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Critical Theory

David Sciulli

Excerpt

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1. Introduction: societal constitutionalism as critical theory

1.1. Limits of comparative research

1.1.1. *A presupposition and a lacuna*

Given the enormous diversity of conceptual frameworks, levels of analysis, and methodological techniques informing historical and comparative research, many studies may be found that are uncompromisingly critical of existing Western democracies. At one point, beginning in the early 1960s and extending through the 1970s, first prominent Latin American theorists and then American comparativists described basic institutions and practices of Western democracies as intrinsically repressive. They leveled specific criticisms at *dependencia*, or the impact that these institutions and practices were having, and had, on Latin America. Yet, their central thesis was much broader. They insisted that Western democracies perpetuate and exacerbate inequalities, cross-national and domestic alike, that are both unjustified and unnecessary.¹

Admittedly, it is far more common today for social scientists to attribute particular social problems to structural or institutional defects of capitalism, or of the welfare state, or, ultimately, of modernity itself. Yet, this too “radicalizes” these problems. It suggests (but by no means demonstrates) that these problems are beyond the scope of possible liberal reform because they are reflections of Western institutions’ structural defects. The *cumulative* effect of these studies is not much different, therefore, from that of the more strident *dependencia* school: Basic institutions and practices of existing Western democracies are portrayed as structurally, irreparably, defective. Interest group politics within the United States has been roundly criticized along these lines for now over three decades (chapter 4).² The professions have been increasingly criticized in this way since the late 1970s (e.g. Larson 1977; Collins 1979; Parkin 1979; Murphy 1988 for a review). Related criticisms of both social democracy and neocorporatism in Scandinavia and Western Europe continue rich traditions of radicalism (see Popenoe 1988 for an intriguing “reaction”).³

Still, radical and critical social scientists in the postwar era share with

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their most conservative and apologetic colleagues both a presupposition and a conceptual lacuna. The presupposition is that:

The very particular political institutions and social practices that characterize existing Western democracies *exhaust* actors' possibilities anywhere in the world (a) for establishing a nonauthoritarian social order, and (b) for securing opportunities for social integration as opposed to social control.

This may be labeled the *presupposition of exhausted possibilities*.

The conceptual lacuna that comparativists also share ultimately prevents them from methodically questioning this presupposition let alone jettisoning it. This conceptual lacuna is:

The failure to distinguish analytically between (a) a social order that rests to some extent on heterogeneous actors' and competing groups' *possible* social integration and (b) a social order that rests exclusively or to an increasing extent on their demonstrable social control.

This may be labeled the *lacuna of integrative possibilities*.

1.1.2. Conceptual limitations, collective prejudices

There is no available social or political theory, nor any available body of social science research, that can support a presupposition as grand as that of exhausted possibilities. It is a prejudice. Rather than being a scientific proposition, or a value-neutral empirical generalization, it is a strictly normative generalization, a comforting ideology. As a presupposition, it typically goes unseen, to say nothing of unargued, by those adopting it. More often than not, researchers today adopt it by default. Rather than embracing it directly or purposefully because they are convinced it is sound in itself, they adopt it indirectly or inadvertently because credible conceptual alternatives do not seem to be available.

What would a credible conceptual alternative to the presupposition of exhausted possibilities involve? It would provide concepts that can simultaneously (a) inform detailed empirical research, and (b) credibly claim grounding against normative relativism. This is a tall order for any social theory to fill. Consider, on the one hand, that Marx's concept of alienation claims grounding, as does Habermas's concept of communicative action. Yet, neither concept has informed *detailed* empirical research.⁴ Consider, on the other hand, that social scientists today who are critical of mainstream research in political sociology and who also are critical of existing Western institutions and practices fail to point to *conceptual* (and epistemological) limitations within the presupposition of exhausted possibilities (e.g. Tilly 1983; Evans, Rueschemeyer, and Skocpol 1985).⁵ They do not

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operate with concepts that can credibly claim grounding against the presupposition's normative relativism. Instead, they advance their sharpest criticisms of existing Western democracies by radicalizing the mainstream's relativism, and using the latter against it.

Charles Tilly's most theoretical work provides an excellent example (1984; also 1985). He refuses to be bothered with distinguishing legitimate from illegitimate uses of collective force *conceptually*. He insists instead that any such distinction is a mere label that is intrinsically normative, and ultimately ideological (also Black 1984).⁶ In illustrating why this is so, he points out that the rise of existing Western democracies followed a path indistinguishable, in principle, from that of protection rackets. He explicitly insists that Western democracies secured control over their populations historically in much the same way that organized criminals today secure control over neighborhood shopkeepers. Existing institutions of Western democracy are no more "moral" or "legitimate" within Tilly's framework of concepts, therefore, than the organizations established by rational criminals. Tilly is confident, of course, that this is so iconoclastic that it establishes the value-neutrality of his research in the face of any and all charges of Europocentrism, including the presupposition of exhausted possibilities.

Yet, at a second glance, Tilly fails to provide any concepts that challenge the presupposition of exhausted possibilities in any way at all, let alone radically. His easy comparison to protection rackets ironically has quite the opposite effect: It secures the presupposition's status as an unseen, seemingly incontrovertible collective prejudice. Existing Western democracies may well have emerged in the manner of protection rackets, but how can Tilly rebut the facile reply that they happen to be the best protection rackets possible under modern conditions? Nothing in Tilly's writings suggests why this belief is false or even narrow-minded. Indeed, Tilly's (and others') failure to tackle the conceptual distinction between legitimate and illegitimate uses of collective force, or to develop typologies of nonliberal or nonmarket "democracy," is one reflection of his (and their) more basic failure: the failure to challenge the presupposition of exhausted possibilities directly with critical concepts that can credibly claim grounding.

Still, the elevation of the presupposition of exhausted possibilities to a collective prejudice began only in the first third of the twentieth century. Few of the classical social theorists of the mid-nineteenth and early twentieth century, for instance, operated with any such presupposition. Yet, these theorists, too, failed to distinguish social integration from social control, and, as a result, their works are clearly marked by the lacuna of integrative possibilities. If the presupposition of exhausted possibilities cannot be found in their works, and yet this lacuna can, then the former's elevation to a collective prejudice cannot be traced exclusively to this single factor. Its elevation must be a product of other factors distinctive to the early twentieth-

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eth century. A second factor coming into play, beginning in the mid-1920s and early 1930s, was strictly practical rather than theoretical or conceptual: This was the international elevation of the “moral” status of Western democracies in the face of unambiguously authoritarian threats from left and right (Mann 1987).⁷

This moral elevation, in practice, continued into the immediate postwar years with the seemingly unrivaled, and unbounded, promise of the United States. In the context of a dangerously polarized cold war, the presupposition of exhausted possibilities was literally institutionalized within the social sciences by modernization theory, and then by other developmental theories. Whether viewed macrosociologically or microsociologically, “progress” appeared to be a linear process of maturation, one surprisingly amenable to instrumental and strategic assistance. Even more surprisingly, this process of maturation was portrayed as more immutable than contingent, and, for that matter, unaffected by old age (Huntington 1971 on modernization theory’s optimism, and Luhmann 1990 on system immutability). The status of the presupposition of exhausted possibilities as a collective prejudice was simultaneously perpetuated conceptually by functionalists, including Parsons, Merton, and today Niklas Luhmann, and no less by “conflict theorists” in both Great Britain and the United States, including Rex and Giddens, and Coser and Collins.⁸

As America’s promise of the immediate postwar years gave way to at best an uneven performance, second thoughts about the “moral” status and legitimacy of existing Western democracies were bound to increase. This began in particular in the mid-1960s, with violent resistance to the civil rights movement in the United States, early student and Vietnam protests internationally, and increasing violent crime and urban blight in the United States. It continued into the 1970s with the oil crisis and sustained recession across the West, and then through the 1980s with international economic and cultural competition within the West and seemingly insoluble problems of drugs, poverty, and displacement in the United States. Today, with processes of democratization and liberalization underway in Eastern Europe since the fall of 1989, second thoughts about the “moral” status of existing Western democracies can only accumulate. Without an “evil empire” available to conveniently guarantee Western democracies’ “moral” status irrespective of everyday performance, how can they not?

Indeed, are East Europeans embracing Western political and economic forms today because they are convinced that the latter ensure a non-authoritarian *social* order, and also enhance actors’ possibilities for social integration within sectors, industries, and organizations of a modern civil society? As they zealously adopt Western political and economic forms, do East Europeans have in mind the permanently marginalized British working class or American underclass, or the increasing rigidity of stratification

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systems across the West generally, including Scandinavia? Have they considered how neocorporatist peak associations across Western Europe and Scandinavia have irreversibly altered these forms, in practice, and how pervasive corporate crime is across the West – even more so in Western Europe than in the United States (Braithwaite 1984: 32–7)? Or are East Europeans instead reacting, as best they can at the moment, to systemic pressures of international economic competition, the unrelenting harshness of everyday life across the former Eastern bloc, and the West’s demonstrated capacity, whatever its faults, to keep government’s boot off people’s necks and both to encourage and sate middle class consumerism and possessive individualism? The issue, regardless, is whether the “moral” status of existing Western democracies can be expected to become more or less uncertain after the fall of 1989.⁹

1.1.3. *Filling the lacuna: the distinct concept of social integration*

As was the case at the turn of the century, the lacuna of integrative possibilities is once again becoming the sole factor preventing comparativists from exposing the presupposition of exhausted possibilities for what it has always been: a comforting collective prejudice or strictly normative generalization. This lacuna accounts for why this normative generalization implicitly informs the works of social scientists who are endeavoring to be critical of existing Western institutions and practices. It explains, for instance, why Latin American researchers such as Henrique Cardoso, or, say, Theotonio dos Santos further on the left, or Helio Jaguaribe and Guillermo O’Donnell further on the right, also have failed – like their American, European, and Scandinavian colleagues – to scrutinize and criticize the presupposition of exhausted possibilities. The conceptual frameworks currently available to comparativists contain the lacuna of integrative possibilities at their cores, and this shields the presupposition from methodical challenges irrespective of mounting uncertainties, and an increasingly palpable sense of drift.

How did *this* state of affairs in comparative research come about? With rare exception (e.g. Philippe Schmitter’s use of Tocqueville in 1971), the *most basic* ideal types and concepts underlying the theoretical frameworks available to comparativists today were derived, in one way or another, from the works of Marx, Durkheim and, particularly, Weber (chapter 3). It is startling, actually, how persistently theorists and researchers today resort to Weber’s concepts of purposive-rational, value-rational, and substantively rational action (see table 8.1 for alternatives). The problem is that the lacuna of integrative possibilities riddles all three classic social theorists’ works, and this lacuna has yet to be filled in the many works of their successors, including the works of the Frankfurt school, and both French and British structuralist Marxists; as well as the works of Parsonian func-

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tionalists, symbolic interactionists, rational-choice theorists, organization theorists, and both exchange theorists and network analysts. Because the social integration/social control distinction has never been a topic of debate within any of these theoretical traditions, the lacuna of integrative possibilities rests quite comfortably at the very base of all of the conceptual frameworks available to comparativists today.

One of the purposes of this volume is to fill the lacuna of integrative possibilities by distinguishing social integration from social control *conceptually*. This distinction is also demonstrated to meet both of the requirements of any radical critique of a normative generalization or collective prejudice: It can credibly claim grounding against normative relativism and inform detailed empirical research. Because it can credibly claim grounding, the concept of social integration poses an alternative not only to the relativism of Weberian ideal types but also to the sovereignty of actors' subjective interests at the center of rational choice theory (Coleman 1986, 1990; Hechter 1987). It also poses an alternative to normative generalizations regarding the supposedly consensual or coercive bases of social order, as well as to Tilly's relativism in refusing to distinguish legitimate from illegitimate uses of collective force. Because it is capable of informing falsifiable and ultimately operationalizable research, the concept of social integration also poses an alternative to critical concepts of neo-Marxism, including the concepts of alienation and communicative action.

For present purposes of introduction, the concept of social integration may be defined preliminarily in the following way:

Heterogeneous actors' and competing groups' *possible* social integration within any sector, industry, organization, or organizational division of a modern civil society rests on whether they can, at the very least, recognize and understand *in common* the shared social duties being sanctioned there.¹⁰

Whenever the social duties being sanctioned within any complex social unit are incapable of being recognized and understood in common by the actors and groups affected, social scientists may conclude that their behavioral conformity – and the resulting “social order” – is *reducible* to their social control. At best, these actors and groups are being manipulated; at worst, they are being coerced. By contrast, whenever the social duties being sanctioned within any complex social unit are at least recognized and understood (even if not accepted) in common by the actors and groups affected, it is no longer legitimate for social scientists to assume or assert that their behavioral conformity – and the resulting “social order” – is *reducible* to their social control. Instead, it *may rest in some part* on their social integration.

The central purpose of this volume is to propose a social theory that allows social scientists to advance empirical research beyond the presupposition of exhausted possibilities in two significant respects.

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First, it allows them to specify when social integration is a possibility, in practice, within any sector, industry, organization or organizational division of a modern civil society. With this, the lacuna of integrative possibilities is filled *conceptually*.

Second, it allows them to isolate such possibilities wherever they may be found, without presupposing from the outset that they are to be found exclusively within Western democracies. With this, the presupposition of exhausted possibilities is jettisoned *conceptually*.

Putting this advance differently, the social integration/social control distinction allows social scientists to monitor the following two developments, in practice, that escape the presupposition of exhausted possibilities. First, are any Western democracies maintaining their current political institutions and economic practices, even as manipulation, control, and coercion are increasing substantially within more and more sectors of their civil societies? Conversely, are selected nation-states of the former Eastern bloc and the Third World failing to adopt many of these institutions and practices, even as manipulation, control, and coercion are decreasing substantially within more and more sectors of their civil societies?

Each of these developments is a practicable rather than hypothetical possibility. Empirical evidence of each development is likely to be discovered in new primary research and also, ironically, to be found buried in the literature of comparative politics and comparative political sociology. If this is the case, then why state each development so provisionally? Why not turn immediately to concrete examples of each? Due to the lacuna of integrative possibilities, and then the presupposition of exhausted possibilities resting on it, comparative researchers have yet to convert even unambiguous evidence of either development into discrete accounts amenable to falsification. They instead interpret and present such evidence *on the basis of* the presupposition of exhausted possibilities. Thus, the literature obfuscates and mislabels research findings that already directly challenge the comforting collective prejudice; it will be shown in time that this is particularly evident in the literature of corporate crime.

In emphasizing the importance of the direction of *social* change within modern nation-states, the theory of societal constitutionalism subordinates the importance of focusing on forms of government in and of themselves. It also subordinates the importance that constitutional theorists and liberal theorists have in the past accorded to the division of powers, the interrelationship between a market economy and a liberal state, and even actors' "natural rights" and the sovereignty of their subjective interests. The theory of societal constitutionalism proposes instead that shifts in the direction of *social* change – shifts between heterogeneous actors' and competing groups' *possible* social integration and their demonstrable social control – hinge on whether a distinct *form* of organization is, respectively, present

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or absent within a civil society: the *collegial form*. The theory of societal constitutionalism does *not* propose that the presence of collegial formations within a civil society guarantees that heterogeneous actors and competing groups are integrated rather than controlled. It does propose, however, that the *absence* of collegial formations *does indeed guarantee* that actors' behavioral conformity within any complex social unit, and the social order that results, are both *reducible* to their social control.¹¹

But what are collegial formations? And why is their presence so critical to the direction of social change? Answering these questions is a central task of this volume, and the concepts needed to do so are introduced in chapter 4 and fully presented in chapter 8. For now it suffices to say that the theory of societal constitutionalism offers a framework of analytical concepts that substitutes the social integration/social control distinction for normative generalizations regarding "democracy," "authoritarianism," or "social order."

What is wrong, for instance, with the democracy/authoritarianism distinction? "Authoritarianism" is defined residually, against the backdrop of the presupposition of exhausted possibilities.¹² It is ultimately defined by the absence of the particular political institutions and economic practices of existing Western democracies (e.g. Hall 1987, Mann 1987). The problem with this is the narrow-mindedness involved in elevating the latter to *the* standard of comparison, whether explicitly or implicitly. This is narrow-minded not only because (a) the presupposition is itself a normative generalization, (b) one side of the democracy/authoritarianism distinction is a mere residual category, and (c) the distinction itself is applicable only to forms of government rather than to sectors of a civil society. It is narrow-minded because it is not possible to apply the democracy/authoritarianism distinction to shifts in the direction of social change. Yet, is it self-evident that increases in control and social authoritarianism are restricted, in practice, to the civil societies of the Third World and former Eastern bloc? Is it self-evident that existing Western democracies are somehow intrinsically immune from social authoritarianism in every single sector, industry, organization, and organizational division of their civil societies? Exposing these issues to empirical study in itself challenges the presupposition of exhausted possibilities directly: It moves empirical research into areas of study obfuscated by this collective prejudice.

1.1.4. Can collective prejudice be attributed to researchers?

Even though empirical researchers today share the lacuna of integrative possibilities with both classical and contemporary social theorists, it is undeniable that substantive findings in the social sciences have accumulated over the years. We know far more about deviance, law, corporations, inter-

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est associations, political parties, classes, the stratification system, and functional, ethnic, and religious solidarities than the classics ever knew. Researchers' substantive findings not only routinely refute or significantly amend those of the classic theorist-researchers but also exceed the possible scope of application of the latter's concepts and ideal types (see Walker and Cohen 1985 on "scope statements"). The problem is that researchers today nonetheless continue to present their findings in terms of ideal types and concepts that, after all is said and done, remain derivatives of the classics' own. Because substantive findings have gone unmatched by advances in theory construction,¹³ the numerous respects in which research today exceeds the scope of application of existing conceptual frameworks in comparative political sociology, and simultaneously calls into question the presupposition of exhausted possibilities, have yet to be appreciated.

Consider the organizations literature. Substantive findings here are routinely reported that exceed the scope of application of Weber's ideal type of bureaucracy. But too often these findings are left in a catch-all or residual category: the "nonbureaucratic." They are not placed into, and thereby illuminated by, positive categories attuned to their own richness and suggestiveness (Perrow 1979 is quite clear about this, but consider also e.g. Scott 1981/1987 and contributions in Zucker 1988). These findings are at times categorized more positively in terms of Weber's even more basic *concepts* of social action: the purposive-rational, the value-rational, and the substantively rational. Yet, as one example, John Meyer's characterization of organizations' "institutionalized environments" is literally hamstrung by such Weberian terminology (Meyer and Rowan 1977, Meyer and Scott 1983). Meyer is clearly reporting something of great significance when he refers to "rationalized institutional myths" within these environments. But the crude Weberian concepts he employs in presenting his findings hopelessly obfuscate what this might be (see chapter 8 for further discussion). In too many other instances as well, the classics' concepts turn out to be unnecessary crutches in the hands of remarkably skillful researchers.

To be sure, when stated bluntly and formally labeled, a great many comparativists, including Meyer and researchers in other specialties, would object strenuously to having the presupposition of exhausted possibilities attributed to their works. These comparativists include, as prominent candidates: Barrington Moore, Charles Tilly, and Theda Skocpol; Philippe Schmitter and Walter Korpi; and S.N. Eisenstadt, Reinhard Bendix, Seymour Martin Lipset, and Neil Smelser. Still, *none of these researchers can demonstrate that their works distinguish social integration from social control, either explicitly or implicitly.* And only on this conceptual basis can comparative study escape the presupposition of exhausted possibilities. For three interrelated reasons, it is fair to attribute this presupposition to their works as well as to those of many other researchers:

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First, there is not a single ideal type of nonliberal “democracy” to be found in their works, nor in the literature of comparative political sociology and comparative politics generally.

The comparativists just noted do not explicitly close the door on the possibility of there being a nonliberal “democracy,” of course. But by leaving the latter a residual category, they do so implicitly. This is a good example of how theory broadly orients research. Even the most richly documented empirical studies, supported by the most sophisticated methodological techniques, fail *ever* to yield the conclusion that a modern nation-state is closer to nonliberal democracy today than it was ten years ago, or twenty years ago. In short, the meaning or significance of any set of social events is tied inextricably to researchers’ basic concepts and presuppositions (Alexander 1982a). Only alternative concepts at this basic level can possibly allow them to detect and then overcome distortions of meaning or significance, not additional empirical studies or methodological advances.¹⁴

It is fair to attribute the presupposition of exhausted possibilities to these researchers’ works for two additional, related reasons:

Second, the social integration/social control distinction is collapsed in all of their works in particular and in the literature generally (Tilly 1984 is one particularly eloquent example). As noted above, it is also collapsed in the works of classical and contemporary social theorists.¹⁵

Third, as a result, an ideal type of heterogeneous actors’ and competing groups’ possible social integration within any unit of a modern civil society has never been applied to a nation-state that currently lacks most Western political institutions and economic practices, and that is unlikely ever to recapitulate all of them (whether, e.g., Brazil or the Soviet Union, Zaire or the People’s Republic of China).

In short, the presupposition of exhausted possibilities does indeed inform: (a) how Moore, Skocpol, and Tilly (and e.g. Alapuro 1987) characterize the *direction* of revolutionary change, as well as the prospects for contemporary revolutions, (b) how Schmitter characterizes neocorporatist arrangements within Western Europe and Latin America, and also prospects for “societal” and “state” neocorporatism, and (c) how Walter Korpi and others (e.g. John Stephens, Gosta Esping-Anderson, Adam Przeworski, and Leo Panitch) characterize labor movements and social-democratic parties within Scandinavia, and also prospects for greater egalitarianism. What is ironic is that these comparativists and others have already published substantive findings that richly contradict the presupposition of exhausted possibilities. The conceptual limitations that these otherwise diverse researchers share literally prevent them, individually and collectively, from seeing their own findings in this light.