

Topic 1.1: What is Social Theory?

What is Social Theory?

What is Legal Theory?

- Unpacking the idea of what the law is, why the law is the way it is, how does it function and what are its influences?
- Is there a better system to do what we are doing?
- Other law courses are quite structured and formal, theory is unlimited and boundless
- Social theory sees State law not just as a set of rules but as a set of practices and a system/ structure of power

Why is it important to study theory?

- If we are working in systems that already exist, how can we expect them to expand and solve the new problems of the world?
- It will make you think about things in a completely different way i.e. it's not that we think someone deserves the punishment that they get, but rather than we have to inflict this punishment in order to maintain order and for society rather than just for that individual

Zizek 'The Purpose of Philosophy is to ask the Right Questions'

- There exists not only wrong answers but wrong questions. Questions who deal with a certain real problem but they way in which they are **formulated effectively obfuscate, mystify and confuse the problem**
- Today, issues like racism and sexism are often discussed in terms of *tolerance*. The underlying assumption is: there are different groups/cultures, and the best we can do is tolerate one another. But **this framing already accepts a certain worldview that society is naturally divided and that the highest moral goal is simply tolerance**. This framing mystifies the deeper systemic causes (capitalism, exploitation and power structures). So the *wrong question* here is: "How can we increase tolerance between groups?" The *better question* is: "How can we dismantle structures of inequality and injustice?"
- Philosophy enters to correct the question, enabling us to ask the right question. The **usefulness of theory** lies in its ability to interrogate the assumptions behind questions. Theory helps us reframe problems by asking the right questions that expose underlying structures of power, rather than settling for superficial solutions (biopolitics)
- Practical Example from Class
 - 'How can we get drugs off the street' - assumes drugs are on the street, assuming that somehow if we enforce or removing drugs is a good in and of itself, preconceived in that notion
 - Relates to notion of **biopolitics**, that modern states and institutions manage, regulate and control populations, not just individuals by focusing on health, reproduction, sexuality, security and general 'life processes'. (e.g. police impacting the community and kids in the community who are now playing cops and robbers and performing cavity searches on their friends)

Weareplanc 'We are all Very Anxious'

- The Politics of Affect
 - "emotion, bodily disposition, way of relating"
 - We often associate politics with reason - the rule of law rationalizes power, parliament is meant to be a place for reasoned debate, the public sphere is meant to be a contest of ideas and arguments
 - But politics is also about action - and we are often motivated to act more by feelings of and or inspiration and hopefulness than by good arguments
- Each phase of capitalism has its own **dominant reactive affect**
 - **Capitalism**: an economic and social system where production is organised around private ownership of businesses and profit is the main goal. Wealth and power are unequally distributed depending on ownership of capital (factories, land, financial assets).
 - Importantly, **capitalism isn't static, it goes through phases** shaped by crises, resistance and adaptation
 - Each **phase of capitalism** holds itself together using a **dominant affect** (a shared emotional atmosphere - like misery, boredom, anxiety, fear). This is a **form of social control** keeping people resigned, distracted or pacified however only works until resistance develops strategies to expose and fight it. As long as the problem remains a **public secret (something everyone knows but no one openly acknowledges)**, this keeps the dominant affect effective. Once this is overcome, capitalism '**recomposes**' itself around a *new* dominant affect
- Phase 1: Misery (mid-19th century)
 - The public narrative was that capitalism brought general enrichment and progress
 - The public secret was that the working class lived in misery
 - The Law helped create misery through proprietary rights, someone who owned the factory held the right to abuse its workers. These rights meant people could possess land and use legal actions of the State to exclude others from processing it.

- Marx sought to create capitalism of enclosures, there were parks, public spaces which no one owned but these slowly became owned by individuals
- Harsh criminal laws (e.g. vagrancy, theft, strikes) disciplined the poor and forced them into factory work
- Minimal protections for workers at first, but as resistance grew (revolutions, strikes, unions), law adapted by introducing factory acts, health/ safety standards and basic welfare to manage misery without undermining profit, hence started boredom
- Phase 2 : Boredom (20th century)
 - Boredom was what people got in exchange for their security
 - Workers accepted repetitive, dull jobs because they offered stable wages, welfare benefits, pensions and a predictable life
 - Collective bargaining, labour rights, pensions, welfare states and job security were legalised and regulated
 - Administrative law and labour tribunals expanded to manage disputes and stabilise predictable employment relations
 - Criminal law and public order law still contained unrest but the central function was regulating 'boring stability'
 - **People had a work week and had to work a certain amount of hours to then be able to access annual leave, pension ,the way it engenders boredom is through the rules for those metrics**
- Phase 3 : Anxiety (21st century)
 - Overtime, boredom broke down due to globalisation, automation and outsourcing which eroded job security
 - Situationists pioneered a whole series of tactics against boredom. Autonomia fought boredom by refusing work, both within work (using sabotage and go-slows) and against it (slacking of and roping out).
 - In **contemporary capitalism, the public secret** is that everyone is anxious. It has spread to every part of life and become the **glue** holding the system together - the mechanism through which capitalism controls people
 - Unlike misery (lack of basic needs) or boredom (overabundance of security without meaning), **anxiety is a form of insecurity that is condition and omnipresent**. Life's necessities exist but are withheld conditionally. This means you are never 'safe' no matter how much your work or achieve.
 - Key driver of anxiety is **web of surveillance (anti-terrorism powers, data monitoring)**.
 - Obviously CCTV, school testing and prison systems but also people internalise surveillance through neoliberal success culture (self-branding, productivity obsession). Social media force people to perform constantly before an imaginary audience of 'virtual others'. In short, **the gaze of others becomes internalised, we monitor ourselves even without cameras**
 - Originally the 'factory' was the workplace, a site where workers produced value. In modern capitalism, the whole of society is organised like a workplace; surveillance, productivity, performance targets, competition and branding into every corner. There's now a 'social factory'
 - Even when you are 'off work' you are building your resume, curating online images, and keeping up with trends to stay employable
 - Anxiety is also called **precarity** (insecurity where life's goods are available but only conditionally). Everyone is treated as disposable, not just jobs but social ties etc temporary contract, gig work, uncertain futures. Shrinking/ conditionality of welfare and public/ universal provision of services. Increasing inequality as manifest in e.g. rental crisis. The threat of automation.
 - Nowadays, using 'flattened management models', workers are encouraged to pour their souls into their jobs, not just their labour power.
 - **Intellectual property, consumer law and digital regulation grow** because the 'social factory' makes leisure, culture and identity into sites of profit
 - The **illusion of uniqueness** i.e. personalised Netflix, boutique coffee keeps people locked into consumerist cycles.
 - States new tactics are **pre-emption** which is stopping protests before they starts by lockdowns, raids, visa restrictions, workplace surveillance and **punishment by process** which is using legal and procedural tools to harass people even without conviction.
 - How to break the problem of anxiety?
 - **'Anxiety Consciousness Raising Groups'** (based on feminist activism of 1970s). New forms of **consciousness-raising** focused on precarity and lived experience. Break the 'public secret' of anxiety by showing it's systemic, not individual and by creating authentic spaces for collective discussion and solidarity.Can identify the common structural sources of the experiences we thought were very personal but are common and political.
 - Political change depends on people acting together. But security and precarity alienate and disempower. "While the system demands that everyone be connected and communicable... people are more fundamentally alone than ever"

The Good things about capitalism

- Property rights give people a sense of security and control over their lives. They are able to sell land and get money so they have assets.
- Corporations were created where the legal personality is a bunch of people which allows individuals to take risk and not reap the consequences individually. You don't answer individually with your individual assets but rather the corporations.

Eagleton 'Why Marx was Right'

- Marx is seen as the 'founding father' of social theory. His work is basically the first systematic attempt to understand the social, economic and political fabric of the modern world.
- Marxists are similar to medics in that the task of political radicals, is to get to the point where they would no longer be necessary because their goals would have been accomplished. Marxism is a critique of capitalism. If capitalism is still in business, Marxism must be as well. Only by superannuating its opponent can it superannuate itself.
- From mid 1970s onwards, new information technologies allowed huge multinational companies to spread production and investment across the world. Many factories moved to poorer countries where wages were low. As poor immigrants entered richer countries, racism and far right politics grew stronger. In poorer countries, workers faced harsh conditions: long hours, low pay, privatisation, welfare cuts, and unfair trade deals. These changes came from crisis and anxiety. Global competition lowered profits, dried up investments and slowed growth. Even social democracy was seen as too expensive.
- People gave up on Marxism as they felt capitalism too impossible to change (**disillusionment - loss of faith in an alternative was decisive**). The left and working class movements were beaten down, so future seemed to disappear. Capitalism grew and created huge wealth but at enormous human cost. It also fueled global crises: resource wars, nuclear risks, climate destruction
- The shift to globalisation, outsourcing, inequality, and repression made Marx's ideas more relevant, not less. Postmodernism and the fall of the Soviet Union made people think alternatives had vanished, but crises like 2008 and extreme inequality prove Marx's warnings are still real.
- Achievements of Historical Communism
 - Rapid industrialisation of poor nations
 - Cheap housing, transport and cultural access
 - Full employment and greater equality than before
 - Strong welfare systems
- Failures of Historical Communism
 - Repression, shortages, lack of democracy
 - Losses often outweighed gains
 - Developed under extreme poverty, foreign hostility and civil war
- Marx's own warnings
 - Socialism **cannot succeed in poverty stricken societies**. Scarcity reproduces class conflict and competition.
 - You also cannot building socialism in isolation, it requires **international revolution**, otherwise the state is cut off from global resources.
- Marx v Stalinism
 - Marx supported: democracy, free speech, accountable representatives, voluntary common ownership.
 - Opposed: forced industrialisation, authoritarian measures (as in Russia).
 - Insight: **Marxism explains why Stalinism happened** – poor, isolated country, lack of democratic institutions → authoritarianism.
- How could socialism actually work?
 - Market socialism
 - Collective ownership of production
 - Enterprises compete in a market
 - Maintains efficiency/ information advantages while reducing exploitation and inequality
 - Trotsky supported limited market use during transition
 - Participatory Economics
 - Production/ distribution organised via democratic councils (workers, consumers, communities)
 - National assemblies set big picture goals; regional councils handle local implementation
 - Prices and investment set through negotiation and public debate, prioritising social needs over profit
 - **Socialism can succeed only with adequate resources, democratic institutions, and international support.**

Rickett 'Marx has never been more relevant'

- Marx remains the **pre-eminent critic of capitalism**, that he saw it as a system that degrades and exploits workers, a system whose recurring problems (homelessness, inequality, an economy that bounces all over the place, plutocracy, waste, instability) **are unavoidable and built into it**
 - These events and crises arguably make **Marx more relevant for a number of reasons**. The structural flaws of capitalism have once again entered the limelight – its endemic weaknesses and internal contradictions are coming into focus and people are curious about whether there are alternatives. Marx offered an alternative, and also theorised that capitalism was beset by crises and perpetually doomed to produce booms and busts.
- "Capital" Marx wrote is **"dead labour, that vampire like, only lives by sucking living labour and lives the more, the more labour it sucks... If the labourer consumes his disposable time for himself, he robs the capitalist"**

- Gregory Clayes identifies 3 factors that have led to a renewed interest in left alternatives to neoliberal capitalism and to which Marx is 'clearly relevant to'
 - Persistence of the 2008 financial crisis, with the warning that chronic instability still underpins capitalism generally
 - The astonishing growth in inequality which has marked the last decade or so
 - Warnings about the prospects of mass unemployment in the later 21st century as automation proceeds
 - Fully automated luxury communism has come along, with crucial point that what automation leads to is a political decision
- Marxism, as intellectual Terry Eagleton suggests, "is about leisure, not labour. It is a project that should be eagerly supported by all those who dislike having to work. It holds that the most precious activities are those done simply for the hell of it, and that art is in this sense the paradigm of authentic human activity".
- Prashad offered a robust defence of a criticism often made of Marx, namely that his work was used as the foundation for societies that ended up **becoming akin to dictatorships**, that the killing of millions of people in the Soviet Union, China and elsewhere is proof that Marxism leads inevitably to death and destruction. "Limitations of building socialism without resources and building socialism without a genuinely strong capacity to be democratic in action" Prashad acknowledged these historical tragedies but argued that they cannot be simplistically traced back to Marx's theoretical framework. Rather, they reveal the **structural difficulties of attempting to build socialism under conditions of scarcity, external hostility, and weak democratic institutions.**

Kolakowski 'Marxism and Human Rights'

Human Rights and Marxism

- Human rights aren't just laws, they are said to be valid even if no legal system recognizes them. They also aren't just arbitrary rules people agree on, they are claimed to be real and universal.
- This idea comes from **natural law theory**: Certain acts (like murder or theft) are inherently wrong because of human reason, dignity, or God's order.
- In short: **human rights rest on the belief in an objective, unchanging moral order.**
- **Marxists actively reject the idea of human rights, even historically.** Because rights are not universal – they're products of **specific economic systems**. According to Marx, "human rights" emerged with **bourgeois (capitalist) society**, which is based on competition, private interest, and conflict. Rights are "negative freedoms" – limits set to prevent total chaos in civil society. They protect private property and competition, not true community.
- Communism, by abolishing class conflict and private property, would make these rights unnecessary.
 - No conflict between individuals and society.
 - No state needed to enforce order.
 - Instead, a natural harmony between individual and collective interests.
- Thus, Marxists saw human rights as a **mask for capitalism**, not a path to liberation.

Marx's Pragmatism

- Even though Marx despised "bourgeois rights," he still encouraged fighting for them under capitalism (e.g. supporting democracy against monarchy in 1848).
- But this was tactical, not principled: democratic freedoms gave workers better ground for organizing revolution.
- Marxists often fought for human rights in despotic regimes – then abolished them once in power, arguing they were unnecessary in a classless society.

Marx's Attitude to Morality

- Marx didn't condemn capitalism as "unjust."
- He rejected moralistic arguments. For him, capitalism would fall not because it was evil, but because its internal contradictions made it unsustainable.
- Workers and capitalists both act within the "right" of contracts (selling labor for wages). But this "right vs right" conflict can only be resolved by force.
- Still, Marx's theories of **alienation, value**, and the promise of **communism** carried implicit moral weight, they were about restoring humanity, even if Marx refused to frame it as "justice."

The Big Tension

- The author says we **can't just "add" human rights** back into Marxism because the two are fundamentally opposed.
- Marxism isn't just a neutral description of history; it's also a **political project**. To call human rights "bourgeois illusions" isn't neutral sociology – it's a call to actively abolish them in favor of a new collective order.
- In Marx's vision, under capitalism people are isolated, competing individuals. Rights like freedom of speech or property are "negative freedoms" – protections for individuals against one another in a hostile society.
- Communism supposedly ends this conflict by abolishing private property and creating a real community where individual vs. society disappears. In that world, human rights are seen as unnecessary relics of a divided, bourgeois order

Why is studying Marx still relevant?

- If you agree with Eagleton, then the historical experience of the states that called themselves communist does little to undermine the Marxist critique of capitalism and the attempt to re-organise the economy and politics along radical socialist lines.
- If you think that Kolakowski's critique has bite, Marx's work remains important for understanding the world in which we live (Kolakowski himself obviously thought so given that he spent his life studying Marxism).
- Marx actually spent far more time studying capitalism than detailing what communism would look like. In fact, he explicitly rejected the tradition of utopian socialism, which liked to provide blueprints for the future. Instead, Marx argued that communism must be created out of the conditions that already immanently exist in capitalism, as he put it 'in the womb' of capitalist society. Moreover, it was in and through revolution that the proletariat would develop the institutions of communist society (this was, for example, what the workers of Paris had done with the Commune).
- Marx's analyses of capitalism provide a powerful set of tools for understanding the society in which we live, even if you disagree with his conclusion that the revolutionary transformation of society is necessary, or you disagree with his particular approach to revolution (and, say, the role of rights and the constitutional state in it

Are these conditions global or local?

1. Uneven Development of Capitalism

- **Global capitalism is uneven.** Some countries are highly financialised, automated, and neoliberalised, where insecurity and precarity (anxiety) really are the glue. Think of Western Europe, North America, Australia – gig work, rental crises, surveillance culture, and hyper-competition in every life domain.
- In contrast, many parts of the Global South are still marked by **misery**: lack of basic needs, hyper-exploitative labour, land dispossession, sweatshop conditions, food insecurity. Here, misery functions as the affective control, much like in 19th-century industrial Britain.

2. Hybrid Affective Regimes

Even within a single country, these affects coexist:

- Migrant workers in Qatar building World Cup stadiums → misery.
 - Mid-level office workers in Germany → boredom.
 - Gig workers in the U.S. or young professionals in Seoul → anxiety.
- This reflects capitalism's **combined and uneven development** (Trotsky's term): the system doesn't advance in a straight line everywhere, but produces a patchwork of stages depending on local history, class position, and integration into global markets.

4. Law as Stabiliser in Different Phases

- In "misery zones," law is still about disciplining (vagrancy laws, anti-strike measures, weak labour protections).
- In "boredom zones," law stabilises predictable employment relations (collective bargaining, pensions).
- In "anxiety zones," law increasingly governs precarity (casual contracts, gig work regulations, data law, IP law, pre-emptive policing).

So, to your question: **No, the anxiety stage is not universal.** It's the dominant affect in neoliberal cores, but misery and boredom are still alive depending on geography, class, and positionality in global capitalism. What's striking is that anxiety *bleeds into* those other phases – you can be poor and starving (misery) but also deeply anxious about surveillance or climate insecurity.

Topic 1.2: The Commodity Exchange Theory of Law

Bourdieu 'The Force of Law: Toward a Sociology of the Juridical Field'

What is Jurisprudence:

- **Jurisprudence** = theoretical study of law (how law is understood, applied, and theorised).
- "*A rigorous science of the law is distinguished from what is normally called jurisprudence in that the former takes the latter as its object of study.*" - he is saying that the rigorous science of the law studies jurisprudence. Jurisprudence creates the rationalisation of these different sources of the law e.g. cases, statute and a rigorous science of the law tells you why you should look at a case, how you should interpret a statute
- Examples of Bourdieu's view that we need to study jurisprudence

- **Stare Decises:** 'stand by what you have decided'
 - Judges when dictating an outcome must look to precedent, or SHOULD look to previous decisions and follow them
 - This creates in practice, consistency and predictability but also limits changes in the law. You are creating ongoing legal traditions and conservatism, you are **putting stability over social transformation for better/worse**
 - This above reflection is what Bourdieu calls the rigorous science of the law which is interrogating what is behind jurisprudence, UNDERSTANDING the POLITICAL CONTEXT in which those rules develop

Formalism vs. Instrumentalism

"Formalism, which asserts the absolute autonomy of the juridical form in relation to the social world, and instrumentalism, which conceives of law as a reflection, or a tool in the service of dominant groups"

- Formalist Jurisprudence:
 - Law is treated as **autonomous (free) from society**. Legal history is seen as the development of legal concepts and methods, not shaped by external forces.
 - The law is imagined as a **closed, self-sufficiency system which is evolving by its own internal logic - answers to questions are determined by rules themselves**
 - Hans Kelsen's "Pure Theory of Law" is the extreme example:
 - Law is grounded entirely in itself.
 - Law is free from politics economics, or social influence.
- Instrumentalism
 - Law is seen as a **reflection of society and a tool of domination. Law's role is to reinforce existing power relations.**
 - Often linked to **Marxist "base/superstructure" model:**
 - Economic base (economic structure/ mode of production). Includes force of production and relations of production. This base is determinative and shapes how society organises itself.
 - Superstructure (law, politics, culture, ideology). Society builds institutions such as state, legal systems, religion, education, art and philosophy which arise to justify, stabilise and reproduce the base.
 - Marx imagines economic base as foundation of a building and the superstructure as the edifice built on top of it. The building wouldn't stand without its foundation, but once built, the upper floors (superstructure) also feed back into and stabilise the foundation.
 - Problems with the Base/Superstructure Metaphor: Too reductive: implies law is *only* an effect of the economy.

Bourdieu's Alternative: The Juridical Field

- A social universe where law is produced and legal authority is exercised.
- It has relative autonomy:
 - Not fully determined by outside forces (like economy/politics).
 - Not fully independent either – shaped by wider power relations.
- Symbolic order: Once law is established as a symbolic system, it develops an internal logic where it constrains what counts as a valid legal argument and limits which solutions are possible. Thus law is not **purely self-referential (as formalists think) nor simply an external tool, but rather a field of struggle with its own rules and dynamics**
- 1) Juridical Field as Competition
 - **The field is a struggle for monopoly over the right to define and interpret law.**
 - Legal actors' authority comes from being recognised as legitimate interpreters.
 - Legal texts (laws, precedents, constitutions):
 - Do more than regulate behaviour – they sanctify a vision of the social world as correct and legitimate.
 - Example: property law doesn't just allocate resources, it legitimises private property as a "natural" social fact.
- 2) Division Between Laypeople and Professionals
 - Legal reasoning becomes increasingly rationalised and specialised.
 - This creates a gap between:
 - Professional legal reasoning (technical, complex, codified).
 - Lay/common-sense ideas of fairness (intuitive, moral, everyday).
 - **This separation produces an illusion:**
 - **Law appears neutral, objective, and detached from politics or power.**
 - **Both legal elites and the general public accept this illusion.**
- 3) Example – Social Welfare & Labour Law
 - Law reflects the balance of power relations at any given moment.
 - Victories of dominant groups are converted into law, gaining legitimacy.
 - Shows how law registers power struggles and legitimises outcomes as natural and objective.
- 4) Division of Juridical Labour
 - Different roles (judges, lawyers, prosecutors, academics) develop within the juridical field.
 - This division is not centrally planned – it emerges organically from the field's structure.
 - Each role has its own function in interpreting, applying, or maintaining law.
 - Together, they reproduce the authority of law as a legitimate symbolic order.

Marx's Capital Volume 1, Book 1, Part 1, Chapter 1

Section 1

- **Commodity** is a product that is produced in order to be sold. It is an object outside of us that **satisfies human wants** and is **able to be sold on the exchange market**.
- The wealth of societies = 'an immense accumulation of commodities' its unit being a single commodity
- Every **useful thing** has 2 sides (use value):
 - Quality (what it does, what wants it satisfies) and
 - Quantity (how much of it).
- Commodities aren't just useful, in capitalism they also have **exchange value**. **To be a commodity a thing must not only be useful, it must be able to be sold on the market (exchange value) for an amount. Air is useful but not a commodity because it doesn't have exchange value.**
- **Exchange value** is what remains when you strip away the usefulness. What remains is **human labour**.
 - We measure value by amount of abstract labour embodied. Its socially necessary labour time - *"the labour time socially necessary is that required to produce an article under the normal conditions of production, and with the average degree of skill and intensity prevalent at the time."* *"As values, all commodities are only definite masses of congealed labour time."*
 - The more productive labour is, the less labour time per commodity, the lower its value. The value of a commodity, therefore, varies directly as the quantity and inversely as the productiveness of the labour incorporated in it.
- A thing can also be useful but not a commodity. E.g. if you grow your own food and eat it. To become a commodity, a product must be: **a use value for others, and transferred by exchange.**
- **Use value, exchange value and value are the 3 properties together forming Marx's concept of a commodity.**
- People only pay what is 'socially necessary' to produce a product. So manufacturers are forced to adopt the latest production methods and start disciplining workers, or you will go out of business.

Section 2

- Commodity has 2 sides: **use-value (its usefulness) and value (embodiment of abstract labour)**
- This duality comes from the 2 fold nature of labour:
 - Labour as useful, concrete work (creates use values)
 - Labour as abstract, homogenous human effort (creates value)
- Every use value is the product of useful labour of a particular type. This relates to the social division of labour.
 - Primitive societies (e.g. Indian villages) had division of labour without commodities
 - Factories also divide labour but products don't become commodities unless they are privately produced and exchanged
- Value is measured in simple, average labour (the ordinary work any average person can do)

Section 4

- Things have both usefulness and value from the social form of labour under capitalism. In other words, **social relations between people appear as relations between objects**
- Marx compares this to religion:
 - In religion, humans create gods, but then treat those gods as if they exist independently and control them
 - **In capitalism, humans create commodities, but then treat them as if they naturally possess 'value' independent of human labour**
- This is what Marx calls **commodity fetishism: the products of human labour acquire a social power over the very people who made them**
- Why value looks 'natural'
 - Over time, people get used to exchanging things in stable proportions (1 ton of iron = 2 ounces of gold)
 - These proportions start to look like they come from the nature of the things themselves (iron is worth that much gold) rather than from the underlying human labour
 - Just as gravity asserts itself when a house falls down, the 'law of value' asserts itself behind the backs of producers, as if it were a natural law
- **Why is commodity of fetishism bad?**
 - **Commodity fetishism shows how capitalism 'hides' the fact that value comes from human labour**
 - **Economists often fall into this fetish, treating value as a natural property of things (as if diamonds are valuable)**
 - **But in reality, value is a social relation, not a natural one: it expresses the way human labour is organised under capitalism.**
 - Marx asks us to stop and reflect on this and consequences it has for way societies is structured. Marx believes we can understand how it works through a process of theoretical analysis.
 - This need for constant growth means mass annihilation of wildlife, larger quantities of carbon in atmosphere, capitalism produces recurring economic crises, leads to accumulation of profits in hands of a few, work under capitalism is commonly exploitative and people are coerced in

Pashukanis 'The General Theory'

- Background
 - Pashukanis (1891 - 1937) soviet jurist and Marxist legal theory
 - Major work: *General Theory of Law and Marxism*
 - Believed that with socialism, **law and the state should 'wither away'**, not become stronger. This placed him at odds with Stalin's regime, he was purged and executed in 1937
 - His project was to **fill the gaps left by Marx who never wrote a systematic theory of law.**
- Critique of Other Marxists
 - Pashukanis opposed Marxists who defined the law abstractly as 'an imperative' and as 'authoritarian regulation'
 - The problem with this was they treated the law as **universal and external**, present in all societies. They failed to see the law in **historical motion** instead that that the law developed in specific conditions, not timelessly.
 - Pashukanis critiques 'bourgeois jurists'. He argues that they have a tendency to treat the law in ahistorical terms and try and define law in general. *"Instead of displaying the concept of law in its final and most exact form, and thereby showing the significance of this concept for a specific historical period, they provide us with purely verbal general propositions about 'external authoritarian regulation'"*

Commodity Exchange and the Rule of Law

- Pashukanis' central theoretical problem is how a system of commodity production gives rise to the legal form. He gives 3 interlocking answers:
 - **Antagonism**
 - The law exists to deal with and resolve conflict. *"The conduct of people may be regulated by the most diverse rules but the legal element in this regulation begins with the individualisation and opposition of interests"*
 - The law presupposes antagonism because it is structured around the idea that conflict of interest exists. Without conflict, the categories, rules and institutions of law would have no function. Creating rules automatically means there is someone who is right and then wrong. It's both **reactive (resolving disputes)** and **productive (creating roles and oppositions)**
 - Even a marriage contract creates a division of assets for when conflict arises. People have ownership of their own assets which is why a marriage then merges that.
 - Capitalism involves competition between individuals who are trying to maximise their interests in the marketplace.
 - **Atomisation**
 - Everyone in the law is separate, self-interested individuals. *"The exchange of commodities assumes an atomised economy.. The legal relationship is only the other side of the relation between the products of labour which have become commodities"*
 - Capitalism involves people producing goods separately and exchanging them on the market to realise a profit. It needs law that can enable the exchange of goods between those atomised individuals - i.e. property and contract.
 - People become a legal subject (the bearer of a legal rights, a right to something recognised by law) precisely to enable them to exchange products.
 - *"As Marx says 'commodities cannot send themselves to a market and exchange themselves with one another. Accordingly, we must turn to their custodian, to the commodity owner' .. therefore, assuming the quality of a commodity and becoming the bearer of value, man assumes the quality of legal subject"*
 - **Abstraction/ equivalence**
 - In the feudal world people had specific concrete rights depending on their status 'each city, each state lived according to its law which followed a man wherever he was.' In the modern world, the law is not meant to pay any attention to the concrete condition of an individual. Everyone is supposed to be treated equally but this equality is 'abstract' as in reality, everyone is actually very different
 - Previously people had specific legal claims to specific things based on their specific status. But under conditions of commodity exchange one has many and varying legal claims to a range of different things. Commodity exchange thus gives rise to the abstract idea of a 'right in general' –the idea that right does not attach to specific things, but is, rather, an abstract capacity that an individual has.

Public and Private Law

- **Public law** is about the **state**. Legal thinking encourages us to see the state as a product of a **constitution (basic law) and the state creates the law and rights that constitute civil society.**
- But existing states are a product of particular social relations. They came into being at a historical moment for specific reasons. So the state does not produce civil society and the economy, it presupposes it.

Criminal Law

- Has been colonised by bourgeois thought and has been modelled on contract. Crime seen as a breach of a contract between the wrongdoer and victim.

- The individual then has to pay for the extent of their wrong.
- Modern prisons often prioritise **incapacitation, deterrence, or control**, not equivalence.
- Punishment no longer maps neatly onto the harm caused (e.g. drug offences, mandatory minimums).
- Exchange model struggles to explain racialised mass incarceration or preventive detention.

Law vs. Technical Rules

- **Technical rules:** regulate behaviour toward a common cooperative goal.
 - e.g. medical procedures (healing a patient), train schedules (efficiency).
 - These are **purpose-driven, not adversarial**.
 - Presumes a unity of purpose and are aimed at achieving a particular end.
- **Legal rules:** arise where **individualised, opposing private interests** exist.
 - Doctor v. patient = subjects of rights/duties, not just collaborators.
 - Legal regulation is a general rule used to decide a controversy between private interests/ aims
- This distinction shows why law is tied to capitalist conditions (private conflict + exchange).
- **Coercion**
 - Can be used by both law and administration, but its nature differs. Use the example of rules governing patient care. Coercion may be used against the patient but as long as there is a unity of purpose (getting better) there is an identity between the rule and the rules and so the coercion *'remains solely a technically expedient act'*
 - Pashukanis says coercion is only a problem where there is a conflict of interests and in a capitalist society there is a fundamental conflict of interests between workers and capitalists and the game is rigged in favour of the latter
 - The law would wither away under communism because the conflict of interests would be eliminated, but there would still be forms of rule based organisation backed by coercion.

The Withering Away of Law under Communism

- Law is tied to capitalism → it cannot be endlessly reinvented.
- Under communism:
 1. Commodity exchange disappears.
 2. Labour becomes directly social (not mediated by value or exchange).
 3. Therefore: no need for private subjects asserting rights against each other.
- Result: **law itself disappears**, not replaced by a "higher law."
- Pashukanis: law is neither eternal nor simply an instrument.
- Law is a **historically specific form**, rooted in **commodity exchange**.
- His theory sits between:
 - **Formalist views** (law as autonomous, universal).
 - **Instrumentalist views** (law as mere ruling-class tool).
- Later thinkers (e.g. **Bourdieu**) refine this debate:
 - Formalists vs. Instrumentalists.
 - Pashukanis shows a third way: law as a form tied to capitalism.

One of the criticisms of Pashukanis' theory is that it misses something vital because it focuses on the relationship between law and exchange. The thing that is missing from Pashukanis' analysis – the role that labour plays in a capitalist economy – and examine the implications that this has for our understanding of law and the state.

Topic 3.1: Marxism and the Critique of AI

Critique of AI

AI and Generative AI

- 'An AI system is a machine based system that, for explicit or implicit objectives infers, from the input it receives, how to generate outputs such as predictions, content, recommendations, or decisions that can influence physical or virtual environments. Different AI systems vary in their levels of autonomy and adaptiveness after deployment' - OECD
- AI has been around for much longer and is very widespread: *"What is often terms 'narrow' AI is already present in the algorithmic processes that now inform much of everyday life... such AIs may incarnate in the chassis of a robot delivery vehicle or semi-autonomous killer drone.'*
- The 'Dark Side' (in the Silicon Valley story)
 - Will invent God
 - AI will become sentient and destroy us all
- **The problem is not 'what if AI gets so good that it replaces humans/ becomes god'. It is that there is a mismatch between the hype and the technology can deliver. Someone oversold an automated system, people used it based on what they were told it could do, and then they or others got hurt.**

- The forerunners of this new field were concerned with translating dynamics of power and control into machine-readable formulation. They were concerned with developing tools that could be used for the guidance of administrative and ultimately military systems

Cold War AI Hype Origins

- During the Cold War, the US government and defence institutions were pouring money into science and technology to outpace the Soviet Union
- AI researchers at the time **pitched bold claims** about computers, often with very little evidence because that was a good way to secure Pentagon funding
- Their tactics included:
 - **Huge, unverified claims** about what computers could do
 - **Bad citation practices** (misrepresenting or cherry-picking sources)
 - **Moving goalposts** - shifting definitions of success so projects would still seem promising when results fell short
- These practices became the original **AI hype playbook**, and they parallel what we seek today with tech companies chasing venture capital and market valuation

Framing AI as Military Superiority

- The first step in the hype: **argue that the US must invest in AI because the Soviets might get ahead**
- The second: **argue that humans are just machines**
 - E.g.: In 1956, **Minsky** (later founder of MIT's AI lab) claimed that 'human beings are instances of complicated machines'
 - If people are just machines, then computers could replace them in military and industrial work - an argument that played well with defense funders

Weizenbaum and ELIZA

- Joseph Weizenbaum created **ELIZA** in late 1960s which was a chatbot designed to simulate a **Rogerian psychotherapist** mostly by rephrasing users input as questions.
 - User 'I'm sad' ELIZA 'why do you think you're sad'
- He chose this format because it **masked the system's limitations** - a therapist doesn't need encyclopedic knowledge of the world
- But people began attributing **real intelligence and agency** to ELIZA. Weizenbaum was horrified and spent the rest of his life as an **AI critic**, arguing humans are not 'meat machines'
- Meanwhile, Minsky continued to rake in Pentagon money, undeterred

Funding Networks and False Equivalences

- The Cold War funding system was murky and tied to **weapons manufacturing**
- Today, it's even bigger, with **venture capital and government and Big tech** fueling AI startups
- A key **hype tactic**: claiming equivalence between **human brains and machines**
 - This inspires awe (and fear) and convinces investors that AI could one day replace human intelligence
- This awe is financially lucrative
 - Microsoft invested **10 billion** in OpenAI in 2023. Microsoft and Nvidia gave **1.3 billion** to [Inflection.AI](#)

The Hype-Harm Cycle

- Incentives are obvious: Slap 'AI' onto something and money flows
- But overselling AI isn't harmless → it causes **real harms today**
- While there are **legit, narrow applications** (spell-checkers, radiology image processing) they are drowned out by marketing noise. Overhyped AI often leads to people **trusting systems beyond their actual abilities, causing harm.**
- **Examples of Hype Induced Harm**
 1. **Mistranslation Case (2017)**
 - a. Palestinian man posts 'good morning' in Arabic on FB. Machine incorrectly translates into 'attack them'. Israel authorities arrested him without verifying with a human speaker.
 2. **Asylum Cases**
 - a. Machine translation is unreliable for minority languages/ dialects. Asylum claims mistranslated → life altering consequences.
 3. **UK Exam Algorithm (2020)**
 - a. COVID cancelled A levels → algorithm assigned grades using past school performance. Outcome was unfair downgrades for many students.
 - b. Public outrage led to reversal ('Fuck the algorithm!') protests
 4. **Self Driving Teslas**
 - a. Tesla 'full self driving' promoted aggressively
 - b. Fatal crash of employee in Model 3

c. 2022 Thanksgiving: 8 car pileup in SF Bay Bridge hours after Musk announced release

- The core issues here is that **someone oversells AI capabilities, other use it believing the hype, result: people get hurt (legally, financially, physically, emotionally).**
- Even when harms aren't immediate (e.g. inflated promises about AI solving cancer, climate change, democratising creativity), the **misallocation of trust and resources** has long term consequences

The Author's Goal

- The purpose of the book is not **anti-AI, but Anti-hype**
- When people can **recognise hype**, they can:
 1. Make smarter decisions about how and when to use AI
 2. Push for policies to regulate how others (govts, corporations) deploy it.

Chris Paoli 'Study: GenAI is Eroding Critical Thinking'

- Recent report titled 'The Impact of Gen AI on Critical Thinking' was compiled by a team of Microsoft Research and Carnegie Mellon University scientists and surveyed 319 individuals who use GenAI tools at least once a week in their work 'to investigate'
 1. When and how they perceive the enactment of critical thinking when using Gen AI; and
 2. When and why GenAI affect their effort to do so'
- Those with higher confidence in GenAI tools experience a decline in critical thinking, while those with high self-confidence in their own skills demonstrates a greater ability for critical thinking.
- GenAI is eroding critical thinking by fundamentally changing how professionals deal with certain business tasks, specifically in 3 areas:
 - **Information gathering and verification:** AI automates the retrieval and organisation of data, reducing effort needed. However, workers must now spend more time verifying AI generated content for accuracy and reliability.
 - **Problem solving and AI response integration:** Instead of solving problem independently, workers focus on refining and adapting AI outputs to meet their specific needs, including adjusting tone, context and relevance
 - **Task execution and stewardship:** Rather than performing tasks directly, workers oversee AI processes, guiding and evaluating outputs to ensure quality.
- **While GenAI reduces cognitive effort in some areas, it increases the need for verification, integration and oversight, reinforcing the important of maintaining critical thinking skills.**

Rayne Fisher-Quann 'Choosing to Walk'

- Great deal of the work she was doing at 19 was almost tailor made to be done by AI: **it was mostly information aggregation, impersonal, neutral, ideally produced as quickly and constantly as humanly possible.**
- A writer used Sudowrite, a fiction writing AI program to pump out several of her self published fantasy novels per year - *"It's just words, it's my story, my characters, my world. I came up with it. So what if a computer wrote them?"*
- **She has arrived at a conclusion that makes perfect sense within the logics of modern labour and production. This author views her writing as a product, and her audience views her writing as a product and most products are manufactured in line with this logic, someone comes up with an idea, does a bit of the labour in the beginning, then outsource most of the labour involved in manufacturing the product on a larger scale off to people who will do it for cheap.**
- Mechanisms of capitalism are to find **cheaper and cheaper ways to outsource labour. AI does the job for free and you can't illegally exploit it because it isn't a person. It is, in some sense, a miracle of capitalism.**
- Labour has value and deserves to be compensated. The job of the artist is in part to resist the demands of the product side (optimising their work for the market, maximising profit, constantly increasing production, prioritising efficiency at the expense of creativity)
- General promise of AI is that it will take care of all the busywork, the part of writing that's a task rather than an art, so that **you can keep your brain pure and untouched by the indignities of labour.** Then you can **finally focus on generating ideas (intellectual property even).** It attempts to **separate the mythology of writing from the work of writing, as though the quotidian labour of expression** is something that keeps you from your ideas rather than the exact process by which you discover them. In the process, **it paradoxically devalues the intangible 'magic' of writing by alienating the artist from their own creative process.**
- According to researchers, GenAI is eroding critical thinking by fundamentally changing how professionals deal with certain business tasks - information gathering and verification, problem solving and AI response integration, task execution and task stewardship

- **The paradox is that supervision of the machine requires greater critical thinking skills. Need to be able to evaluate the accuracy and adequacy of the information it is producing. We see this problem time and time again. The drive to accumulate value means that capitalism has no inherent limits. It always seeks to overcome limits that other social systems or institutions put in its way. It thereby undermines the things that capitalism presupposes to function: degrades labour power, the environment, the capacity for care work, the state, thought itself.**

Dyer Witheford 'Introduction: AI Capital'

The Most Valuable Thing

- Sanctuary Cognivite Systems (founded by Geordie Rose) aim to create humanoid robots that think and interact as intellectual peers. Rose admits AGI (Artificial General Intelligence) is far from reality but sees it as the 'most valuable thing ever created', with potential to alter capitalism itself
- Competing players including Elon Musk (OpenAI), Vicarious (backed by Zuckerberg, Bezos, Samsung)
- This 'AI fever' includes both utopian and dystopian visions, reflected in business, popular culture and academic literature
- 'Narrow AI' already pervades daily life: logistics robots, drones, algorithms in search engines, social media, ads, finance, policing and welfare systems
- Authors coin the term 'actually existing AI capitalism' (by analogy with actually existing socialism) to describe this uneven and experimental phase of AI adoption. Like socialism, it could stagnate, collapse or transform into something radically different.
- The authors frame AI as a continuation of Marx's concern with alienation: AI represents 'alien power' - autonomous capital ruling over humans
- The book's project: to read AI through Marx (as a critical account of commodification and technology), and Marx through AI (challenging Marxist assumptions of labour, agency and human exceptionalism)

3 Polemics

1. AI as instrument of Capital
 - AI is not neutral; it fuses technological and social logics – computation + commodification.
 - Rooted in military-industrial projects, AI develops within capitalism to:
 - automate labour,
 - accelerate sales and speculation,
 - strengthen military-police power.
 - Ownership is concentrated in major corporations (Google, Microsoft, Amazon, etc.) who control IP, data, infrastructure, budgets, and state ties.
 - Corporate leaders (Musk, Brin, Gates) may differ in tone (optimism vs. fear) but all accept their role in directing AI's development.
 - Beneath their "personalities," they embody abstract market forces pushing for profit maximization.
 - This hubris ignores Marx's warning that "an inhuman power rules over everything" – capital itself dominates, even over capitalists.
2. Critique of left 'minimalist' views
 - Minimalists dismiss AI as hype (e.g. Astra Taylor's Automation Charade).
 - Taylor argues automation threats are exaggerated, often used ideologically to discipline workers (e.g. fast food kiosks during "Fight for 15").
 - She stresses capitalism's reliance on invisible/unpaid labour (domestic work, content moderation).
 - While acknowledging that automation has intensified work rather than eliminated it, she downplays real historical/job losses caused by machines.
 - Authors argue this "fauxtimation" view is complacent and ahistorical:
 - Past workers (weavers, auto-workers, typesetters) show disposability is real.
 - Migrant and surplus populations today confirm capital produces human redundancy.
 - While Taylor concedes at the end that AI/automation now pose real risks, her minimization ignores capital's consistent tendency to replace humans.
3. Critique of left 'maximalist' views
 - Maximalists (e.g. Srnicek & Williams, Mason, Bastani) see AI as real and transformative – a path to socialism via automation, UBI, and reduced work.
 - Techno-optimists argue AI can abolish wage exploitation and create "fully automated luxury communism."
 - Authors acknowledge the appeal but critique this optimism:
 - It assumes AI can be detached from capitalism and repurposed.
 - Maximalism draws from Marx's enthusiasm for productive forces, poststructuralist theory (Deleuze & Guattari), and Nick Land's accelerationism.

- Nick Land argued:
 - AI is not just appropriated by capitalism but constituted by it (automation, speculation, acceleration).
 - Capitalism + AI could emancipate capital from humans – leading to human extinction.
- Authors reject Land's reactionary "dark enlightenment" politics but insist Marxists must take seriously his claim that AI has an "elective affinity" with capitalism and is fundamentally inhuman.
- Conclusion: An 'Abyssal' Critique
 - Authors reject both minimalist denial and maximalist optimism. Their stance is 'abyssal'
 1. **Indeterminacy:** AI's future is radially uncertain. It may reshape capitalism in ways Marxist teleologies cannot predict. Marx's own writing contain multiple possible outcomes, not certainties.
 2. **Disturbing Possibilities:** AI May disrupt assumptions of Marxism e.g. labour theory of value, centrality of class struggle at the point of production, survival of capitalism without human wage-labour

A Machine can be made to Stimulate It

- AI is hard to define, with no single agreed meaning. The field began at the 1956 Dartmouth workshop, where it was conjectured that every aspect of learning or intelligence could, in principle, be simulated by machines. Since then, definitions of AI have been shifting and vague. The "AI Effect" complicates matters further: once AI achieves a task, it is no longer considered intelligent.
- Definitions range from Elaine Rich's practical one – AI is "how to make computers do things at which people are better" – to Kaplan's more formal description of AI as the capacity to generalize quickly and appropriately from limited data.
- Distinguishing AI from Robots:
 - Robots have bodies and act in environments, while AI is software. The two can overlap – robots often use AI – but they are not equivalent.
 - AI is best understood in terms of three categories:
 - narrow AI (the only kind that actually exists now, designed for specific tasks),
 - artificial general intelligence (AGI, which could apply knowledge across domains, but remains speculative), and
 - artificial superintelligence (ASI, a hypothetical intelligence vastly surpassing human abilities).
 - Related debates concern "strong" AI, which posits machines could one day be conscious, versus "weak" AI, which holds that they only simulate intelligence.
- 3 main approaches to AI:
 - First was symbolic or "Good Ol' Fashioned AI" (GOFAI), based on manipulating symbols and rules to simulate reasoning, exemplified by "expert systems" like Deep Blue. Its reliance on vast rule sets limited its power.
 - Second was the "situated, embodied, dynamical" (SED) framework, emphasizing the role of bodies and environments in cognition, often through robotics.
 - Third, and now dominant, is machine learning (ML), which exploded in the 2010s with big data and cheap computing. ML detects patterns in data and learns from them, often through artificial neural networks (ANNs). Deep learning, with many layers of artificial neurons, has produced major advances. Machine learning operates in three main forms:
 - supervised learning (using labelled data),
 - unsupervised learning (discovering patterns without labels), and
 - reinforcement learning (trial and error guided by rewards).
 - These allow systems to develop solutions not explicitly programmed by humans, shifting programming from top-down rule creation to bottom-up learning from data. While current ML is still limited to generalizing within narrow domains, increasing sophistication could bring AI closer to AGI's promise.

Machine Marx

- Marx's thinking about machinery can be grouped into 3 strands
- **The major line in *Capital Vol 1*:**
 - He sees machines as supplements to human labour, which is the true source of value in capitalism. Machines are 'dead labour' transferring their own value to products but not creating new value. Their role is to produce **relative surplus value** by reducing necessary labour time, they increase the portion of the day workers give to capital for free. This makes commodities cheaper, boosts productivity and intensifies exploitation.
 - In Chapter 15 of the *Capital*, Marx emphasised class conflict. Machinery's lightening of physical demands drew women and children into factories; it's efficiency intensified labour. **Machines also displaced workers - 'the instrument of labour strikes down the labourer' creating technological unemployment. Competition between capitalists drove mechanization, since those who reduced labour costs could undercut rivals.**
 - Machinery also destabilises capitalism. **Overproduction:** wages are cut, but output rises so goods pile up unsold, causing stagnation and crisis until businesses collapse or revolt erupts. Also, **falling rate of profit** as commodities value depends on labour, replacing humans with machines lowers value and profits per item.
- **His 2 minor lines** that imagine machines becoming autonomous from labour

- Marx envisioned automation driven by the 'general intellect' relegating workers to supervisors of machinic processes. Paradoxically, this undermines capitalism by abolishing labour and thus value itself.
- Capital subsumes labour first formally (turning it into wage labour) and then really (reshaping the content of labour through machinery). Over time, machinery absorbs scientific knowledge to serve the capital's drive for surplus value and circulation speed.
- Together, these lines show machinery as both a liberatory and nightmarish force. Marx himself oscillated between seeing technology as undermining capitalism and as reinforcing it. Today the major line still holds: AI and machines intensify labour, depress wages and fuel crises

In the Age of Self-Replicating Automat

- Marx highlights 3 thinkers on AI:
 - Tessa Morris-Suzuki (1980s Japan)
 - Examined Japan's high-tech capitalism (robots, video games, and the "Fifth Generation" AI project).
 - Critiqued the left's two unhelpful responses: denial that new technology changes capitalism, or proclaiming it as capitalism's death-knell.
 - Disagreed with Ernest Mandel's claim that automation is capitalism's "absolute inner limit."
 - Instead, argued capital could survive through:
 - shifting labour into "perpetual innovation,"
 - proletarianizing technical jobs,
 - corporatizing education to produce elite scientists,
 - and creating disposable workforces.
 - Her account foreshadows today, as AI now threatens even the innovation and technical roles she thought might remain safe.
 - Ramin Ramtin (1991)
 - Reworked Marx's schema of machinery (motor, transmission, tool) to add a fourth: control – the guiding function, once human, now automated by cybernetic technologies.
 - This reconceptualization showed automation as qualitatively different from mechanization.
 - Warned of a "cybernetic onslaught" that would foreground unemployment, redefining proletarianization not just as exploitation but as ejection from work.
 - Anticipated later discussions of "surplus populations," especially after the 2008 crash.
 - George Caffentzis (1980–2008)
 - Asked why predictions of jobless futures had not fully materialized.
 - Argued automation must be understood alongside the expansion of low-wage service and global sweatshop labour – "think Africa and automata together."
 - Drawing on Capital Vol. 3, he showed how surplus-value is pooled and redistributed. Highly automated firms siphon value from labour-intensive ones.
 - Called this the law of increasing dispersion of organic composition: more automation in one sector produces more low-labour production elsewhere.
 - Thus, AI fever reflects not only technological innovation but also difficulties in securing cheap labour.
 - Together, Morris-Suzuki, Ramtin, and Caffentzis revise Marx's machinery theory: automation is defined by control (not just mechanics), software/hardware separation increases flexibility, and capital maintains itself through uneven global dispersions of labour and technology.

The paradox of machinery under capitalism

- *"Machinery is intended to cheapen commodities and, by shortening the part of the working day in which the worker works for himself, to lengthen the other part, the part he gives to the capitalist for nothing. The machine is a means for producing surplus value" - Marx, Capital Vol 1, p 492*
- A 'machine' can make labour much more efficient and productive. We are able to produce more in less time. Humans are still involved but they now supervise the machines. These machines are sold to us as improving living and working conditions BUT it actually leads to MORE work. Industrial revolution led to massive extension of working day and working hours.
- Machinery increases surplus value by making labour more productive but why doesn't machinery lead to more profits for capitalist and better wages/ fewer hours for workers? - Answer is **class conflict and competition**
- **Competition**
 - Production is driven by individual businesses who compete against one another in the marketplace
 - Businesses need to grow faster than rivals so need to make more profit than competition to invest more in next business cycle
 - Incentive to develop and introduce technology that increases productivity of labor and hence lowers cost of producing commodity. Can sell at same time and make bigger profit.

- Competitive advantage is neutralised when it is adopted by other businesses who will adopt new technology and use it to undercut competition on cost. Drives prices down and also drives a new round of innovation and automation.

- **Class conflict**

- We can't consume unless we have a job
- *"The instrument of labour when it takes the form of a machine, immediately becomes a competitor of the worker himself. The self valorisation of capital by means of the machine is related directly to the number of workers whose conditions of existence have been destroyed by it" Marx, Capital Vol 1, p 557*
- Machinery means that the capitalist needs fewer workers. Many lose their jobs.
- *"But machinery does not just act as a superior competitor to the worker, always on the point of making him superfluous. It is a power inimical to him, and capital proclaims this fact loudly and deliberately, as well as making use of it. It is the most powerful weapon for suppressing strikes, those periodic revolts of the working class against the autocracy of capital...it would be possible to write a whole history of the inventions made since 1830 for the sole purpose of providing capital with weapons against the working class" - (Marx, Capital Volume 1, p.563)*
- •Machinery increases productivity. But there is no economic incentive for capital to decrease working hours or distribute more to workers – competition means that capitalists must seek maximum profits (see struggle over working day).
- •At the same time machinery disempowers workers. So machinery increased profits for capitalists by making labor more productive and reducing the bargaining power of the working class (allowing for more extreme exploitation).