of race, age, and sex. But it is not those differences between us that are separating us. It is rather our refusal to recognize those differences.' Rather than cover over the differences between women under the guise of a 'universal sisterhood', intersectionality theorists argue that differences in experiences are caused by differential structural relations to forms of institutionalized power, and thus, need to be analysed, described, and explained as key components of feminist theorizing. In its most basic form, then, intersectionality is the theory that both structurally and experientially, social systems of domination are linked to one another and that, in order both to understand and to

change these systems, they must be considered together. Intersectionality thus critiques theories that treat forms of oppression separately, as well as attempts to locate one axis of oppression as primary. One of the central contentions of intersectionality as a framework is the necessity of embracing ‘the working hypothesis of the equivalency between oppressions’ (Collins 2000: 74). As intersectionality historiographer Vivian May writes: ‘In gender-first or class-first critiques, intersectionality’s censure of hierarchy of oppressions mindsets cannot be taken up—single-axis, hierarchical models of identity and oppression remain as measures of political/theoretical adequacy’ (2014: 102). In other words, one of the central insights of intersectionality theory is precisely that hierarchizing oppressions itself perpetuates the marginalization of those who are often invested with the least social power. In the case of the ‘Global Patriarchy Thesis’, the entire world is constructed on the basis of a primary gender-based oppression that defines and determines the entirety of one’s social position; for these reasons, analyses of objectification that, implicitly or explicitly, rely on a gender-only conception of oppression are not only inadequate to a discussion of the phenomena at hand but, moreover, perpetuate and stabilize the implicit white/bourgeois/able-bodied/hetero/cis gaze, even as they attempt to destabilize (a certain form of) the male gaze.

Intersectionality allows us to focus on the differential position of bodies and persons inside global systems of power, domination, and oppression. Objectification holds very different socio-political consequences for indigenous women who were subjected to brutality under capitalist colonization³, black women, who, enslaved were legally, juridically, and socially constructed as objects to be bought and sold at auction⁴ compared with bourgeois white women who, at least since the nineteenth century, have

³ Consider, for example, the analysis offered by Anne McClintock (1995, 22) in her study of the raced and gendered dynamics of imperial conquest: ‘For centuries, the uncertain continents—Africa, the Americas, Asia—were figured in European lore as libidinally eroticized. Travellers’ tales abounded with visions of the monstrous sexuality of far-off lands, where, as legend had it, men sported gigantic penises and women consorted with apes, feminized men’s breasts flowed with milk and militarized women lopped theirs off. . . . Within this porno-tropic tradition, women figured as the epitome of sexual aberration and excess. Folklore saw them, even more than the men, as given to a lascivious venery so promiscuous as to border on the bestial.’

⁴ The hyper-sexualisation of people of colour lent itself to a particularly insidious regime of sexual violence and social control in the case of enslaved Africans in the colonies. Recounting the ideological component of black women’s subjection in the North American colonies, Patricia Hill Collins (2000, 82) explains that hyper-sexualisation became fundamental to the regulation of Black women’s bodies under chattel slavery: ‘The image of Jezebel originated under slavery when Black women were portrayed as being, to use Jewelle Gomez’ words, ‘sexually aggressive wet nurses.’ Jezebel’s function was to relegate all Black women to the category of sexually aggressive women, thus providing a powerful rationale for the widespread sexual assaults by White men typically reported by Black slave women. Jezebel served yet another function. If Black slave women could be portrayed as having excessive sexual appetites, then increased fertility should be the expected outcome. By suppressing the nurturing that African-American women might give their own children which would strengthen Black family networks, and by forcing Black women to work in the field, ‘wet nurse’ White children, and emotionally nurture their White owners, slave owners effectively tied the controlling images of jezebel and mammy to the economic exploitation inherent in the institution of slavery.’ Enslaved men fared no better in this sexualized work-discipline. The ‘porno-tropic’ discourse McClintock describes inscribed black men in a regime of social control that typified them as sexual threats to the ‘purity’ of the white race. In what Angela Davis has called ‘the Myth of the Black Rapist’, the hyper-sexualisation of black men, founded and continually ‘re-confirmed’ by the exoticising travelogues of the early modern period, portrayed black men as controlled only by excessive sexual appetites that, knowing no boundaries or reason, would lead them to rape indiscriminately. This myth informed the rigid structures of segregation that continue to inform segregationist policies, structural racism, and the booming neoliberal regime of mass incarceration.

been constructed as virginal, pure, and sexless. The differential modes of sexualisation and the different histories of legal and social objectification experienced by individuals inhabiting different social locations means that, first and foremost, developing a univocal theory about objectification and sexualisation will reinforce the incorrect and problematic notion that all women experience sexism in the same way and that all women and their bodies come under the same modes of violence. Intersectionality, in its attentiveness to differences and to structural axes of oppression may be able to generate a more robust, complicated, and helpful analysis of objectification, nudity, and resistance.

What interests me in particular here is the integrated and synthetic approach to considering identity and context as mutually constituted. As Vivian May argues, crucial to intersectionality theories is a synthetic approach to context and identity:

Pitting context versus identity ignores how intersectionality posits identity as located within, navigating across, and shaped by social structures. A more thorough reading of the literature, in any period of intersectionality's genealogy, substantiates that a 'both/and' approach to (multiple) identities contextualized within myriad social structures and cognizant of relational power dynamics within and between groups is a basic premise of intersectionality.

May (2014: 103)

As I have been arguing above, part of the insufficiency of many discussions of objectification is their inability to take context into account in a robust and dynamic way. Another way to state this criticism is that in most of these discussions, *identity is determinative of context*; if one identifies as, or is identified as a woman, this identification determines the contextual meaning of a nude image. The idea that identity and context are co-determined, and that a robust analysis of context requires a careful consideration of multiple, interlocking structures and histories of domination, must form the basis for analysing the intervention of bodies into public space and discourse. What intersectionality allows us to add to a more traditional 'objectification' analysis is a tactical aesthetics, one that takes account not only of the protest-image itself, but of the history in which it was produced, the structures of power it contests and/or reaffirms, and its effectiveness at dramatizing 'relational power dynamics within and between groups.' In this sense, intersectionality offers not only an incredibly important criticism of traditional discussions of objectification but also furnishes the foundation for more a more complex, integrative approach to considering nudity as a tactic inside the matrix of oppressions that structure neoliberalism. In the next section, I will attempt to use these insights to analyse the (in)effectiveness of the nude protests discussed above.

Nude neoliberalism

This renewed history of nude protest, along with an altered understanding of objectification, situates the tactic inside global neoliberalism and, as such, opens the question of reactivating its radical roots as a feminist form of resistance. What is remarkable in the history sketched above is the frequency with which nude protest has

been undertaken to intervene in causes that extend far beyond 'traditional' 'women's issues'. Women have stripped down, like Godiva, in advocacy for the poor, and against militarization.

Of course, using nudity as a tactic in advocacy for wider concerns of social justice is not wholly absent from white feminisms. In March 2009, 22-year old porn actress Laura Perego walked into the Milan Stock Exchange wearing nothing but her underwear and body paint in the image of the Italian Flag. She insisted on remaining undressed, saying, 'I want to send a message to all those who mismanaged our savings... stripping Italians of everything but their underwear' (Annotico Report 2009). Peregro's protest made news, not only because of her nudity, but also because of the context in which she chose to strip down: a protest against financial capitalism and impoverishment instead of the more common protests for women's rights. But the most frequent and sensationalized coverage of nude protests in Europe and the United States have used nudity and toplessness in service of feminist issues.⁵

Chief among these latter have been protests against sexual assault, rape, bans on public breastfeeding, and 'topfreedom'-- the fact that while it is legal in most places for men to be topless, it is illegal for women to do so. In the analysis which follows, I do not mean to denigrate the importance of these causes. But I do want to highlight the importance of considering a tactic in relation to its context and goal, that is, in relation to an overall strategy of intervening in and opposing the proliferating, interlocking, and variously co-constituted institutions and narratives of domination. To do so might lead us to suggest that in the era of neoliberalism, nudity might no longer be an effective tactic in the dramatization of 'women's issues'.⁶

The neoliberal paradigm has turned women into consumers of their own pleasure and has re-grounded a political discourse around sexuality in desire instead of in need. The strategy of neoliberalism, in the words of Wendy Brown, is the creation of a market society without the direct means of state coercion so that 'the withdrawal of the state from certain domains and the privatization of certain state functions does not amount to a dismantling of government, but rather, constitutes a technique of governing' (Brown 2003). What characterizes neoliberalism is thus the ability of the agents of capitalist accumulation to rely on the force and structure of individuals' desires to propagate and reproduce those conditions in the absence of the direct mechanisms of power and subjectivation. In a sense, neoliberalism is the world in

⁵ For the purposes of this piece, I will refrain from commenting on whether or to what extent I would identify the various protests and causes as feminist; instead, I mean only that the participants use the language of 'feminist' and 'feminism' to describe and explain their goals and aims.

⁶ I am relying here on a difficult and somewhat tenuous distinction between 'women's issues' and 'feminist issues'. I use the former term to refer to issues that relate specifically to persons who identify as women on the basis of their biology, gender-presentation, social position, and/or sexual identities. I use the term 'feminist issues' to address a much broader range of issues relating to the dismantling of white supremacist capitalist hetero-cis-sexism and the culture of 'patriarchal violence', both subjective and structural that bell hooks, among others, has argued form the foundation of contemporary society and which manifest not only as violence against women, but as militarism, colonialism, fascism, exploitation, dispossession, and appropriation. In this way, I see the protests against the dispossession of workers in Veracruz to be just as feminist (or, as I argue below, potentially more so) as those which specifically dramatize violence against women. I recognize, however, the terminological insufficiency of this distinction and so use it only reluctantly, as I butt up against the limits of language and pre-existing conceptual distinctions. For more on patriarchal violence, see bell hooks 'Ending Violence' in *Feminism is for Everybody*.

which, to borrow a phrase from Michel Foucault (1977), bodies not only make themselves docile to governance but champion this process as the epitome of freedom and autonomy.

The neoliberal subject, then, is precisely the one who enjoys, the one who does not deny the excesses of pleasure, performance, consumption, the one who equates pleasure with liberation. Žižek makes a similar argument in *The Sublime Object of Ideology*: the contemporary/postmodern injunction to enjoy, to 'own' one's desire, confirms rather than subverts ideology in the contemporary world by championing the voluntarism of the individual-consumer as the paragon of fulfilment (Žižek 1989). This ideological retrenchment has had the effect of what Michael Warner calls 'post-liberationist privatization' on the frontiers of struggle: it has pushed feminist, queer, and racial justice projects towards advocacy that reframes liberation as an individual project, as the fulfilment of any one individual's desire to get married, have a 'good' job, to advance into positions of relative power, comfort and luxury; in short, to *assimilate* into the dominant paradigm (Warner 1999: 168). The problem, of course, with this strategy, is that the dominant paradigm is itself racist cis-hetero-sexist capitalism. In this way, the valorisation of the subject-of-desire is fundamentally socially reactionary, because while it might allow for the amelioration of the living conditions of a select few from oppressed communities, it does so by making the Faustian bargain to sacrifice the principles of collectivism, community, and solidarity which are crucial in eliminating oppressive structures.

When we talk about resistance in the neoliberal age, it thus remains crucial that both our tactics and our aesthetics of liberation frontally oppose the individualizing, dispersing, atomizing logic of neoliberalism. The question, for me, always when analysing an aesthetic object is: how does it operate? And when we discuss the images of a movement, or the aesthetics of resistance in the age of neoliberalism, part of that aesthetic analysis must thus demand to know whether the object operates as a confirmation or a disruption to the neoliberal imaginary of dissociated individualism and private emancipation.

When feminist activists disrobe for 'women's issues,' the images of their naked bodies operate on a plane of intelligibility that affirms the idea that feminist liberation is fundamentally about what is acceptable for a woman to do with her body. Even when dramatizing an otherwise emancipatory message – one that militates against rape culture, for example – the tactic operates aesthetically as a reconfirmation that what is at issue is *a* body. But collective liberation projects are rooted in the perspective that injustice is not an issue of any particular body, but is fundamentally an issue of the *social body* or the body politic, that individual cases of injustice are symptoms of larger systems of social maladies, that violence against an individual is intelligible only inside a culture of violence. One could argue, of course, that feminist nude protest stages this already, marking one body as a signifier of the markedness of all female bodies in a deeply sexist society. This, I think, is undeniably true and forms the power and the force of the resurgence of the tactic in recent years, when activists and academics have been increasingly turning to thematising rape culture as a pervasive social phenomenon that rebounds on all women as linked inside a system of violence. But what this tactic

fails to do when so mobilized is to articulate the fundamental, inextricable link between rape culture and other iterations of systematic oppressions: racism, homophobia, transphobia, ableism, nationalism, militarism, gentrification, segregation, mass incarceration, and neocolonialism among others. In other words, it reifies a distinction between the plight of women and other social justice causes, replaying and confirming the 'divide-and-conquer' strategy of neoliberalism.

It is in this sense that many nude protests participate in a veiled form of white supremacy. When predominantly white women of the global north undress in order to proclaim their freedom and bodily autonomy, they deny the historical and structural ways in which racism, capitalism, neocolonialism, mass incarceration, and imperial militarism create and sustain the very model of traditional white femininity they rally against.⁷ Intersectionality, in its best and most productive formulations points to precisely this: not only do we all live at the crossroads of multiple kinds of identity, but even these categories themselves are not isolatable. The construction of gender has always been implicated and constructed in and through other social determinations and to conceive of it otherwise, as separable, is to surreptitiously reconfirm the ideology of domination.

The perversity of neoliberalism is that it has folded desire, even the desire to be free, once subversive and oppositional, into the very fabric of the institution. And when those institutions exploit and foment racial tensions, when they profit on race-based exclusion, when they promote ever-more nuanced and pernicious forms of segregation, and when they commodify diversity, any complicity in them or in the ideological narratives which sustain them is also complicit in racism. As Black, Latina, Xicana, and indigenous feminists have argued for decades (and arguably for centuries), the creation of normative white femininity was a racialized and classed process, and feminisms that take gender as a detached, singular category of experience smack of implicit white supremacy. So when white feminists attempt to reclaim the category of desire in the abstract, or to perform their liberation in their nudity, they affirm both the subject of neoliberalism and the racist institutions which reinforce it. It is no wonder then that groups like FEMEN so easily devolve into explicit racism; inattentive to their complicity with neoliberalism, their Islamophobic rhetoric is merely making explicit the racism inherent in any abstract project of women's liberation.

This is not to say that desire is a wholly bankrupt category to which feminism and aesthetics must bid a reluctant farewell. But it does mean that liberation will not come from individual affirmation alone. It means that perhaps the most 'feminist' causes are those that do not seem to be explicitly about gender – those that protest violent immigration policies, mass incarceration, unfair labour practices, and climate change. It is in these contexts that nude protest might be most effective. This seems to be the strength and the power of the nude protest movement in the global south. The fact that nude protest there operates most frequently as a tactic in struggles for workers' rights, inmates' rights, land, racial justice, and environmental sustainability destabilizes the

⁷ For more on the role of colonization, war, imperialism, and slavery on the construction of normative white femininity, see among others Anne McClintock's *Imperial Leather*, Laura Ann Stoler's *Race and the Education of Desire*, and Maria Mies' *Patriarchy and Accumulation on a World Scale*.

neoliberal notions that justice can be accomplished piece-meal. When an image of *Los 400 Pueblos of Veracruz*, for example, surfaces, the image is legitimately stunning; it breaks the habitual associations of tactics and strategy, provoking the obvious question – why nudity? The answer to that question, whether given by a dispossessed farmer in Mexico or an incarcerated women in South Africa, is that to liberate any body, we must liberate *all* bodies. We will either all be free or we will all be trapped in a system of exploitation and culture of violence. Only images which do this can rightly be classed under an aesthetics of resistance.

Conclusion: Nudity and a possible aesthetics of resistance

Constructing an aesthetics of resistance is a collective project. Building the foundations for a new world is a project that requires the creation of new collective imaginaries and the development of new modes of sensibility that allow us to see the depths of the problems we face and to envision creative, collective, collaborative solutions. Aesthetics is the domain of analysis that tells us how our tactics operate and whether, on a fundamental level, they break with the dominant and ruling forms of oppression.

The above analysis argues that the nude body has so often in recent years fallen short of this urgent task. But aesthetics, as an inquiry devoted to situation and position, provides also an analysis of how it might be recovered. The bare breast becomes radical again when it is in a new context: the context of solidarity, of opposing neoliberal capitalism on all its fronts; when it recognizes that housing, job security, structural adjustment, police brutality, and public transit are just as much feminist issues as rape culture, reproductive justice, domestic labour, and pay equity. The aesthetic question is thus not whether or not baring a breast is categorically emancipatory or liberatory, but whether in any one instance, it allows something to be seen, whether it inaugurates a break in what Jacques Rancière calls the ‘distribution of the sensible’, the aesthetic and sensible matrix that the ruling ideas bequeath to us. The question, then, is one of force: does the image, the protest, the tactic, the breast, force us to see what we try so hard not to see? Does it render visible that which is occluded? Does it dramatize the interlocking and mutually constituted structures and techniques of oppression which make protest necessary in the first place? Is it firmly rooted in a notion of collective emancipation, in the project of building a feminist bridge to the world which is not-yet?

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Understanding the Changes to Irish Policy During the 1980s Using a Discursive Institutional Approach

John Hogan and Brendan K. O'Rourke

Abstract

Employing the critical juncture theory (CJT) developed by Hogan and Doyle (2007) a discursive institutionalist approach, this paper examines the nature of the changes to Irish industrial policy in the mid-1980s, a time when the country went through one of its worst economic crises. Did the policy changes ushered in by the Telesis Report of 1982 constitute a critical juncture in industrial policy, or were they something less, constituting a continuation of a previously established policy pathway? And if so, why? The CJT consists of three elements – economic crisis, ideational change (extant ideational collapse and new ideational consolidation), and the nature of the policy change – that must be identified for us to be able to declare with some certainty if the changes to industrial policy at this time constituted a critical juncture. Herein, we examine the roles of a variety of change agents along with their ideas. Not only do we find that industrial policy did not undergo a radical transformation during the 1980s, but we point to some explanations for this policy continuity.

Introduction

In the current context of global financial crisis, which has seen the Irish banking sector effectively collapse and the Irish economy plunged into crisis, we examine how earlier Irish governments, also confronted with challenging economic circumstances, sought to alter the country's industrial policy. During the second half of the 1970s the economy performed relatively well, after weaker performance following the first oil shock. However, recovery proved transitory, as pro-cyclical fiscal policies fed inflation. By the 1980s, the economy shrank, and unemployment and emigration returned, much as now. This led to a questioning of industrial policy's focus on foreign direct investment (FDI) in place since the 1950s. What changes were made to this policy during the 1980s? And what lessons might this hold for contemporary policy makers?

We use the CJT to investigate these questions. According to Hogan (2006) a critical juncture is a multistage event that sets a process of policy change in motion. However, this understanding of critical junctures was linked to historical institutionalism, path dependence, and increasing returns. Drawing upon the CJT work of Hogan and Doyle (2007), which employs ideas and agents, a discursive institutionalist approach in understanding critical junctures, we argue that a crisis can create a situation where extant policies and associated ideas are called into question by change agents (political and policy entrepreneurs). Any subsequent displacement of the extant paradigm by a new set of ideas on how policy should operate can lead to radical policy change (Hogan and Howlett: 2015). But, without ideational change, policy change will likely be relatively minor - the hierarchy of goals underpinning a policy will remain unaltered and

extant policy will soldier on. Through using the CJT we can gain a deeper understanding of the nature of the changes in Irish industrial policy during the 1980s, pinpoint key events and actors, and identify why these changes took the form they did, and what role ideas played in this process. In employing this theory, we are adding to our understanding of policy change in a discursive institutionalist context.

Case study: Testing the nature of change in Irish industrial policy during the 1980s

There is a longstanding debate in the literature on the relationship between crisis and policy change (Haggard and Kaufman 1995: 3). A crisis implies prevailing policy cannot be sustained without deterioration (Boin, 'tHart, Stern and Sundelius 2005). An economic crisis, calling into question existing policies, can influence a variety of alternative policy preferences and trigger change – as governments, political parties and their policies are exposed to the impact of economic fluctuations (Tilly 1975).

From the 1950s onwards, Irish industrial policy moved away from protectionism, seeking to attract FDI as a stimulus for growth and skills transfer (Girvin 1994: 125). A significant policy entrepreneur at the time, advocating export led growth and economic openness, was T. K. Whitaker, Secretary of the Department of Finance (Donnelly and Hogan 2012). His ideas, as set out in *Economic Development* (Department of Finance 1958a) - a transition to free trade, stimulation of private investment, introduction of grants and tax concessions to encourage export manufacturing, and the inducement of direct investment by foreign, export-oriented manufacturers - were influential on Taoiseach Seán Lemass. *Economic Development* proved the genesis of a new paradigm with which to manage the economy and formed the backbone of the 1958 White Paper *First Programme for Economic Expansion* (Department of Finance 1958b), which established a coherent set of ideas based on an outward-looking strategy (Horgan 1997). Since then Ireland achieved international recognition for its success in attracting foreign firms and investment (Barry and Kearney, 2006). Andreosso-O'Callaghan et al., (2014) have referred to this policy as industrialisation by invitation, a policy domain that saw all other policies made subservient to it.

This fundamental policy change, prompted by dire economic performance, constituted a critical juncture in industrial policy. In the midst of a macroeconomic crisis, the protectionist policy, having been undermined by previous failures, was overcome by change agents consolidating around ideas of economic openness (see Donnelly & Hogan, 2012). The result was that Ireland became 'one of the first countries in the world (along with Puerto Rico and Singapore) to adopt an FDI-oriented development strategy' (Barry, 2009). Also, in terms of its size, Ireland is close to the world median population for a country, making it a fascinating case to examine (Barry and Kearney 2006).

From the late 1950s onwards, the outward orientated industrial policy remained unaltered, due to recognition that protectionism did not work in the context of seeking membership of the European Economic Community (EEC) and that an increasing number of jobs depended upon FDI. In this context, we employ Barry's (2009) definition of Irish industrial policy: 'the actions of the IDA [Industrial Development

Authority] – which is tasked with attracting foreign industry to the country – and of its sister agencies whose remit covers export-oriented indigenous industry.’

However, between 1981-1986, Ireland again experienced severe economic difficulties. This economic crisis was on a par with that of the 1950s in terms of its impact upon the political economy. Throughout the 1950s, unemployment stood at close to 10 percent (Donnelly and Hogan 2012); this level would have been higher except that half a million people emigrated, resulting in the population falling to its lowest level since the first half of the 18th century (Haughton 1995). At the beginning of the 1980s unemployment stood at 9.3 per cent and would almost double by 1987 (NESC 1981: 1). In 1985-1986 net emigration was 31,000 (Brunt 1988: 34) and for the first time in a quarter of a century the population decreased (CSO 2015). Additionally, the national debt spiraled out of control during the 1980s. Once more, Irish society, and its policy makers, experienced great uncertainty. Industrial policy, focused as it was upon FDI as a stimulus for growth and skills transfer since the late 1950s, was increasingly questioned (Girvin 1994: 125). What we would like to examine here is whether this economic crisis in the 1980s had a similar impact upon industrial policy’s reliance on FDI, as the crisis of the 1950s had upon its reliance on protectionism and import substitution. Or did the state continue to rely upon FDI as its engine for growth, despite the failing economy? And if so, what might explain this policy continuity despite a severe economic crisis?

The critical juncture literature

Critical junctures result in the adoption of an arrangement from among alternatives. Thereafter, the pathway established funnels units in that direction (Mahoney 2003: 53). For some, a critical juncture constitutes an extended period of reorientation (Collier and Collier 1991; Mahoney 2003), while for others, it is a brief period in which one direction, or another, is taken (Garrett and Lange 1995; Hogan 2006). Flockhart (2005), employing a social constructivist perspective on ideational change, used critical junctures to explain the gap between Danish voters and their politician’s attitudes towards the European Union (EU), while Wolff (2012) examined the development of an EU counter-terrorism policy through critical junctures. Slater and Simmons (2010), in addressing the problem of infinite regress in path dependence and critical junctures (a problem Mahoney (2001) and Pierson (2004) had previously grappled with), focus on ‘critical antecedents’, while Soifer (2012) focuses on the permissive and productive conditions that cause critical junctures. However, this literature is generally inconsistent in how it differentiates critical junctures from other forms of policy change - such as incremental change. Also, the literature often examines critical junctures from the perspective of crises (exogenous shocks), and contingency, emphasizing the tensions that precede the important events that set policy change in motion, while ignoring those events themselves.

However, Hogan and Doyle (2007) sought to resolve these issues by setting out a revised CJT and developing a framework capable of testing for critical junctures, but also capable of identifying other forms of policy change when critical junctures did not occur and with the capacity to produce consistent findings (see Hogan and Hara 2011;

Hogan and Cavatorta 2013). Their attention to entrepreneurial agency, and the primacy of ideas and discourse, constituted an effort to 'endogenize' policy change (Schmidt 2010), making the contingent events, generative cleavages and exogenous shocks, so important to historical institutionalism and path dependence, less significant. If we want to understand policy change we must take account of what actors do to produce it (Zittoun 2009).

According to Hogan and Doyle (2007), a critical juncture consists of three discreet, but interconnected elements: crisis, ideational change (extant ideational collapse, new ideational consolidation) and radical policy change. Thus, CJT uses ideas in a form of 'discursive institutionalism' to overcome the limitations of 'traditional' new institutionalist approaches (see historical institutionalism) in explaining policy change – specifically their static and overly determinist nature, with their focus on path dependence in the wake of exogenous shocks (Howlett 2009; Schmidt 2008, 2010). Discursive institutions are not rule following structures of the older institutionalisms that serve as restraints on actors, but are internal to agents as constraining structures and enabling constructs of meaning (Schmidt 2010). Hogan and Doyle (2007) argue that, in the wake of a crisis, outside influencers (public, media, NGOs etc), policy entrepreneurs (civil servants, technocrats, academics, economists, interest groups) and political entrepreneurs (elected politicians) act, in the words of Kleistra and Mayer (2001), as either carriers, or barriers, to policy change. According Peters (2012) these actors engage in coordinative and communicative discourse to achieve change. Consequently, Hogan and Doyle (2007) placed ideas, change agents and their agency at the heart of their CJT. This discursive interaction (exchange of ideas) between these policy elites and the general public generates the alternative ideas that may lead to collective action (Schmidt 2008). As a result, we are shown the entrepreneurs' struggle to unlock complex problems (Carstensen 2013) and provided with insights into the black box of policy making and policy change.

Using the CJT to examine the nature of industrial policy change in Ireland during the 1980s involves developing observable implications to test for a crisis, ideational change and radical policy change, in three separate stages. These observables incorporate aspects of societal/policy/political change we would expect to find if the theory holds. As will be seen below, we develop our observable implications from previous studies, and draw our data sources through combining quantitative and qualitative measures. We made sure to employ a broader range of data sources to ensure greater accuracy in our findings and to reduce levels of ambiguity. Bowen (2009: 28) explained that document analysis is often used in combination with other qualitative research methods as a means of triangulation, as the researcher is expected to draw upon multiple sources of evidence to seek convergence and corroboration. As Flick (1992: 194) points out, such a strategy adds rigour, breadth, and depth to an investigation. The stronger the evidence supports the observables, the greater the indication that a critical juncture occurred. The framework (detailed below) has been applied to a variety of policy areas: macroeconomic policy change, privatization policy rollback and policy change in nondemocratic states (see Hogan 2006; Hogan & Doyle 2007; Hogan & Cavatorta, 2013).

Applying CJT

Testing for a crisis

In a crisis extant policies are failing to address a problem (Boin, 'tHart, Stern and Sundelius 2005) and as a result can unleash powerful forces for change that can have a lasting impact (Haggard 2003). Economic crises are more common in modern democracies than wars or revolutions. Hogan and Doyle's (2007: 888) CJT, recognising that identifying a macro-economic crisis is difficult, involving subjective and objective deliberations, uses 12 encompassing observable implications. These draw upon the currency crisis, recession and policy reform work of a variety of scholars.

For instance, according to Garuba (2006: 21) and Kwon (2001: 105), a macroeconomic crisis can be identified through general indicators and perceptions of growth, inflation, and employment creation. Pei and Adesnik (2000: 138-139) developed a range of criteria for identifying macroeconomic crises (inflation above 15 percent, stagnant gross domestic product (GDP), and historians and other analysts' descriptions of significant deterioration in economic circumstances), that require subjective and objective deliberations. Kaminsky, Reinhart, and Végh (2003) advocated the examination of individual variables when quantifying currency crises. This range of observables is used to identify changes in nominal economic performance, as well as in perceptions of economic health (See Appendix A).

Testing for ideational change

Ideational change can result in a transformed policy environment, but understanding how ideas influence policy is something theorists have long grappled with. The failure of extant policies to resolve a crisis provides a window of opportunity for change agents to contest the viability of the underlying paradigm (Kingdon 1995). These agents can gain support for their ideas by setting the agenda for reform in the policy sphere (Schmidt 2010).

To address the question of why ideas underlying failing policies sometimes change, resulting in radical policy change, whereas at other times they remain unaltered resulting in minor policy change, Donnelly and Hogan (2012), drawing on Dahl (1963), Kingdon (1995) and Legro (2000) argue that significant policy change depends upon a broad range of change agents, outside influencers (the media, OECD, IMF, World Bank) and policy entrepreneurs (civil servants, technocrats, academics, economists and interest groups) perceiving the extant paradigm as inadequate (collapse) and coalescing around a set of new ideas, championed by a political entrepreneur (consolidation).

Policy entrepreneurs and outside influences produce ideas. These agents can gain support for their ideas, by setting the reform agenda in the policy sphere (Schmidt 2010). The political entrepreneur picks and chooses from the ideas put forward by the policy entrepreneurs, and then acts as a figurehead, introducing the chosen ideas into the policy-making process (Hogan & Feeney 2012). This constitutes coordinative and communicative discourse (Schmidt 2010). Once the new policy idea becomes accepted

amongst policy entrepreneurs and the political elite a new policy monopoly, and stasis, is instituted (Meijernik 2005). As Blyth (2002: 37) argues, 'ideas facilitate the reduction of ... barriers by acting as coalition-building resources among agents who attempt to resolve the crisis.' Ideational change constitutes the intermediating factor between a crisis and policy change. Incorporating a discursive institutionalist element in the critical junctures concept provides us with an understanding of the activities of change agents during instances of ideational contestation and possible change. Based on Donnelly & Hogan's (2012) CJT framework, we set out seven observable implications for identifying extant ideational collapse and new ideational consolidation (See Appendix B).

These observables suggest that as agents debate the viability of the old model, they generate solutions to its ills through new ideas. However, 'even when ideational collapse occurs, failure to reach consensus on a replacement could still produce continuity, as society reflexively re-embraces the old orthodoxy' (Legro 2000: 424). Even in the wake of a crisis, policy failure and ideational collapse, there is no guarantee new ideas will become policy. This is because in addition to policy viability, policy ideas must have administrative and political viability (Hall, 1989).

Testing for policy change

In the context of critical junctures, agency concerns the selection of a specific policy option from among many possible alternatives. The CJT leads us to expect significant policy change after there is political entrepreneur-led consolidation around a new idea (ideational change) in the wake of a crisis. The CJT's final stage employs Hall's (1993) concepts of first, second and third order change to develop observable implications to enable us to identify and differentiate normal and fundamental shifts in policy (See Appendix C). The observables incorporate Hogan's (2006) notions of swift and enduring change.

These observables enabled the differentiation of policy changes, ranging from minor adjustments to the setting of policy instruments to paradigm changes in policy goals (Hall, 1993). As we are dealing with the concept of a critical juncture (radical change), we assume this is not a long process; otherwise, it would be incremental change. Also, if the change is to endure in an environment full of competing policy entrepreneurs and ideas, it should survive a change of government. By selecting a period exceeding a government's term of office, we are addressing the problem in policy dynamics of defining and operationalizing the scope and timing of policy change (Howlett 2009). Clarifying when a policy change can be regarded as fundamental, and the length of time it takes to observe such a change, is usually based on a multi-year perspective to identify actual, as opposed to temporary, policy alterations (Capano and Howlett 2009).

Evaluation of the findings

To evaluate the evidence for a crisis, extant ideational collapse, new ideational consolidation and the type of policy change, the finding for each observable implication was evaluated independently by each author and assigned a score according to whether it indicated strong (3), medium (2), weak (1) or no support (0). The stronger the inter-

coder agreement indicated between the researchers' findings, the more confidence we have in the findings. This approach allows for a more nuanced understanding of policy change. As interpretation plays a part in divining meaning from codes, the reporting of findings involves thick description of categories and contexts (Polgar and Thomas 2008: 248). We found inter-coder agreement to vary between 100 percent and 33 percent, averaging 73 per cent; and Krippendorff's alphas to vary between 1 and 0.022, averaging 0.57, which is a good level of reliability (Krippendorff 2004) (see Appendix D).

Identification of Macroeconomic Crisis

The Irish economy in the 1980s

During the late 1970s the Irish economy performed relatively well, having recovered from the 1973 oil crisis. The high levels of inflation and unemployment, that peaked in the middle of the decade, had begun to fall, while growth returned (Leddin and Walsh 1998: 26). We can see from Table 9.1 that real gross domestic product (GDP) increased by 4.5 percent on average between 1975 and 1979.

In 1977, a new Fianna Fáil government employed an expansionary fiscal policy at a time when the economy was growing at an unsustainable rate (OECD 1982: 10). This fiscal injection, in pursuit of a 'dash of growth' that economists warned was unsustainable, led to a deterioration in fiscal balances, with the public sector-borrowing requirement increasing from 13 percent of GNP in 1976 to 20 percent in 1981 (FitzGerald 2000: 43). This period saw record deficits in the current external balance and the public sector accounts (OECD 1983: 7). As we can see from Table 1, inflation peaked at 20.4 percent in 1981, while interest rates remained high.

Table 9.1: Ireland's Main Economic Indicators, 1972–1991

Year	Unemployment %	Inflation %	Interest %	Government Debt to GNP ratio	Growth Rates in Real GDP %	Economic Openness ¹
1974	5.4	17.0	12	55.39	4.2	94.37706
1975	7.3	20.9	10	58.05	2.0	86.44022
1976	9.0	18.0	14.8	62.5	2.1	94.96721
1977	8.8	13.6	6.8	61.4	6.9	102.0045
1978	8.1	7.6	11.9	63.5	6.7	103.7894
1979	7.1	13.2	16.5	70.65	2.4	109.601
1980	7.3	18.2	14.0	71.91	1.9	106.4831
1981	9.9	20.4	16.5	77.45	1.1	105.0999
1982	11.4	17.1	14.0	86.53	-0.7	97.81183
1983	13.6	10.5	12.3	97.60	-1.6	101.7349
1984	15.4	8.6	14	106.28	2.3	112.7388

¹ Measured by the trade to GDP ratio. This is acquired by adding the value of imports and exports and dividing by GDP.

1985	16.7	5.4	10.3	108.60	0.8	112.172
1986	17.1	3.8	13.3	123.26	-1.1	101.1026
1987	17.7	3.1	9.3	124.07	4.6	104.8707
1988	16.4	2.1	8.0	117.35	4.4	109.5299
1989	15.1	4.1	12.0	106.84	7.0	117.0717

Sources: European Commission (1997); Heston, Summers, and Aten (2002); Leddin and Walsh (1998); Mitchell (1992); United Nations (2013).

As the economy slowed, then began to shrink and unemployment and interest rates rose, emigration increased (OECD 1982: 10). More people were unemployed by June 1981 than at any time in the country's history (*The Irish Times* 1981a: 6). The balance of payments deficit was 13 percent of GNP (Central Bank of Ireland 1982: 16). The government's spending was so high that the total amount budgeted for 1981 had been consumed by midyear. Consequently, almost half of exchequer borrowing for 1981 went to financing the current budget deficit (Bacon, Durkan and O'Leary 1986: 6), which stood at an unsustainable 7.3 percent of GNP (Leddin & O'Leary, 1995: 167).

The debt to GNP ratio was on an unbroken upward trajectory from 1977 to 1987, surpassing 100 percent by 1984. Between 1979 and 1986 the rate of increase of debt to GNP regularly exceeded 10 percent per annum. The fiscal deficit, intended in the late 1970s to be temporary, became impossible to eliminate. Imports and exports fluctuated wildly, reflected in the figures for trade openness in Table 9.1. Only inflation improved after 1981. By 1986, the economy had been in continuous stagnation since 1980, contracting for the third time in five years (see Table 9.1). An Irish Independent poll found that a majority of citizens were skeptical of the politicians' ability to run the country properly (O'Regan 1981: 1).

The need to control public expenditure and prevent excessive reliance on foreign borrowing dictated the adoption of tighter fiscal policies. However, the catch-all nature of Irish political parties induced governments to buy off short-term pressure from interest groups through ad hoc policy concessions. This worked against the imposition of severe economic policies and the formulation of enduring agreements between the state and economic interest groups, like those in Continental neo-corporatism.

By the mid 1980s there was unanimity in the domestic and foreign media concerning the economy. Finlan (1987: 16) writing in *The Irish Times*, described the economy as being 'on the ropes'. The *Economist* pointed out that by 1987 'the people of Ireland were deeply in debt to the outside world, three times as much per head as Mexico' (*The Economist* 1987: 53). *The Irish Times* (1987a: 10) noted that some economic commentators were advocating debt repudiation due to the scale of indebtedness. Overall, the general consensus in the newspapers was one of stagnation and crisis.

Most economists were critical of economic policy and performance during the 1980s (Bradley and FitzGerald 1989: iii). While initially boosting the economy, the government's debt-finance plan for rapid development between 1977 and 1980 was a disaster, due to the depression and debt-burden that followed (O'Rourke 2010). Bacon et al. (1986: 1) observed that 'the first half of the decade of the 1980s, taken as a whole, was a period of appalling economic performance.' 'It is difficult to avoid the

conclusion that Irish economic performance has been the least impressive in Western Europe, perhaps in all Europe’ (Kennedy and Conniffe 1986: 288). The Central Bank (1987: 7) foresaw no immediate prospects for an improvement in growth or employment. More worryingly, it argued that the situation did not permit for increases in welfare benefits to the disadvantaged. An increasing level of poverty was eroding the lives of a growing segment of society (O’Morain 1987: 7). As the OECD (1987: 77) put it: ‘by the mid-1980s a number of acute imbalances confronted the Irish economy.’ These imbalances were also making the business community worried. The Small Firms Association noted steadily declining business confidence (*The Irish Times* 1987b: 6). Leading businessman Tony O’Reilly warned of the dangers of International Monetary Fund (IMF) involvement in running the country if the crisis was not resolved (Keenan 1987: 8).

After 1982 all the major parties agreed on the need to stabilise the debt/GNP ratio (Mjøset 1992: 381). The state changed its overall policy from focusing on employment to balancing budgets, export growth, and international competitiveness. A member of Fine Gael, Alexis Fitzgerald, remarked that in just 4 years Fianna Fáil had doubled the national debt it had taken 57 years to accumulate (*The Irish Times* 1981a: 6). Subsequently, Prime Minister Garrett FitzGerald acknowledged that the national debt and interest payments, rising faster than national income, constituted a vicious circle, each year consuming a larger share of taxation (*The Irish Times* 1987c: 10). Opposition leader, Charles Haughey, remarked that ‘the economy is at a total stand-still’ (Cooney 1987a: 9). Amongst the public, consensus held that the country was in the midst of a serious financial crisis (Cooney, 1987b: 1). ‘By 1987 the Irish economy was universally seen to have reached nadir’ (*The Economist* 1992: 6).

Table 9.2: Identification of Macroeconomic Crisis in Ireland in the 1980s

Identification of Macroeconomic Crisis	Coder 1	Coder 2
O1. Stagnant or negative GDP growth	3	3
O2. Unemployment above 10 percent	3	3
O3. Inflation and interest rates above 10 percent	3	3
O4. National debt, as a percentage of GDP, increasing at more than 10 percent, annually	3	3
O5. The level of economic openness declining	3	2
O6. Public perceives economic crisis	2	2
O7. Media perceive economic crisis	3	3
O8. Economic/political commentators perceive economic crisis	3	3
O9. Central bank perceives economic crisis	3	3
O10. OECD perceives economic crisis	3	3
O11. Elected representatives perceive economic crisis	3	3
O12. Government pronouncements consistent with crisis management approach	3	3
	Strong	Strong

(3) strong support | (2) medium support | (1) weak support | (0) no support | (N/A) not available

From Table 9.2, we see that both authors felt the majority of observable implications support the argument that Ireland, during the 1980s, experienced an economic crisis. The next sections test for ideational change in industrial policy during this crisis and the nature of the policy change that followed.

Identification of ideational and policy change

The ideas underlying industrial policy

After opening its economy in the 1950s, Ireland sought to attract labour intensive industries based around technically mature products (Lee 1992). In the context of the weakness of indigenous industry, this seemed a realistic alternative capable of delivering industrial development (Lee 1992). By the beginning of the 1970s FDI accounted for the majority of new manufacturing jobs and exports. However, this approach led to the sidelining of indigenous industry in the policy process (Girvin 1989). It also failed to create high value jobs and the foreign companies were footloose (O'Malley 1985). In response, by the early 1970s, the IDA started to look at attracting more sophisticated overseas producers in pharmaceuticals and electronics (Wrigley 1985). However, the economic problems of the 1970s led to a questioning of industrial policy by society, the media and policy entrepreneurs. This questioning was marked by a number of reports.

The Cooper-Whelan report

The 1973 Cooper-Whelan report, co-authored by Noel Whelan, a civil servant who later became Secretary of the Department of the Taoiseach (prime minister), was sceptical of the long term benefits of FDI, as opposed to indigenous enterprise (Lee 1992). This report questioned the weak links between FDI and indigenous industry (Cooper and Whelan 1973). By 1979, it was clear that the success of the FDI sector was not finding its way into the rest of the economy (Lee 1992). Making FDI attraction the centerpiece of industrial policy, to the detriment of indigenous firms and entrepreneurship more generally, gave rise to substantial tensions (Bailey and Lenihan, 2015).

This situation impelled the National Economic and Social Council (NESC), then under Whelan's chairmanship, to commission an examination of Ireland's industrial programme (Brunt 1988: 32). The objective was 'to ensure that the Irish government's industrial policy is appropriate to the creation of an internationally competitive industrial base in Ireland which will support increased employment and higher living standards' (Telesis 1982: 3). This examination encompassed a number of reports (including Report No. 56 -Industrial Policy and Development (a literature survey); Report No. 59 - The Importance of Infrastructure to Industrial Development in Ireland; and Report No. 67 - An Analysis of Job Losses in Irish Manufacturing Industry), the most important of which was (Report No. 64 - A Review of Industrial Policy) Telesis's (1982) examination of industrial policy.

The Telesis report

A Review of Industrial Policy, referred to as the Telesis Report, after praising the clarity and consistency of industrial policy, highlighted the problems of FDI, its impact on job creation and failure to create linkages with indigenous industry (Telesis 1982). Telesis (1982) specifically questioned the policy emphasis on FDI and the amount of state aid provided to this, as sustained economic development and a high incomes economy relies on native entrepreneurship. It also argued that the IDA had not been as successful in attracting FDI as it suggested (Telesis 1982). Of jobs approved between 1972 and 1978 ‘only 20 percent were in place at the end of the period’ (Coogan 1987: 6). The report encouraged a shift ‘towards building strong indigenous companies in the export and sub-supply business sector’ (Sweeney 1998: 127) and that the proportion of funds given to domestic industries (one third of all funding available) be doubled by the end of the decade (Telesis 1982). The Telesis report ‘sent shock waves through the policy establishment’ (Lee 1992: 532). This questioning of industrial policy challenged its intellectual coherence.

Reaction to Telesis – ideational collapse

In light of the criticisms of the IDA in Telesis, it disputed the findings of the report (O’Brien, 1982: 1). The IDA had become ‘the centre of policy-making, a point strongly criticised by Telesis’ (Sweeney 1998: 127). ‘The development effort aimed towards new indigenous industry must be reorganised to emphasise the building of structurally strong Irish companies rather than strong agencies to assist weak companies’ (Telesis, 1982: 33). Deputy Prime Minister, Dick Spring, admitted that Telesis pointed to failings in the overall industrial policy framework (Dáil Debates 342, cols. 861, 11 May 1983).

There was ideational collapse (see Table 9.3) as Whelan, the NESc, Telesis and a host of economists, constituting policy entrepreneurs, critiqued the orthodoxy underlying extant industrial policy, while other changes agents in the media and trade unions supported the ideas proposed by Telesis.

Table 9.3: Indication of Ideational Collapse

Indication of Extant Ideational Collapse	Coder 1	Coder2
O13. Media questioning efficacy of current model	2	2
O14. Opposition critiques current model and propose alternative ideas	2	2
O15. Policy entrepreneurs critique current model and propose alternatives	3	3
O16. Civil society organizations critique current model	3	2
O17. Widespread public dissatisfaction with current paradigm	2	1
O18. External/international organizations critique current model and actively disseminate alternatives	2	2
Extant Ideational Collapse	Strong	Medium

(3) strong support | (2) medium support | (1) weak support | (0) no support | (N/A) not available

Change in industrial policy

Political instability – policy drift

Telesis found that extant industrial policy 'did not go far enough in developing native skills in technology and marketing, the key elements of self-sustaining growth. The foundations of the industrial superstructure therefore lacked depth' (Kennedy 1986: 49). While foreign firms might not place key parts of their businesses in Ireland, internationally traded indigenous industries would provide the basis for sustained employment and rising levels of incomes (Telesis 1982). Telesis (1982) also argued that no country had succeeded in developing high levels of industrial income without developing a strong indigenous sector. Consequently, industrial policy was ironically making the economy vulnerable to decisions made elsewhere by transnational corporations (TNCs) (Bailey and Lenihan, 2015). However, the scale of the policy changes required by Telesis would take time to implement and take effect (Kennedy 1983: 34). The ESRI, predicting the economic crisis would worsen, insisted that the necessary policy changes could not be delayed (O'Brien 1983: 12).

[However] the period from December 1979 to December 1982 was one of the most remarkable periods in modern Irish history. There were four changes of Taoiseach in that period, six Ministers for Finance, three changes of government and the Irish economy declined progressively to a level unprecedented for decades. (Browne 1983: 5)

Apart from crisis-induced cutbacks, a general commitment to austerity, and a determination to maintain the trade unions at a remove from the policy making process, no coherent macroeconomic policies emerged, as the governments were of such unstable character. A coherent adoption of the neo-liberal ideas and policies, then current in the US and UK, was to wait almost another decade in Ireland, until the dawning of the Celtic Tiger period (Allen 2000). A knock-on consequence was that changing extant industrial policy in a coherent fashion, despite the collapse of its underlying ideas, would prove difficult. Thus, 'not only economically, but also politically, instability peaked in 1981-1982' (Mjøset 1992: 381).

By November 1982, when the majority Fine Gael-Labour Coalition came to power, with the national debt exceeding GNP and the current budget deficit out of control, a coherent set of corrective policies was essential. In this respect, the state of the public finances restricted the government to austerity measures. Nevertheless, the Coalition experienced difficulty in devising an effective strategy (O'Byrnes 1986: 219) and initially sought to avoid expenditure reductions through increased taxation (McCarthy 1999: 5). It is against this background that we examine the government's response to Telesis.

The political response to Telesis

For Snoddy (1982), Telesis marks the ending of the phase of reliance on FDI and the beginning on a new phase focused on indigenous industry. However, reality was more

complex. The Minister for Industry, John Bruton (1983), insisted that it was critical not to lose sight of the contribution of 800 foreign firms, employing 80,000 workers. Although reports from the ESRI and NESI acknowledged that the Irish economy was in crisis and that change was required, the official response to Telesis was slow in coming.

For some, the government's White Paper on Industrial Policy 'represented a pivotal document in the re-evaluation of the philosophy and strategic thrust of industrial policy' (Boylan 1996: 196). There were indeed 'several changes in the content of industrial policy' in response to Telesis (Kennedy 1995: 59). The White Paper on Industrial Policy acknowledged that 'industrial policies which had clearly served Ireland well in the 1960s and 1970s are now having less success' (Department of Industry and Commerce 1984: 3) and recognized that economic 'flexibility, creativity and growth were all being thwarted by the dependence on foreign investment' (Munck 1993: 158). Yet, in concert with Telesis (1982), the White Paper stated that there would be no radical change to incentives for FDI - 'consistency and stability over many years of our policies for industrial development have been a major source of strength' (Department of Industry and Commerce 1984: 7). There was a radical change in that employment creation was no longer the sole objective, and attention should focus on the international competitiveness of the whole industrial sector (Brunt 1988: 32). Wealth creation now took precedence over job creation, as this permitted the development of the capacity to create jobs. There was to be greater selectivity, with the White Paper seeking to advance the process of 'picking winners', with the aim of developing domestic companies with export potential (Jacobsen 1994: 169), and a promotion of indigenous enterprise (Carr 2000). The report also saw a shift away from manufacturing towards services.

Alterations to industrial policy

Under the coalition government, incentives were to be more selectively deployed, while indigenous enterprises were given greater attention through the creation of a National Development Corporation (NDC). The objective was to foster an increase in the number of internationally traded companies, and to that end an export development scheme was set up. There was some change in relation to FDI, with more of a focus on foreign companies with R&D functions and the potential for linkages with domestic enterprises. The National Planning Board pointed to a lack of a manpower policy and argued that the appropriate ministers, not the IDA, ought to direct policy (Jacobsen, 1994: 168).

Nineteen eighty-four also saw the introduction of the Company Development Programme directed at indigenous companies and designed to assist planning (Bielenberg and Ryan 2013: 29). Policy change could be seen in the National Linkage Programme in 1985, to achieve a more integrated development pattern between indigenous and foreign enterprises (Brunt 1988: 32). It would focus on upgrading local suppliers by improving their technical knowhow and be selective in concentrating on companies 'which had the potential to succeed' (Murdoch 1985: 14). These approaches sought to achieve the new objectives of industrial policy: a greater focus on indigenous

enterprises; addressing weaknesses in management and marketing; achieving better value for money and creating better linkages with FDI enterprises (Kennedy 1995). By 1985, the Irish Export Board (C oras Tr acht ala) was seeking to address the information needs of exporters, as identified in the White Paper, through the production of booklets entitled *Guides for Exporting*. Nevertheless, the IDA continued to attract FDI, and in 1990, at unprecedented costs, secured a major investment from Intel (Bielenberg and Ryan, 2013: 29).

'The Telesis report led to some measure of industrial policy reform, though this was less interventionist than the report envisaged' (Bielenberg and Ryan 2013: 29). Industrial policy gradually responded to the critiques of Telesis (1982) and the NESC (1982), who criticized the failure of state support towards indigenous enterprises ( Gr ada, 1997). However, as Hall (1989: 11) points out, states tend to be predisposed towards those policies with which they already have some favourable experience. Thus, to regard the policy changes arising from Telesis, and the subsequent White Paper, as a break with extant industrial policy would be incorrect. Rather, they constituted a form of, what Streeck and Thelen (2005) refer to as, policy layering. These moves represent learning effects, an effort to make extant policy work. Despite Telesis, grants to indigenous firms increased by only 3 percent between 1985 and 1989 (O'Hearn 2001: 105). Industrial policy was adjusted in 1984, not transformed, due to a reluctance to break with past successes in attracting FDI.

The nature of policy change

Although the ideas underlying extant industrial policy might have collapsed in the wake of the economic crisis, and provided a window of opportunity for radical policy change, this did not occur. Whelan, the NESC and Telesis, along with many other economists and commentators, acting as policy entrepreneurs, proposed alternative ideas to those underlying industrial policy. However, in the absence of these change agents clustering around a political entrepreneur willing to champion their alternative paradigm in the policy-making environment, new ideational consolidation could not occur. Despite the growing recognition that industrial policy was failing to produce the desired results, the Irish political establishment was reluctant to abandon a policy prescription that had, at least during the 1960s and early 1970s, ended a century of depopulation and stagnation. In the context of deepening economic integration in Europe, the economic crisis did not provoke a change in the overarching vision for the economy, or industrial policy, despite growing skepticism about the long-term benefits of overreliance on FDI, and in particular its weak links with indigenous industry. Policy stasis can arise when norms are adopted by countries in response to international pressure and the desire to achieve conformity (Finnemore and Sikkink 1998). Thus, with Ireland in the EEC the rolling back completely on industrial policy was never going to happen, nor was it desired in light of how disastrous import substitution had been.

No political entrepreneur emerged during this period of ideational contestation. Politicians only seemed interested in variations on the existing paradigm. This was also partly down to the fact that Ireland, at the time, experienced a period of weak and unstable governments as the economic crisis gripping the country deepened (The Irish

Times, 1981b: 12). In these circumstances, the ideas underpinning extant industrial industrial policy endured. The collective mindset failed to disengage from a reliance on FDI and shift the focus of industrial policy to indigenous enterprise.

Table 9.4: Indication of: (i) New Ideational Consolidation; (ii) Level of Policy Change

(i) Indication of New Ideational Consolidation		
O19. Clear set of alternative ideas	3	3
O20. Political entrepreneur injecting new ideas into policy arena	0	0
O21. Political entrepreneur combines interests to produce consensus around a replacement paradigm	0	0
New Ideational Consolidation	No	No
(ii) Indication of Level of Policy Change		
O22. Policy instrument settings changed	3	3
O23. Instruments of policy changed	1	2
O24. Goals behind policy changed	0	0
Critical Juncture in Policy	No	No

(3) strong support | (2) medium support | (1) weak support | (0) no support | (N/A) not available

During the 1980s the ideas underpinning industrial policy's focus on FDI had collapsed. However, from Table 9.4 we can see that, in the absence of a political entrepreneur willing to champion alternative ideas, the change agents failed to consolidate around replacement orthodoxy. The observables indicate that policy change was only of the first order (Hall 1993). Thus, there was an economic crisis, ideational collapse, no new ideational consolidation and only minor changes to industrial policy in 1984. From this we can conclude that there was no critical juncture in Irish industrial policy at this time.

'The attempt to follow these new directions of policy scarcely had time to prove themselves before a new review of industrial policy was initiated in June 1991' (Kennedy 1995: 60). The Industrial Policy Review Group's focus, set out in the Culliton Report (1992) (named after its chairman) was again on the indigenous sector (O'Grada 1997: 119). The report called for a reduction in grants and improving competitiveness more generally, rather than picking winners (Newman 2011: 241).

The central message was that the policy for industrial development goes beyond industrial policy as traditionally conceived (Kennedy 1995). It advocated the breakup of the IDA (Culliton 1992). The result was 'the creation of three agencies, with IDA-Ireland specialising in promoting foreign investment, Enterprise Ireland focusing on assisting indigenous enterprise, and ForFás concentrating on policy advice' (White 2001: 223).

The existing development strategy's continued overdependence on attracting foreign capital was a major concern, due to its failure to support domestic industry (Culliton 1992). Culliton also advocated the development of linkages between domestic and foreign firms (O'Hearn 2001: 105). In ways this report's findings were similar to those of Telesis, despite the intervening decade. However, the report also went beyond

Telesis, in that it was expansive in encouraging a broader industrial policy approach than adopted previously (Culliton 1992). Thus, Culliton was more holistic in its emphasis on the provision infrastructure, tax reforms; re-focusing education/training and increased funding for science and technology (Bailey et al. 2009).

Conclusion

In Ireland, since the 1950s, an outward orientated economic policy has remained unaltered, due to recognition that a large number of jobs and a high percentage of FDI, depend upon membership of the EU. The economic crisis of the 1980s did not provoke a rethink of this overarching economic vision. However, policy entrepreneurs questioned the focus of industrial policy. There was growing skepticism of the long term benefits for the economy of a reliance on FDI and in particular its weak links with indigenous industry. Following Telesis, industrial policy was altered to attract more sophisticated foreign companies that would base R&D functions in Ireland and thereby create higher value jobs; and to provide greater supports to indigenous industries which had previously been sidelined.

Now, over 30 years after the events discussed, Ireland has become a modern knowledge based economy focusing on services and high-tech industries - many of which are foreign multinationals. The intervening years have witnessed fiscal austerity, followed by the Celtic Tiger and then more austerity following the recent banking collapse (see O'Rourke and Hogan 2013; O'Rourke and Hogan 2014). The economy has also gone through widespread deregulation and privatization, all of which impacted upon industrial policy, but without shifting its underlying paradigm. The attraction of FDI is still crucial. As a result, some still argue, as they have done since the 1970s, that the country is over reliant on FDI. Despite two serious economic crises within a quarter of a century of one another (1981-1987; 2008-2013) Irish industrial policy's overarching objectives have remained unchanged. Although Andreosso-O'Callaghan et al., (2014) have suggested that the current recession has raised challenges to Ireland's variety of capitalism, the CJT shows us how and why, despite crises, polices can endure and that a crisis does not mean there will automatically be a punctuation of extant policy equilibrium.

Negotiations over the country's IMF-EU bail-out saw a key element of industrial policy, the 12.5 percent corporation tax rate, asserted as non-negotiable in the face of Franco-German pressure. Foreign companies significant presence can also be seen in the difference between Ireland's GNP and GDP figures. GNP, as a percentage of GDP, has ranged from a high of 85.6 percent in the third quarter of 2007, to a low of 79 percent in the first quarter of 2012 (CSO 2013).

According to the CJT, a discursive institutionalist theory, a critical juncture consists of crisis, ideational change and radical policy change, with ideational change linking crisis and policy change. Following a crisis, policy failure and extant ideational collapse, significant policy change depends upon actors, led by a political entrepreneur, reaching consensus upon, and consolidating around, new ideas. It is in the discursive interactions between the various actors that ideas are generated along with the potential for radical policy change. However, a limitation of this discursive institutionalist

approach is the subjectivity of some of the observables set out here. Hopefully, in time, others will perfect what we have done here, especially through the employment of specific discourse analysis techniques, endowing the approach with greater methodological rigor to ensure greater confidence in the findings.

Employing a range of observable implications, we did not find a critical juncture in industrial policy. Although the economy was in crisis, and undermining confidence in prevailing industrial orthodoxy, neither of the main political parties was willing to challenge the status quo. While ideational collapse occurred and alternatives were put forward, a political entrepreneur willing to champion a new set of ideas on industrial policy failed to emerge – extant orthodoxy endured.

Notes on Contributors

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Appendix A

- O1. Stagnant or negative GDP growth (Pei & Adesnik, 2000).
- O2. Unemployment above 10 percent (Pei & Adesnik, 2000).
- O3. Inflation and interest rates above 10 percent (Pei & Adesnik, 2000).
- O4. National debt, as a percentage of GNP, exceeds 100 percent and is increasing at more than 10 percent, annually.
- O5. The level of economic openness declining.
- O6. Public perceives an economic crisis.
- O7. National/international media perceive an economic crisis.
- O8. Economic/political commentators perceive an economic crisis.
- O9. Central bank perceives an economic crisis.
- O10. Organisation for Economic Cooperation and Development (OECD) perceives an economic crisis.
- O11. Elected representatives perceive an economic crisis.

O12. Government pronouncements on economy consistent with a crisis management approach.

Appendix B

Indication of extant ideational collapse

- O13. Media question efficacy of the current model and/or specific policy areas.
- O14. Opposition parties critique the current model and propose alternative ideas – at election time their platform will be built around these alternatives.
- O15. Civil servants, technocrats, academics, economists (policy entrepreneurs) critique the current model and propose alternatives.
- O16. Civil society organizations, e.g., labor unions, employer organizations, consumer groups (policy entrepreneurs), critique the current model, reflecting Hall’s (1993) coalition-centered approach.
- O17. Widespread public dissatisfaction with the current paradigm, observable through opinion polls, protests, etc.
- O18. External/international organizations (policy entrepreneurs) critique the current model and/or actively disseminate alternative ideas.

Indication of new ideational consolidation

- O19. A clear set of alternative ideas, developed by policy entrepreneurs.
- O20. A political entrepreneur injecting new ideas into the policy arena.
- O21. The political entrepreneur combines interests, including policy entrepreneurs, to produce consensus around a replacement paradigm.

Appendix C

Indication of level of policy change

- O22. Policy instrument settings changed (swiftly and for longer than one government’s term of office)
- O23. The instruments of policy changed (swiftly and for longer than one government’s term of office)
- O24. The goals behind policy changed (swiftly and for longer than one government’s term of office)

Appendix D

Inter-coder agreement scores

	Krippendorff’s α	% Agreement
Crisis	0.635	92%
Ideational Collapse	0.371	66%
Ideational Consolidation	1	100%
Policy Change	0.615	66%

A Case for Bioregionalism in Place-Based Research

Elise Moreno

Abstract

Conceptually, bioregionalism is an assemblage of place-based sensibilities that defies attempts to craft it into a single theoretical construction. Nevertheless, this article suggests that by focussing on the needs and values of living in place that occupied early 'bio' regionalists, we can derive a particularly nuanced perspective of the complex interplay between culture in place and nature with the potential to re-animate sustainable community development. Reiterating concerns for spatially defined regions dwarfed by globalisation or lost in the grand narrative of post-modernism, the case for a grassroots bioregionalism rests on its potential to re-integrate ecological and cultural affiliations within the framework of a place-based sensibility. A sensibility informed by landforms, watersheds, indigenous culture, climatology, and ecology, but also local communities, local norms and local knowledge. Considered reflexively, the article concludes that adopting a bioregional approach would not only enable researchers and policy practitioners to examine the connectivity between people and places, but also confront moral, aesthetic or even spiritual concerns.

Early Bioregionalism

As a lead in to a new Tasmanian study exploring the political efficacy of bioregionalism, this article will provide researchers, community members and policy practitioners alike with an overview of the concept. From its humble and idealised origins, through to its current position as a highly theoretical but under-utilised framework in social research, the article presents bioregionalism as a potential community development model characterised by resistance, renewal and resilience. A grassroots approach that, coupled with the recent failure of big government¹ to deliver appropriate policies and reforms across a range of policy areas, could serve as a creative and inclusive alternative.

Emerging in the late 1960s as a product of counter-culture movements, most notably in the Californian region of America, bioregionalism evokes two basic meanings: that of biogeography from the natural sciences, and eco-social movements within that of culture (Berg 1977; Berg & Dasmann 1978; Snyder 1980). Underpinned by a growing interest in biogeography, early representations of bioregionalism focussed

¹ Big government is generally characterised by size, centralised power, high taxation and intervention. In this instance, failure refers to the notion that despite a given mandate, and so the power to do so, State governments and Federal government in Australia have failed to deliver appropriate policies on a range of issues such as climate change, environmental protection and immigration.

on empowering new forms of eco-regionalism.² Based on a phenomenology of place and the integration of culture and nature within regional geography, proponents of the land such as artist/activists Peter Berg and Gary Snyder used moral and cultural criticism as a means of expressing the case for a bioregional agenda (Berg 1977; Snyder 1980, 1995).³ Their aim was to break down a political mindset of boundaries that constituted a purely habituated notion of regional distinction in favour of a sense of region based on its possibilities (Snyder 1980).

Developed in an era of social and political uncertainty and inter-related social change movements that have come to characterise the cultural turbulence of the 1960s, a new awareness of the environment and rural productivity was born. Primarily concerned with ‘accelerating rates of resource extraction...with no discernible improvement in the social or environmental quality of life’, this new awareness also acted as a catalyst in ‘back to the land’ and ‘urban pioneer’ movements, components of region and community focussed activism in the USA (Aberley 2000:15; Jacob 1997; Johnson, Nucci & Long 2005; Roszak 1969:66). In the UK, this type of activism is strongly associated with that of ‘counter-urbanisation’ (Halfacree & Boyle 1998; Halfacree 2007), while in Australia, the same concept can be linked to ‘reverse migration’, a precursor to ‘green change’ and the phenomenon of ‘seachange’ (Argent, Smailes & Griffin 2007; Burnley 2005; Burnley & Murphy 2004; Dowling 2004; Gosnell & Abrams 2011; Osbaldiston 2010).

In order to determine what constituted a bioregion, Berg and ecologist Raymond Dasmann (1978: 399) set out initial indicators such as the ‘physiography’ of the land, ‘animal and plant geography’, ‘natural history’ and ‘climatology’. However, the pair also suggested that the final boundaries of a bioregion were those best described by the people who lived and continue to live within a region, the ‘human recognition of the realities of living-in-place’ (Berg & Dasmann 1978). Unlike environmentalism, while still concerned with the environment, particularly the impact of human occupation on the landscape, Berg and Snyder adopted the view of geographer Lewis Mumford (in Lucarelli 1995) and reasoned that humans and their culture were as much a part of nature as the land itself, and therefore the future of both could not be separated. Accordingly, early bioregionalists suggested that a bioregional approach to regional development would need to incorporate what human inhabitants considered the necessities and pleasures of life in their region and actions to ensure long-term occupancy, as opposed to disruptive or unsustainable alternatives linked to short-term or highly exploitive activities that put ecosystems at risk. Inherent in Bergs’ (in Glotfelty and Quesnel 2015: 33-40) bioregional vision is therefore the notion of ‘rehabitation’. This notion included restoring and maintaining natural systems by engaging in ecological projects such as replanting clear-cut areas or stabilising stream banks, but

² This work is generally attributed to geographer Lewis Mumford’s work on regionalism in the 1920s providing much of the inspiration for later bioregional proponents such as Snyder and Berg in the 1960s (Luccarelli 1995:23)

³ The term ‘bioregion’ itself was coined in the early 1970s by Allen van Newkirk who described ‘bioregionalism’ as ‘the technical process of identifying biographically interpreted cultural areas called “bioregions”’ (Aberley 2000:22). However, it was Berg, acknowledged as the father of bioregionalism, and ecologist Raymond Dasmann who gave the concept the social and political currency required to inspire new discourses in eco-development, regional planning and environmentalism (Alexander 1996; Berg & Dasmann 1978:399).

also developing a place-located ecological philosophy and movement as a means combating the ‘disinhabitory aspects of industrialism’ (Glotfelty ad Quesnel 2015: 33-34).

An obvious critique, given bioregionalism’s humble and somewhat romanticised roots, was the risk of historical idealisation whereby the occupants of a single region and their culture and traditions could mistakenly be viewed as a ‘unified, organic whole attached to a particular place’ (Agrawal 2000: 39). Mitchell (1989) also noted that if culture in place was to be a key determinant of bioregional boundaries, ‘whose culture took precedence’ and, more importantly, ‘which aspects of that culture’.⁴ According to Mitchell:

Natural resources are defined by human perceptions and attitudes, wants, technological skills, legal, financial and institutional arrangements, as well as by political customs’...yet what constitutes (sic) ‘...a natural resource in one culture, may be considered “neutral stuff” in another... (Mitchell 1989: 2).

From a geographical perspective, Alexander (1996) determined that the issue of culture could be resolved by matching ‘geographical terrain’ with a ‘terrain of consciousness’ a heightened awareness of the natural environment and its possibilities, a view first proposed by Berg and Dasmann (1978). Yet even this option would require establishing specific criteria in which to designate a bioregion, specifying at what historical stage the match up occurred, and determining the probability of the stage to return positive and sustainable outcomes for the region and its people (Alexander 1993).

If bioregionalism was given birth in the midst of Californian counter-culture, it was nurtured in the stocks of biogeography emerging as arguably the real ‘politics of place’ (Michael 1983: 1; Kemmis 1990). For while the concept of a bioregion retains certain characteristics across an array of natural and social science literatures, elucidations of these characteristics are as diverse as the regions they portray. Nevertheless, intrinsic within conceptual understandings of ‘*bio*’regionalism are three common threads: a regard for nature and the natural boundaries of place as opposed to arbitrarily imposed political or administrative borders in which to organise human activity; the call for a practical land ethic, ideally one applied at a local to regional scale; and the need to re-establish or shore up regionally diverse cultures to steward environmental projects, (Alexander 1996; Berg & Dasmann 1978; McGinnis 2000; Sale 1985; Snyder 1995).

Dodge’s (1981) bioregional characteristics, for example, refer to natural systems, anarchy and spirituality. The first is in reference to bioregions ‘as the source of both physical and spiritual sustenance’; the second, the need to scale down political institutions and intervention to a level of ‘face-to-face interactions and self-management’; and the third, ‘a belief in the sacredness of life’. Such a vision still

⁴ The position of culture in eco-regionalism was also proposed by Mumford. In ‘*The Culture of Cities*’ (1970 [1938]), Mumford wrote how physiographic and vegetational regions prevailed in early stages of cultural development and that it was not until much later in human history that the predominance of natural influences gradually shifted to the social. Culture therefore had an important role to play in a new form of regionalism, reconnecting people, culture and the environment.

resonates with community groups operating in localised sites, particularly the emphasis of practise over philosophy. In his synopsis of bioregionalism, Dodge writes:

...Theories, ideas, notions... have their generative and reclamative values, and a certain loveliness, but without the palpable intelligence of practice, they remain hovering in the nether regions of nifty entertainment or degrade into flamboyant fads and diversions like literary movements and hula hoops. Practise is what puts the heart to work. If theory establishes the game, practise is the gamble.

Dodge 1981:10.

Dodge's two categories of bioregional practise, that of '*resistance*' and '*renewal*' served to illustrate what he saw as bioregionalism's defining characteristic, an ideal continuously shaped and extended through experience begetting theory, as opposed to theory mired in intellectual rumination and debate (Dodge 1981: 10-12). Peter Berg, a prolific writer and public speaker spoke out and published extensively on conservation and preservation issues and restoration works undertaken around the world. His last work was a significant project in Ecuador after extreme El Niño storms and an earthquake caused severe damage to the city of Bahía de Caráquez (Berg in Glotfelty & Quesnel 2015:165-170). Yet bioregionalism continues to dwell on the fringe in social research, confused or simply conflated with that of its cousin environmentalism or conservatism, perceived as a utopian as opposed to an actively reformative or committed movement. Shabecoff (2003: 116) for example referred to bioregionalism as 'a minor tributary of the US environmental movement. However, Berg and his fellow bioregionalists were quick to refute this position, not only because the term environmentalism reinforces the false duality of humans and environment, but also because bioregionalism favours pro-activeness over protest (Thayer 2003: 71, Lynch, Glotfelty & Armbruster 2012: 1, Glotfelty & Quesnel 2015: 3).

Bioregionalism Re-visited

Elements embedded within the notion of bioregionalism are still evident in the social sciences, despite a lull on the part of its proponents in recent years.⁵ These include support for a spatialised ontology, and a social episteme rooted in the day-to-day realities of living in place (Gieryn 2000: 463, Soya 1989: 129). For amid the pervasive spread of the globalising West, there is a corresponding awareness of the negative cumulative costs associated with scientific and technological development to communities and the environment. In order to resist, let alone go head to head with centralised capitalist powers driving the global political economy, a fundamental shift is required in the way we think and position ecological systems with that of need and sustainable productivity (Harvey 1996). Yet even then, such a shift represents a lesser form of resistance if, in the process, we forgo spatial distinction and the cultural

⁵ The 'father' of bioregionalism Peter Berg passed away in 2011. However, his legacy continues in the work of the Planet Drum Foundation (www.planetdrum.org) which provides a 'grassroots approach to ecology, emphasising sustainability, community self-determination, and self-reliance.'

historicity of regions, or fail to address the complexity of the relations between people and places that occur within multiple spheres of social life.

Regarding this effect, Ruggie (1993: 171) discusses a 'multiperspectival polity', a territorial alternative drawing on local and traditional ecological knowledge as opposed to purely scientific thinking based on a schema of centralist intelligence. The concept of centralist intelligence refers to the power and situatedness of those asserting a particular position and the '...universalism of technique and the written form' (Esteva & Prakash 1998: 5-10). Advocating an ecologically networked constitutionalism, M'Gonigle (2000: 12-14) also suggests that a variety of different and smaller scale political territories, 'each with competence over matters cultural, social, environmental or economic' would have more potential to counteract or at least counterbalance the momentum of centralist power. Economic and ecological relations being mutually constitutive (Harvey quoted in M'Gonigle 2000: 11), M'Gonigle focuses on spatial relations that can be explored through 'two opposing tendencies', each representing 'idealised forms of social organisation present in multiple spheres of human relations and societies'.⁶ Framing these tendencies as 'centre' and 'territory,' reminiscent of the work of Friedmann (1972, 1978) and Wallenstein (2004), M'Gonigle posits that both possess a physical component that can be understood through geographic spatial relations, and a social component apparent in institutional relations. However, unlike Wallenstein's (2004) 'core' and 'periphery', centre and territory possess social tendencies manifest in the very notion of diversity, of people and places and of forms of social organisation since they describe the dynamics and not the structures that exist between these, and at different scales (M'Gonigle 2000).

Thayer (2003: 3) in his discourse on the 'lifepace' also highlights the importance of 'scale' as it is positioned in bioregionalism. The natural world being somewhat chaotic, given the tendency of systems within it to blur boundaries and blend into each other, Thayer (2003: 3) suggests that scale, inherent in the very term bioregion, can act as a coalescing agent and also provide a 'linearity of logic' to how we should think about and care for places. Referring to the Cartesian assumption of separating mind from body, he suggests that similar evolutions have occurred in a broader sense such as ecosystem to globally based economies and organicism to mechanical. Coupled with dissolution of space and time as previously experienced due to the advancement of electronic communications and technologies in general, Thayer (2003: 1) proposes that the result is a shallowness permeating the very notion of home. The ultimate cost being deep wisdom and connection to a specific place. The connection of home to that of 'lifepace' is then subsumed within postmodern notions of 'consumerism, transience, shallow information, global communications and ever-expanding technologies' (Thayer 2003: 1-3).

⁶ Although Harvey (1996: 185) originally makes this point, the same could be said of the social and political. The issue however is 'the relationship between the character of institutionalised 'space', and the physical flows of energy over and through that 'space'. Hierarchical organisations with concentrated power and sustained by non-local resources versus dispersed social power, on-the-ground, maintained by local resources and direct production' (M'Gonigle 2000: 11-12).

In regional development literature, the issue of scale is used to highlight the disparity between dominant policy positions such as ‘ecological modernisation’ and technological innovation versus community action and the social economy (Murphy 2000: 1-2). Positions that if left unchallenged could result in alternative approaches to sustainable development being effectively locked out or locked into entrenched processes within dominant trajectories (Walker 2000). From a grassroots perspective, it is also important to remember that scale is often the determining factor as to why social, economic or environmental aspects of development are traded-off differently (Seyfang and Smith 2007). This point will be discussed further in a comparative overview of three conceptual frameworks cognate of bioregionalism the Buen Vivir, Transition Towns, and Eco-Communitarianism.

The Buen Vivir

The notion of the ‘Buen Vivir’ or ‘good life’ from South America echoes bioregionalism’s call to restructure political systems attentive to nature and eco-systems (Acosta 2011, Gudynas 2011). Referencing indigenous traditions as the basis for a good life and living harmoniously with nature redolent of cultural historicity in bioregionalism, the Buen Vivir represents a radical deconstruction to the cultural base of development. A process commencing with legitimising discourses that have allowed the domination of Western ideals, followed by practical application and institutional frameworks (Escobar 1992, Faltheuer 2011, Martinez-Alier, Pascual, Vivien & Zaccai 2010).

Central to the Buen Vivir then is the shift from an anthropocentric perspective giving primacy to humans, to a biocentric or socio-biocentric position wherein nature occupies pole position (Acosta 2011: 196). With two main entry points, the first, critical reaction to classical Western development theory, the second, alternatives emerging from indigenous traditions as possibilities beyond the modern Eurocentric tradition, the Buen Vivir effectively dissolves the dualist position of society and nature (Walsh 2010).⁷ Instead, the Buen Vivir locates nature as part and parcel of the social world, signalling the need to expand the polis and citizenship to include non-human others such as animals, plants, eco-systems, even ‘spirits’ (Gudynas 2011: 445). Scaling up the scope of ‘a good life’ via scaled down practices.

Transition Towns

Striking an affinity with Dodge’s (1981) bioregional praxis of resistance and renewal is the concept of ‘transition towns’ or TT movement. A permaculture influenced community model for the transition to a low carbon society, TT focuses on the twin threats of climate change and peak oil; the point at which global oil production reaches maximum output and so begins its decline. (Hopkins 2008). Targeting local communities, advocates of TT claim that global concerns can only be addressed if, starting at a localised level, people become less fossil fuel dependent, ‘transitioning’ to viable and sustainable alternatives (Taylor 2012: 495, Smith 2011: 99-100).

⁷ Naess (1989), in rejecting the anthropocentric perspective of modernity also discussed the intrinsic value of the environment analogous to indigenous perspectives of place and a biocentric approach to community living.

While specific issues underpinning the need for change from a bioregional and transition town perspective differ in terms of both perception and level of response, they share a common ideological basis. Both suggest the need to re-organise economic and political frameworks for habitation and development attentive to the natural environment, but do so in consideration of the culture in place and local history. In contrast to the lean economics and frugality promoted in current political economic discourses, a key focus for the transition 'movement' is the notion of local ecological resilience (Fleming 2004, Scott-Cato and Hillier 2010: 871, Walker et al 2004: 5). Resilience built up by encouraging alternative pathways to sustainability unique to a particular community or region (Transition US 2010).

Eco-Communitarianism

The third framework, communitarianism, conceptually links individuals by virtue of residential status, culture and sense of place into a unit of self-determination and political decision-making efficacy. Whether 'governmental' or 'responsive',⁸ aspects of a persuasive communitarian form are now strongly evident in new forms of governance whereby the use of the term 'community' has come to denote something of a quasi-governmental discourse (Etzioni 1995: 1-5). As such, communitarian theory establishes a normative framework in which to critique the emphasis liberalism places on the individual (Eckersley 2004: 104).

Relevant to the notion of bioregionalism is the blend of communitarianism with the ideological foundation of ecocentrism influenced by the works of Leopold (1970) and Naess's (1973) 'deep ecology'. The resulting eco-communitarianism, in theory at least, represents a powerful alternative to the dominant 'worldview' (Devall & Sessions 1985: 42). On one hand, is the notion that only local communities will understand their unique situation and so the specific needs of the eco-system they are a part of, including its natural limitations. On the other hand, there is recognition of the need to restore self-government and governance to a localised scale in order to address issues such as regional planning and local resource management.

Scale and the Schematics of Similarity and Difference

In all three approaches, the issue of scale is ever present commencing with how a problem is perceived, the identified scope of impacts, the extent of practice and activism, through to the type and levels of response the problem will elicit. In a very real sense, scale has come to represent much more than a means of measuring or quantifying variables. This suggests that schematics for sustainable development need to conceptually reconfigure 'scale' in order to account for variations in degrees of expansion and contraction such as those that exist between global concerns and

⁸ To distinguish a more responsive form of communitarianism from its authoritarian cousin, Etzioni (1995, 2001) and Galston (1996) established 'The Responsive Communitarian Platform'. Premised on two main points, the first that of a common good and autonomy, the second that of rights, responsive communitarianism posits that the foundation of a good society is a careful balance between liberty and social order; individual rights and social responsibilities; and pluralistic and socially established values (Etzioni 1995: 1-5).

localised responses. In reality, with no demarcation line between the local and the global, we rely on divergent perspectives to highlight the dialectic interplay between the two. For example, the current political economy and globalisation are indicative of global monoculture, yet postmodern ideas and multiculturalism also indicate high levels of diversification particularly across human cultures (McLuhan 1962: 31-40, Luke 1996: 620). A reconfigured 'scale' could focus instead on distinct variables that may account for similarity and difference or 'trade-offs' that occur due to scale, creating new analytical fields in research and eventually practice (Seyfang and Smith 2007).

Between the approaches cognate of bioregionalism discussed in this article (and in the case of the *Buen Vivir*, between interpretations and practical application) nature occupies a slightly different position, which suggests that the very nature of nature could act as an analytical field in place-based investigations. The same could be said of community and the nature of community, accessed through the notion of the extended polis in the *Buen Vivir* and a framework of rights and responsibilities in eco-communitarianism. In reference to Dodge's (1981) praxis of resistance and renewal, another field could explore community relations via connections made between different groups of people in place, different levels of community interactions and between people and place itself. The notion of transition towns for example, concerned as it is with the threats of climate change and peak oil, issues global in nature, turns its attention to highly localised activities aimed at developing the resilience required in the process of transitioning to a low carbon society. Unlike the *Buen Vivir*, which draws on aspects of a traditional culture *of* place and the natural environment, the challenge for transition town advocates is to effect change starting with culture *in* place, including issues of dependency, engagement and activism (Fleming 2004, Cato 2008, Scott-Cato and Hillier 2010).

The difference in 'scale of application' highlights key departures and similarities between bioregionalism, the *Buen Vivir*, Transition Towns and eco-communitarianism. With the *Buen Vivir*, its inclusion in the constitutions of Bolivia and Ecuador represents the final stage of a three stage push to tackle the environmental and economic aspects of sustainable development at a national level, and address the development paradox many Latin American states face, the continued need to trade in natural resources and cheap exports in order to 'emerge' on a global scale (Gudynas 2011: 441, Martinez-Alier et al 2010). In eco-communitarianism, scale of application is linked to the notion of community via a process of civic awareness, including the environment and its limitations, responsibility, rights and the politics of place. Eckersley (2004: 190) notes for example that the tie between individuals and their community is of vital importance since 'without knowledge of, and attachment to particular persons or particular places and species, it is hard to understand how one might be moved to defend the interests of persons, places, and species in general'. This suggests then that when individuals identify with their community, they become active citizens and more involved in political deliberations to bring about a common or greater good, one that may extend far beyond the immediacy of that community and its physical borders (Taylor 1985: 209, MacIntyre 1999: 74).

The Bioregional Life Place

While each of the frameworks discussed employs a place sensitive approach to development, the very term 'bioregionalism' sets it apart from the other frameworks. Combined, the etymology of 'bio' and 'region' prefaces the notion of a 'bioregion' as a 'life place'.⁹ Encapsulating aspects of the life place are then four constitutive domains: the environment; culture; the economy; and politics. Together, these domains form the holistic bioregional vision. However, in the frameworks discussed, with the exception of eco-communitarianism as a blended concept, one life domain is privileged over the others. With the Buen Vivir, it is the economy that is privileged, even as it refers to culture and ecology. In the concept of transition towns, culture-incorporating notions of community engagement and resilience is the primary domain, while ecology and politics are the pivotal domains in eco-communitarian discourse.

The challenge in developing a bioregional approach to issues such as sustainability is to ensure then that each of its constitutive domains receive equal consideration, while remaining true to the needs and wants of a bioregion's final boundary markers, the human occupants in place. This last factor is in consideration of the fact that as a species, humans have had the greatest impact on the planet and so bear the greatest responsibility for its future. That said, the project of getting and retaining the attention of its populace, and mobilising them into action in defence of this future is unlikely to occur if, as a primary concern, the needs and wants of people in place are ignored.

This holistic view deviates from Sale (1985: 43) who suggests in 'Dwellers of the Land' that culture is 'wholly derivative of nature'. Yet the very history Sale (1985) draws upon recognises cultural variation within similar and sometimes the same eco-systems.¹⁰ In constructing a contemporary framework for a bioregional study however, Sale's proposition highlights the need to consider place-based realities rooted in natural and social history such as the Buen Vivir and ecocentrism, and combine these with a cultural perspective and scientific reasoning cognisant of transition towns and communitarian rationalisations (Goldstein 2000: 159-165).

Grassroots Sustainability: The Tasmanian Project

In a new study focussed on grassroots approaches to sustainable community development in Tasmania, the initial appeal of bioregionalism was its capacity to distinguish between the highly individualised project that constitutes people's sense of place¹¹ from a sensibility of place and the natural environment. While other studies suggest that the land people live upon and off, particularly in rural areas, is synonymous with identity and being, these constructs can be explored through paradigms such as lifestyles and liveability (Dowling 2004, Easthope 2006, Gieryn 2000, Holmes 2006,

⁹ The etymology of bioregionalism was established by Dodge (1981: 6) in order to demonstrate the biological and cultural principle of the concept evident throughout history. In his book *LifePlace*, Thayer (2003) uses the term bioregion interchangeably with that of lifeplace.

¹⁰ As another early proponent of bioregionalism, it is necessary to consider Sale's focus on culture while bearing in mind Mitchell's (1989) concern regarding layers of culture and significant variations between these occurring in the same places over time

¹¹ Vanclay (2008:7) comments that developing a sense of place is a personal and for some, a very spiritual experience, the focus of which is the individual, and not the place.

Zablocki & Kanter 1976). However, in order to locate and explore a particular sensibility of place, the research lens needs to be expanded to encapsulate multiple life domains and spheres of action. How people develop a sense of place is of great interest, but in sustainability research, this is more so if, as an effect of the process, it results in further action extending beyond the individual to the community or region. An added bioregional attractor is therefore its capacity to explore place as a socio-cultural construct. Temporal and spatial elements influencing constructions could then lead into discussions of nature and the environment without being ecologically deterministic.¹² The latter was identified in the early stages of the Tasmanian project as a major barrier to accessing place sensitive information from people living within the three designated sites of analysis.¹³

The failure of big government in Australia to address issues such as education and employment, or land usage and environmental protection means that grassroots approaches to cross-cutting concerns within sustainable development have been given a new lease of life. No more so is this evident than in the island state of Tasmania. Geographically isolated from ‘mainland’ Australia, Tasmania represents an ideal environmental and social container to test the extent of bioregionalism’s potential. Defined by smaller socially affective regions, localities and communities (Gorman-Murray, Darian-Smith & Gibson 2008: 45), Tasmania is frequently touted as unique, a term used variously to describe the state’s island setting; as a label for mannerisms such as parochialism within an island mentality, and in accolades in reference to its natural environment (Callaghan 1977: 3-17, Curran 1992: 12-17, Nixon 1997).

Generally perceived and depicted as the poorest and most economically marginalised state in Australia (James 2014, RDA Tasmania 2013), Tasmania’s low ranking against social indicators such as employment, education retention rates, and new business investment, is precariously balanced by the attraction of place-based amenities the state has to offer. As qualities of place, these amenities are best understood as the aggregated environmental aspects of a location that influence an individual’s perception of well-being and quality of life (Clark 2002: 497, Florida 2003, Eslake 2004). They include examples of pristine wilderness, preserved historical sites of national importance, a seasonal climate, and towns of regional distinction in reference to their cultural historicity in place. Counter to the notion of a negative parochialism is also the issue of safety, security, and a strong sense of community expressed by people in regional and rural areas, with Tasmanian sites also topping a national poll of the safest and most liveable places in Australia (Suncorp Bank 2014).

A comparative study across three regional ‘municipalities’ in Tasmania found that each of the regions stood in stark contrast to the others in terms of natural environment and resources, climate, culture in place and local economics. Positing that

¹² Smith (1999) and Urry (1995) in reference to the works of Durkheim and Simmel respectively, both attempted to present a case for place in sociological studies introducing the elements of time and the physicality of space. Smith through the lens of ‘seachange’, and Urry using his ‘localities theory’.

¹³ Recently, two of the regions in the study have undergone major upheavals with the closure of large scale primary industry operations in forestry and mining. Within both of these regions, there exists what can only be described as an uneasy truce between different local factions concerning issues such as land protection, eco-tourism, and community development in general.

even in the most functionally and socially differentiated of regions, it is possible to uncover latent forms of a bioregional sensibility, the study also sought to explore the presence of similar grassroots movements such as permaculture, and the permaculture influenced Transition Town movement, both of which have roots in Tasmania.

Paralleling ideas embedded in bioregionalism such as sustainable eco-systems, the term permaculture was coined by Tasmanians Bill Mollison and David Holmgren (Mollison 1991). Inspired by the work of Fukuoka (in Mollison 1978: 18), the permaculture philosophy of working with nature and focussing on plants and animals in all their functions emphasises a natural assemblage of species, landscape and functionality. Premised on three core tenets, to care for the earth, to care for people and to return surplus back into the system from which it came, permaculture draws upon systems ecology and examples of pre-industrial agrarian life, the sum of which was set out by Holmgren (2002) in twelve design principles. These principles could be integrated into sustainable farming operations or town and regional planning. Perhaps more appealing in a highly ruralised state where roughly 30% of the population live in rural and regional sites¹⁴ compared to a national average of 12% (ABS 2011), permaculture in Tasmania and arguably in general, is now more commonly associated with sustainable housing and landscaping. Inwardly focussed as opposed to the interactive manifesto first presented by its founders (Connors and McDonald 2011: 568-569).

The latter concept of Transition Towns, influenced by Mollison and Holmgren's permaculture principles, appears to have less of a following in Tasmania in the same way it has in the United Kingdom. However, given that the Transition Town network is less than ten years old and has had limited exposure in the state which boasts only two official towns¹⁵, it could be considered early days. While Sustainable Living Tasmania,¹⁶ an organisation dedicated to practical and positive action for sustainability is linked to the Transition Town Tasmania web site, as are a number of smaller local groups across the state, it is questionable as to whether the movement can expand given the prescriptive and somewhat contradictory nature of its 'twelve steps to transition' (Hopkins 2008: 148-175). In a state renowned for its combative politics, the top down hierarchical positioning of leadership and legitimacy in official Transition Towns, coupled with an apolitical stance, may run counter to the highly localised and defensive stance adopted by many Tasmanians. Of equal concern is the colonising nature of the network co-opting similar smaller scale projects and networks into the greater movement, and so potentially negating the history and relevance of people and place that brought them into being in the first instance (Connors and McDonald 2011: 567-568).

¹⁴ Rural/regional status is established using two demographic indicators, that of population density (OECD 1994), and proximity to extended public services (AIHW 2004).

¹⁵ Contrary to information on Tasmania's Transition Town Facebook site www.facebook.com/TransitionTas that suggests a far greater local understanding, presence and engagement in the movement. For example, according to the site, the township of Deloraine, the largest town in one of the Tasmanian study's sites of analysis is a Transition Town yet not a single participant in the study from the region (n=20), including members of a more informed public were aware of the town's involvement in the movement, or of the movement itself.

¹⁶ www.slt.org.au

Nevertheless, alike with bioregionalism, the Buen Vivir in South America, eco-communitarianism and permaculture, the Transition Town movement shares a regard for the planet, its limitations, species, resources and sustainable future. As such, it should not be written off while still only in its infancy, since its potential and evolution beyond the UK may have yet to be realised. Until such time, the focus of the Tasmanian project remains with that of bioregionalism, specifically, the more creative aspects of bioregional thought and practice expounded by Berg and later, Thayer. These creative aspects include the need and value in simply understanding more about where one lives in connection to nature, whether or not this understanding speaks of watersheds, native fauna, what the land can support, or a spatialised notion of governance and government.

Preliminary Findings

A stand-out for the Tasmanian project across the three sites of analysis is the presence of a bioregional sensibility to place in all four domains, cultural political, economic and ecological. A sensibility arguably borne of enforced isolation and marginalisation from other parts of Australia, and perhaps the more recent ‘discovery’ of the State as both a tourist destination and retirement haven. Research participants, all self-described locals themselves, spoke of an increased awareness of what the state and their regions had to offer in comparison to mainland destinations, not the least being the environment, clean air and water, space, low population density, security and community spirit. While migration to Tasmania is unlikely to mimic earlier movement patterns linked to the challenges of alternative lifestyles and trail blazing new age settlers experienced in the past, all three areas have experienced new influxes connected to retirement and personal investment such as property or small businesses. The latter two sparking old divides between ‘locals’ and new arrivals.¹⁷

Across all three areas, the importance of local politics was also a unanimous issue raising comments regarding an expanded role for local government in response to State and Federal government ‘failures’. While some participants found it difficult to imagine how this role should take shape, the general feeling was that only a local could understand local concerns and so respond appropriately. Variation clustered around interpretations of ‘local’ ranging from the amount of time someone had lived in the area and their generational ties, to ‘local’ in the context ‘locality’ and situatedness. Given that all three regions have experienced council amalgamations and may continue to do so in the near future, elements of a more negative parochialism were also noted, particularly in the two coastal municipalities in the study. Having endured large-scale industry closures in mining and forestry creating further problems connected to employment, affordable housing, medical services and the very survival of rural communities, the cracks in regionalism appear to have opened up around perceptions of the ‘haves’ in one part of a region required to prop up the ‘have nots’ in another

¹⁷ During the 1960s – 1980s, sites throughout Tasmania, including two of the study’s three areas experienced large influxes of ‘amenity migrants’ hence the projects interest in newer locals who arrived between 1969 and 1991, an era of great significance in migration and demographic studies given the connection to changes in rural productivity, the socio-political climate of the times and social movements with links to early bioregionalism.

part. These fractures represent a throwback to old political divisions and even older wounds.

The cultural issue of Tasmania's aboriginal history also sparked interesting responses from participants. With few exceptions, the treatment of indigenous people in Tasmania was viewed as an appalling act that would forever stain the state's reputation. However, since many of the older participants in the study could trace their family histories back to early white settlement and the penal history of Tasmania, suffering under essentially the same colonial yoke, there was a general feeling that enough was enough along the lines of 'sins of our father'. Yet few participants felt encouraged by the current or previous state government's efforts to amend the past, either in the protection of sensitive or significant aboriginal sites, or supporting aboriginal Tasmanians in general. For many, this past had been simply swept under the carpet resulting in a somewhat sketchy history of both people and place and uncertainty as to how to move forward from such a position.

On a lighter note is the previously noted suggestion that the nature of nature, particularly the position of nature in narratives of place, would make an interesting analytical field for further analysis. Data from the study also suggests the same regarding the nature of community and community relations. In addition, concerning research and the research process itself is the notion of contested spaces beyond the spatial, such as knowledge and the space between research and practice. An issue exemplified in questions asked by participants at the end of their interviews such as *'what will happen with all this information?',* and *'how will our people (local council) act upon this... if at all?'*; and policy practitioners, one of whom suggested that *'the waters are (sic) muddied up enough without throwing anymore ideas at these people (councillors)...they barely understand what they're really here for let alone get their heads around that sort of theory...'*

Conclusion

Whether or not local politicians can *'get their heads around'* bioregionalism, they are likely to understand the socio-political implications of decentralisation and regionalism, particularly the need to explore 'do it yourself' options for sustainable futures,¹⁸ and discovering place-based solutions. As a work in progress, the aim of this article was not to present findings, but to provide an overview of bioregionalism and establish a case for its utility in the first instance.

Near completion, the Tasmanian study has faced only one minor, although persistent problem. The need to constantly reposition the concept of 'bioregionalism' away from that of conservatism and certain aspects of environmentalism, an issue of both terminology and scope. On one level, the term 'bioregionalism' proved problematic for members of the general public with the prefacing 'bio' strongly associated with the physicality of the land, and so acting as a demarcation line between people and society versus 'nature' and the environment. Yet even in conversations with

¹⁸ This approach is premised on the understanding that while regions are important to Australia's economic and environmental well-being and identity, one size policies are no longer seen as the most appropriate option (Sorensen's [2000] 2010). However, this also means that some issues such as internal migration and demographic shifts are expected to be managed by a level of government with the least amount of power or influence to do so.

a more informed public including local government and resource management officials, the term was often confused with 'biogeographic regionalisation' (DSEWPC 2012). Since this term refers to the Australian Governments landscape based approach to classifying the land surface according to attributes of 'climate, geomorphology, landform, lithology, and characteristic flora and fauna', the notion of interactive communities and eco-systems including humans, their needs and wants, then had to be clarified again, necessitating a conceptual reposition.

Nevertheless, given the opportunity to explain the domains of the concept and the interconnectivity between each as a holistic approach to development in a process employing common sense and mutual knowledge, the study's bioregional framework has held firm. That a bioregional sensibility speaks for place and the natural environment there is no doubt. What it can do to ensure the future of these places is still an issue caught in the transitional phase from theory to practise. An issue only time, and one would hope, greater interest in bioregional thought and practise can resolve.

Notes on Contributor

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Twenty Years Since Democracy in South Africa: Reconsidering the Contributions of the Truth and Reconciliation Commission¹

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Abstract

The twenty-year anniversary of the establishment of democratic governance in South Africa presents a fitting time to reflect upon the work of the country's Truth and Reconciliation Commission (TRC). This article focusses on the TRC as a key institution in the transition from apartheid to democracy, and commences by outlining the context and remit of the TRC and considering some of its more recent critiques. I conclude that many of these perspectives present an unfair judgement of the Commission based on either a misreading or misunderstanding of its mandate, and to a certain extent, a disregard for the contextual constraints within which it operated. Whilst acknowledging its limitations, I argue that the TRC played an important role in facilitating political transition and maintaining a fragile peace, and that it contributed to creating a more inclusive official historical narrative, as well as a human rights culture. I identify that the Commission's therapeutic ethos and its emphasis on the human capacity for empathy and compassion were particularly significant in cultivating a shared purpose and sense of national community. I conclude by considering the TRC in the context of key contemporary challenges facing South Africa, underscoring the need for ongoing attention to structural injustice.

The brief history of transitional justice has seen the rise of truth commissions as an increasingly popular approach to addressing mass violations of human rights (Balint 2012). The South African Truth and Reconciliation Commission (TRC)² is the best known, and most revered and reviled institution of this kind, with scholarly debate about it continuing years after completion of its work (Teeger 2014). This article seeks to contribute to this discussion, first by presenting a brief discussion of transitional justice and the role that truth commissions can play in this process, before outlining the TRC's theoretical foundations, mandate and processes. Subsequently, I will critically engage with some key critiques of the Commission and its report, arguing that these inadequately consider the inherent constraints and limitations within which the TRC operated. I argue that these critiques reveal a misreading of the purported or actual intentions of the Commission, and that they fail to acknowledge the important contributions it did make. In my own analysis of specific language employed by TRC representatives and in the post-hearing report, I suggest that the construction of a therapeutic discourse around the country and its history was designed to cultivate a collective national identity and a unified purpose amongst South Africans. I also argue that the public expression of private pain through victim testimony promoted a sense of compassion and community, which had enduring positive effects. In the final section

¹ The author thanks the anonymous reviewers for their helpful comments on an earlier version of this article.

² In this article, the South African Truth and Reconciliation Commission will be variously referred to as the TRC, the Commission, or the Truth Commission.

of the article, I explore the TRC's legacy within the context of contemporary challenges facing South Africa, highlighting the need for concerted attention to the structural inequalities that underlie these problems.

Transitional justice and the TRC

In the relatively young field of transitional justice, it is acknowledged that societies emerging from conflict or repression need some established way of dealing with the aftermath of trauma, enabling them to move towards a peaceful future (Mani 2002). Transitional justice measures generally refer to 'a diverse set of practices aimed at making the development of democratic governance possible' (Stauffer 2013: 30). Simplistic understandings of transitional justice often create a falsely dichotomous relationship between the purportedly conflictual demands of peace and justice, where peace is represented by amnesty-based approaches, and justice, by formal trials (Huysse 1995). Truth commissions, however, offer a more complex and fluid understanding of justice, as well as recognition of the limitations of traditional jurisprudence (Cole 2010). As quasi-judicial, state-based institutions, they possess the necessary status to produce official and authoritative findings, yet are not bound by the narrow confines of law (Balint 2008; 2012). Unlike courts, they are able to focus on the process of information-gathering, and use the diverse information they collect to create a broad interpretation of the past with which to inform the future (Boraine 2000a; Miller 2008). In particularly volatile contexts, they can also represent an effective and less destabilising alternative to prosecutions (Moon 2008) whilst still offering some degree of accountability for crimes committed. They can be seen to offer at least the potential for an effective 'compromise justice' (Bakiner 2014).

In the South African context, the TRC was established in 1995 as part of the negotiated political settlement to end apartheid rule. Its task was to promote national unity and reconciliation through investigation into gross violations of human rights perpetrated between 1960 and 1994 (TRC 1998). The enacting statute of the TRC limited its remit to cases of severe physical mistreatment; a very narrow scope for enquiry that was pursued in the interests of political stability (Mamdani 2000a). This particular configuration of the truth commission model emerged as a creative attempt to not only reconcile peoples and a society, but to reconcile the very concepts of justice and peace, which are frequently regarded as mutually exclusive (Wilson 2000). Offering amnesty was a political concession designed to promote a stable transition (Cobban 2007), although some limited accountability was sought by making individual amnesties conditional upon appearing before the Commission and testifying to involvement in crimes (Chapman and van der Merwe 2008; Sriram 2004). It was decided that this approach would best reveal the truth about the past (TRC 1998), without too vigorously pursuing those responsible for the abuses, and thus not jeopardising the fragile new democracy (Campbell 2000). Although the TRC conducted institutional hearings that considered the role of various sectors in the apartheid order (Chapman and van der Merwe 2008), its main role was as a forum in which victim testimonies and amnesty applications were heard. The processes demonstrated a commitment to a victim and narrative-centered approach to truth-finding (Cobban 2007; Moon 2008;

van der Merwe and Chapman 2008), and it revolutionised the truth commission form towards one that relied heavily on personal testimony and public performance (Stauffer 2013).

The TRC was hailed as an exemplar of restorative justice, which was juxtaposed against retributive justice and promoted as a morally-superior approach (Moon 2008; Tutu on ABC 1998; van der Merwe 2008). Since the impact of pursuing a retributive approach to past harms would have been extremely destabilising, it could be argued that the decision to embark on restorative justice was in fact made on the basis of pragmatism rather than morality. Based upon the premise that crime is a violation of one person by another, restorative justice aims to repair harm by involving victims, offenders and communities in the justice process (Johnstone 2002). Perpetrators are generally required to provide material or symbolic restitution to victims as a contribution towards rectifying the harm they have caused, an important restorative justice precept that was neglected by the TRC. Although spontaneous gestures of atonement were offered in some cases, there was no restitutive requirement of perpetrators. The TRC recognised this problem, but unfortunately did not seriously acknowledge or address it (van der Merwe 2008). The disaster of the state-funded reparations scheme, which offered meagre payments, some of which remained unpaid a decade later, also did little to adequately fulfill the reparative aspect of the restorative approach (Bharucha 2001; Clark 2012; Moon 2008; Stauffer 2013).

The TRC's work also reflected a broad ideology of reconciliation (Teeger 2014). Reconciliation is widely accepted as a crucial prerequisite for the consolidation of democracy in post-conflict settings (Huysse 1995), yet the concept remains contested. It often conjures images of a religious or spiritual reconciliation, where spontaneous acts of contrition and forgiveness suggest an element of divine inspiration (Laplante 2008). Deborah Matshoba, for example, a victim of apartheid violence who testified before the TRC, describes reconciliation as being 'like when Jesus Christ was the on cross and said: "Forgive them, for they know not what they do"' (cited in Krog 2003: 157-8). But reconciliation can be problematic when presented as a 'mysterious Judaeo-Christian process' (Krog 1999 in Bharucha 2001: 3771), where forgiveness is an obligation and a presumed precursor to reconciliation. Pressure upon victims to forgive perpetrators can be inappropriate (Clark 2010), as personal experiences of trauma may make this impossible or unhelpful. It is thus important to distinguish between reconciliation as interpersonal forgiveness, and reconciliation as a broader discourse that emphasises the value of transcending past divisions and creating a more peaceful and tolerant coexistence (Moon 2008). Following Arendt, Bakiner (2014) suggests that reconciliation can be more about reconciling with reality rather than with other people. Since the term 'reconciliation' implies a return to a previously-experienced and more positive state of existence, its viability can also be questioned in the South African context. As there was never a former period of peace, racial equality and freedom, what was envisaged for the future was something entirely new (Christie 2000; Mamdani 2000a).

The TRC's work was also underpinned by a therapeutic ethos which can be identified in the extensive use of metaphors of sickness and healing to describe South Africa and its history. This framework is expressed when South Africa is referred to as

‘a sick society’ (Mandela 1999 cited in Gee 2000: 40), ‘a traumatised ... people’ (Tutu cited in Christie 2000: 91), and in the TRC Report (1998), where racism and apartheid are treated collectively as a ‘sickness that has afflicted our beloved motherland’ (TRC 1998: Vol 1: 17). Truth is promoted as having an intrinsic cathartic potential (Bakiner 2014; Moon 2008)³, and, clearly illustrated by the motto printed on banners in the hearing venues, the TRC’s work is presented as ‘healing our past’ (Hoffman and Reid 2000). The Truth Commission’s work was clearly intended to construct a sense of rupture between the past and present, allowing for new beginnings and the creation of a different collective future (Teeger 2014).

Metaphors of sickness and healing can also be seen to have a specific political function. Referring to South Africa and its history as having suffered from a ‘sickness’, in effect pathologises the country, its history and the apartheid system, creating an effective method of externalising and depersonalising the problematic past, presenting it not as something for which anyone can or should take responsibility, but as a horrifying and uncontrollable outside force that inflicted the nation. As Klein (2013) and Gloor and Meier (2013) argue in the context of broader narratives around violence against women, constructing a problem as a type of intruder or a spontaneously-occurring problem has the effect of externalising it from the people involved. Applying these ideas to the South African context, I argue that the metaphoric reconstruction of the country’s oppressive and violent history as a sickness provided for a shared identity as victims, and constructed a shared purpose of unifying against the affliction. The reconstruction of racism and apartheid as a sickness also allows for a collective plea of insanity because illness is not the fault of individuals, it is merely unfortunate and regrettable. This allows everyone the freedom to lament and emerge from the suffering together, and to envisage a healthier collective future.

Critiquing the Critiques

Considering its centrality to the transitional process it is not surprising that the TRC has received much criticism as well as commendation. However, many critics decontextualise the Commission’s work, failing to appropriately consider the severe historical and political constraints within which it operated. Some critiques show surprising inattention to the historical, political and economic context of transition. Such perspectives generally argue that the TRC was not sufficiently forceful in its indictment of apartheid and the various structures, institutions and individuals that supported it. Miller (2008), for example, criticises the TRC for not engaging in a systematic process of acknowledging the illegitimacy of apartheid and recognising the responsibility of the apartheid privileged. Mamdani (2000a: 183) argues that it failed to accurately portray apartheid as ‘a regime of violence that dispossessed the majority ...

³ The idea that ‘revealing is healing’ has been critiqued by a number of authors. Clark (2012) and Henry (2009; 2011), for example, both question the common assumption that there is inherent therapeutic value in revealing traumatic experiences. Hesford and Kozol (2001) and Schaffer and Smith (2004) argue that retelling experiences of suffering can retraumatise and further expose and violate victims. The potential value of testimonial-style truth-telling needs to be carefully balanced against the dangers and limits of traumatic personal revelation.

(and) ... enriched a privileged minority'. Chapman and Ball (2008) also condemn the TRC for its determination to emphasise the suffering of all races, declaring that this created an inaccurate representation of history. Valid in principle, these criticisms stem from a misreading of the relevant political context.

These accounts fail to recognise the intense political and social instability and economic disruption inherent in transitional societies (Mani 2002), and that South Africa presented a particularly volatile case. The arguments made by these commentators imply that the TRC should have carried out its work with utter disregard for the real possibilities of civil war, mass exodus or complete economic collapse. But neither the new regime nor the TRC were free to act as they desired; the transitional context was extremely precarious, with violent and widespread internecine conflict considered an imminent threat (Christie 2000; Mandela 1994; Sriram 2004; TRC 1998; Verwoerd 1999). In fact, most parties at the time agreed that the TRC and its careful approach were the only way to move forward without significant bloodshed and an extended civil war between a black majority and white minority (Stauffer 2013). The Commission was also under constant pressure to demonstrate even-handedness in its treatment of different groups (Simpson 2002), having already experienced a debilitating lack of support and cooperation from various parties over accusations of prejudice. Whilst some critiques do concede that the TRC's choices could be seen as a strategy to promote reconciliation (Chapman and Ball 2008; van der Merwe and Chapman 2008), they fail to acknowledge the centrality of this imperative (Simpson 2002).

In the immediate post-transition period, maintaining peace and the survival of the democratic process were of paramount concern. The new government was motivated by the need to solidify support for and legitimacy of the new regime (Christie 2000) and to recognise the ongoing dominance of certain status quo forces (Sriram 2004). The police and military, for example, retained enormous power, contributing to the persistent anxiety over a potential military coup (Stapleton 2010). In economic ruin, following years of sanctions and shrinking foreign investment, a unified and progressive South Africa was crucial (Mandela 1994). As the new government knew it could not afford an exodus of white South Africans, it decided, in the interests of the nation's economic survival, to avoid affronting and alienating whites and causing them to leave the country (Mallaby 1992). For a range of compelling reasons, the TRC was justified in taking a cautious approach (Sooka 1998), and to avoid antagonising powerful groups whose support was crucial to the survival of the new order.

Many critiques of the TRC refer to its narrow mandate, which limited the scope of investigation to 'gross violations of human rights' and did not include a vast array of other abuses, discrimination and oppression committed under apartheid. As Miller (2008) correctly notes, a narrow mandate unfortunately results in truth becoming a narrative of murder and torture rather than systematic oppression and institutionalised privilege. However, some authors construct this as a criticism of the TRC itself, rather than of its mandate. Mamdani (2000b) claims that by not investigating the suffering and deaths caused by apartheid oppression, the TRC created a diminished truth that wrote millions of victims out of history. Teeger's (2014: 73) recent comments are similar: 'by focussing only on gross violations of human rights, the TRC created a context wherein the

past of *apartheid was addressed in a way that did not really confront its systematic nature* (my emphasis). But suggestions that the TRC inadequately addressed broader abuses are critiques of the legal framework within which the TRC was conceived. Rather than point to shortcomings of the Commission's work itself, these critiques underscore the limitations of a narrow mandate. In a range of ways, the TRC did contextualise the human rights violations specifically within its remit.

In fact, the TRC's mandate itself involved contextualising violations (Office of the President 1995), a responsibility which was satisfied in a range of ways. Volume One of the TRC Report alone contains twenty pages of 'Historical Context', in which it states that 'the policy of apartheid itself was a human rights violation' (TRC 1998: Vol 1: 29). This Volume also engages in extensive explanation of discriminatory apartheid legislation and the systematic oppression of non-whites, and, later on, includes an eight-page appendix about 'Apartheid as a Crime Against Humanity'. Contrary to Teeger's (2014: 73-4) suggestion that 'the complicity of business and faith-based organisations ... was sidelined', the TRC further fulfilled its requirement to contextualise abuses by holding institutional hearings. These examined the role of the media, business, prisons, faith and health sectors in maintaining the apartheid system, and were designed to illuminate the state and non-state framework within which apartheid oppression operated (Tutu 1999; Boraine 2000a; Balint 2008; 2011; 2012). As Balint (2012) explains, hearings into role of the media, for example, revealed how the state broadcasting corporation implemented carefully-orchestrated policy designed to subjugate, suppress and remove state opponents, and clearly depicted a hierarchy of concealment and conspiracy. Similarly, during the business hearings, revelations enabled the TRC to conclude in its report that 'capitalism in South Africa was built and sustained precisely on the basis of the systematic racial oppression of the majority of our people' (TRC 1998 in Balint 2012: 158). Through information presented at various TRC hearings, 'it became clear that the apartheid system worked like a finely woven net' (Krog 1998: 60), systematically oppressing the majority of the country.

Furthermore, the TRC Report specifically acknowledges the millions of victims of apartheid oppression, lamenting that the narrow definition of 'gross violations of human rights' prevented it from hearing testimony from victims of the many other forms of abuse (Miller 2008). As Bharucha (2001: 3764) points out, the 21,400 victims who submitted statements to the TRC represent only a minute proportion of the millions of South Africans who were persecuted, humiliated, tortured and evicted under apartheid. It is thus important to remember that many personal histories were not effectively articulated in the TRC's story. According to Alex Boraine (2000a), himself a commissioner, this limitation caused TRC staff great distress. Nonetheless they were compelled to accept that even investigating only extreme and specific cases of physical violations - in accordance with the Act's narrow definition - was a significant challenge and necessary concession. Fulfilling even the most limited aspect of the mandate was a huge task, and the fact that the TRC managed to complete the bulk of its work within a two-year period and an allocated budget is a notable achievement (Cobban 2007).

As well as demonstrating a particularly cursory reading of the TRC Report, critics who argue that the TRC failed to adequately indict the apartheid system appear to

overlook that it had already been internationally condemned. As far back as 1973, the United Nations General Assembly had determined that apartheid constituted a crime against humanity (Cobban 2007). By the time of transition, South Africa was a pariah state that received continuing condemnation from world leaders and global institutions and suffered from limited foreign investment and increasingly restrictive sanctions (Mallaby 1992; Stapleton 2010). Within the country itself, the injustice of apartheid was experienced by non-whites on a daily basis, and it was seen as largely irrelevant or unnecessary for the TRC to overstate this self-evident experiential truth (Krog 1998).

A further criticism made of the TRC was that it failed to address socioeconomic injustice. However this argument expresses the unrealistic demand that the TRC act outside its remit. Of course, reconciliation and restoration depend upon addressing distributive injustice, however this is generally not the responsibility of formal transitional justice institutions (Mani 2002). Whilst truth commissions are uniquely placed to expose the complexity of systematic inequality and repression, they are also hindered by 'significant operational, social and political factors' (Stanley 2005: 583). The TRC was a single institution with limited capabilities, active for only a specific time-frame, and just one of a range of simultaneous transitional justice initiatives. Although in its report, the TRC did make a series of recommendations for addressing socioeconomic injustice, it had no inherent power to follow up on or implement these (Christie 2000; Balint 2008; 2012). The 'non-binding character' (Bakiner 2014: 30) of the Commission's findings and recommendations meant that there was no regulatory structure to ensure such a follow-up. Its final recommendations were intended to be taken up by Parliament and other institutions themselves. Other social and economic initiatives were also being undertaken at the time, for example the new government had begun a process of land and wealth redistribution (Cobban 2007), and had committed to spending billions of dollars on economic and social development policies to generate more equitable conditions (Mandela 1994). Naturally, from the perspective of the exploited and marginalised, truth commissions can hardly be seen to achieve justice (Muvungi 2009). However, this is not a criticism of their work, but an underscoring of the need for simultaneously-occurring distributive justice initiatives within the broader transitional justice project.

Indeed, the limitations of conventional transitional justice approaches have been the focus of increasing scholarly critique. Conceptually, transitional justice has been limited by its construction of simplistic dichotomies such as conflict / peace, or repression / democracy, which do not reflect the complexity of transition or acknowledge the ongoing marginalisation and suffering of oppressed groups. For women in particular, experiences of subjugation and violence continue throughout transition and beyond, often involving merely new and different challenges and dangers (Turshen et al 2001; MacKenzie 2010; Enloe 2012). The lack of attention to structural justice within transitional programs also tends to grossly understate the direct relationship between formal rights and recognition, psycho-social reconciliation, and socioeconomic well-being (Stanley 2005; Miller 2008; Balint and Evans 2010). Lambourne (2004; 2009), Laplante (2008) and Muvungi (2009) emphasise the importance of holistic transitional approaches which address substantive justice through comprehensive social, economic

and cultural policies and programs. In South Africa, the TRC signalled the importance of changing the structural inequalities at the heart of apartheid oppression, and called for concerted political efforts to address socioeconomic injustice. Properly addressing this, however, required broad, long-term measures that would effect conditions of economic and social parity over successive generations.

The TRC has also been harshly criticised for achieving a measure of truth, but not reconciliation. But it was neither expected, nor purported, to achieve reconciliation; only to promote it (Tutu in Hoffman and Reid 2000). Reconciliation is an ongoing process that began before the TRC's work commenced and will continue indefinitely (Bharucha 2001). It could be seen in the waiting-lines of determined voters at the 1994 election who spoke with reconciliatory sentiment (Mandela 1994), and in spontaneous acts of atonement and forgiveness between individual perpetrators and victims that continue to take place long after the TRC's conclusion (Moon 2008). As a long and complex process, reconciliation cannot be accomplished overnight and certainly not by a commission, however effective it may be (Wilson 2001 cited in Laplante 2008: 349). It is a national project to which every individual must contribute, and involves creating an inclusive and respectful society (Boraine 2000a; Tutu 1999). As Bharucha (2001: 3771) suggests, criticisms that the TRC did not 'achieve reconciliation' do not mean that it did not contribute to reconciliation, but rather that the process involves a much 'larger envisioning of time'. Reconciliation is an ongoing and long-term process, and depends on a range of factors unrelated to the work of formal transitional justice institutions (Chapman and van der Merwe 2008).

The TRC was a significant but single aspect of a far broader transitional justice process, and it must be viewed modestly as such. Functioning democracies emerge gradually, through lengthy periods of contestation and consolidation (Christie 2000), and the TRC was merely one aspect of this long-term nation-building process. The simultaneous introduction of law and policy reform, as well as other commissions and committees, complemented and supported the TRC's work (Boraine 2000a). This demonstrated the importance of multi-faceted efforts in a successful transition from a deeply divided past towards a future 'founded on the recognition of human rights, democracy, peaceful co-existence, and development opportunities for all' (TRC 1998: Vol 1: 103). The TRC was merely one part of a dynamic process of social repair and reform (Clark 2012). As Bakiner (2014: 7) argues, 'normative change takes place over a very long period of time and as a result of many factors'.

The TRC's achievements

The TRC's first achievement was to succeed in investigating a violent and contested past without jeopardising the fragile new democratic order. It achieved this largely through its cautious and even-handed approach (Sooka 1998), in which it treated all individuals and groups equally in the interests of promoting unity and upholding respect for human rights. In fact, its report contained accounts that succeeded in displeasing all major political players, illustrating just how impartial it was (Christie 2000; Sriram 2004). An insistence upon ending the cycle of violence also communicated the TRC's 'forward-looking approach' to justice, which sought to create a sense of

rupture between the violence-ridden past and the potential for a peaceful future (Teeger 2014). This rhetoric, which originated with figures like Mandela and Tutu and extended through TRC discourse, extolled the value of approaching others in a spirit of compassion and reconciliation.⁴ The TRC thus made a substantial contribution to minimising the potential alienation of disparate groups, and to promoting collective optimism.

The TRC's cultivation of a human rights culture was also important. There was no coherent discourse of rights prior to the TRC (Gibson and Gouws 2003), and the Commission was determined to provide an exemplar of this new ethos that was to underpin democratic South Africa. The determination to exercise even-handedness in its work was crucial in exemplifying the type of culture it envisaged, with the equal treatment of all individuals and groups representing the principle that human rights belong to all human beings (Sachs cited in Boraine 2000a: 260). The Report also provided a valuable emphasis on these foundational principles of the new order (Moon 2008). The TRC thus created a distinct turning point between the conflict-riven and impunity-plagued past, and a future society based on the rule of law, where human rights would be respected (Cobban 2007).

The TRC also succeeded in creating an important historical moment for South Africa and a new collective awareness of the suffering that had occurred under the apartheid system (Christie 2000). As do all truth commissions, the TRC led a process of rewriting the country's official history in order to forge a shared historical memory that included painful and uncomfortable truths (Bakiner 2014). Drawing upon the work of Jelin (1994), Balint (2001; 2012) argues that significant official investigations and accounts of past abuses, such as is accomplished by truth commissions, represent a 'foundational moment' in the society's history. Balint (2001: 133) suggests that these moments offer 'a break from the past, a basis for the transformation of state and society, a turning point for it, (and) a reconfiguration of its normative framework'. In fact, it can be argued that the TRC offered not merely a moment, but a sustained foundational period, where throughout the hearings process, the publication of the Report and beyond, opportunities were created for previously-obscured truths to be heard, discussed and debated, and for South Africa's collective memory to be revised accordingly. The TRC provided, for the first time, the opportunity for millions of South Africans to hear the experiences of others (Krog 1998), and for these new stories to raise public consciousness and inform collective histories (Wilson 2000). Of course, as Balint (2011) argues, the official narrative created by institutions like the TRC does not necessarily *create* ongoing change, however it does provide an authoritative clarity around what has occurred, and thus provides a firm foundation upon which reconciliation might be built.

⁴ Notably absent from the TRC's ideology, however, were more radical discourses, such as that of the Pan-Africanist Congress (PAC), a dissident offshoot of the African National Congress (ANC). Despite playing a significant role in the anti-apartheid struggle, the PAC largely absented itself from the transitional negotiations due to major incompatibility with the transitional government's inclusive, multi-racial vision for South African society. The PAC 'depicted the anti-apartheid struggle in strictly racial, non-inclusive Africanist' terms (Ejiogu 2012: 259), and endorsed militant tactics in the achievement of this goal.

The revelation of uncomfortable truths about the past also contributed to public knowledge, creating a new discourse in which denial of atrocities could no longer persist. When victim after victim testified to suffering similar violations, and patterns of abuse became obvious, denials became increasingly implausible. As Krog (1998: 113) suggests, 'because of these (victim) narratives, people no longer can indulge in their separate dynasties of denial' (also Stanley 2005). Groundbreaking accounts from perpetrators, who revealed committing horrific and systematic violations, added to this developing picture of the past. One particular testimony given by a member of the security forces, who not only admitted to routine use of the 'wet bag' torture technique, but physically demonstrated this practice in the public hearing and explained that it was 'standard' amongst security forces, shocked the nation and silenced many individuals and groups who had, until then, aggressively denied the prevalence of atrocities (ABC 1998). Through hearings which established an irrefutable story of apartheid violence and violent resistance to the regime, the TRC engaged in an active revision of the past (Moon 2008).

One of the TRC's most significant contributions, both physically and symbolically, was in providing a national public space that belonged to all South Africans. In the hearing venues, posters and banners signified the space as safe and official and owned by the Commission, and therefore the people (Kondlo cited in Krog 1998: 55). Open hearings provided the opportunity for public participation, and for those unable to attend, daily radio broadcasts, regular television news bulletins and a weekly summary program kept them informed and offered a sense of involvement (Boraine 2000a; Bharucha 2001; Hoffman and Reid 2000). Audiences were usually dominated by black South Africans, who, for the first time, could occupy national public space as their own (ABC 1998). The traditional singing and chanting heard in some venues indicated an enthusiastic claiming of space by these citizens. The authoritative national space, which was previously the domain of only a privileged minority, was now demarcated as the people's forum (Kondlo cited in Krog 1998: 53). The hearings also transformed previously dangerous spaces into places of safety and inclusiveness (Krog, Mpolweni and Ratele 2009), and the location of hearings was designed to be symbolic. With institutional hearings in particular, specific venues were chosen as representative of sites of apartheid oppression. For example, the media hearings were held at the Johannesburg offices of the South African Broadcasting Corporation, a location which powerfully symbolised the former apartheid state's control of the media within its system of racial oppression (Balint 2012).

The way in which the TRC's victim hearings helped to shift historical, systematic alienation and marginalisation was, for many, the essence of the whole process (Verwoerd 1999). Previously silenced groups were, for the first time, offered the opportunity to tell their stories, have their experiences acknowledged, and contribute to the country's official history (Krog 1998; Simpson 1998). The TRC's decision to hear testimony from men and women from all racial and socioeconomic backgrounds provided symbolic validation of the status of everyone as legitimate citizens. For black women especially, doubly marginalised on the basis of both race and gender, having the opportunity to speak and to become custodians of history was particularly meaningful

(Kondlo cited in Krog 1998: 55). Even if only in a moment of delivering testimony, their space was officially demarcated, protected and safe. In effect, they themselves became official (Krog, Mpolweni and Ratele 2009). Testimony could be given and heard in people's chosen language, a significant symbolic recognition of diversity (Boraine 2000a; Cole 2010) and an emphasis upon the inclusive ideology of the new society. Through 'the voice of the ordinary cleaning woman as a headline on the one o'clock news' (Krog 1998: 45), previously invisible people had their stories heard and their existence recognised.

By providing opportunities for previously marginalised groups to occupy authoritative national space and contribute to official discourse, it can be argued that the TRC contributed to addressing injustice. Adopting Verwoerd's (1999) challenge to a limited 'materialist' conception of social justice, I suggest that one way of measuring the TRC's contribution to justice is in the psychological and psychosocial healing of disadvantaged individuals and groups. By providing marginalised people with narrative power, the TRC also addressed distributive injustice. By challenging the previous regime's monopoly on the production of official 'truth' and allowing ordinary South Africans to contribute to the construction of a new official account of the past, the TRC cultivated a democratisation of the power to produce knowledge.

One of the TRC's most important contributions was bringing into the public domain the usually private experiences and rituals of mourning, anger, apology, remorse and atonement (Moon 2008). Unlike in a traditional court of law, the TRC forum allowed people to express themselves freely, largely unrestricted by procedural constraints, and commissioners were generally receptive to extended personal narratives. Many victims gave 'vivid and visceral testimonies that shocked, connected with and created empathy within a wider South African audience' (Krog, Mpolweni and Ratele 2009: 4). Other victims were given valuable acknowledgement, whilst perpetrators experienced the first-hand hearing of the impact of their crimes. For many, this process prompted a new understanding of the gravity of their transgressions, and the public shaming initiated a heightened sense of responsibility (Tutu 1999). Moreover, the public expression of private pain also had the effect of transforming the personal experiences of victims into a far deeper statement of collective suffering and injustice. One testimony in particular, that of Nomonde Calata, widow of murdered political activist Fort Calata, provided a definitive moment in the TRC's victim hearings. During her testimony she broke down, and her cry of pain, a 'primeval and spontaneous wail from the depths of her soul' (Boraine 2000a: 102), was a moment that many South Africans recall more vividly than any other throughout the TRC process (Krog 1998). The public expression of such powerful and palpable emotion made this far more than a personal tragedy; it became a national experience.

The TRC's most significant achievement, though, was in emphasising a common humanity and cultivating a deep sense of pathos with others (Boraine 2000a). It went beyond investigation of past acts of violence, to inducing understanding of a deeper level of truth. By showing the human face of pain and confronting and sharing the personal horrors of murder, torture and rape, the TRC and those who testified before it made the conflict of the past real and meaningful. It could no longer be about numbers

and incidents and faceless figures (Cole 2010), but about other human beings. People were encouraged to eschew stereotypes based on race, colour and other characteristics, and to instead focus on each other as human beings (Krog 1998). As one victim who testified at the hearings later suggested, the TRC offered the possibility that perpetrators 'become human again, ... so that all of us get our humanity back' (Ngewu in Krog, Mpolweni and Ratele 2009: 12). Through modelling and promoting empathy and contrition, the TRC helped to promote a more compassionate collective consciousness.

South Africa in Contemporary Context

Although the TRC and the immediate transitional justice period set the scene for a more positive future, South Africa continues to face serious, persistent challenges. In particular, there is significant work to be done in the pursuit of the TRC's recommendations around socioeconomic justice. Recent data show that poverty remains a grave social problem and continues to be experienced differentially along racial lines. Gradin's (2013) research shows that this racial deprivation gap can be attributed to cumulative disadvantaged characteristics of black South Africans, caused by the ongoing effects of apartheid. Health indicators also suggest a grim situation for many South Africans. The country has the highest rates of HIV infection in the world (Taylor et al. 2013), with an average of 10% of South Africans estimated to carry the virus (Rape Crisis Cape Town Trust 2014). Race-specific rates of infection are also consistent with the broader picture of racial disparity and discrimination in the country, with 19.9% of black citizens as compared to 0.5% of whites carrying the virus (Kenyon et al 2013).

South Africa is also notorious for its violent crime, particularly sexual violence against women. Research suggests that women are twelve times more likely to be raped or murdered in South Africa than in the United States (Rape Crisis Cape Town Trust 2014), and that three women are murdered every day by an intimate partner (Abrahams et al 2012). All violence in South Africa is linked in complex ways to the country's violent history and the ongoing marginalisation of whole sectors of the population. The intersection of multiple social problems also exacerbates the extreme disadvantage and suffering experienced by certain groups. One example is the particularly high HIV infection rate of young women, who make up a large proportion of rape survivors. There is now a well-established link between these high levels of infection and the prevalence of intimate partner violence within that group, confirming that rape is a significant factor in the spread of HIV (Jewkes and Morrell 2009; Kalichman et al 2008; Sikkema et al 2010).

Despite the persistence of social and economic challenges in South Africa, however, emerging data suggests that modest improvements are taking place. Gradin's (2013) findings, for example, indicate progress in the areas of education and employment, which is helping to reduce racial poverty. Research conducted by Abrahams et al. (2012), which compares rates of intimate partner violence across a ten-year period, also shows a small reduction in the extreme rate of domestic femicide. A further indication of positive change around violence is demonstrated in Kim et al's (2007) work, which

documents a significant reduction in intimate partner abuse in some rural areas in South Africa, following the introduction of anti-violence programs and micro-financial support for women. Their findings indicate that efforts to empower women economically and socially can contribute to reduced levels of violence against women in the home.

As South Africa enters its third decade of democratic nationhood, sustained efforts are needed to meet the ongoing challenge of improving the conditions of everyday life for all citizens. In particular, the centrality of structural justice to enduring peace suggests that the society requires the more sustained pursuit of equality in all areas of life. Evans (2013) argues that ongoing structural violence in South Africa needs to now be addressed through a transformative justice approach which extends beyond the conceptual and temporal confines of transitional justice frameworks. With a focus on the significance of land inequalities in producing and reproducing the oppression and violation of marginalised South Africans, Evans' (2013) work illustrates how peace and stability into the future can only be pursued through incorporating a broader conception of rights that incorporates socioeconomic justice.

Conclusion

The TRC was the first national institution of a new democratic era, following South Africa's transition from a period of white minority apartheid rule. The Truth Commission's task was to promote national unity through investigation into past violations of human rights. It approached this challenge from a restorative justice perspective, through which it demonstrated its commitment to the underlying aim of reconciliation. The TRC operated within a demanding framework, restricted by a law, limited by time and resources, and constrained by an intensely volatile political climate. Critics have often underestimated the impact of these constraints upon the TRC's work and its report, expressing unrealistic expectations of a single and limited instrument of transitional justice.

The TRC was, of course, an imperfect institution, however if it is regarded modestly, it can be seen as a successful aspect of South Africa's transitional process. Amongst its achievements, it helped to facilitate a relatively smooth transition by promoting consensus and a mutual understanding of the past (Bakiner 2014). It also provided a sustained foundational historical 'moment' and promoted a new human rights culture (Balint 2012). Most significantly, however, it provided the first official national space in which South Africans of all races were allowed to play a formative role in the nation's history, and where, through the public sharing of personal narratives, people were encouraged to listen to other's stories and cultivate a sense of compassion for others. The TRC made an important initial contribution to the long-term project of creating a democratic and inclusive South Africa.

Twenty years since the end of the apartheid era, South Africa now faces an ongoing struggle to improve the conditions of everyday life for all citizens. Serious and ongoing problems indicate the need for concerted efforts to work towards justice, peace and quality of life for all. South Africa continues to produce profound inequality and injustice, particularly through entrenched socioeconomic and gender-based inequalities,

and it is in this context that there have been recent calls for a ‘TRC II’ with a broader mandate to address ongoing issues. In the areas of health, sanitation, education, employment, housing, personal safety and well-being, significant challenges remain. Studies have repeatedly shown that the greatest concern of people in post-conflict societies is economic and social stabilisation (Cobban 2007), and the extreme disparity created by apartheid remains the greatest threat to stability. The TRC’s work and the transitional project needs now to be supplanted by the sustained pursuit of transformative justice, which works towards comprehensively addressing the systematic and structural problems that underlie instability and violence.

Notes on Contributor

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Just Global Governance: Review Essay

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Princeton, Princeton University Press, 2012. 465pp.

Introduction

The problem of justice beyond the state has, in recent decades, become a central area of debate in political theory. Much of the debate has been characterized by disagreements between statist and cosmopolitan theorists. On statist approaches, the relations between members of a state exhaust the scope of justice (Miller 1995; Nagel 2005; Rawls 1999). Cosmopolitans, in contrast, hold some form of the view that state membership should not be relevant to the application of justice and that its requirements apply globally regardless of current institutionalized relationships (Beitz 1979; Caney 2005; Jones 1999; Pogge 1992; Tan 2004). Recent work in global justice, exemplified here by the contributions of Nicole Hassoun, Aaron James and Mathias Risse, has begun to move the debate beyond statist and cosmopolitan positions by treating global governance institutions as freestanding sites of justice.

In attempting to move global justice debates beyond the statist and cosmopolitan divide by bringing global governance in, Risse offers a conception of 'pluralist internationalism', according to which there are different 'grounds' of justice 'associated' with different principles of justice (5). Pluralist internationalism fits between statism and cosmopolitanism by identifying justice-generating global political relations between members of different states based on shared membership in the 'global order' (17). James, similarly, argues against the 'parochial egalitarian' statist view, that because global economic practices remain international, there is 'no intrinsic concern for the fact...that different societies face quite different relative prospects in a common global economy' (9). Nevertheless, cosmopolitan theories 'obscure the distinctly international structure of the central class of fairness arguments' in global justice (13). While domestic and global institutions have important moral differences both, he argues, give

rise to distinctive concerns of ‘relative socioeconomic distribution across societies’ (99). Hassoun also situates her account of global justice between statist and cosmopolitan approaches, though, of the reviewed approaches, comes closest to statist accounts of justice by identifying the ground of justice commonly associated with states – subjection to coercive institutions – and expanding it globally. Justice, she argues, emerges from the requirements of legitimating coercive authority and ‘there are many coercive international institutions’ (68).

The aim in reviewing these works is to present the recent development in global justice literature towards global institutional analysis and application that should be of interest to both those doing empirical and normative work in global governance. The first section discusses how each approach interprets the justice generating elements of global institutions. The second section contrasts the different principles of justice drawn from institutional interpretation of global governance. The paper concludes with a critical assessment that outlines possible grounds for synthesis based on connections between global legitimacy and justice.

Justice generating features of global governance

This section identifies the distinctive interpretations of global governance as grounds for justice offered by Hassoun, James and Risse. James and Risse advance a largely international understanding of the global political order, whereas Hassoun develops a conception of global governance as a more autonomous space of coercive governance. For James and Risse, global institutions primarily treated as means of securing the benefits of cooperation between states, namely enhanced national income. Institutionally sustained and impactful global interaction creates new justice generative practices and relations beyond the state, the legitimacy of which requires regulative principles for the distribution of international cooperative benefits and burdens. However, because the justice-generative elements of global governance are significantly distinct than practices and relations within states they, as discussed in the following section, yield distinctive principles of justice.

Under Hassoun’s more autonomous conception of global governance, global institutions do more than regulate international cooperation and exercise distinct coercive authority across a wider range of issues that impacts persons’ autonomy. According to Risse, ‘the global order is a system of territorial states...(making)... claims to resources and spaces by excluding others’ (147). The global order has ‘arisen through a history of interferences’ by states that have ‘generated institutions charged with global problem solving’ (138). The primary implication of the global order for states is that it creates sustained interconnectedness such that they increasingly influence ‘each other’s trajectories through political and economic interaction as well as through legal or cultural channels’ (138). In addition to identifying a structured global order, Risse makes the further claim that persons are members of it, creating new political relations and therefore ‘new entitlements of people vis-à-vis each other’ (139). Membership here is a relatively thin concept – being ‘a member means to live in the territory covered by it and to be subject to those bits of this interlocking system of jurisdictions that apply to one’s situation...(t)oday all humans are members (of the

global order) in this broad sense' (138). Distinctive features of membership in different political orders create unique moral requirements for making authoritative structures 'acceptable' to their members.

A further ground of global justice identified by Risse is the system of global trade. The basic justification of trade, he argues, is development of national societies and economies. As a ground of justice, trade is interpreted as a 'structured and repeated exchange involving markets and bodies of law' oriented towards mutual benefits for the 'involved countries as a whole' (272). Additionally, it has 'significance for people's ability to make a living' and could be alternatively structured so as to differently impact persons' prospects (273). Justification of a system of structured and impactful global trade grounds a principle of justice oriented towards 'regulating the distribution of gains from trade among countries' (274).

Institutionalized trade is also the principal justice-generating element under James' interpretation of the global economy as a 'shared, distributively consequential social practice' (37). According to James, the global economy is an '*international market reliance practice...created and sustained by nations, wherein nations each mutually rely on common markets*' (37). Its basic justification is 'augmentation of national income' such that concerns of justice in the distribution of the gains and burdens from trade arise from otherwise legitimate social practices, though they can, if significant enough, reach back and call the 'very legitimacy' of trade into question as a 'human social form' (334). Global economic governance is presumptively legitimate because its stability is based on expectations and behaviour linked to the justification of the practice rather than 'pure force' or interests not related to its justification. The relevant holders of expectations in global trade practices are 'government-represented countries (that concurrently maintain policies for a common market to exist' (40). Policy coordination is based on 'market reliance expectations' produced through treaty making and 'informal understandings' as to how countries will embed markets in public institutions.

That, through stable expectations, the global economy is legitimate addresses a primary statist objection to global justice – the 'assurance problem'. Associated with Hobbes, the objection holds that without assurance of reciprocity granted by sovereign authority, there is no obligation, in the 'name of fairness, to abide by and negotiate toward structurally equitable terms of economic cooperation' (78). With stable expectations, however, the 'basic assurance problem in trade has long been overcome, despite the absence of global sovereign rule' – countries can proceed on the basis of the belief that the 'liberal order of trade is now well established' (81). Unlike the case of bargaining in Hobbes' state of nature, current negotiations do not concern the basic constitution of the global order but modification of existing terms of cooperation (it is 'legislative' not 'constitutive' negotiation) (91). Under legislative negotiation, James argues, 'trading nations are at once subjects and authors of economic law' and so like in the case of domestic legislation, 'moral legislative responsibilities of fair governance' apply to negotiating the terms of global economic practice. With the presumption that the global order is legitimate, we should reject the constitutive view of global justice that is 'framed and settled in narrow terms of when "coercion" or "exploitation" is

justified' (100). On this account, then, concerns of global justice emerge from, and apply as regulative principles to, an independently justified global political practice.

In contrast, Hassoun rejects the 'presumed legitimacy' of global governance and builds an account of global justice on the ongoing need for global political legitimacy. According to Hassoun, many global governance institutions are coercive and coercive institutions must be legitimate (51). A coercive institution is legitimate if it possesses the liberty-right to issue binding commands (47-8). Under the wide range of liberal theories Hassoun appeals to, coercion requires justification because of its implications for freedom – '(t)hose who are concerned about individual freedom should agree that institutions require justification to use coercive force; they must have the right to use such force' (52). On her view, for 'an institution to be *coercive* individuals or groups violating its rules must be likely to face sanctions for the violation...(whereby a) a *sanction* is a punishment or penalty...(that) creates conditions under which the coerced have no good alternative except to do what their coercer wants' (50). With this standard, 'there are many coercive international institutions' that require legitimation, rendering them as justice generative sites of authority (68). Examples of coercive global governance institutions include trade organizations, such as the WTO, which 'impose sanctions on member countries that violate their rules'; international finance organizations, such as the IMF, are coercive on the grounds that member countries 'are threatened – like bad credit reports and reduced access to funds in the future – if they do not follow (their) rules'; and, the UN is coercive by virtue of issuing sanctions and authorizing interventions (70). The implications of coercion for individual freedom require that coercive institutions be justified by principles subjected persons are free to accept or reject.

Bringing these elements together, there are significant differences between these approaches with respect to the nature of global governance and its current legitimacy. Both Risse and Hassoun reject the presumed legitimacy of global governance in advance of the application of principles of justice; for James, presumed global legitimacy exists on the grounds of efficiency and is necessary for satisfying the assurance condition for obligations of global justice. Because of different understandings of the relationship between justice and legitimacy, the resultant principles of justice, as discussed in the next section, vary as the extent of their egalitarianism.

Conceptions of justice for global governance institutions

Given the diverse understandings of the justice-generative elements of global governance on offer, the emergent principles of justice for its institutions are similarly diverse, both in their subject and content. James presents at once the narrowest subject and the most egalitarian content of global justice. The presumptively legitimate practice of national income enhancing global trade grounds a contractualist conception of fairness, which produces an 'equal gain benchmark' as the starting point for theorizing the requirements of global justice. The views of Risse and Hassoun include a broader subject of global justice, while the contents of their principles are less egalitarian. On Risse's view, for global trade and the global order to be legitimate they must be just.

The primary metric of justice is human rights; global justice requires that global institutions satisfy, and work towards, basic human rights. Because human rights are matters of international concern in ways citizenship rights are not, their content, while not absolute baseline principles, is less robustly egalitarian than are the rights of citizenship. Hassoun's conception of global justice also proceeds from a rejection of the presumed legitimacy of global governance. She develops a contractualist account of legitimacy, in which justice functions to secure the, relatively modest, conditions for being able to autonomously accept or reject the authority of global institutions.

As discussed, Risse identifies two institutional grounds for global principles of justice – membership in the global order and global trade. Membership in the global order is significantly 'thinner' than in states and so generates 'weaker principles' of justice (209). The thickness of state membership is due to two unique features of states. The first is the 'immediacy of coercion' due to the lack of 'mediating' institutions between states and members with the 'legitimate prerogative...to offer protection against the state's enforcement agents' (25-26). The second feature marking out the 'normative peculiarity of the state' is that the state is a 'particular kind of cooperative endeavour' based on reciprocity, rather than simply 'socially coordinated behaviour', in which 'individuals already do their part as prescribed by justice' (29-30). Immediate coercion 'merged' with reciprocity create a 'fundamental likeness' between those '*equally and significantly* invested in and subject to a state' that grounds 'a default status for an equal distribution of social primary goods' (38).

In contrast, the thinner membership of the global order generates the weaker principle of justice of realizing human rights. According to Risse, human rights are membership rights in the global order and it is 'unjust if any of these rights are not realized for any member of the global order' (209). The limited egalitarianism of this principle is shaped by the underpinning conception of human rights as matters of global concern. Because human rights 'involve a genuinely global, rather than a universal but respectively local, responsibility...(t)here is a clear difference between *human rights* and *the rights of citizens*' (213). The obligations of non-members for the realization of human rights predominantly play out as requirements to assist in the institutional capacity of other states to develop and realize the human rights of their members.

Risse's second ground for global justice is subjection to international trade. Unlike James' presumption of legitimacy, for Risse the justification of trade depends on satisfaction of global justice. Thus, the justification of international trade is subject to independent principles of global justice – 'human rights must be realized' – which 'implies that trade policies should be adapted that foster development' (264-265). Beyond this, international trade gives rise to an internal principle of justice that regulates distribution of the gains from trade and states that 'the distribution of gains from trade is just if no country enjoys gains that come "at the expense" of people involved in trade' (272).

James treats global justice as regulative principles for independently justified institutional practices. Trade is justified by the principle of efficiency – i.e., if it is 'better for the nation than self-sufficiency' (56). This prior justification means that

concerns of justice are internal to the practice such that the ‘standard free trade argument itself (is)... fully *consistent* with our proposed conception of fairness, and indeed *depends* on consideration of mutuality and distribution that are part and parcel of fairness’ (37). Interpretation of global trade as a justified system of mutual national income augmentation leads to the normative view that because the ‘national income gains of trade are the fruit of international social cooperation...fairness bears on distributing both within and across societies’ (17). The question of justice is framed along contractualist lines – ‘(w)hat form must the practice of market reliance take if it is to distribute its advantages and disadvantages in a way that is reasonably acceptable to each country and class it affects’ (37)?

Reasonable acceptance creates a ‘collective responsibility’ for ‘structural equity’ on the part of trading nations. A structural inequity is a practice that is reasonable for a ‘country’ or ‘class’ to reject (131). The general distributive principle of structural equity is the ‘equal gain benchmark’ according to which ‘equal distribution of the gains of trade adjusted for each country’s background endowments is the benchmark from which inequality of gain must be justified’ (165). Three sub-principles are nested in structural equity that governs a different ‘socioeconomic tendency’ of global economic practice (203). The first is ‘collective due care’ and concerns a society’s ability to protect its members against harms of trade, such as economic dislocation. The second, ‘international relative gains’, regulates the distribution of gains of trade across countries and holds that, factoring in ‘national endowments’, gains of trade are to be distributed equally unless ‘unequal gains flow to poor countries’. The third is ‘domestic relative gains’ and applies to domestic distribution of gains of trade and requires that gains be distributed equally unless ‘special reasons justify inequality of gain as acceptable to each’ (e.g., incentives) (200-221). Thus, while identifying a relatively narrow subject for principles of global justice (distribution of the gains of trade) the content of the principles of structural equity is robustly egalitarian (the equal gain benchmark and its subsidiary principles).

Like James, Hassoun advances a contractualist understanding of justice for global governance. As discussed, she identifies the justice-generative element of global governance to be its coercive nature. It is, then, the ‘same relation some states have argued gives rise to obligations of justice within states (that) obtains internationally’, triggering the contractualist test of identifying ‘what social arrangements people could freely accept’ (46). The move from establishing the fact that there are ‘many coercive international institutions’ to requirements for global justice proceeds along the lines of the ‘Autonomy Argument’ (45). To be legitimate, a coercive institution must secure the conditions of ‘sufficient autonomy’ for those subject to it so that they can ‘autonomously consent to, or dissent from, its rules’. Sufficient autonomy for consent requires that all those subject to coercive rule have ‘some food and water, and most require some shelter, education, social support and emotional goods’ (45). Securing these goods, however, is not a substantive condition of legitimacy, but is the precondition for autonomous deliberation over the terms of legitimacy. The role of justice in legitimacy is therefore largely procedural with the autonomy requirement built into establishing fair consensual procedures. Once autonomous, what persons might agree

to as the terms of legitimate authority is open-ended, and may be marked by significant disagreement.

And, of course, the value of autonomy itself is the subject of disagreement. Hassoun addresses the objection that autonomy is a potentially sectarian ground for global justice by advancing a non-perfectionist account of autonomy as 'basic instrumental reasoning and planning abilities and the ability to evaluate some information' (30). The needed capacity is only for persons to 'agree to general principles underlying their coercive institutions' rather than the ability to understand 'every subsidiary rule' (29). The end result is a quite modest account of procedural global justice oriented towards 'helping the global poor' achieve the levels of autonomy needed for informed consent to global institutions, rather than a substantive view of global equality of 'opportunities or capabilities'. It is, however, explicitly distinguished from non-egalitarian humanitarian principles that exhaust the scope of global obligations for statist. And, though modest (at least at the procedural-input side), it is applied quite broadly given the conceptual claim that 'there are many coercive international institutions'.

As seen, then, all three approaches move from institutional interpretation to consideration of appropriate normative principles for the regulation of identified practices that are constitutive of global governance. The two important elements of institutional interpretation that shape conceptions of global justice are the relative autonomy of global governance from state authority and the current justificatory standing of global institutions. Under James' approach, and to a significant extent Risse's, the authority as such of global institutions is ultimately grounded in that of states. As a distinctive ground for principles of justice, the primary normative concern in the case of global governance is its distributive impacts for political (national) communities and individual persons. For Hassoun, the authority of global governance is essentially autonomous from states and, as a result, the primary normative concern is establishing rightful global authority to issue, and coercively enforce, binding commands. With respect to presumptive justification (endorsed by James and rejected by Risse and Hassoun), the relationship between justice and justification has significant implications for the former. If, to be justified, institutional practice must be just, then to be plausible in the sense of there being possibly legitimate governance, the conception of justice must be relatively minimal. In contrast, the implication of treating justification and justice as distinctive, and indeed sequenced, normative concepts permits space for a more egalitarian conception of justice, the violation of which does not necessarily call into question the justification of the practice beyond flagrant cases that can reach back and affect 'cooperation' as an efficient move from self-sufficiency.

Critical assessment: Justice and legitimacy in global governance

Building on the preceding presentation, this section provides a critical assessment based on connections between global justice and legitimacy. It presumes, following Hassoun, that global governance is sufficiently autonomous such that its legitimacy cannot be entirely rooted in the authority of states. Global governance as a relatively freestanding site of legitimation creates conceptual space for developing pluralist theories of justice

for domestic and global governance. While rooted in the egalitarian legitimating ideal of equal respect, the demands of global and domestic justice will vary in accordance with the nature of the burdens and benefits associated with their respective practice. This conception pushes back against Risse's and Hassoun's identification of coercion as the trigger for the demands of (egalitarian) justice. In this respect, it is broadly consistent with James' claim that institutionalized (global) cooperative practices can be stabilized through non-coercive measures and generate burdens and benefits that crucially affect the prospects of persons and communities, so as to ground responsibilities for justice.

James' view that global governance is 'independently justified' by the principle of efficiency is a valuable starting point for theorizing global justice. Justice, on this view, does not concern the basic justification or design of a political practice but functions as normative principles for morally evaluating and regulating inequalities in the distribution of its relevant benefits and burdens. This approach contrasts with both Risse's claim that the global order and global trade are justified if they promote justice and with Hassoun's rejection of the presumed legitimacy of global governance.

Theorizing global justice along these lines suggests the importance of specifying a sequenced distinction between justification and legitimacy. Political institutions are justified by virtue of securing cooperative benefits that improve on a non-cooperative baseline, i.e., if they are efficient. This is, presumably, a fairly minimal standard of justification and permits significant variation of justified institutions. It is also consistent with inequalities that would violate an egalitarian understanding of legitimacy modelled along a contractualist conception of justice. Legitimacy, then, comes in by virtue of subsequent institutional interests, and contestation of injustice in governance practices on these grounds. It does not address the fact of the institutions themselves but makes evaluative comparisons to other feasible institutional regulative principles or arrangements. Legitimacy, as a result, often requires inefficient change to a justified (efficient) status quo.

Justice as subsequent regulative principles for delivering legitimacy to independently justified institutions is consistent with a pluralist understanding of its requirements across domestic and global governance. The nature of the cooperative benefits and burdens produced by states and global governance is significantly distinct, and so will generate different kinds of interests and demands for legitimacy. Take, for example, the kinds of unique risks to the freedom of the person generated by states and global governance, respectively, that justice would protect against. As Risse argues, the coercive capacities possessed by states are much more 'pervasive and immediate' than global governance, and so create different kinds of interests and subsequent forms of institutional protections. Accepting this suggests certain limits of Hassoun's conception of justice for domestic and global institutions. Even granting her broad conception of the coercive nature of global governance, these differences still augur for a pluralist account of justice. Given the pervasive and unmediated nature of domestic coercion that Risse develops in contrast to the more sporadic and mediated nature of the coercion of global governance institutions, very different entitlements and protective mechanisms will be needed to legitimate their respective exercise. As

discussed, however, Hassoun's account of global justice applies in a procedural conception of legitimacy; persons are to be made autonomous so that they are able to consent or dissent from governance structures. It is probable very different substantive requirements of justice would be developed through consensual procedures for the legitimacy of domestic and global governance based on their distinctive coercive natures and the sorts of risks and interests they generate.

There is a more general concern, however, of focusing too much on coercion in thinking about what generates requirements for domestic or global justice. While certainly significant, principles of justice apply to a much wider range of subjects than the regulation of coercive institutions and so there are limits in theorizing the application of principles of justice to these areas as spill-over effects of legitimating coercion. Because of differences in coercive practices, Risse's pluralist account of global justice is defined by significant egalitarianism in domestic justice and weaker principles of justice for global governance. This is an unnecessarily indirect route to a just distribution of cooperative benefits and burdens that are secondarily connected to coercion. Access to, say, the cooperative benefit of public health care (pooled health risks) is a sufficiently weighty interest to ground a just distribution without appealing to the risks created by the exercise of coercion. And, in many cases, vulnerable persons with a salient interest in justice in the distribution of social protections, such as health care, are unlikely to have equally pressing interests stemming from exposure to coercion given their low threat level to the cooperative system.

This concern also applies, in a somewhat different form, to Hassoun's conception of global justice. Entitlement to the resources that comprise sufficient autonomy is based on the requirement of legitimating coercive institutions rather than being freestanding subjects of justice in and of themselves. The more direct route is to identify the importance of these goods as concerns of justice without appeal to their ties to legitimate coercion. This addresses the problems that Risse's distinction between domestic and global forms of coercive authority pose for Hassoun's continuous theory of justice across multiple levels of (coercive) governance. It also addresses the further concern of treating these areas as subjects of justice derived from the more basic issue of legitimating coercion; namely, that the ends of many (coercive) global institutions are not provision of the kinds of cooperative benefits that are conditions of sufficient autonomy. In such cases, applying justice to these institutions would have dramatic impacts on their very nature; now, rather than regulating existing (coercive) practices, justice comes in at the earlier stage of institutional prescription. This moves the theory away from its institutional grounding and the stated political view that global governance is a pre-condition for global justice.

Finally, privileging coercion as the trigger of justice draws a counter-intuitive connection that sits at odds with the ideal of cooperation as 'reciprocal' in nature in which, as Risse puts it, 'individuals already do their part as prescribed by justice' (30). Whereas the motivation of justice is widely seen to be the primary virtue of a voluntary political community of equal persons, coercion and surveillance represent the corruption of that ideal. The view that more pervasive and immediate coercion requires greater degrees of egalitarian justice than less coercive practices presents justice

as a remedial virtue for illegitimate political practices rather than as a genuine expression of equality in a cooperative endeavour involving free and equal persons that primarily receives its stability from their reasonable acceptance, rather than coercive enforcement.

With these concerns in mind, an expansive conception of James' global contractualism has potential to develop a pluralist account of an institutional approach to global justice. The expansion is to widen the global subject of justice beyond the practice of trade to a structural understanding of global governance, such as Risse's idea of shared membership in a global political order, as an institutionalized practice meant to secure the provision of global cooperative benefits (while also producing new kinds of risks and burdens). The contractual test of reasonable rejection is an effective way to tease out the application of the legitimating idea of equal respect to global governance institutions. Because of the significant differences between domestic and global governance, the kinds of principles of justice that emerge will be appropriately distinct. The theory retains its pluralism at the level of principles of justice while applying a continuous idea of egalitarian political legitimacy to multiple levels of governance.

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Book Review

Democratic Theorists in Conversation: Turns in Contemporary Thought

Jean-Paul Gagnon

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Jean Paul Gagnon is an enthusiast for new frontiers in democratic theory. Drawing inspiration from the book *Democracy in What State?*, he has compiled a series of interviews with democratic theorists that range across a wide variety of topics and problems in the discourse of democracy (Agamben 2011). He interviews John Dunn, Albert Weale, Francis Fukuyama, Ramin Jahanbegloo, David Held, Ulrich Beck, John Dryzek, Pierre Rosanvallon, John Keane, Thomas Seeley and Noam Chomsky. Gagnon is not a retiring interviewer who attempts to set the stage for his interviewees to explain their perspectives, but rather positions himself as a theorist amongst theorists, which gives the book a certain egalitarian vitality. At times however this also proves frustrating because Gagnon has his own strong position to articulate concerning what he calls 'new democratic theory' and does so in the context of the interviews, which could legitimately be called 'conversations' on this account. This at times inhibits the depth of the conversations because the theorists who are responding to his questions do not seem to have a clear understanding of Gagnon's position in the way that he does of their work. The centre of gravity of the interviews is located around the questions of how and if the theorists agree with the proposition of a new democratic theory or with its constituent parts, and this leads, on account of their unfamiliarity with the contours of new democratic theory, to exchanges which are occasionally unsatisfying. Readers will have to judge the book on how convincing and interesting the proposition of new democratic theory is, rather than on the strength of the perspectives offered on democracy by the theorists in conversation. But, even those who develop reservations about new democratic theory, such as this reviewer, will find food for thought in the responses of the theorists and a selective but non-trivial representation of some contemporary positions in democratic theory.

The opening question to each of the theorists is 'How do you define democracy?' and consequently there are a variety of partial working definitions of democracy put forward, and enable readers to get a glimpse of the theorists' perspectives on democracy. But Gagnon has a meta-perspective that is at issue in all the interviews and which shapes the questions and answers, his contention of a new democratic theory. This argument begins from the claim that shifts in society and in knowledge associated with 'Second Modernity' have rendered an older type of democratic theory problematic, and insufficient to theorise the crucial political issues of the present. Second Modernity is a term belonging to Ulrich Beck's version of the 'reflexive modernization thesis' and denotes the period in which modernity's success, not its crisis, calls into question its

self-confidence and future orientation. A key example of this is the success of industrialisation leading to climate change which has opened a wholesale questioning of industrialism as a paradigm of social progress and change. Second Modernity is typified for Beck by individualisation, global risk society and cosmopolitisation, all of which are processes that stand behind a sociologically informed new democratic theory. The interview with Beck is the standout one in the book from the perspective of Gagnon's thesis, because Beck not only theorizes Second Modernity but also globalization and the change wrought on the politics of the nation state by these transformations. Beck's interview is really the keynote of the volume and represents the most productive avenue for the development of the thesis of new democratic theory (Beck and Cronin 2012). Gagnon argues that in contrast, 'Old democratic theory' is characterised by four limitations. First, it is based on outmoded epistemic standards and putative claims about foundational rational capacities that enable political life – these are placed into question by 'post-universalist' and 'post-foundationalist' forms of knowledge. Second, democratic theory has historically been attached to the nation-state as a methodological unit of analysis. Third democratic theory is wedded to a 'standard historical narrative' about democracy, in which democracy was invented, developed, and exported by Europeans and North Americans, and fourthly that asserts that democracy (or politics) is a property of human society to the exclusion of other animal societies and their decision making processes. These dimensions make traditional democratic theory less relevant under the new social conditions of 'Second Modernity'.

The corresponding task for new democratic theory is to respond to the new conditions with new, interdisciplinary perspectives that start from opposite premises to those of old democratic theory – this centres on three problematics. First the problem of what knowledges and capacities are needed for citizens to be democrats in a 'cosmopolitized' world (Beck), i.e. one in which cosmopolitanism is not merely a normative philosophy, but a social process. Second, the argument, following Benjamin Isakhan and Stephen Stockwell's *The Secret History of Democracy*, that numerous societies in antiquity developed some forms of recognizable democratic process, and that therefore, democratic discourse needs to be 'decolonized' by the hegemonic narrative that it is a Western invention, passed on from the Greeks to Rome, the Renaissance, the Enlightenment and finally to the founding modern revolutions and constitutions (Isakhan and Stockwell 2011). Western democracy represents, on this model, only one developmental pathway and the history of democracy should itself be democratised. Third, that the globalisation of risk and in particular environmental issues, creates transnational communities of risk beyond the narrow focus on the nation state, and this leads towards a cosmopolitan democracy of multiple *demos* at different federative levels (the problematic prototype being the European Union). Fourth, new democratic theory calls for more attention to the ways in which non-human animal societies involve egalitarian decision making practices that humans could learn from. Gagnon argues further that there is not only a need for, but also a movement towards new democratic theory and he finds some support for this contention in the interviews with Thomas Seeley (a theorist of animal democracy), Ulrich Beck, and theorists of cosmopolitanism, David Held, John Dryzek, and John Keane.

Gagnon is, however, also challenged by his interlocutors, in particular Rosanvallon, Held, Fukuyama and Dunn, to recognise the persistence of ‘older’ practices, collective representations and institutions of democracy: the individual, citizenship, deliberation, assembly, legitimacy, procedure, and the demos. The overarching sense of these responses is that while the problems of the twenty-first century require an opening of these terms to the new conditions of Second Modernity, the same central problems that formed part of ‘old democratic theory’ will still be central to the new democratic theory. Gagnon’s contention about new democratic theory is certainly a provocation to theorists, but it side-steps certain ‘older’ problematics which, reading between the lines of the interviews, particularly those on cosmopolitanism, retain their currency. Gagnon’s almost polemical assertion of a need for innovation in democratic theory no doubt springs from a conviction that democracy’s promissory notes have certainly not yet been redeemed. This is uncontroversial when the achievements of democracy are under threat in the context of the securitisation of politics through the war on terror, the emergence of the politics of austerity, the persistence of climate denialism, and the reactive responses of the new Right to cosmopolitanism manifested in refugee politics. Many of the interviews however confront these issues without subscribing to the thesis of New Democratic Theory. In Ramin Jahanbegloo’s discussion of the Green Revolution in Iran, in John Keane’s discussion of Antarctica and the democratic imaginary, in Rosanvallon’s thoughts on legitimacy and the empty place of power in democracy and in Chomsky’s arguments about public and private funding and the possibilities open to states in the context of neoliberalism, a political dimension to democratic theory comes to fore that does not seem to depend on the proposition that democratic theory needs to wholly re-orient itself around the thesis of a Second Modernity.

Nonetheless there is a background sense throughout the volume that contemporary political theory has to deal with disquiet and anxiety about borders, control and security within the nation-state. The persistence of nationalism within Europe, on Europe’s boundaries and in ‘New World’ societies indicates a tension within political modernity between the nationalist and democratic dimensions of modern republican constitutional democracies – i.e. those that divide and limit sovereignty through law and political institutions. The theorists of democracy in this volume are generally less convincing at theorising the problematic presence of nationalism as a discourse that mobilises affects and symbols in defence or assertion of an idealised community. Theses on democracy are required that also answer to these aspects of the times.

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Book Review

The Rhetorical Foundations of Society

Ernesto Laclau

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Ernesto Laclau passed away in April 2014 at the age of 70, just as this volume was in preparation. Professor of Political Theory at the University of Essex, Laclau formed the Centre for Theoretical Studies in the Humanities and the Social Sciences and was the leading figure in the Essex School of discourse analysis. The distinctive discourse theory he and Chantal Mouffe developed combines strands of Wittgensteinian post-analytical philosophy, post-Husserlian hermeneutics, Derridean deconstruction and Lacanian psychoanalysis. It is this unique blend of influences – which converge around the contingency of the social, the linguistic construction of subjectivity and the discursive operations that try to ground a foundation within a reality without ground – mediated through a radicalised notion of Gramsci's hegemony, that they brought to bear on the vestiges of Marxian essentialism.

While this is a collection of previously published essays, it has been carefully curated. There are extended engagements with questions of ethics and normativity, God, rhetoric theory and the thought of Giorgio Agamben. The volume is welcome not only for the range of texts, including previously untranslated work, that it brings together, but because it supplements the development of the argumentative basis of some of Laclau and Mouffe's theoretical innovations in the monographs. For instance, the volume begins with Laclau's now-classic essay, 'The Death and Resurrection of the Theory of Ideology'. Laclau shows, through a series of dialectical inversions, the fruitlessness of a notion of ideology as distorted representation. It is closer to its opposite. It is in the space of 'undistorted' representation (implicit in any notion of distortion), and the discursive closure around this space, where we can detect the traces of ideology. Originally published in 1996, in the *Journal of Political Ideologies*, this piece remains a lucid introduction to the general post-foundational attitude of discourse theory.

Perhaps the most significant conceptual contribution Laclau has made to political theory and analysis, antagonism, receives a virtuoso development in chapter five, the previously untranslated 2012 essay 'Antagonism, Subjectivity and Politics'. Laclau begins by troubling Marx and Engel's *Communist Manifesto* declaration that the history of humanity is the history of class struggle. It is a fine way to demonstrate the meaning of antagonism that Laclau and Mouffe had introduced in the feted third chapter of *Hegemony and Socialist Strategy* (1985). In typical deconstructive fashion, Laclau takes apart the class antagonism of Marx and Engels, revealing it to be an internal rift taking place within the social sphere of production, which relies upon a notion of history

governed by the unfolding of immutable, eternal laws. As opposed to such an immanentist logic, Laclau's concept of antagonism introduces an element of incommensurability, and with it a new conception of politics that does not, cannot, take place on any consistent foundation.

Laclau's longstanding animosity with Slavoj Žižek gets another airing in 'Why Constructing a "People" is the Main Task of Radical Politics'. The main task of this essay is to defend *On Populist Reason* (2005) against Žižek's attacks. In this respect, it serves as a useful addendum to Laclau's last monograph, but it will also be of interest to anybody familiar with the efforts of post-Marxists to unfasten socialist theory from the notion of a social totality that develops according to an internal (productivist) logic. Chapter eight, 'An ethics of militant engagement', is a politico-philosophical confrontation between the thought of Laclau and Alain Badiou, with its argumentative focus the always-contaminated relation between situation and event. From where can the ethical moment of Truth arise, asks Laclau, if the event is a complete rupture with both relationality and void? There simply must be some content belonging to – or structuring – the state of the situation that 'grounds' the ethical act of the retroactively defined event. If not, then the newly minted situation can have no ethical coordinates. The chapter ends with a lot of questions unanswered, questions that it will have to fall to others to grapple with.

This volume is timely. The possibility of a Left populism beyond Latin America which Laclau surveyed in *On Populist Reason* has come to fruition in the figures, most prominently, of Podemos, Syriza, Jeremy Corbyn and Bernie Sanders. Yet it is all the more timely because Laclau's publishing output failed to do justice to the originality and richness of his theoretical perspective. It is not only that he was overshadowed by Žižek, outflanked by Badiou, and a figure of deep suspicion – a liberal, even – in the eyes of orthodox Marxists. Interest in Laclau ebbed with post-structuralism in general, owing to its perceived idealist tendencies, and its post-foundationalist political cul-de-sac (although these are charges to be levelled at postmodernism, not post-structuralism). The book will appeal to discourse theorists as well as those anybody fascinated by the homologies between linguistic and socio-political structures. It is the most explicit attempt Laclau has made to ground his political theory in the tradition of rhetorical studies. Deconstructionist literary theorist Paul de Man features heavily, as does Gérard Genette and Proust. This is dense theoretical material, and it aims to bring structuralist and deconstructionist readings of classical rhetoric to bear on social and political theory. Undoubtedly, there are unanswered ontological questions in Laclauian theory, yet this should not lead us to file Laclau away in the same drawer as Derrida. Rather, it should spur an effort to develop Laclau's theory and address such issues. The seeming aporia they present, especially around the relation of the limits of discourse and the constraints imposed upon talk by matter, are fertile ground for a renewed engagement with discourse theory.

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