“Neither Capitalist Nor American: The Democracy as Social Movement"

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DeVane Lecture, February 13 2001

Thank you, and good afternoon. I have distributed a page of suggested readings for those interested in the sources of my arguments.

I am pleased to be part of this tercentennial series, but I am struck by the irony of an undemocratic institution like Yale University sponsoring a series of lectures on democracy. Perhaps you think me too harsh: but I think is it fair to say that the dominant ethos at Yale is neither a democratic ethos nor a market ethos (one is not allowed to buy and sell grades or degrees, nor to hire people to write your papers and take your tests, and we regularly refuse to allow people to buy or invest in our goods if we think they are not “good” enough). Rather the Yale ethos is meritocratic: rule by those with merit, leadership by those with high SAT scores. Meritocratic vistas, perhaps. A merit system of promotion has many virtues -- self-reliance, self-love and self-invention, among them -- but democratic it is not. This curious combination of an anti-democratic and anti-market ethos is what gives the Ivy League its curious reputation of being the “liberal elite.”

Moreover, the last sixty years have seen struggles on this campus to establish the basic democratic rights of employees to union organization, and the university has resisted those rights at every turn. To this day, graduate teachers and hospital workers at the Yale-New Haven Hospital have yet to win the basic democratic rights -- affirmed in a variety of international human rights instruments -- to form a union, to bargain collectively, and to strike.

Perhaps I should not be surprised. After all, there is a long tradition of anti-democrats defining democracy, a tradition that goes back to the early American federalists like Madison and Hamilton and continues in the twentieth century with figures like Joseph Schumpeter (well represented on your reading list) and Samuel Huntington. What does it mean when anti-democrats like Huntington, who twenty five years ago was warning against the excesses of democracy, is now seen as the champion of a “third wave” of world democratization in the last quarter of the twentieth century? What do we make of the fact that the rise of political democracy around the world -- celebrated in an enormous scholarly literature on the “transition to democracy” -- has been accompanied by a global collapse of social democracy: the savaging of social safety nets, welfare systems and price subsidies, and the global privatization of public lands, public industries, and public services -- a new round of enclosures?

Yet the Yale celebration of democracy assumes that, as Dean Kronman put it in his opening lecture, we are all democrats now. In a sense, this has been true for half a century: in 1951, a UNESCO report noted that “for the first time in the history of the world, no doctrines are advanced as antidemocratic....practical politicians and political theorists agree in stressing the democratic element in the institutions they defend and

the theories they advocate." And for Americans, it is hard to resist: the United States, we are regularly told, was the first democratic state. "The Revolution created American democracy," Gordon Wood tells us in the essay xeroxed for you, and "made Americans...the first people in the modern world to possess a truly democratic government and society." A student could forgiven for thinking that the title of Tocqueville's famous book was "democracy *is* America," even though Tocqueville himself warned against confusing "what is democratic with what is only American": "we should therefore give up looking at all democratic peoples through American spectacles and try at last to see them as they actually are." It is worth recalling that for Tocqueville, with all his limitations, democracy was not simply about elections: it was about "the equality of conditions." The US was a democracy, he argued, because it had no proletarians and no tenant farmers; and he explicitly said that his account of democracy only pertained to "the parts of the country where there is no slavery." However, our latter-day democrats have dropped "equality of condition" from their definitions. The "great" theoretical accomplishment of Schumpeter (also put in your packet) was simply to redefine democracy as the free market in votes: democracies are states not where the people rule, nor where there is equality of condition, but simply where ruling elites compete for votes in the marketplace of the election. It is not surprising that democracy and capitalism emerge as virtual synonyms, and "democratic capitalism" appears to be the global consensus.

For America, for free markets, and for Yale. It's almost enough to make you give up the term: if that's democracy, I want no part of it. But is that democracy? What do we mean by democracy? Is it the name of a type of political regime? Much of what counts as the debate over democracy pits "utopian" theorists who tell us what democracy should look like against "tough-minded" realists who use "minimal" definitions of democracy to describe what we might call "actually existing democracy." Today I would like to cut across this debate by reflecting on the history of democracy, arguing that democracy is neither American nor capitalist, but is the social movement that fought for and created the democratic institutions of the state and civil society that we have. Indeed one of the earliest names for that social movement was *the democracy*. Moreover, since every democratic victory is threatened by powerful forces opposed to democracy, the democracy remains the social movements that fight to preserve and extend those democratic institutions. We are *not* all democrats. My talk today has three parts: first, a brief reflection on the history of the democracy as social movement; second, a reflection on the origins and meaning of the democratic state; and third, a return to the question of the democratization of civil society, particularly the workplace.

THE DEMOCRACY

In the years between the 1820s and the 1850s when the modern social movements -- the labor movement, the women's movement, the abolitionist movement, and the anti-colonial national movements -- were invented, a new usage of the word "democracy" appears, a use that seems strange to our ears: "the democracy." "The portion of the people whose injury is the most manifest, have got or taken the title of the 'democracy,'" Thomas Perronet Thompson, one of the philosophical radicals who edited the

Westminster Review, wrote in 1842. Tocqueville himself, writing in the 1830s, occasionally uses the term in this way: "Is it credible that the democracy which has annihilated the feudal system, and vanquished kings, will respect the citizen and the capitalist?" And John Stuart Mill, in his 1840 review of Tocqueville, writes that "the middle class in this country [that is, England], is as little in danger of being outstripped by the democracy below, as being kept down by the aristocracy above." The Oxford English Dictionary places the first use of this meaning of the democracy in 1828, and there are clear analogues in French and German. By the time of the Paris Commune, the *Times* of London was capitalizing the phrase, denouncing the "dangerous sentiment of the Democracy, this conspiracy against civilisation in its so-called capital."

How do we understand this meaning of the democracy? Let me give a brief history of this keyword, democracy. In the eighteenth century, there are very few uses of democracy in a positive sense: educated philosophers and political thinkers including the American constitutionalists disparaged it. An extensive study of the rhetoric of "democracy" in North America concludes that, in the 18th century, democracy was a term of derogation: "there were very few men willing to call themselves democrats." Even Gordon Wood admits that "democracy was commonly used vituperatively"; to find a celebration of democracy, he leaps more than a generation to quote "a renegade Baptist" in 1809.

At the same time, among the sailors, the enslaved, indentured servants, and dispossessed peasants who lived through the enclosures, impressments, slave trades and witch hunts of Atlantic capitalism's primitive accumulation, democracy was not a slogan. The "many-headed hydra" of food rioters, slave rebels, pirates and heretics whose history has been recovered in the great book of that name by Peter Linebaugh and Marcus Rediker, appealed to vernacular hopes and ideals: they spoke of levelling, of the commons, of jubilee. The struggles for independence in the North American colonies in the 1770s were not unique: as Linebaugh and Rediker argue, they were themselves part of two centuries of insurrection by that "motley crew," ranging from Masaniello's revolt in Naples and the struggles of the Levellers, Diggers and Ranters in the English Revolution in the 1640s to the wave of eighteenth-century slave rebellions inaugurated by Tacky's Revolt in Jamaica in 1760.

It is into these struggles that "democracy" -- one of those Greek and Latin words, like "proletarian," that Renaissance and Enlightenment political theorists with classical educations reclaimed from antiquity -- begins to filter in the 1790s, as a few Jacobin radicals in France, England and the United States begin to invoke democracy. But after two decades of world war between Napoleon's revolutionary empire and Britain's counter-revolutionary empire, little of democracy -- as theory, practice, or even as word -- remained in the North Atlantic world. Modern democracy -- "the democracy" -- emerges in two extraordinary decades (the 1830s and 1840s) when the modern social movements -- the labor movement, the women's movement, the abolitionist movement, the anti-imperial national movements and the new ideologies of socialism and communism -- are all born. The most comprehensive historian of the word "democracy" notes that "broad application" of the word does not occur until the 1830s, and that 1848 "represents the zenith in the application of 'democracy'." In England, it is in these years that the Chartists, the first mass working-class movement in the world, and perhaps the largest mass political activity in any European country during the nineteenth century,

came to speak of the Democracy as the movement of the people, often capitalizing the word in their press.

In the early 1840s, the young Germans Friedrich Engels and Karl Marx adopted this usage from the Chartists, as they joined “democrats of all nations” in founding the Society of Fraternal Democrats. In the midst of the German revolution of 1848, they subtitled their newspaper “Organ of the Democracy”: “Through their personal connections with the heads of the Democratic party in England, France, Italy, Belgium and North America, the editors,” they write, “are in a position to reflect the politico-social movement abroad....In this respect, the *Neue Rheinische Zeitung* is the organ not simply of the German but of the European Democracy.” The democracy becomes a synonym for the “social movement” -- a phrase that also seem to first appear in the 1830s and 1840s -- uniting new forms of popular mobilization -- marches, rallies, demonstrations, petitions, cheap pamphlets and newspapers -- with new ideologies of emancipation.

In the United States, there are many uses of “the democracy” in this sense in the 1830s and 1840s, though individual instances are tricky to interpret because Andrew Jackson’s political alliance successfully appropriated the phrase for its party: what we call in retrospect the Democratic Party was usually referred to as the Democracy. So an address to the democracy, a common subtitle of speeches, sometimes means an address to the followers of Jackson, and sometimes means simply an address to the people, to the social movement. Abolitionist critics of Jackson’s Democracy called themselves the “True Democracy,” and the working-class opposition to New York’s Tammany Hall called itself the “shirtless” Democracy. Trans-Atlantic connections between “the democrats of all nations” abounded: among the women’s rights activists, among abolitionists -- Frederick Douglass, like Friedrich Engels, met with Chartists when he was in England in the 1840s -- and among radical artisans.

The revolutionary upheavals that broke out throughout the capitalist world-system in 1848 were seen as an act of the democracy: Carlyle spoke of “this universal revolt of the European populations, which calls itself Democracy” and Guizot noted that “the chaos today hides itself under a word, Democracy... it is the sovereign, universal word.” If the democracy was the name of the movement, emancipation was its aim. Emancipation was the great aspiration of the period: with its origins in the abolitionist movement’s struggle for the emancipation of the enslaved and in the early nineteenth-century battles for the political emancipation of Jews in Europe and for Catholic emancipation in Ireland, emancipation becomes the keyword among early women’s rights activists and labor activists: “the emancipation of the working classes must be conquered by the working classes themselves,” Marx writes at the formation of the International Working Men’s Association.

But within a year or two, the revolutionary republics were defeated, the Chartist leaders were imprisoned, the Fugitive Slave Law had been passed, and the democracy was in tatters. In the wake of the defeats, the democracy began to fragment. As a few elite political figures attempted to claim the banner of the democracy, one sees democrats of the social movement beginning to make a separation between political and social democracy, between bourgeois and popular democracy. As early as 1845, Mike Walsh, the tribune of New York’s working-class “subterranean” or “shirtless” Democracy, wrote that “No man can be a good political democrat without he’s a good social democrat.” In

1851, Marx, now in exile in England, satirized prime minister Lord Russell's claim that "the Democracy of the country...has as fair a right to the enjoyment of its rights as monarchy or nobility," because Lord Russell had redefined the Democracy as "the Bourgeoisie, the industrious and commercial middle class," a "king-loving, lords-respecting, bishop-conserving 'Democracy'."

If the "democrats of all nations" of 1848 were the founders of the modern democracy, none of them knew the universal-suffrage parliamentary state that we associate with democracy. The democratic state did not exist anywhere by the middle of the nineteenth-century. Where did it come from? What is the relation between the democracy and the democratic state? My second part takes up these questions.

THE DEMOCRATIC STATE

Democratic states are youthful institutions, but most claim more ancient lineages. 1688, 1776, 1789: it is not only in the United States that we imagine that democracy sprang forth from the rhetoric of founding bourgeois revolutions. In reality, the democratic state -- the universal-suffrage parliamentary state, with the freedoms of political opposition -- is, as Robert Dahl notes at the beginning of his *On Democracy*, "a product of the twentieth century." Though historians and political scientists argue over the history of particular countries and the criteria of the democratic state -- the extent of the franchise, of freedom of opposition, of peaceful alternation of regimes, there is general agreement that the universal suffrage state first emerges in the late nineteenth and early twentieth century, and is only well established after the Second World War.

Nevertheless, democratic states are often called capitalist or bourgeois, as if they were created, fostered and supported by capitalists. "No bourgeoisie, no democracy," Barrington Moore wrote in 1966, and few on the left or the right would have disagreed. It was precisely this analysis that had led one tradition of marxism -- that of Lenin -- to reject "bourgeois democracy" completely. But a quarter of century of scholarship -- going back to the pioneering essay by Göran Therborn that I recommended you read -- has fundamentally transformed our understanding of the roots of the democratic state. The democratic state may have emerged in capitalist societies, but not because capitalists created it. Rather capitalism creates and strengthens large working classes, and, to quote the major comparative history of democratic states in Europe, North America and South America, "the working class, not the middle class, was the driving force behind democracy."

The details of this history are beyond the scope of this lecture. Therborn's essay offered a preliminary sketch, and Rueschemeyer, Stephens and Stephens' *Capitalist Development and Democracy* elaborated it. However, let me briefly make three points. First, the argument that working-class self-organization was central to democracy makes sense of the timing of the universal-suffrage parliamentary states: they were first decisively, though not irrevocably, won not in the age of Capital, the great boom years of the 1850s and 1860s, but a half-century later, as a result of the organization of workers in the labor movements and socialist parties of the Second International, and

the revival of the women's movement in the militant new "feminism" of the suffrage campaigns. Bourgeois democracy, Therborn rightly notes, was the "principal historical accomplishment" of the Second International. Schumpeter himself recognizes this, if you read the entire of his book, which concludes with a historical sketch of the socialist parties.

Second, though the success of democratic reforms depended on the strength of working-class organizations -- the weakness of Latin American democracy was in part due to its comparatively small working classes -- it is clear that workers were not strong enough to win democratic states on their own in Europe, North America, or South America. Democratic victories depended on alliances with middle classes, either urban or rural, and the middle classes were always an ambivalent ally. The most consistent opponents of democracy were large landlords that depended on cheap agricultural labor, and democracy failed where they were strong enough to control the state. Capitalist development and democracy are therefore correlated, Rueschemeyer and his colleagues conclude, because "capitalist development weakens the landed upper class and strengthens the working class."

The bourgeoisie, far from being a driving force behind democracy, was rarely even a positive force. Even the contemporary political scientists most impressed with "capitalist democracy" admit that capitalist elites are not supporters of democracy. Several even suggest that capitalists are so strongly opposed to democracy that political democracy can only exist and thrive if there is a strong party of the right to protect the interest of elites, and if large parts of social and economic life are not subject to political control, if, in other words, issues of social justice are not on the agenda. Without those restrictions, corporate elites support authoritarian attacks on democracy. As Perry Anderson once noted, though we have yet to see a parliamentary transition to socialism, we have seen parliamentary transitions to fascism.

Third, there is strong evidence that the working classes continue to be the driving force in the democratizations of the late twentieth-century. Though little of the "transition to democracy" literature has seriously studied late twentieth-century workers, the role of Poland's Solidarity, of the black unions of South Africa's COSATU, of Brazil's Workers' Party, and of the South Korean strikes of the mid-1990s would indicate that the organization and mobilization of working people continues to be fundamental to the establishment of universal-suffrage parliamentary states.

This account also helps us make some sense of the contradictory assessments of US democracy: Samuel Huntington claims that the US is the first democratic country, placing the date at 1828 with suffrage for a bare majority of white men; Therborn, among others, places the US as the last of the core capitalist democracies, dating it from 1970 with the enfranchisement of black southerners. How do we make sense of this simultaneous "originality" and "belatedness"? The extension of the franchise in the early nineteenth-century north did create a kind of "democracy" of small-holders, that historians have likened to those of Norway and Switzerland at the same time. But the continental United States was hardly akin to Norway and Switzerland, and what looks from one angle like remarkably early democratic institutions looks from another like a brief and regional exception. In most of Europe, after all, opposition to the extension of the franchise came from two sources: labor-repressive landlords who opposed political rights for the peasantry and capitalists who opposed voting rights for workers. "The

American peasantry, however, was," as Alexander Keyssar points out in his marvelous new history of *The Right to Vote*, "peculiar: it was enslaved" and thus not "part of the calculus...of suffrage reform." The South was not a democracy but an authoritarian landlord regime. Similarly, as long as industrial workers remained far outnumbered by farmers in the North and West, they were a small part of the calculus of suffrage. In the only state where manufacturing workers outnumbered farmers in the 1840s -- Rhode Island -- those workers were excluded from political rights. The struggle of Rhode Island workers for the right to vote in 1841-42 resulted in the formation of a People's Convention and a separate, parallel constitution and government that challenged the legitimacy of the state government -- a Providence Commune, if you like. An armed confrontation over control of the state arsenal led to the defeat and imprisonment of the suffrage advocates, a history that parallels the struggles of the Chartists across the Atlantic. The spokesman of the Dorr Rebellion, the carpenter Seth Luther, author of *Address on the Right of Free Suffrage*, stands as one of the great plebian theorists of democracy.

With the end of slavery and the growth of an immigrant working class, the United States witnessed a half-century of disenfranchisement, "a sustained nationwide contraction of suffrage rights." By the early twentieth century, the United States was not a democratic state; the present democratic state in the US has been the consequence of the self-organization of industrial workers in the CIO during the 1930s and 1940s and the self-organization of black Americans in the Civil Rights Movement of the 1950s and 1960s. From Seth Luther fighting for the suffrage in Providence to Robert Moses and Fannie Lou Hamer fighting for voting rights in Mississippi: that has been the line of the Democracy, not the anti-democratic meditations of Hamilton and Madison.

If we understand the close historical tie between the Democracy in the nineteenth-century sense -- the social movements of working people -- and democratic institutions of universal suffrage and freedom of assembly and speech, we see as well the mistake made by many contemporary scholars of democracy who would artificially separate "political democracy" from "social democracy." For just as there is a close correlation between the strength of democratic politics and that of working class organization, so there is a close correlation between the strength of welfare states and that of working class mobilization. As Alexander Hicks notes in his recent study of social democracy and welfare capitalism, "even though democracy did not open the floodgate to demands for mass redistribution [as Ian Shapiro argued a couple of weeks ago], it did function...as a sluice gate that permitted an ample flow of income security reforms." This is the case even outside the North Atlantic states: Patrick Heller's recent study of Kerala state in India notes that "Under the impetus of a broad-based working-class movement organized by the Communist Party, sucessive governments in Kerala have pursued what is arguably the most successful strategy of redistributive development outside the socialist world. Direct redistributive measures have included the most far-reaching land reforms on the subcontinent and labor market interventions, that, combined with extensive unionization, have pushed both rural and informal sector wages well above regional levels....On all indicators of the physical quality of life Kerala far surpasses any Indian state and compares favorably with the more developed nations of Asia." If the universal suffrage state was the historical accomplishment of turn of the century social democracy, the welfare state with its social rights to income security in the face of unemployment, injury, sickness, retirement, and parenting as well

as its rights to universal public education was the democratic work of post-World War 2 social democracy. And the role of the social movement in the struggle for feminist democracy is equally clear: if women's suffrage was the historical accomplishment of the first wave of feminist movements, the reproductive rights of divorce, contraception and abortion have been the democratic victories of the second wave. Democracy depends on "the democracy."

How then can the savaging of social democracy -- the enclosure of the commons, the attack on social rights, and the privatization of public goods -- that has taken place over the last two decades be seen as a "wave of democratization"? Why do democratic theorists wax lyrical about civil society, that most undemocratic sphere? This is my third concern.

The Democratic Society

The irony of the democratic state has been that the extension of citizenship has been accomplished with a devaluation of the political and a restriction of the powers of the public. The Canadian political theorist Ellen Meikins Wood has argued that this was the theoretical accomplishment of the American federalists: "it was the anti-democratic victors in the USA who gave the modern world their definition of democracy, a definition in which the dilution of popular power is an essential ingredient." The "freeing" of the market from the political realm -- particularly the market in those two commodities that had rarely been considered alienable commodities, labor and land -- made victories in the political realm often hollow. As Yale's great historian of working people, David Montgomery, wrote of nineteenth-century America: "the more that active participation in government was opened to the propertyless strata of society, the less capacity elected officials seemed to have to shape the basic contours of social life...both the contraction of the domain of governmental activity and the strengthening of government's coercive power contributed to the hegemony of business and professional men."

This is now a fundamental part of the theories of "democracy" promoted by the "Washington consensus," which insist that economic or social democracy has nothing to do with political democracy. In fact, they argue that economic decision-making must be carefully insulated from political power and from popular pressures for a more thorough-going democratization of society. As a result, over the last two decades, many of the victories of new democratic states have been undermined by capitalist forces of privatization. Privatization, or what the Midnight Notes group have called the new enclosures, is the devolution of public lands, public industries, public schooling and services, from a realm which is potentially democratic to a realm where democracy rarely exists, a realm euphemistically called "civil society."

"Civil society," we are told by a chorus of its admirers, is the realm of freedom and democracy, the realm of voluntary associations and civic participation, outside the bureaucracies of the state. For Tocqueville, a fundamental part of democracy was freedom of association, and he argued that "Americans of all ages, all stations in life, and all types of disposition are forever forming associations." "If men are to remain

civilized or to become civilized," he wrote, "the art of association must develop and improve among them." This was the closest Tocqueville came to the new socialisms of his era, for association was a common synonym for socialism in the 1830s and 1840s. Unfortunately, it was at this point that Tocqueville made a fateful conflation of what he called "intellectual and moral associations" and "manufacturing and trading companies." In Tocqueville and especially in his revivalists, capitalist enterprises are seen a simply one form of "civil association," whose free activity is necessary to the preservation of equality and liberty: this is one source of theories of "democratic capitalism." The same slippage can be seen in the German tradition that gave us the concept of "civil society": the German word, *bürgerliche Gesellschaft* means both "civil society" and "bourgeois society."

However, if democracy has its limits even inside the universal suffrage parliamentary state, rarely penetrating beyond the legislative branch through to the high courts, the bureaucratic apparatuses of the civil services, not to mention the national security state, it hardly exists outside the state. One finds little or no democracy in the institutions of "civil society," and particularly in those "manufacturing and trading companies." As the Italian political theorist Norberto Bobbio put it, "the present problem of democracy no longer concerns 'who' votes but 'where' we vote." "Today, if you want an indication of the development of democracy in a country, you must consider not just the number of people with the right to vote, but also the number of different places besides the traditional area of politics in which the right to vote is exercised." There is a long tradition that has attempted to theorize socialism as a form of "economic democracy" or "industrial democracy," extending the procedures of representative democracy into the workplace. It goes back to John Stuart Mill and includes figures like Betrand Russell, John Dewey, and Yale's Robert Dahl. But unlike extensions of the franchise, there has been little advance in the rights of what the Europeans called "co-determination." It was on the agenda of the European social democratic parties, particularly in Sweden, in the late 1970s, only to fall victim to the counter-revolution against social democracy mounted by Reagan and Thatcher. I would love to conclude with some thoughts on the possibilities of the democratic control of the workplace and the labor process, the democratic control of a firm's capital and investment, and democratic elections of corporate boards and the Yale Corporation, in short on the democratization of "civil society." Those are some of the issues that will engage the democracy of the twenty-first century. But we aren't there yet.

Because, as the Human Rights Watch report released on Labor Day last year establishes, "workers' freedom of association is under sustained attack in the United States, and the government is often failing its responsibility under international human rights standards to deter such attacks and protect workers' rights." "Millions of workers are expressly barred from the law's protection of the right to organize. US legal doctrine allowing employers to permanently replace workers who exercise the right to strike effectively nullifies the right. Mutual support among workers and unions recognized in most of the world as legitimate expressions of solidarity is harshly proscribed under US law as illegal secondary boycotts....[there are] millions of part-time, temporary, subcontracted, and otherwise 'atypical' or 'contingent' workers whose exercise of the right to freedom of association is frustrated by the law's inadequacy." It goes on to say that "in general, workers who *want* to organize and bargain collectively should have the *right* to organize and bargain collectively, except where there are manifestly no

employers to bargain with or where the essence of such workers' jobs is so truly managerial or supervisory that they effectively would be bargaining with themselves."

The Human Rights Watch report gives many examples of the attack on the right to organize, drawn from all sectors of the economy: from workers, primarily black workers, in hog-processing plants in North Carolina to "perma-temps" working for Microsoft in the Northwest, from Mexican-American and Mexican agricultural workers in the orchards of Washington and the fruit and vegetable fields of North Carolina to Asian and Latina immigrant women working in garment sweatshops in New York, from nursing home workers in Florida, largely Haitian-Americans, to shipyard workers in New Orleans. It tells the story of the destruction of unions and lives with the permanent replacement of strikers in Pueblo, Colorado, Jay, Maine, and Bisbee, Arizona: the "United States is almost alone in the world in allowing permanent replacement of workers who exercise the right to strike." I encourage you to read sections V and VI of the report, which are detailed, documented case studies. The report is available on the Web, at the site I have listed on the handout. But we have examples closer to home, and two members of the Yale community will tell you of them:

"My name is Rebecca Ruquist. I am a graduate teacher in the French Department working on my dissertation and organizing for GESO. I have taught two semesters of French 115, two semesters of French 130, both of which met five days a week, where I did the teaching, the grading, and all of the work for the course except for syllabus design. When I told the Director of Graduate Studies in my department a year ago that I was going to become GESO's next Chair, he fought with me for an hour about how I was wasting my time, and how ungrateful graduate students were to want a union. When in a meeting I suggested to the current DGS that she advocate for her graduate students with the administration, she pulled me into her office alone to lecture me about keeping graduate school issues out of department meetings. She promised me that she would include a mention of my GESO organizing in a future letter of recommendation. Both professors have refused to declare their neutrality towards GESO organizing in the department to the French Ph.D. students. This is wrong: it is our right to organize a union here, and faculty need to respect that. The Yale administration should not ask professors to bust their own teaching assistants' union. Yale needs more than to live up to the letter of the law, it needs to live up to the spirit of the law."

"My name is Peg Tamulevich. I am a secretary in Medical Records. I have worked at the Yale-New Haven Hospital for twenty-three years. I have joined with many of my co-workers at the Hospital to organize a union. We want better patient care, wages and benefits, but more importantly, we want respect. When I was handing out union leaflets outside the hospital, police officers with guns, who are employed by Yale-New Haven, told me that I would be arrested and forced me to stop. This is just one example of intimidation tactics used by the hospital. I care deeply about our democracy in America. At Yale-New Haven Hospital, the fight for democracy is an everyday battle."

Incidents like these are echoed throughout the case studies in the Human Rights Watch report: the one-on-one meetings with workers as well as the use of police and security services to harass organizers. Employers regularly walk just inside the law, and just as regularly break it, since there is no punishment for law-breakers. US labor law is remedial, not punitive: employers found guilty of violating a worker's rights only have to post a notice saying they won't do it again.

What does this have to do with democracy? When I was first approached about delivering a Devane lecture, I was asked to speak on democracy and the labor market. The “labor market”: that peculiar phrase is the only guise in which work and workers appear in contemporary economics. We don’t work in the never-never land of free market economics; we sell our weekdays in order to buy our weekends. Economists don’t get up in the morning to go to work; they go off to truck and barter their human capital. For most of us, however, capitalism remains what Marx described: “anarchy in the social division of labor, despotism in that of the workshop.” The labor market is an anarchic world we try to avoid as much as possible -- getting a job. The reality of capitalism is not the market, but the working day, day after day. Even Tocqueville recognized that “between workman and master there are frequent relations but no true association.” The workplace remains the fundamental *unfree* association of civil society, without civil liberties or rights, without freedoms of speech and with only a few freedoms of association, assembly or opposition.

And yet, the difficult, exhausting, and often demoralizing attempt of people to organize and mobilize at their place of work, has, as I have tried to suggest, been one of the fundamental driving forces of modern democracy. Unions, like other institutions, have their flaws, but they remain the most democratic institution of civil society, voluntary associations where leaders are elected in contested elections, where oppositions can organize, where ordinary people represent themselves. As a result, vital unions are central to a vital democracy; the decay and collapse of unions, as we have witnessed over the past decades, is a decay and collapse of democracy.

Last week, President Levin gave dramatic figures on the inequality of wealth and income in the US, and noted how the degree of inequality has fluctuated in the course of the twentieth-century. He hazarded a couple of explanations; I would suggest, though I haven’t worked out the math, that degree of inequality is inversely related to the degree of working-class mobilization, measured by union density rates. The great drop in inequality was a result of the massive organization of American workers in the CIO between the 1930s and the 1950s, and the rise in inequality has followed the concerted attack on and destruction of unions.

Similarly, much has made in recent years about the decline in civic participation among Americans over the last three decades; we’re all bowling alone, as Robert Putnam puts in his book. But though he notes the decline in union membership as an aspect of this decline in civic participation, he pays little attention to it, not even noting that that decline was involuntary. There was no organized campaign against people forming bowling leagues; there has been an organized campaign against people forming unions. Across the country, and in this university, we have seen repeated attacks -- informal and formal -- on the attempt to organize and associate. The market has efficiently allocated resources to a thriving industry of anti-union managerial consultants. If graduate teachers are not bowling alone, it is because they are striking together.

Moreover, unions are one of the few forms of civic engagement that are *not* skewed toward wealthier citizens. Critics of the civic engagement literature have often noted that since those with more time and more money are more likely to participate in politics, civic engagement can have anti-democratic consequences. The historic tendency of the labor movement has been to empower the least powerful, to protect the

rights of its members by the practice of what Walt Whitman called the “great word” of democracy: “Solidarity.” It is true that unions have often been skewed to workers with more skills and more “market power,” white workers and male workers. But the labor movement has struggled to reach across the divisions created by the labor market, divisions between “skilled” and “unskilled”, “blue-collar” and “white collar,” the “employed” and the “unemployed,” “men’s work” and “women’s work,” “white work” and “colored work,” to forge alliances where an injury to one is an injury to all. Anyone who reads the Human Rights Watch case studies of black, Latino, and women workers battling for their rights on the job can see why the right to organize is now a crucial civil rights issue.

The right to organize is the fundamental democratic issue of our time. One hundred million Americans working for a living do not have the democratic protections of a union. No democratization of civil society or revival of civic participation will be accomplished without their achieving the right to organize; no change in the inequality of wealth and income that President Levin spoke of will come without that organization. Nevetheless, all of the previous speakers in this series, with the exception of Dean Kronman, have spoken publicly against recognizing the democratic rights of graduate teachers at Yale. Yale’s tercentennial should be a moment for the university to take a modest step toward the democracy, and to assume at least a stance of neutrality as its employees decide whether and how to organize and associate. This may seem a local matter, hardly visible in the distant democratic vista, but the Democracy has always been about the struggles of ordinary people in the here and now.

But this is also a part of a wider struggle against the anti-democratic forces of “globalization,” of what is called around the world “neo-liberalism.” The extraordinary proletarianization of millions of the world’s peoples on a global assembly line -- the world working class has doubled in the last thirty years -- may well lead to a renewed Democracy. It has already generated a new social movement unionism, pioneered in the 1980s by Brazilian, South African and South Korean workers, and now sparking new forms of organization and militancy by the young women in the world’s *maquiladoras*, the export processing of toys, textiles and electronics. The protests against the WTO in Seattle by environmentalists and unionists, “turtles and Teamsters,” a year ago was only the most visible part of the new century’s Democracy. Last May and June witnessed general strikes against government austerity programs in South Korea, South Africa, Argentina, Uruguay, Nigeria, and India: in India, where twenty million workers went out last May 11, a strike leader said that “the strike was aimed against the surrender of the country’s economic sovereignty before the WTO and the IMF,” the surrender, to use the terms of this afternoon’s talk, of political and social democracy to economic despotism. This afternoon, I have tried to suggest that when we think of democracy, we must remember the Democracy, the social movements of working people that have been the driving force of the modern democracy around the world. It is working people who must, in the words of that old manifesto, “win the battle of democracy.”