

## ONE *Rational Acquiescence:*

### *The Police and the Marketplace*

The most obvious reason not to rebel is the power of the state and ruling classes. The use of coercion and threats of violence is most blatant in totalitarian countries, such as Indonesia or Guatemala over the last few decades. Yet it is centrally important in democratic societies as well. This is the first part of “rational” acquiescence: consent to the status quo based on an understanding of the physical, economic, or emotional harm one might suffer for rebellion. On the other hand, not all self-interests relevant to consent are coercive. Many concern positive goals, such as acquisition or advantage. This is the second component of rational acquiescence or, equivalently, “calculated consent”: consent as a sort of structuring of human impulse, its limitation to certain objects and outlets.

#### LAW AND THE POLICE

Any legal system—with its police enforcement as well as penal codes and practices—functions in large part to preserve the social relations that define the society in which they operate. This preservative function includes the economy. The legal system places a huge repressive apparatus at the service of that structure. Douglas Hay (1995) presents some striking illustrations of this from the early nineteenth century. For example, “judges in all the common law countries” in this period insisted that “the injured worker should be almost always barred . . . from suing the employer, and that the family of the dead worker should be similarly barred from legal recompense” (144). The point is generalizable. All legal systems serve to sustain relations of ownership.

This may seem innocuous. After all, who wants their home burglarized? Who does not want protection against mugging? The specific way in which the legal system defines, say, theft, the way it categorizes and punishes crimes of property, is not a simple matter of evenhanded justice, however. It is a matter of preserving inequality. Consider the legal system in the United States (which does not differ significantly from other legal systems in this respect). First of all, it does not define ownership in terms of the production of wealth. Whether or not one accepts Marx's theory of value (I myself do not), it is clear that social wealth is created by the coordinated activities of all working members of society. One could imagine a definition of ownership according to which all individuals own that portion of social wealth that they have produced. Correlatively, one can envision a definition of theft according to which any appropriation of more wealth than one has produced is theft. As such, if the CEO of a factory takes 420 times the salary of a line worker (see "Everyone's Rich" 1999, 4), he or she is guilty of theft. (It is, of course, difficult to quantify the production of wealth. Nevertheless, it is hard to imagine an argument that, in one day, the CEO's work produces goods and services for society that are equivalent to the goods and services produced by a line worker cumulatively over an entire year and eight months. Indeed, many would contend that the CEO's contribution to the production of goods and services is far less than that of the worker, since most of the CEO's efforts are put into increasing profits for management and shareholders—thus in distributing social wealth, rather than creating it.)

But the present system is precisely the opposite of one that defines ownership and theft in terms of the production of wealth. It serves to protect the "right" of the CEO to appropriate and retain hundreds of thousands of dollars more than the line worker every year, to accumulate that wealth, and to increase it through investment. The worker's relation to his or her own production of wealth is not even a concept in the U.S. legal system (or in any other legal system with which I am familiar). In contrast, consider one of these line workers, who is unable to accumulate any wealth and may well lack adequate money to buy necessities for his or her family, or some unemployed person, fired from that factory due to a "downsizing" that increased the already bloated salary of the CEO. If one of these desperate and deprived people were to steal the CEO's wallet and get away with

\$100, he or she would be guilty of grand larceny, and if caught and convicted, subjected to imprisonment.

Put differently, definitions of ownership and theft tend to be thought of as straightforward, even natural. But they are not. They are, rather, the product of human decision. That decision operates to give special protection to just those types of ownership (or putative ownership) that are crucial to economic stratification. It excludes from protection—or even from clear conceptualization—those types of ownership that would undermine or at least limit economic stratification. Indeed, this was the more or less explicit intent of the framers of the U.S. Constitution. As Noam Chomsky and others have discussed, James Madison viewed the property rights of the “opulent minority” as threatened by the masses, and thus as requiring particularly stringent protection. “To ensure that the rights of the opulent minority are privileged, they must hold the reins of government, Madison held. He added that this is only fair, because property ‘chiefly bears the burden of government’, and ‘In a certain sense the Country may be said to belong’” to the propertied elite (Chomsky 1995, 118).

This is not to say that there are no laws restricting the acquisitiveness of, say, the business elite. There are. The legal definition of theft would be incoherent if it did not include various “white-collar” crimes. These are treated lightly, however, relative to their “blue-collar” counterparts—despite the fact that they are far more significant and consequential, even by the limited definition of theft. As Russell Mokhiber (1996) has noted, “Inside-the-Beltway corporate liberals and conservatives alike insist that crime in America is committed primarily by the poor and blacks,” even though “corporate crime and violence inflict far more damage on society than all street crime combined” (14). Specifically, according to the FBI, “burglary and robbery combined cost the nation about \$4 billion in 1995. In contrast, white-collar fraud, generally committed by . . . people of means . . . costs an estimated 50 times as much—\$200 billion a year” (ibid.). Indeed, the systematic crimes of the elite are not even counted as such; the FBI “Crime in the United States report . . . documents . . . street crimes,” but “ignores corporate and white-collar crimes such as pollution, procurement fraud, financial fraud, public corruption and occupational homicide” (ibid.).

As this last quotation indicates, the operation of law to coerce consent is

by no means confined to property law. The most obvious cases are overtly prejudicial laws—laws that restrict voting rights to men, or laws that outlaw certain cultural, religious, or sexual practices. The latter guarantee that members of outlawed groups will be forced to conceal their identities, and thus prevented from engaging in public acts of solidarity and political agitation. Consider, for instance, laws discriminating against gays and lesbians. In the first chapter of *Sexual Orientation: A Human Right*, Eric Heinze (1995) gives a sampling of such laws from around the world. Iran executes “citizens who engage in private, adult, mutually consensual, homosexual acts,” and those convicted of such acts have no right of appeal (3). In countries from Romania and Lithuania to Australia and England, people can be arrested for homosexual practices. Indeed, in the United Kingdom, “men who commit consenting homosexual acts are four times more likely to be convicted than men who commit heterosexual and violent offenses” (Peter Tatchell, quoted in Heinze 1995, 6). Moreover, a British court judged that it was within the law to dismiss a gay man from his job as a “means of assuring that he would not sexually harass customers” (6).

This bias toward preserving stratification spreads throughout the legal system. It is not only the legal definition of theft but those of assault, rape, spousal abuse, fraud, homicide, and other crimes as well that appear natural and neutral, even though they are, in fact, artificial and severely biased. Consider homicide. What could be more “natural” than to outlaw the taking of human life? True. The taking of human life, however, is not outlawed. Rather, what might be called “direct killing” is declared the monopoly of the state, with very limited exceptions. Just as with theft, small-scale street homicide, primarily perpetrated by the miserable and impoverished, is severely prosecuted, while large-scale elite homicide is generally permitted. Mokhiber explains that according to the FBI, the United States has a street homicide rate of “about 24,000 a year.” These killings are felonies. First of all, the state can, at least in some cases, kill those judged guilty of these murders. More important, the state can kill many times that number of people—many times that number of civilians—in military conflict. Hence, during the brief period of the Gulf War, the state was able to kill Iraqi civilians at roughly eighteen times this rate, doing in “more than 50,000” (Clark 1992, 130) in only six weeks. (This does not count the hundreds of thousands of indirect deaths caused by the war [see Crossette 1995, A9; and Halliday 1999, 26] or the hundreds of

thousands of Iraqi soldiers killed [Clark 1992, 43].) Clearly, this killing was not outlawed.

Legal definitions, such as that regarding murder, have two sorts of consensual consequences: they allow for a range of repressive actions, the threat of which fosters consent; and they tend to guide an individual's own thought as to what constitutes murder. Thus, most people unreflectively count street crimes, but not state-sponsored bombings, as murders. Indeed, legal definitions come to seem so natural that it is sometimes difficult to see that they are the product of choices, and choices with systematic social results. For example, murder is not consistently defined as the killing of innocent people, for then the massive killing of Iraqi civilians—men, women, and children who had nothing to do with the invasion of Kuwait—would have counted as murder. In a remarkable illustration of the consensual effects produced by such legal definitions, one colleague of mine, on reading the last paragraph, commented that only a “far far far Left ideologue” would class the bombing of Iraq as involving “murder.”

This state monopoly on direct killing is not the only aspect of homicide law that is artificial and biased. Consider indirect killing (for instance, the creation of hazardous conditions that result in predictable deaths). Indirect killings in this country far exceed direct ones, and the perpetrators are overwhelmingly corporate. The Labor Department “reports that . . . 56,000 Americans”—well over twice the number killed in street homicides—“die every year on the job or from occupational diseases such as black lung, brown lung, asbestos and various occupationally induced cancers” (Mokhiber 1996, 14). Of course, much of this is supposedly covered by criminal law. But these sorts of indirect killings do not have anything like comparable legal status with street homicide. Again, suppose a worker is “let go” by his or her employer due to so-called downsizing, with the CEO increasing an already enormous salary. Suppose that this unemployed worker then goes and shoots this CEO. That is first-degree murder and can be punished by execution. Now imagine another scenario. The CEO is warned that the handling of certain chemicals may be dangerous to workers, but that a safer procedure would eat into the company's profits. The CEO decides to do nothing. There is an accident and four workers die. This is not first-degree murder and could never result in execution. Moreover, it is unlikely that anyone would ever be prosecuted for this crime. “Corporate violence that results in worker deaths rarely provokes criminal prosecutions. . . .

The National Safety Council estimates that since the passage of the Occupational Safety and Health Act (OSHAct) in 1970, 250,000 workers have died on the job,” but “only four people have done time for OSHAct violations” (Mokhiber 1996, 15).

There are other biases hidden here as well—biases that become obvious after only the briefest reflection. If a street thug pulls out a knife and tells a passerby to hand over five dollars, he or she has committed a serious crime. The mere threat of the knife is prosecutable as assault with a dangerous weapon. Yet, if an employer tells a worker that he or she must handle dangerous radioactive chemicals or lose his or her job, that has no comparable status.

This is only part of the problem with legal definitions of murder. Corporations kill not only workers but consumers—and they often do so with full knowledge. The most obvious case of this is the tobacco industry, which is responsible for perhaps twenty times more deaths every year than street homicide. (Deaths from smoking have been estimated at between 400,000 and 500,000 [see Kluger 1996, 703].) Moreover, it is guilty of a theft of staggering proportions. In order to make profits on the sales of cigarettes, the tobacco industry has created a health crisis that drains perhaps \$50–65 billion from national wealth. (On some complications with estimating these costs, see Kluger 1996, 553–54, 735–36.) Recall that burglary and robbery combined cost the nation only about \$4 billion per year (Mokhiber 1996, 14). This economic cost is probably the reason that there have been a few successful civil cases against tobacco companies in recent years. These are certainly important, but even if they continue, it is clear that the tobacco industry is vastly underprosecuted and undercriminalized relative to street crime, which again, is far less harmful.

The tobacco industry is not the exception here but the rule. Note, for example, the fact that “for more than 20 years, the auto industry . . . defeated efforts to enact a federal law that would require air bags as standard equipment on all U.S. cars” (Mokhiber 1996, 15). The result of this is death: “Auto safety expert Byron Bloch . . . estimates that as many as 140,000 Americans . . . have died in auto crashes since the early 1970s because the auto companies’ legislative privilege effectively thwarted all efforts to develop and legally mandate the device in American cars” (15). Clearly, the automobile industry’s opposition to the law was the result of economic interest, which is to say the desire of owners and managers to

acquire a higher percentage of the national wealth. Their motivation, in other words, was much the same as that of the street thug who shoots someone to steal his or her money. But there are two differences. No street thugs kill anywhere near the number of people killed by even one major automobile manufacturer. And street thugs typically begin with only a small fraction of their equitable share of social wealth, while CEOs typically begin with many, many times their share. Again, legal definitions of crime operate to perpetuate that inequity, and they lead people to think of that inequity as fair, rather than the result of theft and murder.

Beyond this, a great deal of corporate crime is subjected to civil prosecution only. This gives wealthy individuals and corporations an enormous advantage, for they have the resources to pursue civil actions against others or fight civil actions taken against them. This is untrue of the great majority of the population—those people who receive less than an equitable share of social goods. These individuals are rarely in a position to pursue litigation, no matter what has happened to them. In effect, the possibility of refusing consent through legal action is denied to them. This is still more obviously the case when their opponents are fabulously wealthy.

As this indicates, there is a broad bias in the procedural structure of the law. The prosecution of criminal law allows considerable advantages to the wealthy. The more money a defendant has, the more he or she is able to procure the most effective legal defense team. Conversely, the less money one has, the more likely it is that one will receive marginal or even incompetent counsel (for some shocking cases in death penalty trials—cases where poor people have been sentenced to death largely because of the stupidity and indifference of their lawyers—see Shapiro 1997). The entire structure of legal proceedings is organized in such a way as to maximize the advantages of the opulent minority. One can see this quite clearly by contrasting a system in which, for example, all criminal cases are handled by state prosecutors and public defense attorneys.

These discrepancies are only multiplied in civil law, especially when the conflict is between the wealthy and poor. Indeed, for the very poor, the only options for civil litigation against corporate malfeasance are, most often, via legal aid services, primarily through class action suits. It is almost always impossible for a poor worker to pursue an employer on his or her own. By joining other workers in the same situation, however, with the case pursued by legal aid services, such a worker can at least hope for a fair

judgment—though even here he or she remains at a considerable disadvantage. This is why the extremely right-wing 104th Congress sought “reform” in this area. By outlawing the pursuit of class action suits by federally funded legal aid services—even when those suits do not use any federal funds (see *A Promising Victory* 1997, A16)—Congress undermined one of the few means by which the poor in this country could hope to achieve some sort of legal equality with the rich.

Moreover, everyone is aware of these constraints, at least in general terms. On the one hand, the legal system is a vast mystery for most people. Many do not understand laws, legal proceedings, or the court structure—not because people lack intelligence but because there is virtually no context in which they might learn any of these things. Nonetheless, one thing they do know is that any sort of legal action is likely to cost them large sums of money; that an action against a corporation or any member of the opulent minority is likely to be defeated by the latter’s far more extensive resources—resources for hiring lawyers, researchers, favorable “expert” testimony, and so on. In short, for the miserable many, any attempt to pursue one’s legal rights is at best a gamble: whatever the merits of one’s case, one is likely to lose a great deal, both materially and emotionally, and gain nothing. The consensual effects of this are too obvious to require elaboration.

A further area of coercive possibility in law derives from the inevitable intervention of human judgment in legal processes. Laws do not operate autonomously; they are mediated by judges, juries, and police. Consider, for example, the enormous discrepancies in the sentencing of whites and blacks for comparable crimes. According to the *New York Times*, “A study by the New York Division of Criminal Justice Services . . . finds that members of minority groups are substantially more likely than whites to be jailed—even when they commit the same crimes and have similar criminal histories.” In New York State, this leads to the incarceration of more than 4,000 “African-Americans and Latinos . . . for crimes and circumstances that do not lead to jail terms for whites” (Unequal 1996, A14; Clifford Levy [1996] indicates that the figure is about 4,300—roughly a dozen people every day who would not go to prison if they were white). Earlier studies found much the same pattern in other states (see Nickerson, Mayo, and Smith 1986, 260). These discrepancies are worsened by the fact that blacks are far more likely to be arrested for any given crime than are whites (see *ibid.*, 261). For



instance, J. W. Mason (1996) points out that “blacks . . . are arrested . . . at far greater rates than whites for drug crimes.” And yet, “according to the U.S. Substance Abuse and Mental Health Services Administration, whites are in fact slightly more likely to be drug users” (36).

This is bad enough on its own. But it has further ramifications. These sorts of discrepancies not only foster fear, and thus consent; they contribute to political disenfranchisement as well. According to an editorial in the *Nation*, “Nearly 1.5 million black men—one in seven—are currently denied the right to vote because they are in prison, on probation or parole or have been convicted of a felony” (One in Seven 1997).

Finally, there are the police themselves. Even the most benevolent officials charged with law enforcement operate to intimidate the general populace, and thus to discourage any sort of behavior that might draw police attention. The situation is only worse when the officials appear to feel little constraint in the use of violence. Some commentators viewed the partial conviction of officers in the second Rodney King trial as indicating that there are significant, operative constraints on police violence. But, in fact, the Rodney King case reveals precisely the opposite. The partial convictions came about only because the brutality was caught on camera and because there was public outrage after the initial trial, leading to a second one. The Rodney King case made it perfectly clear, especially to African American men, that the constraints on police violence are weak. The case graphically told them: Physical brutalization is all you can expect from the police. Nobody will help you, and nobody will criticize the police, unless you have the good fortune to have every detail of the brutality recorded on videotape.

The Amadou Diallo case made the threat still more extreme and paralyzing. Worse still, the case was not some anomaly. “The police are using deadly force more and more frequently these days—and getting away with it,” observes Salim Muwakkil (1997, 16). Amnesty International’s “Police Brutality and Excessive Force in the New York City Police Department” clearly supports Muwakkil’s view. This report points out that there were more than 2,000 charges of police brutality in New York in 1994. Moreover, there was a death in police custody roughly every other week. Indeed, “Amnesty International concluded that excessive use of force has probably led to many more deaths in police custody than the New York Police Department is willing to acknowledge” (Muwakkil 1997, 18). Amnesty issued similar reports on Chicago, Washington, D.C., and Los Angeles police. In

1999 news releases, Amnesty added to these criticisms, stating that “unjustified police shootings, excessive use of force, misuse of police dogs and harassment, continue across the country with alarming regularity” (1999b), and “in U.S. prisons and jails, physical and sexual abuse are endemic. . . . Inquiries into police brutality . . . show a pattern of systemic abuses” (1999a, 2).

The situation is only worsened by the increasing development of “paramilitary policing.” Christian Parenti (1999) recounts the following scene: “Three squads of ten . . . officers in combat boots, black jumpsuits, military helmets and bulletproof vests lock and load their Heckler and Koch MP–54 submachine guns (the same weapons used by the elite Navy SEALs) and fan out through the neighborhood.” He explains that the troops busy themselves “swooping down on corners and forcing pedestrians to the ground, searching them, running warrant checks, taking photos and entering all the new ‘intelligence’ into a state database.” As it turns out, “All the suspects are black, all the cops are white.” This is not apartheid South Africa but Fresno, California. Fresno is not unique. The United States “has more than 30,000 such heavily armed, militarily trained police units” (16).

Note that this sort of threat probably does not discourage people from murder or theft; indeed, as Joseph Dillon Davey (1998, 105–9) and others have discussed, even recent extensions of systematic judicial punishments, such as increased imprisonment, have only slight effects on crime. Rather, such a threat discourages people—especially minorities, who are the most common victims of this abuse (see Amnesty International 1996a, 1999b, 1996b)—from doing anything that might make them stand out, that might lead to an encounter with the police, and thus to the sorts of situation in which brutality and deadly force might be used. It leads, in short, to consent.

#### OFFICIAL INTIMIDATION, TERRORISM, AND OPPRESSIVE CORRUPTION

Of course, policing and legal procedures are not the only means of systematic coercion in capitalist democracies. Governments have a wide range of powers of intimidation that they can and do employ in special circumstances. There were some striking cases of this during the assault on Iraq by the United States. For example, before the war began, the U.S. government engaged in a systematic campaign to intimidate reporters into leav-

ing Baghdad. As Alexander Cockburn (1992) reported in the *Nation*, the U.S. press corps received “daily briefings from Joe Wilson, the U.S. charge d’affaires, telling them that if they stayed they would end up as ‘ground round in a hole in the ground.’ In the end Wilson chartered a plane and urged all Americans to leave.”

The war itself had a powerful coercive effect on nonaligned Third World countries. The massive U.S. firepower, the brutal display of military superiority, was partly designed to be intimidating. As Middle East Watch observed in *Needless Deaths in the Gulf War*, the U.S. bombardment resulted in “the destruction of Iraq’s electrical system, communications facilities, factories, railroads, waterways, bridges, and highways—in fact, the entire infrastructure,” leading to “a public health catastrophe” that was “near apocalyptic” (summarized and quoted in Draper 1992). This is a frightening example for any Third World country that might defy the United States.

Returning to the home population, the most evident forms of coercion are often aimed at noncitizens. During the Gulf War, many European countries detained and/or deported resident Arabs (see Neier 1991, 295; and Lowe 1991, 14). In addition, many Arabs were listed as security threats—roughly 10,000 in Germany and Spain alone—often with “their names . . . on computer files across Europe, with state security forces closely cooperating” (Lowe 1991). In Germany, in a xenophobic action reminiscent of Nazism, “doctors, lawyers and public officials [were] required to hand over to the government all information they [held] on immigrants” (*ibid.*).

Ethnic minorities are also regularly subjected to direct and indirect government intimidation. During the Gulf crisis, the FBI visited hundreds of Arab Americans, in part to ask if they had information about terrorists. As Beth Stephens (1991) wrote at the time, “Questions have been as specific as to ask about the person’s views on Bush’s policy and on Israel, as well as for information about the individual’s political activities.” As a result, members of “the Arab-American community . . . are afraid to attend community events and are terrified of voicing any opposition to the war in the Gulf.” Furthermore, during a state of national emergency, such as that declared by George Bush on 2 August 1990, the president has “the power to order ‘the relocation of large numbers of people’ ” (Kraft 1991, 11), thereby potentially allowing the U.S. government to imprison Arab Americans much as it did Japanese Americans during the Second World War.

According to “Harper’s Index,” roughly one-quarter of the U.S. popu-

lace thought antiwar demonstrations should be banned. On the basis of this antilibertarian fervor, a wide range of more local measures were enacted or advocated during the Gulf War, measures that further illuminate the place of coercion and threat in capitalist democracies. For example, in January 1991, “the district attorney for Suffolk County, which includes Boston, called for bail restrictions on anti-war civil disobedience arrestees to prohibit them from ‘participating in this kind of activity in the future’ ” (Demeter 1991, 3). And “the Boston suburb of Medford—site of Tufts University and anti-war actions,” passed “a resolution . . . that encouraged Congress to withdraw federal educational loans and housing subsidies from those arrested ‘protesting’ ” (ibid.). Such calls and resolutions can have effects even when they do not result in enforceable legislation.

It is important to stress, however, that while actions during periods of military conflict provide particularly clear instances of official intimidation (that is, intimidation by some government force or agency), this is by no means confined to such circumstances. Practices ranging from FBI disruption of black organizations (through forged documents, infiltration, etc.; see, for example, Blackstock 1975, chapters 3–5) to the routine police harassment of African Americans walking in upper-class, white neighborhoods would fall under this category. Consider the case of Richard Hill. Driving to a doctor’s office in Beverly Hills, he was stopped by two white police officers with their guns drawn and then injured by one of them. Or Patrick Earchy, another black man, “who describes himself as humiliated and terrified by his numerous encounters with the police” in Beverly Hills. He works at a church in the area, and has been stopped and searched eight times in a three-year period—once at gunpoint, another time when handcuffed. The examples could be multiplied (Noble 1996, A14). Their intimidating function hardly requires elaboration.

In addition to legal constraint and official intimidation, there are various forms of popular terrorism that function to the same end. Again, the period of the Gulf War presents numerous illustrations. During the war, there were “arson attacks on mosques in four British towns” and “in northern England, a school bus carrying Yemenis was stoned”; there were also “shootings and attacks on homes” (Lowe 1991). In the United States, “an American-Arab Anti-Discrimination Committee . . . found nearly 100 criminal acts against Arabs . . . including a bomb found in a San Diego mosque and an Arab restaurant burned down in Detroit” (Naureckas 1991,

8). "In Toledo, an Arab-American businessman was beaten by a white supremacist mob. In Kansas City, a gunman fired at a Palestinian family riding in a car. After appearing on a Pennsylvania television program, an Arab-American received seven death threats. . . . Columbia University Professor Edward Said and other Arab-American activists were threatened with assassination" (Kaidy 1991, 18). The list could be extended (see, for example, Novick 1991).

Terroristic intimidation, too, is not confined to wartime situations. Hate crimes against nonwhites have much the same function—sometimes explicitly articulated, as in the case of organized hate groups such as the Ku Klux Klan. Rape and spousal abuse can have a similar function as well. Though they may seem to be purely private or personal matters, they are not. Whatever the motives behind these crimes, they function to intimidate women, to foster conformity, timidity, and so forth. Katha Pollitt (1995) has noted that "fear of rape and attack . . . plays a part in keeping women from claiming public space as their own. We are brought up to be wary."

Antigay terrorism provides a particularly good illustration. Eric Heinze (1995) reports that "in the United States, lesbians and gay men are now considered to be more subject to violent attacks than any other minority group" (7). Twenty percent of gay men and 10 percent of lesbians have been "punched, hit, or kicked"; higher percentages have had things thrown at them, been spat on, and so on (*ibid.*). But this is far from the worst of it. "Gay-bashing" incidents are often gruesome, sometimes leading to murder and even severe mutilation of the corpse (*ibid.*). Heinze quotes Richard Mohr, explaining this terrorism: it "has the same social origin and function as lynching of blacks—to keep a whole stigmatized group in line" (7 n. 33).

For such acts of terrorism to have the systematic effect of encouraging conformity, there usually must be some degree of state complicity and/or other structural support (for example, financing from members of a dominant economic group). Such complicity and support are most clear in countries such as El Salvador in the 1970s and 1980s when the terrorist death squads were closely linked with the military, police, and government, sharing much of the same personnel and, ultimately, command structure (see, for instance, Armstrong and Shenk 1982, 77, 86, 101).

This same sort of complicity could be found in the United States during the Gulf War. For example, as Jim Naureckas (1991) pointed out, the main-

stream media's "coverage of the 'terrorist threat' sometimes hit the higher frequencies of hysteria," but crimes against Arabs and Arab Americans "were not treated as terrorism" (8). Indeed, these acts of popular terrorism were quite consistent with governmental policies of intimidating harassment and the implicit threat of mass incarceration. More generally, the U.S. government has repeatedly characterized Arabs and Arab Americans as terrorists. Beth Stephens (1991) reported that "the FBI annually conducted an average of 3,000 'international terrorism' investigations during a six-year period in the 1980s. A large percentage of these targeted Arab-Americans. In some, the only basis for the investigation was a connection to a mosque or Arab-American organization." Mainstream media, moreover, came close to condoning acts of anti-Arab terrorism at the time of the war. To cite one case, in an interview with FBI chief William Sessions (16 January 1991), Dan Rather quite rightly expressed concerns over possible terrorist threats against U.S. citizens "of Jewish heritage." He then went on, however, not only to ignore the dozens of real terrorist actions against Arab Americans but also to imply that the rough treatment of Arab Americans may in fact be justified, asking the clearly racist question, "What should our attitude toward Americans of Arab heritage be?" (quoted in Naureckas 1991, 8).

Terrorism was directed at non-Arab peace activists, too. As Don Ogden (1991) wrote, "Prior to a Jan. 15 peace rally, the Springfield Anti-War Coalition was reported to have received a phone call warning that they would be met with baseball bats. Before the Jan. 26 demonstration, the same group was told their busses would be blown up." Threats of violence were not uncommon—as those of us who protested the war are well aware. Moreover, actual attacks were not unknown. These at times received legal sanction, as when a jury in New Mexico decided that certain sorts of comments on the use or abuse of minority soldiers in the Gulf War constitute "fighting words" (see Cohen and Lauria 1991, 8). According to this decision, a peace activist who has used some common arguments against the Gulf War may be physically assaulted and have no legal recourse whatsoever—a straightforward case of structural complicity with terrorism.

There are, again, many peacetime examples of the same sort. Complicity between the Ku Klux Klan and local police forces in the South was notorious. For example, David Chalmers (1981) notes that in the 1920s in Oklahoma, "while the police stood by, men were kidnapped from the streets of even the largest cities. . . . Petit juries refused to convict Klans-

men. Victims were afraid to report their whippings to local officials who were often members of the Klan" (52). During the same period, in Arkansas, "Governor Thomas C. McRae was not a Klansman," but he followed a policy of "friendly neutrality" and appointed "a Klansman as his secretary" (57). William Jenkins reports much the same sort of thing in Ohio (see 100–101). Other states could be cited equally.

As for terrorism against gays and lesbians, Heinze (1995) remarks that "such violence routinely goes unpunished or underpunished" (7). He cites one case in which a gay man was beaten to death by a group of teenagers: "The judge imposed no penalty and praised the teenagers' scholastic records" (8, quoting David Greenberg). In another case, a judge gave suspended sentences to a group that had abducted and tortured a gay man; the judge found the perpetrators to be "good boys at heart" (8, quoting Richard Mohr). Moreover, lesbians and gay men in the United States "have been subjected to unprovoked violence by police officers, as well as other forms of police harassment" (8, quoting editors of the *Harvard Law Review*).

The tendency of police to adopt a sort of "noninterference" policy regarding such putatively "personal" or "private" matters as spousal abuse has much the same effect. Again, spousal abuse is an important case of terrorism in this sense. When men physically abuse their wives, this clearly has a consensual function. It not only fosters a subordination of individual wives to their husbands—a crucial part of sex-based hierarchization (or patriarchy)—it facilitates a broader conformity as well. Though its operation is not so obvious as, say, the organized terrorism of the Ku Klux Klan, this sort of private terrorism coerces a wide range of women into conformity with the wishes of men. It batters not only their bodies but their self-esteem, inhibiting their ability to act on their own with a sense of confidence. Like all terrorism, it fosters a general sense of fear that inhibits autonomous action of any type, most obviously including rebellious action. All terrorism encourages fright and passivity, a desire not to change social structures for the better but simply to avoid the brutality of the terrorists—whether these are the Klan or one's own husband.

As just noted, the legal system is broadly complicit with this form of terrorism. This was brought out clearly and poignantly during the O. J. Simpson trial. Simpson repeatedly battered his wife, Nicole, yet Nicole was unable to receive any real police protection. Indeed, the terror induced by spousal violence was painfully evident in the tape of Nicole's appeal to the

police for help, recorded when she dialed 911 one evening, having barricaded herself in a room after Simpson attacked her.

Her case is not at all unique. Although statistics on family violence are not precise, the U.S. Department of Justice (n.d.) estimates that “millions . . . are abused physically by family members and their intimates.” Susan Faludi (1991) points out that every year over 300,000 battered women can find no emergency shelter (xiv). And spousal abuse is not confined to battery but includes murder as well. Of sex-related homicides, “at least one-third of the women were killed by their husbands or boyfriends, and the majority of that group were murdered just after declaring their independence in the most intimate manner—by filing for divorce and leaving home” (xvii), a point which may have a “deterrent effect” on women who are considering such actions. As to legal complicity, one revealing statistic is that “in thirty states, it is still generally legal for husbands to rape their wives” (xiv).

Harassment is continuous with terrorism. The difference is that harassment neither directly prevents the satisfaction of needs nor threatens one’s life or physical well-being. Rather, in the legal definition, it is the creation of a “hostile environment,” the cultivation of a sense of alienation and anxiety that inhibits a person’s general ability to function. This sort of behavior is illegal, though it obviously continues in many areas. According to the American Psychological Association (n.d.), “Sexual harassment is extremely widespread. It touches the lives of 40 to 60 percent of working women, and similar proportions of female students in colleges and universities” (1). It is far from inconsequential. Sexual harassment can “devastate” one’s “psychological health, physical well-being and vocational development” (2).

The obvious cases of this would include insulting or demeaning comments about women, demands for sexual favors, and so forth. But precisely the same effects can be produced by forms of intimidating harassment that are less obviously illegal. For example, it is relatively easy to find some inadequacy in anyone’s work. Constant supervision, disproportionate scrutiny of one’s performance, harsh criticism for even minor errors all create a “hostile working environment.” In addition, they are far more difficult to stop. In situations such as this, the harasser can always claim that he or she simply has “high standards for performance.” The victim often has no way of responding to the harassment, other than complaining that no one else



is subjected to similar scrutiny. But, of course, the harasser can always rely on the circular response that other workers have not been found to require such supervision, as they are more competent. This sort of thing is found all the time in the treatment of women and nonwhites in academia, as when nonwhites' publication records are subjected to a thorough criticism, with every possible flaw investigated, while whites' publication records are hardly given a second thought.

Workplace hostility is not the only way in which intimidating harassment might occur. Consider, for example, the general distrust and scrutiny of blacks in our society. Philomena Essed (1991) notes that "shop personnel pretend they are going about their usual business, but . . . Black customers are put under strict surveillance" (224). I myself experienced a striking case of this when I was in a bookstore with a nonwhite friend. It was an afternoon, and we were the only two people in the store. We were both looking through books in a leisurely manner, but at one point, she was told that she should buy the book she was looking at or leave. My browsing gave rise to no such imperative. This, too, has an intimidating and thus consensual function, for it gives members of the dominated group the sense that they are under constant observation and threat of censure.

#### INFORMAL COERCION: SOCIAL DISDAIN AND FEAR OF NONCONFORMITY

The diffuse danger of critical scrutiny from one's immediate society is less intense than threats from the police or the fear of terrorism, yet in many ways it is more pervasive. Indeed, perhaps the most routine or habitual form of coercion is not a matter of overt violence, or any punitive action, but rather the largely silent disapproval and withdrawal of one's peers. Aristotle (1984) contended that humans are social animals, so much so that "no one would choose to possess all good things on condition of being alone" (1169b). As such, the broad denial of respect, love, and basic sociability, and its replacement by snubs, hard stares, or general indifference, is almost as painful to us as battery. Reinhold Zippelius (1986) has argued that such denial is continuous with current criminal law, aspects of which appear to have developed out of systematic social "shunning," ostracism, and related practices. Its effectiveness is unsurprising. As Carol Barner-Barry (1986) explains, "Exclusion from the group is painful in that it deprives an individual of the protective and nurturant functions of the group,

thus exposing that individual to a greater risk of physical or psychological damage” (291).

This social pressure is never a pressure to excel. It is never a pressure to change the social structure—even if such a change would benefit the group in question. Rather, it is always a pressure to conform, to proceed in the normal way, to do what everyone else is doing. John Stuart Mill (1971) described the phenomenon well when he noted that, typically, individuals do not ask themselves, “What do I prefer?” or “What would allow the best and highest in me to have fair play, and enable it to grow and thrive?” Rather, they ask, “What is usually done by persons of my station and pecuniary circumstances?” (309). People “exercise choice only among things commonly done” (310). This is not because of some depravity of spirit. It is, instead, because social opinion has the same sort of consensual force as law. Although less intense, it is almost certainly more constant. As Mill put it, aptly drawing on the parallel with a legal system, in society at large “peculiarity of taste, eccentricity of conduct, are shunned equally with crimes” (310).

The most obvious element of this pressure to conform concerns matters that are generally considered moral—sexual practices, for example. Mill rightly maintained that “to extend the bounds of what may be called moral police, until it encroaches on the most unquestionably legitimate liberty of the individual, is one of the most universal of all human propensities” (332). Compulsory heterosexuality provides a clear instance, particularly appropriate here because it indicates the range of social pressures that bear on conformism. Many gays and lesbians have an entirely legitimate fear of publicly revealing their sexual preference, even in states where discrimination based on sexual preference is officially illegal. Suppose a gay man is living in an area where homosexuality is not criminalized. Nonetheless, he decides to marry and lead a “respectable” life. Why would he do this? Ex hypothesi, it is not a matter of possible legal repercussions. There is, of course, the constant threat of terrorism. That is real and significant. But perhaps more important is the broad range of disabilities that go along with social disapproval. The most extreme case of this is the loss of employment. Even in states that outlaw discrimination based on sexual orientation, it is a simple matter to find reasons for ending someone’s employment, and easier still to find reasons for not hiring someone in the first place. Such antidiscrimination laws are valuable on several fronts. First

of all, they impede discrimination by forcing employers to make a case against the gay or lesbian person in question. Perhaps more crucially, they establish a sort of counternorm to the broad homophobia of society, and thus, create an alternative to that sort of conformity. Nonetheless, they hardly prevent discrimination.

Beyond this, even if one feels secure in one's employment, declaring oneself gay has a wide range of consequences in relation to social disapproval—consequences often slight in themselves, but cumulatively very hurtful. For example, gay men sometimes find people squeamish about touching them, even shaking hands, evidently for fear of some sort of contamination. Witness the bizarre incident at the White House where secret service agents wore rubber gloves to greet a delegation of gay elected officials (White House 1995, A26; and Rich 1995, 15). Or they may find themselves excluded from social events—not necessarily out of animosity but out of a sort of awkwardness about inviting “normal” male/female couples and one gay couple. The list could be extended, but the point should be clear.

Of course, the pressure to conform is hardly confined to moral issues. Even in the case of homosexuality, the primary impetus behind social disapproval seems to be more visceral than ethical—a matter of the disapprover's own repressed homosexual impulses, as a recent study has indicated (“individuals who score in the homophobic range and admit negative affect toward homosexuality demonstrate significant sexual arousal to male homosexual erotic stimuli” [Adams, Wright, and Lohr 1996, 443]). The social disabilities just mentioned can affect any persons whose nonconformist actions—sexual, political, or whatever—could be considered controversial. Any sort of unusual behavior, including visibly nonconformist political behavior, can be deleterious to one's career. Individuals engaging in such behavior can find themselves uninvited to social events and so on. I am not referring only to militant revolutionism. The point holds for simple, local acts of ordinary humanity insofar as these break with common practices, and thus operate to challenge those practices. I know from my own experience that the merest suggestion that a tenure committee is treating a nonwhite candidate prejudicially will produce broad social disdain verging on ostracism—all the more so if the suggestion is well-founded. In other words, suppose a tenure committee is indeed subjecting a nonwhite candidate to unusual scrutiny and criticism. Any mention of

this fact—including the most mild, unofficial suggestion—will be met by an almost universal insistence that the tenure committee has been subjected to a Stalinist attack of unspeakable cruelty and that the perpetrator of this heinous crime should be duly punished, by official censure, if possible, or at least by ostracism.

The threat of social disapproval can extend to many more trivial matters as well. One's coworkers may be highly judgmental about whether one buys a house; what part of the city one lives in; whether one goes to church, and where; what books one teaches in a particular course (Are there "too many" women on the list? Is it "too noncanonical"? etc.); where one eats lunch; and so on.

Here, one might reasonably wonder what gives rise to this particular form of coercion. Jones conforms because, otherwise, he or she will be excluded from the comforts of human society. But why are Jones's colleagues and neighbors so insistent on conformity? There are two obvious reasons. The first is that nonconformism implies a sort of threat to the social habits of other members of the group. This is true in an obvious way if the nonconformist behavior directly challenges the morality or rationality of the conformist behavior. For example, if someone indicates that a group is treating minorities in a discriminatory manner, that is a direct challenge to the moral legitimacy of the general group behavior. But even in other cases, this is a potential risk. If Jones teaches many noncanonical authors in a literature course, this is not necessarily a moral challenge to his or her colleagues (perhaps the noncanonical authors are white men). But Jones's act nonetheless establishes a competing paradigm for the course in question. It sets up an alternative that students or future faculty may find preferable.

One could think of the problem this way. Each of us develops what might be called a "practical identity." This is one's internalized set of habits, routines, expectations, and so forth. It is what allows one to move through daily activities with ease, to coordinate one's actions unreflectively with the actions of others. This involves everything from such explicitly formalized matters as driving (where we can drive, what signals to make and look for, how to interpret signs, etc.) to such implicit matters as what sorts of sentiments one can express with friends (for instance, when it is appropriate to sign a letter "Love," "Affectionately," or whatever), what sorts of vocabulary one can use in what contexts (classrooms, dinner parties, pro-

fessional meetings), and so on. Almost the entirety of our daily lives is built up on this set of unreflective expectations and practices, for which some degree of broad social conformity is clearly necessary. Individual nonconformism is almost invariably perceived as a threat to that practical identity.

Indeed, it very often is a threat. Homosexuality, antiracism, even innovation in teaching can make aspects of one's practical identity problematic or unworkable. Such nonconformism may even indicate that aspects of that identity are deeply inconsistent with one's own moral ideals or self-interests—and hence, that one's daily life and the broader structures in which it unfolds have been seriously misguided, dishonest, or simply unnecessary, pointless. In *A Proper Marriage*, Doris Lessing (1964) illustrates this powerfully in the person of Mrs. Knowell, an older woman who opposes the rebellious, antipatriarchal actions of Martha Quest—in particular, Martha's impending abandonment of her husband, Douglas: "Mrs. Knowell lay awake night after night . . . crying steadily. . . . [S]he felt betrayed by Martha. Her own life was made to look null and meaningless because Martha would not submit to what women always had submitted to" (336).

The second reason for social hostility toward nonconformism is simpler. Standard behavior is not salient; it is just the opposite with unusual behavior. What is odd gets noticed, and what is common goes unremarked. If everyone is in a suit, but one person is in a jogging outfit, the jogging outfit seems strange. If everyone is in a jogging outfit, but one person is in a suit, the suit is what stands out. This has two consequences. First of all, in drawing attentional focus, salience draws scrutiny. It is rather obvious that one's flaws are much more likely to be noticed if one is scrutinized than if one "blends in" and is not scrutinized. In part, the social disapproval aimed at nonconformists is simply a matter of recognizing flaws (or apparent flaws) in the nonconformist because he or she has been subjected to particular scrutiny.

One sees this sort of thing regularly in academic evaluations, from tenure cases to book reviews. The novel idea is subjected to a rigorous critique, whereas the accepted idea passes by unquestioned. (There is extensive research indicating this; see Hogan 1993, including the citations.) In a notorious case at the University of Connecticut, a tenure candidate was working in an almost entirely new area and with almost entirely new theories (relative to other members of his department—in fact, the field and

approach were well established in the profession as a whole). He also lived in a different area from his colleagues, had rather different interests, etc. He had a book forthcoming from a major university press, which is ordinarily enough to assure tenure without question. This particular case, however, was scrutinized more strongly, at least in part because the candidate and his work did not “fit in.” Once the scrutiny began, evaluators asked a number of unusual questions, ones that simply did not arise in parallel cases—for example, how much the book overlapped with the candidate’s dissertation. As a consequence, they ordered a copy of the dissertation for comparison. I understand that the book differed significantly from the dissertation, but the important point does not concern the relation between the dissertation and book. Again, that was not a standard question; it was not an issue that arose for candidates who fit in. Rather, the extra scrutiny to which this person was subjected when being considered for tenure and the results of that extra scrutiny are key here.

In addition to scrutiny, saliency tends to draw affect. In a fairly obvious way, people are more likely to feel strongly about someone who is an object of attentional focus than about someone who blends in. This feeling is not invariably negative, yet in the ordinary course of things, negative feelings tend to outweigh positive ones in terms of their practical consequences. For example, one person’s vehement opposition to hiring a particular (unusual) job candidate is likely to overshadow someone else’s enthusiasm for that candidate—at least if there are less controversial candidates. In any context of threat, moreover, the feelings are far more likely to be negative than positive. Finally, the affect associated with attentional focus often involves a psychoneurotic component (specifically, a “transference” [see chapter 3]) that is volatile and can shift easily from positive to negative—which is perhaps even worse than a consistently hostile attitude.

#### ECONOMIC CONTINGENCY

Perhaps the most common reason people conform is not the threat of violence, terror, or ostracism but in Marx’s famous phrase, “the dull compulsion of economic relations” (737). The need for food, housing, and clothing requires us daily to reproduce the relations of production, for they not only stifle but sustain us. First of all, most of us have neither time nor energy to rebel. As Friedrich Schiller put it, in a statement that ap-

plies as much today as it did two centuries ago, "The greater part of humanity is too much harassed and fatigued by the struggle with want to rally itself for a new and sterner struggle" (49). Our lives are stiff with necessary routine, insensible with tense insecurity and isolation, hedged by crowding tasks. Juliet Schor (1991) has shown that the average person in the U.S. labor force works the equivalent of fifty-four forty-hour work weeks in a (fifty-two-week) year (29). In keeping with this, Robert Frank (1999) notes that in "a recent Gallup Poll, 39 percent of respondents reported working more than 45 hours a week, one in eight more than 60" (50). Employed mothers, Schor estimates, average about sixty-five hours of work per week, in and out of the home. She emphasizes that "overwork is . . . rampant among the nation's poorly paid workers" (21). As a result, Schor adds, "A third of the population says that they are rushed to do the things they have to do" and "half the population now says they have too little time for their families" (11). In connection with this, most people in the United States sleep "between 60 and 90 minutes less a night than they should" (11). This is not only a symptom of overwork but a cause of further problems as "chronic sleep deprivation contributes to many serious illnesses" (Frank 1999, 51). In addition, "stress-related diseases have exploded" and are most severe among those in low-level assembly line jobs (Schor 1991, 11).

Indeed, on the whole, the less privileged members of society have the worst health and worst health care. For example, in a U.S. Bureau of the Census study from 1984, there was (unsurprisingly) an inverse correlation between income and time without health insurance; people in the bottom quintile were more than five times as likely to lack medical insurance as people in the top quintile. More important, less than 2 percent of those in the top 40 percent of income reported having poor health; in contrast, over 20 percent of those in the lowest 10 percent reported having poor health (see U.S. Bureau of the Census 1992, 39; see also U.S. Bureau of the Census 1991, 165, 168). A decade and a half later, the situation is the same or worse. According to a 1998 study from the Center for Disease Control, "Low income adult men were seven times as likely to be uninsured as high-income men and low income women eight times as likely as their high-income counterparts to be uninsured." Moreover, "For almost all health indicators considered, each increase" in income "increased the likelihood of being in

good health. This relationship between socioeconomic status and health was observed for every race and ethnic group examined" (Socioeconomic Status 1998; on health insurance, see also Guyer and Mann 1999).

These conditions make it quite difficult to begin or sustain any sort of resistance. Consider the simple economics of a strike. In the late nineteenth century, Peter Kropotkin explained the repeated failure of worker revolt by noting that "the 'average working' person existing from one pay-packet to the next, had 'no reserve funds upon which to live.'" In consequence, "within a few weeks of 'economic disturbance,' hunger and want became a mighty force that inevitably led to compromise with capital and state. Within a very short time the workers . . . will be 'compelled to submit to any conditions'" (quoted in Purchase 1996, 158). One might imagine that this situation is different now than when Kropotkin was writing, and in some ways it is. But the crucial limitation of workers' resources remains the same. Indeed, the problem is hardly confined to laborers. It is part of a broader economic insecurity. As Robert Frank (1999) observes, "Half of respondents in one national survey reported life savings of less than \$3,000." Forty percent would find it difficult to deal with an unexpected expense of \$1,000 (96). It is not only blue-collar workers who are "existing from one pay-packet to the next" and thus have reason to fear any disruption in ordinary economic processes.

Even if people do have the energy, health, time, and short-term resources needed to rebel, they risk sacrificing the long-term benefits they currently have, however limited. If this point needs to be documented, some striking cases are reported by Susan Faludi (1991) in *Backlash*: "At NBC, two female producers who had played key roles in a sex discrimination suit against the network were forced out and replaced by inexperienced young white men—at the same salary. At the *New York Times*, all the named plaintiffs in [a] sex discrimination suit suffered major career setbacks, and most had to leave the paper" (375). The situation is, of course, the same in the blue-collar world. A particularly horrifying instance is that of American Cyanamid, which forbade women from working in a higher-paying department unless they were surgically sterilized. Several employees brought suit. OSHA ruled against the company. But, as Faludi reports, "The women who participated in the suit would be among the first laid off in the '80s. And when they went looking for work elsewhere, they found that their reputations as troublemakers had preceded them" (449). As a result of such practices,



which became more widespread in the 1980s, Faludi asserts that “women became increasingly reluctant to fight discrimination collectively” (375). Much the same could be said for other groups. The Program of the Labor Party (n.d.), “A Call for Economic Justice,” states that “today, nearly 1 out of 10 workers involved in union organizing drives is illegally fired” (5). Sometimes the punishment is not individual but collective. For example, Annette Fuentes (1997) notes that “more than 50 percent of employers threatened to stop operations” when there was a drive to unionize workers. Worse still, “when unions won their elections,” “companies shut their doors” at “three times” the average rate (6). In other words, when a group of workers simply decides to unionize, they triple the likelihood that their company will close, leaving them unemployed.

To a great extent, the conditions that make U.S. society undesirable—overwork, excessive stress, economic insecurity—are the same ones that render rebellion dangerous, and therefore unlikely. Consider, for example, job insecurity and the problem of unemployment. The mere fact of unemployment is a constant threat to and source of stress for workers, for it is a reminder that one might lose one’s job at any time. A 1995 survey found that 46 percent of workers were “frequently worried about being laid off” (Frank 1999, 52). This is true not only because the unemployment of others stands as a sort of testimony to the fact that employment is insecure; more important, unemployed and underemployed workers provide a “surplus labor pool,” as many writers have remarked. Should any individual worker prove difficult, there will always be another worker, nearly desperate from unemployment and anxious to take the first worker’s place. This implicit threat not only inhibits worker activism; it also operates to reduce wages, benefits, and more, and for the same reason. The larger the pool of surplus labor, the less leverage workers have in any conflict with owners over wages, benefits, safety, or whatever.

Part of the purpose of the recent welfare “reform” is directly in keeping with this. The release of a large number of people from welfare operates to benefit business and harm workers. This is especially clear when one recalls that this alleged reform was initially handled through the institution of subminimum wage jobs and the exclusion of “workfare” participants from labor rights, such as unionization and standard labor laws (see, for example, Workfare Rights 1997, 10). Unsurprisingly, a study by the Center on Budget and Policy Priorities (n.d.) showed that as a result of welfare

reform, “poor families became poorer.” The “weakening of safety net programs” led to this “increase in the depth of poverty for the average poor family.” The intimidating consequences for the labor force as a whole hardly require elaboration.

Another recent development that exacerbates insecurity is the widespread increase in positions that are neither permanent nor full-time. College and university teachers are familiar with the loss of tenure-track positions and the dramatic rise in part-time instructorships over the past decade or so. It is in the nature of such instructorships that they lack security extending beyond a single semester or, at best, nine-month academic year. This situation promotes conformism in obvious ways. While a permanent employee must not be so offensive as to provoke dismissal, a temporary employee must be so inoffensive that he or she will actually be rehired after the term his or her contract expires.

Higher education is not by any means unique in this reduction of permanent employees. Molly Ivins (1999) cites a recent AFL-CIO study showing that “thirty percent of workers are in contingent jobs—part-time, temporary, on-call or contract work.” Moreover, “Forty percent of the young employees say it is all they can get.”

#### IMPOSED DEPENDENCY AND MYSTIFICATION

The final sort of negative self-interest I would like to isolate is perhaps not properly referred to as a form of coercion at all. It is not so much a fear of any particular outcome, as a sort of generalized fear or paralysis of will arising from dependency. Put in the simplest terms, people often do not pursue even their own most elementary rights, at least in part, because they do not have the knowledge or skills to do so, but are dependent, or feel so, on particular people or a particular job.

Until quite recently, this was most obviously a problem for middle-class women. Even when abused by her husband, a woman might well hesitate to leave him, especially if she had little education and experience in the labor force, and had been a wife and mother for many years. Such a woman would hardly even know where to begin if she wished to seek economic independence. Fortunately, this is much less true than it was, say, thirty years ago.

In some ways more important than such confusion and uncertainty about employment is confusion and uncertainty about the legal system. As

already noted, the law is frightening enough on its own, threatening enough, coercive enough. But it is all the more intimidating insofar as it is incomprehensible. An abused spouse may be less constrained by ignorance of the job market than by ignorance of the law—uncertainty as to even how to proceed with legal action. The same holds true for a wide range of workers as well.

This is a pervasive and serious problem. The law is involved with all aspects of coercion: not only with police matters but with intimidation, as well as aspects of terrorism. Moreover, it is crucial to the operation of economic insecurity—for procedures of dismissal and hiring, negotiation over wages, health benefits, and so forth, are at least in part governed by law. Ignorance of the law prevents people from using those aspects of the law that do in fact aid the miserable. The law is, after all, a sort of patchwork, made up over many years by people from different backgrounds, in different circumstances, with different interests. Its broad structure clearly operates to preserve economic stratification. Despite this, there are many specific elements of law that genuinely protect human rights outside of or even in opposition to that stratification.

Not understanding the law has the effect of fostering a sort of hyper-conformism. When uncertain about what sort of behavior can or will be punished, many people will behave in the most cautious way possible. Put simply, when one is faced with an entity that is threatening, and unpredictable, one is likely to do everything in one's power to just stay out of its way.

Finally, while law is a particularly important case, this is true more generally. Ignorance of the principles governing intimidation or terrorism—their nature, origin, and function—makes these forms of coercion all the more threatening and effective. Like ignorance of the law, ignorance of the political economy of coercion tends to foster hyper-conformism, a severe conservatism or overcaution induced by a deep, but vague fear of powerful forces that one does not understand.

This is what marxists have traditionally called “mystification.” And it is a crucial, coercive (or perhaps “metacoercive”) element in fostering consent as well. The point is not unknown in empirical social science. Lee Ross and Richard Nisbett (1991) ask, “How does one respond when ‘nothing seems to make sense,’ when one’s own understanding of the actions and outcomes unfolding around one obviously is limited or deficient?” Basing their analysis on experimental studies, they suggest that “few people . . .

would respond by acting decisively or asserting independence. Rather, they would become uncharacteristically indecisive, unwilling and unable to challenge authority or disavow role expectations, and highly dependent on those who calmly and confidently issue orders" (58).

#### NEED, DESIRE, AND DEMAND

But again, rational or "calculated" acquiescence is not solely a matter of coercion or negative self-interest. It involves positive elements, too. Any given society systemically defines a set of possible desires and achievements for its members or classes of its members. Thus, in an advanced capitalist economy, certain things are possible for working-class people, such as the acquisition of material objects (televisions, VCRs, etc.). Other things are not possible, such as economic security. One's short-term interests necessarily urge one to pursue the possibilities inherent in the current system, not those outside the system.

In order to discuss the nature of these interests and possibilities, some terminological distinctions should be drawn. The influential French psychoanalyst Jacques Lacan distinguished three types of human goals: "need," "desire," and "demand." I will be borrowing these terms from Lacan, though I will be assigning them somewhat different meanings. By "needs," I mean goods, services, living conditions, and so on, the absence of which has a systematically and continuously deleterious effect on the physical or emotional health of people thus deprived. Simple cases of needs in this sense would include, say, vitamin C—the absence of which systematically degrades the health of the body. But needs here also include a variety of nonconflictual social interrelations, a basic sense of respect from one's immediate community, an engagement in productive work, and so forth—for the absence of these systematically degrades one's emotional health. Put differently, one does not "adapt" or "get used" to need deprivation; nonsatisfaction of a need continues to have deleterious effects on one's health.

By "desires" or "objects of desire," I mean goods, services, conditions, and the like, the acquisition of which will, one imagines, bring one pleasure (or relief from unpleasure), but which have no necessary, particular role in emotional or physical health. "True desires" refers to those desires aimed at objects that will in fact produce pleasure; "false desires" are those aimed at objects that will not produce pleasure.

By “demands,” I mean simply anything one sets out to acquire or achieve, independent of whether one genuinely needs or desires it. Note that demands may be aimed at objects of need, true objects of desire, false objects of desire—or objects for which one does not feel any particular motivational impulse. There are objects of need and desire that one demands, objects of need and desire that one does not demand, and objects of demand that one does not need or desire (even falsely).

Though largely universal themselves, being based on human biology and psychology, needs and true desires are not satisfied in an abstract, universally identical manner. Rather, they are organized into a structure of demands and constraints on the satisfaction of demands. This is true both absolutely and relatively. Consider physical needs. “Absolutely,” within any given society, only certain sorts of housing, food, or clothing are available. The society produces these and not others. Every society has its technologies and physical conditions that determine what can and cannot be done, as well as rules and practices that determine what is allowed and disallowed (for instance, laws that constrain building, or that regulate the growing and selling of agricultural products). “Relatively,” not all forms of housing, and so on, are equally available within a given society. Most obviously, they are differentially accessible according to one’s economic status. Hence, some people can afford any available housing; others can afford only the least expensive, least satisfactory housing; others cannot afford any housing whatsoever.

This is also true of nonphysical needs and desires. Clearly, the need for productive work can be pursued only within the options available to individuals in any society—those available to the society as a whole, and those available to members of society in one’s own particular social position. Similarly, the human need for companionship is channeled into particular means of meeting others and particular modes of socializing with them. For example, in U.S. society, one interacts with a potential spouse in very specific ways—through particular sorts of activities, with particular conventions.

There are, again, universal elements to all of this. But the cultural particulars are most crucial for understanding social consent. Specifically, this socially definite channeling of need serves, among other things, to identify needs with their particular modes of pursuit and satisfaction in society—the “system-internal” modes of pursuit and satisfaction, as might be said.

In this way, such channeling serves to foster consent. The need for a thorough relationship with another human life, a relationship that allows one to feel and communicate security and affection, is plainly a much more general need than its instantiation in, say, middle-class American marriage. The need to pursue such a relationship is clearly open to far more various expressions and developments than U.S. dating practices. The need for productive labor is not confined to the options available within the economic system in the United States. But in each case, the more abstract need is regularly identified with its concrete manifestation in this specific society.

The important consequence of this is that one comes implicitly to identify one's need not as a need for a particular sort of relationship but as a need for marriage as it is understood and structured in this society; not as a need for rewarding and productive labor but as a need for a particular sort of job in the current social organization. (Here and below, precisely the same principles apply to desire; they, too, are socially specified and tacitly reduced to such specifications, with the same consensual consequences.)

This does not mean that people are satisfied with the current situation. Within a highly stratified society, few people are likely to feel that their needs are genuinely met. The identification of needs with system-internal options for fulfilling those needs, however, serves to channel that dissatisfaction to system-internal alternatives or ideals as well. So, dissatisfaction with one's marriage is not directed at problems with the structure of marriage in U.S. society. Rather, it is particularized, seen as a problem with the specific marriage—not insofar as it *does* conform to the pattern of marriage practices in the United States but as it does *not* conform to that pattern. My point is not, of course, that marriage problems are never particular or a matter of deviation from an American ideal; it is that all those problems that arise from the structure and operation of American marriage—which may account for the majority of marriage difficulties in the United States today—are precisely the problems that are, most often, ignored.

Consider, for example, the stereotypical husband whose wife has stayed home raising the children for the past decade. He grows dissatisfied as he begins to feel that they no longer have anything in common. He views her as dull in comparison with his female colleagues at work. But when she returns to work, he continues to be dissatisfied, now because she is no longer home to take care of all the housework, cooking, and so on. He

finds that she wants him to take on some of the work at home, even though he already feels overburdened from his own job. (Obviously, she has the same feeling; his resentment may be understandable, but it is not justifiable.) If his dissatisfaction becomes acute enough, he may decide that this particular marriage is wrong, that he would be better off with a different spouse. But it seems much more likely that the problem is with the structure of American marriage itself—or rather, the structure of American marriage as it is located in the larger network of structures in American society.

The same is true of work. Sometimes one's sense of alienation at work is the result of a particular job. Often, though, it is the result of the structure of and options for work in U.S. society. Insofar as needs tend to be identified with actual social options for satisfying those needs, people fail to recognize that dissatisfaction may result from the limited nature of those options. Insofar as problems with marriage or work in the United States are conceived of as solvable by pursuing a better (American) marriage or job, people do not consider that the problem may stem from the inadequate social structure available for human interaction or productive labor. Insofar as individuals think and act along these lines, focusing entirely on system-internal options, the pursuit of their own needs will keep them firmly within the bounds of social consent, despite the fact that the pursuit of personal needs should be the greatest force driving individuals to break those bounds of consent.

Beyond this, demands are often steered away from work or love, even within their systemic limits. To a great extent, in an advanced capitalist society such as the United States, different physical and emotional needs and desires are reduced to consumption. As a number of writers have noted, the United States "may be the most consumer-oriented society in history" (Schor 1991, 107), driven by a frenzied cycle of "earn and spend" (128)—or more accurately, "spend and earn," for consumer culture is one of long-term, structured indebtedness (see Calder 1999). Demand is continually structured as demand for commodities. Chris Rasmussen (1999) argues that for consumers faced with "an abundance of products," "pleasure-seeking is channeled in directions that reinforce . . . the capitalist economy" in obvious ways (20).

What is more, it seems that this demand for commodities frequently has no basis whatsoever in need or desire, even false desire. It often appears

to be mere or what might be called “hollow” demand—in some cases, a matter of quantitative accumulation only, a demand for “things,” “lots of goods . . . more goods this year than last year” (Calder 1999, 7). In keeping with this, psychological research indicates that “across-the-board increases in our stocks of material goods,” such as have occurred in the last fifty years, “produce virtually no measurable gains in our psychological or physical well-being” (Frank 1999, 6). Given the hollowness of these demands, what draws people into consumerism—not once only but repeatedly?

Juliet Schor (1991) explains the ordinary person’s acquiescence in the spend and earn cycle as the “result of habit formation and relative status considerations” (128). This seems true, if only partially so. Specifically, tendencies toward imitative conformity, most obviously developed in response to social coercion and threat, are exacerbated by the particular conditions in which need and desire are experienced. Finding themselves dissatisfied, and unable to think of needs outside the structures imposed on those needs by the current social situation, people are likely to view their dissatisfaction as a sort of fearful mystery. They feel unhappy, but don’t know why. Here as elsewhere, this uncomprehended dissatisfaction is most likely to promote extreme caution in the exercise of autonomous judgment. Though confusion and fear may well be consequences of prior conformity, individuals generally react to these feelings by conforming still further. In part, this is because, already feeling vulnerable, people cannot bear the thought of being the object of collective scrutiny, and thus, perhaps the object of collective hurt. But it is also because, uncertain as to why they are unhappy to begin with, confused as to the causes of their dissatisfaction, individuals are likely to turn to other people in order to see what they want, on the assumption that what other people want must be what would make those individuals themselves happy as well. This is not, most often, a conscious process of inference, but a more immediate, imitative response. It is, in a sense, a response to a type of mild panic. Individuals may have no genuine desire, even a false one, for a particular sort of car, television, or home. Yet they may pursue these due to a sort of spontaneous imitation of their neighbors, or families on television, who have these things and appear to be happier.

Putting the point another way, it might be said that the inability to imagine system-external goods is part of a broader inability to imagine the



restructuring of society. What the Greeks called *eudaimonia*, “the good life,” is unavailable, not only in practice but, effectively, in conception as well. One might say that the social system does not provide the material basis on which to imagine *eudaimonia* concretely outside the options set out within this society. This not only inhibits dissent. By depriving humans of broader social goals, this social system fosters a sort of active conformism—in, for example, imitative consumption, as just mentioned.

On the other hand, not all evidently frivolous consumption falls into this category. At any given level of economic achievement, in fact, seemingly irrational consumption may be a genuine, if contingent, system-internal need. Specifically, beyond channeling and organizing universal human needs, societies create objects, activities, services, and the like that allow individuals to function within that system. For instance, when I accepted my present job, the only accommodations I could afford were inaccessible by public transportation. I had virtually no choice but to own a car. It became a contingent or system-internal need. In this way, systemic imperatives force people to pursue goals that have little or no intrinsic value for them, but are crucial for their intrasystemic success or even survival. Such needs are systemically created. Moreover, they are systemically created needs that perpetuate the system against people’s larger—extrasystemic—interests.

Finally, once someone has organized his or her life around achieving those goals that a society allows—getting a promotion, owning a house, etc.—and has actually met some of those goals, he or she not only becomes a supporter of the system through unreflective practice but also has reason to desire the continuation of the system more positively and self-consciously (as noted above in connection with hostility toward nonconformism). In any functioning society, not only what is desired but almost everything individuals have actually achieved, have worked toward achieving, or are about to achieve, is defined by the system that is in place. As Friedrich Schiller wrote (1954), “On the very deceptions which the hostile light of knowledge should dissipate, they have based the whole structure of their happiness, and are they to purchase so dearly a truth which begins by depriving them of everything they value?” (49–50). Indeed, people may resist this truth all the more strongly to the degree that it confirms the sense of nagging dissatisfaction they have felt all along, but have been unable to recognize and articulate, and make the basis for action.

#### MICROHIERARCHIZATION AND THE OPPOSITION OF SUBGROUP INTERESTS

A further aspect of self-interest strongly conducive to conformity may be found in the elaboration of the economic structure in which one's achievements and acquisitions are located. Every society hierarchizes its members in such a way as to grant each stratum some degree of relative privilege with respect to system-internal goals. Put simply, in any society, virtually everyone is better off than someone else. Advanced capitalist societies such as the United States rely extensively on this microhierarchization. While the distribution of wealth in this country is grossly imbalanced, those who have had steady employment for some time are better off than those now in entry-level positions, those who have temporary employment are better off than those who are unemployed, those on welfare are better off than those whose benefits have run out, and so on.

This has several consequences. To begin with, in the context of an ideology proclaiming universal social mobility, it offers the prospect of incremental advancement "up the ladder of success." In this way, microhierarchization fosters commitment to the system as a whole, for it offers a prospect of success within the system. The precise nature of this potential success, moreover, is coordinated with the structure of system-internal demands. It is what permits the sorts of satisfaction allowed by the system, such as consumer goods. More important, at every level of success or failure, people realize not only what they might gain but what they might lose; they realize that the system has allowed them something that they could be denied, that they have achieved some systemic goal that they might not have achieved, that they suffer less economic insecurity than they might.

Note that both the positive and negative factors of microhierarchization oppose one's interests to those of one's coworkers. This sort of structure turns everyone into competitors for advancement and threats to one another's security. Microhierarchization encourages, for example, entry-level workers to see one another not as allies against management but as competitors within an insecure system—a tendency often actively fostered by employers.

Perhaps the most common function of microhierarchization is to fragment working people along lines of race and gender, for any type of fragmentation and hierarchization is more effective insofar as it can attach

itself to salient, noncontextual properties, such as race or sex. As such, it is related to the more general process of “interest differentiation”: the cultivation of distinct and contradictory interest groups within an oppressed class. For instance, Todd Gitlin (1995) notes that “many companies” go so far as to “encourage the growth of particularist organizations in the workplace.” He cites “the anti-union Digital Equipment Corporation,” which “cultivates groups of women, blacks, and gays” (226) in a strategy that clearly operates to undermine encompassing worker organizations. Insofar as women at the company are encouraged to see their interests as gender based, blacks are encouraged to view theirs as race based, and so on, workers’ collective sense of class-based interests is likely to be weakened, even when this differentiation is not strictly a matter of microhierarchization.

Of course, interest differentiation operates most effectively—and most pervasively within this economic system—when it does involve microhierarchization. As Etienne Balibar and Immanuel Wallerstein (1991) have stressed, capitalist economy requires flexibility in employment practices. In times of expansion, capitalists need more labor; in periods of contraction, they need less. But it is difficult for employers to hire and fire at will with no repercussions. They risk the rise of a united working class, demanding continuous employment. One solution is to microhierarchize the working class by race and sex, so that members of a dominated group (blacks, women) take up the lowest-level positions in times of economic expansion, but then return to unemployment when the economy contracts. As Wallerstein explains, racism “allows one to expand or contract the numbers available in any particular space-time zone for the lowest paid, least rewarding economic roles, according to current needs” (34). This does not have to be a matter of self-conscious design by employers. The structure might develop in various ways—most obviously as the result of prior racist hierarchization (for example, in the period of slavery, which was certainly self-conscious). But having developed, it “works,” and thus, tends to be stable and independent of any person’s self-conscious intention.

To say that this microhierarchization works is simply to say that insofar as blacks are being laid off, white workers are less likely to see themselves as threatened, and therefore, less likely to offer resistance to employers. Indeed, the benefits to whites over blacks are obvious, and strongly discourage unity between these two groups. Edward Wolff (1996) points out

that the median white family has twenty times the wealth of the median nonwhite family (2). This discrepancy will only increase as long as the median income of blacks is just slightly above half that of non-Hispanic whites (U.S. Bureau of the Census 1998, vii). As for women and men, Susan Faludi (1991) contends that “nearly 75 percent of full-time working women [are] making less than \$20,000 a year, nearly double the male rate”; “the average working woman’s salary still lag[s] as far behind the average man’s as it did twenty years ago”; and “the average female college graduate today earn[s] less than a man with no more than a high school diploma (just as she did in the ’50s)” (xiii; the situation has improved some since Faludi’s research, but the general point still holds [see U.S. Bureau of the Census 1998, 34–37]). In these and related cases, microhierarchization clearly functions to discourage broad solidarity and concerted opposition of the deprived majority against the wealthy minority. In short, it fosters consent.

Though race and sex appear to be the most widely significant and enduring instances of this sort, microhierarchization—with the resultant class fragmentation and conflict—may operate through religious, ethnic, and other divisions as well. Moreover, microhierarchization and class fragmentation are by no means confined to industry. Class fragmentation is, in effect, a form of the divide-and-rule strategy that was employed self-consciously by colonial governments—as illustrated by the British colonial policy of setting Hindus against Muslims in colonial India (see, for example, Sarkar 1973, 14–18, 80), or more recently, by the practice of separating and opposing Zulu, Xhosa, Tswana, and Sotho in apartheid South Africa (see Lapping 1989, 180; for other instances of the same type elsewhere in Africa, see also Rodney 1972, 79–80).

Microhierarchization fragments in other ways, too, as when an employer opposes the interests of different employment groups that would not otherwise be set in conflict with one another (“In the next budget, we have to cut either the secretarial or janitorial staff”), or when fine distinctions within a group are formalized. For example, I was struck recently by the fact that in my department, one of our clerical workers is termed an administrative assistant, one is called a secretary, and two are labeled temporary support staff. Department administrators insist to the administrative assistant that she is more like an administrator than a secretary—

though her salary is, of course, not even close to being in the same range and she has no administrative power; and the administrative assistant also emphatically insists that she is not a secretary. All such strategies of microhierarchization function to divide, tying the systemic successes of individuals to that division. Systemically, it is a success to be a secretary, not temporary support staff, or an administrative assistant, not a secretary.

This leads to the final function of microhierarchization, or rather, the final way in which it operates to fragment groups that should be working in solidarity. Distinctions of title or salary grade are not merely a matter of short-term self-interest. They are also a matter of self-esteem. Unfortunately, it appears that few people's self-esteem rests on the accomplishment of goals or the satisfaction of standards that they have set for themselves. Indeed, it seems that few people's self-esteem is founded on aspiration and accomplishment at all. Rather, to a great extent, people's self-esteem appears to rely on their feeling that they are in a dominant position over someone else, or that some group to which they belong and with which they identify is in a dominant position over another such group. Many studies have shown that given a choice, most people would rather maximize their superiority over others than gain more for everyone, including themselves. As John H. Duckitt (1992) summarizes, "Group members . . . seek maximum relative advantage for the ingroup over the outgroup, even when this interferes with the achievement of maximum absolute outcomes for the subjects" (85). In keeping with this, suppose subjects "are categorized into minimal groups," that is, divided arbitrarily into groups distinguished by name only (such as "A" and "B"). If members of one group "are given the opportunity to discriminate [against members of other groups], they . . . show increased self-esteem" (*ibid.*). More generally, T. A. Willis (1981) has suggested that "downward comparison"—contrasting oneself with those lower in some hierarchy—is extremely important to one's self-image, and that people "can increase their subjective well-being through comparison with a less fortunate other" (245).

This disturbing psychological factor clearly operates to make hierarchies all the more powerfully functional in undermining solidarity, and serves to attach everyone more strongly to the system of stratification. Except for those at the very bottom, it adds yet another system-internal satisfaction, and hence, another motivating force for consent.

## SECONDARY GAINS

Beyond the “primary” interests discussed so far, in certain cases, disprivilege may carry “secondary gains” as well. People learn to adapt to the conditions in which they find themselves. Then they come to rely on the gratifications those conditions present, however meager. Anyone is unjustly deprived if he or she is denied the right to pursue a career—whether through sexism, racism, or poverty. But having been denied that right, one may come to appreciate not having responsibility for one’s condition or future, and all that results from that responsibility or is associated with it (for example, the significantly decreased life expectancy for men, which is roughly 10 percent below that for women [see USA 1998, 48; and Jolly 1999, 138]). Secondary gains are seductive and foster consent. It is hardly surprising that when someone has been denied his or her basic rights, he or she often clings to secondary gains.

More exactly, there are two sorts of benefits that fall under the category of secondary gain. The first is purely negative. It is the benefit of not having to struggle for success thereby risking failure. The second benefit is positive and involves an attachment to any genuine advantages of the oppressed position. Negative secondary gain is common to virtually all oppressed groups. Typically, members of such groups are disallowed certain possible achievements and, at the same time, are told that they would fail if opportunities were available. Thus, for example, women have historically been denied access to careers in mathematics and have been told that they are incapable of doing such work. In these circumstances, some women come to accept their position and rely on not having to prove themselves in difficult mathematics courses—a particularly important reliance as many of them believe that, as women, they cannot do mathematics. It is thus unsurprising that many women acquiesce in an educational division that disprivileges them. The point is generalizable. Referring to business, Cynthia Epstein (1988) has argued that “women . . . are lured by secondary gains . . . which remove them from the risks as well as the rewards of competition in the world of affairs in which men labor” (234).

It is worth noting that negative gain is not merely a sort of pitiable surrender but has quite robust emotional appeal. It is not experienced as negative. Psychological research indicates that lack of success, even outright failure, when “attributed to external causes,” such as “prejudice and discrimination,” “protects self-esteem” and “leads to no more negative

affect than does success” (Crocker and Major 1994, 292). In other words, being able to attribute one’s failure to racial prejudice, sexism, or any other nonmeritocratic factor protects one’s feelings of self-worth in the same way that actual success does—success that would hardly be guaranteed if the system were, in fact, meritocratic.

Positive secondary gain is more limited, yet still widespread. It consists of the benefits one experiences in one’s condition as subordinate. Courtship practices, for instance, give women some slight financial gains, which can be significant depending on the context. In high school and college, the amount of money spent on a date can be a substantial burden to the man, and can make a real difference to a woman who might not easily be able to afford a dinner out or a movie. Not being sent into combat is another obvious, positive secondary gain. Clearly, these are slight in comparison with the losses. Dating practices come nowhere near compensating for women’s loss in income due to discrepancies in hiring, promotion, salary, and the like. Women’s exclusion from combat, while crucial for those women who might otherwise be killed in battle, does not concern the vast majority of women, and hardly compensates for their general exclusion from the governance structure of the country, including that of the armed forces. Such gains, however, are real, palpable, salient. Equality is a mere dream, impalpable, a promise. Thus, positive secondary gains too foster consent, foster a commitment to the current order of things.

Margaret Atwood (1985) illustrates this well in *The Handmaid’s Tale*, where Offred begins to take pleasure in certain aspects of her generally horrid existence and then finds that she no longer wishes to escape (348). She does not want to lose what little she has for the uncertain possibility of something better, even far better. “Truly amazing, what people can get used to, as long as there are a few compensations,” she observes (349).

#### ETHICAL IMPULSE, THE JUST WORLD, AND MORAL MYSTIFICATION

There is one sort of impulse that has been passed over in the discussion of need, desire, and demand: the impulse toward virtue. It provides a nice transition to a look at ideology. I do not share the view—held, it seems, by the majority of men and women—that moral convictions have deep consequences for one’s behavior. One continually hears politicians stressing the need to instill moral feeling in the youth of this country so that they do not

join gangs, sell illegal drugs, engage in street crime, and so forth. But it seems clear that these activities have relatively little to do with internalized morality. Rather, they are largely the result of social conditions, even the narrow circumstances of daily life. As numerous psychological studies have shown, there is a tendency to assume that people's actions are based on deep convictions and personality traits. Yet for the most part, they are a mere result of environmental contingency.

Consider, for example, a well-known study by J. Darley and C. D. Batson (for a summary and discussion, see Holland et al. 1987, 226–27). This study sought to determine what factors entered into one's personal decision to help or not help someone in physical distress. The researchers began by determining the degree to which the test subjects felt a personal, ethical commitment to works of mercy. They then contrived to put their subjects in a situation in which they would have to decide whether or not to help a suffering person. Specifically, the subjects were sent out from the building. Half of them were told that they must hurry to another building because they were expected there and were already late. The other half were told that they should proceed to the other building, but that there was no great hurry. On leaving the first building, the test subject was faced with an injured person needing help. The researchers discovered that an ethical commitment to works of mercy did not predict whether the test subjects helped the injured person. Instead, the best predictor of whether a test subject would assist an injured person was whether or not the subject was in a hurry.

Studies such as this indicate that the impulse to virtue has, in fact, relatively little bearing on people's actual behavior in the world. Notwithstanding, most people probably do have a deep emotional need to think of themselves as behaving ethically. It is important, in other words, for emotional health that individuals not conceive of themselves as bad or evil but as fundamentally good. That is consequential, even if one's (stated) ethical beliefs are not. Furthermore, it is consequential in a way directly relevant to the fostering of social consent.

Every society of which I am aware involves contradictions between precepts and practices. This is obvious in predominantly Christian countries, such as the United States, where Jesus' injunction to divest oneself of riches has been perverted into an imperative for the accumulation of wealth, where the central precept of nonviolence has been twisted into



vingoistic militarism, and so on. More generally, people in any economically stratified society are perfectly capable of looking around and recognizing that some people are or appear to be suffering due to no fault of their own, while others are or appear to be enjoying ill-gotten gains. If this is true, if indeed the miserable many do not deserve their misery and the opulent few do not merit their wealth and power, then one's own conformity with the system is a form of complicity; one's imitation of the standard modes of behavior is an aping of immoral practices.

How, then, does one respond to this dilemma? One option would be to change one's behavior, to act according to the moral precepts, not the common practices, thereby setting oneself at odds with one's society. This is, of course, overwhelmingly unlikely, given the great motivational force pushing against such a change and the almost insignificant part played by ethical commitment in people's actual practical lives. In addition, if anyone really does pursue such a course, he or she is swiftly punished. The mass of society reserves particular scorn for anyone who tries to act according to moral principle. Indeed, they take special care to denounce him or her as morally reprehensible. For anyone who spurns social convention in order to abide by society's moral precepts is, as such, a forceful argument that the rest of society is not behaving morally, that its affirmation of principle is mere hypocrisy. Action according to moral principle is the most threatening form of nonconformism. The only way of undermining the effect of such a person's example, the disturbing implications of his or her action, is to brand him or her a hypocrite and reprobate. This was the attitude of the Athenians to Socrates or the Pharisees to Jesus.

So, what is the alternative? It is simple: assume that the world is in fact just. Once one makes this assumption, it is easy enough to work out the details, should one wish to do so (which is also unlikely). One simply considers each seeming contradiction until one finds how the apparent opposites are reconcilable. After all, they must be reconcilable, for it is a just world *ex hypothesi*. Though Luke's account of the Beatitudes praises "the poor" and "the hungry" (6:20, 21), for example, Matthew refers, more comfortingly, to "the poor in spirit" and "those who hunger . . . for what is right" (5:3, 6). Matthew allows one to reconcile the admonition to abandon one's riches with the daily accumulation of wealth—for one can convince oneself that one has indeed abandoned one's riches in spirit.

It might seem that this sort of thinking is rather limited, and if not

limited, then at least innocuous. But it is neither. Research in cognitive and social psychology indicates that this “just world” thinking may be a “universal tendency.” As John H. Duckitt (1992) explains, the work of M. J. Lerner and his colleagues suggests that “individuals have a basic need to believe that they live in a world that is a just . . . place where people generally get what they deserve and ‘deserve what they get’ ” (153). As to being innocuous, just world belief leads directly to consensual conformism, and even to sometimes vicious forms of victim blaming. “Becoming aware of an innocent victim threatens the belief in a just world and motivates strategies to protect this belief. . . . An important strategy used is that of derogating the victim and seeing the suffering as deserved.” In keeping with this, one may attribute “negative characteristics to [victims] to explain their misfortunes” (ibid.). Indeed, the belief in a just world tends to become stronger to the extent that one is faced with blatant injustice. One researcher “compared just-world beliefs in matched white South African and British samples. The belief in a ‘just world’ was significantly higher in the South African sample,” which is to say, among those living every day in the system of apartheid (ibid.).

Voltaire’s parody of Gottfried Wilhelm Leibniz in *Candide* is brought home by a continual reiteration of the following theme: “It must be for the best, for this is best of all possible worlds,” grotesquely chanted, with variations, after every horror, from natural disasters to mass killing. “Here old men, stunned from beatings, watched the last agonies of their butchered wives, who still clutched their infants to their bleeding breasts; there, disemboweled girls, who had first satisfied the natural needs of various heroes, breathed their last; others, half-scorched in the flames, begged for their death stroke. Scattered brains and severed limbs littered the ground. . . . [A]ll events are . . . arranged for the best . . . everything is for the best in this world” (137, 138–39). This appears ludicrous, an absurd exaggeration, but it is in fact not far different from most people’s ordinary mode of ethical thinking. As Voltaire indicated, this belief permits people to live comfortable lives amid misery, comfortably performing the most unjust acts in conformity with the status quo. Indeed, by fostering victim blaming, it may exacerbate the injustice of these acts.

It is worth noting here that it is not only oppressors and third parties who commit themselves to believing that the world is just. The oppressed do so as well. Often, the victims also rely on a belief that the world is just,

for it helps them to survive their victimage. In *The Handmaid's Tale*, Margaret Atwood (1985) tells how Janine accepts the cruelty of the society that oppresses her, accepts the idea that her suffering is deserved ("She thinks it's her fault"), because she wants to believe that what she is doing makes sense, has a point, is right: "People will do anything rather than admit that their lives have no meaning" (279). The consensual effect in this case is too obvious to require explanation.

A form of character evaluation closely related to just world thinking is interesting in this context. Research indicates that people share a tendency to infer properties of individuals from their social roles (see, for example, Hamilton and Troler 1986, 156–58). As David Hamilton and Tina Troler comment, "It seems plausible that the content of American racial stereotypes may be at least partially a function of the differential social roles predominantly occupied by whites and blacks in this society" (158). Perry Curtis (1968) points to the same phenomenon among some Victorian English and Scots for whom "the relative paucity among Irishmen of skilled workers and professional men proved beyond all doubt that the Irish were an inferior people incapable of self-help and therefore unfit to govern themselves" (15). The researches of A. H. Eagly and V. J. Steffen, discussed by Hamilton and Troler, provide considerable support for the view that this is the case for stereotypes about men and women. This cognitive tendency is strongly consensual, for it in effect infers the appropriateness—and by implication, justice—of the status quo from the mere existence of the status quo. For example, before the recent influx of women into medicine, it would have led people to infer from the predominance of female nurses and male doctors that women have nursing talents and men have doctoring talents, and as such, the most fair and reasonable system made men doctors and women nurses.

One final aspect of ethical feeling is worth considering here. Perhaps there are some times when ethical choice may, at least in part, guide one's thought and behavior. For instance, ethical choice might play a role when one undertakes some action that is unobserved, and thus, less immediately prone to conformism—such as voting on a tenure case. If so, it is clearly crucial that people be able to reason out the ethical alternatives. Typically, ethical choices in real life are complex. Indeed, they would hardly face individuals as choices if they were not. Whether to buy a gun and shoot some innocent person just to release frustration—this is not a moral "hard

case.” Whether or not to award tenure to a particular candidate may be more difficult.

Again, I do not wish to exaggerate the importance of moral principle in such decisions. It is, in fact, rarely key, and probably never decisive. But if it is ever to enter at all—as in, per the above, a tenure decision—people must be able to engage in moral reasoning. Spontaneous moral impulses are an incoherent flux of empathy and self-interest, overgeneralization and excessive specification. Careful moral reasoning is, in the first place, a way of determining what one thinks, what one believes morally. Moral reasoning involves determining what general principles one holds, what their implications are, how they relate to concrete situations, which of these principles might be relevant to the case at hand. It involves testing generalizations to determine whether they are excessive, ill formulated, or based on concealed self-interest. This all seems straightforward. Still, most people make wild mistakes about their own ethical beliefs. It takes considerable work to determine not what is right or wrong in and of itself but simply what one believes to be right or wrong. As “Aristotle stresses (and as Socrates showed before him), most people, when asked to generalize, make claims that are false to the complexity and the content of their actual beliefs. They need to learn what they really think” (Nussbaum 1986, 10).

When discussing ethical issues in undergraduate classes, to cite one case, my students regularly claim that if someone believes a certain act to be morally right, then it is morally right. But no one who makes this claim actually believes it. Indeed, it is easy to show students that they do not believe this. For example, a Nazi thinks it is morally right to kill Jews. But no one in the class really believes that this makes killing Jews morally right, even for a Nazi. Timothy McVeigh thought that blowing up government buildings was morally right. But no one in the class really believes that this makes blowing up government buildings morally right, even for McVeigh. My students do believe that conscience has a role in determining moral choice. Yet they greatly oversimplify their belief when they try to express it as a generalization. As a result, they will often come to conclusions about particular ethical cases—hard cases—that are inconsistent with their own implicit, complex views.

This confusion and vacillation about one’s ethical beliefs is only exacerbated by the sophistic forms of ethical inference put forth by political and religious figures in justification of what should appear as uncontroversially

unethical practices (for instance, the mass murder of civilians in war). All of this serves to mystify ethics and so push ethical decision also in the direction of imitative conformity, for people tend to resolve their ethical confusions by reference to standard views and behaviors much as they resolve their uncertainty over needs and desires by reference to standard demands. Thus, the limitations of people's untrained moral reasoning tend to render their ethical decisions consensual in those few cases where they might otherwise have had independent force and thereby worked against consent.