

i s r f b u l l e t i n

Issue XXIV

Post-Individualism

Edited by Dr Lars Cornelissen

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First published October 2021
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EDITORIAL

Dr. Lars Cornelissen

ISRF Academic Editor

This edition of the ISRF Bulletin came out of the series of in-house book launches that the Foundation has started to organise, initially as a means of keeping intellectual debate going throughout the pandemic but then because these launches had picked up their own momentum and had rapidly become something of an ISRF staple.

Especially during the darker months of the pandemic hosting these book launches provided us with a proverbial lifeline. While we had to cancel or postpone most of our academic events from early 2020 onwards, these launches allowed us to engage closely with the research of our Fellows, which is of course the best part of working at the Foundation. And while the medium of Zoom has its unique drawbacks—with which I'm sure everyone is by now familiar—it also has some stellar advantages: it made it possible for us to host a Fellow based in Australia one month, a Fellow who'd left for Canada another, and for each launch welcome into our audience people who would otherwise never have been able to attend for geographical reasons or otherwise.

This is not the only unexpected consequence of our book launches, however. We quickly noticed, to our own surprise, that the books our Fellows had written and were having us launch all spoke to a common range of themes. Anyone familiar with the ISRF's award schemes will know that this is not by design: the Foundation's competitions are not themed, and awards are made on the basis of scholarly merit rather than topical conformity. So what was initially conceived as a series of loosely connected individual webinars soon became something more coherent, more focused.

Perhaps what's really surprising here is that this thematic resonance took us by surprise. One thing that the ISRF team has always been

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attuned to is what Louise Braddock, the Foundation's former Director of Research, used to call 'emergent themes': shared thematic or analytical threads that would arise, organically as it were, over the course of a workshop or seminar.

One thread that emerged in this way over the course of the book launch series revolves around the limits of individualism. And it is this thread that we pick up in the present Bulletin. We chose to entitle this issue 'post-individualism,' a deliberately provocative title that is intended not to signify that we have already, somehow, *transcended* individualism but to direct attention to ways in which individualism is always already in the process of being challenged, unsettled, deconstructed.

I won't enter into detail here about any of the other emergent themes that we observed over the course of the book launch series, as that is the main purpose of Christopher Newfield's contribution to this Bulletin. What I would like to do, however, is thank each of our remaining contributors, Manjeet Ramgotra, Gábor Scheiring, Oche Onazi, and Kostas Gavroglu, for their thoughtful pieces.

POST-INDIVIDUALISM

An Introduction

Professor Christopher Newfield

Many of us were raised to assume that individualism and democracy naturally went together. People would use their democratic freedoms to protect individual rights, and these individual rights insured the exercise of democratic freedoms. Individuality and democracy were the paired practices of a free people in a free society. The greater the scope for people to control or at least consent to the laws that everyone followed, the freer both they and their societies would be. Although no political philosopher ever thought it was this simple, the liberal harmony of individualism and democracy was a regulative ideal and a pillar of Anglo-American national self-esteem.

ISRF fellows say otherwise. My first year at ISRF coincided with COVID lockdowns and the moving of the Foundation's events online, and these included a new series of launches for our Fellows' consistent outpouring of books. Their topics covered the whole academic waterfront, and yet they used the powers of independent scholarship to pierce the veil democratic individualism casts over politics and daily life. Their research is distinctly pluridisciplinary, by which I mean it gets at underlying structures treated by fields like psychology or critical theory that are sometimes missed or separated off by the orthodox social sciences. These overlooked structures often involve an inner difficulty, in Alessandra Gribaldo's useful phrase, one that finds breaks in the visible structure and falsehood in established wisdom.

Without our having planned it as such, the launches formed a procession of revelatory demonstrations that individualism has generally failed to create the democratic conditions of its own

existence. The ten books addressed four fates of individualism: the police control of individuals, continuous warfare, marketised societies, and non-democracy in everyday life.

On that last topic, we got a long view from Annelien de Dijn, whose book, *Freedom: An Unruly History*, shows that while the truly valuable form of freedom is democratic freedom, Western rulers have generally marginalised it. Reviewing two millennia of democratic theories, she locates a decisive turn in the rise of the "liberal political movement" in the first half of the 19th century. Liberalism became a "third way, something in between royal absolutism and revolutionary democracy".¹ It stood for freedom, but carefully defined freedom as "'civil' rather than 'political' liberty". Liberals stood for "the freedom to peacefully enjoy one's life and goods" while rejecting "popular self-government." Liberalism, in short, settled 200 years ago on offering an "anti-democratic theory of freedom."² Individualism was encouraged in private but not in public life. The expansion of individual freedoms came to be associated with the individual's insulation from democracy and from politics more generally.

Oche Onazi confronts the colonial spread of Western liberal individualism and the specific legacy with which he is concerned: its failure to be disability-inclusive. In his book, *An African Path to Disability Justice: Community, Relationships and Obligations*, he identifies a key limit to the Western notion of individuality, which is its expectation that the group is obligated only to those individuals who have fulfilled standard expectations of personal autonomy. Onazi is equally vigilant toward Africa's "relational ideal of community" when founded on a demand for fully "reciprocal ethical obligations".³ As part of the transnational political shift known as neoliberalism, Western societies hardened the definition of a worthy recipient of public funds as self-sufficient, asserting that the purer the self-reliance the greater the worth. The theory was functionally wrong and also unjust, and Onazi replaces it with his carefully revised version of ubuntu as an

1. Annelien de Dijn, *Freedom: An Unruly History* (Cambridge, MA 2020: Harvard University Press), 250.

2. Ibid., 251.

3. Oche Onazi, *An African Path to Disability Justice: Community, Relationships and Obligations* (Cham 2020: Springer), 19.

African path toward disability justice, one in which non-symmetry among capabilities is seen as a common and a fully legitimate basis for full community inclusion. If we stop defining individuality as a power that creates its own autonomy, but as a power to develop in often unreciprocated relations to others, we will be closer to a viable notion of democratic individualism.

Kimberley Brownlee's work nicely complements Onazi's in sharing his critique of the categorical priority granted to an abstract version of individual rights. We launched *Being Sure of Each Other: An Essay on Social Rights and Freedoms* in the middle of Britain's third COVID-19 lockdown, and it could hardly have been more timely.⁴ The pandemic damaged everyone's social existence, on a global scale, often in profound and probably not temporary ways. Brownlee helps explain the intensity of our sense of loss of social relations, as she has been working on the social, legal, and philosophical meanings of social relations and their rights long before most of us came, through the pandemic, to directly experience their importance. The book revises—in fact rejects—the political philosophy that has long made social rights secondary to our rights as individuals, and details why social rights are more fundamental than individual rights. As is the also the case with de Dijn and Onazi's work, putting her theory into practice would have profound, even revolutionary implications for social organisation. The individual right to freedom of association is a core tenet of liberal individualism that has enabled abuses such as race-based exclusion in housing districts. Demoted to the same plane as social rights, or, as Brownlee advocates, seeing individual rights as secondary, would give new force and responsibility to the processes of democratic deliberation that individualism encourages us to dodge.

Our series also launched three books on the failure of prominent efforts to suppress the more or less continuous warfare that has marked the Cold War and post-Cold War periods. In his book *Victory: The Triumph and Tragedy of Just War*, Cian O'Driscoll matches de Dijn's historical scope, identifying crucial turning points in just war theory across more than two thousand years.⁵ It's tempting to

4. Kimberley Brownlee, *Being Sure of Each Other: An Essay on Social Rights and Freedoms* (Oxford 2020: Oxford University Press).

5. Cian O'Driscoll, *Victory: The Triumph and Tragedy of Just War* (Ox-

conclude that humanity has made no progress, ever, at containing war, much less ending it. O'Driscoll identifies ideas that have in fact challenged war's legitimacy at pivotal movements, have driven certain types, like chemical warfare, underground, and has sharply reduced the sense of war's efficacy in many quarters. In his demand that just war theorists accept the extent to which the common goal of war is victory, O'Driscoll also requires that just war be based on the consent not simply of one's own population but of the population of the enemy. His expansion of just war theory rests on an expansion of the democratic rights of all the parties to a conflict, very much including those one intends to target. He implicitly imposes a very high standard of inclusion on democratic societies, one that might be applied to other common conditions of the current era, such as mass migration.

A similar turn takes place in Craig Jones's *The War Lawyers: The United States, Israel, and Juridical Warfare*. Many of us in the global North, who are not experts on the laws of war, associate the law with the reduction or confinement of war. Craig Jones is one of an important body of experts who have been trying to educate the rest of us about a process that works in reverse—laws of war that enable war, that help war work, that put war at the centre of the human future. His book is to me a fascinating intellectual history of the very active involvement of the militaries of two of the leading nations in this arena, Israel and the US, in turning operational law into a regime of "permissive constraint," in Rebecca Sanders' phrase, which allows what Jones terms the "everyday operationalization of military violence".⁶ Focusing on aerial targeting, he narrates the involvement of military lawyers in the Vietnam War, the rise of operational law in the post-Vietnam period, the "lawyers' war" in Iraq, the role of law in Israel Defense Force targeting in the Gaza strip, and the law of kill chains in drone warfare. Jones's book tells a story that explains many specific mysteries, such as what seems to many of us to be the fake legality of civilian casualties in Gaza, whose roots he finds in operational law, or, more generally, the failure of international law to keep continuous violence from becoming a feature of most if not all territorial, religious, or resource disputes. It also details both the way that the law can curtail democratic consent

ford 2020: Oxford University Press).

6. Craig Jones, *The War Lawyers: The United States, Israel, and Juridical Warfare* (Oxford 2020: Oxford University Press), 9.

and the public knowledge that could make democratic interruption of military conflict more feasible.

The third of our war books is actually about an election, and the inability of its European sponsors to accept the democratic results. In *The EU, Hamas and the 2006 Palestinian Elections: A Performance in Politics*, Catherine Chiniara Charrett investigates the puzzle of why the European Union failed to recognise Hamas after their 2006 election victory in Gaza.⁷ Conducting interviews with the participants and diplomats involved in the elections, Charrett treats this international crisis as, in part, a saga of the affective lives of people with authority who are unable or unwilling to confront themselves while seeking the results they say they want. It's as though when you need your individualism the most, it deserts you. In asking why these elections led to such a negative path for diplomacy, peace, Gaza, and Palestinians—why the EU, that is, seems to have gotten it so wrong—Charrett discovers that EU officials don't really like the policies they forced on the situation. This leads to nuanced explorations of the role of fear and foreclosure in the diplomatic world, and of the distressing appeal of the psychological state summarised as, "we had no choice"—no choice but to adopt a position whose problems we clearly saw. The European Union in effect abrogated a democratic outcome in an important conflict zone because it didn't like the winner, and did this in effect by abrogating its own individual desires and preferences. This amounts to another turn of the screw: individualism is often at odds with democracy, and on the question of democracy, it is also at odds with itself.

ISRF also launched two books on the effects of contemporary capitalism. The first is *The Retreat of Liberal Democracy: Authoritarian Capitalism and the Accumulative State in Hungary*, Gábor Scheiring's book on Hungarian politics after the end of Soviet hegemony, which he approaches both as a scholar and a former participant, as he had represented an opposition party in Hungary's National Assembly.⁸

7. Catherine Charrett, *The EU, Hamas and the 2006 Palestinian Elections: A Performance in Politics* (Abingdon 2020: Routledge).

8. Gábor Scheiring, *The Retreat of Liberal Democracy: Authoritarian Capitalism and the Accumulative State in Hungary* (Cham 2020: Palgrave Macmillan).

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Hungary was one of ten countries that joined the European Union on the 1st of May 2004; it was one of the seven from the former Eastern Bloc. Since the European Union sees itself as the incarnation of liberal democracy, membership in the EU implies that a formerly not-so-democratic country has already converted to liberal democracy on the model of Germany or the Netherlands and is well down the road towards a close resemblance to the EU's ideal type. Liberal capitalism was to have the same effect, since with this roadmap capitalism and liberalism go hand in hand, and their newly expanded postsocialist bourgeoisie would be prodemocratic. Political and economic support from the EU was to help the East's liberal capitalisms join the global knowledge economy at a decently high level of added value: they would expand their higher education systems, create advanced knowledge workers, and invent and manufacture complex products. But something closer to the opposite has happened. Hungary's economy has been stuck in low gear, and its longtime leader, Viktor Orbán, has been openly building an "illiberal democracy" with quite a bit of popular support. Scheiring puts all the actors on stage, interviews them at length, and finds that national capitalists (as opposed to transnational corporations) prefer state aid and lucrative connections to democracy as such, and, just as importantly, that you can make many former opposition voters into followers by finding a scapegoat for their individual grievances. Hungary does not have an illiberal deep culture: it has a normal culture, whose capitalism has made democracy not the most effective mode of pursuing basic needs.

Democracy is again not coming to the rescue in Peter Newell's work on getting capitalist democracies to generate a rapid and complete decarbonisation of their energy systems. In *Power Shift: The Global Political Economy of Energy Transitions*, Newell shows the extent to which the private sector has been confusing the public and dragging its heels for years, but also that governments have not been filling the gap. In the US, Joe Biden's climate package is being stonewalled by some members of his own party as well as the opposition, and in the UK, the Conservative government is planning on opening a new coal mine in Cumbria not long after the Glasgow COP 26 climate summit, and has regularly reduced, delayed, or ended many subsidies for energy transition. No nation in the world is on track to reduce fossil fuel emissions soon enough to keep warming to 1.5 degrees. The

global North is not on track to build—and fund—cooperative relations with the global South to solve a problem disproportionately created by the North. Newell analyses both “the lock in around production, finance, and the governance of energy for the benefit of the fossil fuel complex” and the counter power of civil society movements.⁹ Bringing these together with the greenhouse chemistry, the geopolitics, the political economy, and the racial and colonial relations that are keeping us stuck, he implies that the power shift will fail unless it is driven by expanded democratic forces putting collective welfare ahead of individualist maximization of self-interest.

Finally, a pair of distinctive books confronts the role of policing in sustaining the abuse of populations—women subject to domestic violence in the first case, and Indians under the British Raj in the second. Early in her book, *Unexpected Subjects: Intimate Partner Violence, Testimony, and the Law*, Alessandra Gribaldo writes, “it is sufficiently clear what women are asking for in their daily life—. . . a life without violence”.¹⁰ It is also sufficiently clear that women around the world are not getting this. Through her very unusual ethnography of the Italian court system, she finds that the law shows “many reluctances and failures . . . much embarrassment and difficulty, in making domestic violence an appropriate object of judgement”.¹¹ Her book is a study of the inner life of both the law and of the women who bring cases before it. After immersing herself in the worlds of nearly all the parties involved in these cases, Gribaldo came to see the multiplicity of stories that emerge from women’s experience of it as a crucial archival resource, rather than as a problem for legal truth as such. The law struggles with these narratives precisely because they are so individual: they defy generic victim features and protocols, and demand the interpretation of a multitude of specificities. In effect, Gribaldo foreshadows a democratisation of the law defined as a process of subjecting it to this multitude of detail from its unfavored subjects.

9. Peter Newell, *Power Shift: The Global Political Economy of Energy Transitions* (Cambridge 2021: Cambridge University Press), 170.

10. Alessandra Gribaldo, *Unexpected Subjects: Intimate Partner Violence, Testimony, and the Law* (Chicago, IL 2021: Hau Books), 4.

11. *Ibid.*, 5.

In *Colonial Terror: Torture and State Violence in Colonial India*, Deana Heath explores a similar, systemic gap between legal and political theory and police practice. The book aims, she writes early on, “to demonstrate that extraordinary violence was part of the ordinary operation of colonial states”.¹² The violence she studies came from the police, largely staffed with Indians. Among the many qualities of this book that impressed me was its unblinking confrontations with—and rejections of—the binary contrasts we in the West are taught to use to detect the virtues of our political systems. There’s the contrast between law and violence, between democracy and executive power, between discipline and sovereignty, and between exceptional and ordinary forms of social coercion. Heath’s research obliges us to confront the prospect that “terror was central to the operation of colonial systems of rule,” and that, further, colonial rule is central to the constitution of democracy in Britain and elsewhere.¹³

Colin Crouch devised the term “post-democracy” to describe the current state of Western political systems, and these Fellows’ books analyse the past, present, and future of this condition in multiple domains.¹⁴ They also confront what we can call post-individualism, which I mean as a positive term whose subject is seen as necessarily constituted by its relations with diverse others, and where insistence on its radical priority to society is seen to be a fantasy or an attack on the social or both. Our authors also exemplify intellectual individuality—the taking of one’s own distance from conventional wisdom and the listening to one’s own heterodox voices in relation to the assumptions that decide both public policy and normative private views. Translating heterodox post-individualism into social use will be a long process, but it has been advanced by the ISRF fellows whose books we launched last year, by the 22 respondents that added their own insights and whom I would again like to thank, and by the essays collected in this issue of the Bulletin.

12. Deana Heath, *Colonial Terror: Torture and State Violence in Colonial India* (Oxford 2021: Oxford University Press), 40.

13. Ibid.

14. Colin Crouch, *Post-Democracy* (Cambridge 2004: Polity).

THE NATIONAL- POPULIST MUTATION OF NEOLIBERALISM

Dr. Gábor Scheiring

ISRF Political Economy Research Fellow 2018–19

Populism and neoliberalism are among the most fiercely debated topics in the social sciences—however, the two concepts have produced two disjoined discourses. The conventional approach to populism followed by most economists and political scientists has characterised it as a threat to the neoliberal order, a cultural backlash¹ against cosmopolitan globalization, describing populist leaders as opposed to business elites and liberal economic principles.² Businesses are, in turn, frequently hypothesised to oppose populism. When populists get elected, they are described as reckless political entrepreneurs openly breaking with liberal norms and erecting populist regimes imbued with state capitalism. In short, the conventional approach to populism hypothesises that populist regimes lead to a clash with most businesses and a divergence from liberal capitalism.

In contrast to the conventional approach to populism, neoliberalism scholars, mostly sociologists, historians, and social anthropologists, have been more skeptical about the supposed clash between right-wing, nationalist populism and neoliberalism. In a path-breaking piece of research on Peru's Fujimori, Kurt Weyland has shown that populism

1. Pippa Norris and Ronald Inglehart, *Cultural Backlash: Trump, Brexit, and Authoritarian Populism* (Cambridge 2019: Cambridge University Press).

2. Rudiger Dornbusch and Sebastian Edwards, "Macroeconomic Populism," *Journal of Development Economics* 32, no. 2 (1990).

and neoliberalism can cohabit comfortably.³ In another crucial paper, Adam Harmes has made a distinction between internationalism and neoliberalism.⁴ While internationalists embrace all forms of global political cooperation, neoliberals oppose forms of political globalization that would entail a new set of international institutions curtailing capital accumulation. Thus, as Harmes concludes, neoliberalism can depend on certain nationalist policies if they enhance capital accumulation.

Right-wing populism has emerged within neoliberalism in Germany and Austria, not in opposition to it.⁵ Several key supporters of Brexit have also argued for a return to the British state not to challenge neoliberalism but to shield it from European regulation and embark on a new export-oriented neoliberal trajectory.⁶ According to this emerging consensus amongst neoliberalism scholars, in many cases, right-wing populism is not a wholesale rejection of neoliberalism but only a variety of it. This new version remains within the neoliberal framework, amounting to a “mutation of neoliberalism.”⁷ In contrast to the conventional approach to populism, this emerging neoliberalism literature also implies that some businesses support right-wing populists.⁸ Thus, the two views, two academic discourses separated by disciplinary walls, could be hardly more different. In this essay, I enter this debate by presenting a framework to analyze the national populist mutation of neoliberalism in dependent economies and briefly fleshing out how this framework can enlighten the controversial politics of Viktor Orbán.

3. Kurt Weyland, “Neoliberal Populism in Latin America and Eastern Europe,” *Comparative Politics* 31, no. 4 (1999).

4. Adam Harmes, “The Rise of Neoliberal Nationalism,” *Review of International Political Economy* 19, no. 1 (2012), 59.

5. Quinn Slobodian, *Globalists: The End of Empire and the Birth of Neoliberalism* (Cambridge, MA 2018: Harvard University Press).

6. James D. G. Wood and Valentina Ausserladscheider, “Populism, Brexit, and the Manufactured Crisis of British Neoliberalism,” *Review of International Political Economy* Published online, no. 03 (2020).

7. William Callison and Zachary Manfredi (eds.), *Mutant Neoliberalism: Market Rule and Political Rupture* (New York 2020: Fordham University Press).

8. Quinn Slobodian, “The Backlash Against Neoliberal Globalization from Above: Elite Origins of the Crisis of the New Constitutionalism,” *Theory, Culture & Society* Published online (2021).

Neoliberalism meets national-populism

Neoliberalism has three faces: an intellectual-professional project, a repertoire of policies, and a form of politics.⁹ As a form of politics, neoliberalism is against the types of capitalism that put temporary shackles on capital accumulation in the name of popular pressures or national developmental goals. In response to these models, neoliberalism does not dismantle the state but builds new state institutions to improve accumulation conditions. Market-fundamentalism should not be confused with the “proto-neoliberalism” of Hayek, who was critical of laissez-faire and saw much room for an interventionist state or the “roll out” phase of neoliberalism in the 1990s and 2000s. Neoliberalism has included active state-building and regulatory reform to constitute markets and protect them from democratic intervention.¹⁰

Close to neoliberalism as a form of politics, I regard neoliberalism as an accumulation strategy. As suggested by Bob Jessop, “an ‘accumulation strategy’ defines a specific economic ‘growth model’ complete with its various extra-economic preconditions.”¹¹ Such accumulation strategies represent temporarily stable formations of the capitalist circuit, where various fractions of the business class are conjoined, usually under the leadership of a dominant fraction. In core capitalist countries, the Keynesian social-democratic configuration was the accumulation strategy of the post-war era, while import-substitution developmentalism—including state socialism—was the accumulation strategy in semi-peripheral countries. Neoliberalism emerged as the key alternative to these strategies.

9. Stephanie L Mudge, “What is Neo-liberalism?,” *Socio-Economic Review* 6, no. 4 (2008), 704.

10. Jamie Peck and Adam Tickell, “Neoliberalizing Space,” *Antipode* 34, no. 3 (2002), 384.

11. Bob Jessop, “Accumulation Strategies, State Forms, and Hegemonic Projects,” in *The State Debate*, ed. Simon Clarke (Houndmills, Basingstoke 1991: Palgrave), 161.

Following Aldo Madariaga¹² and Cornel Ban,¹³ I differentiate the core tenets of neoliberalism from its peripheral aspects. Peripheral institutions can change without jeopardising core institutions. This distinction is crucial for “neoliberal resilience,” a process whereby neoliberalism dynamically adapts to external perturbances to ensure its survival. The resilience of neoliberalism depends on the ability of dominant social groups to “defend those aspects of a neoliberal policy regime that—in their view—better serve their interests while allowing degrees of freedom in those aspects that they view as less relevant.”¹⁴ According to Cornel Ban, at the core of neoliberalism are a set of institutions designed to serve three primary goals: 1) credibility with financial markets, 2) trade and financial openness, and 3) competitiveness.¹⁵ Neoliberalism is constantly evolving, always negotiated by local actors filtered through domestic power struggles and ideational frameworks, leading to different hybrids. However, as long as politics adheres to these core institutions, neoliberalism remains neoliberalism.

In semi-peripheral, dependent economies, such as Hungary, or most countries in Latin America and Europe’s Eastern periphery, the business class is polarised based on access to international markets and technology. Compared to transnational capitalists, national capitalists have less access to the most successful sectors of the global economy. Therefore, the national bourgeoisie of peripheral states is structurally prone to rely directly on its political connections to compete with transnational companies. However, transnational capital must also compromise with domestic political and economic elites to secure the conditions of accumulation.

Economic crises act as historical contingencies that throw the class compromise between the segments of the power bloc into question,

12. Aldo Madariaga, *Neoliberal Resilience: Lessons in Democracy and Development from Latin America and Eastern Europe* (Princeton 2020: Princeton University Press).

13. Cornel Ban, *Ruling Ideas: How Global Neoliberalism Goes Local* (Oxford 2016: Oxford University Press).

14. Bruno Amable and Stefano Palombarini, “A Neorealist Approach to Institutional Change and the Diversity of Capitalism,” *Socio-Economic Review* 7, no. 1 (2009), 640.

15. Ban, *Ruling Ideas*, 10.

thus jeopardising the hegemony of neoliberalism. In these situations, elites need to reach a new consensus and reconstitute the power bloc. The balance of power determines whether the response to these crises leads to a new accumulation strategy or a modification of peripheral aspects of the prevailing accumulation strategy. If the national capitalist class is strong enough to mobilise but weak to dominate transnational capital, and if populists can mobilise popular disillusionment with neoliberalism, then the resolution of the crisis of the neoliberal accumulation strategy will be the national-populist mutation of neoliberalism.

Combining Weyland's notion of "neoliberal populism" and Harmes's notion of "neoliberal nationalism," I regard national-populism as a "legitimation strategy" that can contribute to the political sustainability of neoliberalism. Populism as a legitimation strategy appeals to a mass public using a Manichean logic that opposes the virtuous people to corrupt elites and affiliated out-groups.¹⁶ National-populist neoliberalism is thus a compromise between the core of neoliberalism and the political imperatives of advancing national interests, relying on populism as a legitimation strategy.

Viktor Orbán, the nationalist champion of business elites

In Hungary, national-populist neoliberalism emerged as an alternative to *globalist neoliberalism*. However, globalist neoliberalism is not unique to Hungary. It corresponds to what Nancy Fraser called 'progressive neoliberalism'¹⁷ in core countries and what Dorothee Bohle and Béla Greskovits labelled 'embedded neoliberalism'¹⁸ in the foreign-investment-dependent economies of Central Europe. Globalist neoliberalism also differs from the radical neoliberalism exemplified

16. Noam Gidron and Bart Bonikowski, *Varieties of Populism: Literature Review and Research Agenda*, 2013, Working Paper Series, Weatherhead Center for International Affairs, Harvard University, No.13-0004., Cambridge, M.A.

17. Nancy Fraser, "From Progressive Neoliberalism to Trump—and Beyond," *American Affairs* 1, no. 4 (2017).

18. Dorothee Bohle and Béla Greskovits, *Capitalist Diversity on Europe's Periphery* (New York 2012: Cornell University Press).

by Chile or the Baltic states in dependent semi-peripheral countries,¹⁹ or the early “roll back” phase of neoliberalism in core countries, which relied on an authoritarian-conservative populist legitimization strategy as opposed to later progressive globalism.²⁰

In Hungary specifically, globalist neoliberalism was an accumulation strategy maintained by the class compromise of transnational corporations (TNCs), technocrats, and politicians. It institutionalised industrial policy based on economic openness and a strict preference for transnational capital. Taxation became increasingly less progressive, with a race to the bottom on corporate taxation. It also incorporated redistributionist strategies to pacify the victims of neoliberalism, which led to a combination of austerity to maintain fiscal balance and recurring deficits and cycles of indebtedness. Discursively, globalist neoliberalism offered economic modernisation, a cosmopolitan ideology of human rights, democratization, and European integration as a source of mass legitimization, and attempted to depoliticize economic questions to prevent the political mobilization of economic anger.

The exhaustion of this globalist neoliberal accumulation strategy in the 2000s led to the polarisation of the business class and the growing influence of nationalist technocrats. Facilitated by national-populist politicians, national capitalists reached a new compromise with transnational capital, retaining the core aspects of neoliberalism. Figure 1 presents a summary of this process.

A large segment of businesses supports Orbán’s populist regime. The severe dependence on foreign investment galvanised national capitalists and nationalist technocrats to support populists in amending globalist neoliberalism. However, they were too weak to challenge the dominance of transnational capitalists occupying the commanding posts of the economy. Therefore, manufacturing TNCs remained central to the power bloc and are among the biggest winners of Orbán’s populist regime. In other cases, such as Poland or Argentina, national capitalists were stronger and could push for more thorough

19. Madariaga, *Neoliberal Resilience*.

20. Stuart Hall, “Authoritarian Populism: A Reply,” *New Left Review*, no. 151 (1985).

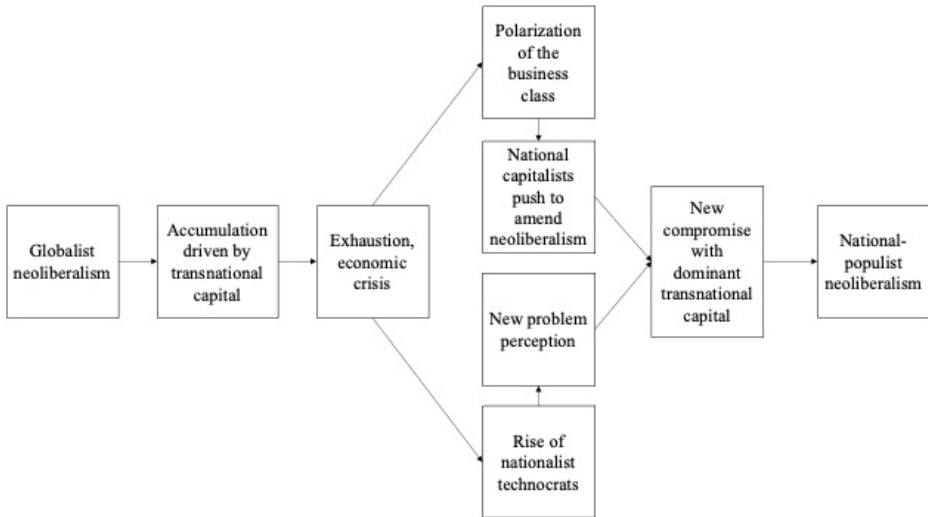


Figure 1. The national-populist mutation of neoliberalism in dependent economies

developmentalist interventions that amounted to a genuine break with neoliberalism. In short, the balance of power within the business class matters for how the crisis of neoliberalism is resolved. Followers of the conventional approach to populism need to relax their politics-centred focus and pay more attention to business elite support for populists.

Orbán's regime is a continuation of neoliberalism, not a switch to developmentalism. Economic nationalism led to significant changes in the ownership structure of the info-communications, mining, finance, and some other service sectors. However, foreign investors retained their dominant position in manufacturing and continue to dominate Hungary's export and accumulation strategy. Embracing economic nationalism in industrial policy did not challenge the core of neoliberalism. Fiscal policy and social and labour market policy became even more neoliberal. The sphere of finance experienced the most momentous change. However, these moves either only

remedied radical excesses of “avant-garde” neoliberalism,²¹ such as pension privatisation or foreign currency loans, or did not significantly diverge from the global shift towards more heterodox monetary policy after the 2008 crisis. Overall, macro-policy remained conservative, and international financial credibility has improved since 2012. Despite noisy nationalism, these policy changes have not reached a threshold to be considered developmentalism in practice. Research needs to pay more attention to the co-optation of economic nationalist goals into neoliberal strategies.

However, neoliberalism is not the same as it was in the 1990s and 2000s. Certain peripheral institutions could be abandoned; avant-garde excesses could be corrected without jeopardising the core of the neoliberal project. This national-populist neoliberalism is a compromise between the core of neoliberalism and the political imperatives of advancing national interests, relying on populism as a legitimisation strategy. While economic nationalism serves to pacify and incorporate national capitalists, populism works as a legitimisation strategy that systematically draws a large segment of the population into the orbit of the governing party. Populist campaigns against migrants and cosmopolitanism are designed to pacify even those segments of society that are relative victims of Orbán’s polarising policies by reframing distributive conflicts as issues of identity politics.

Conclusion

Neoliberalism is mutating, not just in Hungary but in several key dependent economies such as the Philippines (Duterte), or Brazil (Bolsonaro), as well as in the “core of core” countries, in the UK (Brexit, Johnson), and the US under Trump’s presidency. Local idiosyncrasies shape the various mutations of neoliberalism, but there are common underlying factors in contemporary capitalism pushing countries in the direction of national-populist neoliberalism. Neglecting the embeddedness of populism in the business class and its compatibility with neoliberalism leads to a misunderstanding concerning the roots

21. Hilary Appel and Mitchell Orenstein, *From Triumph to Crisis: Neoliberal Economic Reform in Post-Communist Countries* (Cambridge 2018: Cambridge University Press).

of the current populist wave. To combat populism, it is not enough to “educate the masses” to become more liberal. It is equally important to tackle the sources of the backlash against globalist neoliberalism within business elites.

BEYOND INDIVIDUALISM

Freedom, Sociability and Justice

Dr. Manjeet Ramgotra

ISRF Independent Scholar Fellow 2020–21.

This article brings into conversation three books recently published by ISRF Fellows that rethink classical liberal notions of individualism. These books weave a story of how community is fundamental to some of the most important values of the human condition that contribute to the flourishing of individual persons as free, sociable and equal based on the mutual reciprocity that each person owes to each other. The authors of these books take us beyond individualism to think of persons as both constituting and constituted by the communities in which they exist and live. In her book, *Being Sure of Each Other: An Essay on Social Rights and Freedoms*, Kimberley Brownlee argues forcefully that individuals need meaningful contact and relationships with other persons.¹ Without this their mental health and anchoring in the world suffer. In a similar vein, in his book *An African Path to Disability Justice: Community, Relationships and Obligations*, Oche Onazi promotes a relational conception of community that recognises individuals as equal persons, regardless of their individuated characteristics (gender, race, class, ability) as having mutually reciprocal duties towards each other.² This robust understanding of community underpins a conception of disability justice whereby obligations towards disabled persons are recognised and disabled persons are recognised as equal participants

1. Kimberley Brownlee, *Being Sure of Each Other: An Essay on Social Rights and Freedoms* (Oxford 2020: Oxford University Press).

2. Oche Onazi, *An African Path to Disability Justice: Community, Relationships and Obligations* (Cham 2020: Springer).

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in and contributors to society. Rather than simply focus on the abstract value of equality, Onazi conceptualizes the issue of disability justice as embedded in a sense of community value in the same way that Brownlee sees the capacity to fulfil the need of human being to have social relations as community-based; for to be deprived of such relations is a deep injustice. Or, put in other terms, fulfilling the needs of human beings to have social relationships and to be regarded as equal persons depends on their being part of a community that engenders love, care, friendship and obligations to each other.

Neither of these conceptions of rights and justice are simply about individual entitlement: they are about how individuals relate to each other and fulfil each other's needs. The idea of community underpinning them is not the same as the organic notion of community as articulated in classical Graeco-Roman thought, where each person had a role to play in society in order to fulfil the needs of all. Rather, Brownlee and Onazi promote an understanding of community that nurtures individuals. They explore how such a supportive community contributes to the well-being of persons which in turn underpins the quality of their lives and capacities to pursue their various endeavours. Their understanding of how community is an integral part of human well-being contributes to an understanding of freedom that goes beyond individualism and considers that individuals have a duty to support each other.

In *Freedom: An Unruly History*, Annelien de Dijn also considers liberty as a political value that emerges not only as an individualistic conception of the self as free but also as a collective value in which individuals come together as a community to rule in common.³ In her book, which covers the history of freedom over two millennia, De Dijn contrasts two understandings of liberty as a political value. The first promotes the freedom of individuals as self-interested beings for whom the state is an instrument that protects their individual sphere of liberty to pursue their own ends. Here freedom is understood in terms of non-interference from the state. The second understands liberty as a collective ideal in which individuals rule themselves since they are part of a self-governing and democratic political community. De

3. Annelien de Dijn, *Freedom: An Unruly History* (Cambridge, MA 2020: Harvard University Press).

Dijn traces the dialectical opposition between these two conceptions throughout Western political history. She demonstrates that at certain moments in history, as the people acquired the liberty to take part in democratic self-rule through revolution or social reform, conservative elements opposed the radicalism of these movements and their calls for democracy, depicting these as having despotic tendencies.⁴

Today, according to De Dijn, the conservative conception that 'freedom should be identified with personal security and individual rights predominates' over the conception of liberty as self-rule and 'popular control over government, including the use of state power to enhance the collective well-being'.⁵ Her study shows that throughout history the property-owning elites who desire the freedom to pursue their own interests without necessarily having any regard for the interests or well-being of others triumphed over democratic conceptions of liberty that saw it as a collective and egalitarian ideal that values all political voices. De Dijn's book chronicles how we got to this point. She is not the first philosopher to have attempted to tell this story. Indeed, the argument that there are two notions of freedom, a more active and participatory one that stands opposite a passive one where people want to be free to pursue their own lives without any interference from the state, runs throughout the history of Western political thought and activism. This history been variously presented and discussed by Benjamin Constant, Isaiah Berlin, John Pocock, and Quentin Skinner. Constant contrasts ancient and modern freedom, which Berlin reads in terms of positive and negative liberty. The ancient or positive conception of freedom refers to the view that a person is free only when they rule themselves and actively participate in a political community. Modern or negative freedom, by contrast, consists in non-interference by the state in private lives. Pocock and Skinner, for their part, lament the loss of the classical and neo-roman republican tradition that promotes the citizenry's active participation in the activity of ruling in a free state. They criticise modern individual negative freedom and rights for 'privatising' freedom and keeping the people outside of the realm of public deliberation and politics.

De Dijn highlights that Constant reconceptualised modern freedom

4. *Ibid.*, 306.

5. *Ibid.*, 345.

in opposition to ancient freedom and disrupted the idea that modern individual freedom was a legacy of the ancient conception of liberty.⁶ Instead, the idea that individuals are free when they are not hindered by any obstacles and that they operate to maximise their own self-interest dates back to Thomas Hobbes and other contract theorists. In opposition to Hobbes's absolutist conception of sovereignty, Montesquieu devised a constitutional system whereby the separation of executive from legislative power ensured that the sovereign state was neither absolute nor arbitrary. This created the conditions for individual liberty. Crucially, the conception of modern freedom is tied not only to the conception of human beings as self-interested beings, but also to the free market where people are free to exchange goods and to maximise their benefits. This twin focus on the maximisation of self-interest and the free-market economy engenders an individualism that lacks a perspective on community and the well-being of others.

A large part of De Dijn's book examines the Atlantic Revolutions and asks why the promises of full egalitarian liberty were not realised after the American, French and Haitian Revolutions. This leads to a study of the counter-revolutionary thinking that considered democratic rule tyrannical and in need of moderation. Thus she contends that the conception of freedom from state interference was pushed as a more important and substantive freedom than that of the liberty to participate in legislative processes. According to this line of argument, giving the people legislative power was precarious or even dangerous, as the people could be despotic or totalitarian in their rule. Therefore legislative power was shared between two chambers—the upper chamber of the landed social classes who could propose legislation and the lower chamber of popular representatives who could reject legislative proposals. Additionally, the judiciary was made independent. These measures were meant to temper the tyranny of the majority. In other words, the radical egalitarian and democratic elements of the 'cult of freedom' were made subject to elite control through these mechanisms.

This is a compelling argument: the negative conception of freedom from state interference is bereft of the positive element to share in

6. See *ibid.*, 10.

the control of public affairs. However, I do not think that this dualistic conception of the idea of liberty, which distinguishes between two 'types' of liberty, is entirely convincing, as I do not think these two 'types' are necessarily antithetical nor that one wins out over another. The notion of being free from arbitrary state power is important. In Rome, the Tribunes of the people were established to stop magistrates from arbitrarily punishing common people, which led to the development of due process. In our time, Black Lives Matter is a movement about protecting Black lives from the arbitrary abuse of police power. The right to be protected from such interference in one's home, or from being stopped and searched due to the colour of one's skin, is very important. We need only look to the abuse of power that cost the lives of Breonna Taylor and George Floyd to understand this. Moreover, the enjoyment of this freedom does not necessarily mean that one should forego the liberty to participate in ruling. One needs both.

There is a long tradition of thinking that incorporates on an unequal basis these two types of freedom in the mixed republican constitution. The people are granted the freedom to live in security from arbitrary power and the landed nobility enjoy the authority to rule and make laws that have jurisdiction over their private property. In most republican theories, and in the Roman context in particular, this was seen through the lens of virtue: the nobility had virtue. The people had representatives who could participate in making legislation only through their negative power to veto propositions made by the Senate. That is to say that republics included both types of freedom but distributed these unequally across social classes. It was feared that the power of the people would become despotic; the establishment or wealthy propertied social classes did not want to give up their authority. Hence they limited the popular voice by not allowing the people full participation in proposing laws, and instead granting them the political liberty to oppose legislative proposals and to live in security to pursue their private interests. It is also crucial to note here that the revolutionary thrust for radical democracy of the 18th century, which pushed the boundaries to include more people in political processes, was tempered by more conservative thinking that only partially incorporated a small portion of the people and that portion excluded women, people of colour, the working classes, and slaves.

What is refreshing about De Dijn's book is that she includes some of these marginal voices to illustrate the re-emergence of the 'cult of freedom'. Notably in her discussion of the Atlantic Revolutions she pays attention to the Haitian Revolution of Black slaves against their white European masters. This history is of course more complicated, as not all French revolutionaries were radical and not all accepted Haitian independence. Many bourgeois revolutionaries profited from the slave trade and did not want to give it up. Nonetheless, De Dijn presents the voices of revolutionary women, notably Olympe de Gouges, who composed a Declaration of the Rights of Women and Citizens (*Déclaration des droits de la femme et de la citoyenne*, 1791), and Black rights activists such as Frederick Douglass. These voices challenge the system from the perspective of the oppressed. They contest both the conservative and democratic positionalities of the men who usually have both space and voice in politics and the production of knowledge. This is an area that needs expansion in our studies of the history of ideas and in our historical and genealogical analyses of concepts. Studies of freedom as emancipation, told from the perspective of the powerless rather than the privileged, would greatly enhance our understanding of both what it means to be free and how political, educational, and economic institutions organise difference and operate to exclude. These sources of knowledge challenge mainstream ways of understanding freedom and political institutions. They develop normative ideas on how to create structures that would work to deliver the liberty to participate in ruling institutions and in making laws on a more meaningful level, rather than simply conform to existing institutions and embed inequality structurally. It is important that we as scholars listen to the activists and theorists who write about their experiences of oppression and struggles against slavery, imperialism, patriarchy, and socio-economic exploitation. Their voices are central to an understanding of liberty in all its iterations.

De Dijn begins to do this in her book. Her study is about Western understandings of liberty, yet these Western conceptions cannot be separated from the wider contexts in which many of these ideas developed and were constructed. Even the ancient Greek conception of the free state had been constructed through its opposition to the idea of Persian despotism. Likewise, the modern languages of liberty

and natural rights emerged in the moment of European colonial expansion and empire. To be sure, many contend that modernity was constituted by this context and by the European other.⁷ By the same token, many anti-colonial, anti-racist, and feminist thinkers were situated in the West, yet they have not been considered as integral to Western thinking. In these broader intellectual contexts, the idea of freedom as self-rule goes beyond its conceptualisation within a binary of ancient versus modern, positive versus negative liberty, or revolution versus counter-revolution. The dialectic that De Dijn traces across time between the despotic tendencies of radical revolutionary democratic liberty and conservative counter-revolutionary individual freedom is paralleled in the opposition of anti-colonialist nationalist movements to Western imperialism. Anti-colonialists sought to liberate themselves not only from domination by imperial power but also from its ideological hegemony, which valued individual freedom from state interference, the free market, and ultimately the maximisation of self-interest that permitted the exploitation of others.

Indeed, most 20th-century anti-colonial movements called for solidarity and unity against imperial domination. In their resistance, they nurtured a robust sense of community and aimed at achieving collective self-rule. For instance, in my reading of Indian anti-colonial thought, I discern a tripartite understanding of self-rule that plays out at three levels: first, at the physical and material level with respect to the body and freedom from physical oppression and need; second, at the psychological or spiritual level with respect to the freedom of the mind and freedom from dependence on another person's will or command; and third, at the political level with respect to the rule of a collective body over itself through popularly sanctioned institutions and government. This tripartite conception of self-rule can also be read in terms of three intertwined aspects of liberty: the freedom of the body and movement; the freedom of the will; and the capacity for both individual and collective self-determination which would entail constituting a political community that ought to organize its political and social institutions to produce freedom and equality for

7. Dipesh Chakrabarty, *Provincializing Europe: Postcolonial Thought and Historical Difference* (Princeton 2000: Princeton University Press); Gur-minder Bhambra, *Rethinking Modernity: Postcolonialism and the Sociological Imagination* (London 2012: Palgrave Macmillan).

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all regardless of class, gender, race, or ability. This conception further reflects the freedom to be part of a greater community that supports its members to work together towards common goals.

It is in these rich anti-colonial traditions that we encounter the same theoretical problem that drives each of the three books I have engaged with here. That is to say, the problem of moving beyond a one-dimensional individualistic understanding of freedom that neglects the fundamental sociality of human beings as well as the fact that they live in communities that have the capacity to incorporate all individual people. What unites these three books is that more than merely raising the problem, they all gesture in the direction of a solution too. De Dijn laments that the conservative conception of freedom won out over the radical democratic notion of a more substantive freedom; yet her study shows that there has been and continues to be a relentless desire of peoples to be free to determine their own institutions and existence as communities that search for equality and that wish to overthrow systems of domination. However, the notion of community that this conception rests upon remains abstract and tends to be constructed according to the ends of society. It is here that Brownlee and Onazi make a crucial contribution by fleshing out more substantive theories based not simply on the value of human life, but on what makes a life worth living, so to speak, and in so doing they promote a combination of the freedoms to live in security, to be part of a political community that nurtures and cares for its members such that they have a basis from which to be active participants in social and political life. The basis of Brownlee's and Onazi's respective conceptions of individuals as social beings who cannot survive without others and who need loving relations puts issues of care at the centre of political community and shows these to be public goods in which we all have profound interests.

Together these three books move us beyond thinking of freedom, society, and justice in purely individualistic terms but push us to think in terms of freedom as a shared and relational value that entails sociability, solidarity, and justice. In our current moment of global existential crises, we must think beyond individual self-interest as we did in the recent worldwide lockdowns and as we wear masks to protect others from spreading the coronavirus. This not only demonstrated

through solidarity but also through caring for each other and for humanity. If we want to combat climate change, it is clear that we must work together and move beyond individual freedom to recognise our collective interests and values in maintaining a healthy environment and protecting the earth and all life-forms. This will require change in how we conceptualise ourselves as individual and collective beings that co-exist with other life-forms in a shared habitat that we can no longer afford to exploit to support a materialist life-style and individualist conception of the good life. Moreover, it is in the effort to rethink each of these elements that books like De Dijn's, Brownlee's, and Onazi's are not just interesting contributions but absolutely vital resources.

TOWARDS AN AFRICAN PATH TO DISABILITY JUSTICE

Dr. Oche Onazi

ISRF Early Career Fellow 2018.

Introduction

I had intended to write about the human rights of people with disabilities in Africa, but my book¹ took a different path after I began to engage with arguably the most attractive literature in African philosophy. I became fascinated by a conception of community, constituted by individuals in ethical relation to each other, a characteristic that I found more attractive than the abstract, ahistorical and autonomous individual that has dominated the Western philosophical and legal philosophical tradition. Although intrigued by this idea of community, I was nevertheless puzzled by it since it appeared inattentive to disability or people with disabilities. Rather than the orthodox human rights approach (or Martha Nussbaum's capabilities approach), I found it more interesting to explore and understand what a legal philosophy of disability justice would look like if it mirrored what I describe below as the African relational community ideal.

The African relational community ideal

The relational conception of community is not the most dominant, but it is arguably the more attractive version because it presupposes

1. Oche Onazi, *An African Path to Disability Justice: Community, Relationships and Obligations* (Cham 2020: Springer Nature).

an ethical and relational ideal founded on ethical and horizontal obligations between people that may or may not comprise it.² What is undoubtedly attractive about this conception of community is that it is formed through or defined by human relationships. It does not exist as a metaphysical entity or have an existence that is separate from, takes precedence over, or supersedes the existence of its members.³ Thus, the community is not simply the absolute imposition of the values of the group or collective entity onto individuals, but rather it is defined by diverse ethical relationships between those who may or may not comprise it. As Drucilla Cornell eloquently describes this attractive feature, the community is... 'not outside us, something "over there", but is inscribed in us'.⁴ In other words, the community is constituted by 'an interactive ethic, or an ontic orientation in which who and how we can be as human beings is always shaped in our interaction with each other'.⁵

What Cornell importantly draws to our attention is the role of community in defining what it means to be a person. Personhood is either earned, performed, or granted to those who can discharge their obligations to others. Put differently, personhood is dependent on a type of mutual reciprocity between each member of a community, an attribute found only in those who can perform their obligations to others.⁶ It follows that those who cannot perform or discharge their obligations to others can only be human beings, which is a less valuable or lower moral status. It draws a distinction between persons and human beings with a hierarchy assigned to persons over human beings. And it is this distinction or hierarchy between persons and human beings that presents difficulties for people with disabilities, especially those with cognitive and extreme physical disabilities. Although the concept of obligation in African communitarian philosophy often refers to virtues and human excellences, it is defined in an active and able-bodied way, which is not attentive to the obstacles that may prevent

2. Ibid., 17.

3. Ibid., 7.

4. Drucilla Cornell, *Law and Revolution in South Africa: Ubuntu, Dignity, and the Struggle for Constitutional Transformation* (New York 2014: Fordham University Press), 161.

5. Drucilla Cornell and Karin Van Marle, "Exploring 'ubuntu': tentative reflections," *African Human Rights Law Journal* 5, no. 2 (2005): 195–219, 205.

6. Onazi, *An African Path to Disability Justice*, 19.

people with disabilities from discharging their obligations to others. The problem is that there is a demanding standard of obligations that takes for granted the distinctiveness of people with disabilities, who are potentially excluded from the regime of obligations synonymous with being part of a community.

Contribution of the book

My book takes the relational conception of community as its core element but relies on a different conception of personhood to ground the proposed legal philosophy of disability justice. My proposals in the book are modelled on a conception of personhood of the Nso people of Cameroon and developed by the work of Godfrey Tangwa. Unlike the dominant conception of personhood, this version does not rigidly define individuals or place them into '... a hard analytic frame, by specifying the necessary and sufficient criteria, conditions, or capacities for being human'.⁷ It makes no distinction between persons and human beings, and it does not rank human beings according to any individuating features. It is an open-ended or non-essentialist conception of personhood, which accommodates changes in the characteristics of human beings. It importantly recognises that the moral worth of human beings is constant and unchanging regardless of changes to their physical and mental make-up and socio-political economic status. An advantage of this conception of person is that it widens the scope of people to whom obligations are owed, since the moral consideration of others is not contingent on individuating features or moral qualities.⁸ Being a human being is the only criterion to be the recipient of the obligations of others. People incapable of reciprocation are owed obligations in the same way as they are owed to people capable of reciprocation.

7. Godfrey Tangwa, "The Traditional African Perception of a Person: Some Implications for Bioethics," *Hastings Center Report* 30, no. 5 (2000): 39–43, 40.

8. Onazi, *An African Path to Disability Justice*, 25.

Community

From the above foundation, the book develops what I have called an African legal philosophy of disability justice comprised of ethical ideals of community, relationships, and obligations. In combination, these ideals are proposed to serve as a criterion for evaluating, criticising, and modifying existing legal and political institutions, as well as creating new ones to ensure that people with disabilities are included within the range of relationships characteristic of community life. This approach has a present and futuristic dimension, which can be used to critically evaluate existing institutions as well as serve as a foundation to create new ones. Disability justice is measured through these ideals as a way of ensuring people with disabilities are part and parcel of various forms of community life. Therefore, disability injustice is the exclusion from various forms of community relationships. Accordingly, the relational conception of community should be understood as the first principle, the core element, and the source of other principles of disability justice. It is the foundational ethical ideal of my account of disability justice.

Relationships

Once the relational conception of community is prioritised as the core element of disability justice, the importance of relationships (between parents and children, siblings, friends, fellow citizens, acquaintances, strangers and much more) becomes central. Human relationships of love, care, compassion, generosity, friendship, and solidarity among other things characteristic of daily community life in Africa as well as across the world would be at the core of my proposed legal philosophy of disability justice. The premise from which the approach proposed begins is that human relationships are not only fundamental, but also a universal feature of human life as a direct result of our incompleteness and need for connection with each other.⁹ Therefore, the book seeks to draw attention to the kind of relationships that elude people with disabilities as well as the social and cultural beliefs and perceptions that prevent them from community life because of their bodily, sensory,

9. *Ibid.*, 28.

and mental impairments. The emphasis on relationships not only sheds light on the exclusions or injustices experienced by people with disabilities, but also the kind of interventions that can be made or how changes in the design of societal institutions can be made to include people with disabilities into community relationships.

From this perspective, poverty can be understood as a factor that prevents people with disabilities from experiencing or sharing community relationships. The same can be said about the lack of access to healthcare, food, education or employment opportunities, housing etc. They all can be understood as obstacles to community relationships of people with disabilities.¹⁰ This is also the same with inaccessible public transport, inaccessible buildings and the absence of roads and street pavements that make it difficult to move around for daily needs, or to visit friends and loved ones.¹¹ These all have a negative effect on the relationships and community experiences of people with disabilities. The point is that these and other exclusions or injustices are not only violations of human rights or capabilities, but also violations of the quality of community life of people with disabilities.

Obligations

The third element of the approach proposed in the book concerns obligations. Here, it places emphasis on the obligations that should be owed to people with disabilities by the state and citizens without disabilities. As earlier suggested, the problem with obligations in African thought is that they are routinely characterised as mutually reciprocal concepts, a feature that excludes people with disabilities from community life. An asymmetrical conception of obligations is proposed as a more attractive and inclusive approach since it does not place stringent demands for mutual reciprocation. Once an asymmetric conception is adopted then it is much easier to justify and extend obligations to people with disabilities. Asymmetry is an important way of appreciating that people do not have the same needs and abilities as well as the ability to carry out obligations in the same

10. *Ibid.*, 127–128.

11. *Ibid.*

way as others.¹²

The application

Although the scope of the book has been to set out what an African legal philosophy of disability justice would look like, it goes to some extent further in outlining how to realise the obligations it demands in practice. Part of the reason for this is to avoid a well-known criticism of obligations in African communitarian philosophy that they are akin to acts of supererogation (that is, actions that go beyond what a moral duty strictly requires), even though they are not treated as such by most writers in the field. Despite this, and broadly speaking, there is limited research investigating how obligations should be practiced. It is not clear in the literature how members of a society should express, convey, or discharge their obligations to others, especially to people with disabilities. Therefore, I have turned to tax as a bridging concept that can unify, transform, and translate such moral obligations into legally binding commitments of people without disabilities to people with disabilities. Tax is consonant with the binding or stringent nature of obligations in African communitarian philosophy as well as uniquely moral and legal in nature. The obligation to pay tax is primarily a moral obligation, but in the absence of law it is incomplete, hollow, and indeterminate.¹³ With no law, tax is simply a moral obligation which cannot command widespread levels of societal compliance. Therefore, tax is proposed to connect ordinary and abstract moral obligations in African communitarian philosophy into practicable and legally enforceable commitments. In this context tax is not simply a source of revenue for the state, but a placeholder of the altruistic obligations of citizens to be generous, benevolent, compassionate, friendly, or to help, love and respect the most vulnerable in society. I have argued that tax can be transformed into a practical and legally binding commitment to provide resources that can be channelled into removing barriers to enable people with disabilities to fully participate in community life.

12. *Ibid.*, 133.

13. *Ibid.*, 154–158.

Conclusion

It would be reasonable to conclude that the above proposals must be supported by a robust citizenship education agenda that involves all segments of society, which in turn can help create—as I have described in my book—a new public culture of obligations to people with disabilities. The book has outlined how a hypothecated tax scheme can help contribute to this agenda. Specifically, a hypothecated tax scheme can be used to create (or augment existing) National Disability Services across the African continent to enable the state and citizens without disabilities discharge their obligations to people with disabilities. Tax has its limitations, but it can be used to address the urgent and drastic conditions faced by millions of people with disabilities across the African continent.

"POST-": AN AMBIGUOUS PREFIX

Professor Kostas Gavroglu

ISRF Academic Advisor

Writing a book in these days is a truly daunting task. The bibliography for almost any subject is out of control, refereeing processes are getting more and more time consuming, many referees think that if the author does not address their specific viewpoint the manuscript is highly problematic, no one really knows how many manuscripts raising original questions are rejected and publishers' almost exclusive concern is with financial balance sheets. All this does not necessarily lead to the publication of good books, though of course many excellent manuscripts do make it to the end. And then comes the excruciating process of reviews and, more importantly, of having an audience to engage with the books. This is why the ISRF's book launches are so very important—academically as well as socially.

Reading the pieces by Gábor Scheiring, Oche Onazi, and Manjeet Ramgotra that have been included in this ISRF Bulletin, I am convinced that we have three great books on our hands. I had recourse only to the papers included here, and have not had a chance to read the books themselves, so rather than critically commenting upon their arguments my intention is to take their pieces as a point of departure to reflect on the idea of 'post-individualism.'

The three books in question touch upon three seemingly unrelated yet complementary issues: Gábor Scheiring studies the ways "mutated" populism has contributed to the further consolidation of what appeared to be its foe, neoliberalism; Oche Onazi investigates the possibilities of a different conception of personhood in order to propose a legal philosophy of disability justice in Africa; and Annelien

de Dijn examines the continuously changing relationship between freedom and democracy during the last 2000 years. What I think connects these apparently disparate themes are issues related to the ways that existing power structures overcome a number of hurdles in order to further consolidate their position. If Annelien de Dijn brings out the dialectic between freedom and democracy, with their continuously fluid relationship, another dialectic is continuously at work in Gábor Scheiring's analysis of neoliberalism and populism and Oche Onazi broaches the dialectic between traditional perceptions of personhood and the impending changes in view of the proposed judicial system for disability. All three arguments include clearly spelled out political agendas and the authors have systematically examined the multiple issues of their respective subject matter and convincingly argued their respective positions.

What, then, can one say about post-individualism? Though I am not an expert on the *problematique* concerning the issues involved in the discussions of post-individualism, the papers provided the occasion to examine some questions that are, at least, indirectly related to the thematic axes the authors examine in their work. The subsequent discussion owes much to the editor of the ISRF Bulletin, Lars Cornelissen who kindly asked me to take part in this discussion.

The individual

It is by now trivially true that neoliberalism has put the role of the individual in almost all aspects of social life on top of its ideological agenda. Topping the list comes with a twist, though. According to neoliberal ideology, it is one's own fault if one is jobless. It is one's own fault if one becomes ill and is not insured. It is one's own fault if one is poor. It is one's own fault if one cannot be properly educated. It is even one's fault if one is disabled. All the wisdom that neoliberalism claims it has brought to us about the centrality of individualism can be reduced to the phrase "look at the rest": All citizens have the same opportunities, but some took advantage of them, managed better the challenges they met, and while they excelled, others did not and are now in a state of misery—for which, in fact, they blame the state which does not help them. Such an ideology of individualism has a logically rigorous

structure yet the advocates of these views talk about individuals with no trace of compassion. The state, they argue, provides the means. It is up to the individuals to take advantage of them. Why is it, they ask, that some individuals excelled? The godmother of it all was rather clear on the issue: “there is no society, only individuals and families” and, subsequently, the Iron Lady’s TINA (“there is no alternative”) became one of the emblematic catchwords of our troubled times.

Starting in the 1980s, individualism became well entrenched and this hegemonic ideology was systematically elaborated through the analyses of political scientists, sociologists, all kinds of journalists, and, of course, economists. Other analysts who tried to explain what they were witnessing in their respective locales by questioning the virtues of individualism were branded as naive commentators who failed to understand the intricate but liberating workings of the market. The answer to the issues the critics raised was that any existing problems had come about because there was still too much government intervention, the necessary reforms had been delayed, and in the long run the Invisible Hand would work its miracle. The individual reigned supreme and its role was strongly underlined: it was up to the individual to make decisions to maximise their happiness, to maximise profits, to raise a family with good education for the children, etc.

Such answers were reminiscent of the state of affairs in calculational astronomy in late antiquity and the middle ages: σώζειν τα φαινόμενα (“to save the phenomena”). If there was any discrepancy between an observation and a theoretical calculation, the answer was to add more epicycles which would invariably lead to newer calculations that would, in fact, agree with the observations. Retrospectively we know that each time a new epicycle was added the mathematical model of the heavens became more precise in its predictions, but also became further removed from the real world that was revealed to us in the 17th century. A mathematical theorem proved by Jean Baptiste Joseph Fourier in 1807 explained this paradoxical situation where better predictions were achieved as the explanation for the observed phenomena became more and more complicated. There are many similarities with the apologists of neoliberalism: their answer to whatever some consider as a discrepancy of the system, be it increasing poverty, increasing violence in cities, the disintegration

of the educational system, the marginalisation of young people, the demise of small businesses, their answer to all this is less government and more market-friendly reforms. They argue that we are just one market-friendly reform away from solving the problem, or that taking one more step to guarantee less government will reverse those ills that the critics insist have been created by neoliberal policies. For the ancient astronomers, adding epicycles did the trick at the expense of actually solving the real problems concerning the planets' actual movement. The same appears to be true of neoliberalism: what appears on paper seems to be convincing but, after several decades of neoliberal policy, the sum total of all these convincing arguments and proposals does not appear to have given an answer as to how we deal with the real problems that affect societies.

And, then, a gale which turned into a storm which turned into a hurricane hit all those devotees of TINA: the pandemic. I shall not go into a discussion of how the ideological and political agenda of neoliberalism has had to deal with the shock of the pandemic. But it is facing an almost existential threat when the necessity of strong social institutions and the active engagement of the government rapidly became the only means of keeping people safe as well as to make them understand that an exclusive insistence on the virtues of individualism plays into the hands of the virus.

The individual and their friends

If at a political level individualism has been strongly criticised and the pandemic has forced its dramatic reconceptualisation, there is another network of social practices where individualism has triumphed. Perhaps nothing symbolises the triumph of individualism more than the attention with which hundreds of millions sit in front of their screens, often in a state of daze, to send and receive messages, commenting on what their online "friends" do or write. Facebook, Instagram, and other social media represent the triumph of individualism, transforming the very notion of friendship. Friendship—perhaps the most complicated of all relationships—though it is all about individuals, needs the subjugation of individualism in order to blossom. The virtual world has invented a new signification for friends and friendship: it is the symbol

of our age, the blue thumbs-up, the “like” button. *Friends have become a countable entity, and friendship a quantifiable relationship.* And thus, the screen has become a particularly strong catalyst in revealing a new kind of individualism whose identity is mostly determined by the possibilities provided through the absolute power one has to press the relevant button on a screen. The technology itself dictates its norms. A new agora, without the disadvantages of the old, is in the making. Here everyone can take part in any discussion, pressing any one button to delineate one’s individualism. Everyone is related with everyone else, without losing one’s own individualism. At long last everyone has the same opportunities to be engaged with anything one wants. Athenian democracy seems a failed experiment, substituted by democracy for all and the feeling of unlimited power of what one can do without limiting the others’ freedom to function in the same manner.

The individual, their friends, and democracy

All this, however, is counterbalanced by something that would undermine such perceptions of the dominance and primacy of the individual: the free services provided by the richest companies. Such a virtuous practice came with a price tag: the willingness of the individual to be the source of data extraction. All we know about ourselves—and all we do not know—is at the mercy of algorithms. Perhaps post-individualism in the era of the digital condition may mean that algorithms know more about individuals than individuals know about themselves—helped or not by psychoanalysts.

The amazing inequalities that have been created by those who own and decide how they use all of this collected data, has had dramatic effects upon democracy itself. In a democratic society, independent of its successes and failures, there are institutionalised processes to bridge inequalities. This is not the case in what we call the Big Tech companies. Their aim is to continuously widen the difference between what we know about ourselves and what they know about us, creating all-pervading power structures over individuals. But this state of affairs has been formed through a consensus by the citizens to surrender all kinds of data about themselves in exchange for something not before experienced: the provision by capitalist enterprises of free services. In

a way, post-individualism may be the willingness of the individuals to surrender their specific characteristics in exchange for free services that have given the impression of enhancing individualism. These free services have become the mediators of a Faustian exchange: we provide free services, you "tell" us *anything* we want to learn about you. The end result of this consensus? Compromising democracy. If democracy among many other things is also a regime which has the mechanisms of protecting itself from the excesses that it may itself create, the virtual world has created power structures that are intrinsically impossible to control.

The individual, their friends, democracy, and the "post-"s

I am rather uneasy about attempts to understand (new) philosophical, social, and political phenomena by using the prefix "post"—be it post-truth, post-modernism, post-capitalism, or post-individualism. I say uneasy and not in disagreement, being fully aware that significations are often necessary in order to underline the novelties of emerging phenomena or to signal new beginnings. However, the issues involved in these discussions almost always involve an attempt to historically situate these phenomena and, often, to understand their genealogy. Of course, the emphasis that the use of this prefix adds is to comprehend what is new and novel and, consequently, much attention is given to any breaks with the past. However, no break can be understood without the continuities involved in the becoming of the "post-"s, which signifies some kind of transcendence of the old. This, of course, is an old debate and no historian would doubt the usefulness of balancing continuities and discontinuities with the past in any historical narrative. However, the tendency to pay almost exclusive attention to prefixed concepts does not do justice to their historical becoming.

The notions and processes involved in the appropriation and re-appropriation of past trends may widen the range of possibilities in understanding post-individualism. (Re)appropriations are not passive processes on the part of historical actors, but express the totality of ways which dynamically incorporate how, at every historical juncture, the present material conditions bring about the metamorphoses we're seeking to capture—be it in artistic styles, in philosophical concepts,

in area studies, in anthropology, or in political discourse. There are no prescriptions for how individuals, collectivities, or institutions (re) appropriate the past in the present. And it is often the case that an emphasis on the “post-” overshadows the richness of history and the intellectual and political struggles that preceded any neat definition of that “post-”. As much as I am a fan of bringing forth what is new and in tune with the new material conditions of our changing societies, I would always try to be alert not to lose sight of the cultural, social, political, and psychological processes involved in preparing the emergence and configuration of that which is new.

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