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To cite this article: Wolf Heydebrand (1977) Organizational Contradictions in Public Bureaucracies: Toward a Marxian Theory of Organizations, The Sociological Quarterly, 18:1, 83-107, DOI: 10.1111/j.1533-8525.1977.tb02163.x

To link to this article: https://doi.org/10.1111/j.1533-8525.1977.tb02163.x

Published online: 15 Dec 2016.

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Organizational Contradictions in Public Bureaucracies: Toward a Marxian Theory of Organizations*

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An alternative approach to organizational theory is outlined, based on Marxian categories and propositions. The concepts of "productive forces" and "social relations of production" are specified in terms of various organizational phenomena such as organizing activity vs. organization; historical contradictions between organizational control structures and new forms of organizing work activity (e.g., occupational and professional status groups vs. administrative rationalization and bureaucratization; bureaucratic and technocratic administration vs. self-organization of labor and workers' control); the contradictions between such organizational dimensions as labor-power and its manifestations in terms of skills and knowledge, the object of labor (complexity of task structure), the means of labor (technology), the division of labor, the control of labor (cost-accounting and hierarchical authority relations), and the organization of labor (e.g., either in terms of occupations and professions or unions, corporate management, state bureaucracies, or self-organization and workers' control). Organizational contradictions between functional as well as historical phases of the work process are described for work organizations, in general, and for public service bureaucracies and courts of law, in particular. For example, administrative and technical innovations designed to increase productivity tend to come into contradiction with strategies of established authority structures (e.g., of the professional judicial elite) designed to expand domain, thus impeding or nullifying various organizational reform efforts. The paper concludes with a more general discussion of Marxian method.

Organizational theory, like other theories in the social sciences, has been dominated by powerful ideological forces which, taken together, have more or less successfully reproduced and legitimized the structure of capitalist society. Organizational theory is thus a historical product, reflecting and reconstructing—like all products of mental labor—more or less adequately its own practical environment. In sociology, the history of organization theory, from Taylor to Likert, from Weber to Parsons, is well documented and need not be recounted here. Economics and politics, business and public administration have their own histories of organizational theory, but substantively they differ only in academic details from that in sociology.

The purpose of this paper is to outline the beginnings of an alternative theory of organizations, based on Marxian categories and propositions. The usual procedure for developing theoretical alternatives is to begin by criticizing existing theories, to point out the issues the latter treat as marginal or non-problematic, and to emphasize the phenomena and relationships they do not or cannot explain as compared to the alternatives. In addition, one might consider spelling out the criteria for adequate theorizing, be it conceived as causal explanation, emergent interpretation, or some form of theoretical praxis. I would like to skip these...

*This is a revised version of a paper presented at the Annual Meetings of the American Sociological Association, San Francisco, August 25, 1975. For helpful comments on earlier drafts of this paper, I am grateful to Isaac Balbus, Kenneth Benson, Eliot Freidson, Irwin Goffman, David Greenberg, Edward Lehman, Andrew Rollings, Sarah Rosenfield, and Carroll Seron.
important stages for purposes of this paper, partly because there is already a
growing critical literature (Braverman, 1974; Cohen, 1972; Merkle, 1968; Whyte,
1973; Goldman, 1973; Karpik, 1972a; Perrow, 1972; Benson, 1973a, 1973b;
Lukacs, 1968; Gintis, 1973; Lefort, 1974; Baptista, 1974; Wright, 1974). More
importantly, however, there is now a need—and the possibility—of doing a
Marxian analysis of organizations.

Needless to say, a discussion of Marxian concepts is either absent in
organizational textbooks, or badly distorted, or focusing only on Marxian or
neo-Marxian theories of the state (e.g., Mouzelis, 1968). Important as it is, a merely
critical posture has certain limitations and pitfalls. For example, the negation of
mainstream theory or orthodox methodology may serve as common ground for a
variety of unorthodox, deviant, or critical positions. But negation is only one aspect
of a larger process of posing, counterposing, and resolving problems—that is,
transcending and superseding contradictions. In the language of dialectics,
negation is but one moment within praxis. Thus, while we are negating certain rigid,
reified methodological procedures, we also need to move toward transcending them
and our own counter-position. Concretely, this means that we will not make
theoretical and methodological progress if we merely counterpose new methods to
old ones, hermeneutics against causal-explanatory empiricism, interpretation
against the technical-rational mode of scientific method, detached analysis against
evaluation, intervention, and social action. We may have a chance of developing a
broader methodological praxis if we retain the interpretive mode together with the
"objectifying" scientific mode as natural phases of the process of inquiry—that is,
if we develop a method that becomes practical in the sense that it changes the object
of inquiry or, at least, indicates how the object can be changed. Praxis does not
replace interpretation, but includes it.

In this paper, I will begin by presenting a few basic categories and propositions
of Marxian analysis. I will then develop these ideas for increasingly concrete
examples of organizations, viz. work organizations, public bureaucracies, and
specifically, courts of law. In the conclusion, I will try to tie this analysis back to
some more general questions of Marxian method.

Some Basic Categories and Propositions
The fundamental starting point of this analysis is the Marxian distinction between
human activity as an ongoing historical process and the outcome or product of that
activity (Marx, 1904, 1967, 1973). Human practical activity—or praxis—is always
historically situated and can be defined in both individual and collective terms—
that is, it may refer to the conscious practical activity of an individual person or to
the ideologically and politically articulated organizing activities of groups, classes,
or communities. This conception of praxis is to be distinguished from related
meanings in philosophical pragmatism where inquiry and action are seen as part of a
continuous process, but in a non-critical and ahistorical form (Bernstein, 1971;
Novack, 1975).

In very general terms, the Marxian notion of praxis includes the following basic
processes which can take the form of collective organizing activity: producing the
means of subsistence (i.e., work and material production), producing language and
the means of communication and interaction (i.e., symbolic production, conscious-
ness as process), engaging in creative and innovative activity (material and

symbolic, including artistic activity), reproducing human existence through biological, social, and ideological reproduction processes, and developing and expressing needs, including the creation of "new needs."

The sum total of outcomes or products of human practical activity—that is, the man-made material, social, and cultural world surrounding us and internalized in us—is assumed to have objective historical existence.

Two somewhat different types of outcomes must be distinguished: outcomes can be products, constructs, or artifacts, and they can also be activities themselves (i.e., ways of doing things, procedures, methods, techniques). The distinction becomes important when we see that activities, in the form of established methods or procedures, can be totally mechanical. A machine or a routine procedure thus embodies previous activity and may produce an outcome of its own, but the activity of a machine is clearly different from human practical activity.

In general, we can say that the notion of outcomes—whether as product or method—includes the resources and conditions of material life, the concrete historical forms of social relations, social organization, and social control, and the forms of knowledge, art, technology, consciousness as product (ideas, language), history, and ideology (the intentional, activist reproduction and construction of the world by means of language).

Marx' famous proposition that social existence determines consciousness can therefore be extended to read: human social life includes consciousness, just as the notion of 'praxis' includes conscious activity. The postulated opposition (or unity) between theory and praxis is a dualistic, non-dialectical construct.

It should also be stressed in this connection that language, as the vehicle of consciousness, plays a double role in the activity-outcome process. Language limits and guides behavior due to its crucial function in socialization and institutionalization. Language preserves and transmits traditional and established forms of social control, organization, and method, and therefore it permits specific historical actors such as church, state, commodity production to mystify reality and to conceive of things and relations as symbols, myths, and fetishes, and vice versa. But language is also one of the most creative, innovative, demystifying and liberative aspects of human practical activity. It is for this reason that language plays such an important role both in the development, communication, and diffusion of ideologies of the 'status quo' and in revolutionary imagery.

For those who have some difficulty with the concepts of dialectics, contradiction and praxis, it is of crucial importance to understand that all of these examples of activity and outcome have one element in common: they refer to historically mediated processes rather than formal logical categories. This means that activity and outcome are not synchronic or simultaneous events, nor that they are immediately or mechanically related, nor that they are simple dualistic or logical opposites. Rather, outcomes may be seen as more or less incomplete, more or less imperfect historical objectifications of conscious, practical activity.

The unity of the real-life process binding activity and outcome together in a specific social and historical context can be seen as the 'totality' within which the process occurs, within which it can be understood, and from which it can be explained. To the extent that objective historical outcomes of previous activity tend to come into contradiction with the ongoing practical activity of social groups, this unity or socio-historical totality is time and again being transformed and transcended.
There is a tendency to confuse the idea of logical contradiction (e.g., A equals non-A) or of conflict between dualistic opposites (good and evil, freedom and necessity, individual and society) with the notion of historically evolving and mediated contradictions between activity and outcome. This confusion between dualism and dialectics is probably the single most prolific source of misunderstanding and distortion of Marxian dialectics.

It is therefore crucial (and not just a matter of semantics) to maintain a theoretical distinction between the notions of conflict between logical, moral, or metaphysical opposites and the historical tendency toward contradiction between two temporally and structurally separate aspects of a unitary process: the contradiction between activity and outcome. Purely logical, positivist, moral-utopian, or ahistorical interpretations of Marxian ideas tend to miss this point. Such interpretations tend to focus, instead, either on the metaphysical “activity” of Hegelian dialectics, or on the abstract “conflict” between human nature and social order or freedom and necessity, or on the objectified historical outcomes of social and political activity (see, e.g., Popper, 1945, 1963; Tucker, 1967).

These remarks are not meant to deprecate the usefulness of the concept of conflict between two structures or interests as a descriptive or analytic category. They are merely to point to the limitations of “conflict” as an a priori category of social interaction and of culture (as, e.g., in Simmel’s unchangeable, hence tragic conflict between “more-life” and “more-than-life”, cf. Simmel, 1968; 1955), as a metaphysical principle of the human condition (Hobbes, 1962), or as a concept which is seen as essentially equivalent to the notions of historical or structural contradiction (Althusser, 1970; Godelier, 1973).

The historical character of the processes mediating between activity and outcome is particularly salient in the formation and transformation of organizations. Organizations are concrete social structures formally established for the purpose of achieving specific objectives. As such, organizations can be seen as objective historical outcomes of practical collective activity, especially activity organized around the production of material life and the reproduction of social life.

Because the concepts of production and reproduction of the human mode of life are so fundamental from the point of view of survival, mastery over nature, and the direction of human history, these concepts assume special importance in Marx’ analysis of the historical development of human societies. Thus, from among the elements of the human mode of life, Marx singles out especially the mode of production, arguing that the forces of production continuously create certain objective outcomes, viz. the accumulated social product and the social relations of production. While the accumulation of the social product is a central category for the general analysis of capitalist development, it is the concepts of production and reproduction of the social relations of capitalism which are particularly important for understanding the organization of work and, hence, the structure of work organizations. From this perspective, the historical formation of the forces and relations of production is merely a special case of the fundamental process of ongoing human practical activity which, in the course of human history, is confronted not only with nature, but increasingly with its own products. The special application of this contradiction between forces and relations of production to the development of industrial capitalism is well known and constitutes the central contribution of Marxian social theory.
Since the concept of "forces of production" is still fairly abstract, let me specify it further in terms of its more concrete social and historical forms. The central core of the notion of productive forces is, of course, human labor-power—that is physical and mental labor and its extensions in terms of skills, the use of rational practices as well as science and research. In addition, productive forces refer to the use of tools, instruments and machines, and generally, the development of technical innovations and new forms of energy. Finally, the concept includes the productive self-activity of social groups and organizations, both in the sense of developing new forms of cooperation, new ways of structuring and organizing collective activity, and in the sense of creating new social needs. Historically, this may mean, for example, the development of rational forms of work organization and administration as against the control structures of traditional elites such as feudal aristocracies and crafts or professional guilds (Marx, 1967, 1973; Weber, 1966), or the development of self-management and workers' control as against current bureaucratic, oligarchic, or technocratic power structures (Gramsci, 1971; Gorz, 1964, 1970, 1973; Korsch, 1938; Adizes and Borgese, 1975; Bettelheim, 1974).

Similarly, the concept of "social relations of production" can be specified in terms of conditions and forms of ownership and control of the means of production as well as the means of administration, political control, and violence; the forms of exchange, circulation, distribution, and consumption of the social product; the forms of the division and control of labor, including especially the authority relations associated with these forms; established production and control processes, including established technologies and cybernetic control systems; and institutionalized social relations—that is, the whole spectrum of normatively and ideologically guided forms of social action and interaction, including, of course, law and state.

Given the fact that Marx developed these ideas with reference to macro-social structures and the historical transformation of whole political economies, how relevant and useful are they for the analysis of organizations? Let me begin to respond to this not wholly rhetorical question by specifying the notion of "organizational contradiction."

**Organization vs. Organizing Activity**

It is not difficult to conceive of an "organization"—an established structure—as the outcome of organizing activity. This outcome is not so much an accumulated material product or commodity as it is a social structure, a set of established social relations. As before, this distinction draws attention to "social relations" as a special type of outcome of collective activity, even though social relations, just as organizational structures, are basically dependent on the production and accumulation of material resources. Given the articulation of the activity-outcome process in terms of the two phases of organizational development, namely organizing activity vs. organizational structure as outcome, why should these phases come into contradiction with each other?

In Marxian theory it is assumed that productive forces change and grow continuously because of their roots in human practical activity, and that they can be arrested and blocked only temporarily. It is the resistance of established social relations to adaptation to the ever-changing forces of production which creates the dynamic of social and organizational contradictions. Organizing activity does not cease just because the organization has become established. However, it is possible
to suspend or suppress such activity, whether in the context of self-organization of labor such as union organizing, or in the context of ongoing revolutionary activity within, or against, the revolutionary political state. The general Marxian notion of this process is that the greater the economic and political investment in the established relations of production (i.e., in the organizational apparatus) and the greater the separation of the control structure from the collectivity of producers, the greater the likelihood of a radical transformation of the established social relations. However, it is not the abstract notion of opposition or conflict between two forces, but the developing contradiction between activity and outcome which distinguishes the Marxian dialectic from the dualistic framework of "conflict theory" (Michels, 1966; Dahrendorf, 1959; Crozier, 1964; Collins, 1975). While both the forces and the relations of production can be seen as "opposite" or "conflicting" aspects of the mode of production, the crucial element in a Marxian dialectical conception is that historical activities produce historical outcomes. Specifically, the ongoing practical activity creates and establishes social relations which, as objectified and—under certain historical conditions—alienated outcomes, tend in time to come under pressure to adapt to the ever-changing forces of production. Thus, social relations and structures tend to come into contradiction with the very forces that created them as the result of specific historical processes, not as a matter of principle. In other words, the idea of a \textit{tendency} toward the development of contradictions and their resolutions implies a more or less specifiable \textit{probability} for such developments to occur, \textit{not} their necessity or inevitability.

Similarly, once organizations have developed into established social structures, they tend to come into contradiction with the organizing forces of human labor and human collective self-activity. These organizing forces include all those elements that gave rise to the organization in the past and that continue to transform the organization in the present. For example, such forces include the movement-aspects of organizations (Zald and Ash, 1966) or the promise of spontaneous and liberative collective activity and yet unfulfilled goals. They also include the utopian or reactionary expectations of an ideal future society which animate the political thrust of occupational and professional status groups such as syndicates, unions and professional associations. Organizing forces are activated by groups demanding greater autonomy or insisting on some degree of reform within the established political context. Lastly, organizational forces of production that continue to develop within organizations include modernizing and rationalizing elites capable of mobilizing resources against the established technique and hegemony of traditional elites. Cases in point include: the ascendancy of modern bureaucratic administrations in growing corporate enterprises and nation-states (Weber, 1966); the dominance of monopolistic transnational corporate elites over their counterparts in the competitive sector (O'Connor, 1973); the professional and corporate resistance to certain technical innovations and their application (Stern, 1959); and the controversial cost-benefit orientation of "modernizing" administrators in professional service organizations such as hospitals, schools, and universities, and in public bureaucracies such as government agencies and courts.

Organizations are not necessarily unitary entities, holistic "actors", or integrated systems, but rather sites of various developing contradictions. This means that "primary" and "secondary," "antagonistic" and "non-antagonistic" contradictions may develop between the different phases or structures of the same reality (Mao Tse-Tung, 1968; Lenin, 1915). For example, contradictions may
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develop between different levels of organizational hierarchies even though those "in authority", such as doctors in hospitals, judges in courts, or university faculties may find themselves on the defensive against the demands and encroachment of managers and administrators who, in turn, may reel under the impact of output and productivity quotas set at still higher levels of the system. O'Connor's (1973) analysis of the "fiscal crisis of the state" shows the capitalist state apparatus and its administrative structures to be as necessary for the realization of surplus-value as it is contradictory to the general character of private capitalist appropriation and accumulation. Yet, contradictions need not always lead to radical transformation of the established bureaucracy, but may simply appear in the form of a political "crisis" or "legitimation crisis" (Habermas, 1975; Offe, 1973). As such, these crises can be seen as surface manifestations of deeper structural contradictions. Their diagnosis as historically relatively new types of crises should, however, not lead contemporary observers to the too facile interpretation that state and politics are phenomena sui generis and autonomous, or that the class struggle has been "displaced . . . from the sphere of direct production to the sphere of administration" (O'Connor, 1970:581). Organizational contradictions may express themselves in crises where established control structures (e.g., professional authority structures) fail to respond adequately to the requirements of increased productivity, or where the autonomy of the whole organization is threatened by the crisis-triggered responses and adaptations of the larger system. Examples include the potential absorption of professionals by bureaucracies, the legislative and judicial branches of government by the executive, or the state and the "public interest" by a private economic system. Crises such as recessions, shortages or credibility gaps are probably most parsimoniously treated as surface phenomena which indicate the presence of contradictions and struggles. Frequently, the short-term solutions resulting from such crises may only deepen the more basic, underlying contradictions (Mattick, 1969).

The implications of what has been said so far are:

1. Organizations, like other social structures, must be studied in terms of the historical processes that gave rise to them so that the potential contradictions between established organization and the organizing processes become visible;
2. The viability of social structure should be measured not so much in terms of the duration, temporal stability, and growth or size of its sub-units such as organizations, but in terms of the rate at which they are generated and the rate at which new forms are emerging or old forms are disappearing (e.g., the high rate at which communes and collectives are born as compared to their relatively short duration; or new small business entries in the competitive sector vs. their bankruptcy rates);
3. Treating organizations as integral "actors" or "in action" is an abstraction which hides the specific constellation of groups and actors within organizations and mystifies the specific interests which different groups and actors have in the shape and output of organizations. The separate political, economic, and social contradictions in organizations can serve as a guide to the basic class contradictions—that is, the identification of actors, forces, and interests on whose behalf organizational policies are formulated and implemented and for whom the organization serves as an instrument of class struggle;
4. Organizations vary in significant ways in the extent to which structural contradictions have already developed within them, both qualitatively, and in the extent to which these contradictions have become conscious to the participants—that is, in the extent to which they are reflected in ideologies and practical political positions;
5. Organizations, while they are themselves sites of developing contradictions, are always part of a larger political economy, a macro-social and historical context, and
particularly part of a socio-historical formation in which a given mode of production is tending toward dominance over others. The basic contradictions within the political economy of advanced capitalism, e.g., those between state and economy or capital and labor or—within capital itself—those between capital accumulation and the realization of surplus-value, will be reflected in the formation and transformation of almost all types of organizations. I will document this particular claim with respect to public bureaucracies, namely agencies of government which, in the nature of the case, play an increasingly prominent role in the confrontation between state and economy:

A final, but crucial point is that what appears as an abstract, purely analytical, even universal process must ultimately be described in concrete, specific, historical terms. This means that the more general, abstract, and established categories of analysis must ultimately be changed, too, if they are not to come into contradiction with the specific, concrete, historical descriptions of contemporary and future observers, a difficult epistemological problem (Marx, 1973; Rosdolsky, 1968, vol. 2).

Contradictions in Work Organizations

A prime factor in the development of the practice and ideology of organizational efficiency and cost-effectiveness is the need to increase the productivity of labor. This observation presupposes a general analytic distinction between productive activity (labor) and the productivity of labor—that is, the relative capacity and efficiency of labor in generating surplus value. This distinction becomes especially important insofar as surplus created by increased productivity is not appropriated by the producers themselves, but rather by private capital or by state bureaucracies with only secondary regard to the nature, quality, or social usefulness of the product, or without regard to the social and human costs of production and its consequences for the quality of life.

Under capitalism, the growth of the productive forces of labor, skills, and technical innovations has been necessary for the creation of surplus value and the accumulation of capital, even though production and accumulation tend to come more and more into contradiction with surplus-realization and distribution (Mattick, 1969; O'Connor, 1973; Baran and Sweezy, 1966).

Under state socialism, the question of labor productivity is, of course, equally important, but perhaps more for political rather than merely economic reasons. The practice of scientific management and Taylorism was backed up by a more or less explicit system of bureaucratic-hierarchical controls both under capitalism (Braverman, 1974; Marglin, 1974; Stone, 1974; Wachtel, 1974; Gintis, 1973; Gorz, 1972; Hodges, 1970; Schumm-Garling, 1972) and under the early forms of state socialism (Bendix, 1956; Merkle, 1968; Fleron and Fleron, 1972; Gvishiani, 1972; Mallet, 1970). Thus, in organizations devoted primarily to productive activity or labor—in short, work organizations—the crucial internal contradiction arises from policies designed to rationalize work activity and the historical outcome of this process, namely a system of authority relations based on the division of labor and, most importantly, on the control of labor.

The theoretical consequences of this empirical-historical connection between the growth of bureaucratic hierarchy and the enforcement of labor productivity are flying in the face of received organizational theory. Both the functionalist and the neo-Weberian explanations of hierarchical differentiation and bureaucratic authority are based on the presumed functional-rational requirements of organizational
size and complexity, and on the impersonal imperatives of task and technology. However, even the "human relations" school which developed as the result of changes in production technology, internal contradictions of scientific management, the Great Depression, and labor protest could not conceal its ultimate concern with labor productivity in the interest of private capital accumulation (Bogomolova, 1973; Perrow, 1972). The critique leveled in turn by the "human relations" school against the structural-functionalists is thus merely part of a methodological quarrel among ideological twins (Argyris, 1972).

The variations on the basic theme of how to control labor and to increase productivity depend, of course, on various distinctions to be made among organizational variables, organizational types, and organizational contexts. Notably, one may want to look at the effects of the following factors on relative surplus-value and labor productivity: (1) the nature and complexity of the work process as determined by the object of labor (e.g., manufacturing vs. service organizations); (2) the ratio of technology to labor (constant vs. variable capital) which helps to distinguish capital-intensive from labor-intensive organizations; and (3) the nature and form of organizational autonomy (e.g., the nature of control over resources and goals in such historically diverse forms as craft guilds, professional organizations, family controlled enterprises, private corporations under various conditions of stock ownership and managerial control, publicly or governmentally controlled agencies and organs of the state, and self-controlled (autonomous) organizations under various forms of economic, social, and political self-determination and self-management).

Generally, these distinctions are based on the criteria of how labor-power (the central force of production) is related to the means of labor (mainly technology), to the object of labor (material vs. human objects and, generally, the complexity of the task structure), to the division of labor, to the control of labor (supervision, review, budgeting, cost-accounting and auditing, and hierarchical levels and authority relations), and, finally, to the organization of labor (craft guilds, management or government, unions and professional associations, self-organization and self-management).

Some of these categories such as "means of labor," "object of labor," division of labor, means of production etc. are part of the conceptual core of traditional Marxist economic analysis (Lange, 1970). By contrast, the notions of control of labor and self-organization of labor have changed in their historical and political relevance and continue to be redefined from various perspectives such as Soviet sociology and systems theory (Afanasiev, 1971; Glezerman, 1971; Osipov, 1969; Gvishiani, 1972), the evolving Chinese experience (Schurman, 1968; Whyte, 1973), the "revisionist" and "humanist" critique of "statism" in Yugoslavia and Eastern Europe (Stojanovic, 1973; Markovic, 1974; Adizes and Borgese, 1975; Berger, 1969; Fromm, 1966), and the various strands of academic and critical Marxism in Europe and the United States (Fischer, 1971; Howard and Klare, 1971). Consequently, various distinctions between organizational contexts need to be made, depending on the specific historical forms of the organization and self-organization of labor as they appear, for example, under commercial or industrial capitalism, or in various stages of industrial capitalism such as competitive, oligopolistic, monopolistic, state-capitalist and trans-national (imperialist) forms, or under different forms of state socialism, (e.g., early vs. later forms, European vs. non-European forms).
Organizational contexts and environments such as monopoly capitalism or state socialism have their own internal contradictions and influence their constituent organizational structures in terms of these contradictions. For example, a crucial focus in a Marxian approach is the analysis of the relations between class structure and organizations (Goldman, 1972; Gorz, 1972; Hodges, 1971; II Manifesto Group, 1972; Braverman, 1974), between monopoly capital and new organizational forms (Baran and Sweezy, 1966; Andreano, 1972; Karpik, 1972b, c; Touraine, 1971; O'Connor, 1973); and between technology and state bureaucracy (Mallet, 1970; Karpik, 1972d; Galbraith, 1967). Obviously, there are many other kinds of organization-environment relationships that can be analyzed in terms of the contradictions within the larger social formation. By contrast, contradictions within work organizations, in addition to reflecting the dynamics of the environment, may be articulated in very specific ways.

Control Structures and Contradictions: a Historical View
It may be useful at this point to delineate briefly at least three major forms of organizational control structures and their respective contradictions with developing productive forces in modern work organizations. I will not attempt to document the development of these structures in this paper except to suggest that much of the evidence is available in the corpus of Weber's work and in the history and sociology of occupations and professions.

One major historical form of organizational control structure is lodged in occupational status groups, with two sub-types: crafts and professions. The power of craft guilds is based on the monopoly over practical expertise and control over a still largely secret knowledge base. The autonomous ("free") professions (i.e., collegially and peer-controlled status groups) provide services to clients based on control over a theoretically and scientifically expanding as well as increasingly rationalized knowledge base. Both crafts and professions gain additional power from the use and sale of "judgment", i.e., services or decisions produced under conditions of task variability, complexity, uncertainty, or danger. Hence, successful craftsmen and professional practitioners tend to have charismatic qualities, in addition to commanding high social status, economic resources, and political power.

A second major type of organizational control structure to be distinguished here is the well-known Weberian legal-bureaucratic ("monocratic") organization and administration of work, with two major sub-types: private corporate bureaucracies, emerging within industrial capitalism, and post-feudal public bureaucracies, emerging with the growth of the modern nation-state and central to contemporary technocratic state apparatuses. The routinization and commodifications of tasks and technical procedures under modern capitalist and state administrations has tended to "legitimate" the rationality and near-universal functionality of bureaucratic and technocratic forms of control.

The third major form of control structure is based on the economic, social, and political self-organization of labor within—and against—the "social relations" of all previously developed forms of work organization and control. Examples include the formation of guilds and professional associations against the dominant interests of church, landed aristocracy, private property, and state; trade and industrial (blue-collar) unions against private capital; service and public employee (white collar) unions against the capitalist state and semi-public service organizations;
workers' control and communal self-management movements against the socialist state as well as against its fore-runners in the form of union bureaucracies, the welfare state, and state capitalism.

It is important to note that the concepts of self-organization of labor and workers' control at the post-bureaucratic level are to be distinguished analytically and historically from the notion of self-government of occupational and professional status groups described. Obviously, occupational self-government is a form of self-organization of labor as, for example, in craft guilds and professional associations. But there are crucial differences.

First, occupational status groups are specialized and exclusive, whereas the category of "workers" or "labor" is inclusive and cuts across different specialities and the division of labor. Secondly, occupational and professional self-interest is by definition particularistic, whereas work-place-specific, industry-wide, or economy-wide workers' control is, in theory at least, universalistic and oriented toward acting on behalf of the "public interest." Third, occupational status groups have, as a rule, narrow economical and work-specific interests. This is also still true of much union policy, of "co-determination", and of many current forms of self-management. However, the idea of self-organization of labor is not restricted to economistic control of the work place, but extends to social, communal, and political forms of self-organization.

Finally, occupational and professional interest groups are centrally concerned with control over the process of production and the jurisdiction over the provision of services, but not with the marketing and distribution of products and services. Some early syndicalist conceptions of occupational-political self-determination and industrial democracy did envisage control over both production and distribution. Insofar as they did, they can be seen as utopian forerunners of the broad workers' control model indicated here, rather than as representatives of the medieval guild structure of crafts and of early professional forms (Durkheim 1964; Vanek, 1975; Hunnius, 1973).

Each of these three major historical forms of organizational control structures tends to come into contradiction with the previous or existing control structure, and with the new productive forces and innovative forms in which labor-power develops. Thus, the rise of scientific and professional technique is initially opposed by church and aristocracy alike and accused of the secularization and demystification of the feudal world. The rise of bureaucratic and technocratic administration, embraced by state and capital, nevertheless threatens professional autonomy, privilege, and domain and is initially opposed on grounds of subverting the quality of service, but later subordinated to professional dominance. The rise of grass-roots labor protest and organization, or even of client and consumer groups, is initially suppressed by capital, union bureaucracies, the state, and the established professions. Later, however, these movement-organizations are co-opted by efforts to shift political demands for control of production into the arena of distribution and consumption (i.e., socioeconomic mobility in terms of income and prestige) or attempts are made to "turn problems of politics into problems of administration" and regulation (Mannheim, 1936; Piven and Cloward, 1971).

Needless to say, these forms of organizational development and contradiction are both historical and analytical constructs—that is, they can be situated in historical sequences like feudalism, capitalism or socialism. However, once they have developed, they may also continue to survive and therefore appear
together with later forms in a given socio-historical formation. The continued dominance of the "old professions" of law and medicine in capitalist societies is a good example of the latter case, namely the somewhat anachronistic survival of occupationally generic or even regressive, but economically and politically powerful occupational status groups.

The preceding typology represents a tentative outline of a general framework for analyzing the developing contradictions between new productive forces and the respective established organizational control structures and modes of work organization. As such, the framework suggests a link between a theory of occupations and professions and a theory of work organizations (see, for example, Hirsch's 1975 insightful discussion of the need for such a link).

In this paper, I am focusing only on the first of the two types of contradictions outlined above; namely, the rise of administrative rationalization as a "productive force" and the resistance offered by a collegial-professional control structure, that of the judiciary. Professional service organizations are typical settings for this kind of contradiction insofar as professionals are still the main producers or directors ("masters") of the work process.

The fate of professions in contemporary labor markets can be described in terms of at least three complementary processes of occupational transformation. First, as employees, professionals have become bureaucratized and integrated into organizational work structures, with a corresponding delegation of formerly "professional" functions to semi-professionals and nonprofessionals (Mills, 1951). A general correlate of this process tends to be the degradation of work (Friedmann, 1955; Braverman, 1974) and, in some cases, a proletarianization and politicization of consciousness. Second, a portion of the old professions have moved into some form of small business or self-employed entrepreneurship, with a corresponding attenuation of the "service ideal", "collectivity orientation", and professional ethic in favor of "self-orientation" and a business ethic (Alford, 1975). Third, a residual group of professionals continue to operate in terms of the classical characteristics of autonomous professional service, but do so in relatively marginal and historically unique niches protected from competition and managerial inroads.

In professional organizations such as universities and hospitals, the so-called "conflict" between professionals and bureaucrats, professional and bureaucratic authority, the "occupational" and the "administrative principle" have become a major source of professional sociological concern (Freidson, 1973; Benson, 1973b). For example, the level of development of labor power in professional work organizations, the degree of formal specialization and expertise, the nature and development of the knowledge base, the use of established technique, in short, the relative autonomy and dominance of professionals (Freidson, 1970; Crozier, 1964; Ellul, 1963) may come into contradiction with the control over resources, the control and division of labor, and the self-organization of labor. Well-organized groups of established professionals may find themselves straddling the labor-management division in organizations since their concerns with furthering productive forces as worker-producers may contradict their vested interests in established technique, past accomplishment, and the prerogatives of "professional authority" and status. Thus, the more resources and power and status interests are invested in a given system of production and authority, the more those who control it will tend to oppose further changes in technique, rationalization, and even efficiency unless the control structure is left intact. Professionals may counterpose their own
innovations, skills, and meritocratic hierarchies to those of administrators and managers (Mills, 1951; Alford, 1975) as monopolistic corporations may control their markets by restricting output, undersell competitors, or temporarily suppress inventions, patents, and new techniques of production (Baran and Sweezy, 1966; Stern, 1959).

Hence, there are growing contradictions between established technologies embodying past social relations of production and new, innovative techniques representing the growth of productive forces. One important example is the contradiction between established "professional" authority whose dominance is partly the result of previous successful application of "technique", on the one hand, and further rationalization of work, usually represented by the bureaucratic-administrative forces in organizations, on the other. The professionals and, generally, the representatives of "organized labor" tend to resist further rationalization and technical innovations since these processes undercut labor autonomy as well as the social and authority relations within unions.

These contradictions are exacerbated if resources for work activity and production (i.e., the means of labor and production) are controlled not by manual or professional workers themselves, but by an outside agency (e.g., a private corporation or a government agency), since now the interest to rationalize and to introduce efficient technique is represented by a structurally separate group within the same organization, ostensively representing the interest of the whole organization, namely, the administration. The parallel to the relations between capitalist state bureaucracy and civil class society should be obvious here since the capitalist state tends to represent the interests of private capital while at the same time appearing to speak for the "public interest" in the name of equality of opportunity, formal participatory democracy (franchise), formal equality before the law, or even classlessness (Marx, 1967).

In professional service organizations, as special cases of work organizations, the presence or absence of control over resources suggests Weber's distinction between autonomous organizations (where professional workers control resources, jurisdiction, mandate—a rare case under modern capitalism or state socialism) and heteronomous organizations (where one or more of these elements are controlled by managers, i.e., either by private capital or public authority). The locus of control over resources (e.g., external budgetary vs. internal budgetary or non-budgetary fiscal types of organizations) thus becomes a crucial variable since control over resources also implies control over labor-power.

In professional organizations, then, the system of established authority relations and the interests of the professional elites come historically more and more into contradiction with the forces of administrative innovation. Politically and ideologically, those forces, in turn, become more and more associated with the impulse to rationalize and routinize work activity, to reduce costs, and to extend control over resources and labor. Characteristically, the idea of total worker, client, and community control is even less thinkable for professionals than that of administrative modernization since self-determination of all producers is still below the political horizon of professional elites. Modern managers have begun to develop strategies for dealing with self-management and "co-determination," but professionals still fight their old battle against the routinization and rationalization of work and against the formidable ally of bureaucracy—technological innovation to improve efficiency and productivity.
Public Service Bureaucracies as Work Organizations

Among work organizations, the contrast between manufacturing and service organizations rests, in part, on an analytical distinction between labor and service, where labor is usually defined in terms of the creation or addition of value by means of the transformation of material objects into commodities as, e.g., in cultivation, extraction, or manufacturing. Important though it is, it is not necessary here to discuss the relative merits of the distinction between productive and non-productive labor, especially since it has been discussed elsewhere (Braverman, 1974, chapters 13, 16, 19; O'Connor, 1973; 1975, Marx, 1963, vol. 4, pt. 1, ch. 5). For the present purposes, I will refer to labor as the productive transformation of the objective (natural and man-made) world, and to service as self-labor or reproductive labor. In Hegelian language, labor is the subject acting on the object, whereas service is labor directed toward the subject by the subject. Examples are the health, education, and welfare functions in communities, as well as governmental functions or, generally, functions relating to the regulation, self-regulation, and reproduction of social organization.

O'Connor (1973) groups most of these public services under the general category of “social expenses” which are underwritten by the “state sector” of the political economy and consists of “services which are required to maintain social harmony—to fulfill the state’s ‘legitimization’ function” (p. 7). O’Connor argues that “... although the state has socialized more and more capital costs, the social surplus (including profits) continues to be appropriated privately. The socialization of costs and the private appropriation of profits creates a “fiscal crisis” or “structural gap” between state expenditures and state revenues. The result is a tendency for state expenditures to increase more rapidly than the means of financing them” (p. 9).

Let me illustrate the phenomenon of organizational contradictions for courts of law as special types of public service bureaucracies. As agencies of government, courts are, strictly speaking, heteronomous public professional bureaucracies where both resources and jurisdiction or domain are externally controlled, but where the central work functions are directed and carried out by a professionalized work force, namely, a civil or judicial service. Courts, like welfare agencies, schools, and to a lesser extent hospitals, are highly labor-intensive service organizations, where the object of labor involves essentially some category of living human subjects (e.g., defendants, welfare clients, students, patients) as well as various subcategories, depending on the complexity of the organizational task structure. Production (service) takes the form of a series of decisions based on the skilled labor-power of judicial professionals and a network of non-judicial service employees. While the judicial component is organized along the lines of collegial-professional authority relations, the various non-judicial segments of the court follow more or less bureaucratic forms of hierarchical organization (e.g., the clerk’s office) and division of labor (the “teamwork” of the courtroom).

There is no self-organization of the work force as a whole, but rather a set of occupationally centered and semi-bureaucratized control structures which constitute a pluralistic network of organized activities. As a result, there is no centrally integrated bureaucracy but a series of semi-feudal power centers coordinated more or less successfully by political processes such as bargaining, negotiation (including
corruption), cooperation, competition, coalition formation and temporary alliances.

However, courts—especially at the federal level—are also quite unique and quite unlike other service organizations in that they represent an arm of the state, even though they have an historically original status within the state apparatus. Thus, courts are central to the structure of public authority and the legitimation of the social order. As a result, their output and effectiveness are difficult to measure. The feedback of courts contributes to the stability of the political economy. Nevertheless, the contradictions of the capitalist state generate contradictions within its legal and judicial system, just as the contradictions of monopoly capitalism generate contradictions within the state, as O'Connor shows.

The absence of fiscal autonomy for courts and the external control, manipulation and restriction of resources set up a certain degree of competition and conflict among them and accentuates the contradiction within them. This contradiction may initially be one between stated goals and the adequacy of resources necessary for implementation, but it will tend to manifest itself structurally as a conflict between groups (e.g., between quality-oriented professionals and efficiency-oriented managers) and ultimately as a conflict between ideological and political positions. This process appears as a conflict between judges and administrators, defense counsel and prosecutors, the due-process oriented legal elite and the case-management-oriented legal-bureaucratic rationalizers (Blumberg, 1967; Packer, 1968), and ultimately between the proponents of such legal-political positions as "judicial activism" and "judicial restraint", frequently ascribed in recent times to Chief Justices Earl Warren and Warren Burger, respectively (Graham, 1970).

It can thus be shown that these ideologies and legal-political positions within the legal and judicial system have definite histories. Only from a static or synchronic perspective do they appear to confront each other in terms of a dualistic choice between two abstract, equally valid principles. Within the courts, for example, it is possible to observe the growing contradictions between the highly established and protected authority relations of the judicial elite and the internally generated forces of rationalizing and modernizing courts procedures. These forces are part and parcel of the self-activity of the legal profession, i.e., its attempt to reform and organize itself and to adapt to increasing demands for efficiency and effectiveness. The struggle over court reform can thus be taken as a strategic research site where the organizational contradictions within the judiciary can be studied, and where the forces of rationalization confront the increasing conscious resistance of the judiciary itself.

At the larger level of contradictions within the state, executive-administrative modes of decision-making centered in the executive branch (especially the Justice Department for federal courts and state courts) represent a modernizing force of production, increasingly threatening the adjudicatory modes of judicial decision-making. Adjudication and the adversary process are increasingly replaced by negotiation, arbitration, and ultimately by administration. However, at a still broader level of analysis, the executive-administrative mode of decision-making of the modern state is itself modeled on, and generated by, corporate modes of decision-making. This mode is characterized by a basic orientation toward efficiency, cost-effectiveness, and increasing labor productivity, especially in the labor-intensive service sector. If state and private capital are initially developing as contradictory structures, their ultimate integration within the capitalist political
economy will probably not occur without a struggle; yet that integration will itself
be subject to the more basic developing contradictions of capitalism.

Forces and Relations of Production in Courts

While it may appear that capitalist work organizations such as factories and banks
are particularly susceptible to a critical Marxist analysis, semi-public and public-
governmental agencies certainly do not fall outside the purview of such an analysis,
as O'Connor (1973); Balbus (1973); Wolfe (1973); Weinstein (1968); Kirchheimer
(1961); Offe (1972); Milliband (1969); Poulantzas (1973); Habermas (1973); Altvater
(1973); Quinney (1974); Gold et al. (1975); Tumanov (1974), and others have shown.
However, many of these analyses focus on the state as a whole, following the
traditional political science emphasis in the Marxian theory of bureaucracy and the
state, and none of them deal with internal organizational contradictions in terms of
forces and relations of production. My initial discussion of these concepts in terms
of the dialectical relation between activity and outcome should make it clear that I
am not treating these concepts in a narrow economistic, mechanistic, or struc-
turalist fashion, but rather as powerful and fairly specific guideposts within a broad
critical-Marxist theoretical orientation.

At this point, I would like to specify further the meaning of organizational
contradictions within the courts as an example of the first of the two types of
historical contradictions outlined. In the United States, courts are now at the point
where hospitals and schools were almost half a century ago, especially as far as the
introduction of administrators into a professionally-controlled work organization is
concerned. School and hospital administrators are now more or less an integral part
of their respective organizations, whereas the introduction of court administrators
and managerial techniques to the court is still controversial or is seen as an
"innovation."

I have been studying the development of organizational contradictions within
the United States federal courts in terms of two sets of indicators: (1) actions and
strategies designed to increase the productivity of the judicial process and
particularly of judges; (2) actions and strategies designed to increase the domain of
judges, including an increase in the labor force (more judges and court personnel),
extending the jurisdiction and judicial control of judges, and resisting the extensions
of control over resources by non-judges, notably administrative and executive
power. (See, for example, P. G. Fish, 1973, on the struggle over the establishment
of the Administrative Office of the U.S. Courts and on the general development of
the Federal Judicial System; see also various examples of professional-judicial
resistance to court reform).

The first of these two contradictory strategies will be called administrative
innovations (those designed to increase productivity), and the second judicial
innovations (those designed to increase domain). I am arguing that the two
strategies are contradictory phases of development within the courts, and that the
more widely administrative innovations are introduced, the more judicial innova-
tions will be opposed to them. Hence, the liberal-democratic panacea of court
reform moves forward only very slowly and haltingly and against the eroding, but
still forceful opposition of established judicial authority relations. Very simply put,
the forces of production (productivity measures, new technologies, rationalization
of procedures) are encountering the increasing resistance of the relations of
production (i.e., the accumulated legal apparatus and status system of the judiciary).

Legal substantive issues are entering into this process insofar as they represent (1) the established legal order (socio-legal "relations"): the legal status-quo, legal precedent, the formal rationality of law, the principles of due process and the adversary system; and (2) legal rights (new needs and socio-legal "forces") such as "justice delayed is justice denied," the right to litigation or "standing to sue" (Orren, 1976) or the right to trial by jury, and the practice of due process, as occurs in cases such as civil rights violations, habeas corpus and other prisoner petitions (Renner, 1949; Packer, 1968; Blumberg, 1967; Quinney, 1974; Balbus, 1973). Here, contradictions between the interests of judges and (private) defense counsel, between judges and (public) prosecution and, generally, between the formal rationality of law and the imperatives of legal and political repression can be observed. Substantive legal issues are representative both of what is "at stake" as well as of strategies for changing or defending what is at stake—that is, they serve both material productive and ideological reproductive functions. Examples are given by Galanter's insightful analysis of "one-shotters" in civil litigation who play only for immediate gain and "repeat players" who tend to—and can afford to—go for basic legal rule change favoring their interests (Galanter, 1974, 1975; see also Orren 1976).

One possible, though by no means inevitable, scenario of the historically developing contradiction between the forces of rationalization and the established relations of professional authority is that judges are likely to become increasingly embattled and defensive as problems of adjudication are turned into problems of administration, to paraphrase Mannheim's observation about bureaucratic conservatism. The conceivable result of such a process may be the replacement of the adversary system by an "adversary judicial system", and finally by a structurally and administratively integrated court system with features not unlike those of current inquisitorial models of judicial administration dominant in Europe (Abraham, 1966). This may be true even though European forms have different and complex historical origins.

However, the significance of this consequence of administrative integration derives from the fact that under Anglo-Saxon legal precepts, the adversary system is a structurally bifurcated process of inquiry, fact-finding, and problem-solving. Such a bifurcated decision-making structure—pitching plaintiff versus defendant, prosecutor versus defense counsel—insures, in theory, a minimum of formal guarantees of due process and judicial impartiality. The subordination of this process to a unified, centralized authority, combining fact-finding and adjudication, tends to transform courts into administrative agencies, thus reducing the litigant's or defendant's minimum claims to the presumption of innocence, impartiality, and appeal. There is little doubt that the "rights of the accused" may be implicitly and unwittingly abrogated by the encroachment of administrative forms on substantive judicial issues (Hartje, 1975).

In general, one may argue that the internal contradictions within the judicial system are generated by the resistance of those factions of the capitalist state apparatus committed to the legitimacy and ideological closure of capitalist institutions against the very necessity of these institutions to expand and to break through their own political and ideological shell. It is this dialectical process that accounts for the historical development of state and legal institutions, not the
abstract march of functional rationality and of the technocratic mode (Weber, 1966, Marcuse, 1964, Habermas, 1970; for a critique of Weber's "rationalization", see Marcuse, 1965; Loewith, 1970; for a critique of Marcuse, see Mattick, 1972; Breines, 1972). The liberal-democratic state and, within it, the legal-judicial system of normative reproduction and legitimation, must ultimately become casualties of this process. Within the general perspective of the "fiscal crisis of the state," it is possible to discern some very specific pressures affecting courts today.

First, caseloads are affected by rising litigation rates, specifically the disproportionate increase of civil cases relative to criminal cases in federal courts. These increases in the volume and complexity of caseloads lead to court congestion and delay. Conversely, there is an increasing need for social, non-judicial agencies to terminate or contain social conflict since prosecutors and courts tend to limit their de facto jurisdiction by selectively ignoring certain types of cases and classes of defendants and litigants, or by delegating the disposition of these cases to non-judicial processes within the courts (Nonet, 1969; Selznick, 1973). Courts become, as Maniha and Perrow (1965) put it, "reluctant organizations" in an "aggressive environment".

Secondly, there has been a proliferation of new legal and procedural rules, a process Graham calls the "due-process revolution" of the 1960's (Graham, 1970). Closely related to this phenomenon are rising appeals rates due to formal and substantive problems at the trial court level, including increasing contradictions and uncertainty with respect to "rights" (new legal needs) and "precedent" (established rulings). Increasing civil litigation and proliferation of new procedures can both be seen as reflecting a growing legitimacy gap in modern capitalist society—that is, both indicate the extent to which the state and courts are called upon, yet are unable to legitimize contradictory social, economic and political tendencies in the larger society.

Third, in addition to these factors generating overload, the judiciary finds itself in a fiscal crisis—an extension and reflection of the fiscal crisis of the state. This crisis leads to the imposition of narrow budgets and cost-effective procedures on courts.

Fourth, taken together, these conditions result in the introduction of business methods and administrative innovations and strategies to increase productivity, reduce costs, and increase the efficiency of adjudication. While such efficiency can be measured by the caseload per judge, even allowing for the complexity of cases, the caseload-judge ratio hides the extent of non-judicial disposition of cases, but retains the fiction of judges as the central producers of the court system. It is precisely the growth of the support staff in courts, including magistrates, clerks, prosecution staff, and probation officers which is associated with such non-judicial forms of disposition as pre-trial settlement, diversion and treatment, and plea-bargaining, and which allows the fiction to continue.

Finally, the most important political consequence of all of these processes is, of course, the way in which they affect legal repression by courts and the complicity of courts in the political repression by the state (Wolfe, 1973; Lieberman, 1972; Skolnick, 1966). The language of efficiency and productivity tends to be universalistic—that is, inefficiency is defined as a loss for all, for the whole society. Yet efficiency measures have differential consequences for different groups, classes, and actors since they generate priorities and differential treatment (Balbus, 1973; Galanter, 1974). They determine who gets to use the courts and who does not,
who gets to see a judge, who can insist on a trial, who can use the courts to produce favorable legal change. It is not difficult to see that the answer will tend to be corporate vs. individual cases, property vs. non-property cases, large asset cases vs. small ones, cases involving economically, organizationally, and professionally dominant actors vs. those with few resources and little power (Galanter, 1974, 1975; Orren 1975). The universalism of cost-effectiveness, under the ideology of scarce resources, comes into contradiction with the universalism of formal rationality and equality before the law. Courts maintain, reproduce, and legitimize the structure of capitalist society, and thus come into contradiction with themselves as that society continues to change.

Conclusion

The view of organizations developed here aims at a dialectical-historical conception based on a critical adaptation of basic Marxian categories and propositions. Organizations, as the concrete structural manifestations of social institutions, are seen as the more or less established outcome of historically specific human practical activity. The basic dialectical process is therefore contained in the developing contradictions between activity and outcome, labor and product, forces and relations of production. Under specific historical conditions, such as the capitalist mode of production, or under state socialism, these contradictions assume a particularly problematic character since private ownership and, to a lesser extent, state control of the means of production tend to have economically and politically disastrous consequences. As Marx foresaw, the state bureaucracy itself is historically an alienated organizational form which tends to come into contradiction with the social forces that gave rise to it.

Under the political economy of state capitalism, the state tends to be co-opted, but it tends to be politically dominant under state socialism. The conscious political and practical uses of organizational contradictions for purposes of guided social transformation appear to be nowhere more developed than in contemporary China (Schurman, 1968; Bettelheim, 1974). Chinese social structures seem to embody a dialectical logic of organization such that both productive forces and the social relations of production enjoy a relatively high degree of autonomy. The practical political uses of organizational contradictions in China must therefore be clearly distinguished from those in other political economies, if only because in non-dialectical structures the contradictions result from the rigidity and resistance of the social and political control structures, whereas contradictions seem to be the conscious driving force of social change in China. In short, under advanced forms of state socialism there seems to be a historical possibility of transforming the state apparatus itself by political means. That possibility appears to be absent under other forms of state socialism, and certainly under monopoly and transnational capitalism and the liberal-conservative construct called “post-industrial society”.

While organizations vary in the extent to which they are bureaucratized and the extent to which their resources are controlled by the self-organization of labor or by others inside or outside the organization, the basic contradiction between the established control structure and the need to rationalize the work process (i.e., the need to make labor more productive) is almost axiomatic under present historical conditions. It is clearly observable in corporations, but also in schools (Callahan, 1962; Bowles and Gintis, 1976) and universities (Newt Davidson Collective, 1974), in hospitals, in welfare agencies and—as the fiscal crisis of the public sector
sharpens—in organizations under public authority and in government agencies. As a result, measures of administrative efficiency and innovation will tend to be opposed by unions and professional associations, thus introducing new rigidities and "secondary contradictions" into an already complex and reified social structure. Administrative rationalization is therefore often perceived as leading to irrationality and, ultimately, to greater inefficiency and waste. Not accidentally, the unanticipated consequences of social planning are often cited against various social reform efforts and in support of economically liberal, politically conservative, and socially anti-planning positions (Harvey, 1973).

The language of latent functions, dysfunctions, "unanticipated consequences" and of the inevitability of economic scarcity and social conflict is profoundly dualistic and non-dialectical. Throughout this paper I have stressed the importance of the distinction between dualism and dialectics by suggesting that "conflict," conceived within a logical, static, and ahistorical framework, tends to be based on antinomies—that is, on the postulated opposition between mutually irreducible principles or forces. The solution of such dualisms is necessarily external; it is based on the choice or dominance of one or the other, or on the more or less uneasy and unstable unification, "integration," or a compromise between them. This is as true for metaphysics and social theory as it is for political practice. The Aristotelian law of contradiction dictates the non-identity of A and non-A. By contrast, in a dialectical-historical framework of "totality," the historical process which binds activity and outcome, praxis and product together also mediates between these two moments or phases (Marx, 1973; Meszaros, 1970).

Therefore, a Marxian dialectical contradiction does not exist in and of itself, and certainly not "immediately," but it develops in the process that leads from practical activity to objective outcome. In other words a dialectical contradiction is always mediated in historical time. And typically, only when the outcome appears in its objectified form or is appropriated by someone other than the producer (alienation) does the process of reflection and self-reflection, i.e., historical consciousness of the contradiction) take on an ideological and political form. Marx' deduction of the probability of political revolution from developing historical contradictions is a well-known example of this process.

While I am claiming that the Marxian categories and propositions outlined in this paper apply to all work organizations, and probably to all known forms of social structure, the validity of these claims needs to be demonstrated further, both in terms of theoretical-historical elaboration and empirical-practical analysis. I have tried to develop these ideas for courts as a particular type of public bureaucracy—that is, for work organizations in which professional mandates and authority relations come increasingly into contradiction with the economics and politics of productivity. The creation and appropriation of surplus-value has been widely analyzed for work organizations, in general, but it is still in its beginnings for organizations in which professional civil and judicial service can be defined as reproductive labor and where surplus creation, just like unpaid housework, has long been ideologically obfuscated and mystified. The theoretical tools for such an analysis are certainly available. However, if Kuhn is correct, a Marxian theory of organizations will not become paradigmatic in the social sciences unless there is sufficient consensus among the community of scholars—that is, until there is some degree of ideological consensus as to the explanatory and interpretive power of such a theory. For obvious reasons, such an ideological self-transformation of
academic organization theory is highly unlikely. In the meantime, I am convinced that the praxis of organizational actors and the applied theory of scientific and technocratic management in organizations will continue to provide many more and increasingly visible examples of contradictions in organizations.

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