

Recensioner

Lars Ericsson
ETT SURT REGN KOMMER
ATT FALLA
Naturen, myndigheterna och
allmänheten
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The central aim of this book is to investigate the Swedish Nature Protection Act through an analysis of the tripartite relation Nature-Authority-Public. Presumably, the 'hard' or acid rain referred to in the title is going to fall on Sweden, because of the asymmetry involved between the parties of this relation as circumscribed by the Nature Protection Act itself. The author casts 'nature' and 'public' as the distinctly weaker characters in this drama in relation to an administrative 'authority' which claims to represent them all.

Chapter 1 lays out the theoretical concepts to be used in the analysis. From Frankfurt Critical

Theory, especially as represented by Herbert Marcuse and Jürgen Habermas, the author takes his framework for interrelating nature, authority and public. The central question asked here is "What are the mechanisms which define and limit public debates about nature and its protection?" The answer, it is claimed, can be found in the controversy between the established administrative authority handling cases concerning environmental protection and a clearly defined (and administratively restricted) public. For it is clear, building upon the premises of Critical Theory, that debates about the use and misuse of nature must be set in a social and political context. In modern industrial societies, like Sweden, that context is circumscribed by the way production is organized. From this perspective, the organization of production in a society conditions how 'nature' is perceiv-

ed. The effect, then, is to replace the concept 'nature' with that of 'production', making the relation production-authority-public the real issue at stake in Swedish debates on environmental protection.

This new tripartite relation is further transformed when, as the author argues, it is actually the administrative authority which defines in who and what the 'public' is to consist. This is the central point of the chapter: to show that the established administrative authority in Sweden, motivated by values connected to economic production and growth, effectively defines not only what is 'nature', but also the very 'public' whose interests are supposed to be represented and protected under its administration.

These are very strong claims indeed, and an array of empirical evidence is presented in chapters two and three to back them up. The key idea is that the administrative authority charged with the mission of fairly representing the range of public opinion and interest in Swedish society concerning the definition and use of 'nature', actually closes debate around the particular interests of economic growth and employment.

In showing this process of closure, in which participation in administrative decision-making is restricted to groups and issues which do not fundamentally challenge basic assumptions about the industrial basis of nature use, the author draws heavily on the notions of 'instrumental and communicative' rationality developed by Critical Theory. These two notions can best be understood in contrast to one another, as both

concern relations between subjects and objects, actors, and means and ends. In instrumental action and the instrumental rationality which it constitutes, goals are more or less taken for granted and the means to achieve them set by technical rules considered largely uncontroversial. In contrast, communicative rationality describes interactions between symmetrical subjects, where the intention is not so much the attainment of set goals, but rather reaching a common understanding, a real consensus on matters of misunderstanding or conflict. Where in instrumental rationality any controversy over proper means to ends can be resolved through formal techniques and a process of trial and error in their application, communicative rationality relies on open debate and persuasion, the appeal to reason and critical judgment, not technical rules or 'objective' results. Such a process, in Critical Theory at least, implies a discourse among equals, in which each party is considered equally competent and capable of recognizing and presenting reasonable argument. It is just these assumptions of reasonability and competence and the open argumentative process that the author finds lacking in the administered debate over environmental protection in Sweden. He finds rather, the appearance of debate, a debate entirely restricted and closed, limited by administration to questions of economic interest and technical argumentation, which gives to specific social groups, industrialists and scientific-technical experts, more influence than others.

I have added and stressed the

adjective 'administrative' to modify 'authority' because this is also a central claim made by the author. Against those in Sweden who would see the debate over environmental protection, rather than concerning 'nature', as a political one and thus as an aspect of communicative rather than instrumental action, the author believes otherwise. He claims that in closing debate on certain topics, such as the possible inherent worth and value of nature, and in restricting controversy to questions of the proper use of the environment by industrial interests, and, further, by restricting the 'public' who may participate as fully competent and reasonable agents to more or less formal organizations, the effect is to administer a form of political closure and to relegate debate to administrative procedure, rather than politics. Instrumental action is shown then to have replaced communicative action, and, for the author as well as for Critical Theory, this is a process of degradation and domination, rather than liberation and democratization.

As noted, chapters 2 and 3 offer an array of empirical evidence for these claims. The author has gone thoroughly through all the procedures concerning the construction of the Environmental Protection Act and the cases which have appeared under its jurisdiction. In chapter 2, he considers the question of who should be considered competent, by the administrative authority, to put forward argument in environmental conflicts. He considers 255 cases, dividing them into 11 categories or types. From this wide range, two views on participation can be gleaned:

that of administrative authority and that of environmentalist groups. Both, the author concludes, are concerned with limiting, rather than opening, participation. Thus, authority and political opposition are shown to be partners in a process of political closure. This is a rather strong, and unexpected, critique of environmentalist groups, to which I will return later.

From this discussion of the cases considered under the Environmental Protection Act the author draws several conclusions. The most important can be listed here: (1) viewed from the position of established authority the 'public' is a nuisance, a troublesome outsider who should be given as little access as possible; (2) the concept 'public' has itself little substantial meaning in Swedish political debate, even for such 'outsiders' as environmentalist groups; (3) all debate concerning the meaning and use of nature takes place within the restrictive worldview of administrative authority; (4) this worldview is cohesive and coherent, a world defined by technical and instrumental rationality.

The question which then faces us is this: Does the notion of "civil society" have any real meaning in Swedish political culture? An attempt is made to address this issue by again looking at the actual influence the 'public' may have in legal-administrative and political decision-making. Here the author looks at 'public' organizations, for example trade unions and local governments, which claim in their different ways to represent a public. He finds them lacking in terms of their ability or willingness to

represent a broad-range of public opinion and to have, in addition, restricted access to decision-making on environmental issues. The only organizations which can make any substantial claim in this matter are environmentalist groups, but they too, the author finds, have a restricted notion of debate and public participation. In addition, environmental groups are further restricted by the necessity of framing their criticisms in the language and the worldview of administrative authority.

Chapter 3 takes up the concrete processes and procedures regarding attempts to reform the Environmental Protection Act. Here the central concern is with the possibility to really influence the decision-making praxis of established authority. The method applied is to look at the cases which appeared and to group them according to the type of argumentation which was used and which was more or less effective in influencing decision-making. Here, again, the author finds scientific and technical, as well as economic, arguments being the only really effective ones. The worldview of the established authority, it seems, hears no other voice. From this he concludes that it is technical-instrumental rationality which steers decision-making on environmental issues. Further, that two values underlie this rationality: an interest in the exploitation of nature for economic ends and for the gainful employment of individuals. In other words, economic values and interests guide decisions about what is and what is not the proper use of nature, and that this, in fact, is the sole aim of

environmental protection in Sweden.

This central conclusion should hardly be surprising to anyone read in *Critical Theory*; yet it is none the less striking to discover it so thoroughly documented. This book should certainly embarrass those political and administrative authorities involved. At least I hope it does.

The author ends the book with a discussion of the role of law in society and the conclusion that law as it currently functions is a form of instrumental, rather than communicative rationality, a form of administration not human learning or moral development. While such conclusions may be thought to follow from the more thorough preceding discussion, this chapter is the weakest of the book. Yet, even this being the case, it does not detract from the power of the author's conclusions and the force of his empirical and theoretical argument.

To my mind this book does exactly what a thesis in the sociology of law ought to do: expose the values and interests which stand behind the legal process in a society. The aim of such disclosure ought to be opening debate on those often hidden or taken-for-granted values and interests. In other words, to re-politicize what is often a closed and administered process, to offer to society another chance to reflect upon its grounding assumptions. It may very well be that there does exist in Sweden a real consensus concerning the aims of environmental protection laws, and that the present authority does really reflect it, but the only way of being sure is to have real, political de-

bate. The strength and power of this book lies in showing that what currently passes for debate is mere shadow play, and this should cause administrative, political and environmental groups, pause for reflection.

Ron Eyerman

Thomas Mathiesen
TITTARSAMHÄLLET
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Att dagens massmedieutveckling är explosionsartad, det vet vi alla. Närradio och lokal-TV, video, kabel-TV och satellitförmedlade program från halva världen tillhör snart vår vardag. Men massmediernas utveckling hänger också samman med utvecklingen av olika former av övervakning och kontroll. Vi är i dubbel mening på väg att få ett "tittarsamhälle". Både massmedierna och kontrollsystemen bygger i grunden på engångskommunikation och komplementerar varandra i värnandet av den etablerade ordningen.

Detta menar Thomas Mathiesen, som är professor i rättsociologi i Oslo, i sin nya bok *Tittarsamhället*. På punkt efter punkt jämför han mediernas och kontrollsystemens utveckling, struktur och funktion.

Kontrollsystemen har sedan länge varit "panoptiska", dvs de är organiserade så att några få kan överblicka eller övervaka många. 1800-talets fångelser byggdes med långa flyglar i stjärnform, där flyglarna löpte samman i ett centrum varifrån de kunde övervakas. Den centralt belägna kyrkan, dit människor kom för att bli bikta sig,

tjänade som centrum för samhällets övervakning och kontroll. Dagens snabba utveckling av dataarkiv, där vi alla finns registrerade, möjliggör en effektiv politisk övervakning. TV-kamerorna i rulltrappan, i varuhuset, på tunnelbanan och i trafiken ser oss ständigt. Vare sig vi kallar det Stobrebrorsfasoner eller inte.

Kontrollens panoptiska karaktär, där de få ser de många, är som sagt långt ifrån ny. Men den har accelererat i takt med den tekniska utvecklingen. Den nya typen av kontrollsystem innebär inte någon ansamling av människor bakom murar utan istället en spridning av övervakningen utanför murarna. Samtidigt sker kontrollen i alltmer förfina former, vilket förmodligen innebär att vi idag i mindre utsträckning än tidigare vet om att vi blir övervakade.

Parallellt med kontrollsystemens utveckling där *de få ser de många*, har massmedierna utvecklats mot en situation där *de många ser de få*. Materialet i press, radio och TV präglas först och främst av att det är relativt få som står för framställningarna. Speciellt gäller detta TV. Här är det vissa nyhetsreportrar som ständigt träder fram och blir sedda. Därtill har en ökad allmän personifiering skett i de stora massmedierna. Nyheter ska vinklas med "human touch". Efter det senaste valet har vi sett hur de största nyhetsprogrammen i TV hellre fokuserar på de vinnande och förlorande partiledarnas utseende och profil, än på deras politik och dess konsekvenser för samhället.

Samtidigt med den dolda disciplinerings utveckling har alltså det öppna personifierade makt-