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‘What if you do get a majority, a sweeping majority, on election day?’ Mr. Wickson broke in to demand. ‘Suppose we refuse to turn the government over to you after you have captured it at the ballot-box?’

Jack London, *The Iron Heel*, 1908.

INTRODUCTION

'We keep our promises to you', reads the sign outside the offices of a Member of Parliament in southeast London. In a sense, this phrase captures the essence of the modern idea of democracy. The division of labour in capitalist societies does not allow individuals sufficient time and, perhaps more importantly, the expertise necessary to participate in the 'running of a country'. This is why countries which claim to follow the liberal democratic model of government rely on forms that mediate the citizens' relationship to governing institutions. The major forms of mediation in contemporary societies are political parties and parliamentary elections. The modern democratic ideal of government 'of the people, by the people and for the people' relies on a relationship of trust between individuals and their representatives; both their party representatives and their representatives in parliament. One of the issues this book addresses is the reasons why this trust is bound to be broken in bourgeois democracies.

Modern democracy is more government 'of the people' and 'for the people' than it is 'by the people'. In other words, modern democratic government is carried out not so much by the people themselves, but on the confidence and trust of the people and 'for their benefit'; to put it in juridical terms, it is carried out in the 'public interest'. This is why in periods of economic and social crisis -which are ever-recurring in capitalist societies to the point that recently the term 'permacrisis' emerged as a necessary notion to describe the current predicament- when representatives fail to deliver on the promises made, there is a crisis of representation and all sorts of abnormalities appear and gradually become normalised: delegitimation of existing parties; volatility in turnout and choices of the electorate; appearance and strengthening of far-right and outright fascist political organisations; proliferation of authoritarian processes of decision-making; invocation of 'public good', 'urgency of the situation', 'technocratic expertise' to justify exceptional but 'necessary' measures without subjecting them to popular or parliamentary scrutiny, etc.

The above are all elements of a recognisable pattern which has been manifested globally following the capitalist crisis which became known as the 'Great Recession'. Protests and movements around the world which called for 'real democracy', a 'direct or 'radical' democracy, a democracy of the '99%' as opposed to the top 1% of the economic elite, reminded the whole world of the fact that, historically, democracy has spear-headed mass movements aiming to power. Yet, all these protests and movements became frustrated as soon as they were channelled into the institutional forms of contemporary bourgeois democracy. The examples are too many and too geographically diverse to deny the existence of a generalised tendency in contemporary capitalist countries to frustrate democratic movements and preclude actual participation of the masses in decision-making processes.

The 'indignados' movement in the Mediterranean countries, which combined anti-austerity and democratic demands, gave rise to populist parties from across the political spectrum. All of them used radical rhetoric against the 'elites' and 'external intervention' in domestic affairs. Yet, the more popular forces were the ones that took forward the demands for 'direct democracy' and 'against austerity'. In Greece, Syriza was catapulted into power on the promise that they would reverse the course of austerity and actualise the demands born in the public assemblies of Syntagma square. Public support was stronger than ever and culminated in the referendum vote of 2015 when an overwhelming majority rejected the offer for a new 'rescue package' made by the troika of creditors (International Monetary Fund, European Central Bank and European Commission). Nevertheless, the result of this process perplexed political theorists, analysts, as well as the general public, as the 'no' vote of the referendum was turned overnight into a 'yes' result and a new austerity package was implemented by the Syriza government itself, 'numbing' the electorate and leading to further disengagement of the people with democratic processes (in their institutional or other form).

More recently, another referendum in Chile sealed the process of frustrating a popular uprising. The country's neoliberal regime, which was established at the overthrow of the Unidad Popular coalition government that sought to introduce socialism through bourgeois institutional structures in the early 1970s, came under challenge by mass protests and popular assemblies in 2019. Chile was seen as a 'laboratory for popular democracy' as millions took to the streets to protest against neoliberalism and demand a new constitution, while popular councils ('cabildos') featured prominently in this process. The Constitutional Convention that was decided through a plebiscite prepared a constitutional text with strong social rights content, which was nevertheless rejected in September 2022. This rejection could be interpreted as a result of the dilution of the text's radicalism or as proof of the need for more moderation. The latter systemic interpretation assumes even greater force and influence on masses' consciousness when combined with lesser-evilist arguments which compare the 'lesser evil' of moderation to the 'greater evil' of power being seized by dictatorship nostalgic forces of the far right.

The 'lesser of two evils' principle has been quite prominent in framing political debates in modern democracies, especially in the face of the dilemma between 'populism' and 'technocracy'. In France, for over two decades arguments based on the 'lesser evil' principle have been used to direct voters to moderate choices in order to avoid the 'greater evil' of the far-right Front National. The result has been the opposite of the one expected, however, since the Front National's polls have increased from 17% in 2002 to 41% in 2022. Yet, these arguments are still influential and effective, as voters seem unable to realise that voting for the 'lesser of two evils' might not necessarily lead to the eradication of evil after all. In the U.S.A., such arguments were quite prevalent in the left of the Democratic Party in the presidential elections of 2016 and 2020, when supporters of Bernie Sanders were pressured into voting for more moderate and 'electable' candidates to avoid the 'greater evil' of a Donald Trump administration.

Of course, the above does not mean that the far-right threat is fictitious. In Chile, in France, in Austria, in Brazil, in Germany and elsewhere, to varying degrees and at difference paces the 'serpent's egg is hatching'. In Italy, the rise to power of the Fratelli d'Italia party (which embraces a combination of pragmatic policy positions, like support for the European Union and NATO, with harsh Islamophobia and anti-communism) is another confirmation of the massive popular disengagement from electoral processes and the reduction of political horizons to the alternative between technocracy and the far-right. Even in cases where the bourgeois state takes it upon itself to set limits to the criminal behaviour of such political forces (like in the case of the Golden Dawn party in Greece, whose members were convicted for management of and participation in a criminal organisation) the reactionary tendency of the political system is undeniable.

The above phenomena illustrate the contradictions of modern liberal democracy, which seems entrapped between technocratic governments and forces inspired by dictatorial regimes, openly hostile to the self-determination of the masses. In this context, the struggle for democracy reaches an impasse when it is translated into the institutional arrangements of bourgeois liberal democracy -an impasse quite reminiscent of the interwar period but with a crucial difference: the lack of mass workers' parties which used to carry forward popular demands through bourgeois institutions and fought to influence public opinion through the bourgeois legislatures. On the contrary, people today seem disenchanted with and disengaged from these institutions. This necessitates the question: Is the quest for democracy bound to be frustrated and reduced to a choice between technocracy, populism and the far right?

This book addresses this question and approaches the above issues from a dialectical materialist standpoint. In other words, we believe that democratic forms and phenomena should be examined together with the socio-economic and political context that shapes and is shaped by them. Issues such

as the ways through which economic power translates into political power in contemporary societies, the role of the state and law in the reproduction of capitalism, as well as the effect of democratic forms and principles on social consciousness, cannot remain outside a holistic analysis of the democratic paradox. The principles for and implications of pursuing a dialectical materialist analysis of democracy will be explored further in the following section on Methodology.

For the moment it suffices to say that this book will put emphasis on the relationship between democracy and the economy; the latter is not understood as a self-sufficient, self-referential field consisting of natural laws, eternal and inherent in human nature, but as a pre-eminently political field, i.e. replete with struggle between different social agents. Key to examining the role of the democratic forms and principles in capitalist society is the contradiction identified by Karl Marx between the social slavery of the toiling classes (workers, peasants, petty bourgeoisie) that the legal and constitutional form seeks to perpetuate and the principle of universal suffrage which withdraws the political guarantees of the ruling (i.e. capitalist) class's social power.¹

Any attempt to apply the dialectical materialist methodology -especially- in the analysis of political and juridical phenomena comes up against the familiar image of Marx and Marxism painted by mainstream media, as well as academic fora and outputs. On Marx's 200th birthday anniversary these media warned that there is nothing to celebrate for a thinker whose 'dreams of a utopia led to millions of death at the hands of tyrants'.² On the 100th anniversary from the October Revolution the *Wall Street Journal* spoke of the 'Bolshevik plague' as the greatest catastrophe in human history amassing 100 million dead.³ Vladimir Lenin is seen as the 'Master of Terror' and greatest dictator of history, with Stalin standing on his shoulders;⁴ yet the seed for this process of terror is always found in Marx's writings, whose 'humanitarian piffle' did nothing to deter his socialist successors from decreeing that 'liberty is so precious that it must be rationed'.⁵

To argue, then, as this book does, about the value of Lenin's writings on democracy for a re-evaluation of the relationship between democratic struggles and the struggle for social change and social justice runs opposite to the image of absolute tyranny, repression and antidemocratic practices, meticulously painted by best-selling authors -notwithstanding the fact that the latter were proven in some cases to have been recruited by secret services to counter Soviet propaganda.⁶ Of course, this is not to say that there was no destruction involved in the revolutionary process of building socialism, following the first successful attempt of revolutionary workers to win power and establish their own institutional forms of council democracy.

¹ Karl Marx, 'Class Struggles in France, 1848 to 1850', in Karl Marx and Friedrich Engels, *Collected Works: Volume 10*, (London: Lawrence and Wishart, 2010), 79.

² James Bovard, 'Don't celebrate Karl Marx. His Communism has a death count in the millions.', *USA Today*, 5 May 2017, available at <https://eu.usatoday.com/story/opinion/2018/05/05/karl-marx-communism-death-column/578000002/>.

³ David Satter, '100 Years of Communism—and 100 Million Dead', *Wall Street Journal*, 6 November 2017, available at <https://www.wsj.com/articles/100-years-of-communism-and-100-million-dead-1510011810>

⁴ Victor Sebestyen, *Lenin: The Man, the Dictator, and the Master of Terror*, (New York: Pantheon, 2017).

⁵ Bovard, 'Don't celebrate Karl Marx'.

⁶ Eric Hoberger, 'Robert Conquest obituary', *The Guardian*, 5 August 2015, available at <https://www.theguardian.com/books/2015/aug/05/robert-conquest>.

Nevertheless, the concrete processes and elements of socio-political (class) struggle need to be taken into account to analytically explain this process of negation (which is not so dissimilar from processes of ruin and destruction that took place in the context of bourgeois revolutions and capitalist development), instead of dismissing altogether the analytical value of theories and thinkers whose contribution to the critique of capitalist, indeed imperialist, society and its institutional forms remains more than relevant today when this type of society has reached new, previously unknown and unforeseeable, stages of sepsis and decay. These theories are more valuable today not least because they sought to not only negate the capitalist system of exploitation but to negate this negation by constructing an altogether new kind of society where individuals would be able to flourish based on a socially just process of production and distribution of goods according to social needs; where a system of holistic education and a sublated division of labour would enable everyone to participate in decision-making processes and actualise the principle of self-determination.

Indeed, Marx spoke of communist society as a society of associated producers and fiercely defended the democratic struggle of workers. He praised the Paris Commune, the first workers' republic, for making representatives subject to recall, for establishing imperative mandates and short terms of office; in other words for placing public administration in the hands of the people by making all public officials 'elective, responsible, and revocable'.⁷ Indeed, the Commune's measures betokened the tendency of 'a government of the people by the people',⁸ thereby actualising the democratic ideal that bourgeois society is unable to. Furthermore, Marx developed a critique of bureaucracy and the state even though this critique was eventually not explicitly integrated with his critique of capitalism. Nevertheless, he understood that the procedural exclusion of the people from general administration means that the supposed 'matters of general concern', decided upon by the bureaucracy, fail to match the 'actual concerns of the people'.⁹

Similarly, Lenin spoke of the Paris Commune as having replaced the capitalist state machine by a 'fuller democracy', 'introduced as fully and consistently as is at all conceivable', based on the abolition of the standing army and 'the provision that all officials should be elected and subject to recall'.¹⁰ Quantity is thus transformed into quality and democracy, introduced fully, transforms the state 'into something which is no longer the state proper'.¹¹ In the same spirit, Lenin treats bureaucracy as a symptom of democracy's restriction, mutilation and curtailment in capitalism. In conditions of wage slavery, poverty and misery of the people, the functionaries of political organisations and trade unions are corrupted 'and betray a tendency to become bureaucrats, i.e. privileged persons divorced from the people and standing above the people'.¹² For Lenin, accordingly, the abolition of bureaucracy is a goal associated with the abolition of capitalism.

Can we claim that the above statements simply prove the distance between utopian ideas and their historical application? Is Marxism caught between utopianism in theory and tyranny in application? Is the Marxist conception of social emancipation doomed to fail? We believe this is quite a naïve way to approach an issue as complex as the relationship between the democratic form and social emancipation. In the following chapters we argue that the limited degree to which democratic forms

⁷ Karl Marx, 'The Civil War in France', in Karl Marx and Friedrich Engels, *Collected Works: Volume 22*, (London: Lawrence and Wishart, 2010), 140, 332, 339.

⁸ *ibid.*, 339.

⁹ Karl Marx, *Critique of Hegel's 'Philosophy of Right'*, (Cambridge: Cambridge University Press, 2009), 117-119.

¹⁰ V. I. Lenin, 'The State and Revolution', in V. I. Lenin, *Collected Works: Volume 25*, (Moscow: Progress Publishers, 1976), 424.

¹¹ *ibid.*

¹² *ibid.*, 491.

and principles operate in capitalist society is designed to sustain layers of false consciousness necessary to reproduce the capitalist power, property and production relations through consensual means. Therefore, actualising democracy to a large extent depends on effectively combating this false consciousness, which sustains the masses' passivity, and developing the social consciousness necessary for a society based on solidarity and mutual concern to flourish.

The failure of historical processes to build socialism so far attests -among other things- to the difficult and long process that actualising democracy is. Moreover, the characterisations of socialists as 'utopians' and 'dictators' by the ideological institutions of capitalism which dominantly influence public opinion attests to the enormity of the task of combating the layers of false consciousness - equivalent to the task of the Platonic philosopher in the 'Republic'. Yet, there is a small element of truth in some of the critiques to socialist conceptions of democracy. Democracy is not worshipped by socialists as an absolute good and an abstract ideal. Instead, it is viewed as a process; a process that can only be achieved on the basis of other social processes, such as the development of the production relations and forms of consciousness necessary for individuals to be able to meaningfully decide on their common affairs.

This is a work on public law. It examines the role of public law institutions and concepts in the process of class struggle and their class function in contributing to the reproduction of capitalism. The main argument is that the bourgeois democratic form can only serve to reproduce capitalism and, thus, exploitation, inequality and social injustice. But the argument is dialectical. It will seek to explore whether 'democracy' can be 'reclaimed' in the struggle for different social conditions that would enable (facilitate and be facilitated by) actual democratic participation in decision-making processes.

There are two main interrelated research questions: Can a conception of democracy be part of and spearhead the ideological struggle for social emancipation? If so, what is the content of such a conception? Social emancipation is here understood as the abolition of socio-economic divisions and contradictions. Building the conditions for a society without classes is a process of determinate negation involving the development of productive forces and relations of production, juridico-political institutions and forms of consciousness preparing the withering away of class rule. As such, this work aims to contribute to the growing body of literature engaging with the notion of socialist constitutionalism. This notion denotes a field of study interested in the exploration of institutional forms and principles that challenge and aim at the transformation of the extant social order, from a jurisprudential and constitutionalist perspective. In doing so, the book will combat mainstream, as well as heterodox, conceptions of democracy, to the extent that they reproduce the false consciousness necessary for the reproduction of capitalism. Indeed, one of the central claims in this book is that heterodox currents (like social democracy, Eurocommunism, post-Marxism, and left-populism) share the same formalist conception of democracy as mainstream bourgeois conceptions.

In this book democracy will be approached primarily as the political form of class societies and a product of class struggle. It will also be approached as an ideal, in the way that Soviet philosopher Evald Ilyenkov understood this term.¹³ Ilyenkov claimed that the communist ideal, for Marx, was the expression in people's consciousness of a real need that emerged from within 'civil society'. Therefore,

¹³ See Evald Ilyenkov, *Intelligent Materialism: Essays on Hegel and Dialectics*, (London: Haymarket, 2018).

the communist ideal is a material force, a real movement whose conditions result from premises already in existence. We shall explore whether democracy constitutes a similar material force. Last but not least, the final chapter will explore whether democracy can be approached as an ontological and transhistorical concept for Marxian theory, similar to labour or production.

On this basis, the principles and institutional forms of democracy are examined in the context of distinct periods of the process of social emancipation: i) in the process of struggle against capitalism; ii) in the process of socialist construction; and iii) in the context of a fully-fledged communist society. Democracy in this context is examined not as an abstract principle but as the political form of class societies. The starting point for this analysis is the aforementioned contradiction, identified by Marx, between democratic form and class rule. We intend to explore how the democratic form and principles (e.g. popular sovereignty, free and general will, referendums) in capitalism contribute to the reproduction of this contradiction, as well as how democracy is necessarily limited and qualified in its bourgeois constitutional form.

We also wish to address the issue of the working-class political organisations' engagement with bourgeois democratic forms. Under this prism we will explore the meaning of democratic struggle in the imperialist stage of capitalism. This stage is characterised by a heightening of the totality of social contradictions in capitalism. Our analysis is based on Marx's discovery of the inherent tendency of the capitalist mode of production to undermine itself, as the increase in labour productivity necessarily translates into a fall in profitability of capital. The tendency of the rate of profit to fall in capitalism necessarily means that capital is in a constant and never-ending struggle to counter this tendency. This Sisyphean task of global capitalism gives rise to several phenomena, such as: the manic quest for markets; the increase of competition and inter-imperialist rivalries for resources, markets, and cheap labour; imperialist war; intensification of exploitation; and increase of inequalities. It follows that decent working and living conditions, as well as corresponding social and political rights as means of securing them, immediately contradict the goal of profitability -something which becomes more evident in situations of crisis. Capital will always seek to restrict these rights, as well as the democratic form, unless it faces existential threats which can only be addressed by the granting of concessions - as the historical example of the Weimar Republic (and the establishment of the welfare state form, in general) illustrates.

In this context we shall claim that the fight for present-day democracy is the fight for a socialist democracy, i.e. the fight for a social condition that abolishes the root of decay and enables the flourishing of individuals, as necessary precondition for the actual self-determination of the people. As a result, we shall be examining a series of related research questions, such as: What is the role of democracy in a capitalist society, and in particular, in the aftermath of an economic crisis? How do demands for radical democracy end up reproducing the same dead-ends for the popular strata? Is the fight for democracy in the epoch of transnational monopoly capitalism bound to end up in the dead end between populism and TINA (there is no alternative)? Is there a possibility for a different conceptualisation of democracy; one which reflects a different (i.e. workers') class standpoint? Is the opposition between democracy and bureaucracy absolute? What is the relationship between democracy and the party principle in the process of socialist construction?

Especially with regards to the last two questions, we will attempt to combat well established perceptions of the relationship between democracy and bureaucracy in the context of building a post-capitalist, socialist society. If the actualisation of democracy can only be the result of a long and arduous historical process which involves, on the one hand, the combating layers of false consciousness and the raising of the educational and consciousness level of the masses, and, on the other, the creation of material conditions that would enable popular participation in decision-making

processes, it follows that this process does not develop spontaneously. Instead, it needs to be mediated by a variety of institutional forms, which may include the party, trade unions, workers' councils, as well as institutional bodies of central administration. In particular, this book will attempt to rehabilitate the institutional form of workers' councils, as well as that of the workers' party, in an exploration of their potential to act as institutional carriers of the democratic movement.

Democracy is eventually here conceived as an essential aspect of the process of social emancipation. It can be viewed as a benchmark for the development of this process. It can also be conceived as a socialist relation of production, necessary for the development of a society which is collectively governed by the associated producers of social wealth themselves. Seen in this light, the struggle for democracy is understood as the every-day struggle for rendering it (along with any other kind of political form) redundant in a classless society. Relevant to this, the book will conclude by exploring whether democracy can be conceived as a transhistorical and ontological concept that denotes the social need for collective decision-making, as well as for institutional forms that allow a group of individuals to move from partiality to universality and from fallibility of premises to testing a collectively arrived at conclusion in practice.

Based on the above, the book is structured as follows. Chapter 1 will examine *how the principle and institutional forms of democracy should be approached from a dialectical materialist standpoint*. Analysis begins from the premise that democracy is not abstract ideal but a political form of class societies, the historical product of class struggle. Popular struggles for democracy have been crucial in the processes of revolutionary transformation, consolidation and reproduction of historical modes of production. In this sense we are avoiding idealism and choose a materialist starting point. To this end, the chapter begins with a review of Ellen Meiksins Wood's analysis of ancient Athenian democracy. Wood's critique of modern republican political formations is based on a claim that ancient Athenian democracy had moved decisively beyond the division between ruler and producer. Building on Wood's analysis, we approach ancient Athenian democracy as a political form that mediated social relations of a slave-owning society divided along class and caste lines. We then turn to the analysis of the bourgeois democratic form, in particular to the discussion of the relationship between democracy and representation which characterised the political formations of modernity. Following a brief historical and theoretical overview of this development, we focus on the example of the American Revolution to assess the U.S. representative system as a reaction to the radical democratic forms and principles that initially dominated the North American revolutionary processes.

The starting point for the dialectical analysis of the bourgeois democratic form is the contradiction discovered by Marx between the democratic form and the reproduction of the rule of a propertied minority. What kind of institutional forms, principles and processes ensure that this rule is reproduced when the democratic form puts in possession of political power through universal suffrage those classes whose social slavery it is to perpetuate? The first chapter only partly engages with this question by focusing on the issue of social and class consciousness. Marxist analysis shows how false consciousness is generated directly through the capitalist relations of production, through fear and insecurity which enhances a perception of capitalism as inevitable, eternal and unshakeable, and rotten bourgeois democracy as the absolute manifestation of democracy. Furthermore, the chapter examines the role of fundamental constitutional principles (the 'oneness' of the people, the 'free and

general will', 'direct democracy') and institutional forms (such as referendums) in sustaining and deepening this false consciousness. The case of the 2015 Greek referendum is used to illustrate the theoretical points of this analysis.

Having established a materialist approach to democracy as a political form of class societies and historical product of class struggle, we will then turn to revolutionary socialism. The rest of the chapter outlines the classics' views and political stance with regards to issues related to the bourgeois democratic form, such as elections, parliamentary politics and reforms, i.e. issues and phenomena they addressed in late nineteenth century which remain extremely relevant today. Should workers' parties participate in alliances with bourgeois and petty-bourgeois parties? How should these parties approach arguments for choosing the 'lesser of two evils' and for 'left unity' in front of elections? Examining the diachronic phenomenon of parliamentary cretinism, this chapter will attempt to emphasise the contemporary relevance of revolutionary socialism by applying the insights of the classics' on contemporary issues. The rhetoric of Syriza in Greece will be used as case study and set the scene for the following chapters.

The second chapter will *set the main parameters for a dialectical materialist analysis of democracy in contemporary capitalist society*. It begins by accepting the continuing relevance of the Marxist conception of imperialism for such an analysis. Imperialism is the *monopoly* stage of capitalism and signifies the latter's decaying and parasitic character. Imperialism is characterised by the heightening of the totality of capitalist contradictions, which is manifested in devastating wars, recurring economic crises, exacerbation of inequalities and generalised immiseration of the masses. This chapter approaches Marx's contradiction in the context of imperialism and examines contemporary institutional forms, principles and processes that ensure the reproduction of the contradictory relationship between capitalism and the democratic form.

Key to explaining this process is capital's manic quest for expanded reproduction; in other words its unquenchable thirst for profit. We mentioned above the Sisyphean task of capital to counter the tendency of the rate of profit to fall. This task is key to grasping capital's aggressiveness in the imperialist stage. It is easy to see that the organised working-class movement, to the extent that it affects the rate of exploitation -and thereby the rate of profit- by fighting for higher wages and shorter working days, as well as to the extent that it enhances the workers' conviction of the necessity to supersede capitalism for their social needs to be met, is a factor that poses a direct threat on sustaining conditions of profitability for capital. Capitalism succeeds in reproducing itself as long as the organised working-class movement lacks the mass and dynamism, as well as the level of consciousness necessary to overthrow it. This process of reproduction rests on a combination of repressive and consensual means which prohibit the above. This is what this chapter will attempt to review.

Concerning the former, the chapter will focus on the authoritarian elements of the bourgeois democratic form, beginning with state of emergency provisions and the anti-communist legislation of late nineteenth century and the interwar period, to argue that in capitalism the democratic form is inextricably linked with its antithesis. In late imperialism, if we may use this term, repression is still the determinant element which ensures the reproduction of capitalism. At the same time, the main characteristics of constitutional dictatorship, i.e. the strengthening of repressive mechanisms and the enhancement of executive decision-making processes, are now permanent features of the 'liberal democratic form'. The chapter will also review the European Union as supra-state form that enhances the authoritarian characteristics of contemporary constitutional structures, thereby facilitating the mediation and one-sided reflection of capitalist interest in the juridico-political form. Its bureaucratic institutional structure removes further from the national level of decision-making those decisions on politico-economic affairs that greatly affect working and living conditions of the mass of the

population. Therefore, power shifts vertically (as well as horizontally), removing politico-economic decisions from political contestation.

As far as the concessionary elements of the bourgeois democratic form are concerned, we shall begin by focusing on the ideal state form for social democracy, namely the social welfare state form. Mainstream analyses focus on the 'progressive' elements of this form while neglecting the role it plays in the process of capital accumulation and reproduction of capitalism or the fact that the form itself is a historical product of the pressures and threats posed to the latter by the domestic and international working-class struggle. Instead, the constitutionalisation of social rights and labour law provisions (such as the right to unionise, the rights to strike and to collective bargaining, social insurance, public education, public health services) is seen as a manifestation of economic democracy and an extension of democratic principles in the economy. Such views reduce the democratic struggle to a struggle for economic democracy, which can be easily confined within the bourgeois institutional forms. These views reproduce a false perception of capitalism as inevitable and capable of being rationalised through regulation. In this chapter we aim to explore the effects of the welfare state form on social consciousness. It is argued that social-democratic, reformist and instrumentalist views of the state fed from the establishment of the welfare state form and promoted the view that universal suffrage and bourgeois parliament is the best and only attainable form of democracy. More recently, with the neoliberal onslaught on social and political rights, revamped versions of social democratic thought support the view that a return to welfare state form is the best we can hope for.

The welfare state form – as a form of rationalised capitalism – appears thus as the lesser of two evils, as the only pragmatic and historically possible conception socialism. Indeed, the principle of lesser-evilism is essential for different opportunist currents to achieve a practical effect on workers' consciousness in the stage of imperialism. The reformist pragmatism of social democracy has resulted in the lowering of expectations for the workers' movement. The chapter will conclude with an analysis of this principle so as to highlight how concessions and political pressure by social-democratic forces affect workers' consciousness. The political pressure on revolutionary workers' parties is structurally necessary for the line of compromise to dominate in the movement. It can thus be argued that the combination of lesser-evilism and pragmatism results in a constricting pressure on members of subordinate classes not to 'waste their vote' on 'unelectable parties'. In the process of rationalising their vote for moderate bourgeois parties, the false consciousness of members of the toiling classes is reproduced and deeply ingrained.

Chapter 3 will move *from analysing the bourgeois democratic form's effect on social consciousness to the effect of so-called 'radical democratic' theoretical currents on the latter*. Understanding the way different political and theoretical currents conceive of democracy and approach the relationship between democratic struggle and the struggle for socialism is crucial for the process of conscious struggle of the toiling classes. It is possible that such currents may contribute to false consciousness, by promoting a false understanding of bourgeois democratic institutions, reproducing an instrumentalist view of the state and formalist conception of democracy, and thereby reducing the struggle of these classes to a vote in parliament. Indeed, this chapter will approach the theoretico-political currents of social democracy, Eurocommunism, post-Marxism and populism, as communicating vessels. It will be argued that, based on their common rejection of revolutionary socialist thought, these currents converge on the instrumentalist view of the state, the formalist conception of democracy and elevation of bourgeois parliament to a universal ideal, the reduction of social emancipation to extension of liberal democracy, as well as the ineradicability of the market. Regardless of the subjective intention of their exponents, these heterodox approaches to democracy objectively contribute to the disorientation of the movement for social emancipation.

Chapter 4 will turn to a major recent development enabled by the growth of productive forces in capitalism, namely *the digitalisation of several aspects of social life, to explore its effect on social consciousness, as well as on the principle and institutional forms of democracy*. Focusing on the relationship between new social media and democracy, phenomena such as targeted ads, fake news, the twitter mob and echo chambers, as well as the influencing and fragmentation of public opinion, and their significance for the operation of democracy will be discussed. The role of big data and internet social platforms in electoral processes will be discussed as revealing deeper problems in the operation of democracy in capitalist society. Contrary to their potential for improving working and living conditions, the processes of digitalisation and automation have greatly enhanced exploitation and alienation. Yet, technology and democracy are both conditioned by the social, i.e. capitalist, context of development. The issue of the unrealised potential of the internet for democracy is intertwined with the issue of capitalism, exploitation and inequality. On this basis, we will explore how the digital media apparatus contributes to the translation of economic power into political power through the influencing of public opinion and the reproduction of false consciousness of subordinate social classes.

This chapter will engage with and counter the view which considers digital capitalism as a radical departure from traditional capitalism. We argue instead that phenomena such as data concentration, data mining and targeted advertising, are direct products of capitalist contradictions. As such, our standpoint is not techno-pessimist or neo-Luddist. We argue that the challenge posed on democratic processes and institutions by digital platforms is ultimately due to the capitalist relations of production, which determine how productive forces and technological development are employed in society. It follows that the emancipatory potential of the processes of digitalisation and automation can only be actualised in the context of a radical restructuring of the relationship between economy, politics, technology and work. This understanding necessitates the exploration of the potential of digital platforms for the development of socialist relations of production and administration. To this end, the chapter will make a brief reference to Soviet cybernetics programmes from the 1960s and the surrounding debates which need to be revisited for any new attempts to construct socialism.

The second part of the book deals with the role of democracy in the process of socialist construction. It focuses on the institutional forms that mediate this process. This part is split into three chapters. The fifth chapter explores *social-democratic versions of socialism and their relationship with constitutional democracy*. It will begin with the version introduced in the 2020 Symposium of the 'Law and Political Economy' group. This version draws inspiration from the Weimar Constitution and the workers' councils this established. It will be argued that their assessment of the parliamentary form as a necessary and adequate condition for the introduction of socialism resulted in the reduction of these councils into economic institutions of class collaboration.

The chapter will continue with an examination of the versions of 'socialist republicanism' which puts more emphasis on the theory of Karl Kautsky and the more radical elements of the German Revolution. This version also considers the constitutional and parliamentary forms as necessary conditions for the 'democratic' transition to socialism. Yet, it adds that parliament needs to be supplemented with the council form for the process of socialisation to succeed. Borrowing heavily from social-democracy, anarcho-syndicalism and radical democracy, this revamped version of council democracy ultimately fails to propose anything fundamentally different from what was instituted in the Weimar Republic. Their firm and unequivocal belief in the parliamentary form's ability to carry forward the revolution in 1918 Germany evidences a disbelief in the toiling classes' power to carry forward this process by themselves.

Last but not least, the chapter will deal with the idea of 'twenty-first century socialism' and the emphasis it places on the Bolivarian constitution. This constitution seems to reproduce the same contradictions that other social-democratic constitutions have historically, i.e. an advanced protection of social rights together with the main pillars of capitalist economy. It constitutes another version of social-democratic constitutionalism, as the role of alternative institutional forms, such as communal councils, is only secondary and auxiliary, instead of signifying a new form of state power. The chapter will attempt to highlight the methodological shortcomings of these revamped versions of social democracy, which, by reproducing an instrumentalist view of the state and a formalist conception of democracy, present the latter as panacea and socialism as rationalised capitalism.

Chapter 6 will focus on *the Marxist conception of socialism and the role of institutional forms that specifically mediate the revolutionary process as well as the process of socialist construction*. As shown in chapter 1, revolutionary socialists are unequivocal that this process of building the conditions for communism cannot take place in and through the bourgeois parliament. Bourgeois democracy has to be overthrown and new institutional forms developed for democracy to become actual and substantive and for the democratic form to ripen to the point of becoming unnecessary. The role of workers' councils (Soviets), as well as the party principle, will be explored, together with other forms, such as factory committees and trade unions, in the context of the first historically successful workers' revolution and attempt to build socialism.

One of the goals of this chapter is to challenge well-established mainstream and critical views about the socialist constitutional form. To this end it will dialectically approach the abstract opposition between democracy and bureaucracy which has fuelled attacks on the role of the party, as well as on the Soviet form. The chapter will explore themes like: the socialist conception of democracy as it appeared in the 1918 Constitution of the Russian Socialist Federated Soviet republic; the tension between the democratic form and the revolutionary interest ('salus revolutionis') focusing on the examples of the Paris Commune and the October Revolution; the role of the party principle as counterpart to principle of socialist democracy; the conception of socialist constitutionalism as a cogwheel mechanism.

The institutional forms that mediate the process of socialist construction will be assessed in their capacity to carry forward the process. For instance, in 1917 Russia factory committees or soviets could not by themselves carry forward this process for a variety of reasons. V. I. Lenin and Rosa Luxemburg wrote extensively and argued passionately about these issues. Their views on the relationship between the Soviet form and the Constituent Assembly (despite internal differentiations) reflect a dialectical conception of the majority-minority relationship. Their conclusion that socialist democracy does not develop spontaneously points to the necessity of a multiplicity of institutional forms, including the workers' revolutionary party, to mediate the process of socialist democratic development. The struggle for democracy is thus conceived not as an end in itself, but as precondition for a communist society. Democracy is seen as a constituent element of the socialist relations of production.

The final chapter will *conclude with a discussion of the role of institutional forms in communist society*. It will embark upon an exploration of the ontological and transhistorical character of democracy in relation to the Marxist thesis of the 'withering away of the state'. Recently, there has been growing engagement with this Marxist thesis. This chapter wishes to engage with this literature in light of the conclusions arrived at in the previous chapters. The discussion will proceed with extreme care and rather tentatively, recognising that the answers to these questions -as well as the questions themselves- will be modified as a result of the historical process of superseding capitalist contradictions and building a socialist society. Nevertheless, we consider this a task worth pursuing, if

for no other reason than the abuse of the concept of communism by various 'well-wishers' in recent years.¹⁴ The chapter will explore the implications of arguments for the necessity of institutional forms of planning, evaluating and decision-making in communist society for the democratic and political form.

It will focus on two principles and their potential role and significance in a communist society. First, the principle of democratic centralism will be discussed, as an organisational principle which has operated historically not only on the level of a party formation, but also as a constitutional principle and a principle of socio-economic management. In the process of socialist construction, operation of this principle can be crucial for the consolidation of central planning and socialist relations of production, with the democratic form becoming an integral aspect of this process. This will be followed by a discussion of the role of representation in a society which has superseded the social division of labour. The question is whether there is a possibility for a qualitatively different kind of (depoliticised or immanent) representation in communist society, where class divisions and antagonisms will have been abolished. Socialist democracy signifies the process of creating the conditions of the abolition of coercion and repression in a classless society. This is what distinguishes it from bourgeois democracy which tends to the reproduction of coercion and class divisions.

¹⁴ See Costas Douzinas and Slavoj Žižek, *The Idea of Communism*, (London: Verso, 2010); Alain Badiou, *The Communist Hypothesis*, (London: Verso, 2009); Jodi Dean, *The Communist Horizon*, (London: Verso, 2012).

