

Book Review

The Problem of an Anarchistic Civil Society

Shannon Brincat

Bamyeh, Mohammed A. (2010). *Anarchy as Order: The History and Future of Civic Humanity*. Lanham: Rowman & Littlefield.

This essay deals with a peculiar problem that has plagued anarchist thought throughout its history: how to develop and maintain an anarchistic civil society that at once ensures the freedom of all its members *and* overcomes all threats of domination within it but which is at the same time non-coercive. To be fair, this is not a question that perplexes just anarchism but the entirety of political philosophy since Hegel. In his recent volume, *Anarchy as Order: The History and Future of Civic Humanity*, Mohammed A. Bamyeh (2010) has grappled with this question, and his curious solution—a reliance on what he calls *civic humanity*—while of noble intention, suffers from an indelible weakness in balancing subjective freedom with the freedom of others in community. I do not here propose my own solution to this fundamental problem. Rather, my aim is to outline what is at stake in this debate and thereby highlight the urgent need for critical dialogue on this issue because the future of anarchism is, in no small measure, intimately bound with how we approach this question: whether we succumb to an individual voluntarism that is seemingly congruent with the spirit of anarchism but permissive of potentially dominating behaviour in civil society, *or*, we arrive (somehow) at a collective form capable of sustaining individual freedom *in* ethical life with others. While I am not satisfied in framing the question in this dualistic way, it is perhaps the most incisive method to focus on the key tensions involved.

Defining anarchy as the absence of domination and as possessing a minimalist program of emancipation concerned more

with the removal of restraints than in giving it positive content, Bamyeh's volume offers an account of his normative ideal of what *being human* should mean in anarchist society. Part rhetoric, part individualist libertarian, Bamyeh's aim is nothing less than the lofty goal of the "synthesis of both traditions"—the libertarian and the communitarian wings—of anarchism. The theme Bamyeh wishes to emphasise is the idea of "unimposed order" that he describes as the combination of communal self-determination and individual freedom (Bamyeh, 2010: 23, 22). Yet the problem is that the social dimensions of human life, and not least the socialist, collectivist, or mutualist, economic principles inherent to anarchist philosophy, recede almost to nothingness in his account. Stylistically Bamyeh does not detail the method or structure by which he hopes to achieve his aim. But far more problematic is his attempt to assert the primacy of civil society over the state without engaging the fundamental issue of how to reconcile in ethical community the competitiveness of subjective particularity in civil society that threatens to overwhelm his ideal of an 'unimposed order'. Just as Bamyeh invokes Foucault's notion of the inherent danger in ideas, I fear a denigration of the anarchist project in relying on Bamyeh's voluntarism as the ethical glue of a fluid, anarchistic, solidarity and the subordination of social life to market forces. In this regard, Bamyeh fails to meet the standards of his own radical critique—that is, pushing analysis to its logical conclusion no matter the outcome (Bamyeh, 2010: 9) because the reconciliation of self and society cannot be side-stepped by appealing to civil society alone, and Bamyeh's insistence on analysing civil society without examining economic or dialogical processes in community leads to an incurable analytic weakness. My critique revolves around this fundamental limitation.

Bamyeh focuses his attack on the state rather than economics or class. He asserts that the state, as a singular institution that claims to stand for the whole of society, inevitably leads to authoritarianism and domination and that such dangers would not exist "if the only arena of politics available . . . is that of civil society rather than the state" (Bamyeh, 2010: 7). Bamyeh is correct to observe the failures of Leftist thinking about the state as an historical problem that has led to the tragedies of vanguardism and unlimited power under the dictatorship of the proletariat. However, Bamyeh only defers this problem by relying solely on the social relations in civil society, which is an equally one-sided solution. This is because Bamyeh's voluntarist conception of the individual will remains blissfully ignorant of the dark side of civil

society that Nietzsche captured in his depiction of this sphere as an “atomic mass of egoism” in which subjects crash into each other without any ability to derive collective aims (Nietzsche, 1954: VI, 336); or in Hegel’s account of the dangers of unfettered subjective particularity in civil society through which agents would attempt to subordinate others to their own interests, thus making the wider forms of ethical life upon which anarchism is ultimately reliant, untenable. For Hegel, the rampant individualism unleashed in civil society was highly destructive of public connectivity and it arises precisely because civil society is premised on a necessary, but altogether insufficient, notion of subjective freedom in which the private concerns and ambitions of the self are paramount (Hegel, 1955: 115).¹ For this very reason, we should remain suspicious of any attempt to bind anarchism to the sphere of civil society because this ignores, downplays, or otherwise neglects, the wider human socialities necessary for the full expression of all the manifold aspects of human freedom. So aside from the relational contradictions of civil society that threatens the subjective freedom of one under the dominance of others, it is the fact that the market provides for only one dimension of freedom that it is unsatisfactory. The assumption that the paltriness of ‘exchange and need satisfaction’ exhausts the many facets of human freedom is the error common to all market ideologies.

Aside from these conceptual inadequacies, Bamyeh also fails to depict civil society in reality but instead renders it in an abstract and ideal sense—something that he elsewhere states he abhors—because his portrayal of civil society does not take into account how the civil society of today is saturated with bourgeois competitive egoism, nor does he explain how this existing state of civil society could be overcome so that we can safely arrive at an ‘unimposed order’ through it. As Honneth has recently shown, there have been considerable ruptures in the actualisation of freedom in civil society that have led to partial, if not wholesale, surrenders of its original achievements and potentiality. For example, hardly anything today recalls that the market once contained a promise of freedom, that of subjective freedom taken as mutually beneficial and of complementarity amongst agents. In actuality, however, it is today dominated by an egotism of interests that operates with ruthlessness towards other participants in the market and thereby operates as a sphere of domination rather

¹ Hegel sought to reconcile such objective and subjective will in an “untroubled whole” that is, of course, problematic, but which cannot be engaged here.

than freedom (Mayerhofer, 2012). It is for this reason that Bamyeh's critique falls to blatant idealism (he goes so far as to state that "the ideal is the real") (Bamyeh, 2010: 12) by assuming that through overcoming the state we can arrive at a cooperative, and yet at the same time radically particular, space of civil society and that this is somehow adequate for the diverse needs of human freedom.

It is the limited idea of freedom in civil society that ultimately requires sublation. Yet, the emphasis placed on the market and the tendency toward possessive individualism that colours Bamyeh's account threatens a unique form of social atomism and fragmentation.² What then of anarchist society that is inherently based in the life of the commons? For it is precisely the idea of the *commons* that has been rendered most vulnerable in modern civil society because of the dominance of capitalist exchange relations that have deformed this sphere in ways that largely preclude the formation of wider solidarities outside of the ability "to contract oneself out".³ Hegel posited that the individual is the product of their society by virtue of how that individual participates—and is *enabled* to participate—in the public life of the community (Hegel, 2005: par. 150). The problem for the subject today is that we are *all* immersed within the relational webs of late global capitalism and remain 'porous' to the dominant behaviours within it; we inevitably become increasingly competitive, individuated, and exploitative. Civil society deforms to, at best, a place subjects can plunder in accordance to their particular wills; at worst, it is a realm of competitors whom one should guard against and exploit if possible. And it is for these reasons that Hegel feared the dissolution of the public sphere through an atomised form of individualism where the "self" is defined in total disregard for its existence as a social animal and subordinates questions of the common good to particular interests.⁴ The question is how do we get out of this culturally patterned form of civil society that is dominated by capitalist relations, to the one Bamyeh favourably depicts?

² On this see Macpherson (1979: 263ff).

³ The expression is from Marx, "*sich zu verdingen*", and connoted a limited form of freedom, and for Marx, a perversion of its actual ideal (See Fetscher, 1965: 241).

⁴ Of course, Hegel's own solution was highly problematic but that is not my concern here. For an example of attempts to subordinate the common good to particular interest, see G.W.F. Hegel, "On the English Reform Bill" (1831) (Hegel, 1999: 234ff).

Bamyeh seems to recognise this problem, though he fails to engage with it, when he suggests that as anarchistic political life is clustered in civil society and divorced from state power, that there is an indeterminacy of outcome. Yet Bamyeh does not push this thought to its logical conclusion: he sees indeterminacy as natural and as the opposite of a singular will of a sovereign authority but, at the same time, wants to argue that this indeterminacy can account for and include common social goods (Bamyeh, 2010: 36). He ultimately relies on a belief that in their exploration of the market, agents can—somehow—“identify certain goods as transcending in their public value any market price” (i.e., education, health, environment) and that subsequently *all* agents in civil society can come to a general agreement on these goods of public value (Bamyeh, 2010: 210). Yet indeterminacy of outcome cannot be asserted for one aspect of agency (i.e., the multiplicity of wills in civil society) but then be said to be determinative of others regarding why actors in civil society would choose basic common social goods. We are left with a form of pure voluntarism that Bamyeh attempts to overcome by insisting on a non-foundational notion of humanity; one that is not a *theory* of humanity, nor an account of its essential characteristics, but one based in the practice of constant enrichment, spiritual, ethical, and material, of “the drive toward self-knowledge, progress, emancipation, enhanced intellect, and sense of justice” (Bamyeh, 2010: 11–12). I don’t think many anarchists would take issue with any of these qualities, but they cannot distract us from the *lack* in existent civil society of the conditions that would give rise to them, or to the nagging problem of agential determinacy given the pursuit of self-interest in the market.

Bamyeh cannot have it both ways because at some point the socialist and libertarian dimensions of anarchist thought, when pushed to their extremes, become antithetical. While Bamyeh is cognisant of some of the problems of the socialist extreme (i.e., vanguardism, dull uniformity, authoritarianism) he remains ignorant of the danger of the libertarian wing that he extols. This is highlighted in his inclusion of Stirner’s egoistic anarchism and other pure individualist doctrines as somehow anarchist (that is, as somehow non-coercive). He goes so far as to include Ayn Rand and Robert Nozick—even Friedrich von Hayek’s notion of “spontaneous order” (Bamyeh, 2010: 22–23)—as being anarchistic. Yet if we adopt Bamyeh’s own definition of anarchy as *non-domination*, we cannot allow the subjective freedoms of individuals to determine those of others whether this occurs in the state or civil society.

ety. Yet it is precisely such outcomes that are heralded in Rand's notion of the "morality of rational self-interest" that determinatively privileges the interests of the gifted over those of others;⁵ or in Nozick's non-negotiability of property rights that is placed over all other ends (see Nozick, 1974: 51ff, 167–174, 274–276). Even Hayek ultimately conceded that "In no [market] system that could be rationally defended would the state just do nothing" because rational choice theory is a zero-sum game for all members in civil society. The winners would dominate the losers in the market, making wider forms of social life unlivable (Hayek, 1994: 45).

Indeed, if Bamyeh is so sure that "[b]onds to large abstractions, such as the nation" are not organic and, following his favourable quotation of Nietzsche's that subjects are unable to feel the pain of distant others (Bamyeh, 2010: 29), then how can we rely on such a nebulous and expansive phenomena as civil society to achieve social harmony? If humans are only loosely bonded in states, nations, even local communities, then what accounts for the social cohesiveness of civil society on which Bamyeh's thesis is ultimately reliant? Bamyeh suggests that a "fluid solidarity" (Bamyeh, 2010: 38) is sufficient that acknowledges normal variety between persons and the changeable nature of solidarity itself in what he calls a negotiable arena of social action. Yet this gives no account of the interests and power that exist in civil society, those forces that can and will attempt to direct and hold civil society to its sway. In the absence of discursive and ethical practices, civil society will be reduced to a battleground of subjective wills. Yet because Bamyeh rejects the very notion of 'unity' as totalitarian fiction means the conscientious choice of each subject can reject the ethical claims of others on the grounds of a 'fluid' concept of solidarity. This legitimates the imposition of subjective will over others which is merely the inversion of the "solid solidarity" he rejects; from one in which subjects follow social norms because they are programmed in their subconscious, to one in which subjects "imagine their society to be standing for their own values and no others" (Bamyeh, 2010: 40). We are left then with

⁵ The privileging of the ends of the gifted are most visible in John Galt's long speech in *Atlas Shrugged* that justifies the withdrawal of the accomplishments of society's most productive members away from the common good (Rand, 1992: 1000–1070). Similarly, the validation of egoism is played out fully as an instrumental calculation of self-interest most clearly in *The Virtue of Selfishness* (see Rand, 1964: 93–100, 162–169).

little more than different tyrannies, either the tyranny of the state or the tyranny of a marketised civil society, the former in which we are ruled subconsciously, the latter through our imagination. Neither are rational, and hence, neither are freely chosen. By adopting this latter form, Bamyeh allows for the arbitrary whims of civil society to now direct human society.

Despite chapters and sections given to discussions related to human sociality (such as the common good, overcoming alienation, and so on), these are eventually overridden by Bamyeh's appeal to the market that rejects forms of democracy "based on mass society" to those "based on civil society" (Bamyeh, 2010: 206). Towards the end of the volume we see that a strong conception of the market is openly retained in Bamyeh's vision because for him anarchy "lives best with a market economy." In his footnote, he goes so far as to claim that the nineteenth-century anarchist focus on equality obscured its "fundamental concern" which he claims should be properly focused on opposition to any centralised political order (Bamyeh, 2010: 210n24). As his condemnation of centralised political order is based on its coercive form, if he explored further into the operative sphere of civil society rather than its abstraction, he would see that here too lingers the potential for domination. Moreover, this artificial prioritisation of anarchistic aims is not only simplistic but serves to bifurcate our social struggle as if opposition to inequality and opposition to dominating political forces were somehow separate. In late capitalist society—if not always—these forms of domination are inextricably tied to each other. As anarchists, our concern should be exposing and countering all forms of coercion, domination, and exploitation wherever they can emerge—and the state is only one site of such horrors, albeit a primary one.

In the end, while Bamyeh places moral caveats on the reach of this market, claiming that it should not be a central object of human freedom and that it should eschew monopolisation and exclusion (Bamyeh, 2010: 211), without any ethical controls, discursive relations, or democratic processes, it is hard to tell how these dark forces of an unbridled civil society are to be kept in check. The anarcho-capitalist vision of the 'good life' is exposed as nothing less than the forced mediation of all social relations through the so-called free-market, commodity exchange, the contract, and the "callous cash payment." Yet, they pursue this notion of freedom ideologically blind to the coercion that necessarily results if we render all things of value to a pricing mechanism. In its adoration of the myth of 'voluntary exchange,' anarcho-capitalism fails

to see that the ability to sell one's labour is not the actualisation of freedom but its antithesis: the commodification of freedom to selling oneself out through wage-slavery. We are alienated from each other as competitors in the market; we alienate ourselves from our creative powers; and we dominate nature, all in the name of market freedom. The cracks in Bamyeh's thesis—common to all anarcho-capitalist ideologies—become most visible when he attempts to account for *who* structures such a market in the absence of such ethical controls, discursive relations, and democratic processes, across communities in civil society. In the absence of such processes, the swirling mass of egoism that is civil society will threaten to *dominate* some of its members under, and by, the interests of others. This is not order. It is not anarchy. It would be chaos, everyone against everyone.

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