The Paradox of Protest in a Culture of Contest

by Michael Karlberg

We live in a culture of contest and protest. Our economic, political, and legal institutions are structured as contests. Our efforts to reform these institutions frequently are characterized by protest. This article examines the social and ecological implications of this culture of contest and protest. It begins by demonstrating that our economic, political, and legal institutions form an integrated tripartite system of contests that is socially unjust and ecologically unsustainable. It then considers the paradox of attempting to reform these institutions through protest and other adversarial strategies of social change. The article concludes by outlining a theory of social change that derives from the concept of cultural games. This theory suggests that the nonadversarial strategies of construction, attraction, and attrition are the most effective means of creating a more peaceful, just, and sustainable social order.

We live in a culture of contest. In our economic systems, our political systems, and our legal systems, contest models are the norm. Surrounding this culture of contest is a culture of protest. In our pursuit of social change, adversarial strategies such as protests, demonstrations, acts of civil disobedience, partisan organizing, litigation, and strikes are the norm.

Many of these competitive institutions and adversarial strategies have been critiqued through various theoretical lenses by other peace and change scholars. What has not been theorized adequately, however, is the integrated nature of this entire system of contest and protest. This article examines the social and ecological implications of the integrated tripartite system of contests in our economic, political, and legal spheres, as well as the paradox of attempting to reform these institutions through a culture of protest. It concludes by outlining a theory of social change that derives from the concept of cultural games. This theory suggests that the nonadversarial strategies of construction, attraction, and

attrition are the most effective means of creating a more peaceful, just, and sustainable social order.

THE CULTURE OF CONTEST: SOCIAL IMPLICATIONS

All contests, by definition, result in winners and losers. In most recreational contests the stakes are not high and winning or losing is not a great concern. In addition, such contests can be intrinsically rewarding or fun. However, when contests are employed as instrumental means to other ends—such as the distribution of wealth, the distribution of political power, or the dispensation of justice—they take on different significance. In such cases the stakes can be very high. In addition, though such contests serve instrumental purposes, they have little or no intrinsic value. Hence it is important to distinguish between recreational contests and instrumental contests.

With this distinction established, it is also important to recognize that all contests are contests of power. The forms of power that are relevant in a given contest depend upon the specific nature of the contest. In athletic contests like tennis or football, the outcome is determined by physical powers such as strength, stamina, skill, and coordination. In mental contests like chess or bridge, the outcome is determined by intellectual powers such as strategic thought, concentration, and memory. However, even in recreational contests, political and economic forces often influence who wins. Though physical and mental capacities are distributed evenly throughout the human population, opportunities to cultivate and to refine these capacities, or powers, are not distributed evenly. Such opportunities are determined by one's position in socially constructed hierarchies of class, race, gender, nationality, and so forth.

These hierarchies of power become even more problematic in the case of instrumental contests, where the stakes are much higher. Consider the capitalist economy. In theory, those who are the hardest working, most innovative, and efficient "win" in a free-market contest. In practice, however, competitors do not all enter the contest at the same time with the same resources because resources (such as wealth, social connections, and educational opportunities) are not distributed equally in human populations. In this regard, the contemporary economy is like a game of Monopoly™ in which some players started the game early, played until they bought up most of the property, and then invited other players to join them. Even though the latecomers have been invited to

play by the same rules as those who started the game earlier, they perpetually are handicapped by a constant need to pay rent and by few opportunities to accumulate their own properties.

Consider also the case of partisan politics—a contest model of governance that is founded on the same organizing principles as a capitalist free market.[1] In the economic market, capitalists compete for control over the means of economic production. Likewise, in the political market, politicians compete for control over the reigns of government. In the political marketplace this occurs, quite literally, through processes of "political entrepreneurship," in which politicians compete with one another in their efforts to build and maintain "political capital." In theory such contests are fair and open and the outcome merely reflects the aggregate preferences of the majority of voters. As Vaughan Lyon explains, "Supporters of party government argue that if one looks at the larger picture and sees the 'political market' in which several parties, the media, interest groups, and individuals all interact, democratic needs are served in a kind of mysterious way ... [as though] another 'invisible hand' is at work."[2]

In practice, however, the invisible hand of the political market acts much like the invisible hand of the economic market. It privileges those with the most power. The reasons for this are not difficult to understand. Political contests are very expensive. Winning requires a substantial amount of personal wealth or financial patronage. Therefore, by structuring our political processes as contests we have created systems that cater primarily to the interests of those who can afford either to finance the contestants directly or to influence their success indirectly.

Finally, consider the case of legal advocacy contests. The legal adversary system is founded on the same competitive principles as the capitalist economy and the partisan political system. The underlying assumption of the legal adversary system is that the truth is most likely to emerge in an open contest because no one has more incentive to work for the emergence of truth than the righteous contestant.[3] In practice, however, the truth is a secondary and often elusive outcome.[4] In actual legal contests, though one contestant may be working hard to present the truth, the other contestant can be working equally hard to obscure the truth. Indeed, the prevailing legal principle of "zealous advocacy" raises this practice to the level of a professional responsibility for legal advocates even when their clients are guilty.[5] Furthermore, legal contests, like political campaigns, are very expensive. The power of money, rather than the power of truth, is what buys the best legal advocacy.[6]

The result is a system of jurisprudence that primarily caters to the interests of those who can afford to finance the best legal advocacy. As Anne Strick explains, this contest model

> serves not only the lawyers and judges who directly administer it but society's power-holders down the ranks. For adversariness is a mode that singularly advantages power. Most of its beneficiaries therefore worship adversary procedure "like motherhood itself" and either remain blind to its defects, hold that despite those defects it serves a higher good, or work at screening its fraud from public gaze. Yet fraud it is. For by its nature the adversary approach to dispute settlement disserves the rest of us—almost totally.[7]

In any one of these arenas—market, government, and courts—contest models tend to privilege those at the top of existing social hierarchies. Of course, we still might accept these models based on the rationalization that no model is perfect, that all models involve tradeoffs, and that these particular models have great strengths that outweigh their weaknesses. However, if we step back to view these three models as a single integrated system, which is what they have become, then these rationalizations fail.

Our economic, political, and legal systems are not separate, isolated systems. They are interconnected and interdependent. They can be understood and analyzed as an integrated tripartite system of contests. This tripartite system is deeply problematic because modeling all three of these spheres as contests inherently subordinates political and legal regulation to market forces. The logic is simple: Because political and legal contests are expensive, the outcomes of political and legal contests are determined by the outcomes of economic contests, which are themselves influenced by preexisting social hierarchies. Hence, the tripartite system has an inherent internal hierarchy. Political and legal contests inevitably are subordinated to economic contests due to the nature of contests.

By critiquing this hierarchical arrangement and by pointing out that it is an inevitable result of the integration of these three contest models, I am not suggesting that competition itself is inherently problematic in every sphere of social activity. Recreational contests may have some intrinsic value if pursued in the proper spirit.[8] Even in an instrumental arena such as the economy, a market system that rewards hard work, innovation, and efficiency appears to be desirable. The problem arises when these three instrumental contests are conjoined within this

tripartite arrangement, because in order to avoid extremes of wealth and poverty in the economic arena, competition needs to be regulated responsibly. Yet within this tripartite system it is virtually impossible to regulate the economy in a just manner because the political and legal institutions that should be regulating it instead are subordinate to it.

Moreover, to be effective, political and legal regulations ultimately need to be complemented by the moral self-regulation of individual economic actors.[9] Only by operating in concert can these internal and external forms of regulation provide the necessary constraints and incentives needed to maximize the benefits of a free market while curbing its excesses. Yet here again, just as a tripartite system of contests fails to provide for external regulations on market activity, it also fails to cultivate moral self-regulation among market actors. When virtually all public activity is structured as a series of contests that reward the competitive pursuit of material self-interests, the cultural environment is hardly conducive to moral development and self-regulation. Ubiquitous and indiscriminant competition tends to cultivate aggressive and individualistic values rather than communal and cooperative ones.[10]

One of the primary legacies of this tripartite system, with its failure of both external and internal regulation of market activities, is the massive and steadily increasing disparity of wealth and poverty that can be seen within and among virtually every country on earth.[11] These conditions constitute one of the most significant obstacles to peace in the world today because they foster a state of perpetual conflict and instability within and among nations. These are the social implications of the culture of contests. What about the ecological implications?

THE CULTURE OF CONTEST: ECOLOGICAL IMPLICATIONS

Upon critical examination this tripartite system tends not only to be socially unjust, but it tends also to be environmentally unsustainable. Consider, again, the functioning of the free market within the tripartite system. In unregulated markets, production and consumption decisions are based largely on the internal costs of manufacturing processes. These include costs of labor, materials, manufacturing equipment, energy, and so forth. These internal costs determine the retail prices that consumers pay for products, which in turn influence how much they consume. These costs, however, seldom reflect the true ecological price of a product. Many industries generate external costs, or externalities, that are never factored into the price of a product because they are not actual production costs.[12]

For instance, industries that pollute the environment create substantial public health and environmental remediation costs that seldom are factored into the actual costs of production. Rather, these costs are borne by the entire society, by future generations, and even by other species. Because an unregulated market does not account for these external costs, the prices of products with high external costs are, in effect, kept artificially low through taxpayer subsidies as well as the impoverishment of "ecological capital."[13] These subsidized prices inflate consumption of the most ecologically expensive (or damaging) products.

For these reasons, market economies are ecologically unsustainable unless carefully regulated by governments that account for such external costs and that factor them back into the prices of goods through "green taxes" and other means.[14] As discussed above, however, markets are virtually impossible to regulate effectively within the tripartite system because the system subordinates political and legal decision-making to market influences.

Contest models are unsustainable for other reasons as well. Environmental stewardship requires long-term planning and commitment. Competitive political systems, however, are constrained inherently by short-term horizons because in order to gain and maintain political capital, political entrepreneurs must cater to the immediate interests of voting constituents. This focus on constituents-in-the-present tends to undermine commitment to the interests of future generations. Prominent among the interests of future generations, of course, is the sustainable stewardship of the environment by present generations. Even in those exceptional cases when sustainable policies are adopted out of moral principle by one candidate or party, continuity often is compromised by successive candidates or parties who dismantle or fail to enforce the programs of their predecessors to distance themselves from policies they previously opposed on the campaign trail or as the voice of opposition.

Likewise, just as competitive political systems are responsive to constituents-in-the-present at the exclusion of future generations, they are also responsive to the interests of constituents-within-electoral-boundaries at the exclusion of people outside of those boundaries. This is especially the case at the level of the nation state due to the absence of an effective international system of governance. Again, this has significant ecological implications. The transboundary nature of many modern environmental issues (e.g., ozone depletion, global warming, acid rain, water pollution, or the management of migratory species) signals the need for unprecedented levels of global cooperation and coordination.[15]

Competitive notions of national sovereignty, however, render the existing international (dis)order virtually incapable of responding to these ecological imperatives. Within the existing international system, sustainability is sacrificed to the pursuit of national self-interests as political entrepreneurs must cater to the short-term desires of their own voting citizens. The consequence is an anarchic and competitive system of nation-states vying with one another in their rush to convert long-term ecological capital into short-term material gains.

Another reason partisan systems tend to be ecologically unsustainable has to do with the nature of partisan debate, which is about winning political capital. Choosing the best course of action under a given set of social and ecological conditions tends to be a secondary and generally elusive outcome. Moreover, partisan debate tends to reduce complex and multifaceted issues to simple polarized positions.[16] Yet most environmental issues are complex and multifaceted. They cannot be resolved through simple dualistic arguments. Furthermore, in an age of mass-mediated sound-bite politics, these dualistic arguments tend to degenerate into emotional sloganeering designed merely for short-term political advantage. Such partisan rhetoric is woefully inadequate as a basis for sound environmental decision-making.

Finally, competitive political systems also tend to be ecologically dysfunctional because those segments of the population who tend to suffer the most from the effects of environmental degradation—namely the poor and ethnic minorities who are statistically most likely to live and to work in areas of increased environmental health risks and degradation—are least able to influence political decision-making due to their relative political and economic disenfranchisement. As a result, environmental practices that seldom are tolerated in the backyards of more affluent segments of the population are commonplace among populations that are marginalized politically and economically.[17] The tripartite system thus can be seen as an integrated system of social injustice and ecological dysfunction. Yet if this is the case, why does this system endure? Is it, as conventional wisdom suggests, an inevitable outcome of an essentially selfish and competitive human nature?

THE MYTH OF BIOLOGICAL DETERMINISM

The assumption that human nature is fundamentally selfish and competitive has deep roots in Western culture, tracing back through various Greco-Roman traditions and Judeo-Christian interpretations.[18] With the

dawn of the European Enlightenment, this assumption became embedded in the emerging canons of Western-liberal social theory. As Rose, Lewontin, and Kamin point out, the modern articulation of this assumption

> goes back to the emergence of bourgeois society in the seventeenth century and to Hobbes's view of human existence as *bellum omnium contra omnes*, a war of all against all, leading to a state of human relations manifesting competitiveness, mutual fear, and the desire for glory. For Hobbes, it followed that the purpose of social organization was merely to regulate these inevitable features of the human condition. And Hobbes's view of the human condition derived from his understanding of human biology; it was biological inevitability that made humans what they were.[19]

This assumption continued to exert a dominant influence on the Western social sciences through most of the 20th century.[20] In recent decades, however, it has come under scrutiny by scholars from a range of disciplines.[21] Anthropologists such as Howell and Willis have pointed out that

> the great majority of researchers assert that "aggression" is an integral part of human nature; and that aggressive impulses and behavior have somehow to be directed and controlled for human relations to be sustained over time in a social setting.... We wish to propose an alternative approach, challenging the assumption that aggression is an innate human drive. It is undeniably the case that in Western society aggression is regarded as part of human nature. But perhaps this tells us more about Western society than about human nature. We wish to suggest that we cannot assume an *a priori* aggressive drive in humans. The presence of innate sociality, on the other hand, has much evidence in its favour. Humans are *a priori* sociable beings; it is their cooperativeness that has enabled them to survive, not their aggressive impulses.[22]

Of course, such conclusions need not deny the existence of conflict and competition in human societies. Human beings appear to have the developmental potential for both conflict and cooperation. Which potential is more fully developed, however, depends on our cultural environment—as demonstrated by the fact that different societies vary considerably in their expressions of conflict and cooperation.[23]

Some economists are arriving at a parallel conclusion. Rejecting the essentially self-interested and competitive model of human nature that

has dominated for centuries, economists are acknowledging increasingly the human potential for cooperative, altruistic, and even self-sacrificing behavior.[24] In fact, a growing body of economic theory and research suggests that the competitive pursuit of self-interests is often a less effective strategy than mutual cooperation—even when measured strictly by indicators of material gain.[25] In this context, economists, along with game theorists, have demonstrated that cooperative behaviors well may have been selected for in human evolution due to the advantages they confer relative to adversarial behaviors.[26]

In addition, many social scientists have begun expressing concern about the self-fulfilling nature of assumptions that our species is essentially selfish and competitive. Numerous studies suggest, for instance, that neoclassically trained economists tend to behave in more self-interested ways than noneconomists, due in part to their continual exposure to these assumptions.[27] As Zamagni explains,

> Our beliefs about human nature help shape human nature itself, in the sense that what we think about ourselves and our possibilities determine what we aspire to become. In this precise sense, the self-interest theory is not morally neutral, contrary to what most economists seem to believe. There is growing evidence that the self-interest paradigm may be self-fulfilling ... subjects come to perceive self-interest as a normative characterization of rational behavior and come to act accordingly. It is here that the effects of the self-interest theory are most disturbing.[28]

By naturalizing conflict, competition, and other adversarial expressions within our economic, political, and legal arenas, the theory of biological determinism generates and perpetuates the reality it merely purports to explain. It helps cultivate the behaviors that it presupposes.[29] Those behaviors then tend to be invoked in order to rationalize and to defend contest models of social organization.

THE CULTURAL BASIS OF CONTEST MODELS

If this tripartite system is not an inevitable outcome of human nature, it must have a cultural rather than biological explanation. Yet if it is proving to be socially unjust and ecologically unsustainable, how can we explain its emergence and persistence?

Contest models of social organization—at least in their modern tripartite combination—arose from the thinking of relatively affluent and

educated social classes during the European Enlightenment. These models coincided with the self-interests of those powerful social classes because contests, as discussed above, tend to favor those with the most power. At the same time, those powerful classes occupied positions of cultural leadership—as merchants, statesmen, writers, philosophers, and so forth —through which, either consciously or unconsciously, they influenced popular assumptions regarding human nature and social organization.

The Italian theorist Antonio Gramsci described this form of cultural influence with remarkable insight in the first half of the 20th century.[30] His concept of "hegemony" since has entered into the lexicon of cultural theorists around the world, and it provides a useful framework for understanding the emergence and perpetuation of these contest models. In brief, Gramsci borrowed the term hegemony, which traditionally referred to the geopolitical dominance of some states over others, and he reworked it to refer to the cultural dominance of some social classes over others. Gramsci pointed out that political hegemony, which is achieved and is maintained largely by force, is an obvious focus of resistance by oppressed populations and therefore is relatively difficult to maintain over time. Cultural hegemony, on the other hand, is achieved and is maintained through the cultivation of common sense belief systems, which are less obvious and which therefore generate less resistance. In other words, to the degree that privileged social classes can naturalize the existing social order in the minds of subordinate classes, the latter unconsciously will consent to their own subordination.

An example of this can be seen in the traditional exclusion of women from many arenas of public life. This exclusion was reinforced by the cultivation of "common-sense" notions regarding the "appropriate" role of women in society. Of course, not all women accepted these notions, and many struggled against them. But remarkably, some women did accept these notions, as demonstrated by women who organized in opposition to women's suffrage movements on the "common-sense" conviction (among others) that their entrance into public life would compromise the moral purity of women and that the entire social fabric thereby would be weakened.[31]

The theory of cultural hegemony is also useful in explaining the widespread consent given to the tripartite system of contests. The belief that competition is an inevitable expression of human nature has become part of our inherited common sense. This assumption continues to be reinforced from virtually every direction through these same competitive institutions that now structure our daily activities, as well as through our educational systems, which tend to structure learning as

a contest, and through our commercial media, which exaggerate and amplify all of these competitive and conflictual activities. Furthermore, on those rare occasions when the naturalness of the existing social order is questioned, an extensive apparatus of economic, political, and legal theory exists to defend it.

This is not to suggest a conscious conspiracy on the part of those who benefit from the existing social order. This order naturally appears desirable to those who benefit from it because people tend to have an unconscious affinity for ideas that promote their own interests.[32] When these people also happen to be educated and affluent elites who largely control the means of cultural production, it is quite natural that they would end up cultivating, within the wider population, beliefs for which they have an affinity.

THE PARADOX OF PROTEST

Cultural common sense leads many to believe that the best way to organize every social institution is in the form of a contest. Paradoxically, it also leads many to believe that the best way to reform those institutions is through protest—and other adversarial strategies of social change. Protests, demonstrations, partisan organizing, litigation, strikes, and other oppositional strategies are standard methods for pursuing social change. In more extreme cases, violence and terrorism also are employed.

All of these strategies, however, have become paradoxical and self-limiting. If they were viable in the past, they now appear to have reached a point of diminishing returns. Adversarial strategies legitimate the assumptions regarding human nature and social organization that sustain the tripartite system. When social activists engage in partisan political organizing, they legitimate the contest models of governance that keep them at a perpetual disadvantage. Likewise, when social activists engage in litigation, they legitimate the adversarial systems of jurisprudence that keep them at a perpetual disadvantage. Even street protests, demonstrations, and acts of civil disobedience legitimate the underlying assumption that contest and opposition are necessary forms of social interaction.

Granted, social activists do "win" occasional "battles" in these adversarial arenas, but the root causes of their concerns largely remain unaddressed and the larger "wars" arguably are not going well. Consider the case of environmental activism. Countless environmental protests, lobbies, and lawsuits have been mounted in recent generations throughout the Western world. Many small victories have been won. Yet environmental degradation continues to accelerate at a rate that

far outpaces the highly circumscribed advances made in these limited battles, and even the most committed environmentalists acknowledge that the overall war is not going well.[33]

In addition, adversarial strategies of social change embody assumptions that have internal consequences for social movements, such as internal factionalization. For instance, virtually all of the social projects of the "left" throughout the 20th century have suffered from recurrent internal factionalization. The opening decades of the century were marked by political infighting among vanguard communist revolutionaries. The middle decades of the century were marked by theoretical disputes among leftist intellectuals. The century's closing decades have been marked by the fracturing of the "new left" under the centrifugal pressures of identity politics. Underlying this pattern of infighting and factionalization is the tendency to interpret differences—of class, race, gender, perspective, or strategy—as sources of antagonism and conflict.[34]

In this regard, the political "left" and "right" both define themselves in terms of a common adversary—the "other"—defined by political differences. Not surprisingly, advocates of both the left and right frequently invoke the need for internal unity in order to prevail over their adversaries on the other side of the alleged political spectrum. However, because the terms left and right are both artificial and reified categories that do not reflect the complexity of actual social relations, values, or beliefs, there is no way to achieve lasting unity within either camp because there are no actual boundaries between them. In reality, social relations, values, and beliefs are infinitely complex and variable. Yet once an adversarial posture is adopted by assuming that differences are sources of conflict, initial distinctions between the left and the right inevitably are followed by subsequent distinctions within the left and the right. Once this centrifugal process is set in motion, it is difficult, if not impossible, to restrain.

For all of these reasons, adversarial strategies have reached a point of diminishing returns. Even if such strategies were necessary and viable in the past, when human populations were less socially and ecologically interdependent, those conditions no longer exist. Our reproductive and technological success as a species has led to conditions of unprecedented interdependence, and no group on the planet is isolated any longer. Under these new conditions, new strategies not only are possible but are essential. Humanity has become a single interdependent social body. In order to meet the complex social and environmental challenges now facing us, we must learn to coordinate our collective actions. Yet a body

cannot coordinate its actions as long as its "left" and its "right," or its "north" and its "south," or its "east" and its "west" are locked in adversarial relationships.

Pressures for such coordinated collective action are mounting daily. Threats of ecological degradation, resource scarcity, species extinctions, global health pandemics, nuclear and biological contamination, terrorism, military conflict, and so forth all are pressing us to find new modes of collective and coordinated action. Under these conditions, neither the tripartite system of contests nor adversarial strategies of social change are viable any longer.

A CULTURAL GAME THEORY OF SOCIAL CHANGE

If we cannot transform the culture of contest through a culture of protest, how else can we pursue social change? Answering this question requires a fundamental shift in our thinking. To effect this shift, consider the metaphor of a cultural game. Cultural institutions can be conceptualized as "games" that operate according to specific sets of "rules."[35] This metaphor is especially well suited to thinking about the tripartite system of contests and about the strategies that might be employed to change or to transform it.

Within the culture of contest, virtually every institution, or game, operates according to competitive rules. These rules ensure not only that there will be winners and losers but also that the most powerful players are most likely to win. When less powerful players agree to join in these games, they are consenting to play by rules that tend to promote their own defeat. Adversarial strategies of social change, such as protest, are consistent with these competitive rules. Not only do they legitimize the old games, but they also are part of them. Again, they ensure that the most powerful players are more likely to prevail.

There is, however, another strategy: to withdraw your time and energy from the old games in order to construct new ones. The only thing perpetuating the old games (i.e., the tripartite system of contests) is the fact that the majority of people consent to the rules. If alternative games begin to yield recognizable results (i.e., increased social justice and environmental sustainability), then they will begin to attract increasing numbers of people to them (i.e., the majority of people whose interests and values are not well served by the old game). If enough people stop playing by the old rules and start playing by new ones, the old games will come to an end not through protest but through attrition. The

alternative strategy, then, is one of construction, attraction, and attrition. This strategy, moreover, is entirely nonadversarial. It reconciles the means of social change with the ends of a peaceful and just social order.

At first glance this may sound like a naive retreat from the hard work that needs to be done to pursue social change, but the cultural game theory suggests exactly the opposite. Activists pursuing adversarial strategies of social change are consenting to play by the old rules that promote their own defeat. Such is the hegemony of the culture of contest. Even those who protest and fight for social change are, in effect, contained within its hegemonic boundaries. Yet contrary to "common sense" within the culture of contest, social change does not require defeating oppressors or taking on opponents through adversarial means, nor does it require attacking those who profit most from the old rules of engagement. Rather, it requires that we recognize the hegemonic nature of the old competitive and adversarial games, that we withdraw our time and energy from them, and that we invest that time and energy in the construction of new ones.

This recognition dissolves the paradox created by the culture of protest. Increasing numbers of people are beginning to recognize this intuitively. Consider the cooperative economics movement in all its manifestations. Throughout the planet, diverse people are recognizing that their values and interests often are served better by entering into various types of cooperative economic arrangements. Worker cooperatives and micro-credit cooperatives are emerging on the supply side of the economy in many parts of the world as many previously exploited artisans, craftspeople, small farmers, and others recognize their common interests in reducing third-person handling costs while increasing access to previously inaccessible credit, capital, and markets.[36] Likewise, consumer cooperatives are emerging on the demand side of the economy as growing numbers of consumers recognize their common interests in socially responsible volume purchasing.[37] Even within traditional capitalist enterprises, profit-sharing models are gaining prominence as owners begin to recognize their essential interdependence with workers.

This is not to suggest that the future economy will or should be modeled solely along the lines of all of these cooperative principles. As discussed above, market principles that reward hard work, innovation, and efficiency play an important role within a responsibly regulated economy. The examples above merely illustrate ways that we might diversify the economy by increasing cooperative activities and relationships within it. Most importantly, they illustrate that economic reform

can be pursued through nonadversarial means—or through a cultural games approach.

Of course, if the thesis of this article is correct, our primary challenge is not reforming the free market system but reforming our legal and political systems so that markets actually can be regulated in a more just and sustainable manner. It is not the free market, but its relationship within the larger tripartite system of contests, that is the primary problem.

Fortunately, nonadversarial approaches to social change also can be seen in the legal and political spheres. Consider, for instance, the alternative dispute resolution (ADR) movement. The emergence of ADR provides an excellent illustration of a nonadversarial approach to social change. ADR includes a variety of nonadversarial models for resolving many of the disputes that previously would have been addressed within the legal adversary system.[38]

More to the point, however, the success of ADR has not been achieved by "taking on" the legal adversary system or those whose interests it serves. Rather, many people simply are abandoning the legal adversary system and are experimenting with new models that are more consistent with their own values and interests. This includes not only disputants but also many lawyers and judges who are recognizing the excessive financial, emotional, and moral costs of the legal adversary system and its inappropriateness for many kinds of disputes.[39] ADR is literally a new game that is rising in the shadows of the old legal adversary system that has alienated large numbers of people.

Finally, even in the political sphere, experiments with nonpartisan electoral and decision-making models are beginning to emerge through nonadversarial strategies of social change. Granted, most of these examples are still below the radar of many political observers because nongovernmental organizations (NGO), rather than states, have taken the lead in this regard. Yet these emerging models constitute important sociopolitical experiments which we would do well to monitor and from which we could learn.

Consider, for instance, the experience of the Bahá'í International Community. As an NGO, the Bahá'í International Community currently has over six million members from over 2,000 ethnic backgrounds in every nation on the planet, representing a microcosm of the entire human race. The community governs its internal affairs through a system of democratically elected assemblies that have been established locally, nationally, and internationally in over 15,000 communities throughout

the planet.[40] Significantly, in many parts of the world, the first exercises in democratic activity have occurred within the Bahá'í community.

The Bahá'í electoral system is democratic, yet it is entirely non-partisan and noncompetitive. In brief, all adult community members are eligible for election, and every member has the reciprocal duty to serve if elected. At the same time, nominations, campaigning, and all forms of solicitation are prohibited. Voters thus are guided only by their own conscience as they exercise complete and real freedom of choice in voting for those they believe best embody the qualities of recognized ability, mature experience, and selfless service to others. Through a plurality count, the nine individuals who receive the most votes are called to serve as members of a decision-making assembly.[41] Because no one seeks election, elections are a call to service and a sacrifice rather than a pathway to power and privilege. Thus the process is shielded from the material corruptions to which competitive electoral systems are so susceptible.

All decision-making within these assemblies is, in turn, guided by consultative principles that make decision-making a unifying rather than a divisive process. Participants regard diversity as an asset and seek to inform themselves by soliciting the perspectives, concerns, interests, and expertise of all segments of the community. They also strive to transcend the limitations of their own egos and perspectives, to express themselves with care and moderation, to raise the context of decision-making to the level of principle, and to seek unanimous consensus but settle for a majority vote when necessary.[42]

Of most relevance to this discussion, however, is the manner in which Bahá'ís are implementing this system as part of a larger approach to social change. Bahá'ís believe that partisan models of governance have become anachronistic and problematic in an age of increasing global interdependence. Yet they do not protest or attack existing partisan systems. On the contrary, Bahá'ís express loyalty and obedience to whatever governmental systems within which they live, and they exercise their civic responsibilities to vote in those societies that afford the opportunity to do so. At the same time, Bahá'ís avoid active participation in partisan politics in order to focus their energy instead on the construction of an alternative system of democratic governance that they offer as a model which others can study. As the Bahá'í community grows in capacity and prominence, its electoral model indeed is attracting the attention of outside observers, such as the United Nations, which has recognized it as a system that nation states might adapt or emulate.[43]

The experience of the cooperative economics movement, the alternative dispute resolution movement, and NGOs like the Bahá'í International Community provide numerous examples of nonadversarial approaches to social change. Moreover, experiences such as these provide naturally occurring experiments that will allow us, over time, to test the efficacy of the cultural games theory of social change, with its strategies of construction, attraction, and attrition.

CONCLUSION

If contest models of social organization in their current tripartite arrangement are unjust and unsustainable and if adversarial strategies of social change have reached a point of diminishing returns, then advocates for social justice and environmental sustainability need to employ new strategies of social change in order to construct new models of social organization. If the preceding analysis is correct, nonadversarial strategies of construction, attraction, and attrition may be the only way to arrive at a peaceful, just, and sustainable social order.

Fortunately, this cultural games hypothesis can be tested. In fact, it already is being tested, consciously or unconsciously, by increasing numbers of people participating in diverse social experiments such as those referred to above. In the spirit of scientific inquiry, we would do well to encourage, observe, and even participate in these experiments in order to learn from them.

NOTES

1. Refer to discussions in Joseph Schumpeter, *Capitalism, Socialism and Democracy* (New York: Harper, 1976); and Anthony Downs, *An Economic Theory of Democracy* (New York: Harper and Row, 1965).

2. Vaughan Lyon, "Green Politics: Parties, Elections, and Environmental Policy," in *Canadian Environmental Policy: Ecosystems, Politics, and Process*, ed. Robert Boardman (Toronto: Oxford University Press, 1992), 129.

3. Refer to discussions in Anne Strick, *Injustice for All* (New York: Barricade Books, 1996), chapter 11. See also Marc Franklin, *Biography of a Legal Dispute* (Mineola, NY: Foundation Press, 1968), 94; and Cound, Friedenthal, and Miller, *Civil Procedure, Cases on Pleading and Procedure* (St Paul, MN: West Publishing, 1968), 2.

4. Refer to discussions in Richard Sparkman, *Failed Justice* (Naples, FL: Easterly Publishing, 1998); Carrie Menkel-Meadow, "The Transformation of

Disputes by Lawyers: What the Dispute Paradigm Does and Does Not Tell Us," *Journal of Dispute Resolution* 25 (1985), 25–44; A. Kenneth Pye, "The Role of Counsel in the Suppression of Truth," *Duke Law Journal* 4 (1978), 921–60; and Philip Shuchman, "The Question of Lawyers' Deceit," *Connecticut Bar Journal* (1979), 101–31.

5. As Friedman wrote in his classic text on legal ethics, lawyers have "a professional obligation to place obstacles in the path of truth" on behalf of their clients. Dean Freedman, *Lawyers' Ethics in an Adversary System* (Indianapolis, IN: Bobbs-Merrill, 1975), 3. A more expansive articulation of the principle of zealous advocacy can be found in Alan Dershowitz, *The Best Defense* (New York: Random House, 1982).

6. Refer to discussions in Marc Galanter, "Why the 'Haves' Come Out Ahead: Speculations on the Limits of Legal Change," *Law and Society Review* 95 (1974) 95–160; Nathan Aaseng, *The O.J. Simpson Trial: What It Shows Us about Our Legal System* (New York: Walker, 1996); Stephen Saltzburg, "Lawyers, Clients, and the Adversary System," *Mercer Law Review* 37 (1986), 674–99; Christopher Smith, *Courts and the Poor* (Chicago, IL: Nelson-Hall, 1991); and John Curtin, *Class Justice: Essays on the Political Economy of American Criminal Jurisprudence* (Dubuque, IA: Kendall/Hunt, 1996).

7. Strick, *Injustice for All*, 16–17.

8. Some would argue that even recreational competition is inherently problematic. Refer, for instance, to Alfie Kohn, *No Contest: The Case against Competition* (Boston, MA: Houghton Mifflin, 1992), for a thought-provoking discussion of the ways that recreational competition may be socially and psychologically harmful.

9. Even Adam Smith, one of the founding fathers of capitalist economic theory, recognized the need for this kind of internal moral regulation. Indeed, Smith was a moral philosopher before turning his attention to economic theory. For an overview of Smith's moral and economic theories, refer to Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations*, 2 vols., vol. 2 (London: J.M. Dent, 1910); and Smith, *The Theory of Moral Sentiments* (Oxford: Clarendon Press, 1976).

10. Many contemporary social theorists have commented on the erosion of cooperative or communal civic values and the spread of competitive individualism and narcissism throughout Western-liberal societies. Refer, for instance, to Robert N. Bellah et al., *Habits of the Heart: Individualism and Commitment in American Life* (New York: HarperCollins, 1985); Amitai Etzioni, *The New Golden Rule: Community and Morality in a Democratic Society* (London: Profile, 1997).

11. Refer to data and discussions in Frank Ackerman, *The Political Economy of Inequality* (Washington, D.C.: Island Press, 2000); Isaac Shapiro and Robert

Greenstein, *The Widening Income Gulf* (Washington, D.C.: Center on Budget and Policy Priorities, 1999); Albert Fishlow and Karen Parker, *Growing Apart: The Causes and Consequences of Global Wage Inequality* (New York: Council on Foreign Relations Press, 1999); and Stephen Haseler, *The Super Rich: The Unjust New World of Global Capitalism* (New York: St. Martin's Press, 1999).

12. For a concise overview of the problem of externalities, refer to James A. Caporaso and David P. Levine, *Theories of Political Economy* (Cambridge: Cambridge University Press, 1992), 89–92.

13. For an overview of the concept of ecological capital or ecocapital, refer to Paul Ekins, *Green Economics* (London: Gaia Books, 1992), 86–103.

14. Refer, for instance, to proposals in Henk Folmer, ed., *Frontiers of Environmental Economics* (Cheltenham, UK: Edward Elgar, 2001); Thomas Aronsson and Karl-Gustaf Löfgren, *Green Accounting and Green Taxes in the Global Economy* (Umeå: University of Umeå, 1997); and Robert Repetto, *Green Fees: How a Tax Shift Can Work for the Environment and the Economy* (Washington, D.C.: World Resources Institute, 1992).

15. Refer to discussions in the World Commission on Environment and Development, *Our Common Future* (Oxford: Oxford University Press, 1987).

16. For a discussion of "the curse of oversimplification" that characterizes partisan politics, refer to Jean Blondel, *Political Parties: A Genuine Case for Discontent?* (London: Wildwood House, 1978), 19–21.

17. "Environmental Racism" and related forms of discriminatory environmental policy and practice are well-documented phenomena. Refer, for instance, to Michael Heiman, *Race, Waste, and Class* (Oxford: Blackwell, 1996); Joan Nordquist, *Environmental Racism and the Environmental Justice Movement: A Bibliography* (Santa Cruz, CA: Reference and Research Services, 1995); Jonathan Petrikin, *Environmental Justice* (San Diego, CA: Greenhaven Press, 1995); and Robert Bullard, ed., *Confronting Environmental Racism: Voices from the Grassroots* (Boston, MA: South End Press, 1993).

18. Refer, for example, to discussions in Alice Kehoe, "Conflict Is a Western Worldview," in *The Anthropology of Peace*, ed. Vivian Rohrl, M. Nicholson, and Mario Zamora (Williamsburg, VA: Studies in Third World Societies, 1992), 55–66; Walter Ong, *Fighting for Life: Contest, Sexuality, and Consciousness* (Ithaca, NY: Cornell University Press, 1981); and Deborah Tannen, *The Argument Culture: Moving from Debate to Dialogue* (New York: Random House, 1998).

19. Steven Rose, R. C. Lewontin, and Leon Kamin, *Not in Our Genes: Biology, Ideology, and Human Nature* (New York: Penguin, 1987), 5. For a more detailed examination of Hobbes's views on human nature, refer also to A. Ryan, "The Nature of Human Nature in Hobbes and Rousseau," in *The Limits of Human Nature*, ed. Jonathan Benthall (London: Allen Lane, 1973), 235–74.

20. Refer, for instance, to Konrad Lorenz, *On Aggression* (London: Maltheun, 1966); Desmond Morris, *The Naked Ape* (New York: McGraw Hill, 1968); Robert Ardrey, *The Territorial Imperative* (New York: Athenaeum, 1966); Anthony Storr, *Human Aggression* (Harmondsworth, England: Penguin Books, 1968); Melvin Konner, *The Tangled Wing: Biological Constraints on the Human Spirit* (Harmondsworth, England: Penguin Books, 1984); Lionel Tiger and Robin Fox, *The Imperial Animal* (London: Secker & Warburg, 1971); and Irenäus Eibl-Eibesfeldt, *The Biology of Peace and War* (New York: Viking Press, 1979).

21. Refer, for instance, to Rose et al., *Not in Our Genes*; R. C. Lewontin, *Biology as Ideology: The Doctrine of DNA* (New York: HarperCollins, 1991); Jane Mansbridge, ed., *Beyond Self-Interest* (Chicago, IL: University of Chicago Press, 1990); Birgit Brocke-Utne, *Feminist Perspectives on Peace and Peace Education* (New York: Pergamon Press, 1989); Marc Howard Ross, *The Culture of Conflict: Interpretations and Interests in Comparative Perspective* (New Haven, CT: Yale University Press, 1993); Albert Bandura, *Aggression: A Social Learning Analysis* (Englewood Cliffs, NJ: Prentice Hall, 1973); Ashley Montagu, *The Nature of Human Aggression* (New York: Oxford University Press, 1976); Montagu, ed., *Learning Non-Aggression* (Oxford: Oxford University Press, 1978); Alfie Kohn, *The Brighter Side of Human Nature: Altruism and Empathy in Everyday Life* (New York: Basic Books, 1990); and Vernon Hershel Mark and Frank Ervin, *Violence and the Brain* (San Francisco, CA: Harper and Row, 1970).

22. Signe Howell and Roy Willis, "Introduction," in *Societies at Peace: Anthropological Perspectives*, ed. Signe Howell and Roy Willis (London: Routledge, 1989), 1–2. Richard Leakey and Roger Lewin echo these conclusions in their statement that "throughout our recent evolutionary history, particularly since the rise of a hunting way of life, there must have been extreme selective pressures in favour of our ability to cooperate as a group…. The degree of selective pressure towards cooperation, group awareness, and identification was so strong, and the period over which it operated was so extended, that it can hardly fail to have become embedded to some measure in our genetic makeup." Richard Leakey and Roger Lewin, *Origins: What New Discoveries Reveal about the Emergence of Our Species* (London: MacDonald & Jane's, 1977), 209. For similar assertions, refer also to Patrick Bateson, "Co-Operation," *Cambridge Review* 150, no. 2 (1985), 150–52; and Michael Carrithers, "Sociality, Not Aggression, Is the Key Human Trait," in *Societies at Peace: Anthropological Perspectives*, ed. Howell and Willis (London: Routledge, 1989), 187–209.

23. For an excellent statement of this conclusion, refer to the "Statement on Violence, Seville, May 16, 1986," *Medicine and War* 3 (1987), 191–93—a joint statement of 20 social and biological scientists from around the world,

gathered during the United Nations' International Year of Peace to explore, among other things, the relationship among peace, war, and human nature.

24. Refer, for example, to Gary Becker, "Altruism, Egoism, and Genetic Fitness: Economics and Sociobiology," *Journal of Economic Literature* 14:3 (1976), 817–26; David Collard, *Altruism and Economy* (Oxford: Martin Robinson, 1978); Peter Hammond, "Charity, Altruism, or Cooperative Egoism?," in *Altruism, Morality, and Economic Theory*, ed. Edmund Phelps (New York: Russell Sage Foundation, 1975), 115–31; Heinz Hollander, "A Social Exchange Approach to Voluntary Cooperation," *American Economic Review* 80:5 (1990), 1157–67; Howard Margolis, *Selfishness, Altruism, and Rationality* (Cambridge: Cambridge University Press, 1982); Robert Sugden, "On the Economics of Philanthropy," *Economic Journal* 92 (June 1982), 341–50; Stefano Zamagni, ed., *The Economics of Altruism* (Aldershot, England: Edward Elgar Publishing, 1995); and Teresa Lunati, "On Altruism and Cooperation," *Methodus* 4 (December 1992), 69–75.

25. Refer, for example, to George Akerlof, "Loyalty Filters," *American Economic Review* 73, no. 1 (1983), 54–63; Robert Frank, *Passions within Reason* (New York: W. W. Norton, 1988).

26. Refer, for example, to Robert Axelrod, *The Evolution of Cooperation* (New York: Basic Books, 1984); Theodore Bergstrom and Oded Stark, "How Altruism Can Prevail in an Evolutionary Environment," *American Economic Review, Papers, and Proceedings* 83, no. 2 (1993), 149–55; Becker, "Genetic Fitness;" Paul Samuelson, "Altruism as a Problem Involving Group versus Individual Selection in Economics and Biology," *American Economic Review, Papers, and Proceedings* 83, no. 2 (1993), 143–58; John Casti, "Cooperation: The Ghost in the Machinery of Evolution," in *Cooperation and Conflict in General Evolutionary Processes*, ed. John Casti and Anders Karlqvist (New York: John Wiley and Sons, 1994), 63–68; and Herbert Simon, "A Mechanism for Social Selection and Successful Altruism," *Science* 250 (December 1990), 1665–68.

27. For an excellent overview of these studies, refer to Robert Frank, Thomas Gilovich, and Dennis Regan, "Does Studying Economics Inhibit Cooperation?," *Journal of Economic Perspectives* 7:2 (Spring 1993), 159–71. In standard ultimatum bargaining scenarios, economists tend to be less successful than noneconomists because the latter place a higher value on mutualism and cooperation, which tends to be a more successful strategy. Refer, for example, to Ralph Lattimore, " 'Is It Rational to Be Rational?' The Case of Economists," *Economic Notes* 21:3 (1992), 395–417.

28. Zamagni, ed., *The Economics of Altruism*, xxi. For a parallel discussion, see also Phillippe Rushton, "Altruism and Society: A Social Learning Perspective," *Ethics* 92, no. 3 (1982), 425–46.

29. Cultivation theory suggests that repeated exposure to a consistent and pervasive set of messages incrementally can influence human perceptions and behavior in a collective and cumulative manner. In other words, cultures are cultivated in part through the "stories" we tend to tell about ourselves. Cultivation theory also suggests that processes of cultivation reinforce existing cultural perceptions and behaviors once established. Despite the obvious difficulty of empirically verifying these claims, cultivation analysis has yielded impressive support for both of these hypotheses. For an excellent overview of cultivation theory, methodology, and findings, refer to the edited collection of articles on this theme in Michael Morgan and Nancy Signorielli, "Cultivation Analysis: Conceptualization and Methodology," in *Cultivation Analysis: New Directions in Research*, ed. Signorielli and Morgan (Beverly Hills, CA: Sage, 1990), 13–34.

30. Antonio Gramsci, *Selections from the Prison Notebooks of Antonio Gramsci*, translated by Louis Marks (New York: International Publishers, 1971).

31. For an overview of the arguments put forth by women who opposed women's suffrage, refer to Robert Cholmeley, *The Women's Anti-Suffrage Movement* (London: National Union of Women's Suffrage Societies, 1970); and Jane Adams, " 'Better Citizens without the Ballot': American Anti-Suffrage Women and Their Rationale during the Progressive Era," in *One Woman, One Vote: Rediscovering the Woman Suffrage Movement*, ed. Marjorie Wheeler (Troutledge, OR: NewSage Press, 1995), 203–20.

32. Refer, for instance, to the concept of elective affinity articulated in Max Weber, *From Max Weber: Essays in Sociology*, trans. H. H. Girth and C. Wright Mills (Oxford: Oxford University Press, 1946), 62–63, 284–85; and Wallace Clement, *The Canadian Corporate Elite: An Analysis of Economic Power* (Ottawa: McClelland and Stewart, 1975), 92, 283–84.

33. Refer, for example, to Lester Brown, Christopher Flavin, and Hilary French, eds., *State of the World 2000: A Worldwatch Institute Report on Progress toward a Sustainable Society* (New York: W.W. Norton, 2000).

34. Reflecting on more than three decades of experience as a leading activist and scholar of the New Left, Todd Gitlin has written extensively on this phenomenon. Refer to Todd Gitlin, "After the Failed Faiths: Beyond Individualism, Marxism, and Multi-Culturalism," *World Policy Journal* 21, no. 1 (1995), 61–68; Gitlin, "The Rise of Identity Politics: An Examination and a Critique," *Dissent* 40, no. 2 (1993), 179–77; and Gitlin, *The Twilight of Common Dreams: Why America Is Wracked by Culture Wars* (New York: Metropolitan Books, 1995).

35. Refer, for example, to Ludwick Wittgenstein, *Philosophical Investigations*, translated by G. Anscombe (Oxford: Basil Blackwell, 1974); Raymond Cohen, *International Politics: The Rules of the Game* (London: Longman, 1981); and Joan S. Ganz, *Rules: A Systematic Study* (Paris: Mouton, 1971).

36. Refer, for example, to Kimberly M. Grimes and B. Lynne Milgram, eds., *Artisans and Cooperatives: Developing Alternative Trade for the Global Economy* (Tucson: University of Arizona Press, 2000); Christopher D. Merrett and Norman Walzer, *Bibliography of Cooperatives and Cooperative Development* (Macomb, IL: Illinois Institute for Rural Affairs, 1999); and the United Nations, *The Role of Microcredit in the Fight against Poverty* (New York: United Nations, 1998).

37. Refer, for example to Malcolm Harper and A. K. Roy, *Co-Operative Success: What Makes Group Enterprise Succeed* (New Delhi: Oxford & IBH Pub. Co., 2000); and E. G. Nadeau and David J. Thompson, *Cooperation Works!: How People Are Using Cooperative Action to Rebuild Communities and Revitalize the Economy* (Rochester, MN: Lone Oak Press, 1996).

38. For examples, refer to Robert A. Baruch Bush and Joseph P. Folger, *The Promise of Mediation: Responding to Conflict through Empowerment and Recognition* (San Francisco, CA: Jossey-Bass Publishers, 1994); Susan Carpenter, "Dealing with Environmental and Other Complex Public Disputes," in *Community Mediation: A Handbook for Practitioners and Researchers* ed. Karen Duffy James Grosch, and Paul Olczak (New York: Guilford Press, 1991), 313–26; Deborah Kolb and Jeffrey Rubin, "Mediation through a Disciplinary Kaleidoscope: A Summary of Empirical Research Findings," *Dispute Resolution Forum* (October 1989), 3–8; and Carrie Menkel-Meadow, "The Many Ways of Mediation: The Transformation of Traditions, Ideologies, Paradigms, and Practices," *Negotiation Journal* 11, no. 3 (1995), 217–42.

39. Refer, for example, to Marc Galanter, "A Settlement Judge, Not a Trial Judge: Judicial Mediation in the United States," *Journal of Law and Society* 12 (1985), 1–18; Menkel-Meadow, "The Trouble with the Adversary System in a Postmodern, Multicultural World," *William and Mary Law Review* 38, no. 1 (1996), 5–44; and Strick, *Injustice for All*.

40. Bahá'í World Centre, *The Bahá'í World 1996–97: An International Record* (Haifa, Israel: Bahá'í World Centre, 1998).

41. For further details regarding Bahá'í electoral principles and practices, refer to the Universal House of Justice, ed., *Bahá'í Elections: A Compilation* (London: Bahá'í Publishing Trust, 1990).

42. For further details regarding Bahá'í consultative principles and practices, refer to the Universal House of Justice, ed., *Consultation: A Compilation* (Wilmette, IL: Bahá'í Publishing Trust, 1980).

43. United Nations Institute for Namibia, "Comparative Electoral Systems & Political Consequences: Options for Namibia," ed. N. K. Duggal, *Namibia Studies Series No. 14* (Lusaka, Zambia: United Nations, 1989), 6–7.