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Theories of the state

My argument is that the ideology of concealment is necessary to satisfy the political contradictions of postmodern states. The previous chapters imply that we are witnessing a radical ideological shift. However, another consideration is whether the ideology of concealment is that radical a change. From a broader perspective, the contemporary ideology of concealing the state can also be interpreted as the latest turn in the intellectual history that accompanies state development.

At various points in history, the state has been forced to innovate. This motivation has come most often from the competition between states. Indeed, one thing all theories of the state share, ranging from anarchist literature to contemporary scholarship in political science, is that war drove state formation in early modern Europe. The competition between states in the context of Europe drove innovation to raise and organize the finances, manpower, and materials needed for warfare.

Much closer to our own time, states were forced to innovate again due to domestic changes. The most obvious example can be seen in the vast canon of literature exploring the state's response to industrialization and the social changes unleashed by capitalism. This response includes the creation of modern welfare states in the West. These regimes choose to use state power to ameliorate some of the social tensions generated by capitalism. In Russia, and then the developing world, we also see an alternate reaction. In this case, the state attempts to build an entirely different, anti-capitalist order. Across this range of extremes, we find the state responding to the difficult domestic problems arising from the broad social changes triggered by capitalist development.

In turn, these transformations generated accompanying parallel theories about the state, including attempts to legitimate its power. For nation states in Europe during the modern period, nationalism became a dominant justification for states engaged in warfare. Nationalism was used by both states struggling to assert their independence in Europe during the nineteenth

century and Imperial powers asserting their claims to colonization. Later, as many of these European states transformed into liberal welfare states, various forms of social contract theory and constitutionalism became the legitimating theory of the state's power.

The Soviet model of state communism developed a very different ideology to justify its political and economic system. Rather than an appeal to nationalism, the Soviet model attempted to create an elaborate ideology of state socialism. At various stages in Soviet history, this ideology shifted between claims to universal leadership based on class struggle and a latent Russian nationalism. Ultimately, the nationalism of the various regions constituting the Soviet Union would outlive the Soviet state. The entire region, including Russia itself, now runs the gamut of contemporary regimes. We find the Baltic states joining the European Union's liberal democracies on the one hand, and varying degrees of capitalist, but authoritarian systems on the other.

From this perspective, an important source of support for my argument is its fit with a larger pattern of history. As state institutions have transformed, in response to various demands (whether international competition with other states or domestic pressure), new ideologies have struggled to justify the state's power. If today's postmodern state possesses previously undreamed of instruments of coercion, and requires an unprecedented level of discipline from its population for successful economic competition, then concealment as an ideology becomes less surprising and more politically logical. The ideology of concealing the state reflects the challenge of continuing this long tradition in the face of states with unprecedented power.

To gain a better understanding of this latest ideological turn, we should examine two narratives that describe the state. The first of these narratives is provided by a scholarly consensus on the formation and evolution of the nation state. According to this view, the origin of states can be traced to constellations of social, cultural, and technological factors interacting with political innovation. The context provided by this history further illuminates the current ideology of concealing the state's agency. As in the past, the contemporary ideology of the state attempts to legitimate the state's actions. This need for legitimacy is especially pressing in policy areas that states consider absolutely necessary to protect their sovereignty.

The second narrative describing the state comes from the tradition of the radical left and focuses upon both the unintended consequences of the state and its intentional pernicious use. Historically, we find a set of criticisms from this tradition that shadow the various theories of political legitimacy justifying the state. Again and again, this tradition has challenged claims that the state is acting in the best interest of the population. In some cases, this criticism has claimed that the state is simply an institution designed to benefit a ruling class at the expense of everyone else.

However, an even deeper set of anarchist criticisms from within this second critical tradition question how an institution like the state, which

claims to possess sovereignty and a monopoly for the legitimate use of violence, could ever be beneficial to human beings. The main points of this critique still resonate since, despite our increasingly sophisticated theories of political legitimacy, the state contains the same contradictions that inspired the anarchist critique of the nineteenth century.

The first and foremost of these contradictions is state sovereignty. Sovereignty provides an initial guarantee for contracts and agreements across society. In this sense, the state is the unmoved mover that underpins the increasingly complex business arrangements of contemporary societies. Our ability to pay for items with the swipe of a card or by entering electronic information online relies on complex infrastructure guaranteed by the state. Cards, account numbers, and user names are taken to represent real individuals because of the state's policing of identity theft. The assumption that items on the shelf in the first world will work once we get them home comes from the consumer warranties the state requires. The confidence that business partners on the other side of the world will deliver on a contract comes from the knowledge that the state's courts will arbitrate disputes and enforce agreements. The more powerful the state, the more confident we are of these transactions in the marketplace.

However, this enforcement power ultimately rests on physical coercion. My certainty that business partners will deliver on their end of the bargain, because we have a contract, is based on the power of the state. Although it is possible to describe the constraints placed on all parties to a contract as emanating from "the law," ultimately it is the state's coercive power that limits the freedom of contracting parties. From the anarchist perspective, theories of political legitimacy can be deconstructed as efforts to conceal this kernel of violence that is the real foundation for the state. The sanctions the state applies are so certain and absolute because they ultimately can be backed by violence to the individual resisting them.

In addition, the anarchist tradition provides a moral critique that sheds further light on the attractiveness of the ideology of concealment. For the anarchists of the nineteenth century, the state's attempt to underpin all social cooperation with the guarantee of sovereignty was leading to an unprecedented dependency on the state. They saw the state expanding into more and more areas of life through regulations, policing, and new social policies. Increasingly, it would be the state providing education, pensions, workplace regulations, and even oversight of the family.

While this process delivered some short-term gains to different classes in society, it also pointed to a future of decaying, alternate social institutions. What need is there for unions, cultural associations, educational funds, and other civic organizations if the resources of the state are used to provide the social goods these groups were formed for? The anarchists feared a future that would see our utter dependence on the state for any sort of social policy initiatives. In such a future, the anarchists asked, what sort of "citizens"

would any of us really be? How could citizens maintain critical oversight of something they were so utterly reliant upon?

On the one hand, if we consider the use of the state through history, then it is difficult to argue that it is inherently pernicious. Indeed, states have at times promoted progressive social policies. It is also difficult to imagine challenging many contemporary social injustices without using state structures.¹ Furthermore, the late twentieth and early twenty-first centuries have presented us with frightening examples of failed states. On the other hand, the twentieth century also provides examples of the state evolving into totalitarian dictatorships. Thus, the highly effective set of institutions that make up the nation state hold both great promise and risk. This dilemma is a constant presence that looms over the various theories of political legitimacy that have evolved in step with the nation state.

Attempts to legitimate contemporary states now face a final difficulty. Today, we are witnessing similar policies implemented by regimes that are (theoretically) radically different from one another. The examples of this behavior abound. We see surveillance technologies aggressively deployed by a democracy like the UK and an authoritarian state like China.² We see the world's champion of free-market principles, the United States, nationalizing financial and automobile companies in response to crisis, as well as similar actions in Russia's authoritarian system. And in almost every political system the most heated politics surround cultural issues instead of policy.³ What explanation of political legitimacy can satisfy us while also explaining the fact that distinct political regimes are adopting similar policies?

Authoritarian behavior by democratic regimes seems paradoxical given the widespread optimism that surrounded "globalization" after the Cold War. Most political observers expected that tighter integration into a global regime of free markets would lead to greater democratization and less conflict. A recent comprehensive study of post-Cold War authoritarian regimes found that the incentive of access to global capitalism discourages authoritarian elites from blatant coercion.⁴ Instead, authoritarian regimes have begun to use a mix of tools including managed elections to shore up their power. This sort of finding from political science is more in keeping with the idea that the spread of an international regime of global capitalism, including the norms it inherited from its Western origins, puts beneficial limits on state power.

If we view the issue from the perspective of an authoritarian political system, then the advantages of global capitalism to the elites of such a system are not just personal enrichment. To survive in the competition of the international system, those regimes must have economic power to support their sovereignty. Poor states in the international system have little leverage in their relations to others. A poor economy is also a weak foundation for military forces and an internal coercive apparatus. In an authoritarian system, the state operates domestically with low levels of legitimacy, thus

it must rely on higher levels of coercion to maintain its sovereignty. The contemporary technology of coercion is expensive, thus authoritarian governments need global markets.

Yet, the stress of globalization is not creating a one-way convergence toward a model of liberal, free-market democracy. Indeed scholars such as Wolin have gone as far as arguing that this stress is creating an “inverted totalitarianism” in formerly democratic regimes.⁵ By this term, Wolin means a regime that, although it claims to be formally democratic, is instead dominated by corporate interests and reliant upon a depoliticized and apathetic citizenry. While this assertion is clearly debatable, the fact that global capitalism creates a new context surrounding all functioning political systems is not.

If we view the issue of globalization from the perspective of a democratic political system, then we see a challenge here. In a democratic system, the state operates domestically with higher levels of legitimacy at home, and relies much less on coercion to maintain its sovereignty. However, domestic criticism in such a system often asserts local democratic values in opposition to this larger, global economic system that extends beyond its borders. In cases of conflict between these two values, the state is put in the position of asserting the need of global capitalism against its own citizenry’s wishes.

In both cases, the rewards for participating in the system of global capitalism, including the economic power it provides, outweigh domestic concerns. In authoritarian regimes, more domestic dissent is tolerated for the sake of continued access to global markets. In democratic regimes, violations of popular sovereignty and democratic ideals are committed by the state for the sake of remaining competitive in this global economic system. The mutual competition between states, regardless of their political complexion, pushes all into the system of global capitalism.

This common policy outcome, on a global scale, marks an important break with the past. The formation and evolution of states reflected different paths taken in response to policy problems within particular political environments. Today, states are facing a set of similar challenges around the world. At the same time, the need for states to continue competing with one another within the context of global capitalism has reduced the range of responses available to them. Therefore, all regimes are facing a dwindling set of options. Increasingly, the common ideological solution that resolves the worst of these contradictions is for states to conceal their agency.

From this broad perspective, the ideology of concealing the state is just the latest turn in a very long process linking the state’s evolution to a parallel, unfolding history of political thought. Yet, for the argument made here to be credible, two points need to be established. First, that contemporary state behavior is a logical extension of past attempts by the state to innovate in the face of challenges. Second, that the contemporary ideology of concealing the state’s agency attempts to answer criticisms of the state’s legitimacy in

a new way. This mission of the contemporary ideology is broadly similar to that of past political philosophies. However, what is changed in both cases is the specific set of challenges faced by contemporary states, and the intellectual solution to justifying, or in this case *concealing*, current state behavior.

Formation and evolution of the state

The literature exploring the evolution of the nation state is vast. This breadth is inevitable since states were formed through different means, in different places, and at different times. For example, Charles Tilly has developed two models of state formation based on whether the state wanted to expand commerce or increase resource extraction tied to agriculture.⁶ Other authors have distinguished between a West European variant of state formation and an Eastern one.⁷ This last line of scholarship generally focuses on the “peasant question” and the state’s responses to it. Similarly, Barrington Moore attempted to show outcomes of dictatorship or democracy depending on whether the path of state formation was rooted in patterns of agriculture or trade.⁸

In addition, we have a canon that explores the method by which the developed Western world imposed the technology of the state onto developing societies. Both through the process of creating an international system that relies on the nation state as its building block and through the violent (in some cases less violent) episodes of “decolonization,” the West has pushed, pulled, encouraged, or forced the societies of the world into the mold of the modern nation state.⁹ Almost always, the imposition of the Western state model in these societies came at the expense of destroying or displacing alternate local forms of social organization.

In turn, a large body of scholarship explores how well or poorly this model of the state fits the context of regions outside of Europe. For example, in Africa the process of state-building had to occur within a different geographic context than Europe. African states faced the difficult task of integrating territories with vaster environmental and ethnic diversity than in Europe. In addition, African states have attempted to consolidate themselves in an international system that puts more constraints on states going to war, for the sake of changing territorial boundaries, compared to the earlier experience of Europe.¹⁰

More recent scholarship has focused on the state’s role in shaping domestic political systems, as well as the limitations of the nation state in today’s international environment.¹¹ In the former case, political scientists assert that the institutional structures of the state profoundly shape even the political culture of a country. In the latter case, political scientists assert that these state institutions are declining in influence due to the growing

influence of international politics. There is also an ongoing argument in political science about how much explanatory power studies of the state yield compared to studies of other political actors like parties and interest groups. Yet other political scientists argue that the study of domestic political culture or the constraints of the international economic system are more likely to tell us something relevant about contemporary politics.¹² Thus, even the relevance of focusing on the state as an object of useful study has generated a significant literature in political science.

Any author adding more commentary to this vast literature should do so with trepidation. Fortunately, from this expansive literature a few points of consensus emerge, at least for the case of states that evolved in Europe and its settler societies. First, the formation and consolidation of modern state structures is connected to the war-making function.¹³ In some accounts this becomes very reductionist, citing the introduction of firearms and other technologies. Rather than specialized knights with their elaborate training and expensive armaments, states begin to draft the peasant into standing armies. These standing armies required a whole infrastructure to conscript, train, and maintain full-time soldiers. In turn, the constant expense of this state activity forces the state to modernize the collection of revenue. Arguably, these institutional changes have a deep impact on culture as well. The success and power of states that adopt this new model, especially France, forced rivals on the continent to adopt the same design for the sake of survival or deterrence.¹⁴

An example of these trends coming together is in the well-documented history of officer training. In France and Britain, the need for a better-educated officer to operate the sophisticated technology of the artillery and navy, respectively, leads to new military schools. The success of these new military techniques in Europe forces other societies to adopt them as well.¹⁵ In turn, these breakthroughs in military training raise the question of what else can be accomplished with better-educated soldiers. This need for continued military development has the unforeseen consequences of breaking the old aristocratic monopoly on military command and leads to some early calls for national and public education.

Second, the theoretical empowerment of the state emerges as a legacy of religious and civil warfare. On the continent, the legacy of the Reformation and the Thirty Years' War forced the political philosophers of the age to innovate. The solution that many propose in various guises is sovereignty. In the case of territories further to the East, the solution is partition along religious lines with a sovereign ruler. Inside France, where partition is not a solution, given that the Protestant Huguenots are concentrated in urban centers and Catholics in the countryside, Jean Bodin offered a slightly different interpretation of sovereignty. Here, sovereignty becomes connected to territory and a king who stands above the divisions within the society. A subject of the French king lives in France, regardless of his individual

religious affiliation. Therefore, Bodin's theoretical support for an absolutist sovereign paradoxically allows for more diversity in the society among the sovereign's subjects.¹⁶

In Britain, the civil war leads Thomas Hobbes to a similar paradox. His answer too is the creation of an invincible, sovereign state. The advantage of sovereignty here is that it creates a perpetual guarantor for the law (and order) society needs. Hobbes argued that this guarantor function must be perpetual if the state assumes the role of the unmoved mover that can guarantee all other contracts in the society. Thus, in his masterwork, *Leviathan*, Hobbes proposed a one-time social contract that creates a perpetual sovereign. This powerful state paradoxically provides more freedom for the individual since it provides the neutral judge needed to uphold contracts, provide law and order, and guarantee the property of individuals.

Third, the state moving into the industrial and later postindustrial periods of economic development acquires an important mediating role in the social tensions created by capitalist development. Obviously, one of the greatest ideological debates in human history is where and to what extent the state should regulate the market economy. Nonetheless, careful comparative research by political scientists documents very clearly the role of the state in addressing human concerns with the outcomes of capitalism, though with varying degrees of effectiveness in each case.¹⁷ In the West, nation states adjust the legacy of their earlier social contracts to include economic and social guarantees beyond the legal rights discussed by Hobbes, Locke, and others.

Thus, despite the vast literature available on state development, there is an overall theme that is consistent. In Europe and its settler societies, the nation state develops as a reaction to three major challenges. The state needed to improve its ability to wage war for self-defense. In reaction, states became more centralized and justified their power largely through appeals to nationalism or religious affiliation. Later, to incorporate religious diversity, the state needed a new relationship to its subjects. This led, paradoxically, to new forms of absolutist theory where a sovereign state stands over an entire territory and everyone residing in it. More recently, the state faced a new challenge with the social tensions unleashed by capitalism. For the liberal welfare states of the West, the sovereign had to adjust the "old" social contract to include new social protections. In Russia and states following its path in the developing world, the alternative to Western capitalist society becomes the construction of a totalitarian state. The absolute absolutism of these totalitarian examples of state socialism attempts to impose a different social order to that found in the capitalist West.

The solution in all three of these diverse cases was for the state to reinforce its sovereignty. Through the use of sovereignty, the state could guarantee the society from outside attack by consolidating all of its resources (material and manpower) into one centralized army. As Foucault has shown, this process leads to the refinement of disciplines that wring even more productivity and

effectiveness from this manpower and material.¹⁸ By the twentieth century we see this process leading to total war. The states in the West, and eventually Japan, can harness their entire productive capacity for war making. The two world wars become the proof that war has shifted to an all-pervasive, society-wide endeavor.

Sovereignty also allowed the state to expand its borders and include a larger and more religiously diverse population. From the religious complications of Bodin's time, states slowly acquired the theoretical explanation for why they should be sovereign over various peoples. As the territorial breadth of states included a greater breadth of people, sovereignty became linked to the idea of a separate political identity that could be universal. In this sense, universal, political citizenship is the analogue of sovereignty. The religious affiliation of the individual becomes secondary to his earthly membership in society. God becomes more distant in comparison with one's relationship to the Leviathan state.

The guarantee of sovereign authority also provided the legal infrastructure that aided capitalist development. Increasingly complex contracts and chains of transactions were possible, thanks to the legal foundation provided by an ultimate sovereign. Later, market interventions by the sovereign state allowed it to mitigate some of the tensions inherent in capitalist society. The harsh conditions of Manchester-style industrialization eventually gave way to state-enforced labor codes, market regulation, and welfare provisions.

In an extreme reaction to the tensions of early capitalism, the Russian empire was transformed through the Soviet experience into a totalitarian, state socialist alternative. In this case the state becomes arguably even more sovereign than in the West, given the imposition of state direction not only over the economy but all aspects of society. Under Soviet rule, the state closely supervised the arts, the sciences, sport, and any conceivable form of social organization in its quest for ideological conformity.

These earlier European states became, in turn, the model for state formation across the planet. This includes not only the imperialism and colonialism of the Western nation states but also the Soviet Union's domination of its satellite allies during the Cold War. The nation states we know today evolved as a response to several historical challenges that emerged in Europe. The solution to these specific problems, the nation state, was then transposed onto other societies through the process of war, colonization, imperialism, and cultural influence.

The utility and contingency of the state

Given their common histories and origins, it is interesting to think about the uses made of the state. In the eighteenth century, Liberals used the state to finish off the privileges of the old feudal order in much of Europe. The

ideological arguments advanced in this conflict eventually assisted struggles for suffrage and the expansion of individual rights. In the nineteenth century, the state became active in the formation of the new capitalist market. The disruptions caused by the transition from agrarian to market society led to the twentieth-century state acting as a bulwark against market failures and the social tensions it triggers.¹⁹ Thus, it is difficult to argue that the state has always had a pernicious impact on human beings. In some cases, the state has responded to alleviate human suffering.

However, we also see in the totalitarian dictatorships of the twentieth century the use of the state to terrorize societies. This last point, the possibility of state-organized terror, is linked to the fact that the state is not just a set of institutions and agencies. For states to function well, they must also operate in the world of ideas. At their core, states depend on the citizenry believing it has some sort of common identity.²⁰ For many contemporary philosophers, one explanation for totalitarianism in the twentieth century is that it was an attempt to use the state to impose an ideology upon society despite the concerns, interests, objections, or resistance of that community. Rather than recast the state's ideology, violence is used to attack the real-world constraints and human beings that have gotten in the way of utopia.²¹

These nightmare examples of totalitarianism from the twentieth century are most commonly interpreted as showing the need for keeping the state accountable through the institutions and practices of representative democracy. Indeed, since the state has been used for many ends, it seems difficult to argue that it is inherently detrimental to human beings. If one considers the religious warfare after the Reformation, the refinement of Bodin's sovereignty becomes an attractive solution to the problem of political identity. The war capabilities the state develops can in some instances be credited with deterring external aggression. Also, the social contract theories supporting the state forced it to eventually intervene in the most egregious cases of tension triggered by capitalist development. In our own historical period, the effects of failed states in the international system point to the usefulness of states. If one examines conditions in failed states like Somalia or Congo, then Hobbes' call for a strong state to guarantee order looks less objectionable.²² Thus, the state appears to be, at least, a necessary evil when we consider life without it.

Furthermore, the necessity of the state only seems to be reinforced by the challenges of our contemporary situation. Contemporary nation states are tasked with managing an extremely complex array of social, economic, and technological policies. The state has gained enormous power through this management. At the same time, the development of these capacities has created a vast risk of catastrophe.

Governments around the world must weigh choices on economic development that are fraught with long-term risks to the environment and often short-term risks to social stability in areas like employment. Even the

most noninterventionist, market-oriented states must consider education policy if they are to remain economically competitive. States must regulate specific technologies like nuclear power and genetic engineering to avoid the potentially catastrophic risks tied to them; nation states have also entered into treaty obligations with one another to regulate these specific areas of danger. Finally, aside from the risks of economic and technological development, contemporary nation states face the risks of ideologically based terrorism practiced on a scale that surpasses past episodes of political violence.

The state seems to be essential for the well-being of humans given these realities confronting contemporary society. Nonetheless, there is a tradition that argues that the state is inherently harmful to human society, no matter how well designed its institutions. Anarchist arguments against the state touch on several areas. But their overall point is that the state is ultimately harmful to human interests. As I explain later, some of these criticisms are an interesting complement to the academic consensus on the state discussed earlier. Although the anarchist tradition is rooted most firmly in the nineteenth century, its criticisms of the state take on more urgency in the aftermath of twentieth-century totalitarianism.

The development of the state provided the means to address challenges posed by new forms of warfare, political identity in growing societies, and the tensions of capitalist industrialization, but the haunting question has always been: at what cost? What paths were not taken on the way to developing the nation state that could solve these same problems?

Setting aside even older philosophical treatments,²³ radical criticism of the state takes a decisive turn with Rousseau. In his discourses on “the Arts and Sciences” and “the Origins of Inequality,” Rousseau rejected the enlightenment view of historical progress. Instead, Rousseau is an early voice posing a positive category of nature to the scientific and technological progress of his time. This vein of criticism also leads him to eventually invert the social contract of theorists like Hobbes and Locke. Rather than a social contract to exit the state of nature and create a new legitimate political order, Rousseau tried to imagine a social contract to escape the sick, artificial order of his time and return to a free, natural society.

Rousseau’s philosophical efforts are popularly associated with his subsequent influence on the French Revolution. However, this importance for intellectual history tends to obscure the radical implications of Rousseau’s criticism of political legitimacy. By contrasting his own time with a natural ideal, Rousseau amplifies a classic but underarticulated idea: that the state is an artificial construction. Rousseau puts this bluntly in the first discourse:

While governments and laws provide for the safety and well-being of assembled men, the sciences, letters, and arts, less despotic and perhaps more powerful, spread garlands of flowers over the iron chains with

which men are burdened, stifle in them the sense of that original liberty for which they seemed to have been born, make them love their slavery, and turn them into what is called civilized peoples.²⁴

This basic point sets in motion a whole chain of related questions. First, if the state is artifice, a product of human agency, then isn't it open to further change by us? Second, if the state is not natural, then what purpose should it serve?

For Rousseau, the state in France was created to accomplish certain ends, first and foremost the protection of property. From this initial purpose, Rousseau traces the subsequent development of the current social order. In the second discourse, he asserts,

The first person, who, having fenced off a plot of ground, took it into his head to say this is mine and found people simple enough to believe him, was the true founder of civil society.²⁵

The subsequent attempts by Liberal social contract theorists, Conservative Monarchists, or the church to explain this institution by other means are simply camouflage for its real purpose—protecting the property of the wealthy. In this sense, they are an example of the “garlands of flowers” Rousseau criticizes in his first discourse. Living in an age before theories of trickle-down economics, Rousseau dismissed any plausible justification for this role out of hand.

Another important point that emerges from Rousseau is his criticism of representation. For Rousseau, the only way to return toward natural freedom is to have direct democracy. In his *Social Contract*, Rousseau questions the believability of an elected official serving as my substitute after an election.²⁶ While Locke argued that representatives are simply delegates for those of us unable to devote ourselves full time to government, Rousseau argued that representatives are only accountable the day of an election. How could a representative know every constituent's true interest on every policy topic? Even if I voted for a representative at an election, because he campaigned on certain policy preferences, how would that representative know if I changed my mind afterward when confronted with new information? This concern with direct, immediate participation in governing leads Rousseau to call for independent, small-scale communities.²⁷

This impulse also lies behind Rousseau's assertion that he approved of the *corvée* (a levy of labor) more than taxation.²⁸ In the former, the citizen would know exactly what his contribution was and where it went. Indeed, the logic of Rousseau's point is appealing. How many of us would gain a better understanding of welfare policy and social conditions if we volunteered to help with public assistance rather than writing a check at tax season? If we are worried about public education where we live, then

shouldn't we attempt to gain direct experience with local schools before we criticize the way they are funded and managed?

Echoes of Rousseau's criticism of the state appear throughout other radical traditions. For example, Rousseau's assertion that the purpose of the state was primarily to protect property, and thus serves as the origins of inequality, reemerges in Marx as the assertion that the state is the executive committee of the ruling class. Just as Rousseau dismissed various theories of political legitimacy as window dressing to justify the state maintaining inequality, so too Marx argues that:

all struggles within the state, the struggle between democracy, aristocracy, and monarchy, the struggle for the franchise, etc., etc., are merely the illusory forms in which the real struggles of the different classes are fought out among one another...²⁹

Thus, the state becomes an entity used for the protection of property and interests of a ruling class.

However, more than others, the anarchist tradition points to nagging questions about the state that have never gone away. This radical tradition's criticism of the state encompasses more than the focus on inequality and class interest found in the current of socialist ideas extending back through Marx to Rousseau. Although many anarchists would agree with the fact that the state defends inequalities that benefit the ruling class, the anarchist analysis of the state also questions the plausibility of the state's ultimate monopoly on authority and the moral consequences of society relying on the state.

For example, on the point of the state serving as the final sovereign authority for society, Bakunin long ago voiced a pertinent question. How can one institution, the state, be an expert in all areas? How is it possible for the state to judge all questions within society?

Does it follow that I reject all authority? Far from me such a thought. In the matter of boots, I refer to the authority of the bootmaker; concerning houses, canals, or railroads, I consult that of the architect or engineer.³⁰

For Bakunin, authority derives from rational recognition of areas of expertise. What is irrational to Bakunin is the idea that an individual invested with political authority is now an expert over all areas of life. Regardless of how an individual comes to political power, he is still an individual. Obviously, all individuals have strengths and weaknesses. No individual is a master of all the arts and sciences. Thus, no matter how we refine our democratic procedures, the idea of sovereign authority elevates human beings to an unnatural role.

In many ways, this skepticism of political authority is an echo of Plato's classical question: how does one train to be a politician? Other experts train

in specific fields, medicine for a doctor, physics for an engineer, and the law for a lawyer. Yet, what is the required training to become a ruler over others? Historically, one answer has been warfare, such as Machiavelli's description of a prince. But in a modern state, with all of the policy areas now under its influence, what possible training could equip someone to be an expert in governing? Kropotkin vividly expresses his skepticism on this point:

Is it not indeed absurd to take a certain number of men from out [of] the mass, and to entrust them with the management of all public affairs, saying to them, "Attend to these matters, we exonerate ourselves from the task by laying it upon you: it is for you to make laws on all manner of subjects—armaments and mad dogs, observatories and chimneys, instruction and street-sweeping, since you are the chosen ones whom the people has voted capable of doing everything!"³¹

With this skepticism toward political authority, Kropotkin echoes Rousseau's older skepticism of representation over direct participation. Since no individual can be an expert in everything, shouldn't we have as many people as possible not just voting, but governing?

Yet the idea of everyone governing in a modern nation state seems utopian. Thus, modern, liberal democratic states turned to the idea of representative government. The logic of this solution follows that of Locke's social contract. Since I cannot devote myself full time to government business, I do the next best thing by deputizing someone to represent me. From the anarchist perspective, though, this solution only seems to replicate the issue of expertise. How could a representative ever know my true needs, preferences, and aspirations? Referring to the view of a hypothetical representative, Kropotkin posits the following:

I am unacquainted with most of the questions upon which I shall be called on to legislate. I shall either have to work to some extent in the dark, which will not be to your advantage, or I shall appeal to you and summon meetings in which you will yourselves seek to come to an understanding on the questions at issue, in which case my office will be unnecessary.³²

In other words, no one could be a better expert in an area of immediate interest than myself. Why do I need to go through a set of representatives to reach agreements with others?

Of course, Kropotkin writing in the nineteenth century could scarcely imagine the complexity of current societies and their legal frameworks. Arguably, the advantage a representative has over common citizens is that he may draw on large resources to get to the bottom of issues. Modern representatives in government have staffs, a budget, and in many countries,

the ability to issue subpoenas. Thus, the representative brings in experts to explain policy options and then chooses the one he thinks is best.

This idea is embodied in the common-law tradition of juries. Twelve jurors drawn at random from the community are not expected to be legal experts. Instead, they are expected to exhibit through their deliberations what Aristotle called “the wisdom of the multitude.” Although none are experts in the law, all of the jurors can draw upon their respective education and experience. This pooling of ability gives them a collective strength lacking if we examine each individual in turn. From this perspective, the common-law tradition presumes that a jury can make a correct decision in a case if all of the facts and legal procedures are clearly presented to them by experts (in this case lawyers for both sides and a judge).

To dismiss the criticisms of the anarchists, many observers have used a similar argument. When Kropotkin, Bakunin, or other critics question the omniscient competence of the state, the counterargument is that they perform Plato’s classical sleight of hand. That is, they take an individual and ridicule the idea of any one person ruling competently in all areas. Instead, the philosophical defense of the state’s omniscience is usually a variation of Aristotle’s “wisdom of the multitude.” The state is not one individual, but instead a pooling of the expertise and abilities of many individuals. One individual cannot perform competently in all areas, but representatives supported by an expert bureaucracy can. In this sense, representatives are like a jury. Each has his or her limitations; their selection may even be somewhat random, but taken together and provided with expert guidance, the jury as a collective can reach a competent decision.

Deeper challenges

However, the anarchist criticism runs philosophically deeper than these dueling analogies indicate. A jury is deciding a question of fact. Similarly, we can imagine a democratically elected representative, provided with expert advice, choosing between policies if the issue was merely one of fact. But political decisions are often more than a choice of facts. Instead, political authorities must choose between different policies on the basis of philosophical convictions. Should the state invest more in education or lower taxes for greater economic growth? When, if ever, should the state go to war? These sorts of questions extend beyond analysis of factual information.

For Rousseau, even the best procedures to elect representatives would only guarantee that the elected official implemented the general will at that moment. Once an election passes, how could an official claim, for example two years later, that he still knew how his constituents would want him to vote on any issue? We can imagine a situation where even the most dedicated

representative cannot know this. For example, imagine a member of the US House of Representatives, or an MP from the British House of Commons, or even a representative from a local city council holding a number of meetings to ask his constituents how they wish for him to vote on a specific upcoming bill. Imagine further that these constituents answer with a resounding positive vote for the legislation. The representative then attends his meeting of the House, Parliament, or city council prepared to cast a supporting vote as his constituents instructed him to do a week or more ago.

However, during that session, our imaginary representative listens to a lengthy debate that includes updated information. During the course of this debate the representative finds himself shifting his own opinion as he listens to an impassioned debate. At this point in our imaginary example, would the representative not wonder if his constituents would also change their minds if they were present? Doesn't it seem illogical for the representative to cast a vote from instructions he received previously before engaging in the actual debate on legislation? It is in this sense that Rousseau argues true representation is an impossibility. Even the most dedicated representative can only hope to know what his constituents wanted at a particular moment in the past.

Furthermore, as we increase the stakes involved in such decisions, the moral authority of political office seems to inversely decline. Delegating authority to a professional politician to decide some mundane matters might seem plausible. Locke argued in his idea of the social contract that individuals needed to delegate the business of government to others, so that they are free to tend to their private interests. However, would it ever be rational to cede authority to someone else to decide on war or peace? For Bakunin it is highly irrational to cede the power of life and death (a monopoly on coercion) to someone else. Why would I ever admit that someone has a right to kill me or order me to kill someone else?

This also brings us to the other complication between deciding a question on facts versus philosophical beliefs. If my beliefs clash with the course taken by my representatives, then why should I acquiesce? The answer from Locke and most social contract theory, arguably up through the twentieth-century political philosophers John Rawls and Jurgen Habermas, is a procedural one. If we structure the competition of ideas and political positions fairly, then the outcome of this clash should be fair. Or, at least, it is a pragmatic way to structure politics to avoid violence.

From the anarchist perspective, this question invites an analysis of degrees. Perhaps I would easily acquiesce to the majority on many policy points. Giving in to the majority is easier the less concerned I am with an issue. On the other hand, politics is also about a clash of values. The more important the value to me, the harder it will be for me to admit political defeat. Arguably, I should do so in many cases for the greater good of social peace, tolerance, or out of concern and empathy for others.

Yet, there is always a limit. In Locke's social contract, his concern with this point leads him to conclude that one always has the right to "appeal to heaven." By this euphemism, Locke means a right to rebel if one is convinced that the government is tyrannical. Even in Hobbes' seemingly iron-clad contract, the sovereign must still have police since he cannot expect an individual accused of violating the sovereign to surrender voluntarily. Thus, in the social contract theories we associate with contemporary constitutional regimes, there is an idea of limits to authority and justified resistance or rebellion.

Arguably, the most sophisticated version of social contract theory available to us is that of the late twentieth-century theorist John Rawls. This modern version of the social contract replaces Hobbes and Locke's speculative state of nature with a hypothetical "original position."³³ This original position is described by Rawls as a thought experiment where individuals have all of their rational capacities, but no knowledge of their status in society. In Rawls, the social contract's limits seem even grayer since it would be irrational for us in this original position to choose anything other than a set of arrangements that benefit the least well-off in society. Rawls attributes this rational conclusion to the fact that since any of us in the original position could find ourselves in this least well-off position, we will want to minimize poverty and other misfortunes. For Rawls, then, the requirements of the social contract demand that the state provide many of the social welfare provisions we associate with modern, developed states. In this sense, Rawls places even broader limits on state authority than in the older social contract theory of Locke. Now individual rights include a broad basket of minimum welfare guarantees that the state must provide.

Among sophisticated theories of political legitimacy, there are always limits to state authority. Social contract theories are the most explicit in their call for limits to state power. However, it is difficult to imagine any theories of the state that lack such claims. Even extreme supporters of state power find themselves beholden to some sort of limits. For example, in Carl Schmitt's notorious work on sovereignty, *Political Theology* (published in Weimar Germany), the discussion is that of the state's power during the exception, or in other words, crisis and emergencies.³⁴ Schmitt attempts to construct an extreme definition of sovereignty claiming that it truly lies with the part of the state (or the individual) that can decide to suspend the rule of law. Schmitt argues that "All tendencies of modern constitutional development point toward eliminating the sovereign in this sense."³⁵ However, Schmitt questions the realistic limits of constitutionalism, arguing that "...whether the extreme exception can be banished from the world is not a juristic question."³⁶ Instead, Schmitt argues that the true limits of the state are grounded in the needs of an emergency situation, and the state's need to do what is necessary to survive. Thus, even a theorist of dictatorship like Schmitt implies that the state requires some sort of justification, such as an emergency due to social disorder, to fully exercise its sovereign power.

Other highly charged nationalist or communist ideological claims about the legitimacy of the state rely, almost always, on a claim of necessity. In other words, the vast power being turned over to the state is a necessary evil for the sake of a higher cause. Though such claims support extreme totalitarian states, the “ends” that they claim to seek are used to justify dictatorial “means.” Thus, in a philosophical sense (though not one of much use to those trapped under such a regime), even totalitarian theories of state legitimacy contain the germ of a limit to state authority. The vast power of the state still must be linked, however tangentially, to the ideological goal of communism, fascist superiority, or extreme nationalism.

When the ideology supporting totalitarian regimes crumbles, the political system collapses. We have seen such events again and again in the wave of regime change that swept across Eastern Europe at the end of the Cold War. In some historical cases, the totalitarian regime can go on for a while in a twilight period that rests on almost pure coercion.³⁷ Yet, even in contemporary times with sophisticated mechanisms of coercion, pure force remains a very ineffective prop for political rule. In this sense, sovereignty is always problematic for theories of political legitimacy. Even extreme supporters of the state, and apologists for dictatorship, find that they need a justification for the absolute authority the state claims.

Perhaps Schmitt, as an open theorist of dictatorship, is less afraid to grapple with an unpleasant truth. Sovereignty is ultimately about force, and theories of political legitimacy attempt to justify this monopoly of violence. However, with the exception of the anarchist tradition, the necessity of the state’s ability to use violence, however selectively, is never questioned. Here, we see why for many anarchists like Bakunin the state seems akin to a belief in God. The state serves as an unmoved mover, a final authority that is always correct. This infallibility of the state serves as a linchpin to everything else, much as God’s ultimate authority is the keystone for various theologies. We cannot really question the omnipotence of God within various theologies, but theology attempts to explain how this is for the best.

One answer that is often repeated to the anarchist challenge of legitimating political authority is constitutionalism. Yet, given the amount of scholarship now available on creating constitutions, constitutionalism is not an easy refutation of the anarchist position.³⁸ Elites usually draft constitutions with little input from society, often in secrecy, and then submit their efforts to a plebiscitary referendum for legitimacy. Indeed, the elites typically drafting a constitution rely upon their social status, fame, or moral authority to justify their actions.

Despite these elitist origins, the contemporary political philosopher Jurgen Habermas argues that we can still view constitution making as an example of democratic action if we interpret a constitutional convention as “the founding act in an ongoing process of constitution making that continues across generations.”³⁹ In other words, we can view constitution

making as an act that enables participation to occur. Thus, despite their elitist origins, constitutions are co-original with democratic participation since constitutions, with their rules and institutions, make future democratic activity possible.

However, from an anarchist perspective this view of constitution making ignores an important point. Politics introduces a moral dimension that requires some judgments and understanding of the original motivation behind constitutional arrangements. Central to Habermas' broader philosophy is the idea that reason is integral to human communication because I wish to convince or explain to others some goal.

However, we can think of many other interactions, common to the human condition, which rely on subterfuge and efforts at obfuscation rather than transparency. Consider the examples of seduction, "white lies" to avoid hurting others, and the ancient art of selling in the marketplace. In all of these cases, how we morally judge an individual's efforts turns on the question of his initial motivations. A "white lie" is often acceptable to us if we learn that it shielded another from unnecessary emotional pain, some exaggeration is expected in the market place, and moral judgments on seduction are as old as human literature. Therefore, judgments about communication rest in part on the motivations behind it. The communication used to construct a constitution is potentially undermined by the motivations of those behind it.

This point is especially relevant given the scale of constitution making. The number of individuals affected by this activity is much larger than some of the examples of smaller-scale social interactions mentioned above. Given this impact when designing political rules that individuals must submit themselves to, the pragmatic acceptance of constitutional origins found in Habermas' and others' commentaries is difficult to accept. How can the rules created by elites, often for very narrow political ends, be accepted as justifying state sovereignty? Even if this original act leads to positive reforms later in history, how does this original act justify the ultimate authority of the state?

Furthermore, another insight from the anarchist tradition turns on the issue of motivation and its link to the morality of action. In other words, even if I act correctly, there is a difference between me doing so of my own volition rather than from fear of punishment. From this perspective Bakunin explains:

And even when the State enjoins something good, it undoes and spoils it precisely because the latter comes in the form of a command, and because every command provokes and arouses the legitimate revolt of freedom; and also because, from the point of view of true morality, of human and not divine morality, the good which is done by command from above ceases to be good and thereby becomes evil. Liberty, morality, and the humane dignity of man consist precisely in that man does good

not because he is ordered to do so, but because he conceives it, wants it, and loves it.⁴⁰

Thus, when I act out of fear of the state, I behave as a believer does from fear of God's punishment. Are my actions then that of a moral, rational individual? From the anarchist perspective, this instead makes my behavior akin to an ignorant servant or slave, motivated by fear.

Closely related to this point is the anarchist concern of dependency. The existence of the state lulls society into accepting that it is dependent on it. As Kropotkin explains,

The absorption of all social functions by the state necessarily favoured the development of an unbridled, narrow-minded individualism. In proportion as the obligations toward the state grew in numbers the citizens were evidently relieved from their obligations towards each other.⁴¹

From this perspective, the state's role and dominance becomes self-fulfilling. In a more recent study of the contemporary state and its contradictions, Jens Bartelson argues that "we simply seem to lack the intellectual resources necessary to conceive of a political order beyond or without the state, since the state has been present for long enough for the concept to confine our political imagination."⁴² Thus, our dependence on the state cripples our ability to imagine alternatives to social organization.

For Bakunin and other anarchists, improving the process of choosing our representatives does not resolve these issues. Once an individual delegates authority to someone else, they are no longer equal. While we might imagine some individual trustee relationships in society that seem plausibly acceptable (parents to children, expert assistance in some area), this model falls apart once we invest the trustee with lethal, coercive power over other adults, based on philosophical convictions, rather than facts.

Of course, Bakunin's run-in with the authority of Russian and Prussian autocracy colored his view of the state. For Bakunin the state attempting to serve in its role as the unmoved mover was the blundering, overreaching empire of the nineteenth century. This perception of the state is reflected in the enthusiasm of the nineteenth-century anarchists for science as a foil to the ignorant state of their time. Starting with Proudhon, this current of scientific opposition to the state carries on through much of the radical left including Marx's development of scientific socialism.

However, for the anarchists the realization that the state could co-opt science was also present early on. Kropotkin and others became alarmed at the ability of the state to apply scientific method to coercion, both in domestic policing and in its military efforts against other states.⁴³ The concerns of nineteenth- and twentieth-century anarchists in this area

included permanent, standing armies and the vast files that police agencies were beginning to accrue. As technology enhances the coercive power of the state, the anarchist fear has been of a dwindling space for social and individual independence.

Thus, the anarchists were pioneers in pointing to the latent dangers of technocracy. On the one hand, rule by experts would seem more logical to the anarchist critique of authority than other options. Long ago, Jeremy Bentham hoped to reduce the politics of his time to arithmetic through his philosophy of utilitarianism. Bentham argued that by accepting the goal of pursuing “the greatest good for the greatest number,” social policy could be reduced to a science of calculating costs and benefits.⁴⁴ To this end, Bentham devoted himself to the attempt to quantify human happiness so that it could be measurably compared to the costs of obtaining it.

Despite this effort at a science of politics, Bentham returned to a position not that far removed from Plato’s speculations of *Republic*. Bentham argued that utilitarianism would require the training of “sympathetic observers” to put a number to human happiness and thus make his political calculus possible. Similarly, Plato argued that only the philosophers of his time, with their training in dialectics, would be able to rule correctly, thanks to this expertise.

Yet, in the end rule by expertise falls to the same criticism the anarchists raise against the procedural attempt to legitimize state authority. How could one area provide the expertise needed for all of society? What possible training or education can plausibly prepare an individual for such high office? On the other hand, if we adopt Aristotle’s idea of the wisdom of the multitude, how do we explain a small number of individuals making choices that extend beyond facts into competing moral positions?

State, markets, and political legitimacy

The nation state emerged as a solution to specific problems faced by political elites in the early modern period. After this initial stage of formation, the state was further adapted to resolve subsequent problems such as the tensions created by capitalist industrialization. In the twentieth century the state was also reorganized into more extreme forms, including totalitarian variants to support increasingly complex political ideologies. Thus, the state has been used for varying ends, some progressive and others pernicious.

This long path of state development is shadowed by the arguments used to explain and justify the state. At various stages in the state’s development, these efforts have been more or less successful depending on the use of the state. In the nineteenth century, liberal states offered a progressive development in many policy areas that fit well with ideas of constitutionalism. Later, the social tensions unleashed by nineteenth-century capitalism eroded

the legitimacy of the liberal state. In the twentieth century, totalitarianism destroyed trust in the state with its use of state-directed terror. In our own time, the examples of failed twenty-first-century states in parts of the world show many may simply crave any government that provides basic social order.

From this broader, historical perspective, the concealment of the state is not necessarily a radical turn. Instead, we can view this ideology as simply the latest in a long line of arguments that attempt to justify the state. What does make this latest ideological turn different is the fact that the difficulties of justifying the contemporary state are so acute. In fact, the contradictions of the postmodern state are so pronounced that an ideology of concealing the state becomes the best solution.

What is so difficult about legitimating current states? In part the problem is the latest iteration of the point anarchists made long ago. The state's goal of sovereignty is so closely tied to the coercive function that it undermines the credibility of this human innovation. Thus, the state has evolved with various ideological tools to try and justify this connection. What these various theories of political legitimacy all have in common is their ability to obscure the fact that the state relies on human agency.

For the state to fulfill its domestic function, the ultimate guarantor of all other agreements within a society, it must maintain its sovereignty. For the state to fulfill its international function, the management of relations between societies by speaking with one voice for an entire society, it must maintain its sovereignty. But sovereignty is more than a concept of international law. To maintain it, states must engage in the practice of coercion.

As I discuss in Chapter 4, the coercive capabilities of contemporary states have created a new ideological need. Instruments of coercion and surveillance have grown exponentially in the late twentieth and early twenty-first centuries. The technologies now available to the state are so troubling; they effectively puncture our remaining myths about privacy and the limits of effective coercion. This development is another aspect of contemporary politics well served by the ideology of concealing the state.

And for this reason, the ideology that legitimates contemporary states is one of outright concealment. This phenomenon of obscuring the state exploits an area of the anarchist tradition that seems weak: the state's intertwining with markets. We should not be too surprised by weakness in this area of anarchist thought. After all, a long-running debate in contemporary political science is over the link between democracy and the markets.⁴⁵ This debate has become even more complex as the process of "globalization" has forced other states to integrate into the international economic system.⁴⁶

For Kropotkin and other anarchists, the idea of markets was antithetical to democracy since the market requires a sovereign state, with vast coercive power, to make it a reality. Kropotkin, among many others, called for replacing the market and the state with a new federative system of

cooperation. The vision was to replace the domineering unmoved mover of the state with institutions of a more human scale. Kropotkin attempts to sketch how this future can be organized in his *Fields, Factories, and Workshops*. Smaller-scale economic activity would remove the need for the Leviathan state.

However, anarchist thought on how to replace the market, or to restructure labor and work, fails to take into account the ability of the state to recede into the background behind the market. Consider the attempt Kropotkin makes to untangle the state from other concepts in his *The State: Its Historic Role*. On the one hand, Kropotkin warns against the mistake of “the German school, which enjoys confusing state with society.”⁴⁷ On the other hand, Kropotkin also cautions against confusing the state with “government.” As he explains,

The state idea means something quite different from the idea of government. It not only includes the existence of a power situated above society, but also of a territorial concentration as well as the concentration of many functions of the life of societies in the hands of a few. It carries with it some new relationships between members of society, which did not exist before the establishment of the state. A whole mechanism of legislation and of policing has to be developed in order to subject some classes to the domination of others.⁴⁸

Thus, Kropotkin implies here that “the market” is indeed a fiction of the state.

Following Kropotkin as quoted above, we could argue that the market, with its labor and class relations, is part of the state. On the other hand, does that not return us to the fallacy of the German school he describes, conflating aspects of society with the state? Should we turn to an analysis of a true or “real” society that is still present despite the distortions of the state and its pseudo-autonomous free market? In his historical analysis of the state, Kropotkin shows that there have been forms of society prior to the creation of the state and thus, we can return to a community that does not have a state.

What is missing, though, from any of these options is an analysis of how the state can convincingly alienate this part of itself from the public and, yet, at other times suddenly assert its role. In times of market crisis, the state steps forward to reinforce the market. The paramount examples of this dynamic are the Great Depression of the 1930s and the financial crisis of 2008–2009. But aside from these moments of state support and intervention, the dynamic of the twentieth century, which accelerated toward its end, has been for the state to use the market as cover for its withdrawal. Behind the screen of the market, increasingly dominant in daily life, the state can choose where and when to act much more selectively than in the recent past.

How then do we explain the market's relationship to the state? Is the public's perception of the market simply an ideological illusion? This implies that the market is simply part of the state. However, this runs the risk of making the mistake Kropotkin fears and denying that there is anything happening outside of the state: conflating state and society. Despite the state's dominance, regulations, and maintenance, the "market" still seems to contain elements of individual initiative and cooperation. On the other hand, if we attempt to abstract out the state from the market, or a true part of society, then we seem to risk focusing on what Kropotkin warns is "government" rather than the state.

By exploiting this difficult terrain between state, society, and the market, and through the use of the deep and shallow state dynamic described in the previous chapter, the state can choose to conceal itself. As we shall see, the state can even hide its coercive abilities. If we examine the instruments of coercion and surveillance available to contemporary states, then this motivation for concealment becomes clear. The postmodern state's coercive power is so great that it undermines the conventional theories that have legitimated the state's power in the past.

Notes

- 1 The need for state involvement in the interest of social justice is an important point in Nancy Fraser's debate with Axel Honneth over "redistribution vs. recognition." See Nancy Fraser and Axel Honneth, *Redistribution or Recognition?* (New York: Verso, 2003).
- 2 In fact, the UK's government-appointed surveillance commissioner warned that "Britain may be in breach of its own human rights laws." See Rob Hastings, "New HD CCTV Puts Human Rights at Risk," *The Independent*, October 3, 2012. Available at: www.independent.co.uk/news/uk/crime/new-hd-cctv-puts-human-rights-at-risk-8194844.html#
- 3 Arguably, this is most pronounced in the United States and is supported by findings from recent political science. See Richard R. Lau and Caroline Heldman, "Self-Interest, Symbolic Attitudes, and Support for Public Policy: A Multilevel Analysis," *Political Psychology*, vol. 30, no. 4, August 2009, pp. 513–37. Lau also refers to earlier evidence of this trend. David O. Sears, Richard R. Lau, Tom R. Tyler, Harris M. Allen, "Self-Interest vs. Symbolic Politics in Policy Attitudes and Presidential Voting," *American Political Science Review*, vol. 74, 1980, pp. 670–84.
- 4 Steven Levitsky and Lucan A. Way, *Competitive Authoritarianism: Hybrid Regimes after the Cold War* (Cambridge: Cambridge University Press, 2010).
- 5 Sheldon S. Wolin, *Democracy Incorporated: Managed Democracy and the Specter of Inverted Totalitarianism* (Princeton, NJ: Princeton University Press, 2008).

- 6 Charles Tilly, *Coercion, Capital, and European States, AD 990–1990* (Cambridge, MA: Blackwell, 1990). Tilly is also editor of the classic, massive study, Charles Tilly ed., *The Formation of National States in Western Europe* (Princeton, NJ: Princeton University Press, 1975).
- 7 For example, Perry Anderson, *Lineages of the Absolutist State* (London: NJB, 1974).
- 8 Barrington Moore, *Social Origins of Dictatorship and Democracy; Lord and Peasant in the Making of the Modern World* (Boston, MA: Beacon Press, 1966).
- 9 Contemporary examples of studies in this area include Jeffrey Herbst, *States and Power in Africa* (Princeton, NJ: Princeton University Press, 2000). Atul Kohli, *State Directed Development: Political Power and Industrialization in the Global Periphery* (Cambridge: Cambridge University Press, 2004). Fernando Lopez-Alves, *State Formation and Democracy in Latin America, 1810–1900* (Durham: Duke University Press, 2000).
- 10 See Cameron G. Thies, “National Design and State Building in Sub-Saharan Africa,” *World Politics*, vol. 61, no. 4, October 2009, pp. 623–69.
- 11 For example, Peter B. Evans, Dietrich Rueschemeyer, and Theda Skocpol, *Bringing the State Back In* (Cambridge: Cambridge University Press, 1985), or Stephen D. Krasner, *Sovereignty: Organized Hypocrisy* (Princeton, NJ: Princeton University Press, 1999).
- 12 For a good review of this literature, see Tuong Vu, “Studying the State through State Formation,” *World Politics*, vol. 62, no. 1, January 2010, pp. 148–75.
- 13 For a concise overview, see Michael Mann, *The Sources of Social Power: A History of Power from the Beginning to AD 1760* (Cambridge: Cambridge University Press, 1986), pp. 453–58.
- 14 For an interesting counterexample of a society that does not follow this trend, see Gregory Hanlon, *The Twilight of a Military Tradition: Italian Aristocrats and European Conflicts, 1560–1800* (London: University College of London Press, 1998).
- 15 David B. Ralston, *Importing the European Army: The Introduction of European Military Techniques into the Extra European World, 1600–1914* (Chicago, IL: The University of Chicago Press, 1990).
- 16 The best study of Bodin on sovereignty remains Julian H. Franklin, *Jean Bodin and the Rise of Absolutist Theory* (reissue edition, Cambridge: Cambridge University Press, 2009).
- 17 For recent examples of research on the state’s role in modern and contemporary welfare state economies, see Maritn and Thelen, “The State and Coordinated Capitalism: Contributions of the Public Sector to Social Solidarity in Postindustrial Societies,” *World Politics*, vol. 60, no. 1, October 2007, pp. 1–36. David Bradley, Evelyne Huber, and Stephanie Moller, “Distribution and Redistribution in Postindustrial Democracies,” *World Politics*, vol. 55, no. 2, January 2003, pp. 193–228.
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- 20 Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (New York: Verso, 1983).
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- 25 Rousseau, *The First and Second Discourses*, p. 141.
- 26 Jean Jacques Rousseau, *The Social Contract*, ed. Roger Masters (New York: St. Martin's Press, 1978), p. 102.
- 27 Rousseau, *The Social Contract*, pp. 103–4.
- 28 Rousseau, *The Social Contract*, p. 102.
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- 30 Michael Bakunin, *God and the State*, ed. Paul Avrich (New York: Dover Publications, 1970), p. 32.
- 31 Petr Kropotkin, *The Place of Anarchism in Socialistic Evolution*, trans. Enry Glasse (London: William Reeves, 1886). Address delivered in Paris, translated by H. Glasse. First appeared in *Le Révolté*, 28 March–9 May; London: William Reeves. I have used the electronic version available at http://dwardmac.pitzer.edu/Anarchist_Archives/kropotkin/place_1.html
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- 33 John Rawls, *Theory of Justice* (Cambridge, MA: Harvard University Press, 1971).
- 34 Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty*, trans. George Schwab (Chicago, IL: University of Chicago Press, 2005).
- 35 Schmitt, *Political Theology*, p. 7.
- 36 Schmitt, *Political Theology*, p. 7.
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- Institutional Design* (Lanham, MD: Rowman and Littlefield Press, 2006) or Andrew Reynolds ed., *The Architecture of Democracy* (Oxford: Oxford University Press, 2002). On the topic of transitional justice, see Jon Elster, *Closing the Books: Transitional Justice in Historical Perspective* (Cambridge: Cambridge University Press, 2004).
- 39 See p. 768 of Jurgen Habermas, "Constitutional Democracy: A Paradoxical Union of Contradictory Principles?" *Political Theory*, vol. 29, no. 6, 2001, pp. 766–81.
 - 40 Mikhail Bakunin, "The Immorality of the State," in *The Political Philosophy of Bakunin*, ed. G.P. Maximoff (New York: The Free Press, 1953). Available at: http://dwardmac.pitzer.edu/Anarchist_Archives/bakunin/bakuninimmorality.html
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 - 43 A very thorough examination of the police methods that confronted the anarchists of the nineteenth century is provided by Alex Butterworth, *The World that Never Was: A True Story of Dreamers, Schemers, Anarchists, and Secret Agents* (New York: Pantheon, 2010).
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 - 45 For a good cross section of this debate, see Adam Przeworski, *Democracy and the Market* (Cambridge: Cambridge University Press, 1991); Amy Chua, *World on Fire* (New York: Knopf Doubleday, 2004).
 - 46 For a discussion of the pressures on states to integrate into this system in the late twentieth century and the first decade of the twenty-first century, see Beth A. Simmons, Frank Dobbin, and Geoffrey Garrett, *The Global Diffusion of Markets and Democracy* (Cambridge: Cambridge University Press, 2008).
 - 47 Petr Kropotkin, "The State: Its Historic Role," in *Selected Writings on Anarchism and Revolution*, ed. Martin A. Miller (Cambridge, MA: The M.I.T. Press, 1970), p. 212.
 - 48 Kropotkin, "The State: Its Historic Role," p. 213.