CHAPTER 2 THE DEVELOPMENT OF THE MODERN STATE

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1 INTRODUCTION

This chapter has three overall purposes: first, to introduce the diversity of state forms which have existed over time and which constitute the broad historical context for understanding the nature of the modern state; secondly, to explore the question: Why did the nation-state become the supreme form of the modern state?; thirdly, to examine competing conceptions of the modern state — its sovereignty, authority and legitimacy. These objectives are clearly wide-ranging; but by devoting attention to all three I hope to shed some light on the key formative processes of the modern state and the controversies that surround it.

The prime focus of this chapter will be the making of the modern state in Europe. There are a number of important reasons for this geographic restriction. In the first instance, the story of the formation of the modern state is in part the story of the formation of Europe, and vice versa. The development of a distinctive 'European' identity is closely tied to the creation of Europe by states. Moreover, the states system of Europe has had extraordinary influence in the world beyond Europe: European expansion and development has had a decisive role in shaping the political map of the modern world. Furthermore, debates about the nature of the modern state in large part derive from European intellectual traditions, notably the Enlightenment, although to recognize this is by no means to suggest that everything of importance about the state was understood and expressed in Europe alone.

1.1 SOME PRELIMINARY DEFINITIONS

It is intriguing to note that for the greater part of human history states have not existed at all. States are *historical* phenomena, constructed under particular conditions, and far from fixed or 'natural' entities. In hunting-and-gathering communities, in small agrarian cultures, and in the regions wandered by semi-nomadic or nomadic peoples there has been no recognizably separate state or political organization. Today, there are still many communities which anthropologists refer to as 'stateless' — communities such as the Jale people of the New Guinea highlands, the pastoral Nuer of the South Sudan, the M'dendeuili and Arusha of East Africa. 'Stateless', however, should not be taken to mean the absence of any mechanisms of regulation or government through which decisions affecting the community can be made and disputes settled. A diverse array of such mechanisms have existed, from family and kinship structures to the rules and norms of custom or tradition, and to the established powers of a chief (a warrior or priest, or both), often assisted by a council or court.

Table 2.1 provides a useful starting point by juxtaposing stateless and state societies in order to bring the latter's broad characteristics into relief. Table 2.1 offers only rudimentary definitions. One reason for this is that states, like other social phenomena, have changed over time, partly in relation to the transformation of the conditions of the societies

Table 2.1 Features of stateless and state societies

Stateless societies	State societies
informal mechanisms of government	political apparatus or governmental institutions differentiated from other organizations in the community
no clear boundaries to a society	rule takes place over a specific population and territory
disputes and decisions settled by family or kin groups, or by larger tribal structures headed by a chief with the support of a council	legal system, backed by a capacity to use force
relationships and transactions significantly defined by custom	institutional divisions within government (the executive, civil service and army, for example) are formally coordinated

in which they arose. There have been many different state forms which have set down elements of rule in a succession of different ways. Rule or rulership has no single 'essence' or fixed quality. Examples which will be drawn upon to highlight this are empires, feudal political relations and absolutist monarchies.

This chapter distinguishes the characteristics of stateless and state societies from those of the modern state. Several key features of the latter will be elucidated in Section 2.5, but for the present it is sufficient to stress that the concept of the modern state refers to that type of state which emerged in the European states system from the sixteenth century onwards. The concept connotes an impersonal and privileged legal or constitutional order with the capability of administering and controlling a given territory; that is, a distinct form of public power, separate from both ruler and ruled, and forming the supreme political authority within certain defined boundaries (Skinner, 1978, p.353; cf. Neumann, 1964). The 'other side' of the modern state is 'civil society'. Civil society — like nearly all concepts in social and political analysis — has a long and complex history; but by 'civil society' I will here mean those areas of social life — the domestic world, the economic sphere, cultural activities and political interaction — which are organized by private or voluntary arrangements between individuals and groups outside the *direct* control of the state (cf. Bobbio, 1989; Pelczynski, 1985; Keane, 1988). The modern state and civil society were formed, as will be seen, through distinct but interrelated processes.

1.2 THE STRUCTURE OF THE CHAPTER

This chapter has three main parts which correspond to the aims stated at the outset. The objective of the first part (Section 2) is to provide a brief chronological sketch of the development of the state in Europe, and an account of its chief variants. It is not my intention here to suggest that the variants followed one another according to an evolutionary pattern through which states passed from the 'primitive' to the 'civilized', from the 'simple' to the 'complex', or from 'lower' to 'higher' stages — far from it! My aim is to establish a political map or set of bearings which can become a basis for asking in the next section

(Section 3): What explains the movement and change among state forms, and how can one understand the rise of the nation-state? If Section 2 expounds a *typology* of states, Section 3 seeks to explicate the *underlying processes* or *causal patterns* which might illuminate why particular types of state have taken the form they have, and why one of these types — the modern nation-state — became the dominant form over time.

In the third major part of the chapter (Section 4), the meaning and significance of the development of the modern state is explored via an introduction to the work of some of its leading political interpreters. It will be readily seen that the history of the interpretation of the modern state contains sharp conflicts of view. It will be my aim to explicate these conflicts, rather than to try and resolve the differences among them. However, I hope also to establish a framework which will aid an assessment of the relevance of the various interpretations to an understanding of the modern state, as it was and is.

The particular emphasis of this chapter is on the active role played by the state in the making and shaping of modernity. Throughout the nineteenth and twentieth centuries most of the leading perspectives on social change emphasized that the origins of social transformation were to be found in processes *internal* to society and, above all, in *socio-economic* factors. In many of these perspectives, the interrelations *among* states and societies were barely explored. By focusing on the war-making capacity of states, and on the role of the state in domestic *and* international affairs, this chapter sets itself against this neglect. In so doing, it aligns itself with a notable strand of recent scholarship on the history of states (much of it referred to in the pages which follow), which emphasizes the independent and autonomous part played by *political* and *military* factors in the formation of Europe and the modern world. While this story could be told from a number of different starting points, the initial focus will be a sketch of the history and geography of European states, beginning with Rome. This sketch provides a useful background to the diversity of states and their alteration over time.

2 A BRIEF HISTORY AND GEOGRAPHY OF EUROPEAN STATES

Sixteen hundred years or so ago 'Europe' was dominated by the Roman Empire, albeit an empire divided and disintegrating. Theodosius I (AD 379–95) was the last 'sole ruler' of the Roman Empire, which, after his death, split into the Western and Eastern Roman Empires. The Western Empire suffered from repeated attacks and grew weak in comparison with the East. In 410, the city of Rome was sacked by the Visigoths, a wandering Germanic people from the North-east. The fall of Rome was completed in 476, when the last Roman emperor of the West was deposed. The Eastern Empire, economically securer than its Western

counterpart owing to spice and other exports, continued as the Byzantine Empire through the Middle Ages until it was successfully challenged and displaced by the Islamic Ottoman Empire in 1453.

In the centuries which succeeded the disintegration of the Roman Empire, 'Europe' did not experience the rise of another imperial society, although it was chronically engaged in war and harassed from outside. A contrast has often been drawn between an essentially civilized Europe and a despotic or barbarous East. There are many reasons for distrusting this contrast (see Bernal, 1987; Springborg, 1991). Some of these reasons will be explored in Chapter 6 of this volume, but two should be emphasized here. First, as recent historical and archaeological research has shown, some of the key political innovations, conceptual and institutional, of the putatively western political tradition can be traced to the East; for example, the 'city-state' or *polis* society can be found in Mesopotamia long before it emerged in the West. Second, 'Europe' was the creation of many complex processes at the intersection of 'internal' and 'external' forces and relations. A thousand years ago Europe as such did not exist. The roughly thirty million people who lived across the European landmass did not conceive of themselves as an interconnected people, bound by a common history, culture and fate (Tilly, 1990, p.38).

The larger power divisions on a map of 'millennial Europe' (c. AD 1000) to some extent mask the area's fragmented and decentred nature. Those who prevailed over territories — emperors, kings, princes, dukes, bishops and others — did so above all as military victors and conquerors, exacting tribute and rent to support their endeavours; they were far from being heads of state governing clearly demarcated territories according to formal law and procedure. As the historian Charles Tilly put it, 'nothing like a centralized national state existed anywhere in Europe' (1990, p.40).

Yet one can talk about the beginnings of a recognizable states system at the millenium. In the Italian peninsula, the Papacy, the Holy Roman Empire and the Byzantine Empire claimed most of the territory, even though these claims intermingled and were contested routinely by many localized powers and independent and semi-autonomous city-states. But the political map of Europe was to be shaped and reshaped many times. For example, the European map of the late fifteenth century included some five hundred more or less independent political units, often with ill-defined boundaries. By 1900 the number had dwindled to about twenty-five (Tilly, 1975, p.15). It took a long time for national states to dominate the political map, but the era they ushered in was to change fundamentally the nature and form of political life itself.

ACTIVITY 1

Examine Figures 2.1–2.4 and ask yourself the following questions:

1 Which political boundaries, if any, have persisted over time?
2 Can one recognize modern Europe in the political map of 1478?
3 How would the political map of 1980 have to be redrawn today?

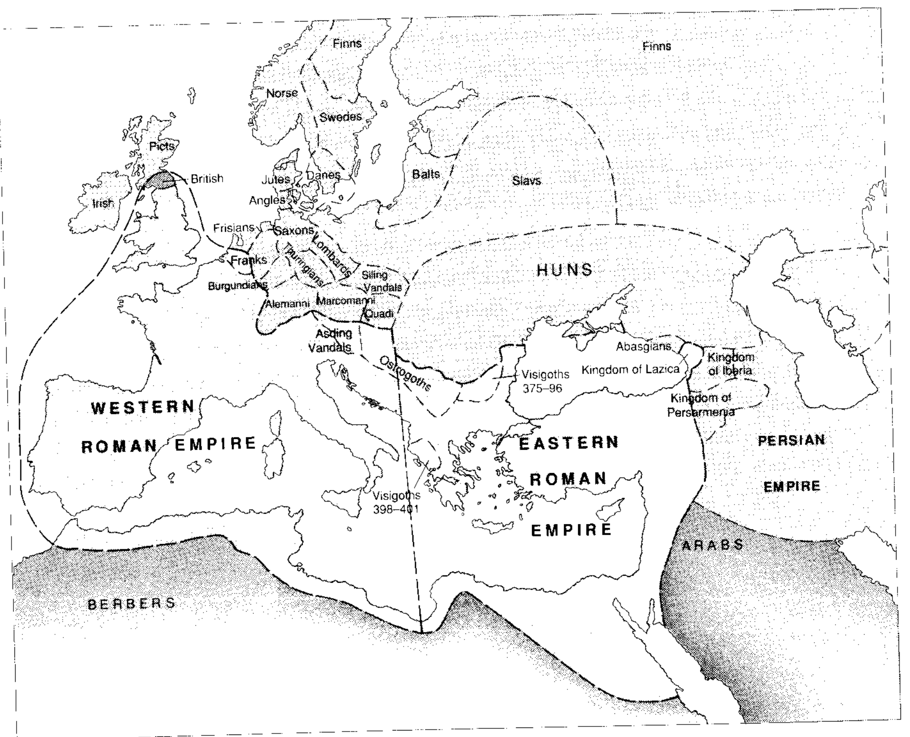


Figure 2.1 Europe in AD 406

Figure 2.2 Europe in AD 998

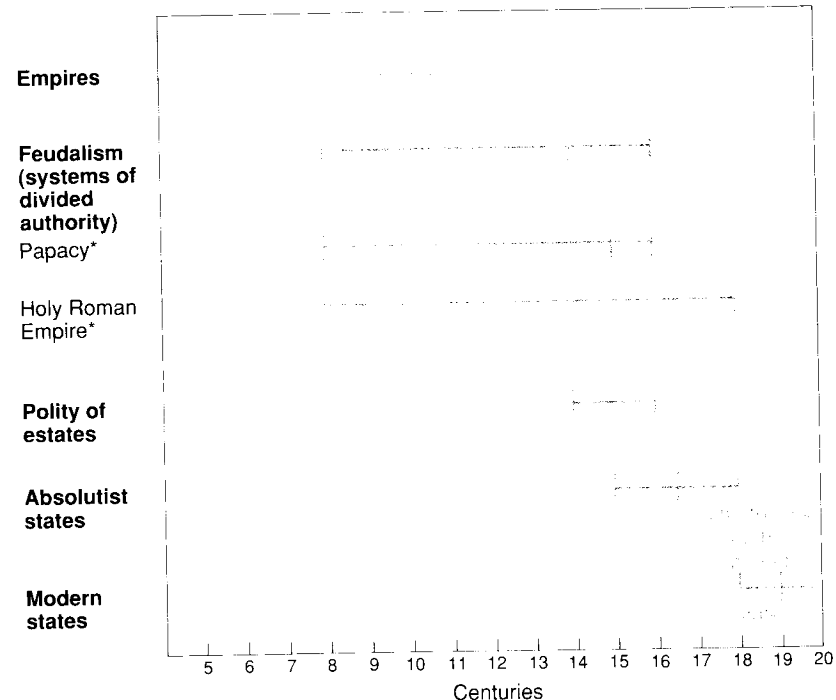
Figure 2.3 Europe in AD 1478

Figure 2.4 Europe in AD 1980

Since the fall of Rome, it is not just the number of states which has altered dramatically, but the forms and types of states as well. There are five main clusters of state systems which can be distinguished:

1 traditional tribute-taking empires;
2 systems of divided authority, characterized by feudal relations, city-states and urban alliances, with the Church (Papacy) playing a leading role;
3 the polity of estates;
4 absolutist states;
5 modern nation-states, with constitutional, liberal democratic or single party polities locked progressively into a system of nation-states.

Figure 2.5 provides an approximate guide to the periods in which each type of state system could be found. For the remainder of this section, I shall examine each type in turn before pursuing the question: What accounts for the eventual dominance of the nation-state?



Broken lines indicate that a political system's influence was not continuous, but rather broken from time to time.

* The Papacy and the Holy Roman Empire, while at certain stages essential elements of the feudal system of authority, have been separated out for later reference.

Figure 2.5 State forms and historical periods

2.1 EMPIRES

Empires or imperial systems have dominated the history of states over the centuries, particularly in their size and grandeur. Some, notably Rome (and China in the East), retained identifiable institutional forms over long periods. Empires required an accumulation and concentration of coercive means — above all, of war-making ability — to sustain themselves. When this ability waned, empires disintegrated. All 'traditional' empires developed as a result of expansion from initially more restricted power bases and confined states. Moreover, the deployment of military strength was uppermost in the creation and maintenance of frontiers or territorial boundaries, though the latter were often in flux and shifted according to patterns of rebellion and invasion. Territorial boundaries were by no means yet 'fixed borders' (Giddens, 1985, pp.80–1).

While empires frequently were crossed by long-distance trading routes, and indeed often engaged directly in long-distance trade themselves, their economic requirements were largely met through the exaction of *tribute*, some of which was used to buy off threatened assaults if military power fell short. The tribute system supported the emperor, his administrative apparatus and the military. But however powerful empires might have been relative to contending power centres, they could sustain only limited administrative authority. Empires stretched over a plethora of communities and societies which were culturally diverse and heterogeneous. Empires were *ruled* but they were not *governed;* that is to say, emperors dominated a limited social and geographical space, but lacked the administrative means — the institutions, organizations, information, personnel and so on — to provide regularized administration over the territories they claimed as their own. The polities of empires busied themselves with conflicts and intrigue within dominant groups and classes and within local urban centres; beyond that the resort to military force was the key mechanism for binding and integrating peoples and territories. Although force was frequently effective, its significance should not be exaggerated. For the size, mobility and deployment of armies depended on the availability of water and local harvests to plunder. The military depended on the countryside and could move no more quickly than its men could march in a day, subject to the availability of foodstuffs.

2.2 SYSTEMS OF DIVIDED AUTHORITY IN MEDIAEVAL EUROPE

Feudalism — a political system of overlapping and divided authority — assumed many forms between the eighth and the fourteenth centuries. But it is probably fair to say that it was distinguished in general by a network of interlocking ties and obligations, with systems of rule fragmented into many small, autonomous parts (Poggi, 1978, p.27). Political power became more local and personal in focus, generating a 'social world of overlapping claims and powers' (Anderson, 1974, p.149). Some of these claims and powers conflicted; and no ruler or

state was sovereign in the sense of being supreme over a given territory and population (Bull, 1977, p.254). Within this system of power, tensions were rife and war was frequent.

The early roots of feudalism can be traced to left-overs of the Roman Empire and to the militaristic culture and the institutions of Germanic tribal peoples (Poggi, 1990, pp.35–7). A concern with loyalty in war and effective leadership among these peoples led to a special relationship between a ruler or lord or king (generally acclaimed or 'appointed' by his followers on the basis of his military and strategic skills) and the tribe's leading warriors, called *vassi* ('vassals'; 'servants'). The warriors declared bonds of loyalty and homage to their lord in return for privileges and protection. In the late seventh century, Frankish rulers connected the idea of a vassalic bond not just to military endeavour, but to the governing of territories more generally: rulers endowed vassals with rights of land, later called *feudum* ('fief'), in the hope of securing continued loyalty, military service and flows of income. The result, however, was rarely a simple hierarchy of lord, vassal and peasants; rather, the hierarchy was often characterized by a great chain of relations and obligations as major vassals 'sub-contracted' parts of their lands to others. At the bottom of the hierarchy was, of course, the vast majority of the population: 'the object of rule ... but never the subject of a political relationship' (Poggi, 1978, p.23).

While feudal kings were *primus inter pares* ('first among equals'), they were locked (with certain exceptions, notably in England and northern France) into wide-ranging systems of privileges and duties which often imposed on them a requirement to consult and negotiate with the most powerful lords or barons, when taxes or armies were to be raised. Lords were expected to maintain an autonomous military capability to support their kings; but it was a capability that provided them with an independent power base which they could be tempted to use to further their own interests. With some political forces seeking to centralize power and others seeking local autonomy, the feudal states system contained significant disintegrative tendencies.

Within mediaeval Europe the economy was dominated by agriculture, and any surplus generated was subject to competing claims. A successful claim constituted a basis to create and sustain political power. But the web of kingdoms, principalities, duchies and other power centres which depended on these arrangements was complicated further by the emergence of alternative powers in the towns and cities. Cities and urban federations depended on trade and manufacture and relatively high accumulations of capital. They developed different social and political structures and frequently enjoyed independent systems of rule specified by *charters*. Among the best known were the Italian cities of Florence, Venice and Sienna, but across Europe hundreds of urban centres developed. Nowhere, however, did they (and the web of feudal relations in the countryside) alone determine the pattern of rule or political identity. For in the Middle Ages 'Europe' more accurately meant 'Christendom'. And the Papacy and the Holy Roman Empire gave Christendom what overarching unity it had.

The Holy Roman Empire existed in some form from the eighth until the early nineteenth century. For while the Roman imperial title had lapsed in the fifth century, it was revived in 800 by Pope Leo III and conferred on Charlemagne, King of the Franks. Later, the title Holy Roman Emperor was borne by successive dynasties of German kings, although its actual significance, like that of the Empire more generally, varied considerably over time. At its height, the Holy Roman Empire represented an attempt, under the patronage of the Catholic Church, to unite and centralize the fragmented power centres of western Christendom into a politically-unified Christian empire. The countries federated under the Empire spread from Germany to Spain, and from northern France to Italy. However, the actual secular power of the Empire was always limited by the complex power structures of feudal Europe on the one hand, and the Catholic Church on the other.

The chief rival power to the mediaeval feudal and city networks was the Catholic Church itself. Throughout the Middle Ages the Catholic Church sought to place spiritual above secular authority. While it would be quite misleading to suggest that the rise of Christianity effectively banished secular considerations from the lives of rulers and ruled, it unquestionably shifted the source of authority and wisdom from this-worldly to other-worldly representatives. The Christian world-view transformed the rationale of political action from an earthly to a theological framework; it insisted that the Good lay in submission to God's will.

In mediaeval Europe there was no theoretical alternative — no alternative 'political theory' — to the theocratic positions of Pope and Holy Roman Emperor. The integration of Christian Europe came to depend above all on these authorities. This order has been characterized as the order of 'international Christian society' (Bull, 1977, p.27). International Christian society was conceived as being Christian first and foremost; it looked to God for the authority to resolve disputes and conflicts; its primary political reference point was religious doctrine, and it was overlaid with assumptions about the universal nature of human community.

It was not until western Christendom was under challenge, especially from the conflicts generated by the rise of national states and by the Reformation, that the idea of the modern state was born, and the ground was created for the development of a new form of political identity — national identity.

2.3 THE POLITY OF ESTATES

Some date the crisis of feudalism as early as 1300. But whether or not one accepts this date, the decay of feudalism can be detected over a substantial period as competing claims to more extensive and penetrating political power were fought out. Within this process of transformation, new understandings about political arrangements emerged. Some writers argue that these 'new' concepts and ideas — for example, the claims of various social groups or 'estates' (the nobility, clergy, and leading townsmen or burghers) to political prerogatives,

particularly to rights of representation — were merely extensions of existing feudal relations. However, others emphasize their novel and distinctive qualities.

Those that emphasize the innovative nature of the post-feudal system of rule draw attention to a number of larger territories in which successful rulers created new kinds of political relations with various elements of society. One observer has described the arrangements thus:

> In the first place, in the polity of estates the rulers present themselves primarily not as feudal superiors, but as the holders of higher, public prerogatives of non- and often pre-feudal origins, surrounded by the halo of a higher majesty; often imparted by means of sacred ceremonies (for example, the *sacre du roi* ['consecration of a king']).
>
> In the second place, the counterpart to the ruler is typically represented not by individuals, but by constituted bodies of various kinds: local assemblies of aristocrats, cities, ecclesiastical bodies, corporate associations. Taken singly, each of these bodies — the 'estates' — represents a different collective entity: a region's noblemen of a given rank, the residents of a town, the faithful of a parish or the practitioners of a trade. Taken together, these bodies claim to represent a wider, more abstract, territorial entity — country, *Land, terra, pays* — which, they assert, the ruler is entitled to rule only to the extent that he upholds its distinctive customs and serves its interests.
>
> In turn, however, these interests are largely identified with those of the estates; and even the customs of the country or the region in question have as their major components the different claims of the various estates. Thus, the ruler can rule legitimately only to the extent that periodically he convenes the estates of a given region or of the whole territory into a constituted, public gathering.
> (Poggi, 1990, pp.40–1)

In these circumstances, rulers had to deal with estates and estates had to deal with rulers. Out of this emerged a variety of estates-based assemblies, parliaments, diets and councils which sought to legitimate and enjoy autonomous faculties of rule. The 'polity of estates' was characterized by a 'power dualism': power was split between rulers and estates.

This 'power dualism' did not endure; it was challenged by the estates seeking greater power and by monarchs hoping to subvert the assemblies in order to centralize power in their own hands. As the grip of feudal traditions and customs was loosened, the nature and limits of political authority, law, rights and obedience emerged as a preoccupation of political thought.

2.4 ABSOLUTIST STATES

The historical changes that contributed to the transformation of mediaeval notions of politics were complicated. Struggles between monarchs and barons over the domain of rightful authority; peasant rebellions against the weight of excess taxation and social obligation; the spread of trade, commerce and market relations; the flourishing of Renaissance culture with its renewed interest in classical political ideas (including Athenian democracy and Roman law); changes in technology, particularly military technology; the consolidation of national monarchies (notably in England, France and Spain); religious strife and the challenge to the universal claims of Catholicism; the struggle between Church and State — all played a part. In the sections that follow, I shall return to discuss a number of these developments, but it is important first to clarify the notion of the 'absolutist' state.

From the fifteenth to the eighteenth century two different forms of regime can be distinguished in Europe: the 'absolute' monarchies of France, Prussia, Austria, Spain, Sweden and Russia, among other places, and the 'constitutional' monarchies and republics found principally in England and Holland (Mann, 1986, p.476). There are important conceptual and institutional differences between these regime types, although in terms of the history of state/society relations some of the differences have, as we shall see, been more apparent than real. I shall discuss constitutional states shortly, but will focus in the first instance on absolutism.

Absolutism signalled the emergence of a form of state based upon: the absorption of smaller and weaker political units into larger and stronger political structures; a strengthened ability to rule over a unified territorial area; a tightened system of law and order enforced throughout a territory; the application of a 'more unitary, continuous, calculable, and effective' rule by a single, sovereign head; and the development of a relatively small number of states engaged in an 'open-ended, competitive, and risk-laden power struggle' (Poggi, 1978, pp.60–1). Although the actual power of absolutist rulers has often been exaggerated, these changes marked a substantial increase in 'public authority' from above. Certainly, absolutist rulers claimed that they alone held the legitimate right of decision over state affairs. One of the most remarkable statements of this view has been attributed to Louis XV, king of France from 1715 to 1774:

> In my person alone resides the sovereign power, and it is from me alone that the courts hold their existence and their authority. That ... authority can only be exercised in my name ... . For it is to me exclusively that the legislative power belongs ... . The whole public order emanates from me since I am its supreme guardian. ... The rights and interests of the nation ... are necessarily united with my own and can only rest in my hands.
> (quoted in Schama, 1989, p.104)

The absolutist monarch claimed to be the ultimate source of human law, although it is important to note that his broad writ was understood to

derive from the law of God. The king's legitimacy was based on 'divine right'. In this very particular sense, political authorities were regarded as being as much under the law as any other corporate institution (Benn and Peters, 1959, p.256).

In a striking and somewhat (maliciously) humorous account of the public standing of the French monarch, perhaps the supreme example of an absolutist figure, the sociologist Gianfranco Poggi has written:

> [The] King of France was thoroughly, without residue, a 'public' personage. His mother gave birth to him in public, and from that moment his existence, down to its most trivial moments, was acted out before the eyes of attendants who were holders of dignified public offices. He ate in public, went to bed in public, woke up and was clothed and groomed in public, urinated and defecated in public. He did not copulate in public; but near enough, considering the circumstances under which he was expected to deflower his august bride. He did not much bathe in public; but then, neither did he in private. When he died (in public) his body was promptly and messily chopped up in public, and its severed parts ceremoniously handed out to the more exalted among the personages who had been attending him throughout his mortal existence.
> (Poggi, 1978, pp.68–9)

The absolutist monarch was at the apex of a new system of rule which was progressively centralized and anchored on a claim to supreme and indivisible power: *sovereign authority*. All these qualities were manifest in the routines and rituals of courtly life.

However, linked to the court there developed a new administrative apparatus involving the beginnings of a permanent, professional bureaucracy and army (Mann, 1986, p.476). If the French monarchy of the seventeenth century represents the best example of an absolutist court, Prussia under the Hohenzollern dynasty provides the best example of the 'prototypes of ministries' (Poggi, 1990, p.48). These 'prototypes' increased the state's involvement in the promotion and regulation of a hitherto unparalleled diversity of activities. Six ensuing developments were of great significance in the history of the states system:

1. the growing coincidence of territorial boundaries with a uniform system of rule;
2. the creation of new mechanisms of law-making and -enforcement;
3. the centralization of administrative power;
4. the alteration and extension of fiscal management;
5. the formalization of relations among states through the development of diplomacy and diplomatic institutions; and
6. the introduction of a standing army (see Anderson, 1974, pp.15–42; Giddens, 1985, ch. 4).

Absolutism helped set in motion a process of state-making which began to reduce the social, economic and cultural variation *within* states and expand the variation *among* them (Tilly, 1975, p.19).

According to one interpretation of these changes, the expansion of state administrative power was made possible to a significant extent by the extension of the state's capacity for the surveillance of its subjects; that is, the collection and storing of information about members of society, and the related ability to supervise subject populations (Giddens, 1985, pp.14–15). However, as the state's sovereign authority expanded and its administrative centres became more powerful, there was not simply a concentration of power at the apex. For the increase in administrative power via surveillance increased the state's dependence on cooperative forms of social relations; it was no longer possible for the state to manage its affairs and sustain its offices and activities by force alone. As a result, greater reciprocity was created between the governors and the governed, and the more reciprocity was involved, the more opportunities were generated for subordinate groups to influence their rulers (Giddens, 1985, pp.198ff.). Absolutism, in short, created within itself a momentum toward the development of new forms and limits on state power — constitutionalism and (eventually) participation by powerful groups in the process of government itself.

Whatever the other merits of this particular interpretation, it usefully draws attention to the gulf that existed between the claims of the absolutist monarch, on the one hand, and a reality, on the other hand, which imposed on the monarch requirements of negotiation and cooperation if the state was to function effectively. This gulf has been explored further in the recent work of the sociologist Michael Mann, who distinguishes between a 'strong' regime's power to effect its will over civil society, which he calls 'despotism', and its power to coordinate civil society, which he refers to as 'infrastructural strength' (1986, p.477). Comparing a range of absolutist regimes, Mann argues that the absolute monarch was 'no ancient emperor — he was not the sole source of law; of coinages, weights and measures; of economic monopolies ... . He could not impose compulsory cooperation. He owned only his own estates' (Mann, 1986, p.478). Absolutist regimes, Mann concludes, had limited despotic reach; they were weak in relation to powerful groups in society, for example, the nobility, merchants and urban bourgeoisie. But, like their constitutional counterparts, they were engaged increasingly in the coordination of the activities of these groups and in building up the state's infrastructural strength.

By the end of the seventeenth century Europe was no longer a mosaic of states. For the 'consolidated independent sovereignty of each individual state ... was at the same time part of a process of overall inter-state integration' (Giddens, 1985, p.91). A concomitant of each and every state's claim to uncontestable authority was the recognition that such a claim gave other states an equal entitlement to autonomy and respect within their own borders. The development of state sovereignty was part of a process of mutual recognition whereby states granted each other rights of jurisdiction in their respective territories and communities.

In the international context, sovereignty has involved the assertion by the state of independence; that is, of its possession of sole rights to jurisdiction over a particular people and territory. This dimension of sovereignty has, in addition, been associated with the claim that, by virtue of the very argument which establishes the sovereignty of a particular state, that state must accept that it will be one among many states with, in principle, equal rights to self-determination. In the world of relations among states, the principle of the sovereign equality of all states was to become paramount in the formal conduct of states towards one another.

The conception of international law which emerged within the new 'international society of states' has been referred to by international lawyers, notably Richard Falk and Antonio Cassese, as the 'Westphalian model' (after the Peace of Westphalia of 1648, which brought to an end the Eighty Years War between Spain and the Dutch and the German phase of the Thirty Years War). The model covers the period of international law from 1648 to 1945 (although some would say it still holds today). It depicts the emergence of a world community consisting of sovereign states which settle their differences privately and often by force; which engage in diplomatic relations but otherwise minimal cooperation; which seek to place their own national interest above all others; and which accept the logic of the principle of effectiveness, that is, the principle that might eventually makes right in the international world — appropriation becomes legitimation. The model of Westphalia can be summarized by the following seven points (see Cassese, 1986, pp.396–9; Falk, 1969):

The model of Westphalia

1. The world consists of, and is divided by, sovereign states which recognize no superior authority.
2. The processes of law-making, the settlement of disputes and law-enforcement are largely in the hands of individual states subject to the logic of 'the competitive struggle for power'.
3. Differences among states are often settled by force: the principle of effective power holds sway. Virtually no legal fetters exist to curb the resort to force; international legal standards afford minimal protection.
4. Responsibility for cross-border wrongful acts are a private matter concerning only those affected; no collective interest in compliance with international law is recognized.
5. All states are regarded as equal before the law: legal rules do not take account of asymmetries of power.
6. International law is oriented to the establishment of minimal rules of co-existence; the creation of enduring relationships among states and peoples is an aim only to the extent that it allows military objectives to be met.
7. The minimization of impediments on state freedom is the 'collective' priority.

The new international order, ushered in by the era of the absolutist state (and its constitutional counterpart, a discussion of which follows), had a lasting and paradoxical quality rich in implications: an increasingly integrated states system simultaneously endorsed the right of each state to autonomous and independent action. The upshot of this development was, as one commentator has aptly noted, that states were 'not subject to international moral requirements because they represent separate and discrete political orders with no common authority among them' (Beitz, 1979, p.25). According to this model, the world consists of separate political powers pursuing their own interests, and backed ultimately by their organization of coercive power.

2.5 MODERN STATES

The proximate sources of the modern state were absolutism and the interstate system it initiated. In condensing and concentrating political power in its own hands, and in seeking to create a central system of rule, absolutism paved the way for a secular and national system of power. Moreover, in claiming sovereign authority exclusively for itself, it threw down a challenge to all those groups and classes which had had a stake in the old order (the polity of estates), and to all those with a stake in the new developing order based on capital and the market economy. It forced all these collectivities to rethink their relationship to the state, and to re-examine their political resources. In addition, the myriad battles and wars fought out in the interstate system altered fundamentally the boundaries of both absolutist states and the emerging modern states — the whole map of Europe changed as territorial boundaries progressively became fixed borders.

Although the transition from the absolutist to the modern state was marked by dramatic events and processes such as the English (1640–88) and French (1789) Revolutions, an exclusive focus on these hinders an understanding of the way in which the absolutist state itself was crucial in the development of modern political rule. It was the confluence of 'internal' transformations in European states with shifting geopolitical relations and forces which provided a, if not *the*, key impetus to the formation of the modern state. I shall return to elements of these 'macropatterns' in Section 3; in the meantime, what should be understood by the term 'modern state'?

All modern states are nation-states — *political apparatuses, distinct from both ruler and ruled, with supreme jurisdiction over a demarcated territorial area, backed by a claim to a monopoly of coercive power, and enjoying a minimum level of support or loyalty from their citizens* (cf. Skinner, 1978, pp.349–58; Giddens, 1985, pp.17–31, 116–21). Like all definitions in the social sciences, this one is controversial; and Section 4 of this chapter will, as previously noted, focus directly on the controversy about how the modern state should be understood. But for my purposes here, this particular definition is useful because it underscores a number of the crucial innovations of the modern states system; these are:

1 *Territoriality.* While all states have made claims to territories, it is only with the modern states system that exact borders have been fixed.

2 *Control of the means of violence.* The claim to hold a monopoly on force and the means of coercion (sustained by a standing army and the police) became possible only with the 'pacification' of peoples — the breaking down of rival centres of power and authority — in the nation-state. This element of the modern state was not fully present until the nineteenth century.

3 *Impersonal structure of power.* The idea of an impersonal and sovereign political order — i.e. a legally circumscribed structure of power with supreme jurisdiction over a territory — could not predominate while political rights, obligations and duties were conceived as closely tied to property rights, religion and the claims of traditionally privileged groups such as the nobility. This matter was still in contention in the eighteenth and nineteenth centuries.

4 *Legitimacy.* It was only when claims to 'divine right' or 'state right' were challenged and eroded that it became possible for human beings as 'individuals' and as 'peoples' to be active citizens of a new order — not merely dutiful subjects of a monarch or emperor. The loyalty of citizens became something that had to be *won* by modern states: invariably this involved a claim by the state to be legitimate because it reflected and/or represented the needs and interests of its citizens.

There is a further clarification which should be made at this juncture. The concept of the nation-state, or national state, as some prefer, ought not to be taken to imply that a state's people necessarily 'share a strong linguistic, religious, and symbolic identity' (Tilly, 1990, pp.2–3). Although some nation-states approximate to this state of affairs, many do not (for example, in the United Kingdom there are significant differences in national tradition). It is therefore important to separate out the concepts of 'nation-state' and 'nationalism'. Anthony Giddens has made the point succinctly: '... what makes the 'nation' integral to the nation-state ... is not the existence of sentiments of nationalism but the unification of an administrative apparatus over precisely defined territorial boundaries (in a complex of other nation-states)' (Giddens, 1987, p.172). The concept of 'nationalism' — denoting the existence of symbols and beliefs which create patterns of ethnic, or religious, or linguistic commonality and political ambition — should be reserved for highlighting particular types of configuration of peoples and states.

It has been argued that the difference between absolute and modern states is not as great as conventionally thought, for two reasons (see Mann, 1986, pp.450–99). First, absolutist states, as already noted, had less power over civil society than is frequently claimed. Second, modern states are rarely 'bounded' by their constitutions and borders and, hence, have often behaved like arrogant 'absolutist' states, especially in their dealings with peoples and cultures overseas. Both points carry weight and need to be borne in mind in what follows. However, neither point negates fully the conceptual and institutional innovations introduced by the modern state. In order to highlight these, it is useful to draw attention to a number of forms of the modern state itself. These are the *constitutional state*, the *liberal state*, the *liberal-democratic state*, and the *single-party polity*.

Forms of the modern state

1 *Constitutionalism* or the *constitutional state* refers to implicit and/or explicit limits on political or state decision-making, limits which can be either procedural or substantive; that is, specifying how decisions and changes can be made (proceduralism), or blocking certain kinds of changes altogether (substantivism) (see Elster, 1988). Constitutionalism defines the proper forms and limits of state action, and its elaboration over time as a set of doctrines and practices helped inaugurate one of the central tenets of European liberalism: that the state exists to safeguard the rights and liberties of citizens who are ultimately the best judges of their own interests; and, accordingly, that the state must be restricted in scope and constrained in practice in order to ensure the maximum possible freedom of every citizen.

2 The *liberal state* became defined in large part by the attempt to create a private sphere independent of the state, and by a concern to re-shape the state itself, i.e. by freeing civil society — personal, family and business life — from unnecessary political interference, and simultaneously delimiting the state's authority (Held, 1987, chs 2–3). The building blocks of the liberal state became constitutionalism, private property, the competitive market economy and the distinctively patriarchal family (see Chapter 4 of this volume). But while liberalism celebrated the rights of individuals to 'life, liberty and property' (John Locke), it should be noted from the outset that it was generally the male property-owning individual who was the focus of so much attention; and the new freedoms were first and foremost for the men of the new middle classes or the bourgeoisie. The western world was liberal first, and only later, after extensive conflicts, liberal democratic; that is, only later was a universal franchise won which in principle allowed all mature adults the chance to express their judgement about the performance of those who govern them (Macpherson, 1966, p.6).

3 The third variant of the modern state is *liberal* or *representative democracy* itself, a system of rule embracing elected 'officers' who undertake to 'represent' the interests or views of citizens within the framework of the 'rule of law'. Representative democracy means that decisions affecting a community are not taken by its members as a whole, but by a sub-group of representatives whom 'the people' have elected for this purpose. In the arena of national politics, representative democracy takes the form of elections to congresses, parliaments or similar national bodies, and is now associated with the system of government in countries as far afield as the United States, Britain, Germany, Japan, Australia and New Zealand.

4 Finally, there is the form of the modern state known as the *one-party* or *single-party polity*. Until recently, the Soviet Union, many East European societies and some Third World countries have been governed

by this system. The principle underlying one-party polities is that a single party can be the legitimate expression of the overall will of the community. Voters have the opportunity to affirm the party's choice of candidate, or occasionally to choose from among different party candidates (although some may doubt whether this constitutes an opportunity for the exercise of choice at all).

Little further will be said about the single-party polity in this chapter. (For further discussion of this state form, see Book 2 (Allen *et al.*, 1992), Chapter 1, and Book 4 (Hall *et al.*, 1992), Chapter 1.) This chapter will instead attend to those elements of the first three state forms listed above which require elaboration and examination. But before turning to this task, it is important to respond to the question: What accounts for the emergence of the modern nation-state? In other words, why did national states come to predominate in the political world?

3 WHY DID NATION-STATES BECOME SUPREME?

In order to address the above question, this section will examine a number of key factors, or causal patterns, in the development of the states system and of the modern state in particular. The prime focus will be on war and militarism and on the relationship between states and capitalism, although other significant factors will be touched on. Once again, it will be useful to examine deeply structured processes of change taking place over long periods. It should be noted that the stress is on *processes, factors* and *causal patterns*; that is to say, this section is guided by the assumption that there is no mono-causal explanation — no single phenomenon or set of phenomena — which fully explains the rise of the modern state. States, like other collectivities and institutions, depend for their existence on broad experiences and diverse conditions. It is in a combination of factors that the beginnings of an explanation for the rise of the modern state can be found.

3.1 WAR AND MILITARISM

It has already been suggested that the nature and form of the states system crystallized at the intersection of 'international' and 'national' conditions and processes (the terms in inverted commas are so expressed because they did not take on their contemporary meaning until the era of fixed borders, i.e. the era of the nation-state). In fact, it is at this intersection that the 'shape' of the state was largely determined — its size, external configuration, organizational structure, ethnic composition, material infrastructure and so on (Hintze, 1975, chs 4–6, 11). At the heart of the processes involved was the ability of states to secure and strengthen their power bases and, thereby, to order their affairs, internally and externally. What was at issue, in short, was the capacity of states to organize the means of coercion (armies, navies and

other forms of military might) and to deploy them when necessary. How important this element of state power has been to the history of states can be gleaned by examining the case of England/Britain.

From an analysis of state finances (how the state raised and spent what money it had) over several centuries, Michael Mann has shown that 'the functions of the state appear overwhelmingly military and overwhelmingly geopolitical rather than economic and domestic' (Mann, 1986, p.511; see also Mitchell and Deane, 1962; Mitchell and Jones, 1971). Mann calculates that from about the twelfth to the nineteenth century, between 70 and 90 per cent of the English state's financial resources were continuously devoted to the acquisition and use of the instruments of military force, especially in international wars. For most of this period the state grew slowly and fitfully (although when it did grow it was due to warfare and related developments), and its size, measured in relation to the resources of the economy and its impact on the daily life of most people, was small. But in the seventeenth and eighteenth centuries the state's real finances grew rapidly, largely in response to the escalating costs of the means of 'coercive power'; in this case, the growing professional, standing armies and navies. Expenditures on non-military civil functions remained minor.

Reliable annual sets of accounts are available for central government expenditure in Britain for the period after 1688. These are presented in Figure 2.6 and Table 2.3, both taken from Mann (1986).

ACTIVITY 2 Turn to Figure 2.6 and Table 2.3 (overleaf) now. Consider how military and total expenditure fluctuated together.

Mann's comments on Figure 2.6 and Table 2.3 are telling:

> Note first the upward trend in the financial size of the British state: Between 1700 and 1815 real expenditures rise fifteenfold (and the increase at current prices is thirty-fivefold!). This is easily the fastest rate of increase we have seen for any century ... . But the upward trend is not steady. The total rockets suddenly six times. It will come as no surprise that all but one of these are at the beginning of a war, and all six are due primarily to a large rise in military expenditures. Furthermore debt repayment, used exclusively to finance military needs, rises toward the end of each war and is maintained in the first years of peace. The pattern is beautifully regular ... .
>
> These figures confirm every hypothesis made for previous centuries on the basis of sketchier data. State finances were dominated by foreign wars. As warfare developed more professional and permanent forces, so the state grew both in overall size and (probably) in terms of its size in relation to its 'civil society'.
> (Mann, 1986, pp.485–6)

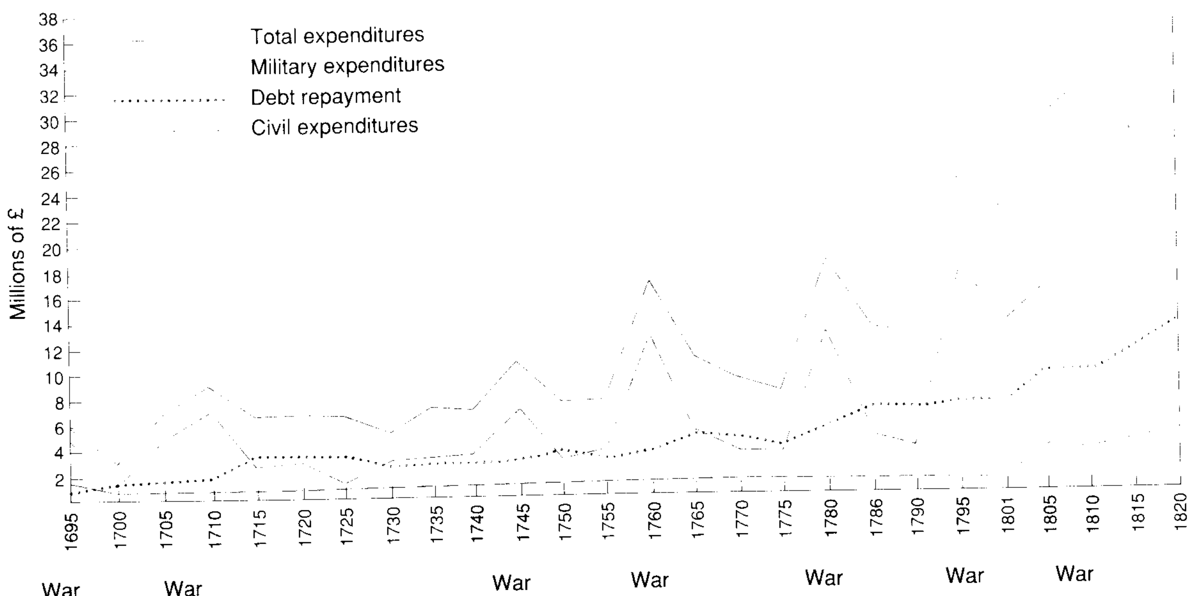


Figure 2.6 British state expenditure, 1695–1820 (at constant prices: 1690–9 = 100)
Source: Mann, 1986, p.484

The significance of these remarks is highlighted further if it is recalled that they bear on the activities and functions of a constitutional state. In fact, over the whole period in question, broadly the eighteenth and early nineteenth centuries, whether a state was 'constitutional' or 'absolutist' made little difference to the proportion of its expenditure on the military. This can be seen by comparing Table 2.3 with Table 2.2, which shows Austrian state expenditure for part of the same period.

Table 2.2 Austrian state expenditure, 1795–1817 (in percent)

Year	Military	Debt repayment	Civil	Total expenditure at current prices (in millions of guldern)
1795	71	12	17	133.3
1800	67	22	11	143.9
1805	63	25	12	102.7
1810	69	20	11	76.1
1815	75	4	21	121.2
1817	53	8	38	98.8

Source: Mann, 1986, p.487

Sketchier evidence appears to confirm a similar pattern of income and costs for France, Prussia and Russia, although each had its peculiarities.

The above material is not an argument for 'military determinism'; that is, for a view which asserts that changes in war and the military are the

Table 2.3 State expenditure for Great Britain, 1695–1820 (in millions of pounds at current and constant prices: 1690–9 = 100)*

		Military expenditure		Debt repayment		Civil expenditure		Total expenditure	
Year	Price index	Current	Constant	Current	Constant	Current	Constant	Current	Constant
1695	102	4.9	4.8	0.6	0.6	0.8	0.8	6.2	6.1
1700	114	1.3	1.1	1.3	1.1	0.7	0.6	3.2	2.8
1705	87	4.1	4.7	1.0	1.2	0.7	0.8	5.9	6.8
1710	106	7.2	6.8	1.8	1.7	0.9	0.8	9.8	9.2
1715	97	2.2	2.3	3.3	3.4	0.7	0.8	6.2	6.4
1720	94	2.3	2.4	2.8	3.0	1.0	1.0	6.0	6.4
1725	89	1.5	1.7	2.8	3.1	1.3	1.5	5.5	6.2
1730	99	2.4	2.4	2.3	2.3	0.9	0.9	5.6	5.6
1735	82	2.7	3.3	2.2	2.7	0.9	1.1	5.9	7.1
1740	90	3.2	3.6	2.1	2.3	0.8	0.9	6.2	6.8
1745	84	5.8	6.9	2.3	2.7	0.8	1.0	8.9	10.6
1750	93	3.0	3.2	3.2	3.5	1.0	1.1	7.2	7.7
1755	92	3.4	3.7	2.7	2.9	1.0	1.1	7.1	7.7
1760	105	13.5	12.8	3.4	3.2	1.2	1.1	18.0	17.1
1765	109	6.1	5.6	4.8	4.4	1.1	1.0	12.0	11.0
1770[a]	114	3.9	3.4	4.8	4.2	1.2	1.1	10.5	9.2
1775	130	3.9	3.0	4.7	3.6	1.2	0.9	10.4	8.0
1780	119	14.9	12.5	6.0	5.0	1.3	1.1	22.6	19.0
1786[b]	131	5.5	4.2	9.5	7.2	1.5	1.2	17.0	13.0
1790	134	5.2	3.9	9.4	7.0	1.7	1.3	16.8	12.5
1795	153	26.3	17.2	10.5	6.8	1.8	1.2	39.0	25.5
1801[c]	230	31.7	13.8	16.8	7.3	2.1	0.9	51.0	22.2
1805	211	34.1	16.2	20.7	9.8	7.8	3.7	62.8	30.0
1810	245	48.3	19.7	24.2	9.9	8.8	3.6	81.5	33.3
1815	257	72.4	28.2	30.0	11.7	10.4	4.0	112.9	44.0
1820	225	16.7	7.4	31.1	13.8	9.8	4.4	57.5	25.6

* NB: *Constant* prices are prices controlled for inflation; i.e. they compensate for the existence of inflation. *Current* prices are the real prices paid at the time of purchase; i.e. they include inflation.
[a] Between 1770 and 1801 the detailed items fall short of the total given by about £500,000. No reason for this is given in the source.
[b] 1785 figures follow an idiosyncratic budgeting system.
[c] 1800 figures are incomplete.
Source: Mann, 1986, p.485.

exclusive source of change in the state and the states system. However, it does indicate that the development and maintenance of a coercive capability was central to the development of the state: if states wished to survive they had to fund this capability and ensure its effectiveness. Precisely what this involved can be analysed further by means of Figure 2.7. (Note that the discussion which follows concentrates initially on the central and left-hand columns of Figure 2.7.)

The process of state-making, and the formation of the modern states system, was to a large degree the result, as Poggi has observed, 'of the

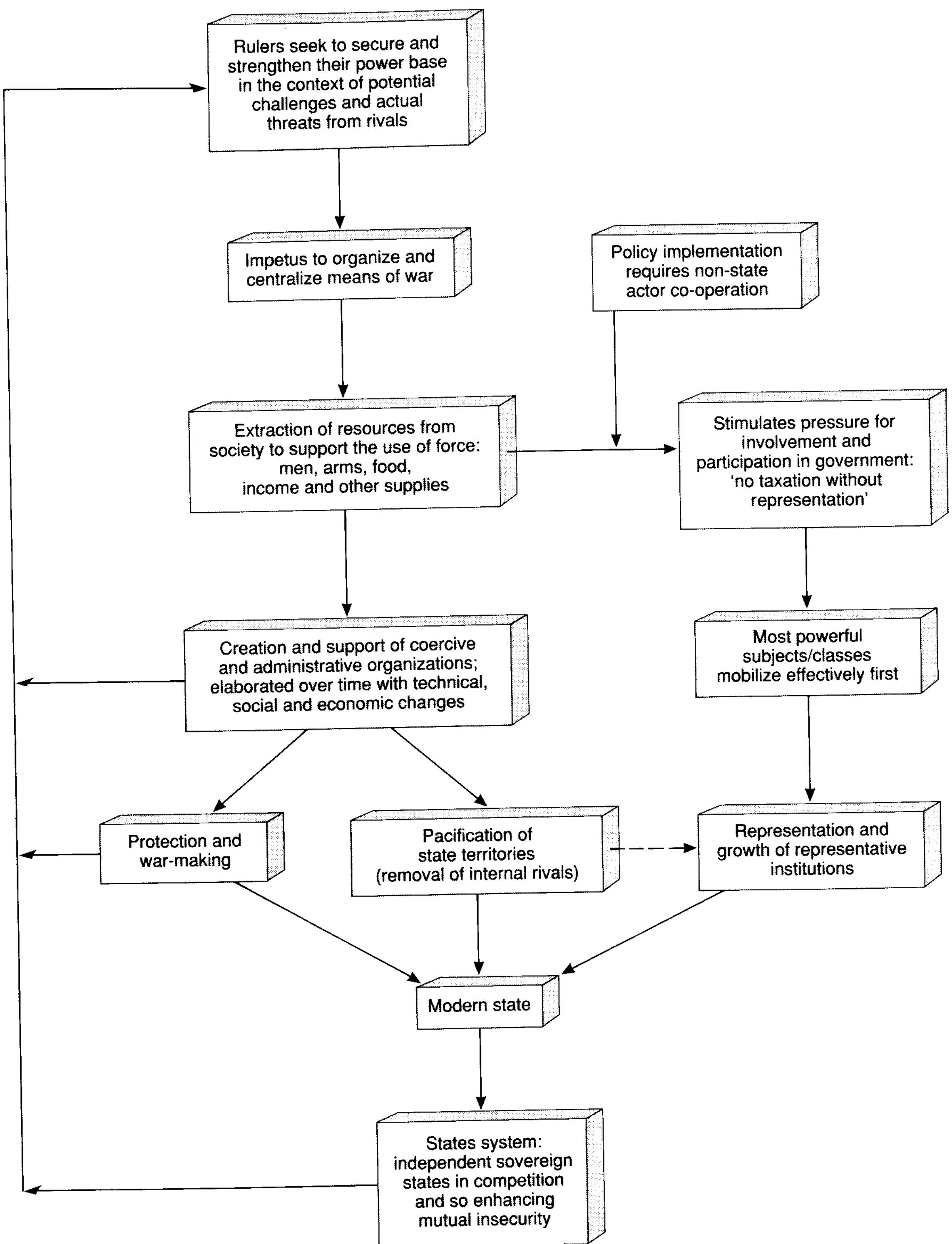


Figure 2.7 War and the modern state

strenuous efforts made by rulers, each by means of his/her apparatus of rule, to widen and secure their power base and to increase their own effectiveness and discretion in managing and mobilizing societal resources' (1990, p.101). State-makers were locked into an open-ended and ruthless competition in which, as Tilly put it, 'most contenders lost' (1975, p.15). The successful cases of state-making such as England, France and Spain were the 'survivors'.

The competition among states was driven not just by the ambitions of rulers and internal or domestic considerations, but also by the very *structure* of the international system: individual states, pursuing their own security, had to be prepared for war, a process which itself generated insecurity in other states which sought to respond in kind. In short, states armed and became militaristic partly to ensure their own safety and, in so doing, they ensured the insecurity of others who armed in turn — thus making all states less secure. (This vicious circle of mutual insecurity is often referred to as the 'security dilemma' of the state.)

The ability to wage war was dependent on a successful process of *extraction*; that is, on a state's capacity to extract resources — whether these be men, weapons, foodstuffs, taxes or income substitutes — in support of its endeavours. Few subjects, however, were willing to sacrifice their resources or lives without a struggle for some kind of return or recognition, and conflicts and rebellions against economic and political demands were rife. In response, state rulers built state structures — administrative, bureaucratic and coercive — in order to aid the coordination and control of their subject populations. In short, direct connections can be traced between a growth in the requirement for the means of waging war, an expansion in processes of extraction, and a concomitant formation of state executive and administrative offices to organize and control these changes. The development of some of the key organizations of the modern state emerged at the intersection of warfare and the attempt to pay for it. War and its financial burdens promoted 'territorial consolidation, centralization, differentiation of the instruments of government and monopolization of the means of coercion ...' (Tilly, 1975, p.42).

It has already been noted (in Section 2) that different state forms prevailed in Europe in different eras and regions. The organizational form of the state varied too. In his most recent work, Tilly has sought to examine this variation with reference to the ways state development was mediated by, or filtered through, the social structure of particular societies — that is, the particular constellation of social classes and groups which existed within the terrain of the state and which were either cooperative with or resistant to state-makers (Tilly, 1990, pp.15, 27–8, 57, 117ff.). The shape of each such constellation was significantly affected by the different kinds of resource base which could be drawn upon by the various groups and classes comprising it, and the options they had for involvement (or otherwise) in state politics. As Tilly explains:

> The organization of major social classes, and their relations to the state, varied significantly from Europe's coercion-intensive regions (areas of few cities and agricultural predominance, where direct coercion played a major part in production), to its capital-intensive regions (areas of many cities and commercial predominance, where markets, exchange, and market-oriented production prevailed). The demands major classes made on the state, and their influence over the state, varied correspondingly.
> (Tilly, 1990, p.15)

For example, in 'capital-intensive' regions, like those found in the Dutch Republic in the seventeenth century, city-based merchants and capitalists favoured, and sometimes achieved, state structures which extended representation to include their interests. By contrast, in 'coercion-intensive' areas such as the Russian Empire, landlords gained greater control of the state and were able to hinder or block the development of representative councils or assemblies.

Over time it was the increasing scale of war, and particularly its growing reliance on technological change, industrialization and specialization which, in combination with the growth of commercial, legal and diplomatic interaction among states, gave the modern centralized nation-state its distinctive edge over other state forms. States that could mobilize and sustain standing armies and/or navies gained a war-making advantage. To quote Tilly again: '... states having access to a combination of large rural populations, capitalists, and relatively commercialized economies won out. They set the terms of war, and their form of state became the predominant one in Europe. Eventually European states converged on that form: the national state' (Tilly, 1990, p.15).

The above discussion has concentrated on the relationship between warfare, state-building and the modern state. However, the relationship between warfare, state-building and democratic representation — i.e. the relationship set out on the right-hand side of Figure 2.7 — needs further specification. Yet, here too the role and changing form of war was important. It has been argued by a number of scholars that the more military superiority depended on the ability of a state to mobilize large numbers of soldiers, particularly large numbers of lightly-armed foot soldiers, the greater have been the prospects for representative or popular government (Dahl, 1989, p.245; Andreski, 1968). The subject–soldier has often become, and struggled to become, a citizen–soldier (Janowitz, 1978, pp.178–9; cf. Dahl, 1989, p.247). As the political scientist Robert Dahl put it:

> ... to see oneself as a member of a nation, a privilege for which one was expected to make sacrifices, could also justify one in making a more expansive claim, including a right to a fair share in governing ... or at any rate [as] entitled to the franchise. Countries with mass armies now found that they had ushered in the Age of Democratic Revolutions. It was under these historical conditions in which military organisation and technology were more favourable to democratisation than they had been for many centuries that ... the institutions of polyarchy ['representative government'] took root in one country after another.
> (Dahl, 1989, p.247)

The more costly and demanding war became, the more rulers had to bargain for and win the support of their subjects. And the more people were drawn into preparations for war and war-making, the more they became aware of their membership in a political community and of the rights and obligations such membership might confer. While the nature of this emergent identity was often initially vague, it grew more definite and precise over time. The conditions for the development of citizenship varied across countries and regions (see Therborn, 1977; Mann, 1987; Turner, 1986). But the expansion of citizenship, or membership of an overall political community, was undoubtedly bound up with the military and administrative requirements of the modern state and the 'politicization' of social relations and day-to-day activities which followed in its wake (cf. Giddens, 1985, ch. 8). In fact, it has been argued that the democratization of the modern nation-state was largely 'a martial accomplishment' (Therborn, 1977). Whether or not this statement is fully justified, it usefully highlights the impetus received by institutions of representation and democracy from the conditions of mass mobilization and the political demands created by the modern state, although it is also important to stress that while some democracies were stimulated by processes of mass mobilization (Britain, Canada), others became democracies by defeat (Austria, Germany, Italy and Japan; see Therborn, 1977). It would be misleading to suggest that war created any one single pattern of causation in the building of democratic institutions.

There is not scope here to focus on nationalism as such, but it is useful to add that nationalism was a critical force in the development of the democratic nation-state. The conditions involved in the creation of the modern state were also often the conditions which generated nationalism. Nationalism has been closely linked to the administrative unification of the state. For the process by which national identities were formed was often the result of both a struggle for membership in the new political communities, and a struggle by elites and governments to create a new identity to legitimize the actions of the state. In other words, the construction of national identity has been part of an attempt to bind people together within the framework of a delimited territory in order to gain or enhance state power. The requirements of political action have led to the deployment of national identity as a means of ensuring the coordination of policy, mobilization and legitimacy (Breuilly, 1982, pp.365ff.). However, the conditions of 'state-making' and nationalism or 'nation-building' never fully overlapped — and nationalism itself, especially in the late nineteenth and twentieth centuries, became a force frequently deployed to challenge existing nation-state boundaries (e.g. Northern Ireland; see Poggi, 1990, pp.26–7).

It is a paradoxical result of the waging of war that it stimulated the formation of representative and democratic institutions. But to note this is not to claim that democracy is fully explained by the pursuit of war. The historical conditions surrounding the rise of democracy have been complex and varied (Dahl, 1989; Held, 1991). It is one thing to suggest that there is a direct connection in certain countries between, for example, the extension of the universal franchise and the emergence of modern infantry armies, but it is quite another to argue that democracy is thereby fully explained. Furthermore, if war gave democracy an impetus within particular nation-states, the rights and principles of democracy were often explicitly denied to those who were conquered, colonized and exploited by powerful nation-states. While the expansion of Europe became the basis of the political unification of the world into a system of nation-states, the main purpose of this expansion was to further European commerce and trade; the rights of colonial subjects were a secondary matter, if a matter of concern at all.

3.2 STATES AND CAPITALISM

In the interpretation that has been offered so far about the development of the modern state, little has been said about the *economic motives* or *economic interests* of political and social actors, and about the economic conditions and limits of state action, other than to examine the issue of extraction of men, arms, income etc. (see Section 3.1). The main emphasis has been on the non-economic features of the modern state; that is, on the independent and autonomous capacities of its organizations and agencies. Does the introduction of an account of economic relations, and of the impact of the development of capitalism especially, alter the view set out so far of states as competing geopolitical institutions, above all else? Did the modern state system shape and constrain the modern capitalist economy as the latter developed after AD 1500? Or was the formation of the capitalist economy on a progressively more international basis a, if not the, prime determinant of the scope or limits of state power? As state boundaries became more fixed, did the formal state rulers 'rule the roost', or was the 'roost' impinged upon more and more by the rising economic classes? In short, what was the effect upon the nation-state of the development of the modern economic system; and who exactly rules the nation-state? As with previous sections, it is useful to take several steps back in time before seeking to discriminate among, and weigh up, the multifarious factors which were at play.

At about AD 1000 the nearest approximation to a worldwide order of politics and trade was the Moslem world. Its dominance, however, was slowly challenged: faced with Mongol invasions in the thirteenth and fourteenth centuries, on the one hand, and later outflanked by European naval expeditions, on the other, the vitality of the Islamic world declined (Modelski, 1972). Europe was to 'explode outward upon the world' (Mann, 1986, p.500). The growth of interconnections between states and societies — that is, of *globalization* — became progressively

shaped by the expansion of Europe. Globalization meant western globalization. Key features of the modern states system — the centralization of political power, the expansion of administrative rule, the emergence of massed standing armies, the deployment of force — which existed in Europe in embryo in the sixteenth century were to become prevalent features of the entire global system. The chief vehicle for this was, to begin with, the European states' capacity for overseas operations by means of naval and military force capable of long-range navigation.

Among the early leaders in exploration were the Spanish and Portuguese (see Chapter 6, Section 2.3). If the Iberian monarchies led the first two centuries of 'European globalization', their position was eroded in the seventeenth century by the Dutch and then by the English. English influence was markedly in the ascendant in the eighteenth century and quite dominant in the nineteenth. British naval and military power conjoined with London as the centre of world trade and finance. However, it is doubtful whether any one single power was dominant until the nineteenth century. At least two powerful states were always contending for hegemony in Europe, and the expansion of world commerce drew in non-state actors as well (Tilly, 1990, p.189).

The expansion of Europe across the globe enhanced the demand, as one observer has noted, 'for organizations that would be capable of operating on such a scale. All the basic organization types of modern society — the modern state, modern corporate enterprise, modern science — were shaped by it and benefited greatly from it' (Modelski, 1972, p.37). In particular, globalization itself became a major source of expansion of state activity and efficiency. Governments organized and reaped some of the fruits of the 'discovery' and exploitation of non-European lands as it became essential to equip, plan and finance exploration and manage newly acquired posts and territories. In turn, state bureaucracies and executive powers were better resourced and this enhanced their autonomy in the face of local assemblies and parliaments. Once again, those states which were able to call upon an administrative infrastructure, substantial manpower and a wide tax base, alongside arms and shipbuilding industries, gained an advantage. In the seventeenth and eighteenth centuries this advantage was enjoyed by absolutist and constitutional governments; in the nineteenth century by the emergent leading nation-states.

If the consolidation of the modern European state was aided by globalization, this process involved great social costs: the progressive collapse of non-European civilizations, among them the Moslem, Indian and Chinese; the disorganizing effects of western rule on a large number of small societies; and the interlinked degradation of the non-European and European worlds caused by the slave trade. The benefits and costs were not, however, just the result of the expansion of the European states system: the picture was more complicated.

The diffusion of European power occurred mainly through the medium of sea-going military and commercial endeavours; and in the process

Europe became connected to a global system of trade and production relationships. At the centre of the latter were newly expanding capitalistic economic mechanisms which had their origins in the sixteenth century, or in what is sometimes called the 'long sixteenth century' running from about 1450 to 1640 (Braudel, 1973). One of the foremost analysts of this period is the sociologist Immanuel Wallerstein. As Wallerstein points out, 'capitalism was from the beginning an affair of the world economy and not of nation-states ... . Capital has never allowed its aspirations to be determined by national boundaries' (1979, p.19). The emergence of capitalism ushered in a quite fundamental change in the world order: for the first time genuinely global interconnections were achieved among states and societies. Capitalism has been able to penetrate the distant corners of the world.

Wallerstein makes a fundamental distinction between two types of *world-system* which have existed historically: world-empires and world-economies. Whereas world-empires were political units characterized by imperial bureaucracies, with substantial armies to exact tax and tribute from territorially dispersed populations, their capacity for success depended upon political and military achievements. World empires were not as flexible and, ultimately, as adaptable as the emerging world-economy of the sixteenth and seventeenth centuries, and they were finally displaced by the European world-economy as it expanded globally. They were displaced, Wallerstein argues, because the new world economic system was based on a process of endless accumulation of wealth. This world-economy was an economic unit which transcended the boundaries of any given political structure. If it constrained anything it was states, not the process of economic expansion.

According to this view, the modern world-system is divided into three components: the core (initially located in north-west and central Europe); the semi-periphery (the Mediterranean zone after its decline from earlier prominence); and the periphery (colonized and captured territories), although where each of these three components is located has varied over time. Each zone of the world-economy is characterized, Wallerstein maintains, by a particular type of economic activity, state structure, class formation and mechanism of labour control. The world capitalist economy created a new world-wide division of labour. And while in the late twentieth century colonialism in its original form has practically disappeared, the world capitalist economy creates and reproduces massive imbalances of economic and political power among different component areas.

The development of the world capitalist economy initially took the form of the expansion of market relations, driven by a growing need for raw materials and other factors of production. Capitalism stimulated this drive and was stimulated by it. It is useful to make a distinction (which Wallerstein fails to do) between the expansion of capitalist market relations based on the desire to buy, sell and accumulate mobile resources or capital, and the formation of industrial capitalism

involving highly distinctive class relations — based on those who own and control the means of production and those who have only their labouring capacity to sell. 'Capitalists', under the latter conditions, own factories and technology, while wage-labourers, or 'wage-workers', are without ownership in the means of production (see Chapter 4 for a further discussion of these issues). It is only with the development of capitalism in Europe after 1500, and in particular with the formation of the capitalist organization of production from the middle of the eighteenth century, that the activities of capitalists and the capitalist system began to converge (Tilly, 1990, pp.17, 189; Giddens, 1985, pp.122–47).

The development of capitalism itself can be explained as partly the result of long drawn-out changes in 'European' agriculture from as early as the twelfth century: changes resulting in part from the drainage and utilization of wet soils, which increased agricultural yields and created a sustainable surplus for trade. Linked to this was the establishment of long-distance trade routes in which the northern shores of the Mediterranean were initially prominent (Mann, 1986, p.504). Economic networks created 'north-south corridors' across the European landmass, with those networks in the North-west becoming progressively more dynamic over time. It was a combination of agricultural and navigational opportunities which helped stimulate the European economic dynamic, and the continuous competition for resources, territory and trade. Accordingly, the objectives of war gradually became more economic: military endeavour and conquest became more closely connected to the pursuit of economic advantage (Mann, 1986, p.511). The success of military conquest and the successful pursuit of economic gain were more directly associated.

The state slowly became more embroiled with the interests of civil society in part *for its own sake*. If state rulers and personnel wished to pursue and implement policy of their own choosing then they would require the financial wherewithall to do so; and the more successful the economic activity in their territories, the more — through customs, taxes, investments and other revenue-generating activity — they could sustain their own strategies and interests. By the seventeenth and eighteenth centuries absolutist and constitutional states were drawn steadily into a coordinating role with respect to the activities of civil society. The trigger for this growing responsibility almost always emanated from military commitments. But beneath this lay a general and growing requirement to regulate the developing capitalist economy and the spread of competing claims to property rights, if the economic basis of the state itself was to be properly protected (Mann, 1986, p.512). The other side of this process was, of course, the growing enmeshment of civil society with the state; for the latter's capacity in principle to stabilize and enforce law, contracts and currencies — to provide a coordinating framework for the new emerging capitalist economy — made it a growing object of attention for the powerful groups and classes of civil society who hoped to shape state action to suit their own interests.

What was the relationship between 'states' and 'classes' in the era of formation of the modern state? Any full answer to this question is likely to be controversial, and would have to be qualified in important details from one country to another. However, having said this, a pattern, first depicted by the sociologist Max Weber, can be uncovered between political rulers and the rising capitalist classes. Weber spoke of an 'alliance' between modern capitalism and the emergent modern state (Weber, 1923). Analysing the nature of this alliance further, Poggi has usefully drawn a distinction between two autonomous forces whose interests converged for a distinctive period (Poggi, 1990, pp.95–7). The forces consisted, on the one hand, of political rulers seeking to centralize political power and fiscal arrangements by disrupting and eradicating vestiges of power held by the nobility, the Church and various estate bodies, and, on the other hand, of the rising bourgeois classes seeking to remove impediments to the expansion of market relations based upon the trading arrangements established by powerful social networks, both country (aristocratic and landed power bases) and urban (the estate and guild systems). How the 'alliance' changed and crystallized over time into different constellations of class and state power is beyond the scope of this chapter. Nevertheless, it can be noted that the alliance appears to have endured up to the industrial revolution and aided both the expansion of commerce and the industrialization of the economy (Poggi, 1990, p.96).

If there was an alliance between the interests of powerful political and economic groupings during the formative phase of the modern state it was not without conflicts. For the new capitalist classes sought to struggle not only against the remnants of feudal privilege, but also to ensure the progressive separation of the economy from the state so that the economy was free from any risk of arbitrary political interference. It is at this juncture that the emerging economic classes often became the reforming classes of the eighteenth and nineteenth centuries, seeking to conjoin the struggle for an independent economic sphere with the struggle for representative government. The chief connecting mechanism was the attempt to establish civil and political rights (Marshall, 1973; Giddens, 1981; and see Book 2 (Allen *et al.*, 1992), Chapter 4). For what was at issue in the establishment of these rights was the attempt to uphold 'freedom of choice' in areas as diverse as personal, family, business and political affairs. The pursuit of civil and political rights over time reconstituted the nature of both the state and the economy — driving the former toward a liberal democratic polity and the latter toward the capitalist market system. But the meaning of membership in the modern state, that is, of citizenship, remained contested — by political rulers, anxious to preserve their traditional privileges, by powerful social groups and classes, hoping to inscribe their interests into the polity, and by all those who remained excluded from political participation until well into the twentieth century: the working classes, women and many minority groups (see Book 2 (Allen *et al.*, 1992), Chapters 1 and 4 for an account of the complex development of these conflicts). Moreover, as the coordinating role of the state expanded, and it became more involved in determining the conditions of civil society, the state became more intensely contested. The risk of unwanted political interference in economic affairs, and the requirement for a regulatory framework for trade and business, gave the emerging classes of capitalist society a double incentive for involvement in setting the direction of state action.

The process and outcome of the new social struggles, it should be stressed, cannot simply be understood in their own terms; for their form and dynamic were shaped and re-shaped by the states system itself. Mann has put the point sharply:

> ... by the time of the Industrial Revolution, capitalism was already contained within a civilization of competing geopolitical states ... [while] economic interaction was largely confined within national boundaries, supported by imperial dominions. Each leading state approximated a self-contained economic network. International economic relations were authoritatively mediated by states. Class regulation and organization thus developed in each of a series of geographical areas shaped by existing geopolitical units.
> (Mann, 1986, p.513)

Class conflicts were, in other words, framed in large measure by the nature and interrelations of states (cf. Tilly, 1981, pp.44–52, 109–44).

3.3 SUMMARY: THE STORY SO FAR

The formation of the modern state has to be related to at least two overarching phenomena: the structures of political and social groups and classes, and the relations among states — 'their position relative to each other, and their overall position in the world', as Hintze put it (1975, p.183). Struggles among social collectivities at home and conflicts among states abroad have had a dramatic impact on the nature, organization and dynamics of individual states. The modern state has a dual anchorage 'in class-divided socio-economic structures and an international system of states' (Skocpol, 1979, p.32). If this is the context in which the rise of the modern state must be understood, it remains to draw together the grounds for why it was that the modern state came to be a national or nation-state. Briefly put, this chapter has argued that nation-states became supreme because they won at war, were economically successful and, subsequently, achieved a significant degree of legitimacy in the eyes of their populations and other states.

They won at war because as warfare became more extended in scale and cost, it was larger national states which were best able to organize and fund military power; and as these states expanded overseas this ability increased (Tilly, 1990, pp.65–6, 190). They were economically successful because the rapid growth of their economies from the late sixteenth century, and particularly after the mid-eighteenth century, sustained the process of capital accumulation: as the economic basis of the centralized state expanded, it significantly reduced the war-making

ability of smaller states (often with fragmented power structures) and traditional empires (which depended above all on coercive power for their success). And they gained in legitimacy because as they extended their military, organizational and coordinating activities, they came to depend more and more on the active cooperation, collaboration and support of their peoples, especially well-organized civil groups. In the wake of the erosion of the authority of the Church, the legitimacy of claims to political power came to depend on the view that such claims were justified and appropriate if popular or democratic. Calls for democratic government or democratic legitimacy became irresistible in the face of the expansion of state administrative power and the growth of new political identities — nationalism, citizenship and 'public' life.

However, the rise of Europe, of the European nation-state and of the modern states system is not fully explained by these factors and processes. There was, as there always is in politics, a fair degree of 'luck', 'uncertainty' or 'contingency'. The Mongol invasions (1206–60) could have penetrated further west with significant implications for the formation of Christian Europe; the Reformation could have drawn Europe into an endless vicious circle of religious war which might have undermined future European expansion; Napoleon Bonaparte might have conquered Russia and created a more durable empire; capitalism could have taken a firm hold in the East. The point of these and dozens of other 'what-ifs' is to remind one that history doesn't unfold according to one pattern, one logic, or one evolutionary scheme. History, if the above account is useful, is rather the result of the interplay of a number of causal patterns or processes which combine to produce particular trends and developmental trajectories. Moreover, these are never set in stone; they are always affected by and open to alteration by changing circumstances, and by the outcome of key historical events. In the case of the history of states these events have been wars, first and foremost, and the development of military power to back up negotiations on pressing issues.

4 SOVEREIGNTY AND THE MODERN NATION-STATE: COMPETING CONCEPTIONS

The focus of the ensuing section is a number of accounts of the modern state and the interrelated notion of sovereignty. The ideas of some of the key contributors to modern political thought are presented, and some of their major texts are introduced. While the previous sections of this chapter have offered, in broad terms, a *descriptive-explanatory* account of the development of the modern state, what follows is more directly concerned with the *normative problems* of political theory. However, before turning to the latter, it is useful to ask: What kind of distinction is being made here between types of political inquiry?

A contrast is often drawn between normative political theory or political philosophy, on the one hand, and descriptive-explanatory or analytical theories of the social sciences, on the other. The former refers to theories about the proper form of political institutions and includes accounts of such notions as sovereignty, authority and liberty. The latter refers to attempts to characterize actual phenomena and events and is marked by a strong empirical element. The distinction, thus, is between theories which focus on what is desirable — what should or ought to be the case — and those that focus on what has been or is the case. But it should be borne in mind that, while this distinction is helpful as an initial point of orientation, it is hard to use it as a precise classificatory device for theories of the modern state. For many political philosophers see what they think the state ought to be like in the state as it is. Social scientists, on the other hand, cannot escape the problem that facts do not simply 'speak for themselves'; they are, and they have to be, interpreted; and the framework we bring to the process of interpretation determines what we 'see' — what we notice and register as important.

The distinction between 'empirical analysis' and 'normative theory' is further complicated if one reflects on the interaction between 'ideas' and 'reality'. The process of analysing aspects of the political world contributes to an understanding of how people can, might or should act in the world; it can be reflexively applied to the transformation of the conditions of existence. Political enquiry, in fact, has often had a practical impact in the modern era, just as political, social and economic developments have had an influence on the nature and objects of enquiry. The debate in political theory about the modern state became a constitutive component of the concepts and theories which were utilized and applied in the formation and construction of the modern state itself (see Skinner, 1978). In what follows some of the leading contributions to this interchange are set out. It is an interchange which has had, and is likely to continue to have, significant political implications.

4.1 WHAT IS THE PROPER NATURE OF POLITICAL AUTHORITY?

The idea of the modern state is intimately linked to the idea of sovereignty: for its origin and history are closely connected to the origin and development of the concept of sovereignty itself. While the idea of sovereignty can be traced to the Roman Empire, it was not until the end of the sixteenth century, when the nature and limits of political authority emerged as a preoccupation of European political thought, that sovereignty became a major theme in political analysis. The theocratic concepts of authority which dominated mediaeval Europe were challenged both by the rise of centralized states, absolutist and constitutional, and by the Protestant Reformation.

The Reformation did more than just challenge Papal jurisdiction and authority across Europe; it raised questions about political obligation and obedience in a stark manner. The issue of whether allegiance was

owed to the Catholic Church, a Protestant ruler, or particular religious sects did not easily resolve itself. Very gradually it became apparent, moreover, that the powers of the state would have to be separated from the duty of rulers to uphold any particular faith (Skinner, 1978, p.352). This conclusion alone offered a way forward through the dilemmas of rule created by competing religions, all seeking to secure for themselves the kind of privileges enjoyed by the mediaeval church.

In this context sovereignty became a new way of thinking about an old problem: the nature of power and rule. When established forms of authority could no longer be taken for granted it was the idea of sovereignty which provided a fresh link between political power and rulership. In the struggle between church, state and society, sovereignty offered an alternative way of conceiving the legitimacy of claims to power. In the debate about sovereignty which ensued, there was little initial agreement about its meaning; differing accounts were offered of the proper locus of 'supreme power' in society, the source of authority for that power, limitations upon that power (if any), and the ends to which that power might or should be directed. As the theory of sovereignty developed, however, it became a theory about the possibility of, and the conditions for, the rightful exercise of political power. It became the theory of legitimate power or authority. In examining the theory, we examine some of the most fundamental conceptions of the modern state; for the theory of sovereignty largely set down the terms of reference of political discussion.

While tension between the principles of rulership and self-government, between power and society, led to discrepant conceptions of the nature of sovereign power and of the criteria of legitimate government, two poles became clearly established in the emergent debate: state sovereignty and popular sovereignty. Where advocates of the former tended to grant the state ultimate authority to define public right, advocates of the latter tended to see the state as a mere 'commission' for the enactment of the people's will and, therefore, as open to direct determination by 'the public' (cf. Berlin, 1969, pp.164ff.). Traditionally, these positions are thought to have been articulated best by, respectively, Hobbes's classic statement about state sovereignty (*Leviathan*, 1651) and Rousseau's powerful account of the doctrine of popular sovereignty (*The Social Contract*, 1762).

4.2 HOBBES

In his great work *Leviathan*, Thomas Hobbes (1588–1679) provided one of the most elegant rationales for the primacy of the state, for the necessary unity of the state as the representative of the body politic, and for the necessity of the state as the creator and maintainer of positive law. Hobbes wrote against the background of social disorder and political instability — the English Civil War — and sought to establish the necessity of an all-powerful sovereign capable of securing the conditions of 'peaceful and commodious living'. His position was that

individuals ought willingly to surrender their rights to a powerful single authority — thereafter authorized to act on their behalf — because, if all individuals were to do this simultaneously, the condition would be created for effective political rule. A unique relation of authority would be created — the relation of sovereign to subject — and a unique political power would be established: sovereign power or sovereignty — the authorized, hence rightful, use of power by the person (or assembly) established as sovereign.

The sovereign has to have sufficient power to ensure that the laws governing political and economic life are upheld. Since, in Hobbes's view, 'men's ambitions, avarice, anger and other passions' are strong, and the 'bonds of words are too weak to bridle them ... without some fear of coercive power', he concluded that, 'covenants, without the sword, are but words, and of no strength to secure a man at all' (Hobbes, 1968, p.223). Beyond the sovereign state's sphere of influence there will always be the chaos of constant warfare; but within the territory controlled by the state, with 'fear of some coercive power', social order can be sustained.

It is important to stress that, in Hobbes's opinion, sovereignty must be self-perpetuating, undivided and ultimately absolute (Hobbes, 1968, pp.227–8). The justification for this is 'the safety of the people'. By 'safety' is meant not merely minimum physical preservation. The sovereign must ensure the protection of all things held in property: 'Those that are dearest to a man are his own life, and limbs; and in the next degree, (in most men) those that concern conjugal affection; and after them riches and means of living' (Hobbes, 1968, pp.376, 382–3). Although Hobbes acknowledges certain limits to the legitimate range of the sovereign's actions, the state is regarded by him as pre-eminent in all spheres (see Hobbes, 1968, ch. 21). For the state is authorized to represent all individuals and, accordingly, absorbs all popular or public right. State sovereignty embraces, in principle, all elements of the body politic.

ACTIVITY 3

You should now read **Reading A, 'Leviathan'**, by Thomas Hobbes, which you will find at the end of this chapter. As you read, note the reasons why Hobbes thinks:

1. people require a 'common power' or state — what he calls a 'mortal God' — in order to live securely and prosperously;
2. people must live in fear of some 'coercive power'.

Additionally, consider:

3. on what basis Hobbes thinks a 'common power' can be established; and
4. what, in his view, is the nature of the relationship that ought to be created between ruler and ruled — sovereign and subject?

With Hobbes, the justification of state power received its fullest expression and became a central theme in European political thought. But his position was controversial and challenged on at least two grounds (see Hinsley, 1986, pp.144ff.). The first objection raised the fundamental question of where sovereign authority properly lay — with the ruler, the monarch, the state or (as was increasingly to be argued) with the people? The second objection was concerned with the proper form and limits, the legitimate scope, of state action.

4.3 ROUSSEAU

Jean-Jacques Rousseau (1712–78) did not reject the concept of sovereignty, but insisted on retaining for the people the sovereignty which Hobbes had transferred to the state and its rulers. In Rousseau's view, sovereignty originates in the people and ought to stay there (Rousseau, 1968, p.141). For Rousseau, the very essence of sovereignty is the creation, authorization and enactment of law according to the standards and requirements of the common good. And the nature of the common good can only be known through public discourse and public agreement. Only citizens themselves can articulate 'the supreme direction of the general will' — which is the sum of their publicly generated judgements of the common good (Rousseau, 1968, pp.60–1). Moreover, Rousseau argued, citizens can only be obligated to a system of laws and regulations they have prescribed for themselves with the general good in mind (Rousseau, 1968, p.65; cf. p.82).

Taking arguments about sovereignty in a new direction, Rousseau held that, ideally, individuals should be involved directly in the creation of the laws by which their lives are regulated. The sovereign authority is the people making the rules by which they live. All citizens should meet together to decide what is best for the community and enact the appropriate laws. The ruled should be the rulers: the affairs of the state should be integrated into the affairs of ordinary citizens (see Rousseau, 1968, pp.82, 114; and for a general account, ibid., pp.101–16). Rousseau was critical of the classical Athenian conception of direct democracy because it failed to incorporate a division between legislative and executive functions and, consequently, became prone to instability, internecine strife and indecision in crisis (Rousseau, 1968, pp.112–14, 136ff.). But while he wished to defend the importance of dividing and limiting 'governmental power', the executive or government in his scheme was legitimate only to the extent to which it fulfilled 'the instructions of the general will'. In so arguing, Rousseau undermined the distinction between the state and the community, the government and 'the people', but in the opposite direction to that proposed by Hobbes. Government was reduced to a 'commission'; public right, in principle, absorbed the state.

ACTIVITY 3 [illegible] Reading [illegible] 'The social contract' [illegible] Rousseau

As you read, try to note the reasons Rousseau [illegible]

1 a 'social contract' must be established;

2 sovereignty originates in the people — and ought to stay there.

Reflect also on why Rousseau thinks:

3 citizens can legitimately be 'forced to be free'.

Finally, consider:

4 Rousseau's conception of the limits, if any, of popular 'sovereign power'.

Hobbes and Rousseau may be portrayed as representing opposing sides in the debate about the locus of sovereignty. However, both cast their arguments in such a way as to face a common objection: that they projected models of political power with potentially tyrannical implications. For if Hobbes placed the state in an all-powerful position with respect to community, Rousseau placed the community (or a majority thereof) in a position to wholly dominate individual citizens: the community is all-powerful and, therefore, the sovereignty of the people could easily destroy the liberty of individuals (Berlin, 1969, p.163). The problem is that just as Hobbes failed to articulate either the principles or institutions necessary to delimit state action, Rousseau assumed that minorities ought to consent to the decisions of majorities, and posited no limits to the reach of the decisions of a democratic majority, and therefore to political intervention. Such conceptions of sovereignty, which fail to demarcate the limits or legitimate scope of political action, need to be treated with caution.

An alternative to the contending theses of the sovereignty of the state and the sovereignty of the people is implicit in Locke's conception of an independent political community, and is essential to the traditions of political analysis which neither locate sovereignty in, nor reduce it to, either state or society. This tradition — above all, of constitutional thinking — sought to provide ways of mediating, balancing and checking the relationship between state and society such that some protection existed for both public and private right. The motivation for such a position lay precisely in doubts about unaccountable state power and in the necessity to provide limits to the legitimate scope of political action. Views such as these were given lasting expression in the constitutional arguments of John Locke (1632–1704).

4.4 LOCKE

Locke held that the institution of 'government' can and should be conceived as an instrument for the defence of the 'life, liberty and estate' of its citizens; that is, government's *raison d'être* is the protection of individuals' rights as laid down by God's will and as enshrined in law (see Dunn, 1969, part 3). He believed that the integrity and ultimate ends of society require a constitutional state in which 'public power' is legally circumscribed and divided. He argued on behalf of a constitutional monarchy holding executive power and a parliamentary assembly holding the rights of legislation, although he did not think this was the only form government might take. However, in Locke's view, the formation of the state does not signal the final transfer of all subjects' rights to the state (Locke, 1963, pp.402–3, para. II.135; pp.412–13, para. II.149). The rights of law-making and law-enforcement (legislative and executive rights) are transferred, but the whole process is conditional upon the state adhering to its essential purpose: the preservation of 'life, liberty and estate'.

It is important to emphasize that, in Locke's account, political authority is bestowed by individuals on government for the purpose of pursuing the ends of the governed; and should these ends fail to be represented adequately, the final judges are the people — the citizens of the state — who can dispense both with their deputies and, if need be, with the existing form of government itself. According to Locke, in the face of a series of tyrannical political acts, popular rebellion to form a new government might not only be unavoidable but justified. One commentator has summarized Locke's position thus:

> Rulers ... hold their authority under law; and entitlement to the obedience of their subjects derives from the impartial administration of this law. Where they act against or outside this law to the harm of their subjects, they become tyrants. Wherever law ends, tyranny begins [Locke, 1963, p.448, para. II.202]. For a ruler in authority to use force against the interests of his subjects and outside the law is to destroy his own authority. He puts himself into a state of war with his injured subjects, and each of these has the same right to resist him as they would have to resist any other unjust aggressor [Locke, 1963, p.448, para. II.202; p.467, para. II.232].
> (Dunn, 1984, p.54)

With these arguments Locke fashioned a doctrine which had an enduring impact on Western political thought. For it affirmed that supreme power was the inalienable right of the people; that governmental supremacy was a *delegated* supremacy held on trust; that government enjoyed full political authority so long as this trust was sustained; and that a government's legitimacy or right to rule could be withdrawn if the people judged this necessary and appropriate; that is, if the rights of individuals and 'ends of society' were systematically flouted.

ACTIVITY 5

Locke concludes his *Two Treatises of Government* with the following passage. Note especially the conditions under which supreme power can legitimately revert to the people:

> To conclude, The *Power that every individual gave the Society*, when he entered into it, can never revert to the Individuals again, as long as the Society lasts, but will always remain in the Community; because without this, there can be no Community, no Common-wealth ... So also when the Society hath placed the Legislative in any Assembly of Men, to continue in them and their Successors, with Direction and Authority for providing such Successors, *the Legislative can never revert to the People* whilst that Government lasts: Because having provided a Legislative with Power to continue for ever, they have given up their Political Power to the Legislative, and cannot resume it. But if they have set Limits to the Duration of their Legislative, and made this Supreme Power in any Person, or Assembly, only temporary: Or else when by the Miscarriages of those in Authority, it is forfeited; upon the Forfeiture of their Rulers, or at the Determination of the Time set, *it reverts to the Society*, and the People have a Right to act as Supreme, and continue the Legislative in themselves, or erect a new Form, or under the old form place it in new hands, as they think good.
> (Locke, 1963, p.477, para. II.243)

However, with these arguments Locke also ran into distinct difficulties. He did not explore systematically how possible tensions might be resolved between the sovereignty of the people — the idea of the people as an active sovereign body with the capacity to make or break governments — and the government as the trustee of the people with the right to make and enforce the law. At the root of this lies a failure to draw an effective contrast between the power of the people and the powers of the state (Skinner, 1989, p.115). As Locke put it, 'the community perpetually retains a supreme power' over its prince or legislative (quoted in ibid.). Accordingly, what constitutes the precise autonomy or independence of state powers remains unspecified. While Locke's attempt to transcend the dualism between ruler and people, state and community, became highly influential, as did his attempt to enshrine this new political understanding in the notion of constitutional government — a legal and institutional mechanism to protect both the 'sovereign people' and 'the sovereign state' — his solution was far from complete.

Modern liberal and liberal-democratic theory has constantly sought to justify the sovereign power of the state while at the same time justifying limits upon that power. The history of this attempt is the history of arguments to balance might and right, power and law, duties and rights.

On the one hand, states must have a monopoly of coercive power in order to provide a secure basis upon which trade, commerce and family life can prosper. On the other hand, by granting the state a regulatory and coercive capability, political theorists were aware that they had accepted a force which could, and frequently did, deprive citizens of political and social freedoms.

It was the liberal democrats who provided the key institutional innovation to try to overcome this dilemma — representative democracy. The liberal concern with reason, law and freedom of choice could only be upheld properly by recognizing the political equality of all mature individuals. Such equality would ensure not only a secure social environment in which people would be free to pursue their private activities and interests, but also that the state's personnel would do what was best in the general and public interest; for example, pursue the greatest satisfaction of the greatest number. Thus, the democratic state, linked to other key institutional mechanisms, above all the free market, resolved, the liberal democrats argued, the problems of ensuring both authority and liberty.

4.5 MILL

A classical statement of the new position can be found in the philosophy of John Stuart Mill (1806–73). In his hands the theory of liberal democracy received a most important elaboration: the governors must be held accountable to the governed through political mechanisms (regular voting, competition between potential representatives, the struggle among free opinion) which alone can give citizens the satisfactory means for choosing, authorizing and controlling political decisions. And with these means, he further contended, a balance could finally be obtained between might and right, authority and liberty. But who exactly was to count as a 'citizen' or an 'individual', and what their exact role was to be, remained unfortunately either unclear or unsettled: the idea that *all* citizens should have equal weight in the political system remained outside Mill's actual doctrine.

The idea of the modern democratic state remains complex and contested. The liberal democratic tradition itself comprises a most heterogeneous body of thought. However, the whole liberal democratic tradition stands apart from an alternative perspective — the Marxist tradition. It is worth briefly dwelling on this, since it remains the key counterpoint to liberal democracy.

ACTIVITY 6

Before reading further you should note down some of the key features of liberal democracy in order that the contrast with Marxism is brought more sharply into view.

4.6 MARX AND ENGELS

The struggle of liberalism against tyranny and the struggle by liberal democrats for political equality represented, according to Karl Marx (1818–83) and Frederick Engels (1820–95), a major step forward in the history of human emancipation. But for them, and the Marxist tradition more broadly, the great universal ideals of 'liberty, equality and justice' could not be realized simply by the 'free' struggle for votes in the political system and by the 'free' struggle for profit in the market place. The advocates of the democratic state and the market economy present them as the only institutions under which liberty can be sustained and inequalities minimized. However, by virtue of its internal dynamics the capitalist economy inevitably produces, Marxists aver, systematic inequality and massive restrictions on real freedom. While each step towards formal political equality is an advance, its liberating potential is severely curtailed by inequalities of class, wealth and opportunity.

In class societies the state cannot become the vehicle for the pursuit of the common good or public interest. Far from playing the role of emancipator, protective knight, umpire or judge in the face or disorder, the agencies of the liberal representative state are meshed in the struggles of civil society. Marxists conceive of the state as an extension of civil society, reinforcing the social order for the enhancement of particular interests — in capitalist society, the long-term interests of the capitalist class. Marx and Engels' argument is that political emancipation is only a step towards human emancipation: that is, the complete democratization of society as well as the state. In their view, liberal democratic society fails when judged by its own principles; and to take these seriously is to become a communist. Marx himself envisaged the replacement of the 'machinery' of the liberal democratic state by a 'commune structure': the smallest communities would administer their own affairs, elect delegates to larger administrative units (districts, towns) and these would, in turn, elect candidates to still larger areas of administration (the national delegation). This arrangement is known as the 'pyramid' structure of direct democracy: all delegates are revocable, bound by the instructions of their constituency and organized into a 'pyramid' of directly elected committees.

ACTIVITY 7

Note Marx and Engels' emphasis on the interconnections between social power, class and state. Consider the stress they place on these interconnections. How convinced are you by their view that the state is an extension of civil society — that is, a political apparatus structured and shaped by class relations?

4.7 WEBER

One of the toughest (yet not wholly unsympathetic) critics of the Marxist tradition was the sociologist Max Weber (1864–1920). Weber believed that Marxists' political ambitions were premised on a deficient understanding of the nature of the modern state and of the complexity of political life. In Weber's account, the history of the state and the history of political struggle could not in any way be reduced to class relations: the origins and tasks of the modern state suggested it was far more than a 'superstructure' on an economic 'base'. Moreover, even if class relations were transformed, institutions of direct democracy could not replace the state; for there would be a massive problem of coordination and regulation which would inevitably be 'resolved' by bureaucracy, and by bureaucracy alone, unless other institutions were created to check its power. The problems posed by the liberal pursuit of a balance between might and right, power and law, are, Weber thought, inescapable elements of modernity.

Weber developed one of the most significant definitions of the modern state, placing emphasis upon two distinctive elements of its history: territoriality and violence. The modern state, unlike its predecessors which were troubled by constantly warring factions, has the capability of monopolizing the legitimate use of violence within a given territory; it is a nation-state in embattled relations with other nation-states rather than with armed segments of its own population. 'Of course', Weber emphasized, 'force is certainly not the normal or only means of the state — nobody says that — but force is a means specific to the state ... . The state is a relation of men dominating men, a relation supported by means of legitimate (i.e. considered to be legitimate) violence' (Weber, 1972, p.178). The state maintains compliance or order within a given territory; in individual capitalist societies this involves crucially the defence of property and the enhancement of domestic economic interests overseas, although by no means all the problems of order can be reduced to these. The state's web of agencies and institutions finds its ultimate sanction in the claim to the monopoly of coercion, and a political order is only, in the last instance, vulnerable to crises when this monopoly erodes.

However, there is also a third key element in Weber's definition of the state: legitimacy. The state is based on a monopoly of physical coercion which is legitimized (that is, sustained) by a belief in the justifiability and/or legality of this monopoly. Today, Weber argued, people no longer comply with the authority claimed by the powers-that-be merely on the grounds, as was common once, of habit and tradition or the charisma and personal appeal of individual leaders. Rather, there is general obedience by 'virtue of "legality", by virtue of the belief in the validity of legal statute and functional "competence" based on rationally created rules' (Weber, 1972, p.79). The legitimacy of the modern state is founded predominantly on 'legal authority', that is, commitment to a 'code of legal regulations'.

Foremost among the state's institutions are, Weber held, the administrative apparatuses — a vast network of organizations run by appointed officials. Weber feared that political life in West and East would be ever more ensnared by a rationalized, bureaucratic system of administration — a 'steel-hard cage', as he wrote. Against this he championed the countervailing power of private capital, the competitive party system and strong political leadership to secure national power and prestige — all of which could prevent the domination of politics by state officials. Two-hundred-and-fifty years after Hobbes wrote *Leviathan*, the conception of the state as a potentially omnipotent and all-embracing entity remained a deep concern.

ACTIVITY 8

Before reading further, you should note down the key differences between the Marxist and Weberian accounts of the modern state. Which position do you find the more plausible, and why? Consider your response in relation to the historical material presented in the earlier parts of the chapter, especially Section 3.

5 CONCLUSION

What should be made of these various conceptions of sovereignty, state power and democracy today? The difficulties of coming to a judgement about the modern state are acute, especially if one examines it in relation to the history both of the states system and of the interconnections of the world economy. (For a discussion of these points, see Book 4 (Hall *et al.*, 1992), especially Chapter 1.) By way of a conclusion, however, a number of points from the chapter as a whole can be usefully brought together, and left for you to reflect upon. These can be put briefly:

1 To understand the formation of the state it is necessary to grasp the intersection of national and international conditions and processes. The state faces inwards toward its subjects and citizens, and outwards toward the states system and international economy. It has an anchorage in both the organizations and relations of socio-economic groups and in the international order.

2 The modern state became the supreme form of the state because it most successfully marshalled the means of waging war, economic resources and claims to legitimacy. Modern states mobilized effectively for war, for the enhancement of economic activity (capitalist expansion) and for their own legitimation. It is at the intersection of these particular formative processes that the distinctive organization and form of the modern state emerged.

3 The democratization of the modern state, that is, the establishment of the universal franchise, can be related directly to the state's search for loyalty and resources when it has been most pressed (before, during and after wars), and to its claim to a distinct form of legitimacy. Unlike its predecessors, the modern state heralds its separateness from both ruler and ruled. At the centre of the self-image and representation of the modern state lies its claim to be an 'independent authority' or 'circumscribed impartial power' accountable to its citizens. To the extent that this claim has been redeemed, the modern state has been able to enjoy an advantage against rival political forces in the battle for legitimacy in the modern world. However, the nature and meaning of this claim have been contested from the outset of the modern state to the present day. The legitimacy of the modern state remains controversial.

4 The modern state has been neither simply a detached 'judge' of the affairs of civil society, nor merely an epiphenomenon. Rather, it is best understood as a system of organizations and relations which can make and shape social, political and economic change. The state apparatus has sufficient primacy over social classes and collectivities that discrete political outcomes — constitutional forms, coalitional arrangements, particular exercises of state coercion, and so on — cannot be inferred directly from the movements and activities of those in civil society. Political life, and state action in particular, are by no means wholly determined by socio-economic life.

5 The modern state, like its predecessors, is a system of power in its own right; it has to be understood as a set of organizations and collectivities concerned with the institutionalization of political power. While the independent and autonomous capacities of state organizations and agencies have been stressed, so have the latter as sites of contestation and conflict. The history of the modern state is also the history of the way in which social struggle has been 'inscribed' into, that is, embedded in, the organization, administration and policies of the state. As states came to depend on their citizens for support and resources, their structures and policies became subject, some would say ever more subject, to political negotiation and compromise.

6 The proper locus and form of the sovereignty of the modern state have been in dispute from Hobbes to Rousseau to Marx and Weber. Conceptions of sovereignty which neither locate sovereignty exclusively in, nor reduce sovereignty to, either state or society seem compelling; yet, these are far from secure. What is meant by the rightful exercise of political authority remains open to dispute. Further, the operation of states in the complex international system of economics and politics raises questions about the role of sovereignty — its possible nature and extent — in a world in which powerful non-state actors, like international companies, have significant influence, and in which the fate of peoples are interconnected. Sovereignty is moulded and re-moulded in the international world of states and societies.

7 The processes and conflicts which have centred on and crystallized around the modern state have been the result of complex interactions between political, economic, military and social factors, among other things. These factors cannot simply be ranked in a fixed order of importance in the explanation of the rise and development of the modern state. For it is in a combination of factors that a satisfactory explanation can be found for the major trends and developments of the modern political world. While this amounts to a rejection of arguments for economic determinism, or cultural determinism, or military determinism (and other positions which advocate focusing on one set of causal factors), it allows that one or more of these factors could have causal primacy under particular conditions and circumstances. The modern state escapes the categories of deterministic theories; but economic relations, political forces and military might have all been fundamental to elements of its form and dynamics.

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READING A LEVIATHAN

Thomas Hobbes

Nature hath made men so equal, in the faculties of the body, and mind; as that though there be found one man sometimes manifestly stronger in body, or of quicker mind than another; yet when all is reckoned together, the difference between man, and man, is not so considerable, as that one man can thereupon claim to himself any benefit, to which another may not pretend, as well as he. For as to the strength of body, the weakest has strength enough to kill the strongest, either by secret machination, or by confederacy with others, that are in the same danger with himself. …

Hereby it is manifest, that during the time men live without a common power to keep them all in awe, they are in that condition which is called war; and such a war, as is of every man, against every man. For WAR, consisteth not in battle only, or the act of fighting; but in a tract of time, wherein the will to contend by battle is sufficiently known. …

Whatsoever therefore is consequent to a time of war, where every man is enemy to every man; the same is consequent to the time, wherein men live without other security, than what their own strength, and their own invention shall furnish them withal. In such condition, there is no place for industry; because the fruit thereof is uncertain: and consequently no culture of the earth; no navigation, nor use of the commodities that may be imported by sea; no commodious building; no instruments of moving, and removing, such things as require much force; no knowledge of the face of the earth; no account of time; no arts; no letters; no society; and which is worst of all, continual fear, and danger of violent death; and the life of man, solitary, poor, nasty, brutish, and short. …

It may peradventure be thought, there was never such a time, nor condition of war as this; and I believe it was never generally so, over all the world: but there are many places, where they live so now. For the savage people in many places of America, except the government of small families, the concord whereof dependeth on natural lust ['inclination'], have no government at all; and live at this day in that brutish manner, as I said before. Howsoever, it may be perceived what manner of life there would be, where there were no common power to fear, by the manner of life, which men that have formerly lived under a peaceful government, use to degenerate into, in a civil war. …

The final cause, end, or design of men, who naturally love liberty, and dominion over others, in the introduction of that restraint upon themselves, in which we see them live in commonwealths, is the foresight of their own preservation, and of a more contented life thereby; that is to say, of getting themselves out from that miserable condition of war, which is necessarily consequent … to the natural passions of men, when there is no visible power to keep them in awe, and tie them by fear of punishment to the performance of their covenants, and observation of those laws of nature … .

For the laws of nature, as *justice, equity, modesty, mercy,* and, in sum, *doing to others, as we would be done to,* of themselves, without the terror of some power, to cause them to be observed, are contrary to our natural passions, that carry us to partiality, pride, revenge, and the like. And covenants, without the sword, are but words, and of no strength to secure a man at all. Therefore notwithstanding the laws of nature, which every one hath then kept, when he has the will to keep them, when he can do it safely, if there be no power erected, or not great enough for our security; every man will, and may lawfully rely on his own strength and art, for caution against all other men. And in all places, where men have lived by small families, to rob and spoil one another, has been a trade, and so far from being reputed against the law of nature, that the greater spoils they gained, the greater was their honour; and men observed no other laws therein, but the laws of honour; that is, to abstain from cruelty, leaving to men their lives, and instruments of husbandry. And as small families did then; so now do cities and kingdoms which are but greater families, for their own security, enlarge their dominions, upon all pretences of danger, and fear of invasion, or assistance that may be given to invaders, and endeavour as much as they can, to subdue, or weaken their neighbours, by open force, and secret arts, for want of other caution, justly; and are remembered for it in after ages with honour.

Nor is it the joining together of a small number of men, that gives them this security; because in small numbers, small additions on the one side or the other, make the advantage of strength so great, as is sufficient to carry the victory; and therefore gives encouragement to an invasion. The multitude sufficient to confide in for our security, is not determined by any certain number, but by comparison with the enemy we fear; and is then sufficient, when the odds of the enemy is not of so visible and conspicuous moment, to determine the event of war, as to move him to attempt. …

The only way to erect such a common power, as may be able to defend them from the invasion of foreigners, and the injuries of one another, and thereby to secure them in such sort, as that by their own industry, and by the fruits of the earth, they may nourish themselves and live contentedly; is, to confer all their power and strength upon one man, or upon one assembly of men, that may reduce all their wills, by plurality of voices, unto one will: which is as much as to say, to appoint one man, or assembly of men, to bear their person; and every one to own, and acknowledge himself to be author of whatsoever he that so beareth their person, shall act, or cause to be acted, in those things which concern the common peace and safety; and therein to submit their wills, every one to his will, and their judgements, to his judgment. This is more than consent, or concord; it is a real unity of them all, in one and the same person, made by covenant of every man with every man, in such manner, as if every man should say to every man, *I authorize and give up my right of governing myself, to this man, or to this assembly of men, on this condition, that thou give up thy right to him, and authorize all his actions in like manner.* This done, the

Source: Hobbes, T. (1651) *Leviathan*; reproduced from Held, D. *et al.* (eds) (1983) *States and Societies*, Oxford, Martin Robertson, pp.68–71.

multitude so united in one person, is called a COMMONWEALTH, in Latin CIVITAS. This is the generation of the great LEVIATHAN, or rather, to speak more reverently, of that *mortal god,* to which we owe under the *immortal God*, our peace and defence. ... And in him consisteth the essence of the commonwealth; which, to define it, is *one person, of whose acts a great multitude, by mutual covenants one with another, have made themselves every one the author, to the end he may use the strength and means of them all, as he shall think expedient, for their peace and common defence.*

And he that carrieth this person is called SOVEREIGN, and said to have *sovereign power;* and every one besides, his SUBJECT.

The attaining to this sovereign power, is by two ways. One, by natural force; as when a man maketh his children, to submit themselves, and their children to his government, as being able to destroy them if they refuse; or by war subdueth his enemies to his will, giving them their lives on that condition. The other, is when men agree amongst themselves, to submit to some man, or assembly of men, voluntarily, on confidence to be protected by him against all others. This latter may be called a political commonwealth, or commonwealth by *institution*; and the former, a commonwealth by *acquisition.*

READING B THE SOCIAL CONTRACT

Jean-Jacques Rousseau

Man was born free, and he is everywhere in chains. Those who think themselves the masters of others are indeed greater slaves than they. How did this transformation come about? I do not know. How can it be made legitimate? That question I believe I can answer. ... The social order is a sacred right which serves as a basis for all other rights. And as it is not a natural right, it must be one founded on covenants. The problem is to determine what those covenants are. ...

The social pact

I assume that men reach a point where the obstacles to their preservation in a state of nature prove greater than the strength that each man has to preserve himself in that state. Beyond this point, the primitive condition cannot endure, for then the human race will perish if it does not change its mode of existence. ...

'How to find a form of association which will defend the person and goods of each member with the collective force of all, and under which each individual, while uniting himself with the others, obeys no one but himself, and remains as free as before.' This is the fundamental problem to which the social contract holds the solution. ...

Source: Rousseau, J.-J. (1762) *The Social Contract;* reproduced from Held, D. *et al.* (eds) (1983) *States and Societies*, Oxford, Martin Robertson, pp.71–5.

[The] articles of association, rightly understood, are reducible to a single one, namely the total alienation by each associate of himself and all his rights to the whole community. Thus, in the first place, as every individual gives himself absolutely, the conditions are the same for all, and precisely because they are the same for all, it is in no one's interest to make the conditions onerous for others.

Secondly, since the alienation is unconditional, the union is as perfect as it could be, and no individual associate has any longer any rights to claim; for if rights were left to individuals, in the absence of any higher authority to judge between them and the public, each individual, being his own judge in some causes, would soon demand to be his own judge in all; and in this way the state of nature would be kept in being, and the association inevitably become either tyrannical or void.

Finally, since each man gives himself to all, he gives himself to no one; and since there is no associate over whom he does not gain the same rights as others gain over him, each man recovers the equivalent of everything he loses, and in the bargain he acquires more power to preserve what he has.

If, then, we eliminate from the social pact everything that is not essential to it, we find it comes down to this: 'Each one of us puts into the community his person and all his powers under the supreme direction of the general will; and as a body, we incorporate every member as an indivisible part of the whole.'

Immediately, in place of the individual person of each contracting party, this act of association creates an artificial and collective body composed of as many members as there are voters in the assembly, and by this same act that body acquires its unity, its common *ego*, its life and its will. The public person thus formed by the union of all other persons was once called the *city*, and is now known as the *republic* or the *body politic.* In its passive role it is called the *state*, when it plays an active role it is the *sovereign*; and when it is compared to others of its own kind, it is a *power.* Those who are associated in it take collectively the name of a *people*, and call themselves individually *citizens*, in so far as they share in the sovereign power, and *subjects*, in so far as they put themselves under the laws of the state. ...

The sovereign

Now, as the sovereign is formed entirely of the individuals who compose it, it has not, nor could it have, any interest contrary to theirs; and so the sovereign has no need to give guarantees to the subjects, because it is impossible for a body to wish to hurt all of its members, and, as we shall see, it cannot hurt any particular member. The sovereign by the mere fact that it is, is always all that it ought to be. ... Every individual as a man may have a private will contrary to, or different from, the general will that he has as a citizen. His private interest may speak with a very different voice from that of the public interest. ...

Hence, in order that the social pact shall not be an empty formula, it is tacitly implied in the commitment — which alone can give force to all others — that whoever refuses to obey the general will shall be constrained to do so by the whole body, which means nothing other than that he shall be forced to be free; for this is the condition which, by giving each citizen to the nation, secures him against all personal dependence, it is the condition which shapes both the design and the working of the political machine, and which alone bestows justice on civil contracts — without it, such contracts would be absurd, tyrannical and liable to the grossest abuse. ...

Whether the general will can err

The people is never corrupted, but it is often misled; and only then does it seem to will what is bad.

There is often a great difference between the will of all [what all individuals want] and the general will; the general will studies only the common interest while the will of all studies private interest, and is indeed no more than the sum of individual desires. But if we take away from these same wills, the pluses and minuses which cancel each other out, the sum of the difference is the general will. ...

But if groups, sectional associations are formed at the expense of the larger association, the will of each of these groups will become general in relation to its own members and private in relation to the state; we might then say that there are no longer as many votes as there are men but only as many votes as there are groups. The differences become less numerous and yield a result less general. ...

The limits of the sovereign power

How should it be that the general will is always rightful and that all men constantly wish the happiness of each but for the fact that there is no one who does not take that word 'each' to pertain to himself and in voting for all think of himself? This proves that the equality of rights and the notion of justice which it produces derive from the predilection which each man has for himself and hence from human nature as such. It also proves that the general will, to be truly what it is, must be general in its purpose as well as in its nature; that it should spring from all and apply to all; and that it loses its natural rectitude when it is directed towards any particular and circumscribed object — for in judging what is foreign to us, we have no sound principle of equity to guide us. ...

Whichever way we look at it, we always return to the same conclusion: namely that the social pact establishes equality among the citizens in that they all pledge themselves under the same conditions and must all enjoy the same rights. Hence by the nature of the compact, every act of sovereignty, that is, every authentic act of the general will, binds or favours all the citizens equally, so that the sovereign recognizes only the whole body of the nation and makes no distinction between any of the members who compose it. ...

When the people as a whole makes rules for the people as a whole, it is dealing only with itself; and if any relationship emerges, it is between the entire body seen from one perspective and the same entire body seen from another, without any division whatever. Here the matter concerning which a rule is made is as general as the will which makes it. And *this* is the kind of act which I call a law. ...

The public force thus needs its own agent to call it together and put it into action in accordance with the instructions of the general will, to serve also as a means of communication between the state and the sovereign, and in a sense to do for the public person what is done for the individual by the union of soul and body. This is the reason why the state needs a government, something often unhappily confused with the sovereign, but of which it is really only the minister.

What, then, is the government? An intermediary body established between the subjects and the sovereign for their mutual communication, a body charged with the execution of the laws and the maintenance of freedom, both civil and political. ...

Just as the particular will acts unceasingly against the general will, so does the government continually exert itself against the sovereign. And the more this exertion increases, the more the constitution becomes corrupt, and, as in this case there is no distinct corporate will to resist the will of the prince and so to balance it, sooner or later it is inevitable that the prince will oppress the sovereign and break the social treaty. This is the inherent and inescapable defect which, from the birth of the political body, tends relentlessly to destroy it, just as old age and death destroy the body of a man. ...

The principle of political life dwells in the sovereign authority. The legislative power is the heart of the state, the executive power is the brain, which sets all the parts in motion. The brain may become paralysed and the individual still live. A man can be an imbecile and survive, but as soon as his heart stops functioning, the creature is dead.