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EDITORIAL

It is with great pride that I am introducing you to the seventh edition of ESTRO, the academic student Journal of the University of Essex. The present issue is a compound of research articles that has been collected throughout the year and covers a multitude of subjects. As you may already know, ESTRO is an academic Journal driven by and for students at the University of Essex. The Journal provides a platform for excellent writing and strives to strengthen the academic community at the University. The articles have been chosen because of their strong academic quality and take the reader on a stimulating and intellectual journey across the disciplines at the University. The first part of the 12th issue is very much a reflection of the society we live in today, whilst the latter part deals with works found in the diversity of the arts. However, as a unity, they all bear a sense of morality and question, in one way or another, the consequences of our past, present and future actions.

Opening the issue is Marte Lund Johannessen's article "How should the claim that human rights are universal be reconciled with the actual cultural diversity in the world?". The article takes on the debate between the idea that human rights should be recognised as universal and the argument that human rights lack legitimacy and are forcibly imposed on cultures. Within this debate, Johannessen asks herself whether the concept of universal human rights actually can be reconciled with the cultural diversity that exists in the world today. She argues that they are compatible with each other in various ways and concludes that culture and human rights oftentimes complement, rather than compete, with each other.

Following is the article "Is It Impossible to Solve An Insurgency Only by Military Means?". In this piece Marina Petrova's seeks to answer the question of whether wholly military solutions to insurgencies lead to the successful ending of a conflict. It pays particular attention to enemy-centric and population-centric counterinsurgency approaches and tries to demonstrate that the military plays a central role in solving insurgencies, but that such operations are also heavily dependent on a wide set of other variables. Petrova argues that whichever insurgency approach is taken, it is only possible to be successful if key factors, such as capabilities, coordination, cooperation and information, are taken into account. She thereto strives to prove that, in order to enhance the army's success rate, one must also involve social, political and economic strategies.

An equally controversial topic is found in "Is Afghanistan a Failed State?" which sheds some light on the dubious notion of a 'failed state'. The author, Benjamin Gaiser, tries to elucidate some of the most prominent arguments made by pro- and anti-failed state advocates. Pro-failed state supporters, on the one hand, see in the notion a possible way to operationalise a state's capabilities into a form which that allows predictions for future political disasters. Anti-failed state supporters, on the other hand, attack already at the level of conceptualisation. They believe that the notion of a 'failed state' is

indiscriminate of state particularities and might be a potential slippery slope for interventionism. Gaiser dissects the opposing terminologies in the illustrative case study of Afghanistan.

In the fourth article, Christina Ionela Neokleous deals with executive remuneration and its complex place within the corporate governance system. In her article “Executive Compensation as a Corporate Governance Problem” she discusses the continuously controversial topic and its numerous – and often contradicting – incentives. Neokleous describes how the objectives of executive compensation have developed over time and offers an insight into the detrimental effects of its misuse. The article provides the reader with some spectacular examples from companies such as Enron, Lehman Brothers and WorldCom, and their renowned abuse of the system. Lastly, Neokleous ponders on the relationship between executive compensation and company performance as a whole.

Christopher Cunningham’s article “What did Weber mean by his view that sociology must start from the understanding of individual action?” explores the ‘encyclopaedic scholarship’ of Max Weber and his influence on modern sociology and the social sciences. Weber suggests that ‘sociology’ is: ‘the science whose object is to interpret the meaning of social action and thereby give a causal explanation of the way in which the action proceeds and the effects which it produces’. Cunningham recognises the circumstances from which Weber’s ideas were born and means that it is possible to analyse and understand why Weber saw a need for an alternative approach to the functions of society. This engaging article takes the reader on an odyssey through his most fundamental works and strives to find *meaning* in Weber’s view.

Amalia Mihailescu continues the series of submissions, but on a rather different topic. In “A Postmodernist View: Methods of Subversion in Italo Calvino’s *If on a Winter’s Night a Traveller*” she draws attention to how the author cleverly tries to offer new perspectives on the traditional concepts attached to the literary text. Mihailescu discusses how Italo Calvino tries to redefine the conventional roles of author, reader and plot in the most unexpected ways. Calvino transforms the reader into a character in the novel itself whilst the reading of the novel turns into its actual plot. As a consequence, the author of the novel becomes redundant to the storyline. Mihailescu thereto examines Calvino’s use of multiple narrations and argues that this is a way of further subverting the narrative conventions of the novel.

In a similar vein, Rebecca Parmenter continues on the literary topic and dissects Maryse Condé’s 1986 novel *I, Tituba, Black Witch of Salem*. Condé’s piece is one of a number of texts concerning the witch trials that took place in 1692 and explores issues such as feminism, slavery, religion and race. The article “In What Ways Might Maryse Condé’s *I, Tituba, Black Witch of Salem* Be Read As a Metafictional or Postmodern Novel?” pays specific attention to the ways in which the form and substance of the novel can be considered postmodern. It is argued that the postmodern form of Condé’s novel is

inherently linked to its representation of oppressed groups and encourages critiques of otherwise common historical narratives.

Moving from one art-form to another, Abigail Hollinshead takes a dive into the extraordinary works of the film-maker Liliana Cavani. In “Desire is Death: The Death Drive and Repetition in Liliana Cavani’s *Il Portiere Di Notte*” Hollinshead excavates the murky layers of the film *Il Portiere Di Notte* (*The Night Porter*) and explains how it provoked outrage upon its initial release. The controversial film portrays the love story between a Nazi SS officer and a Jewish prisoner who decides to engage in a sado-masochistic affair which outlasts both the war and the concentration camp where it all began. However, Hollinshead argues that the work is unquestionably much more than a simple work of cheap Nazi exploitation. The complex and transgressive relationship between the two protagonists is analysed from a Lacanian and Freudian perspective and takes into consideration key concepts from both psychoanalysts.

Passing from film to modern art, Jamie Taylor takes the reader on an expedition through the controversial artist collective Ztohoven’s artworks. In the article “Ztohoven: The Modern Dissidents?” it is argued that the collective is the modern embodiment of previous Czech dissidents that figured in the Communist era. Taylor focuses on key public works produced by the collective and tries to demonstrate common methodological, intellectual and thematic links with previous dissidents from the era.

Finally, I would like to give a warm thank you to everyone who contributed to the final form of this issue. Special regards goes to the previous editors, Andrea Pavon Guinea and Anupriya Singh, who contributed to the initial works of this edition. It has been a tremendous pleasure to have been a part of this publication and I hope you will learn as much from these articles as I have. The pages lying before you are a beautiful example of the intellectual and academic diversity that exists at the University of Essex today.

Linnea Kristiansson, Editor

How Should the Claim that Human Rights are Universal be Reconciled with the Actual Cultural Diversity in the World?

Marte Lund Johannessen

ABSTRACT

One of the classic debates within political theory has been between the idea that human rights are universal moral standards and the argument, often put forward by cultural relativists, that human rights are imposed on cultures and lack legitimacy. Within this debate, the question of whether the concept of universal human rights can be reconciled with the actual cultural diversity in the world has often arisen. This essay argues that they are compatible with each other in three ways. Firstly, the capacity of the modern state to cause human suffering and to stop human capacities to flourish is universal and human rights are therefore a necessary response to this. Secondly, human rights and culture operate on two different levels in the contemporary world, where human rights operate at the level of nation-state, and culture operates at the level of the community. Because of this, many cultural practices lie outside the domain of human rights and are instead afforded human rights protection. Lastly, human rights are only universal at the level of concepts, while having both room and need for cultural particularities in regards to interpretation and implementation of a right. Here, culture and human rights complement one another.

On the face of it, universal human rights and culture may collide because it can seem implausible that a single set of rights can be applicable to all cultures in such a diverse world. Cultural relativists often argue that human rights seek to impose western standards upon other cultures, and is thus in conflict with the cultural diversity in the world. However, this essay will argue that there does not necessarily have to be a tension between the two, and that it is in fact possible to reconcile the claims and ideas regarding universality of human rights with those of cultural diversity. Firstly, this essay will argue that human rights can be universal, even though they derive from the West, due to the universality of the modern state and the universality of human suffering and capacity for action. Secondly, it will argue that human rights and culture operate in two different spheres of the world, that of government and community. Lastly, it will argue that human rights are universal at the level of concepts, while having room for cultural

particularities with regard to interpretation and implementation of a right. This will allow for universality and culture to be reconciled in practice as well as theory.

In attempting to reconcile universal human rights and cultural diversity, it will be necessary to establish in what ways human rights are universal, and for what reasons. It will first be necessary to analyse the claim that human rights is a Western concept and therefore not universal. A common claim against the universality of human rights is that they “as defined by the West are rejected, or more accurately, are meaningless [to non-Western countries]” (Donnelly, 2002:85).

However, although coming from the liberal tradition of the West, human rights do not seek only to protect the Western way of life (Freeman, 1995). Human rights as we have them today are responses to principal threats to human dignity (Donnelly, 2002), these being universal threats like despotism and poverty for example (Freeman, 1995). Brems (2001) continues this line of thought and argues that the Western character of human rights should not be exaggerated. She points out that the reason for the West developing human rights was because it was the first to need something of this kind (Brems, 2001). The modern state was first developed in the West, and the cultural and political history of the West is not that of human rights, but rather gross violations against humanity, like torture and genocide (Donnelly, 2002). It is also true that human rights “historically did not smoothly and immediately obtain general acceptance in the West” (Brems, 2001: 298). This is even clear today in recent discussions by the British government and the media proclaiming that human rights are not British. Donnelly makes it clear that the argument on the importance of where human rights derive from fails: “if human rights are irrelevant in a particular place, it is not because where they were invented or when they were introduced to that place” (2002: 87). Brems furthers this line of thought and argues that this is what is called the ‘fallacy of origin’: “that current human rights are predominantly Western, both as regards to their origin and regards to their content, does not justify the conclusion that they cannot be made applicable to all persons worldwide” (2001: 299). There are very few ideas that have their origin in all cultures. If this is the criterion for universality, it would definitely fail.

Furthering this argument, it has been argued that the universality of human rights can be proven by finding similar or equivalent moral codes in all cultures. An-Na'im (1992), as cited in Brems (2001), tries to show the universality of human rights empirically. He argues that there is something similar to the golden rule, that we should treat others as we wish to be treated, in all the major cultural traditions. However, as Brems (2001) points out, it is very dangerous to let consensus be the determinative condition for

universality, because it would easily fail if some culture did not have that rule. In addition, two problems arise with using consensus on moral and political practices in cultures as a condition. Firstly, Donnelly points out that “Most traditional legal and political practices are not just human rights practices dressed up in different clothing” (2002: 87). The fact that a culture is occupied with justice and fairness for example, does not mean that it is compliant with human rights; the human rights approach to certain concepts is often very different from other approaches (Donnelly, 2002). Secondly, even if there was consensus on certain human rights, this does not mean that they were founded on the same moral principle of human dignity. Rather it could be based on something culturally specific (Brems, 2001).

The existence of human rights equivalent moral codes in all cultures does not have to be determinative for the universality of human rights. Brems (2001) proposes the argument that the universality of human rights is a matter of choice and the motivation for that choice is irrelevant. This is Rawls’s notion of ‘overlapping consensus’, which states that the reasons for people subscribing to human rights are often based on people’s own religious views and philosophies (Nickel, 2007). Despite the many cultures in the world, what is empirically universal is that countries exist as modern states and all have enormous power over their citizens (Brems, 2001). The modern state first developed in the West and that is why human rights developed there (Donnelly, 2002). Claims that human rights do not comply with a culture’s tradition, are often made by “political elites that have long left traditional culture behind” (Donnelly, 2002: 87). If these political elites are willing to adopt the ‘Western’ modern state, it should be argued that they will need to take human rights as well, it comes in a package. A second argument for universality is that made by Brems (2001), which is human suffering. All humans are equipped with the capacity to suffer, and because the modern state is capable of causing human suffering, the need to protect is a universal need (Brems, 2001). A second universal principle that needs to be added is that of “the capacity of individuals for action” (Freeman, 1995: 20). Without this, human nature would be undermined and seen as passive. Therefore, the modern state has a duty to let “capacities of individuals be developed and employed” (Freeman, 1995:20). This requirement adds an important element by requiring states not only to refrain from causing suffering, but to also allow human capacities to flourish. It is therefore clear that the fact that human rights derived from the West does not affect the claim that human rights are universal. Rather, because universal human suffering and potential capacity for action can be harmed by the modern state, human rights are necessary to restrict this possibility.

Secondly, in order to reconcile universal human rights and cultural diversity, it will be necessary to analyse the relationship between culture and human rights. Cultures are, as Donnelly points out, “complex, variable, multivocal and above all contested” (2002: 86). Cultures do not have one voice, and if they do, this is often the voice of the dominant groups of classes (An-Na’im, 1992). Therefore, whenever a group makes a particularist claim, it is very hard to establish whether this is done in the interests of everyone in that culture. This essay argues that the conflict between human rights and culture is minimal, and when there is a conflict, it must be important to establish who makes the claim and for what reason.

Firstly, Nickel points out several reasons for what he calls the non-collision of culture and human rights, one being that “people often put potentially conflicting beliefs in different realms” (2007: 176). By this he means that the norms people hold in regards to religion, family and home are put in their own category, while that of politics in another. For example, the belief that people should have a fair trial will not usually conflict with religious values. Freeman furthers this by proposing to consider “human life in the contemporary world as organised at four levels”, these being individual, community/association, nation-state, and world system (1995: 13). Human rights work at the level of nation-states and the world system, this means that many cultural practices lie outside the domain of human rights, and that they themselves are in fact protected by human rights (Freeman, 1995).

Another area to discuss in relation to culture and human rights is determining that ‘civilization x holds belief y’ (Donnelly, 2002). Cultures are not homogenous and it is therefore often hard to establish what should be the evidence of a cultural belief. Another point to add, is that cultures change rapidly due to internal struggles, as well as cross-cultural dialogue. It is therefore important to evaluate claims of culture in order to avoid certain elites being able to hide behind ‘traditional culture’. Brems (2001) proposes to do this through looking at who makes the claim. Because human rights are supposed to protect against governmental abuse of power, cultural claims by governments should be looked at with a critical eye. The motives behind such claims are often to secure regime security or to pursue economic goals (Brems, 2001). On the other hand, if the claim is made by a more diverse group of claimants and their view is supported by evidence from NGOs, anthropologists and sociologists, it should be given more credit (Brems, 2001). In a globalised world, people within a culture might not value certain norms equally, therefore it is important to accommodate for all views (Brems, 2001). This is important because there is great potential for a small elite to promote their own values as if they belonged to all (Donnelly, 2002). It is therefore possible to say that many claims of

cultural incompatibility coming from an elite group are not cultural claims at all but merely the claims of self-interest. Interestingly, this line of argument is often presented by cultural relativists when they argue that universalists are selfish for imposing their own western views, i.e. human rights, on other cultures. However, human rights do not impose a specific set of cultural values; instead they protect individuals in exercising their cultural practices and cultural diversity. Thus, in fact, human rights strengthen culture; as stated in Article 27 of the Universal Declaration of Human Rights ‘everyone has the right to freely participate in the cultural life of the community’. It is evident from recent years that indigenous groups often use human rights to defend their culture from the government. Furthermore, it is also possible to reconcile universal human rights and cultural diversity by arguing that the two occupy different spheres of society. Human rights deal solely with governmental power over citizens, while culture is very rarely interested in this, and operates on a more community based level.

The last argument to be put forward, is that human rights operate at the level of concepts or minimal standards which are open to interpretation at the national level (Nickel, 2007). There are, of course, certain human rights where there is no room for local interpretation. For example, gross human rights violations such as torture and slavery. Donnelly (2002) points out that the rights found in the Universal Declaration of Human Rights formulate rights at the level of concept. These concepts are broad or abstract and allow for considerable latitude to local interpretation (Nickel, 2007). Nickel shows the example of Article 10 of the Civil and Political Covenant which requires people in prison to be “treated with humanity and with respect for the inherent dignity of the human person” (2007: 175). It is clear that this leaves room for different conceptions of human dignity and cultural interpretation of what is humane and respectful. Donnelly argues that “conceptions of human nature or society that are incompatible with such rights are almost by definition indefensible in the contemporary international society” (2002: 94). These abstract and interpretable concepts are also what Walzer (1996), as cited in Brems (2001), calls ‘thin’ or ‘minimalist’ accounts of morality; thick morality reduced to its essence. Thin morality is used to condemn human rights violations because it communicates a clear message, for example ‘the right to education’ which is easily understandable by all if not in exactly the same way (Brems, 2001). Thick morality, however, is universal in its core or concept; the rest is particular to a specific culture, developed through interactions between members of that culture (Brems, 2001). Human rights, after being interpreted and implemented by certain cultures, become thick morality. Because certain human rights are ‘essentially contested concepts’, culture can provide a plausible mechanism of selecting interpretations (Donnelly, 2002). This mechanism is especially important because in order for human rights to work they need

to be inclusive. People need to feel that human rights answer to their needs. However, Donnelly points out that interpretation is not synonymous with free associations or arbitrary stipulations, and argues that there are only a modest number of defensible variations in interpretations (2002).

Lastly, the stage of implementation and form is where there is most room for culture to play a role. In fact it can be argued that there needs to be room for culture in order for human rights to be effective. An-Na'im (1992), as cited in Brems (2001), argues that human rights must be implemented in a manner consistent with the peoples own rationale in order for them to perceive the rights as their own. This can be done in many ways, but an important aspect is to make human rights more attractive by linking them with issues that are important to that society (Brems, 2001). Freeman (1995) does this by linking the Asian values of community to individual human rights by arguing that a community will not flourish if the individual level does not. Another way may be to relate human rights to already existing moral codes in that society which will help to increase the legitimacy of certain rights (Brems, 2001). However, Donnelly (2002) points out that the implementation must fall within the range of variations consistent with the overarching concept, but also points out that the range of variations can be considerable. It is then clear that it is possible to reconcile universal human rights and cultural diversity by looking at specific rights as concepts where the interpretations and implementations of that concept can leave significant room open for cultural particularities.

To conclude, it is possible to reconcile universal human rights and cultural diversity in four main points. Firstly, the fact that human rights were derived from the West does not affect their universality because, as the creator of the modern state, it is natural that human rights would have evolved there. The modern state is universal, as are the potential for human suffering and human capacity for action. As the state has the potential to cause suffering as well as limit human capacity, it is therefore necessary that the modern state adhere to human rights. Secondly, human rights and culture operate in two different areas of the world, the government level and community level respectively. When they do operate in the same sphere, human rights are usually used to protect culture against government power. Furthermore, claims of cultural incompatibility with human rights made by small elites may often be claims of self-interest and not representative of the wider community. Lastly, many human rights operate as concepts open to cultural interpretations and implementation so long as they still comply with the basic principle of the right. This means that in both theory and practice universal human rights can be reconciled with the actual cultural diversity in the world.

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Is it Impossible to Solve an Insurgency only by Military Means?

Marina Petrova

ABSTRACT

Insurgency presents the armed struggle over a distinctive terrain by a group demanding change of the status quo – putting an end to the influence of colonials or occupying power, autonomy, secession or shift in the current politics of the government (Boyle, 2012). Insurgents rely on clandestine attacks against security forces and use irregular forms of fighting due to the fact that they do not have the military capacity to fight a conventional war against a modern army (Boyle, 2012). Attempts at defeating insurgencies in the last century have taken various forms, with different strategies and tactics, but the military has always been an indispensable part of every counterinsurgency. This essay will look at enemy-centric and population-centric counterinsurgency approaches and will seek to demonstrate that militaries play a vital role in solving insurgencies, but overall victory in counterinsurgency operations is dependent on a wide range of variables. Thus, the main argument of this paper is that whichever counterinsurgency path is embarked on, it is possible to be successful only if key factors such as capabilities, coordination, cooperation and information are taken into consideration. However, despite the fact that it is possible to resolve insurgencies solely with military force, the vast majority of ‘success stories’ in counterinsurgency operations has relied not only on military means, but also on comprehensive strategies involving social, political and economic forces, enhancing the capabilities of the army, working on better inclusion in social terms, and making political reforms so as to accommodate the grievances that caused the insurgency.

The Framework

The concept of victory is crucial for this discussion since this essay seeks to address whether exclusively military solutions to insurgencies lead to the ending of the conflict. Here, victory for the counterinsurgents is defined as the achievement of long-lasting political stability and absence of violence stemming from the insurgents (Mandel, 2006, pp.139-140). For the purposes of this essay, counterinsurgency missions are divided into two categories: enemy-centric and population-centric operations (Kilcullen, 2007). The

former refers to counterinsurgencies where the military is the sole, or at least the leading factor in all operations. These missions rely overly on kinetic approaches since the ultimate goal of the campaign is the total elimination of the insurgency movement (Kilcullen, 2007). Such kinds of operations often do not seek to engage the civilian population, or are not focused on any socio-political solutions to the root causes of the insurgency. On the other hand, in population-centric counterinsurgency operations the military still plays a key role, but there are great efforts made in order to balance military action with political, economic and social endeavours addressing the conflict (Kilcullen, 2007). In such types of campaigns, the function of the military usually expands from its ordinary tasks to the provision of support operations to humanitarian and socio-political responsibilities, often in joint operations with the other law enforcement units of the state. The goal of population-centric approaches in counterinsurgency is to isolate and protect the civilians from both the influence of the insurgents and the threat they might pose to the ordinary people (Jardine, 2012). The local population needs to be convinced of the significance of the counterinsurgency and most importantly its commitment to the campaign. As Mao Zedong has compared insurgents to ‘fishes’ which are ‘swimming’ in the ‘sea’ of popular support, counterinsurgents need to focus on decreasing the assistance and approval the local population grants to the rebels so as to break the backbone of the insurgency (Nagl, 2010, p.161). As to Robert Thompson (1966), there are a few but vital points to be followed in every counterinsurgency doctrine: efforts at the preservation of state’s legitimacy and political capacity, abidance by the law, and focus not only on the military aspect of counterinsurgency, but also on the political, economic, and social elements. In other words, the counterinsurgency campaign has to secure its operational bases and territory, but at the same time address the grievances and the politics of resolving them, while balancing all these aspects with its respective military means. The preparedness to lead a potential prolonged conflict and not to lose the political and military will is also quintessential (Thompson, 1966). Thus, it can be argued that the population-centric approach is more comprehensive than the enemy-centric approach; still, victory in counterinsurgency is dependent on a diverse range of variables.

The RAND Corporation Report *Paths to Victory: Lessons from Modern Insurgencies* has provided an extensive comparative analysis of counterinsurgency efforts from WWII to present (Paul et al., 2013). The report focuses on 59 cases, which have been divided into two categories: ‘Iron Fist’ - covering the definition of enemy-centric approach in this discussion – and ‘Motive-Based’ – covering the definition of population - centric approach in this discussion – (Paul et al., 2013, pp. xx-xxi). The key finding of the report is that in 44 of the cases where enemy-centric approaches were prevalent, the success rate of the insurgents over the counterinsurgents was 61% (27 of the cases), while in the 15 cases

where population-centric approaches were predominant, counterinsurgents were defeated only in 4 instances (Paul et al., 2013, p.79). The findings of this analysis will serve as the basis of the argument that even if it is possible to resolve insurgencies solely with military force, the vast majority of ‘success stories’ in counterinsurgency operations has relied not only on military means, but on comprehensive strategies involving social, political and economic aspects. A discussion on the implications and the reasons why overall population-centric approaches have higher success rates than enemy-centric ones will aim to point at the wide spectrum of determinants of the outcome of the counterinsurgency campaign. It should also be noted that approaches are defined on the basis of whether the predominant time of the conflict enemy-centric or population-centric modus operandi have been applied.

How to Achieve Victory? – A Discussion

Insurgencies occur in various and different forms of warfare, from guerrilla to terrorism, but always need popular support to be effective (Hoffman, 2006). Governments confronting such cases of instability adopt a strategy to deal with the situation, a decision which should be based primarily on two components: first, the ability of the government to successfully assess the circumstances and the environment in which it has to operate a counterinsurgency campaign, and second, the relationship between the government/military and the civilian population (Shafer, 1988). In addition, there is often interplay between the components, in the sense that the civilians may deem the government illegitimate or the civilian population can be extremely divided in relation to government policies and the cause of the insurgents. One should bear in mind that public opinion is not constant and, while a country is experiencing an insurgency, the government should be cautious about the policies it takes so as not to create backlashes (Taber, 2002). We should note that the regime type is not of central importance in this discussion since autocracies can be equally good at solving insurgencies, and democracies can be disastrous in their counterinsurgency operations. For instance, in the case of Peru and the fight against the Shining Path which began in the 1980s, it was not until the highly controversial and authoritarian rule of Alberto Fujimori in 1992 that the counterinsurgency doctrine was revised and some progress was made. The administrations before had relied exclusively on military approaches, while Fujimori managed to embark on a more population-centric approach, which ultimately won him the victory over the Shining Path (McCormick, 1990). If we take governments as rational agents, making decisions based on a cost-benefit analysis, then we can expect their approach to the insurgents to be determined by a wide range of economic, social and political considerations. On the other hand, more liberal states such as Turkey in its

counterinsurgency campaign against the Kurdistan Workers Party focused exclusively on military force to squash the insurgents (Metelits, 2010). Both Peru and Turkey achieved victory in their counterinsurgency campaigns disregarding their type of government and the counterinsurgency approach they took.

Despite the fact that victory of the counterinsurgents proves not to be conditional solely on the approach used, there are some central determinants of the ‘success stories’ that need to be addressed. One important factor is the capabilities of the military; what is meant by capabilities, is, namely, the military capacity of the armed forces and also the ability of the military to adapt to the irregular nature of insurgencies (Kilcullen, 2009, p. 23). This aspect is essential in both enemy and population-centric approaches. In the former, the military has to have the capacity to destroy the insurgents and outwit their irregular tactics, which can be a difficult task to achieve due to the fact that often militaries are not trained to fight in such asymmetric conflicts (Kilcullen, 2009). In population-centric counterinsurgency campaigns, the military might need to take responsibilities such as supporting the law enforcement forces, aiding in the distribution of humanitarian assistance and other roles, which are substantially different from the basic task of fighting wars. Counterinsurgents need good military equipment and also the ability to distinguish the type of force and the right time to be applied so as not to dissuade the population from their sympathy for the counterinsurgency. In Chechnya (1994-1996), the Russian conventional armed forces were inexperienced in leading an asymmetric conflict; the Russian counterinsurgency defeat in Chechnya showed the vulnerability of the Russian army to unexpected assaults on military equipment, vehicles and personnel (Kramer, 2004/2005).

Another important point to be considered is the counterinsurgency doctrine and the approach taken; it is crucial for the counterinsurgents to recognize the specificities of the conflict environment and to adapt strategy accordingly. For instance, the British in Malaya (1948-1960) focused on an enemy-centric approach initially, but this course of action generated huge losses for them. ‘Winning the hearts and minds of the population’ strategy, or the population-centric approach, made it possible for the British to collaborate with the local population for intelligence purposes and, with the appropriate technology, to isolate Communist guerrillas, cutting off food and equipment supplies and convincing the locals that they are better off not joining the insurgents (Stubbs, 2008). Careful relocation of Chinese Malayan and well-staged propaganda campaign made it possible to separate the insurgents (Carruthers, 1995). The lower the support for the rebels, the easier it will be for counterinsurgency to crack down the insurgency. The jungle terrain which made it impossible for British troops to fight the guerrillas at first,

turned against the insurgents once they were cut off from food supplies and equipment, which greatly impaired their sustenance.

As demonstrated in the British experience from Malaya, territory and its population are key for counterinsurgents because their primary task is to deter insurgents from self-governance, ensure the population is secure and limit its connection to the insurgents. However, hard terrain such as unreachable mountains, jungles and swamps could be difficult to keep under close supervision and control (Gompert and Gordon, 2008). The 'hearts and minds' approach (here used interchangeably with population-centric approach) addresses the need for counterinsurgency to regain the loyalty of the people who have tendencies to or are alienated from the government, so as to ensure the country is still under central authority's control. The main focus is on economic and social improvements, while the military has a supplementary role for small operations mainly for the provision of security (Kilcullen, 2010). Victory in counterinsurgency campaigns requires well-managed collaboration and coordination between the military and the civilians on the ground so that basic operations like intelligence gathering, policing and training could be achieved. Counterinsurgency endeavours, be they enemy or population-centric, are more about cross-organizational cooperation, coordination and collective decision-making than solely a military deployment. The counterinsurgency effort in Afghanistan seems to prove this point most vividly; the civil-military and politico-military relations in the war-torn country have been contradictory at best. In fact, the interplay between the International Security Assistance Force (ISAF), the Karzai Administration and other major stakeholders has been riddled by miscommunication, misinformation and marred by discrepancies in relation to tactics and the execution of operations and reforms (Eikenberry, 2013). As a result, in spite of military successes, the counterinsurgency effort in Afghanistan lacks the cohesiveness and collaboration with the Afghan government and other sections of its society, which would guarantee a truly joint venture in stabilising the country. Thus, the Afghan case demonstrates the idea that collaboration and coordination are crucial for a counterinsurgency campaign and even the vast resources employed by the US and ISAF cannot compensate for the inadequate cooperation and organization. Information is also critical due to the fact that use of force can be consistent and justified only when counterinsurgents understand their enemy, its tactics and associations with the general population (Gompert and Gordon, 2008). From a different perspective, information dissemination by different media outlets and social media about the counterinsurgency campaign can be a double-edged sword, which potentially could affect the mission, and more importantly the support for the counterinsurgency effort. For instance, a wide audience is watching the progress of the counterinsurgency campaign in Afghanistan and there is danger for what is broadcasted

in the media to be inconsistent with the reality on the ground, in ways that the media downplays or overestimates the achievements of the counterinsurgents (Betz, 2011). Proportionality in all military actions should be taken into account; there is always the question of how much military force is enough to be applied due to the fact that if counterinsurgents use too much violence, they may lose legitimacy, if not, they may be deemed as not determined enough. Quantitative and qualitative violence are terms used to correctly address this problem: quantitative violence values the number of killed as opposed to qualitative violence, in which what is important is whom you kill (Lynn, 2005). By leading a massive extermination campaign, counterinsurgency could alienate the local population, suffering collateral damage, and even make people join the insurgents (Lynn, 2005). Still, there is the flip side of the coin where decisive military action on behalf of the counterinsurgents could boost support for the mission among an already dissatisfied and anti-insurgency population. Here again, strategy and, on a tactical level, the proportionate use of force are conditional on the development of the conflict and the domestic realities.

A final point in this discussion - when a state is leading a counterinsurgency campaign on a territory outside its national borders, this could present a wide spectrum of difficulties, such as gathering intelligence and making troops familiar with the landscape and its specificities (Kiras, 2010). For instance, the US troops in Vietnam (1955-1975) were not adequately trained and prepared for irregular, small-scale operations, intelligence gathering and collaboration with the locals, while lack of experience and good analysis to determine what and how much force is suitable could not account for their great military capabilities (Nagl, 2005). Referring back to the aforementioned point about the military capability and mostly its adaptability, it is crucial for the counterinsurgent military force to adjust to the reality on the ground; in the case of the US in Vietnam even the military superiority of the US was not advantageous against an enemy engaging in irregular, low-intensity fighting. The French counterinsurgency in Algeria (1954-1962) demonstrates another aspect of counterinsurgency campaigns taken outside national borders – it is essential to have the support of the public at home. Perhaps in such cases the type of government of the state sending the counterinsurgency mission abroad plays a key role. The fight against the National Liberation Front indeed generated huge economic and political costs with numerous troops lost, but what made French troops withdraw was not the insurgents per se, but French people at home who were not willing to take the costs of the military campaign (Mack, 2008). The disproportionate and indiscriminate use of violence by the French, together with the lack of a clear-cut strategic goal, brought insurmountable negatives to the counterinsurgency effort and alienated both the French and Algerian people from their support for the campaign (Frémeaux, 2012). In other

words, despite gaining the majority of the military victories, the French counterinsurgents lost not only the 'hearts and minds' battle with the civilians in Algeria, but also failed to keep adherents in France of the counterinsurgency (Canuel, 2010). The French experience in Algeria points out to the necessity of reconsideration of the political and civilian aspect of counterinsurgency, and to re-examine the military means, which could prove to be extremely costly and inefficient without the support of the general population at home and in the host country (Long, 2006). This case substantiates the argument that population-centric counterinsurgency approaches have better chances of being successful due to the fact that they adopt comprehensive means to the ends of resolving the insurgency and establishing stability.

Conclusion

Overall, a wide range of factors determines victory in counterinsurgency and there are no straightforward answers to the question whether enemy-centric, military counterinsurgency approaches can solely resolve an insurgency. While the military presence is an indispensable part of every counterinsurgency campaign, in most cases the predominance of the military force has given mixed results or outright defeats for the counterinsurgents. Often conventional armed responses to insurgencies have proven to be unsuccessful because of the asymmetry of the conflict and the constant implementation of new tactics by the insurgents. Thus, the military should be prepared for tactical innovations and new approaches, and in more population-centric approaches to have a supplementary role to the political efforts at solving the insurgency. The challenges of modern insurgencies require constant adaptation to the specific circumstances; focus on the military mainly as a guarantor of security and stability; good management of intelligence and high levels of coordination so as to defy the insurgents. Analysis and consideration of the insurgency environment are crucial. Exhaustion of military and political capability should not be catalysts for losing the will to lead the counterinsurgency campaign, because lack of commitment and persistence could shift the balance at the advantage of the insurgents. All in all, counterinsurgency campaigns are extremely difficult efforts to bring back stability to the country and this essay has tried to outline some of the most important variables at play in such operations. Still, most of the successful counterinsurgency campaigns have focused on the grievances that caused the insurgency through political, economic and social endeavours, while the military has had a supplementary role.

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Is Afghanistan a Failed State?

Benjamin Gaiser

ABSTRACT

The term failed state is a “currently fashionable notion” (Chomsky, 2006) in International Relations, even though it is widely contested. There are two arguments to be made for its current importance. First of all, Daniel Thürer (1999) argues that the responsibility for the failing of a state is not just within that state but originates for many states primarily in the Cold War era, which thus makes the international community co-responsible. Secondly, failed states have severely negative impacts on the international community, on their region and foremost on their citizens, making its analysis so important for policy-makers. On the international level, failed states can facilitate the proliferation of illicit drugs and arms, they can exacerbate the spread of diseases by not being able to contain the spread within their own borders and they can be a breeding-ground for terrorism, to which I will come back in the next section; on the regional level they erode stability and lead to conflict and on the domestic level they can lead to the insecurity of each citizen (Ottaway, 2004, p. 1).

This essay will thus try to elucidate some of the most important arguments made by the pro-failed state advocates and by the anti-failed state advocates. The former see in the notion a possible way to operationalise state’s capabilities into a form which allows predictions for future political disasters, while the latter attack already at the level of conceptualisation, as they believe the notion ‘failed state’ to be indiscriminate of state particularities and a potential slippery slope for interventionism. I will conclude the first section by arguing that a compromise could be to substitute the notion failed state by the notion weak state. In my second section, I will then apply this terminology to Afghanistan.

What is a *Failed State*?

The debate of state capabilities centres on two different approaches: i) scholars who want to operationalise the notion and ii) scholars who avoid the notion altogether because of conceptual flaws. The former approach attempts to predict breeding grounds of future crises, while the latter approach is afraid that the indiscriminate pooling together of states undermines this very attempt. This is a problem because unique differences, holding crucial information for decision-makers in the international community, will be obscured by a quasi-scientific approach.

The *Foreign Policy* journal (FP) creates an annually published *Failed State Index* (FSI) based on twelve equally weighted criteria (Beehner, 2012) – including variables such as demographic pressures, economic decline, security apparatus and external factionalized elites, to name but a few –. The FSI appears scientific to the layman with its continuous listing of countries and its weighted matrix but it fails to ensure validity because of its lack to provide predictability, an intrinsic problem in the research of failed states. Beehner shows, for example, that Libya, being a borderline country ranking 111th out of 177 in 2011 (FP, 2011), was a critical country, ranking 50th just a year later (FP, 2012). Even if states are continuously ranked against each other, the FSI fails to account for their differences because it focuses on the dichotomy between failed and non-failed states rather than intrinsic problems within each country. As such, it fails to predict changes throughout time and only serves as a snapshot of a given year. Another danger of the concept of “failed states” is that it could become a Trojan horse for international interventionists. Given the dichotomy between failed and non-failed states, the international community, if it so wishes, can find support for it in the United Nations Security Council, could declare a “failed” state incapable of its responsibility to protect its citizens, which can ultimately lead to an intervention to restore these capacities (Call, 2011, p. 304). This is not just a theoretical fear but can be seen for example with Resolution 1970 and 1973 in Libya.

The second approach discards the notion of failed state, not only at the level of operationalization but also at the level of conceptualisation. It attempts to replace the notion of ‘failed state’ with more vague terms such as *disintegration* or *collapse* (Thürer, 1999). The problem with the terminology of failed states, for them, is that the word ‘failed’ describes an outcome rather than a process. At the point of having failed, the problem is that there is little to nothing the international community is able to do to avert severe problems. The merit of the second approach is that they allow for a broader assessment of the actual ailments of a specific country. Thürer (1999) emphasises

endogenous factors, claiming that societies in such countries are more likely to turn against themselves rather than against neighbouring countries. Ultimately, the terminology of the second approach implies at least some minor form of capabilities remaining and as such, warrants more respect towards the ailing state than the first approach would do.

Given the lack of validity, the fact that the FSI is but a snapshot in time and the potential interventionist nature of the notion failed state, it is sound to rethink the notion of failed state. Charles T. Call has done so and conceptualised states as ‘weak’ states – note the resemblance to the attempt of the second approach to avoid categorical terminology – if they emulate any or all of the following three gaps:

1. *The capacity gap* (2011, p. 306): The state is unable to provide minimal public goods and services. Call concedes however that this gap is very difficult to measure because the concept depends on several subjective definitions.
2. *The security gap* (2011, p. 307): The state is unable to provide sufficient security for its citizens, both internally and externally.
3. *The legitimacy gap* (2011, p. 308): Call refers here to the internal lack of legitimacy rather than to the external legitimacy, which is given to some autocratic ruling elites due to the upkeep of negative liberty. Georg Sørensen (2007, p. 364) calls the latter a “certified life insurance” by the UN Convention.

Having examined the conceptual flaws of the notion failed state, this notion of weak state seems to be a compromise between the first and second approach in the debate. It incorporates an analysis of state failure but this analysis is more continuous and thus allows a more nuanced examination of the underlying problems of a country. The next section will use Call’s approach to assess the situation in Afghanistan now and over time.

Is Afghanistan a *Weak State*?

Having laid out the analytical framework in order to assess whether a state has failed or not and having substituted this terminology by Call’s notion of weak state, we can now assess how this applies in practice. Call (2011, p. 310) believes Afghanistan to emulate all of these three gaps but he lacks a thorough analysis to show how much this is the case. To fill the void, I will use Ahmed Rashid’s historical account of Afghanistan in order to give us a better understanding of the broader picture, which will help us later to distinguish between short-term and long-term deficiencies within each of the gaps.

Based on Rashid (2008, pp. 8-12), we can divide Afghanistan's history into three parts: i) a communist coup in 1973 removing the 200-year old Durrani dynasty; ii) the Soviet Union (SU) overthrowing the Afghani communist party in 1979, triggering the funding of counter-insurgency forces by Western states – in particular by the United States of America (USA) – via their regional ally in Pakistan; iii) the SU's withdrawal in 1989, triggering the Western states to stop their support, leading to a power vacuum and paving the way to civil war in January 1993.

According to both Carlo Ungaro (2012) and Rashid (2008, p. 12), the Cold War has been the crucial period of time in the erosion and destruction of Afghanistan, both economically and societally. For Rashid (2008, p. 8), the dependency of Afghanistan on the two big blocs during the Cold War is the reason as to why “even today [Afghanistan] cannot raise sufficient revenue to pay for the necessary elements of a modern state”. Coups, invasions, counter-coups and civil war did not just open a security gap but also primed the Afghani economy towards the perpetuation of violence over time. Thürer (1999) rightly blames this time and the international community to be co-responsible for the state's collapse; in Afghanistan's case the funds by either the SU or the USA helped to prolong fighting and exacerbated the fractionalization of the society.

Following the Cold War, Afghanistan plunged into a civil war, which could be a sign of the legitimacy gap because there were different factions fighting against each other. Only the emergence of the Taliban closed this gap, with high hopes that stability and prosperity would be restored (Rashid, 2008, p. 13). Indeed, the power vacuum and thus the security gap were closed by the accession of the Taliban. Yet, the Afghani people were soon disillusioned by the closeness of their once praised Taliban with Pakistan and Osama bin Laden (Rashid, 2008, p. 13). The Taliban no longer responded to the needs of the people but to Islamic principles and their supporting allies abroad. This shows that already under the Taliban rule of Afghanistan, there has been a widening legitimacy gap again because institutions were designed according to the Taliban and not according to the people's will. Additionally, the then leader Mullah Omar saw one of the most severe period of droughts and starvation, an increase in the number of refugees and internally displaced people and an economic and societal backlash to the ban on opium (Rashid, 2008, p. 19). The droughts alone, for example, have forced “more than 1 million Afghani [to flee] to neighbouring Pakistan” (PBS, 2011). A clear sign of the capacity gap because he was not able to provide for the Afghani people or even worse did not care to care for them.

Externally, the establishment of al Qaeda and the global jihad ideology – all inspired by Osama bin Laden in Afghanistan – spawned a new interest of the West towards Afghanistan. Their pressure on the Taliban culminated in resolution 1267 in 1999 – which demanded the handing over of bin Laden – and in resolution 1333 in 2000 of the United Nations Security Council (UNSC) – which led to an arms embargo and the freezing of certain assets abroad – both being defied by the Taliban (Rashid, 2008, pp. 15-18).

Having finished my historical account, let us now turn to each of the gaps in turn in order to see how Afghani institutions fail to fill them. The *capacity gap's* origin might be situated in the time of the civil war, during which the provision of public goods and services came to a halt. It seems however, that the Taliban was able to provide these services but willingly cut their provision, while aggrandising their power and grip over Afghanistan (Hehir, 2007, p. 319). This is a qualification to Call's definition in the sense that state weakness might not only be a consequence of incompetent governments but also a consequence of deliberate withholding of services and support. The gap's current acuteness is manifested by the annual *Human Development Report* (HDR), which attempts to measure the gap by evaluating a countries data about health, education and living standards (2013a), which puts Afghanistan 172nd out of 187 in their report for 2012 (2013b). In particular the current incompetence to provide adequate health care is a striking example of the capacity gap (Rashid, 2008, pp. 330-1). Afghanistan has no adequate health care and is dependent on ambulances provided by national armies or non-governmental organisations. The threat is that the increasing spread of diseases such as HIV/AIDS (Rashid, 2008) could also further increase the capacity gap because they are diseases which bear a double-cost: i) the cost for the sick and the health care system and ii) the cost for the economy of losing the productivity of a healthy man. Additionally, the HDR shows that the educational sector is still failing to provide the most basic education to the Afghani people. This means that most of the citizens continue to be ill-skilled for the jobs needed to close the capacity gap.

The *security gap* seems to be the only one which had been permanently filled during the Taliban reign. Yet, it is questionable as to whether the aggrandisement of power and the arbitrary use thereof can be seen as the kind of security Call has in mind. It has rather become a relative good for those submissive enough to the sharia law and reign of the Taliban, while defiant citizens had to fear that their security would be revoked. Instead of attenuating the historical division of the Afghani people, the USA exacerbated the security problem after having invaded Afghanistan in 2001 by funding different regional warlords to help them in their fight against the Taliban (Rashid, 2008, p. 131). Another

mistake seems to be the ban of opium, which has led to a further empowerment of warlords who were able to exploit the vulnerability of farmers (Rashid, 2008, p. 323). Eventually, it also offered the Taliban an opportunity to regain power and re-establish them after the American-led invasion, as there was no coherent security strategy (Brown, 2012, p. 139). The security gap still exists because Afghanistan cannot levy sufficient funds to finance a sufficient security force. The issue is though that the situation has deteriorated in recent years with more people feeling unsafe in their communities (Bajoria, 2011, p. 2) and with “2013 [probably being] the most violent year since 2001”, with almost all indexes of violence increasing in relation to 2012 (ECOI 2014).

Let us lastly examine the *legitimacy gap*. I mentioned before the Afghani dissatisfaction with the Taliban over their closeness to Pakistan and Bin Laden. Yet, there are more recent signs of a worrying legitimacy gap for the current democratically elected government. One of these signs is the Constitutional Loyal Jirga (CLJ), which was heralded as a new beginning after the International Security Assistance Force’s intervention against Taliban rule in 2001 but soon resulted in the opposite (Rashid, 2008, p. 217). It added to the disillusionment of the people towards the government but also towards their respective tribe leaders who could not overcome fractionalization and rather followed tribal and personal incentives over national ones. The funding of warlords by the USA is another sign of a legitimacy gap, as conflicting signals are sent. On the one hand the USA seems to support the government but on the other hand it does not deem the government fit enough to address the security gap and thus funds regional warlords. This erodes the support for both the government which is seen as weak, as well as for the USA. In particular the US intervention with the CLJ (Rashid, 2008, p. 140) and the dependence of Afghani re-building on the USA (Rashid, 2008, pp. 136-7) makes the government look weak and dependent, eroding its legitimacy. We can see that there is a historical dissatisfaction and disillusionment with the government – in particular because the people were not able to choose their own destiny for so long – but the recent trend is not helping but rather exacerbating these feelings. It remains to be seen as to whether the elections scheduled for 2014 will be able to start filling the gap again or whether potential irregularities deteriorate the situation even further.

From the above analysis, it seems that the fact that Afghanistan cannot raise sufficient revenues is cynically the underlying problem for all of the three gaps. It makes Afghanistan dependent on international donors, which makes it look weak, which makes international donors look for military support in regional warlords, which erodes the Afghani legitimacy, which might have a negative impact on the effectiveness of infrastructural projects to close the capacity gap, which means that Afghanistan continues

to need money from international donors. It is a vicious circle, which is hard to break through for Afghanistan.

Capacity Gap	<ul style="list-style-type: none"> • Civil war brought supply of minimal services to a halt • Strong Taliban unwilling to provide them once in power • Ranks now 172nd in 2012 in HDI report • Economy too weak to sustain either services or security
Security Gap	<ul style="list-style-type: none"> • Mentality of distinction following fragmentation of society • Taliban exploited post-invasion negligence of NATO and reconquered parts of Afghanistan, threatening the new order • Militarisation of society; funding of competing militia and warlords
Legitimacy Gap	<ul style="list-style-type: none"> • Disillusionment with proxy-status of Taliban to Pakistan • Disillusionment with influence of Bin Laden and al Qaeda • Disillusionment with leaders of tribes and government regarding CLJ • Economic situation seems inevitably bad

Table 1.1 – Summary of the deficiencies of Afghanistan in respect to Call’s three gaps of weak states

Table 1.1 summarises the deficiencies of Afghanistan in respect to the gap they belong to. Afghanistan is a weak state because it shows strong signs of all three gaps. Nevertheless, there are also some successes achieved by the Afghani people, their government and the international community such as higher school enrolment, the return of refugees or the spread of media (Rashid, 2008, pp. 183-4), which gives hope about Afghanistan’s future potential.

Conclusion

Afghanistan has not failed but it has severe problems. It emulates all three of Call’s gaps and thus can be called a weak state. The underlying problem seems to be the fragmented security and the lack of funds to close any of the gaps. Afghanistan is dependent on the international community but there is also enough evidence to claim that it is the international community which is responsible for the current situation – at least historically –. The problem about the discussion of whether a state has failed, collapsed, disintegrated or as to whether it is weak, is that it does not give us enough answers of what to do next. While we could say that decision-makers just need to focus on closing the gaps, we do not know which comes first, second and last. What is more important for

the Afghani at the moment? Is it a well-functioning security apparatus and thus the end of fear of constant attacks? Or is it maybe a revival of the economy, which would allow the unemployment rate to drop? Having analysed Afghanistan to be weak, these questions need to be answered in a future paper in order to not just give an account of the present but to also give a strategy about the future.

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Executive Compensation as a Corporate Governance Problem

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ABSTRACT

For many years, executive compensation, with the forms of base salary, bonus, stock options, stock grants, pension and other benefits (car, healthcare etc.) was deemed as a complex and controversial subject that has attracted the attention of regulators, media and academics for further investigation. Initially, the objective of a properly designed executive pay was to attract, retain and motivate the senior management and solve agency problems. However, this incentive took a different turn where senior management took advantage to satisfy its personal needs resulting in the collapse of well-known companies such as Enron, WorldCom and converting executive compensation as corporate governance (hereafter, CG) problem.

Introduction

As a highly controversial topic, executive remuneration has attracted the attention of regulators, media and academics. Their criticisms took many forms of concerns relating to “the level of executive pay, its relationship with company performance and the failure of executive pay setting (e.g. board of directors, compensation committees)” (Clarke and Branson, 2012, p.470) to stop this managerial excess. The popularity of research in corporate governance and executive remuneration is self-evident (see e.g. Bebchuk and Fried, 2003, 2004; Devers et al, 2007; Keasey and Wright, 1997 etc.). Some kind of curiosity about the pay packages top executives are receiving is developing worldwide. Additionally, it is considered as a motivation by those who take offense at the very large rewards to voice their dissatisfaction. For example, Clark and Schor (2008 cited by *The Guardian*, 7th October, 2008, para. 6) reflect the discontent regarding the remuneration of bankers during the financial crisis period presenting California representative Henry Waxman who reports to Lehman Brothers chief Executive Richard Fuld that “your Company is bankrupt, you keep \$480m. Is that fair?”. Moreover, public interest on CG naturally grows due to the high profile corporate failures, especially those that have devastating impacts. Although executive remuneration as a CG mechanism has been used to solve agency problems, it has become a problem itself. Through this essay, a brief description of executive remuneration’s history will be given including its theoretical perspectives. The relationship between executive compensation and company

performance will be provided. Furthermore, whether executive remuneration is considered as a problematic mechanism or a solution will be discussed by assessing related case studies. Lastly, some key points will be reflected.

Agency Theory and Executive Compensation

In a large firm, agency problems are likely to exist where a separation of ownership and control takes place (see Jensen and Meckling, 1976) between three parties: the shareholders/owners, the board of directors and executives/managers of the company. The shareholders own the company, the board of directors have the responsibility to control the decision-making process on behalf of shareholders/owners and executives are responsible to check the daily decision making process. However, there is a possibility that managers can use company's assets to enhance their own lifestyles. In other words, they take advantage of their control power to satisfy their personal needs such as living a luxury life with expensive cars and personal trips (see Kim et al, 2010; Revell et al, 2003) while "leaving the cost to fall on the shareholders" (Kim et al, 2010, p.13). In this light, one way to avoid this conflict of the breach of trust by managers is to act with transparency and be accountable to the shareholders and other stakeholders. Transparency and accountability are very important pillars of CG. As "the availability of firm-specific information to those outside publicly traded firms" (Bushman et al, 2004, p.207), transparency helps companies to provide clear and accessible information about remuneration and other company information to enable shareholders and other stakeholders to scrutinise and challenge where appropriate. In addition, being accountable, it means that someone has the responsibility or "the duty to provide an account or reckoning of those actions for which one is held responsible" (Gray et al., 1996, p.38). Without accountability and transparency, the agency problem would be hard to defeat. With these two pillars of CG, the confidence of stakeholders is increased and they are keys to economic prosperity. Thus, principal-agent theory is considered as the cornerstone of executive compensation and CG practices.

Executive Pay as Positive Perspective

From the first years of its implementation as a CG mechanism, it was believed that executive pay, composed of the financial compensation and other non-financial awards received by executives for their services to the company, could solve the agency problems. Donaldson et al (2009, p.1) argued that "optimal contracts may induce the self-interested manager to adopt investment policies that may increase the shareholders' wealth" linking executive compensation with firm's share prices and performance using

earnings per share (EPS) or return on capital employed (ROCE). “The most powerful link between shareholder wealth and executive wealth is direct ownership of shares by the CEO” (Jensen and Murphy, 1990b, p.3). Loderer and Martin (1997, p.224) also added that “researchers have found that the simplest way to resolve this conundrum is to have a significant ownership commitment from corporate managers”. Williams and Rao (2006) reported that as naturally risk-averse, executives took the incentive to include stock options in compensation rewards in order to achieve increased rates of return in periods of positive effects.

As an evidence of agency costs’ reduction, Hall and Murphy (2002, p.4) presented that “during the fiscal year 1999, 94% of S&P 500 companies granted options to their executives, compared to 82% in 1992”, confirming the accuracy and success of executive compensations to bridge the principle-agent gap; in other words, the gap existed between the best interests of the principal and the agent. Through these results, it can be considered to motivate, reward and discipline executives who had poor performance. An article related to the speech by SEC Staff about executive remuneration written by Spatt (2004, para. 6) mentioned that “high compensation is necessary to attract talented individuals, who typically possess outstanding alternative opportunities”. Considering agency theory, it is worth to point out that these awards are only ‘prizes’ that are typically allocated to the most successful executives with high performance in the company. Thus, this argument is related to pay for performance relationship where Snyder (2007, para. 5) pointed out that risk and reward go together where “their livelihood are tied to the market in a way that most of the rest of us would find chillingly risky”. Therefore, viewing the above opinions and evidences from several surveys, executive pay was considered as the rescue from agency problems hoping for a better economy and to mitigate the principal-agent gap.

Executive Remuneration and Company Performance

The most executive compensation packages include some requirements regarding the company performance and its relationship with the amount of executive pay received by company’s executives. Several research studies took place to demonstrate if there is actually a relationship between company performance and executive pay, if this relationship is positive or negative and how this affects the company as an economic entity and its viability in the current market (see Junarsin, 2011; Van deer Laan et al, 2010; Devers et al, 2007; Gomez-Mejia and Wiseman, 1997; Lin et al, 2011 etc.) Mallin (2010, p.195) stated that there are three types of performance measures: market-based, accounting-based and individual-based measures. According to Junarsin (2011, p.163) and

Mallin (2010, p.195), performance is measured using various indicators such as “return on assets (ROA), market-to-book ratio, earnings per share (EPS) and return on capital employed (ROCE), shareholder return and individual director performance”. However, negative relationships between executive pay and company performance are taken place ascertaining agency problems and the fact that executives continue to take advantages of their position and act fraudulently to achieve high executive compensations (see Main et al., 1996; Benito and Conyon, 1999 etc.). Additionally, “a spate of unexpected company failures, financial scandals and examples of ‘corporate excesses’, such as high pay awards to the executives of poorly performing companies threatened to undermine investor confidence” (Keasey and Wright, 1997, p.62). Thus, the executive compensation from a good CG mechanism becomes problematic.

Criticisms on Executive Compensation

Apocalypse of Negative Signs

Accounting scandals of well-known companies, such as Enron, WorldCom, Fannie Mae, General Electric, Royal Bank of Scotland (hereafter, RBS), revealed the problematic side of executive remuneration. Lessons have been taken regarding shareholders as principals and executives as agents where “there is no alignment between their interests and as a result, the performance-based pay for executives exacerbates agency problems instead of decreasing them” (Thomas and Hill, 2012, p.213). Executive remuneration increases the focus of executives only on their personal interests, ignoring the shareholders’ interests and resulting vast turmoil on company’s viability and general economy. The use of executive pay schemes as a solution to align agent-principal’s interests was “an illusion” (ibid, p.213). Additionally, Bebchuk and Fried (2003, p.72) argued that “executive compensation is viewed not only as a potential instrument for addressing the agency problem but also as part of the agency problem itself”.

Weak Accounting-based Incentives

Some weaknesses are also reflected through accounting-based incentives where accounting profits are used as performance indicator (Kim et al, 2010, p.18). First, “executives can increase the research and development into higher costs to make the company look more profitable in future than in present aiming to increase accounting profits” (ibid, p.18). Furthermore, the possibility of earnings manipulation by executives, specifically CFOs, plays a significant role in the ‘true and fair view’ of company’s financial statements (Millstein, 2005). By so-called cooking the books, executives change the

numbers of financial statements in terms of their own preferences to show higher profits and at the end, to get higher executive compensation (Millstein, 2005). “In 2004, Bernie Ebbers, founder and former chief executive officer (CEO) of WorldCom, was sentenced to 25 years in prison for his involvement in WorldCom’s \$11 billion accounting fraud” (Kim et al., 2010, p.23). According to Wearing (2005, p.92), “Scott Sullivan, former CFO shifted some expenses from profit and loss account to the balance sheet showing improved earnings to delay WorldCom’s bankruptcy”.

Equity Stakes & Bonus

Bonus is defined as “an annual, short-term incentive that usually involves targets considered to be under the fairly immediate control of executives” (Bruce et al, 2007, p.281). “Having less transparency and more complicated bonus schemes, it leads to higher bonus for executives but such complexity of shareholder value is not been associated with” (ibid, p.282). Berkeley Group plc reveals the case where there is not information disclosed relating the bonus performance targets in the annual report and doubts were reflected questioning if it was related to transparency or camouflage issue (ibid, p.289). As a famous case for its bankruptcy in 2001, Enron received criticisms regarding the reasons of its collapse and the people that were involved (Ackman, 2002; Wearing, 2005; Eichenwald, 2002). Enron was accused for earnings manipulation having as benefit to executives a huge amount of share bonuses.

Thomas (2002, cited in Arnold and Lange, 2004, p.754) reported that “Jeffrey Skilling, Former Enron’s CEO, have received bonuses that had no ceiling, permitting the traders to ‘eat what they killed’”. By proceeding to illegal insider trading to manipulate earnings and to use “heavy stock option awards linked to short term stock price” (Healy and Palepu, 2003, p.13), they aimed to achieve rapid growth in Wall Street and to gain high levels of bonuses. Andrew Fastow, Former Enron’s CFO, prepared different financial statements and reports to communicate with management and other ones for Enron’s owners, employees and stakeholders. Thus, Enron failed to be transparent and to disclosure the actual financial information. Executives have hidden the company’s real financial condition by presenting fake results, cheating the interested parties including Enron’s owners (Wearing, 2005). Their role as theatre actors is seemed through an Interview of Skilling by PBS’s Frontline (2001) where he mentioned: “We are the good guys. We are on the side of angels” knowing that this statement does not stand.

Weak Stock Options & Excessive Risk

Stock options have faced difficulties on the alignment of managerial incentives with shareholders goals. Kim et al (2010, pp.18-19) stated that “due to the combination of stock price appreciation and dividends on shareholder returns, CEO increases dividends in favour of using the cash aiming to increase the stock price”. By increasing stock price, CEO gains higher share of dividends at the end of the year. Thus, CEO tends to take risky projects and follow risky business strategy to have higher chances to get stock options award. In this case, CEO takes advantage of his/her position by acting and taking decisions without thinking the possible consequences. Executive risks can be regarded as additional cause of executive pay limitations. According to Firth et al (1999, p.618), “executives work very hard to meet the expectations and to maintain company’s share price”. “Because of shareholders’ pressure, companies generate high financial returns at levels that were not sustainable, with management’s compensation” (Lipton et al, 2009, p.2). In several cases of financial failures, it can be noticed how executives are able to use creative accounting to manipulate figures in financial statements. In the case of Lehman Brothers’ collapse, executives were accused of “using Repo 105 method for off balance sheet activities” to deceive investors and shareholders about company’s true financial condition (Guerrera and Sender, 2010). In the case of Enron, Ackman (2002) argued that executives used “dubious, even criminal, accounting tricks” to meet the performance requirements of board of directors ignoring significant profitability measures. Even before the total failure, executives continue to receive compensation rewards, known as “midnight bonuses” (BBC News, 2006).

Lack of Connection between Performance & Compensation

In general, stock prices are affected by company performance and by external factors as world economy. When there is prosperity in the economy, the stock prices increase. All companies, regardless of their financial condition and success, take the advantage of it. Therefore, executives of poorly run companies are being enhanced by receiving richly compensation, without having worked sufficiently and fairly. On the other hand, when there are economic difficulties in the company due to stock price fall, executives should be awarded but they are not, due to decreased options. However, there is the case with Stanley O’Neal, Merrill Lynch CEO, which seems to act differently in a market fall. According to Kim et al (2010, p.20), “he was CEO of Merrill Lynch during the 2007 financial crisis who was seen playing golf while his company was facing financial problems and losing a significant amount of money”. It reported that O’Neal has received an extremely large pay package after his departure from the company that was measured

according to his performance in the company (Tse, 2007). He did not work sufficiently and fairly in order to get this remuneration, but he stepped down leaving his company in crisis where ‘pay for no performance’ existed. This is not the profile of CEO that a shareholder wants to see in charge (see Rogers, 2014; Boesler, 2012; DeCarlo, 2012).

Jensen and Murphy (1990a), Bebchuk and Fried (2004) and Jensen and Murphy (2004) criticized the performance-based pay arguing that the executive remuneration’ problem was not the high levels of compensations received by CEOs, but the fact that their compensation was not related to companies’ performance. According to BBC (2012), Kar-Gupta (2012) and Treanor (2011), Stephen Hester, RBS’ CEO and the remaining RBS’s top executives received similar criticisms regarding the huge amount of benefits. Mass media and newspapers (e.g. BBC, Reuters, The Telegraph etc.) have reflected the public’s global dissatisfaction towards bank executives’ compensations during recession. According to Kar-Gupta (2012, para. 11), Matthew Oakeshott, the Liberal Democrat lawmaker, argued that it is “totally unacceptable reward for failure” when Hester did not accomplish his role correctly in RBS by making inefficient decision making and pay for no performance is reflected. As executives choose only risky projects to invest company’s money satisfying their hubris, the results will be dramatic for the economy. Thus, some recommendations for immediate actions to be taken are provided by Liberal Democrat minister Jeremy Browne stating “should turn down the bonus” and Conservative Mayor of London Boris Johnson stating “the government should step in and sort it out” but Dr Ruth Bender from Cranfield School of Management had an opposite opinion that “the bonus was reasonable” (BBC, 2012). According to Sparkes (2012, para. 3), “Prime Minister David Cameron reported that new measures will be taken to allow shareholders to a company bosses’ reject a wage or bonus by giving to shareholders a binding ‘vote on top pay packages’ and on payment for failure.”

Executive Pay as Executives’ Greed

Viewing the ‘two sides of coin’, Junarsin (2011, p.164) stated that “if it is used appropriately without any excess or fraudulent actions, executive compensation can bond executives to owners so as to enhance shareholder wealth”. On the other hand, “the misused or dysfunction of this corporate governance mechanism can impoverish managerial entrenchment and moral hazard” (ibid, p.164). Levitt (2005, p.41) mentioned on Bebchuk and Fried (2004)’s findings that confirm the statement “a breakdown in corporate governance and a build-up in greed”. The huge amounts of executive pays drive the corporate governance to erosion sending the message that boards of directors spend shareholders’ money lavishly and without the appropriate supervision. As former senior

partner of Goldman Sachs, Gus Levy used to say that everybody in the company are “greedy, but long-term greedy” (Endlich, 1999, p.18), confirming the above statement.

Corporate Loans

In WorldCom case, CEO Bernard Ebbers obtained unsecured loans with interest payable lower than borrowing from external parties such as banks (Wearing, 2005, p.88). According to Wearing (2005, p.88), one possible reason for this action may be to resolve his personal financial problems, but this could negatively influence company’s share price. If the CEO’s investments might fail, the company will have significant losses. When WorldCom entered into bankruptcy, the share price decreased dramatically and thus, Ebbers was not able to settle the loan by selling his shares, as he had supposed to fulfil. Lublin and Young (2002, para. 14) present some criticisms that the practice of WorldCom to give loans to its CEO was a bad idea, referring to the statements of William Rollnick, director and compensation-committee member at Mattel Inc “such lending should not be part of the general pay scheme or perks for executives” and the toy maker in El Segundo, California, “it should not be done for large amounts”. Therefore, compensation committee did not follow the appropriate legislations to provide a secured loan to CEO, characterizing this decision as hurried movement without thinking the possible consequences. If the compensation committee had secured the loans, Ebber’s shares might have been seized for sale to cover the loan when the stock prices were still high enough to do so.

Golden Goodbyes’ Consequences

After their retirement, executives receive compensation, characterized as “Gratuitous Goodbye Payments” (Bebchuk and Fried, 2003, p.81). As in cases of FleetBoston and IBM, CEOs live a luxury life by receiving retirement packages with huge amount of money and free access to corporate jets, apartments and other benefits (Kim et al, 2010; Revell et al, 2003). The case of Fannie Mae was an example of a poor and conflicting executive pay management where several problems with compensation arrangements existed. According to Bebchuk and Fried (2005, p.1), CEO Franklin Raines and CFO Timothy Howard have resigned classifying their acts “as ‘retirements’ and obtaining their retirement packages where after it was discovered that company’s earnings were inflated over the previous years”. As earnings increase, the level of executive compensation is growing but in this case the two executives act fraudulently to secure their future bonuses. “This is unacceptable and must change immediately” and “it's inexcusable that anyone would think it’s OK to hand out these bonuses” (Chadborn, 2011, para. 14) were

some of the bonuses' criticisms. According to Bebchuk and Fried (2005), there was no relationship between executive pay and company performance characterizing it as 'camouflage' where executives have hidden their overall retirement rewards and no sign of transparency existed.

“The strong desire to camouflage may result to inefficient compensation structures that affect negatively the managerial incentives and company's performance” (Bebchuk and Fried, 2003, p.76). Thus, weaknesses of pay arrangements show the necessity of reforms in current compensation practices.

Conclusion

A significant interest in executive compensation and corporate governance can be observed due to the prevailing financial climate, the financial collapses of well-known firms and the accusation of rewards for failure and a lack of accountability. Criticisms from different backgrounds reflect the problematic side of executive remuneration, as it cannot fully be handled to the related practices as a corporate governance mechanism. Using whatever form of executive compensation, executives are never happy and satisfied and they ask for more, showing their hubris (see Brennan and Conroy, 2013; Hiller and Hambrick, 2005). However, there are those arguments who try to defend and to argue that this kind of rewards are deserved for executives and if there is a proper management with the help of related legislation and corporate governance codes, both parties, principal and agent, could be winners of the case without eroding any principal-agent concept and the company's financial condition. Unfortunately, this greed element exists where executives act without thinking the consequences and the parties that can be influenced. In the case of Enron, the victims were the employees that have lost their jobs, pensions and in one day, their dreams were collapsed. Therefore, calls for immediate legislations and reforms have been presented through these years in order to find out the possible solution that may stop this devastating situation with executive pay. In the beginning, executive pay seemed to be the solution where the scene suddenly changed and the consequences are followed one by one.

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What did Weber Mean by his View that Sociology Must Start from the Understanding of Individual Action?

Christopher Cunningham

ABSTRACT

The works of Max Weber have undoubtedly been a major influence in the development of both modern sociology and the wider discipline of the social sciences. The writings of Weber have 'astounded' readers with what is described as his 'encyclopaedic scholarship' (Freund, 1966), with a knowledge which transcends the disciplines of history, economics, the arts, law, and religion. His words, underpinned by the concepts he used to continuously analyse the world throughout his lifetime, flow like a never ending stream, only being halted by his death in 1920, before being carried away by the tide to reach the shores of many minds, laying the foundations for academic study of the 21st century. Whether Weber was aware of the impact that his own individual action would have on the world, is a question for consideration, as is an enquiry as to whether Weber 'understood' his own actions and why he took them. Yet what is clear is that Weber's approach to sociology offered a scientific methodology which was able to recognise how the (inter-) subjective meanings and symbolic references of human beings shaped the actions of individuals, and that of the society.

Introduction

By recognising the conditions from which the ideas of Weber were born, is it possible to interpret how and why he saw a need for an alternative approach to understanding the functions of society. The paper begins with a brief outline of Weber's methods and approach to sociology, incorporating concepts such as *meaningful relationships* and *ideal types*, and drawing on classic works, such as *The Protestant Ethic and Spirit of Capitalism*, and thereby framing the *view* of Weber; the paper moves on by attempting to *understand* this *view* by encapsulating Weber's theory within the analysis of Cunningham's (2014) study of the concept of 'race'. The paper concludes with an analysis of this essays own compounds, presenting the theory discussed in practical terms, bringing forth a further discussion of concepts such as the bureaucratisation of education.

Weber's Interpretative Sociology

Weber suggests that 'sociology' is: 'the science whose object is to interpret the meaning of social action and thereby give a causal explanation of the way in which the action proceeds and the effects which it produces' (Weber, 1978, p.7). It is the *meaning* of the 'action' which is the feature of Weber's analysis, and, indeed, the backbone of his interpretative method, otherwise known as *Verstehen*. The concept of *Verstehen* can be described as 'understanding', although this definition is rather too broad, and can be best explained using Weber's quote above, as being the 'understanding of the causal explanation' (Outhwaite, 1975). In a sense, this brief explanation of the 'methodological foundations' allows for an oversimplified answer to the question of this paper: sociology must start from the understanding of individual action, because individual action influences and creates social action through *meaningful* relationships.

In order to help establish what a *meaningful* individual action is, and therefore help determine what a meaningful relationship of social action is, Weber constructed the concept of the *ideal type*. He suggests that 'the ideal-type is to be used as a kind of yard stick against which to compare and evaluate empirical cases' (Parkin, 1991, p.29). By establishing a scientific procedure which recognises the 'rational' features of the *type*, it is then possible to set apart the 'irrational' features (deviation) and 'patterns of meaning' – or rather the subjective meaning of individual action, which allows for causal explanation (Weber, 1978, p.9).

The method of analysis of Weber's interpretative sociology can clearly be seen in *The Protestant Ethic and the Spirit of Capitalism*; his study which aimed to establish a causal link between the religious philosophy of the Calvinist Protestant, with that of the everyday functional ethics of the 16th century - which influenced the early rise and success of modern capitalism (Morawska [2], 2014). It is suggested that the *meaningful relations* discovered in this study reveal, what at first glance, appears to be a paradoxical nature; only when the 'logical relation of implication' can be placed within the wider 'context of meaning', can *verstehen* be reached. This can be explained by the Calvinist concept of God being the 'wider context'; the Calvinist doctrine of predestination and the devotion to controlled economic activity are the 'paradoxical logical relation of implication' (Outhwaite, 1975, p.53).

This overview of Weber's interpretative sociology, with a very brief explanation of an example of his theory in practice, brings light to 'his view that sociology must start from the understanding of individual action'; in as much that: by understanding individual

action, that is, by understanding the *meaning* of the action, the sociologist is able to *understand* the relationships between individuals, and the *meaning* of their interaction. This can be explained as the 'making of culture'. With 'culture' being able to determine the course of human history through acts of human behaviour, as proposed in *The Protestant Ethic*, the sociologist is able to *understand* the functions and features of society by analysing and *understanding* the individual.

Although this paper has offered an interpretation of Weber's 'view', it is yet to establish what this 'view' *means*. In an attempt to delve into the realms of *verstehen*, this analysis will now deviate from the ideal typical essay of the undergraduate student of sociological theory, to propose a notion which aims to build on Weber's explanatory approach of individualism. By recognising that: 'because social facts only exist by virtue of the concepts employed to define and organise them, we could in effect bring new facts into being and dispose of others simply by altering our conceptual frame of reference' (Parkin, 1991, p.31); it is essential to move on by analysing Weber's methodology within an 'altered conceptual frame of reference', which can be compassed using sociological analysis of the 21st century.

Interpreting the Concept of 'Race'

When writing on *The Nature of Social Action* in his *Selections in Translation* (Weber, 1978), Weber very briefly touches on his belief of 'racial differences'. He extends his thoughts a little further on the subject by talking of the 'promising beginnings' of the 'comparative racial neurology and psychology' of his times, in the author's introduction to the *Protestant Ethic*. Indeed he 'admits that he is inclined to think the importance of biological heredity very great', and believes it 'natural to suspect' that these 'heredity differences' lay behind the 'certain types of rationalization developed in the Occident'. (Weber, 2001, p.xlii). Despite his 'inclinations', he accepts that the 'heredity approach' was unable to effectively produce measurable data, which in effect produced the need to 'analyse all the influences and causal relationships which can satisfactorily be explained in terms of reactions to environmental conditions' (Weber, 2001, p.xlii). Similarly, despite his 'natural suspicions', he accepts that 'anthropological types', 'stand with equal right despite differences acquired through tradition' (Weber, 2001, p.177).

On writing of *The Nation* in his *Structures of Power*, Weber distinguishes between the acceptance of 'Indians' and 'Negroes' by the 'Yankees', concluding a negative feeling towards the 'Negro', especially when he adopts the same way of life and has the same social aspirations as the 'Yankee'. This negative feeling, or rather, *action*, is described as

being a 'social aversion', and is explained by the fact that 'Negroes have been slaves' (Weber, 1948, p.177). This example is testament to Weber's expertise as a Sociologist. Although his own thoughts and feelings appear to carry somewhat of an ethnocentric tone, his sociological analysis appears value neutral, demonstrated by his ability to subjectively analyse the *ideal anthropological type* which stands with 'equal right' to any other. None the less, although fully recognised, Weber's expertise is not the feature of this 'deviation'; rather it is the concept of 'Race', and an interpretation of that concept which is the feature of analysis. For this purpose, it is reasonable to conclude that much of Weber's social analysis was founded on a belief or *understanding* of the 'difference' between 'race's'.

The method of Weber's interpretive sociology can be incorporated into the study of Cunningham (2014), revealing the relevance of his method in the 21st century. Featured in *The 'Race' To Humanity*, 'Mix-d: UK' is an organisation established to provide a platform for expressing issues of race, and is directed towards an audience of 'mixed race' children. If one were to analyse the *meaningful individual actions* in relation to this organisation, such as, why the children attended the project, then it is plausible to begin an explanation of *meaningful social actions*, through the 'understanding' of the causal explanations. It is possible that an in-depth analysis of the causal linkages would suggest a connection between the 'individual' complexity of 'classifying' these individuals into 'traditional racial groups'; to a 'social common action' or creation of 'identity', symbolised by the terminology 'mix:d'; to the societal change, such as the inclusion of 'mixed race' into the official racial categories, and the generally accepted terminology within UK society. This, supporting Weber's view, demonstrates how society is shaped by *meaningful individual actions*.

Crucially, adding further weight to the deconstruction of 'race', it is Cunningham's (2014) comparison of the racial categories of other societies, namely South Africa, which uncovers the unending possibilities for the variations of *individual meaningful action*. This unending possibility was, in itself, the cause for requirement of Weber's *ideal type*. Yet, as can be seen, the *ideal anthropological type* proposed by Weber is not sociologically substantiated; a view shared by Parkin (1991), who recognised that the 'social construction of facts' were 'problematic' for Weber because 'the eradication of all preconceptions was not humanly possible' (Parkin, 1991, p.31). Parkin goes on to suggest that 'entities like social classes, for example, could be abolished in a conceptual stroke' (Parkin, 1991, p.31). Cunningham's study of 'race' reveals it to be a 'socially constructed entity to be abolished with a conceptual stroke'.

Perhaps the apparent paradoxical nature of Weber's method, discussed in the example of *The Protestant Ethic* is being reflected here, in the using of his method to explain Cunningham's (2014) study. On the one hand, approaching the sociology of 'race' with the aim of understanding the *meaningful actions of individuals*, offers insight into the behaviour which has gone on to shape human history, i.e. the creation of new 'racial categories', which can be seen as a result of many *meaningful actions*. On the other hand, it is the 'yard-stick' of analysis, his *ideal type*, which has fallen prey to the deconstruction of a socially constructed fact. If it is, as suggested, the presence of paradoxical illusion being reflected here, then the method suggests a 'hidden notion' yet to be revealed, which may offer some insight to the *meaning* of Weber's 'view'.

The notion of an *ideal type*, proposed by Weber, was used as an instrument of measurement for methodological analysis in *The 'Race' To Humanity*. When discussing the changing nature of the concept of 'culture', this paper demonstrates how the *ideal types* of 'racial categories', although a key component of measurement within the study, have through examination, rendered themselves absent from existence. The example of the 'created culture', obtained through shared experiences, values, etc.; of the family discussed in Cunningham's (2014) study, supports Weber's view that 'common actions' of individuals are the causal explanation of societal developments (Morawska [3], 2014); and represent on a micro scale how culture can be created on a macro scale through shared 'experiences' of individuals. Yet, it is the promotion of 'an understanding where the individual is able to develop and recognise his or her own identity from within' (Cunningham, 2014, p.10) which is the concluding concept of Cunningham's study. This is referred to as the 'Golden Philosophy' and proposes that: 'all human beings possess a Golden soul given by God; that all human beings are of the same "race", all with different identities' (Cunningham, 2014, p.8). Within the context of *understanding* the sociology of Max Weber, this concept can be seen as an extension of *individualism*, and it is argued here that an adoption of this method was the intended *meaning* of Weber's view. This claim, although somewhat unsubstantiated can be examined further to determine that, if indeed this was Weber's intended meaning, why was it not the view promoted? Why was Weber's focus centred on the meaningful actions of individuals, in relation to other individuals, rather than with themselves?

Understanding Weber

Self-Knowledge lies at the heart of *understanding*, and in contrast to the commonly accepted comprehension of Weber's *meaning*, continues subjective analysis in an *inward* direction to the *self*, rather than on an *outward* direction to the *other*. By *understanding*

our own *meaning of action*, the *meaningful actions* in relation to others become a redundant feature for analysis, with societal views and social action, such as the concept of 'race', being a non-effectual element.

The paradoxical features of Weber's method; in particular the *ideal type* – which is crucial for his method of analysis, yet is both open to value-laden interpretation, and is subject to possible adaption and eradication; offer insight into why Weber did not appear to extend his individualistic approach to the extremes of *The Theory Of Self* (Cunningham, 2014). It could be argued that Weber was reliant upon the *ideal type* as a means to execute sociological analysis. It was discussed previously how Weber was able to set aside his 'ethnocentric beliefs' to conduct sociological analysis in a way which was more or less 'value-free'. Yet it was Weber's 'beliefs' which led to his construction of the *ideal anthropological type*, which although 'equal', was still segregated by a notion of 'cultural difference'. This demonstrates how the environment within which Weber wrote was able to influence and hinder his possibilities for explanation. Weber's 'encyclopaedic scholarship' (Freund, 1966) undoubtedly equipped him with an expansive knowledge of people and their practices throughout the world, yet these people were 'classified' into groups, which in itself provided opportunity for Weber's method to be implemented.

The view that 'sociology must start from an understanding of individual action' relates synonymously to the notion that 'sociology must start from an understanding of self'. To suggest that an adoption of the idea of *Self-Knowledge* was in fact the 'intended *meaning*' of Weber, is indeed a bold statement; yet, if it is accepted that: only by understanding our own emotions, motives and actions, is it possible to adopt a subjective interpretative method of analysis which is reliant upon empathetic comprehension; then some measure of transparency is revealed. Without intending a psycho-analytical attempt on the mind of Weber, it is intriguing to imagine the extent to which he was able to *understand* his own actions. It is logical to suggest that evidence of his quest for *Self-Knowledge* is reflected in his writing. An individual may write for many reasons, but the initial intended action has two plausible explanations: 1) The individual writes for an audience; or 2) The individual writes for themselves. The first suggests a possibility that Weber was writing to influence the minds of others, which, if was the intended meaning, has proven extremely successful. The second suggests that Weber was writing for self-reflection, a gathering of thoughts, a construction of ideas, an expression, or in a broader sense – to establish how he relates to the world. Taking into consideration his 'extended sabbatical' life, his love of travel, his thirst for knowledge which transcends disciplinary distinction, and the context of his writings which appeared at times confusing; it is reasonable to suggest that his motives for writing were motivated by the second persuasion.

A traditional interpretation of Weber's meanings, would suggest: that by understanding the individual, it is possible to understand society. However, the interpretation of this paper proposes: that by understanding the self, it is possible to understand the world. Although Weber's aspirations for 'furthering the science' are clear, it is reasonable to extend this by suggesting that it was the 'science of self' that he was aiming to promote, seeing in it the potential to *understand* himself and the world – *verstehen*.

If, by the obtainment of *Self-Knowledge*, the individual is able to recognise how their own individual action shapes social action which is reflected in society's make up, and is returned to them as an *action* by society to them as an individual; then sentiments of theological thought which echo ideas of 'karma' or 'oneness' become relevant to the concept of *verstehen*. Perhaps this *understanding* was a motivating factor for Weber's studies on religion, which were cut short by his passing in 1920. In these studies he states: 'The possibility of questioning the meaning of the world presupposes the capacity to be *astonished* about the course of events' (Weber, *Ancient Judaism*, p.207; cited in Kasler, 1988). The 'Golden Philosophy' similarly proposes a concept of 'oneness' which operates through a network of interactions with the *self*. Just as it is possible to eliminate social facts such as 'social classes' (Parkin, 1991), or 'racial distinction' (Cunningham, 2014), so too is it possible to eradicate the concept of 'multiple societies', which then places the sociologist in a position where only the study of the individual is possible; whether that be the *individual* component, or the *individual* whole is irrelevant due to their *causal relationship* which itself becomes the feature of study.

Conclusion

This paper has sought to find *meaning* in Weber's view. In order for this aim to be carried out, an historical analysis was taken into consideration, in an attempt to determine whether a causal relation affected the thought process which shaped his meaning. For this point, it is concluded that although a causal relationship did negatively affect the ability to communicate this meaning; the *meaning* itself was not altered. The paper moved on by offering a brief outline of Weber's 'view'. This outline provided opportunity to discuss the mechanical workings of the methodological structure of analysis, before applying it to the empirical study of the concept of 'race'. It was around this moment that the paper 'deviated' from the *ideal typical* undergraduate essay. In consideration of the 'findings', which concluded that Weber's 'view' *means* that: Sociology must begin with a *knowledge of self* which is symbolic to the individual in synonymy with society; it is only natural that this concluding section continues along this line of deviation. With this in

mind, and in an endeavour to conduct sociology, I will now proceed in an attempt to explain the *meaning* of my *action*, that is: why did I deviate from the ideal type?

An ideal typical undergraduate essay would fall into the realms of what Weber describes as the 'rationalization of education' (Weber, 1948, p.240-244). This would suggest a 'regurgitation' of the information presented to the student, with the essay acting as a means to demonstrate the student's comprehension of this information. The aim of this 'regurgitation' would be the obtainment of a good grade, or as Weber explains, to achieve well in this 'special examination', which is the 'universal means of monopolization'. Yet, as was explained previously, there are two plausible motivations for writing, the first, to write for others, would fall into this explanation of a 'rationalized education' and would be the motivating factor of the students attempts at higher education.

It appears that my 'deviation' from this *ideal type* is a result of my motivation for writing being of the second plausibility, to write for myself. This would suggest that my attempt of higher education is not founded on the desire for 'monopolization', rather *knowledge of self*. This would suggest that I approach Higher Education in what Weber refers to as a 'Charismatic' way (Weber, 1948, p.245-252), which opposes the 'bureaucracy' of 'rationalized education'. Yet, it is also clear from my attempts to demonstrate an understanding of Weber's approach, and to fulfil the task required in this assignment, that this writing was also intended for an audience. This would suggest the balance of a charismatic approach within the frameworks of bureaucracy; a deliverance of my own philosophy/social theory through an explanation of the works of Max Weber.

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A Postmodernist View: Methods of Subversion in Italo Calvino's *If on a Winter's Night a Traveller*

Amalia Mihailescu

ABSTRACT

Postmodernism has allowed literature to reinvent itself by calling everything into question. Without the restrictions imposed by the classical canon, authors like Borges, Eco, Nabokov and Calvino have had the opportunity to experiment and to explore different ways of subverting the literary tradition. This paper discusses the ways in which Italo Calvino aims to redefine the roles of author, reader and plot in *If on a Winter's Night a Traveller*. At first, the analysis shows how the Italian writer marks the importance of the reader and of the act of reading, and how he tries to undermine the author. The reader becomes a character in the novel and the reading of the novel turns into its plot, while the identity of the author of the novel becomes redundant to the story. The essay also examines the ten different narrations Calvino includes in his main plot as a way of subverting the narrative conventions of the novel. His attempt at making a classification of the texts would normally register as a nonfictional work but the author decides to insert it into his fictional writing. Italo Calvino ultimately uses his methods of subversion to draw attention towards the construction of the plot and other para-textual and meta-textual elements of the novel that might otherwise be ignored in a simple interpretation of its story.

Literature has always found new ways to adapt its shape and purpose to the continuous changes of the world. Questions that needed to be answered have encouraged authors like Borges, Eco, Nabokov or Calvino to experiment with different ways of writing. In *If on a Winter's Night a Traveller*, Italo Calvino subverts the traditional roles of author, reader and plot by engaging them in an original and unexpected combination. This way, he succeeds in offering a new perspective on the definition of the literary text.

Calvino describes his view upon the writing process by associating it with the act of playing: "Literature is a combinatorial game that pursues the possibilities implicit in its own material, independent of the personality of the poet, but it is a game that at a certain point is invested with an unexpected meaning" (1997, p. 27). Therefore, he considers the text to be a device that facilitates the revolution against the set parameters of the written

word and reveals new meanings. The literary game is also detected by Welch Everman, who argues that Italo Calvino does not deny tradition, but transforms it in order to recreate and re-establish the connection between the plot and its participants (1984, p. 63). This could also be connected with T.S. Eliot's theory of modernism as it describes a reinvention and continuance of the auctorial tradition. The Italian author invests in the past and uses several devices in his novel with the purpose of restructuring his literary discourse.

One of the most important changes Calvino makes is the power he assigns to the reader by using a second person narration. The novel starts by implicating the reader, which until now has been seen as a passive participant in the development of the plot: "You are about to begin reading Italo Calvino's new novel, *If on a winter's night a traveller*. Relax. Concentrate. Dispel every other thought. Let the world around you fade" (Calvino, 1981, p. 2). Mariolina Salvatori analyses the beginning of the novel and suggests that

the "I" that says "you" in the very first line of *If on a Winter's Night a Traveller* is, it does not take long to discover, a "ludic" I, one that, to make the game worth playing, requires a complementary "ludic" attitude in whoever accepts the challenge to play; the alternative to playing with the I is to be played by the I, like the Lettore, the Lettrice, and the various other readers/characters in the novel (1986, p. 196).

In other words, she considers that Italo Calvino is challenging the reader to get involved in the narrative as a character, thus undermining the authority of the traditional author.

This redistribution of significance that led to placing the reader in the centre of the novel has drawn the attention of many critics who observed several devices of subversion used by the postmodernist writer. Madeleine Sorapure claims that the author of *If on a Winter's Night a Traveller* undermines his role by creating a fictional author under the same name (1985, p. 703): "You are about to begin reading Italo Calvino's new novel, *If on a winter's night a traveller*" (Calvino, 1981, p. 2), "Just a moment, I've almost finished *If on a winter's night a traveller* by Italo Calvino" (Calvino, 1981, p. 255). By doing that, Calvino detaches himself as object of the reader's interest and transforms the lecture of the book into the plot of the novel. Furthermore, Sorapure argues that the writer eludes the reader when "multiplying images of himself throughout the text" (1985, p. 704). He does not only create a character with his namesake, but he also generates two others that seem to act as his alter egos. On one hand, there is Silas Flannery, "the tortured writer", who cannot find his identity as an author and worries about being just another name on

the cover of the book: "The novels of Silas Flannery are something so well characterized ... it seems they were already there before, before you wrote them, in all their details.... It's as if they passed through you, using you because you know how to write, since, after all, there has to be somebody to write them...." (Calvino, 1981, p. 133). Further on, this fictional character's identity is separated into that of a man and that of a writer. La Lettrice Ludmilla also insists on the difference between Silas, the writer, and Silas, the narrator:

You are two separate persons, whose relationships cannot interact.... I have no doubt that you are concretely this person and not another, though I do find you very similar to many men I have known, but the one who interested me was the other, the Silas Flannery who exists in the works of Silas Flannery, independently of you, here (Calvino, 1981, p.134).

By separating the two entities, Calvino proves again that what is important in the reality of its fictional world is still the text and what is confined within it, but not the person behind its making.

On the other hand, there is Ermes Marana who is the one responsible for the fragmentation of the novel, the "metafictionist" as Sorapure calls him, whose wish is of a literature "entirely of apocrypha, of false attributions, of imitations and counterfeits and pastiches"(Calvino, 1981, p. 112). That seems to be Calvino's purpose, seeing that his novel comprises a pastiche of several other genres that create confusion. He declares that a literary work is like a battleground because there is a constant fear of not being able to satisfy the reader (Calvino, 1981, p. 156). Therefore, the reading process is the most important one because without it, a text would not be completely finished. Through the character of the translator, Italo Calvino puts a further emphasis on the destination of a piece of writing and not on the one generating that piece.

What is more is that Marana seems to completely dismiss the function of the writer Silas Flannery, whose style is copied by a machine and turned into a text, making him doubt his authorship: "The only books I recognize as mine are those I must still write" (Calvino, 1981, p. 137). Calvino appeals to the same image when talking about the uses of literature and confirms that literature could be viewed as a machine but the act of reading could only be undertaken by human beings (1997, p. 21). In other words, a reader is considered to be irreplaceable, while the writer might easily be replaced by another person who masters the skill of writing. Michel Foucault predicts Flannery's auctorial crisis by asking

a question fundamental for the modernists: "What difference does it make who is speaking?" (1991, p. 120).

The death of the author is discussed more thoroughly by Roland Barthes. He considers the author a product of society who felt the need to connect literary works to the personality of a writer. Barthes argues that the text is the result of the "here and now" and by assigning an author, it only limits its infinite possible interpretations (1977, p. 148). From what the French critic says, one could only conclude that the text breaks the convention of meaning and exists in as many alternatives as the number of readings it gathers. One of the readers discussing this issue at the end of Calvino's novel states that even the same reader can have different experiences each time he repeats reading a book:

At every rereading I seem to be reading a new book, for the first time. Is it I who keep changing and seeing new things of which I was not previously aware? Or is reading a construction that assumes form, assembling a great number of variables, and therefore something that cannot be repeated twice according to the same pattern? Every time I seek to relive the emotion of a previous reading, I experience different and unexpected impressions, and do not find again those of before (Calvino, 1981, p.177).

The end of *If on a Winter's Night a Traveller* thus presents a new setting in which readers keep their autonomy. Calvino engages *il Lettore* in a community of readers that discuss the various ways a book can be read. The result of their interaction inevitably leads to what Barthes calls "the birth of the reader" (1991, p. 148).

At the same time, with the rise of the reader, some critics have noticed that his empowerment could just be illusive and that the confines of the novel could imprison the reader. Melissa Watts claims that the "authorial manipulation" does not necessarily mean the exclusion of the reader's liberation Roland Barthes was talking about. She suggests the authority of the reader relates to the expectations he has in regards to the development of his own reading (1991, p. 715). This could mean that although the reader is part of the fictional universe, he or she is only interested in what he or she could gain from the ten novels Calvino is starting in his book. On this note, Ian Rankin talks about the two Readers in the novel. One of them, *la Lettrice*, is considered to be the "pure reader" because she is "reading avidly for the sheer joy of the experience, and her view of the reading act is unquestionably reader-response oriented" (Rankin, 1986, p. 126). As mentioned above, *Ludmilla* displays a type of behaviour strictly oriented towards

enjoying the pleasure of lecture: "Believe.... Why believe? I like to read, really to read" (Calvino, 1981, p. 49).

The male reader, on the other hand, seems to pay more attention to the progress of the plot and Rankin suggests that he gets caught in a "conspiracy whereby texts are faked" (1986, p. 127). Therefore, the tension Calvino creates by fragmenting the storyline in ten different others transforms the reader in an avid seeker of the real main plot of the novel, with a beginning and an ending. In his search, he lets himself be influenced by the external plan and consequently falls under the author's control. Furthermore, Melissa Watts argues that the authority of the writer has not been removed from Calvino's novel but there is a confusion that

arises from the simultaneous release of the reader from the traditional constraints of fiction and the imposition of new ones. *Traveller* seems to give the literary stage over to the reader, and yet at every turn, there is the author directing the scene. Perhaps the greatest power possible for those who read is an awareness of the author's constant presence (1991, p. 715).

In other words, the critic suggests that the power of the reader is given by him or her knowing that their reading experience is supervised by the author. However, the feeling of being constrained cannot be eliminated. At the level of the text, it is materialised in the scene where il Lettore is arrested for owning a book that is apparently banned in the country he travels to, a place where 'everything that can be falsified has been falsified' (Calvino, 1981, p. 148). The authority that captures him becomes thus questionable.

Melissa Watts further addresses the way in which the Italian writer subverts the function of the reader and how it manifests throughout the text. She observes that, although the reader is addressed directly by means of the second person narration – "you", his response to what is happening in the novel is limited by the directions the author gives him from beginning to end (Watts, 1991, p.p. 711-2):

Your function was quickly reduced to that of one who records situations decided by others, who submits to whims, finds himself involved in events that elude his control. Then what use is your role as protagonist to you? If you continue lending yourself to this game, it means that you, too, are an accomplice of the general mystification (Calvino, 1981, p. 152).

Otherwise said, although the author claims to give freedom to the reader by making him a protagonist of his book, his literary strategy proves to be more restraining than it should be. Moreover, Watts notices the lack of information that the narrator gives about the reader, turning him into an abstract entity (1991, p. 712):

This book so far has been careful to leave open to the Reader who is reading the possibility of identifying himself with the Reader who is read: this is why he was not given a name, which would automatically have made him the equivalent of a Third Person, of a character (whereas to you, as Third Person, a name had to be given, Ludmilla), and so he has been kept a pronoun, in the abstract condition of pronouns, suitable for any attribute and any action (Calvino, 1981, p. 99).

Addressing the reader directly, Calvino manages to surprise him or her because he gets involved in the action, but at the same time, the reader is no more than just an abstract figure that could be replaced by anybody.

At this point, it could be useful to mention a distinction made by Umberto Eco in his classification of readers. According to him, there is a difference between the empirical reader, the 'concrete' reader of the text, and the model reader, who is able to interpret the text as the author intended. Subverting the typology used by Eco, the reader created by Calvino is meant to manipulate the empirical reader into becoming a model one. The place of this privileged reader is taken by the author himself, according to Joseph Francese (1997, p. 10), because he is the one ultimately supervising the progress of the action.

Familiar with the paradigms of French structuralism, Calvino declares in an interview with Gregory Lucente that structuralists "seek to give a description of the text, of the phenomenon, which is not the same as an *interpretation*" (1985). The purpose of the Italian author is to devise a plot that does not fall under the classic paradigm of the narrative construction but one that embodies a text about a text, a metafictional work. The ten stories only sampled in *If on a Winter's Night a Traveller* could be viewed as an attempt to classify the different types of novels existing at that moment. These ten stories Calvino put together in the same textual universe form a register of novels, a classification viewed as a nonfictional genre. The Italian writer manages to subvert the role of the plot by inserting this genre into a fictional writing. At the same time, the purpose of making a record of different types of texts implies that the chaos presumably created by the change in rules is still ruled by order.

Further on, Peter Bondanella considers that “Calvino’s novel contains successive false narrative starts, whose lack of success constitutes his completed successful novel” (2003, p. 175). In other words, the reading experience *il Lettore* and *la Lettrice* gain through searching for the right text, among the ten novels introduced in Calvino’s work, is ultimately satisfactory. The process undertaken by them is more important than finding out the conclusion of the books they have started. Towards the end, the reader cannot find any book anymore but it does not matter because the experiment is complete. This opinion is reviewed towards the end of the Italian text, in the words of one of the readers from the library:

Do you believe that every story must have a beginning and an end? In ancient times a story could end only in two ways: having passed all the tests, the hero and the heroine married, or else they died. The ultimate meaning to which all stories refer has two faces: the continuity of life, the inevitability of death (Calvino, 1981, p. 180).

At this point, Calvino surprises the reader by writing a traditional ending. The story of the Reader and the Other Reader finds its resolution in their marriage and the plot is once again subverted from the fragmented narrative of the inner frame to this conventional development of the action in the outer frame of the story.

While the two Lettori continue their life together, there is still the question of death present in that reader’s statement. The way Calvino structured the text and, more importantly, the inspiration he took from *The Arabian Nights*, could provide an explanation in that matter. According to Foucault, the main purpose behind Scheherazade’s fragmented storytelling was to “keep death outside the circle of life” (1991, p. 102). By inserting the uncompleted stories into the novel, Calvino desires to keep his readers’ interest and consequently avoid the death of the author.

This theory agrees with Markey’s observation that books could be preserved into eternity as long as they have readers to experience their texts (1999, p. 119). Therefore, the act of reading forms the grounds for the perennity of the written word. Moreover, the third reader taking part in the last scene at the library talks about a “book of all books”, that comprises his literary experience: “Every new book I read comes to be a part of that overall and unitary book that is the sum of my readings” (Calvino, 1981, p. 178). The statement is in favour of the *tabula rasa* theory according to which knowledge is gathered in time and through experience. The innocent reader is not initiated into the reading process and is left to discover the world of fiction by himself, just as the editor Cavedagna

remembers himself having done: "You know? As a boy, in order to read, I would hide in the chicken coop...." (Calvino, 1981, p. 67).

The sign that Calvino's work is an experiment in the literary field could be found in the title of the novel itself. Mariolina Salvatori notices the "if" in the title of the novel that could suggest "a hypothesis, a hypothetical reading that the reader must continue to question, test, and reread, rewrite, reread" (1986, p. 31). In her opinion, Calvino's work implies a re-evaluation of the conventional paradigms of the novel. Moreover, by introducing the hypothetical in the beginning, he offers the reader what Ruth Dunster recognizes as the Coleridgean "willing suspension of disbelief" (2010). This would mean that the reader is being prepared from the start to witness a new approach of the written word.

Italo Calvino has never stopped playing the game of reordering the literary space while writing *If on a Winter's Night a Traveller*. He invests in a metafictional text that analyses the role of reader and author beyond the simple acknowledgement of their existence and offers a new perspective upon writing that places the reader in the centre of the literary process. What is important is that the Italian author masters the principles of narratology as well as Hesse's Joseph Knecht masters those of epistemology. Through his methods of subversion, he proves himself as a true Magister Ludi.

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In What Ways Might Maryse Condé's *I, Tituba, Black Witch of Salem* Be Read As a Metafictional or Postmodern Novel?

Rebecca Parmenter

ABSTRACT

Maryse Condé's 1987 novel *I, Tituba, Black Witch of Salem* presents a fictionalised account of the historical events of the 1692 witch trials in Salem, Massachusetts. Unlike most fictional and non-fictional accounts of these events, Condé's novel uses the perspective of a non-white person. This particular choice can be considered political appropriation, an idea which Condé deconstructs as she uses. This paper examines the ways in which this novel can be considered postmodern. It uses postmodern theorists such as Lyotard, but predominantly Baudrillard and his ideas of Simulation and Simulacra, to elucidate ways in which Condé's novel questions the ways in which reality is understood and depicted in fiction. In addition, an examination of the feminist angle of the novel, and the way in which this clashes with its historical setting, suggest an unconventional approach to the representation of oppressed groups. This paper argues that the postmodern form and style of Condé's novel is intrinsically linked to its representation of oppressed groups, encourages critiques of historical narratives, and is revealing in ways that a more naturalistic style could never be.

Maryse Condé's 1986 novel *I, Tituba, Black Witch of Salem* is one of a number of texts which concerns the events of the 1692 Salem witch trials. Condé combines this historical background with elements of magic realism, in a revealing, first-person narrative, that explores issues such as feminism, slavery, religion, and race. What stands as the most interesting feature of the novel is the interaction of this content with its postmodern form and style. This essay shall explore the ways in which *I, Tituba, Black Witch of Salem* can be considered postmodern, specifically through the characterisation, the interaction with and use of history, and through the blending of fact and fiction into something that defies genre conventions and questions the nature of reality.

An important way in which *I, Tituba, Black Witch of Salem* (abbreviated from now on to: *Tituba*) can be read as postmodern is through the use of characters from other texts. Condé transplants Hester, from Nathaniel Hawthorne's 1850 novel *The Scarlet Letter*, into her text, and has her interacting with Tituba. This technique is metafictional in the

way that it draws attention to the constructed nature of the text as fiction. Condé also transplants a large amount of characters from Arthur Miller's 1953 play *The Crucible*, such as Tituba, Samuel Parris, Sarah Good, Abigail Williams and Ann Putnam. This intertextuality not only draws attention to the construction of Condé's work, but to the constructed nature of Miller's and Hawthorne's fictions.

However, only a certain amount is borrowed from Miller, since Condé is putting real historical figures into her text. The names Tituba, Samuel Parris, Sarah Good, Abigail Williams etc. all belonged to real people who were involved in the Salem witch trials of 1692; Tituba was even recorded as having a husband named John (Breslaw, 1996, p. xxi). Condé uses extracts from the transcript of the 'real' Salem witch trials, in chapter three of part two, also known as "The Deposition of Tituba Indian". This shows an interaction and intertwining of history and fiction, as these factual words fit in amongst the plot events of Condé's novel. However, Condé censors the date used at the beginning of the first chapter, where Tituba describes her conception, "one day in the year 16**" (1986, p. 3). What is particularly interesting about this is that readers are given the century in which Tituba was conceived, to give a feeling for the sort of historical background that is used to frame the narrative, but the specifics are left out, possibly to allow for historical inaccuracies and distance her characters from the 'real' events. In addition, this also acknowledges that little is known about the figure of Tituba that Condé adapts. Elaine G. Breslaw states that with regards to Tituba, the "Salem records provide very sparse details" (1996, p. xix), and so in terms of the grand narrative of the Salem witch trials, Tituba plays a very small part. Condé's novel is postmodern in the way grand narratives are treated. Jean François Lyotard stated that the "grand narrative has lost its credibility, regardless of what mode of unification it uses, regardless of whether it is a speculative narrative or a narrative of emancipation" (1984, p. 37). *Tituba* acknowledges the inadequacies of history to properly document this key figure in the Salem witch trials, and by extension, highlights the inadequacies of master narratives with regards to minorities and oppressed groups.

Understanding the historical figures in *Tituba* is the key to recognize Condé's postmodernism. The character could be read as Condé's re-contextualization of a historical figure, putting her in a contemporary time and place, but giving her dialogue and thoughts suited to a different period in time. This can be seen through Tituba's sexual understanding and her liberal attitudes towards sex at the beginning of the novel, which can be considered a very modern, feminist viewpoint. Tituba acknowledges that she only wants John Indian for sex; she says: "I knew all too well where his main asset lay" (Condé, 1986, p. 19). Also, Tituba is aware of her own body and what gives her pleasure; in a

masturbatory scene which may seem out of place, Tituba not only locates her “pudenda” but uses it until she “gushed a tidal wave that flooded [her] thighs” (Condé, 1986, p. 15). Tituba’s sexual exploration and self-awareness ruins the reader’s suspension of disbelief and clashes with their previous expectations of what historical fiction is. *Tituba* is postmodern to the extent that it takes someone left out from certain grand narratives, because of their race, gender and culture, and gives them a voice. It is surprising to get the inner thoughts of a historically oppressed figure, but also surprising to get such intimate thoughts that are unrelated to their oppression. Condé is quite literally giving Tituba a voice through her use of first person narrative. Perhaps *Tituba* is being rewritten in *Tituba* as a way of giving this underrepresented person from history the feminism she desperately needed.

Regarding grand narratives, it is important to note how the Puritan characters in *Tituba* are represented. Zubeda Jalalzai argues that “Condé regards her depiction of Tituba as a fantasy, but takes quite seriously her depictions of the Puritans that makes a reclamation of Tituba an urgent artistic and political choice” (2009, p. 413). There is a lot of evidence to suggest that Condé’s choice of Tituba as subject, and her particular representation, is highly political. But Condé’s Puritans are not entirely free from politicised alterations. While most of Condé’s Puritans seem to behave in a manner appropriate to the time in which the novel is set, our first impression of Elizabeth Parris is somewhat different. Elizabeth talks openly about her sex life and her menstruation, stating that her husband “takes me without removing either his clothes or mine, so hurried is he to finish with the hateful act” (Condé, 1986, p. 42). Elizabeth’s character is only partially ‘believable’ in this sense, since our modern perception of Puritan women from the 17th century is one of modesty and restraint. In addition to being open with a woman of a different race and class, Elizabeth is also surprisingly self-aware of the attitudes she and the other Puritans possess, since she stopped talking ‘as if she had said too much’ (Condé, 1986, p. 38). She says too much for other Puritans and too much to suspend disbelief. It could be argued that the text exhibits here what Baudrillard calls second order simulation, where something “masks and perverts a basic reality” (1988, p. 423).

However, how possible is it to truly know what the Puritans and Tituba would have been like? How far can we assume the plausibility of character from over 300 years ago, and how could it possibly be known what they would have thought? Postmodernism suggests that the nature of reality is questionable because the difference in individual experience means that there are no universal experiences, and thus, no way in which to represent anything considered a universal experience. By extension, it means that one person cannot fully understand the experiences and viewpoint of another person. So it is futile to

attempt to understand the characters in *Tituba* as historically (in)accurate or 'of their time,' because they are not only historical figures, but Condé's fictional creation. Condé could even be highlighting the problematic nature of attempting to understand reality by the confines of cause and effect, reality and fantasy. What real obligation is there for Condé to make her characters historically accurate, other than conforming to genre conventions?

Another way of reading Condé's character is as though she is one of many possible versions of Tituba, simultaneously existing in the realm of fiction with other Titubas. Since the historical records are so lacking in certainties for her, there may be an acknowledgement that since people now will never know what the 'real' Tituba was like, that fictional appropriations are the most suitable way in which to understand her. Arguably, the particular Tituba that is found in *Tituba*, one who exhibits and questions a lot of 20th century feminist ideas, is not supposed to represent the final word on the 'real' Tituba, or be the *only* Tituba. If Condé's Tituba is one of many, then attention is drawn to the construction of this character, and thus to her being fictitious, which brings us to metafiction. The suspension of disbelief in *Tituba* is shattered early in the novel with many characters speaking and acting as if they exist in a different time period than the one Condé appears to present. Despite the recognisable historical background, Condé's characterisation and narrative style highlight what Patricia Waugh considers the most fundamental aspect of metafiction, that "composing a novel is basically no different from composing or constructing one's 'reality'" (Waugh, 2002, p. 243). This aspect of the novel is postmodern because of what it suggests about the nature of reality. Exploring one of many possible versions of one person suggests that 'reality' cannot be fully understood since no experience of it is universal, reality is subjective, and thus there is possibly no such thing as 'reality'. Condé's Tituba is as 'real' as Miller's Tituba, or the historical Tituba. *Tituba* is less about considering which version of Tituba is most 'real' and accepting that all of them are creations, even the historical Tituba, who has been formed in our minds by (an absence of) historical records from the time, and framed by the societal attitudes she faced and that we use. To re-visit Baudrillard: "It is no longer a question of false representation of reality, but of concealing the fact that the real is no longer real" (1988, p. 424).

In fact, it is because Condé gives her novel a historical background that we can consider it especially interesting as a postmodernist text. There are arguments that suggest that Condé is applying pastiche to her representation of Tituba. Pastiche is an important technique in postmodern art, found not only in literature, but architecture, sculpture and photography. Jalalzai argues that the work "illustrates significant problems in such

appropriations of history for particular purpose or artistic aims” (2009, p. 413). It is certainly true that the character of Tituba problematizes the idea of appropriation for political purposes – in this case, feminist – due to her displacement in time. Condé creates a deliberately jarring disparity between the setting of the novel and a select few of the characters. This not only draws attention to the text’s fictional nature, but is ridiculing the idea of giving late 20th century feminism to an historical figure alive more than 300 years prior; it is more satire, or parody, than pastiche. *Tituba* may be referring directly to *The Crucible*, which appropriates the Salem witch trial narrative for the purpose of critiquing McCarthyism. There is a certain irony and knowingness in Condé’s representation of Tituba; we, the readers know she is a character and not ‘real’ (unlike Miller’s representation), Condé knows she is not real, and the character Tituba is very aware of her feelings and actions, that may suggest she is in on the joke too. In addition, Condé is refusing to conform to the boundaries of what most readers consider to be historical fiction, in which we would assume characters that are based on real people would act as we suspect people of that time would, or were at most ‘ahead of their time.’ Nonetheless, while Condé is using this appropriation to highlight the problems in such a technique, she is still using it. The feminism of *Tituba* may create dissonance within the text, but whatever Condé’s intentions are, she is still asking questions about feminism and bringing it to a certain readership. Arguably, Tituba has been appropriated for the purposes of highlighting the flaws in appropriation, which is postmodern in its self-reflexivity.

But, it is not only historical figures that Condé appropriates. Her postmodern reference to Hester from *The Scarlet Letter* is similar to her use of Tituba. Hester is a feminist figure in *Tituba*: she feels that “life is too kind to men, whatever their color” (Condé, 1986, p. 100) and she recognises the hypocrisy of her situation since “the man who put this child in my [her] womb is free to come and go as he pleases” (Condé, 1986, p. 97). Hester’s feminism transplants her outside of her historical and social context, into some place more modern, much like Tituba. Hester even uses the word “feminist” (Condé, 1986, p. 101) around 1692 in the chronology of the text, but ‘feminism’ was coined over 100 years later, in the 19th century. In fact, the term ‘feminist’, meaning an advocate of women’s rights, only existed from around 1893.

Hester is partially a point of comparison for Tituba. Condé could be using the interactions between these two characters to demonstrate that modern feminism is conflicted on some issues. Tituba is aware that Hester disagrees with her opinion of relationships, since she avoids talking about John Indian because she ‘knew only too well what she would say, and... wouldn’t be able to stand it’ (Condé, 1986, pp. 100-101). Also, Hester is used to

reveal further intertextuality, since it could be argued that Condé is likening Hester towards Charlotte Perkins Gilman, when she says that she would like to write a book “where I’d describe a model society governed and run by women” (Condé, 1986, p. 101), a passing reference to *Herland* (1915). Also, there is humour in Condé’s Hester, when Tituba addresses her as mistress Hester says “don’t call me mistress” (Condé, 1986, p. 95). There is dramatic irony in that the reader knows Tituba would address an authority figure as mistress, but that Hester would know it to mean a woman, like herself, that was part of an extramarital affair. Hester, in Condé’s novel, is written with a self-awareness that can be described as postmodern, relying on Hester being characters in more than one piece of fiction.

Ultimately, the most postmodern aspect of the characters of Hester and Tituba is that they receive the same treatment by Condé, despite one being ‘real’, and the other ‘fictional’. Interestingly, Hester has a ‘real’ past in the form of *The Scarlet Letter* which shapes her future in a different text, and yet the more historical Tituba has a *fictional* or at least uncertain past, shaped by her treatment (or the lack thereof) by grand narratives. What this achieves is a blurring between what is ‘real’ and what is ‘fictional’ in such a way as to question the nature of reality. Condé does not preserve Hawthorne’s representation of Hester, though they have a lot in common. It is the simultaneous presence of the fictional and ‘historical’ pasts of Condé’s characters that provokes questions about what we consider to be ‘real’. There is the argument that neither has any reality, only it is perhaps more legitimate for Condé to appropriate Hester for her own purposes, for she only ever existed in fiction. Unlike with Tituba, she cannot be accused of trying to re-write history, by appropriating figures from the past for her own political purposes. But postmodernist thought suggests that her Tituba can be one of many. Condé is not trying to change any ‘real’ Tituba, for that Tituba never truly existed. Arguably, *Tituba* could be considered 3rd or 4th order simulation. Considering whether the novel “masks the *absence* of a basic reality” or “bears no relation to any reality whatever: it is its own simulacrum” (Baudrillard, 1988, p. 423), there are arguments for either side. For the former, the absence of a basic reality can relate to the absence of a reality for the ‘real’ Tituba, which Condé fills with her particular feminist creation. And there is strong evidence to suggest that this creation is a simulacrum which bears no relation to any reality, since *Tituba* is such a bricolage of fictional characters, historical figures, genres (magical realism, historical fiction, satire etc.), different ideologies and cultures, not tied down to their particular context, that there is no reality it could possibly be based on.

Finally, as a counterpoint to this argument, it could be argued that Condé *is* making a clear distinction between ‘real’ and ‘fictional’. Her character of Tituba can be read as a

humorous take on what the 'real' Tituba could never have been, by exaggerating her feminist tendencies. In addition, Tituba's magical powers could be used in an argument against any 'reality' in the text. Though a lot of Tituba's magic is implied, readers get the sense that she makes Susanna Endicott ill with her powers ("an inconvenient and humiliating sickness? Which one would I choose?" [Condé, 1986, p. 30]), and uses animal sacrifices to conjure the spirits of Mama Yaya and Abena. While I feel this argument is significantly weaker than any argument that suggests that Condé is questioning the nature of reality, it must be acknowledged that this is one of many possible readings.

In conclusion, *I, Tituba, Black Witch of Salem* can be considered postmodern because it is an example of metafiction, it uses intertextuality, it plays with genre conventions, it interacts with history, it questions history and its grand narratives and especially because it questions the nature of reality. *I, Tituba, Black Witch of Salem* allows for multiple interpretations, and when applied, these interpretations are paradoxical. Condé's novel can be read as either 2nd, 3rd, or 4th order simulation. It can be taken seriously, or as a parody. It should be re-read because it demands that we as readers think about the nature of fiction and history's use of narratives, as well as how people, images, and stories can be appropriated for political purposes. Through challenging the perceived difference between 'historical' and 'fictional' narratives, this novel makes us think twice about history's treatment of oppressed groups.

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Desire is Death: The Death Drive and Repetition in Liliana Cavani's *Il Portiere Di Notte*

Abigail Hollinshead

ABSTRACT

In 1974, Italian film-maker Liliana Cavani created an extraordinary film. *Il Portiere Di Notte* (*The Night Porter*) tells the story of Max and Lucia, a Nazi SS officer and his Jewish prisoner who begin a sado-masochistic affair which outlasts both the war and the concentration camp where it began. The film provoked outrage upon its initial release, with many seeing Max and Lucia's unorthodox love story as little more than an excuse to screen politically incorrect and historically insensitive pornography. However, while Cavani's film is certainly provocative and challenging, it is unquestionably much more than a simple work of cheap Nazi exploitation; the complex and often transgressive relationship of its protagonists gives rise to many questions regarding the nature of society and death, and it is only by viewing the film from a psychoanalytic standpoint that the true depth of Max and Lucia's dark relationship can be understood. This article will explore the relationship central to *The Night Porter* from both a Lacanian and Freudian perspective, taking key theoretical concepts from both psychoanalysts into consideration while attempting to better understand the exact nature of Max and Lucia's compulsively destructive relationship.

In 1920, prominent psychoanalyst Sigmund Freud published *Beyond the Pleasure Principle*. It contained a radical rewrite of many of his previous theories, and culminated with the introduction of a principle known as the death drive. This relentless unconscious desire to experience our own deaths often manifests itself through the wilful commission of seemingly incomprehensible acts of self-destruction, as well as the desire to repeat and re-live past experiences of trauma (Freud, 2003). Fifty-four years after Freud published his theory of the death drive, Italian filmmaker Liliana Cavani made a film which shocked the world. *Il Portiere Di Notte* (*The Night Porter*) (1974) tells the story of ex-Nazi officer Max and his former prisoner Lucia, a pair destined to repeat in the present the sadomasochistic relationship which they had begun in the past amidst the violence and degradation of the concentration camps. The film was met with controversy and confusion upon its initial release, with some outraged critics seeing it as nothing more than fascist pornography, whilst others hailed it as a brilliantly complex work of self-

reflection (Marrone, 2004). Through a brave combination of controversial subjects, Cavani brilliantly captured the dynamics of the death drive, placing the attraction for death against the backdrop of deathly decadence which characterized the Nazi era.

Freud first formulated his ideas regarding the death drive after his experiences as a physician during the First World War. If dreams are an expression of repressed desires, why did shell-shocked soldiers continually have nightmares in which they relived the trauma of the trenches? (Freud, 2003). The unconscious desire of the soldiers to repeat their traumas through their dreams seemed to hint at a latent desire buried deep within their psyches – a desire for death. Operating subconsciously and erasing all traces of itself from conscious life, the death drive works in opposition to the life instinct, subconsciously driving us towards the destruction we crave (Quinodoz, 2005). Experiences of trauma are often re-lived due to their extreme proximity to death – it is during traumatic times that we are closest to achieving the elusive fulfilment of our latent desire. This desire for death may override the pleasure principle (that which attempts to avoid unpleasure and seek pleasure), causing the repetition of experiences which seem to offer no pleasure (such as experiences of trauma) (Quinodoz, 2005). This would appear to place the death drive in the hidden realms of the psyche which lie beyond the pleasure principle (Freud, 2003; Lacan, 1979).

In order to understand how the sadomasochistic relationship enjoyed by the protagonists of *The Night Porter* relates to the death drive, it is necessary to understand the role of the masochist and the sadist in relation to their joint desire for death. Due to her passivity during acts of violence, it is the masochist who experiences the majority of the trauma (pain) and consequently comes closest to achieving her desire (death) (Quinodoz, 2005). The sadist may only come close to the realization of his desire (death) through experiencing by proxy the pain he inflicts upon the masochist – the sadist therefore becomes enthralled, not with his capacity for cruelty, but with the recognition and identification with the pain he is inflicting – (Torlasco, 2008).

The voyeurism which results in Max's fascination with filming the acts of violence to which he subjects Lucia during her time in the concentration camp is symptomatic of his wish to identify with her pain. Just as the audience of a film identifies with the characters on the screen, so Max's desire to look at Lucia through his camera is suggestive of his wish to identify with her – to live out his fantasy of trauma through the reality of her trauma. Although it is tempting to inflexibly assign the role of sadist to Max and masochist to Lucia, their relationship is often considerably more complex, characterized by frequent

role reversal and their reciprocally interchangeable desire to be both sadistically cruel and masochistically abused (Torlasco 2008).

This reversal of roles is particularly evident during a scene which takes place in Max's apartment after Lucia has left her husband. In an unusually aggressive action which seems to contradict Lucia's passivity, she locks Max out of his bathroom and smashes a glass bottle on the floor; she then unlocks the door and retreats to the far end of the room. Max, who is indignantly attempting to force his way into the bathroom, unexpectedly finds the door has been unlocked, bursts into the room, and predictably cuts his feet on the shards of glass (*The Night Porter*, 1974). He takes visible pleasure in the sensation of pain which follows, whilst Lucia appears to be satisfied with her role as the inflictor. Curiously, Lucia then slips her hand under Max's bleeding foot; he grinds her fingers into the shards of glass, allowing for the mutual intermingling of pain. This incident demonstrates the exchangeable positions of the masochist and the sadist, as Max and Lucia interchangeably occupy both passive and active roles during this performance, enabling a shared experience of the trauma which brings them closer to their desire for death.

The above sequence demonstrates Max and Lucia's creation of an elaborate, repetitive performance centred around the masochistically exciting motif of the death drive. Max and Lucia's obsessive replication of their past relationship may be reasonably compared to the compulsion to repeat felt by the traumatised subject; although their respective conscious egos attempt to dissuade the pair from rekindling their sadomasochistic relationship, the subconscious pull of the death drive proves too much to resist, returning them unavoidably to the self-destructive spiral which coloured their original relationship.

The repetitive dimension of their association is emphasised in the film, as the majority of the narrative focuses on the almost exact duplication of their past actions in the present, with the most obvious direct transposition centring around Lucia's nightdress. Although Lucia later demonstrates conscious resistance, she has already subconsciously submitted to the inevitable repetition of her performance with Max with the purchase of the pink nightdress from the antique shop – a nightdress to which she is attracted solely because of its resemblance to one given to her by Max during their initial relationship. Later, when Lucia has given up even conscious resistance and joined Max in his apartment, intercut flashbacks of the original event act as representations of repressed memories determined to return to the conscious mind. The repetitive element is further emphasized through spatial and graphic matches, as the spatial positions occupied by Max and Lucia in the

diagetic past (shown through flashbacks) are directly mirrored by their positions in the film's diagetic present.

The Freudian formulation of the death drive understands the desire for death only in terms of a desire for physical, biological death. We have an innate desire to return to the organic non-existence which would come with physical death, and it is primarily our desire to reproduce which drives the life instinct (Freud, 2003). However, French psychoanalyst and unorthodox follower of Freudian theory Jacques Lacan added another dimension to the death drive – the desire for symbolic death. According to Lacanian theory, the desire for symbolic death stems from the realization that the world we experience is merely a fantastical construct of the Symbolic Order (the Symbolic Order being the order joined by the growing infant when he goes through the imaginary phase of the Mirror Stage and begins to use and understand language). (Nobus, 1999). The Symbolic Order is constructed to mask the eternally present terror of the real, which remains unacknowledged and obscured by the conscious ego. Beyond the fantasy of the Symbolic Order, there lies only the reality of death (Žižek, 1989).

The repetition of trauma occurs due to our innate attraction to the lethal Other (death, both symbolic and physical) which lies beyond the Symbolic Order. However, according to Lacan, it is possible to reach symbolic death and depart from the Symbolic Order before achieving the reality of biological death. This opens up the possibility of a space between the two deaths – a 'real' place existing beyond fantasy, which may be entered through the conscious rejection of existence as constructed by the Symbolic Order (Žižek, 1989). As they are caught between the ever elusive fulfilment of their desire for physical death, and the symbolic death they eventually achieve via their departure from the constraints of the Symbolic Order, Max and Lucia may be viewed as existing in this space between the deaths.

The couple do indeed depart from the Symbolic Order in a number of ways. Their initial relationship in the concentration camp may be seen as the original departure, but there is a much stronger departure to be found later in the film, as both Max and Lucia choose to reject their respective roles in the Symbolic Order: Lucia through her action of leaving her socially acceptable husband, and Max through his refusal to participate in the mock "trial" prescribed as therapy by his ex-Nazi comrades. As the compulsion to repeat is seen as a symptom of neurosis by Freud, the seemingly therapeutic process of Max undergoing the "trial" may clearly be viewed as a parallel of the patient going through psychoanalytic therapy. The group's attempt to control Max's compulsion to repeat through the elimination of Lucia, as well as their emphasis on the cathartic nature of exploring past

crimes is remarkably similar to a therapist's effort to cure his patient of repetition compulsion through the exploration and elimination of repressed traumas. Failure of therapeutic analysis at this stage often results in the death drive and the compulsion to repeat becoming dominant (Quinodoz, 2005).

Max is well aware that his refusal to participate in the trial – as well as his protection of Lucia – will lead to his banishment from society (and ultimately to his death), and his acceptance of this fact heralds his departure from the reality concealing fantasy of the Symbolic Order and his entrance into the space between the two deaths. Lucia is also fully aware that her relationship with Max will lead to her death, but makes a conscious choice to stay with him even after she is given the opportunity to re-join the Symbolic Order (Max's suggestion that she go to the police is met with nothing but an enigmatic smile). As it is the Symbolic Order which attempts to conceal the certainty of death, this simple acceptance of the reality of their own deaths places Max and Lucia firmly in Lacan's realm between the deaths.

The couple's rejection of language signals their final departure, as linguistic speech constitutes a large part of the power of the Symbolic Order – “the wall of language” (Lacan, 1988, p. 224) which is used to hide the real – (Libbrecht, 1999). During the closing section of the film, Max and Lucia say little to nothing, choosing instead to rely completely on the looks and actions which have already heavily defined their relationship. In a performance which returns them to the origins of their relationship, the couple who have already experienced symbolic death then prepare for physical death. They have gone beyond the fantasy, accepted the eventuality of death, and can never return to the construct of the Symbolic Order. Their only option is to continue into the ultimate fulfilment of their desire – death.

Their performance is over.

“My love is a fever longing still,
For that which longer nurseth the disease...
...and I desperate now approve
Desire is death, which physic did except.”

William Shakespeare
Sonnet CXLVII

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Ztohoven: The Modern Dissidents?

Jamie Taylor

ABSTRACT

Over the last decade, the artist collective Ztohoven have inspired debate and controversy, usually to the embarrassment of the Czech authorities. Ztohoven's inventive methodology explores how one can turn a system's attitudes and framework against itself. This paper will first focus upon understanding who Ztohoven are, by analysing their work from the previous decade. The argument will be made that Ztohoven are a modern embodiment of previous Czech dissidents, protesting against a new system but fighting similar shortcomings. For this paper I will focus on key public works produced by Ztohoven. I will try to demonstrate methodological, intellectual and thematic links with past dissidents of the Communist era in Czechoslovakia. To provide evidence for my argument, I will use a combination of Ztohoven's public statements alongside academic and journalistic articles.

Who are Ztohoven?

Ztohoven are a collective of artists in the Czech Republic. The group's name 'Ztohoven' translates to both 'The way out' and 'The hundred shits', aptly communicating the tone that runs throughout their work. Quoting Ztohoven figurehead Roman Tyc, Michael Kimmelman of the New York Times has argued that the group possesses a typical Czech approach to politics and even dissent: "Because of the past, Austria, communism, fascism, someone always stepping on our necks, we have had no choice except to Svejek around" (Kimmelman, 2008). The 'Svejek' Roman Tyc speaks of is a folk hero who represents the jocular behaviour of Czechs when confronted with attack or oppression. Ztohoven incorporate humour and satire into all their works, an approach that garners much support.

Commenting on Ztohoven's piece *The Media Reality*, Kimmelman observes such a reaction by the public, claiming "it drew a mild, tolerant, even amused public response, in contrast to how terrorism-related pranks, or what might seem like them, have been widely greeted elsewhere" (Kimmelman, 2008). Ztohoven tread a line between political activism and art that is difficult to distinguish. Individual issues are pursued, similar to

past dissents like Charter 77.¹ Peter Zikla, a current member of Ztohoven, summarised the group's politics as follows: "We do not indicate our point of view (...) we try to pose good questions, to hold up a mirror to society so that there's the possibility of seeing reality from a different angle and, consequently, having a debate about it." (Infoshop News, 2013)

By doing this the group share methodological similarities with the approach advocated in Vaclav Havel's *The Power of the Powerless* (1978). Havel, former Charter 77 dissident and later first President of the Czech Republic, argues for the pursuit of individual issues to draw attention to existing government shortcomings (Havel, 1978). Esther Belvis Pons of Performa Magazine also interprets Ztohoven's actions as exploiting public spaces and using these to interact with society, a strategy also prominent within contemporary art: "The politics of contemporary art navigates through the spaces that construct the social, and as Ztohoven pointed out, for them these are: the institutional space, the public space and media space. Contemporary artists find in the bordering and unexplored spaces a position from which they can temporarily trigger action; an action that can be politically ambiguous too" (Pons, 2013).

The group use humour in order to both escape and critique problems in society. This echoes the tradition of prominent dissidents like Egon Bondy² who used vulgarity or absurdity to satirise the state.

Ztohoven's practice of 'culture jamming', in which they manipulate and change the meaning of objects in the public sphere, also replicates this tradition. Roman Tyc's traffic light project, in which he changed traffic light bulbs, portraying amusing or satirical images, is one example of culture jamming used by the group:

¹Charter 77 was a prominent civic movement based upon a document of the same name which criticised the Czechoslovakian government for not upholding international human rights agreements. High-profile figures in the movement included Vaclav Havel; Jiri Hayek and Jan Patočka.

²Egon Bondy was a philosopher, poet and writer and an important figure in the Prague Underground movement due to his association with the Czech dissident band the Plastic People of the Universe.



Roman Tyc's traffic lights, 2007

Ztohoven can also be situated within a broader trend of contemporary art, namely it is so-called 'social turn'. The group's focus on inclusive, social and public art makes them an ideal example. This is particularly true when one considers the intention of Ztohoven's pieces - to generate collective interaction and dialogue through art, Claire Bishop (2006) explains this apparent characteristic of contemporary art's social turn, "the creative energy of participatory practices rehumanizes – or at least de-alienates – a society". Furthermore the groups valuing of the political alongside the importance of engagement outside galleries and conventional artistic spaces places them within this broader dynamic trend.

This 'social turn' has received intensified attention in recent years. Events such as the 7th Berlin Biennale; *The Truth Is Concrete* marathon symposium in Austria; *Disobedient Objects* at the Victoria and Albert or on a smaller scale, *The Politics of the Social in Contemporary Art* event at the Tate Modern are all examples of newly fostered interest regarding art and protest. During the 7th Berlin Biennale members of the Occupy movement³, amongst others, used the festival to demonstrate protest strategies and techniques with contemporaries.

Equally this self-proclaimed purpose of *The Truth is Concrete* communicates a consensus with Ztohoven: "Truth is concrete" brought together art that not only represents and documents, but that engages in specific political and social situations – and activism that not only acts for the sake of acting but searches for intelligent, creative means of self-empowerment." (Die Wahrheit Ist Konkret, 2012). Thus Ztohoven can be located somewhat within a dynamic movement in contemporary art and social practice that

³The Occupy movement is an international protest movement against social and economic equality most famously known for its Occupy Wall Street protest in 2011.

intends to challenge and shape political discourse. This is very much why Ztohoven can be considered dissidents for the modern world.

Ztohoven: Modern Dissidents?

Ztohoven's public statements and artistic pieces convey a distinct strategy of appealing towards 'common sense' ideals, sharing similarities with the concept of 'Primitivism'⁴ championed by the Czech musical dissident movement of the 1960s and 1970s. Examples include Ztohoven's *Citizen K* and *Subconsci-ous Raped*⁵.

Furthermore, Ztohoven's actions can be interpreted as tackling the same issues dissidents have often sought out. This largely pertains to the control of information. Ztohoven attempt to satirise the prevailing ideology of the status quo and by doing so, highlight its disingenuous nature. Jiri Rak, a prominent Czech historian, describes Ztohoven's impact and methodology thus: "When people make fun of something, they are making themselves free of it". He continued: "[t]hat's the condition of the small nation. It's a defence for everyone today in the globalized world [...] I think the goal of Czech mystification is to show us that we live in a world continually mystifying us — the politicians, the advertisers [...] Thank God for Ztohoven." (Kimmelman, 2008).

Thus in the eyes of Rak one can see the group's cause to "demystify" modern Czech life is very much the same aim of any dissident group - to communicate a different reality to the current order and through this produce critical dialogue.

Ztohoven's combination of humour and protest shares much with previous peaceful protests of the Czech people. Specifically it shares similarities with the actions of unarmed protesters presenting flowers to police officers prior to the 1989 revolution, and, perhaps more acutely, the protest of students running up and down Politických vězňů⁶ in a row, intending to cause nothing more than a situation of disorder for the Communist authorities. Ztohoven's *The Media Reality*⁷ reflects this act of non-violently challenging

⁴Czech primitivism developed out of the underground movement, promoting a salt-of-the-earth working-class who were not afraid of vulgarity but also embodied notions of authenticity and genuineness lost in the Communist regime.

⁵Both of these pieces call into question the accuracy and truthfulness of identity and consumerism in modern life, arguably pushing for a return to a more tangible and realistic form of living.

⁶Politických vězňů is a street located near Prague's city centre.

⁷*The Media Reality* was a Ztohoven stunt in which a Czech news broadcast was hijacked to superimpose an image of a fictional mushroom cloud onto its usual opening broadcast sequence. This specific piece will be discussed in detail later in this paper.

the status quo to provoke debate or to simply shake people “from their lethargy”. (Kimmelman, 2008)

Despite the hugely different political circumstances, the issues of a citizenry trapped by political inertia combined with a widely perceived moral and democratic deficit amongst the economic and political powers-that-be are still at the centre of Czech life. In this sense Ztohoven can be viewed as the dissident by-product of the modern Czech Republic which, although critiquing a new form of authority, fulfils the role of past Czech dissidents in a new era. Contemporary parallels to Ztohoven elsewhere can be identified in the Yes Men and the Critical Art Ensemble, conveying how this development is not unique to the Czech Republic. The Yes Men disguise themselves as figures of the establishment (called “identity correction”), a form of culture-jamming, and use this to satirise governments and figures of authority.

The core aim of these actions, similar to Ztohoven, is to highlight their role in dehumanising the public and provoke greater critical judgement towards governments. Equally, the Critical Art Ensemble focuses around the use of technology to provide visceral illustrations of how government actions have harmed people all over the world. This emphasis on criticising government actions, whilst focusing on technology and primarily media to communicate these injustices is also a key aspect of Ztohoven's works, which quite possibly drew inspiration from the Critical Art Ensemble.

These other instances of dissenting art collectives convey how Ztohoven are a Czech embodiment of a more widespread movement. This strengthens the claim that Ztohoven are modern dissidents, acting within a wider trend in art to engage with current political phenomena. Czech dissidents of the past also had counterparts across Communist Europe such as the Orange Alternative movement in Poland who also used art, inspired by Dadaism and Surrealism, to challenge Government authorities. (Pomaranczowa Alternatywa, 2004). With these points in mind the works of Ztohoven can now be analysed to further illustrate their similarities with dissidents of previous decades.

The Moral Reform

Ztohoven's most recent piece, *The Moral Reform* has a distinct resonance with the Czech tradition of dissent and likewise shares an undeniably humorous and ingenious method. The group impersonated members of the Czech parliament via text messages, sending them to various politicians during the hearing of a Czech politician being indicted for corruption. The messages advocate a reintroduction of morals back in to politics and an

end to corruption: “Let's separate politics from business.”; “Somebody must step out of the circle of corruption and say: ENOUGH!” (Ztohoven, N. D.)

These messages aimed to contrast the political elite’s own accepted principles with their actions, a tactic used by Czech dissidents in Charter 77.⁸ Vaclav Havel in *The Power of the Powerless* (1978) also argued that by appealing to laws and principles the state claims to advocate one can turn the state against itself, achieving incremental if minor victories. Clearly this piece was hoping to create a discourse between Czech politicians and the general public: “The installation at the DOX published the telephone numbers of Czech government officials, including the President, alongside a cell phone that allowed members of the public to send text messages directly from the exhibition space.” (Infoshop News, 2013). This was also attempted by dissidents with Charter 77 and the Committee for the Defense of the Unjustly Persecuted⁹. In both cases these actions served to bring the legitimacy of their respective governments in to question, namely because the addressed politicians resisted opening a meaningful dialogue. This shows an important similarity in both Ztohoven's and past dissident's aims and outcomes, primarily to question the validity of authority when it behaves contrary to its self-proclaimed principles.

The Media Reality

In this earlier action Ztohoven distorted the accuracy of mainstream news by hacking an aerial in the Krkonose Mountains on June 17, 2007 and superimposing a nuclear mushroom cloud over the usual image of the mountains:

⁸Charter 77 used the example of international human rights agreements to highlight the Czechoslovakian government's failures to look after its citizens.

⁹The Defense of the Unjustly Prosecuted, founded largely by Charter 77 signatories focused on Human Rights, becoming a member of the International Federation for Human Rights and aimed to educate the general public about the plight of dissidents.



The Media Reality (2007)

The broadcast did however include the Ztohoven webpage address along the bottom of the screen. This reinforces the argument that they should not be considered simply as political agitators and instead perceived as jestful artists. Importantly this conveys a divergence between Ztohoven and dissidents of the past, namely that Communist-era dissidents were considered a direct threat to the stability of the state. Nonetheless both used controversy and humour and neither threatened violent action, thus the only real difference is how Ztohoven are perceived. Of course this is a malleable characteristic which is subject to change, as was the perception of past Czech dissidents in relation to the geo-political landscape of Communist Czechoslovakia.

Ztohoven's stunt raised an important question regarding the fallibility of mainstream media, a key source of influence in the modern Czech state. Ztohoven stated their intentions as such: "Our aim is not to intimidate society or manipulate it, which is something we witness on a daily basis both in the real world and that created by the media. On June 17 2007, [we] attacked the space of TV broadcasting, distorting it, questioning its truthfulness and its credibility." (Spiegel, 2008) Looking at this statement, including the accolades received from the Czech National Gallery, it is clear that the group's action reflected an anxiety amongst many members of the national art intelligentsia. This, coupled with the latent humour of the project, provided Ztohoven with a degree of flexibility that was surprisingly reciprocated by the Czech legal system as their criminal charges were eventually dismissed. Kimmelman reflected similar sentiments regarding the public response to *The Media Reality*: "Hardly anyone here seems to want Ztohoven to receive more than a legal slap on the wrist (...) Neither have

fellow artists protested the trial in the streets, nor made a freedom of speech issue out of it.” (Kimmelman, 2008)

An important point of comparison is also thrown into relief by Kimmelman's assertion that other artists were not protesting in the streets. This highlights an important difference between Ztohoven and past dissidents. Ztohoven act autonomously and have not inspired collective action as did groups like the Plastic People of the Universe or DG307¹⁰. One consideration as to why the individualistic nature of modern capitalist societies is reflected in its protest and art. Equally the fact that society now has no single centralised power structure to agitate against also adds to this explanation. Nonetheless the popularity of the group does convey there is a collective element to the group's works. It could be that the experience of protest has become more individualised, or even intellectualised today, entailing less demand for more straight-forward displays of physical presence.

The Question Mark Above Prague Castle

Ztohoven's first public installation, *The Question Mark above Prague Castle*, shows Ztohoven actively engaging with questions created by the legacy of dissidents. In this intervention, a giant neon heart, which was attached to Prague castle on Havel's request, was modified by Ztohoven to present a question mark coinciding with the end of Havel's presidency. Significant debate was provoked regarding the meaning of this action, however in its simplest interpretation it is asking the question 'what is next?'

Arguably this was intended to spark scrutiny over how, or if, Havel's legacy would be continued. Ztohoven's statement on their official page accompanying the work echoes this sentiment, raising the issue of how a 'sentient' stepping down from power raises questions about the future of 'the Czech throne' and the path Czech society will follow. (Ztohoven, N.D.)

¹⁰Both the Plastic People of the Universe and DG307 were bands connected with the Prague Underground Movement, a sub-culture perceived as a threat to the Communist Party due to their non-compliance with the cultural diktat exhumed by the Communist party.



The Question Mark Above Prague Castle (2003)

Jana Kománková's comments from Ztohoven confirm that Havel himself approved of the act: "We felt that a question mark would much better express those times, so we covered half of the heart. The cops came and wanted to intervene (...) Havel said that if this was supposed to spark a reason for a general discussion about the nature of the public sphere, then it's ok." (Kománková, 2011)

Thus with the outgoing President Havel giving permission to Ztohoven's stunt the shared value of discussion and questioning of the public sphere conveys directly the comparable qualities of dissidents old and new.

Citizen K

The final piece of Ztohoven's work that I will be investigating is *Citizen K*: a film examining identity in the Czech Republic. Via the use of facial morphing software the group obtained identification cards using another member's name; lived under this false identity for 6 months; participated in elections; travelled abroad; gained a gun licence and even got married.



Občan K. 16.6.2010
KRÁLOVSKÁ 14
00 18.00

Promotional picture for Citizen K (2010)

This piece addresses perceived deficits in modern society regarding identity and the dehumanisation of citizens by modern bureaucracy. Ztohoven's accompanying statement on their official webpage reads as follows: “For all of us I entered the places that others fear to enter and perceived the vanity, the absurdity of obedience. How frail and how easily abused is that which should serve us. We are not numbers, we are not biometric data (...) If we do not wish to fear our own face, we must save it!” (Ztohoven, N. D.) Again Ztohoven exploit the state’s own mechanisms, highlighting the absurdity and irrationality of its processes to satirise it. By doing so they escape, if only temporarily, the absurdity of these processes. This reflection expressed in an article on the London Czech Centre website arguably achieves the mindset Ztohoven were hoping to produce: “Each of us is individually responsible for our privacy, and we shouldn’t let anyone manipulate us into a position we don’t want to be in.” (London Czechcentre, 2013)

It can thus be observed that Ztohoven employ a form of absurdity to discredit how the Czech state quantifies its citizens. This follows from the strategies of those opposed to the perceived absurdity of the Communist state, which was for this reason subject to constant absurdist jibes by Czech academics and artists, who also had relative disregard for the legal consequences they might incur for their behaviour.

Conclusion

The actions and statements made by the Ztohoven collective provide evidence that the group owes great inspiration from the dissident movements of Czechs throughout the era of Communism. The use of humour, vulgarity, single-issue and 'apolitical' campaigning is something continued today by Ztohoven, but initially founded in the dissident movements of the Prague Spring and beyond. Battling against injustice, using public spaces to challenge the status quo and educate the public, are all central to Ztohoven's actions. Inverting the state's mechanisms to achieve protest follows a distinct line tracing back to the Communist era whilst creating controversy at the risk of arrest and even imprisonment shows a self-sacrifice not dissimilar to dissidents of the past. Appealing to common-sense ideals and attempting to demystify the flow of information conveyed to the public by governments and corporations shows a similar struggle to all dissident movements in trying to convey a differing reality and thus provoke critical judgement and change. Despite huge changes in the political, social and economic landscape of the Czech Republic, issues of public oppression, psychological and ideological control, and the ongoing attempt to achieve a "moral reconstitution of society" (Havel, 1978) are still issues that have transcended the Communist era. These have been pursued via ever developing and ingenious means by Ztohoven, who are the contemporary embodiment of Communist-era dissidents.

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