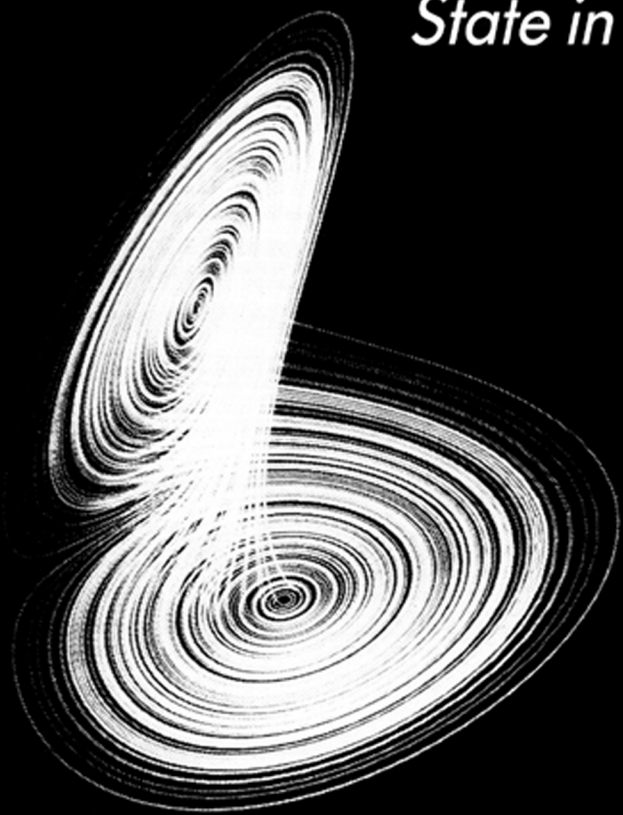


STATE THEORY

*Putting the Capitalist
State in its Place*



BOB JESSOP

STATE THEORY

*To the memory of
my mother and father*

STATE THEORY

Putting the Capitalist State
in its Place

Bob Jessop

Polity Press

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ABBREVIATIONS

| | |
|-------|---|
| AS | Authoritarian statism |
| CCC | <i>Classes in Contemporary Capitalism</i> (Poulantzas) |
| CD | <i>Crisis of the Dictatorships</i> (Poulantzas) |
| CME | Capitalisme monopoliste d'état |
| CMP | Capitalist mode of production |
| CPGB | Communist Party of Great Britain |
| CSE | Conference of Socialist Economists |
| DP | <i>Discipline and Punish</i> (Foucault) |
| GRREC | Groupe de recherche sur la régulation des économies capitalistes (Grenoble) |
| MWT | Mitteleuropa Wirtschaftstrust |
| PCF | Parti communiste français |
| PK | <i>Power/Knowledge</i> (Foucault) |
| PPSC | <i>Political Power and Social Classes</i> (Poulantzas) |
| SPS | <i>State, Power, Socialism</i> (Poulantzas) |
| SRA | Strategic-relational approach |
| SSA | Social structure of accumulation |
| TRPF | Tendency of the rate of profit to fall |
| WK | <i>Will to Know</i> (Foucault) |

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PREFACE AND ACKNOWLEDGEMENTS

In this book I have assembled 12 essays concerned with different aspects of the state and state theory. Three appear here for the first time; three were previously published in obscure journals and working papers; three have been substantially rewritten for this collection; and three appear more or less unchanged. As far as possible I have written out significant overlap across the articles and, where appropriate, added new material. But the main lines of argument in each essay remain the same so that, should anyone be interested in such matters, the course of my theoretical development can be traced. Many other past essays and articles have been omitted because to include all my previous work on the state would have made this book too long and produced too much redundant material. And, although it might have made intellectual sense to include further work on regulation theory and political economy, since these issues are so closely connected with my arguments on the state, this would have overburdened a volume that is already unconscionably lengthy.

Not unnaturally, in writing these essays over a period of many years, I have incurred many intellectual debts. Some of these debts are acknowledged in particular essays but I would like to record here my lasting thanks to all my graduate students over the years at the University of Essex who have endured in good humour the ramblings of a Marxist state theorist and even come back for more. Over the years the Conference of Socialist Economists has also provided a forum for debates on the state and regulation theory. Simon Clarke, John Holloway and Werner Bonefeld have been unfailingly good-humoured protagonists in this context, and we have enjoyed disagreeing with each other. Other friends or colleagues with whom I have exchanged ideas over the years include Grigoris Ananiadis, Natascha Apostolidou, Ted Benton, Kevin Bonnett, Simon Bromley, Noelle Burgi, Michael Kraetke, Tom Ling, David Marsh, Rob Stones, Hugh Ward, Harold Wolpe and Tony Woodiwiss. Most of the unimportant

mistakes are theirs and I can only suggest that, if some minor theoretical misdemeanour or other upsets readers, they 'round up the usual suspects' from among those just listed. Where more serious offences are concerned, however, I am happy to assume full responsibility. Should this burden prove too great or my discharge of it leave the mob dissatisfied, then some of the following could be unjustly incriminated for having made me stray from the theoretical straight and narrow.

No one who reads these essays will fail to notice the influence of Nicos Poulantzas, whom I still regard as the most important postwar theorist of the state. Although we met only once and exchanged only a couple of letters, I have spent more time and energy struggling with Poulantzas's work than with that of any other state theorist. This work is often infuriatingly difficult and obscure but it remains the most important starting point for any critical modern account of the capitalist state. Poulantzas apart, the most important postwar influences on my approach have been German. Both Joachim Hirsch and Josef Esser from Frankfurt have in their different ways strongly influenced my approach. Joachim showed me how political economy and political sociology can be integrated theoretically and introduced me to the useful German concept of *Vergesellschaftung* (societalization); and Jupp Esser has always stressed the need to test state theory against relevant evidence and, for as long as I have known him, has not stinted himself in the German practice of hospitality. Another friend and colleague from Frankfurt, Alex Demirovic, has an intellectual energy and enthusiasm for debate which knows no bounds; he has acted as a sounding board for some of my wilder ideas and has helped to domesticate some of them. For more of the same and for hospitality in Berlin, I would also like to thank Hans Kastendiek. More recently, a re-reading of the early work of Claus Offe has reinforced my conviction that the state must be seen as the site of strategic dilemmas as well as structural contradictions.

In 1984 a chance meeting on board a plane bound for Columbus, Ohio, introduced me to Niklas Luhmann and his ideas. His original and startling view that the state is the self-reference of the political system troubled me then and continues to do so. Further meetings with Luhmann followed in Florence in 1986, where I also had the opportunity to discuss the implications of autopoieticist theory with Gunther Teubner. More recently, two colleagues at the Zentrum für Interdisziplinäre Forschung (Bielefeld), Helmut Willke and Rainer Eichmann, have encouraged me to rethink my ideas in relation to (if not in terms of) autopoietic systems. It will be obvious from my essays that I am by no means a born-again systems theorist and that there are many points of divergence and disagreement with autopoieticist theory in my work. But I have certainly learnt much from these encounters and from my attempts to defend a Marxist approach against the challenge of autopoieticist theory.

Discourse analysis has been another influence on my approach. It has

provided some useful conceptual tools for my reflections on societalization as well as a flow of questions from puzzled students in search of clarification. Ernesto Laclau has probably been the most influential discourse analyst in my intellectual development – albeit mainly as a silent interlocutor over many years. I do not share his enthusiasm for post-Marxism and, although it may not always be evident, have strong criticisms of the main thrust of his research. But some of the strongest influences on one's intellectual development come from those with whom one disagrees.

A fifth influence in recent years has been regulation theory. This may be less evident in the current collection, in which the influences are more subterranean; but much of my recent research on postwar British political economy draws heavily on regulation concepts as well as state theory. Trying to integrate them sent me further down the path towards the 'strategic-relational' approach. In pursuing this interest I have learnt much from discussions with Robert Boyer and his colleagues at the CEPREMAP institute in Paris. I would particularly like to thank Robert for his support.

Last, but by no means least, an equally chance meeting in 1986 with Citlali Roviroso Madrazo, whose husband I subsequently became, has since led to many heated discussions about the nature of the state and much else besides. She it was who finally convinced me that my interest in state theory has been developed at the expense of a more basic enquiry into the nature and existence of the state itself. Much Marxist theorizing has focused on the state's functions for capital; the better sort has examined its form and shown how this problematizes these functions; none has put the very existence of the state in question. I do not fully subscribe to Citlali's thesis that the state does not exist (a claim inspired by Laclau's somewhat less startling thesis that society does not exist) but her role as theoretical *agente provocateuse* has still been important. Her influence is so strong in chapter 10 that it directly includes material from her MA thesis.

More formally, I would like to thank the following journals and publishing houses for permission to reprint my material on the state and politics. The *Cambridge Journal of Economics* and Academic Press for chapter 1; *The International Journal of the Sociology of Law* and Academic Press for chapter 2; Sage Publications for Chapter 4; *West European Politics* and Frank Cass Ltd, for chapter 5; Basil Blackwell for chapter 6; *Kapitalistate* and the Kapitalistate collective for chapter 7; *Ideas and Production* and the Cambridgeshire College of Arts and Technology for chapter 8; *Economy and Society* and Routledge Journals for parts of chapter 11; and Edward Elgar for parts of chapter 12.

Before closing I must also thank David Held and Debbie Seymour of Polity Press in Cambridge: David for the incredible good humour and patience with which he waited for this collection to appear; Debbie for doing her best to make up for the delays by speeding it at all stages through publication. A different

kind of material support during the last year has come from the Economic and Social Research Council in the form of a personal research grant; I have also benefited greatly from eight months spent at the Zentrum für Interdisziplinäre Forschung (Bielefeld). I am grateful to both bodies for the time and resources to work on unifying these essays and even to develop some new ideas.

Bob Jessop
St Valentine's Day 1990

GENERAL INTRODUCTION

This volume presents 12 essays on state theory written over the past 15 years. Substantively, they cover matters as diverse as law and the state, hegemony and coercion, relative autonomy and economic determinism, discourse analysis and political theory, interests and power, the state as idea and the state as project, parliamentarism and corporatism, economic reproduction and regulation, the dialectic of structure and strategy, the micro-physics of power and societalization, and so on. Their theoretical scope is, perhaps, more limited. For they are all written from a doubly critical Marxist perspective: one which is often highly critical of Marxism itself as well as one which offers Marxist critiques of alternative approaches. As part compensation for this I have included two essays dealing with important non-Marxist approaches (the neo-statist paradigm, discourse analysis and autopoietic systems theory) and two which develop a more inclusive approach which, for want of something better, I have labelled 'strategic-relational'.¹ This is consistent with several developments outside Marxist work and provides a useful framework within which to deal with many issues which have never been central within Marxism.

Apologia pro suo Libro

Given the diversity of these essays, it is worth asking why they should be printed in one volume. There are, I would argue, three good reasons. First, and most important on intellectual grounds, all 12 essays address issues which have already proved central to debates on the state or should soon become so. If this were not the case, there would be little point in bringing them together. This reason is strengthened when one can show, as I hope to have done here, the

strong interconnections among the various issues; and hence the need to tackle them within a common frame. Secondly, and not unrelated to this last point, half of the essays have not been previously published or else have only appeared in journals and working papers with a limited circulation. Yet these relatively obscure pieces often discussed essential elements of the more general approach so that their relative inaccessibility has hindered its overall reception. A collection such as this provides author and readers alike with an opportunity for greater understanding. The third reason for bringing the essays together also bears on this issue. For, although some early pieces may have been superseded, they still provide useful critical introductions to contemporary debates as well as important background material for later analyses. In this sense they have more than a purely archival or antiquarian interest. Indeed, at a time when the Marxist debates of the 1970s are fast passing into oblivion, recalling their theoretical achievements is an important goal in its own right.²

General Trends in State Theory

The following essays reflect certain general shifts in theories of the state as well as a certain personal evolution in my approach. I will use this section briefly to explore some of the general trends in state theorizing; succeeding sections will then deal with some of the more idiosyncratic aspects of my own work.

In the 1970s it was Marxists who made the running in discussions of the state and they related its form and functions to the nature of capital and/or the class struggle. In the 1980s, after the Marxist debate had largely exhausted itself, the baton was taken up by social scientists more interested in analysing the state in its own terms. However, as a revival of interest in the state has occurred twice in the past 20 years, we should not be surprised that this repetition of history assumes the usual dramatic form. For the first debate ended in tragedy, the second is proving a farce. Sadly, the Marxist debate gradually lost its audience because many of its crucial insights were lost to view in a welter of starting points and obscure formulations; the statist debate has been met with some acclaim, on the other hand, because the commonplace distinction between 'state' and 'society' which informs it gives it a superficial but misleading appeal.

There have been four main causes for the crisis and decline of Marxist state theory since the 1970s. Two of these are internal to Marxism itself and two concern the relation between Marxism and other theories. First, as many commentators have noted, the Marxist tradition as a whole experienced a crisis in the late 1970s. This prompted an exodus from Marxist theoretical ranks as strong as that from its political ranks. Secondly, both for Marxism in particular and the left in general, there have been significant shifts of interest. In political theory old problems (such as democracy) have been rediscovered and new issues

have emerged (such as new social movements, ecology and feminism). Although these have a state-theoretical dimension, they are not always directly reflected in state theory itself. This can be seen in the growing interest in discourse theory and its implications for Marxism and socialist strategy (e.g. Laclau and Mouffe 1985). In addition, the crisis of capitalism over the past decade or so has also provoked a resurgence of interest in Marxist political economy (long wave theory, the labour process, economic crisis theory, regulation theory etc.) at the expense of state-theoretical concerns as such. Neither its internal crisis nor the shift of interest within Marxism imply, however, that Marxist state theory is no longer relevant. They do require state theorists to show that it can address these new issues and problems in a fruitful manner.

A third reason for the decline of Marxist state theory is rooted in theoretical developments elsewhere. For many other disciplines have become interested in questions of legal and state theory. They have drawn on and/or developed many different theoretical perspectives besides those embodied in Marxism. This has made the pioneering work of Marxist political theory in the 1960s and 1970s more marginal for contemporary theoretical work and has forced Marxist theories to compete with other approaches for continued attention. Especially influential on the left has been the growing vogue for Foucault's genealogies and disciplinary studies as well as recent work in deconstruction and the field of discourse analysis. But other developments such as the new institutionalism, 'rational choice' theories and 'structuration' also offer more or less attractive alternatives. Finally, within state research itself, a challenge has been mounted from the 'state-centred' theorists. I have real worries about both the polemical intent of statist evangelists and about the solidity of the conceptual foundations of statism (see chapter 10). However, in so far as it focuses much more directly on state capacities and the internal dynamics of political regimes as well as on geopolitical issues, warfare and international relations, it is a useful corrective to some Marxists' exaggerated concern with the state's inherently bourgeois character.

Theoretical Trajectories

The essays gathered here reflect these shifts in intellectual fashion but do not follow them with slavish dedication. Thus some trends are simply ignored and others dealt with rather summarily. In other cases I devote some attention to new developments but do so with the tunnel vision of a state theorist. And yet others are taken seriously enough to warrant more extended treatment, albeit more critical than some would deem prudent. I am particularly critical, for example, of the theoretical arguments advanced in favour of recent attempts to 'bring the state back in'. And I also express some doubts about the current fashion for discourse analysis. Thus my own intellectual development as

presented here³ clearly differs strongly from the simple succession that one might deduce from a European Marxist hegemony in the 1970s and an American statist hegemony in the 1980s. Instead, as these essays suggest, my long march through state theory begins with abstract and simple Marxist theorizing on the state. This was a common starting point in the 1970s but my own route took the 'high road' of anti-reductionism rather than the 'low road' of economic determinism. It then proceeds via more concrete analyses of specific regimes (such as corporatism and parliamentarism) and more complex analyses of political economy (especially accumulation strategies and modes of regulation).⁴ And it is now moving slowly towards the ultimate destination of 'putting the state in its place' within a more general theory of societalization or 'society effects' (on which, see below).

In short, although my research has tracked some of the successive concerns of state theory, it has followed its own dynamic. This can be seen in my attempts to integrate a relational view of the state with the Marxist 'form-analytic' account of capital as a social relation.⁵ My belief that this is both feasible and desirable has reinforced my commitment to exploring potential paths within a sophisticated Marxist paradigm at a time when others are wandering down the 'post-Marxist' by-ways of discourse analysis.⁶ In this sense, despite the current intellectual fashion for denigrating Marxism or my own occasional resort to discourse analytic arguments, I would still define my approach as Marxist. For its analysis of the capital relation is heavily indebted to Marx's critique of political economy and its account of other social relations always explores their articulation with the circuit of capital. But this is far from a misguided attempt to reduce all social relations to their economic determinations. Indeed, my approach to societalization stresses the 'contingent necessity' and asymmetry of society effects and thereby denies that any sub-ensemble of social relations could ever be determinant in the last instance.

Societies, Societalization and Anti-essentialism

What precisely does 'societalization' mean in this context? In the following essays, written as they have been over several years, this term seems to have acquired two meanings: one is literal and totalizing but also remains largely implicit, the other is more often explicit but also partial. Moreover, reviewing the general chronological movement in the line of argument across the essays (which does not coincide with the order in which they are presented below), it would seem to involve growing awareness of the limits of the first approach and increasing appreciation and affirmation of the second. Let us see what is at stake here.

First, in its mainly unstated meaning, 'society' refers to the social processes in and through which 'society effects' are produced. The premiss of this approach

is that the existence of a 'society' cannot be taken for granted: it must be constituted and reproduced through more or less precarious social processes and practices which articulate diverse social relations to produce a 'society effect'. 'Society' can obviously be defined in different ways and at different levels of abstraction and any definition is likely to be dismissed as arbitrary and incomplete. As it happens no definition is advanced anywhere in the following essays and instead I resort to two conventional solutions. Either 'society' is implicitly defined through the nominalist convention that it is a social order subject to the authority of a given (nation-)state (e.g. Weimar Germany) or else it figures as an indeterminate horizon against which to distinguish various 'societalization projects' (e.g. radical Thatcherism). The first solution begs far too many questions – especially the crucial one of whether modern societies are really constituted mainly in and through states. The second solution offers far too many answers – one for each specific societalization project – and also fails to address the problem of the material preconditions of a successful project. In retrospect neither approach is at all satisfactory.

Indeed, it is doubtful whether any firm definition of 'society in general' would amount to more than an arbitrary list of putative conditions of existence (touching on institutional integration as well as social cohesion) for the intergenerational reproduction of a socially acknowledged 'community of fate'. The nature of any particular society would vary with its collective identity and how these conditions were met. It would emerge from and be based on a more extensive substratum of social relations which included many more elemental relations than those which are articulated to form this particular set of 'society effects'. There are always interstitial, residual, marginal, irrelevant, recalcitrant and contradictory elements and, in so far as alternative societies are possible, there is scope for conflict over rival 'societal projects' as well as emergent contradictions among institutional logics. In this sense effective societalization has both a 'social' and a 'system' integration aspect (cf. Lockwood 1964). In another context it might be worth exploring these issues more fully but for the moment I want to emphasize another set of issues. For social interaction and organizational life can occur in the absence of societies, much of social life occurs without regard to their existence, if any, and there is no reason to privilege 'society' as a unit of analysis. On the contrary, as argued in chapter 9, there are many good reasons to look at other sites of social relations and other axes of organization.

The second, increasingly frequent meaning of 'societalization' arises from a simultaneous extension and attenuation of the more literal meaning. Its use is generic and covers the complex social processes in and through which specific institutional orders and their broader social preconditions are secured. Many problems of expanded economic reproduction, for example, can be analysed by referring to broader social relations short of society as a whole. Thus regulation theory is concerned not merely with narrow economic reproduction but also

with a wide range of social conditions necessary for this to occur. This concern is quite explicit in analyses of successive 'social structures of accumulation' (SSAs) but other regulation theorists also work with an implicit notion of *l'economia integrale* (integral economy). The latter can be defined as an 'economic nucleus + its mode of social regulation' or as the historic bloc formed through the structural coupling of an economic 'base' and the various social forms supportive of and/or consistent with it. Likewise it is perfectly possible to analyse the expanded reproduction of 'state effects' without referring to 'society' as a whole. Thus Gramsci analysed *lo stato integrale* ('the integral state' or 'the state in its inclusive sense') by exploring 'political society + civil society' from the viewpoint of the forms and effectiveness of state power. Although Gramsci's concept seems all-embracing, there are many aspects of society which can safely be ignored as irrelevant or marginal to this problem. Indeed, in certain senses one could argue that the tasks of the state can include compensating for the non-coincidence of the boundaries of state and society and/or the relative weakness of 'society effects'. In both these cases, then, and they could well be multiplied by looking at other institutional orders integrally or 'in their inclusive sense', a broad-ranging social analysis is possible without invoking 'society' in any positive, as opposed to loosely contextual, sense. However, in so far as an expanded reproduction of the economic or political orders requires an effective coupling between the institutional order in question and others within a more encompassing social context, we can talk generically about 'societalization'. Here it connotes 'integral' analyses of specific institutional orders: institutions in their societal context.

The essays below are mainly concerned with two types of 'integral' (hence partial!) societalization. The first deploys a Marxist critique of political economy to explore the anatomy of 'bourgeois society' from the viewpoint of the expanded reproduction of capital. This is where concepts such as 'historic bloc' (or SSA) enter the analysis and much of Marxist state theory has been concerned with the state's functions for capitalist societalization. The second area is more concerned with the state as such and looks at the state in its integral sense with special reference to 'state effects'. Although it is common practice to define a society through 'its' state (e.g. British society), it is perfectly normal to analyse states and political systems without referring to society as a whole. For, although states must be related to their societal context, this context is always both less and more than 'society'. It is less than 'society' in so far as it excludes many aspects or effects of the latter; and it is more than 'society' in so far as it includes social relations which escape integration into 'society effects' and/or which lie beyond them in other 'societies', 'states', 'economies', or other institutional orders. Moreover, in exercising its responsibility for maintaining social cohesion, the state does not operate on 'society' as such but on a complex field of social relations. This is yet another reason why the conceptual couplet 'state-society' is doubly misleading.

Reconsidered in these terms, a standard criticism of Marxist work, namely, that it involves economic or class reductionism, appears in a different light. For, rather than being a totalizing view of 'society', Marxist analysis is only concerned with 'capitalist societalization' and not with society effects in general. Society is merely a horizon against which to explore one possible axis of societalization and its implications for the ensemble of social relations. In turn, this suggests that a feminist could explore patriarchal societalization without falling into essentialism; or an anarchist study the preconditions, dynamic and impact of the state form. In all cases societalization can be explored from the viewpoint of participants and/or outside observers. Where capitalist societalization is concerned, for example, one could examine accumulation strategies, state strategies and bourgeois hegemonic projects; and/or the complex historical interaction of structural and strategic factors in the evolution of capitalist societalization in its broader social context. Capital and class will obviously be crucial issues for such an analysis but they will enter not only as explanatory principles but also as reference points for assessing the significance of other forms of social relation. When seen from this less ambitious perspective, there are two potential weaknesses in Marxist analysis: first, it tends to ignore other axes of societalization or treat them as secondary and, secondly, it tends to deny the authenticity of projects which give primacy to other forms of societalization. In short, if society is understood as a natural and inclusive social phenomenon, there is a standing invitation to essentialism. But, if we abandon the notion of 'society' as a privileged reference point or explicandum, the danger of essentialism is diminished.

States, State Projects and State Effects

It is in dealing with the state from this perspective that I introduced the rather idiosyncratic concept of 'state effects'. This mirrors regulation theorists' concern with the unity and cohesion of the circuit of capital as well as the more general post-structuralist critique of the positivity of 'society' as an object of enquiry. It is surprising now, looking back, how seldom Marxist analyses of the state ever critically evaluated the very nature of the state itself. In turn, since my early work focused on *theories* of the state rather than on *states* themselves, it was unconcerned with the prior question of whether and in what sense the state could be said to exist. For, as Rovirosa suggests, it is no more necessary for a critique of state theories to ask whether the state exists than for a critique of various religious doctrines to question whether God exists (Rovirosa 1988). Once we move from a critique of state theories to research on actual states, however, the modalities of their existence, if any, become quite crucial. And, once we pose this question and explore possible answers, we will discover a long history of scepticism (for a particularly forthright critique of claims for the positivity of the state, see Kelsen 1945; and, more recently, Abrams 1977). It is

not my task to present that history here but the tradition certainly lives on in many areas of social and political enquiry (see chapter 12). It might be helpful for some readers, however, to trace the germs of this idea in my own work and its culmination in the notion of 'state projects' as the source of 'state effects'.

My first published review of state theories (Jessop 1977) stressed the complex and conflictual character of state apparatuses and institutions and noted how this very fact ruled out both crude instrumentalism and treatments of the state as a subject in its own right (see chapter 1, pp. 44–6). This conclusion soon gelled into the basic argument that an adequate account of the state should treat it 'as a set of institutions that cannot, *qua* structural ensemble, exercise power' (Jessop 1979a; cf. chapter 4, p. 116). In turn this postulate sustained the related arguments that, first, 'one can legitimately define the state in various ways since it has no essential unity which establishes unambiguous institutional boundaries'; and that, secondly, 'whatever one's chosen definition, it is essential to consider the complex forms of articulation among state institutions and between state and non-state institutions in the overall reproduction of capital accumulation and political domination' (cf. chapter 4, p. 117). *The Capitalist State* then argued that the unity, *if any*, of the various state apparatuses, 'far from being pre-given, must be constituted politically' (Jessop 1982: 222). Indeed, since there were real problems in securing both the formal and the substantive unity of the institutions comprising the state apparatus, specific strategic projects could play a crucial role in limiting conflicts within and among its various branches and/or managers. In this context I referred *en passant* to the Poulantzasian idea of 'state party' and focused on the possible role of 'hegemonic projects' in providing an ideological and material base for the relative unity and cohesion of the state (Jessop 1982: 231–3, 244–5, 259).

This view was clearly unsatisfactory because it failed properly to distinguish between the strictly administrative problem of 'apparatus unity' and the more general problem of the state's potential role in unifying a society divided into classes. The significance of this distinction dawned on me whilst I was completing my critique of Poulantzas. Thus, drawing on his work, I suggested in the concluding programmatic statement of *Nicos Poulantzas* that we needed to separate analytically the sort of political hegemony involved in securing the substantive institutional unity of the capitalist type of state from that which was involved in infusing this institutional unity with a definite class unity. In addition, the substantive institutional unity of the state could be understood narrowly (as the state's capacity to use constitutionalized violence to reproduce its own institutional system and secure compliance with its policies in the face of resistance) and/or more broadly in terms of its capacity successfully to perform its *global* political function of maintaining social cohesion. Only where these unities were combined with a national-popular project would the state and its managers become the political *Traeger* (support) of capitalist interests. In the absence of such a hegemonic project successfully linking institutional and

class unity, however, 'state managers themselves might constitute the unity of the state around its narrow political functions at the expense of the state's global political function. Or, worse still, the unity of the state, always provisional, unstable, and tendential, might collapse completely' (Jessop 1985a: 350).

It was shortly after this monograph was published that 'state project' was entered as an explicit term in my own state lexicon. Its essential theoretical function is to sensitize us to the inherent improbability of the existence of a unified state and to indicate the need to examine the structural and strategic factors which contribute to the existence of 'state effects'. Moreover, just as there can be competing accumulation strategies or hegemonic projects, so too can there be competing state projects. This implies that effectively functioning states are emergent, tendential phenomena and that there could well be continuing struggles to impose contradictory 'apparatus unities' on (potential) state organs. In turn this suggests that the always tendential institutional logic and distinctive interests of the state cannot, *pace* the state-centred approach, be defined independently of the state projects, if any, which happen to be politically hegemonic or dominant at any given moment. There is never a point when *the* state is finally built within a given territory and thereafter operates, so to speak, on automatic pilot according to its own definite, fixed and inevitable laws. Nor, to be somewhat less demanding, is there ever a moment when a single state project becomes so hegemonic that all state managers will simply follow universal rules to define their duties and interests as members of a distinct governing class. Whether, how and to what extent one can talk in definite terms about the state actually depends on the contingent and provisional outcome of struggles to realize more or less specific 'state projects'. For, whatever constitutions might declare about the unity and sovereignty of the modern state as a juridical subject, there are often several rival 'states' competing for a temporary and local hegemony within a given national territory. Nor do national boundaries as such constitute a fixed horizon for emergent state projects: there is no more reason to rule out strategies aiming to build multi- and transnational networks and circuits of state power than there is to exclude local or regional state projects. These reflections suggest that state actions should not be attributed to *the* state as an originating subject but should be understood as the emergent, unintended and complex resultant of what rival 'states within the state'⁷ have done and are doing on a complex strategic terrain.⁸

Strategic Selectivity

This brings us to the other relatively novel term introduced below: that of 'strategic selectivity'. Whereas the concept of 'state projects' highlights the state's character as both a site and an object of strategic elaboration, 'strategic selectivity' brings out the state's differential impact on the balance of political

forces and the strategies which they can pursue. There is nothing very original about this general theme in Marxist studies, of course, since it was already present in Marx's work or Lenin's claim that the bourgeois democratic republic is the best possible political shell for capital (see chapter 1). The main source of the concept as I deploy it, however, is first found in Poulantzas's account of the state as a social relation. All that I have tried to do is bring out more clearly the implications of this rather elliptical thesis.

Above all my interpretation stresses the relational character of the state's selectivity. Its differential impact on the capacity of different class(-relevant) forces to pursue their interests in different strategies over a given time horizon is not inscribed in the state system as such. Instead it depends on the relation between state structures and the strategies which various forces adopt towards it. The bias inscribed on the terrain of the state as a site of strategic action can only be understood as a bias relative to specific strategies pursued by specific forces to advance specific interests over a given time horizon in terms of a specific set of other forces each advancing their own interests through specific strategies. Particular forms of state privilege some strategies over others, privilege the access of some forces over others, some interests over others, some time horizons over others, some coalition possibilities over others. A given type of state, a given state form, a given form of regime, will be more accessible to some forces than others according to the strategies they adopt to gain state power. And it will be more suited to the pursuit of some types of economic or political strategy than others because of the modes of intervention and resources which characterize that system.

The point of adopting a relational, strategic-theoretical approach is not to capture the (non-existent) 'essence' of the capitalist state. The point is to pose and answer such questions as: how have the strategic capacities of states in Western Europe affected their ability to manage economic crisis, why has the labour movement been able to maintain the welfare state in some countries but not others, what has influenced the choice between neo-liberal and neo-corporatist strategies in the transition to post-Fordism, why has the women's movement been more influential in some states than others, what impact does the movement from direct to indirect taxation have on investment and consumption? This requires a real effort to develop middle range concepts for analysing the state which are commensurable with the fundamental categories of Marxist political economy. This is where my more empirical research (for example, on the significance of Thatcherism in the transition to post-Fordism) is currently engaged.

The Method of Articulation

Having introduced some distinctive substantive themes from the present collection, I can now comment on two of its basic methodological features.

These are the use of what I have termed the 'method of articulation' and the insistence on the 'contingent necessity' of social phenomena. These features are actually closely related and can best be understood if I spell out the meaning of the basic method. This is essentially a method of theory construction but its validity also depends on specific ontological and epistemological claims.

In ontological terms, the need for the method is implied in the non-necessary interaction of different causal chains to produce a definite outcome whose own necessity originates only in and through the contingent coming together of these causal chains in a definite context. Epistemologically, if one accepts that such 'contingent necessities' exist in the real world, it follows that an adequate understanding of such events requires us to combine concepts, assumptions and principles of explanation from different theoretical systems and to relate them to a given, theoretically defined explanandum. In turn this implies that the appropriate methodology for theory construction is one based on a dual movement: first, from abstract to concrete along one plane of analysis; and, secondly, from simple to complex through the differential articulation of different planes of analysis of the real world. By combining these two forms of theoretical development, increasingly adequate explanations are generated. It is in this context that I first commented on the 'method of articulation' and this methodological interpretation is its primary meaning in the essays presented below (cf. Jessop 1982: 213–20).

There is also a fourth sense in which the word 'articulation' will sometimes be used below. For, the above-mentioned meta-theoretical issues apart, articulation is also an important practice in many different substantive areas. It has been identified, for example, as the primary mechanism involved in semiotics. Thus it is suggested that meaning derives from the differential articulation of a plurality of symbols, words or discourses and is thereby generated from the relations established among them in inherently unstable chains of signification.¹⁰ It is the conflation of these substantive mechanisms with the abstract methodological implications of the articulatory method which lends credence to the claim of discourse analysts to have developed the master analytic for the social sciences. This claim is contested in chapter 10 below. Different kinds of articulatory practices are also important in other substantive fields: logistics (the articulation of both physical objects and social relations in time and space), musical composition,¹¹ politico-military strategy, hegemonic wars of position and so forth. Since these substantive articulatory practices are so varied, we should be careful not to take any one as the paradigmatic form of the others. Instead we need to explore each in its own terms as well as its connection with other types of articulatory practice. This is another area where the 'strategic-relational' approach can prove useful.

Contingent Necessity

Some commentators have claimed that the concept of 'contingent necessity' embodies a *contradictio in adjecto*. This criticism is typically rooted in a quite different set of meta-theoretical assumptions since it makes no sense within the realist approach I have just outlined. For, in terms of the latter perspective, the words 'contingency' and 'necessity' refer to two different conceptual systems.¹² Whereas 'contingent' is a logical concept and concerned with *theoretical indeterminability*, 'necessity' is an ontological concept and refers to *determinacy in the real world*. Thus 'contingent' means 'indeterminable within the terms of a single theoretical system'; it can properly be juxtaposed to the notion of 'necessity', which signifies the assumption underpinning any realist scientific enquiry that 'everything that happens is caused'.¹³

In the light of these meta-theoretical remarks, I would suggest that the apparently paradoxical concept of 'contingent necessity' implies the following five main arguments:

- 1 that an adequate explanation for an actual event must show how different causal chains have interacted to make it necessary;
- 2 even though that actual event is the overdetermined result of the interaction of different causal chains, no single theory exists (or could be developed) which would explain why this interaction had to occur nor why its outcome was necessary;
- 3 since the necessity of an actual event is indeterminable (contingent) relative to any one theoretical schema, explanations for it must be historical (or genealogical);
- 4 this does not mean that explanations involve a mere chronological enumeration of discrete events which fails to refer to their origins in real causal mechanisms and tendencies; and
- 5 the adequacy of an explanation for a 'contingently necessary' empirical event depends on the level of abstraction and degree of complexity at which the event is specified – the less abstract and more complex the event, the more determinate it is and the more detailed must be any specification of causal mechanisms, initial conditions and so forth.

Clearly these arguments apply to all forms of scientific enquiry and not merely (or especially) to questions of state theory. But they have a particular resonance for attempts to avoid the many forms of Marxist reductionism: economism, politicism, ideologism, class reductionism, functionalism and formalism. Quite simply, such an approach rules out any possibility that a single set of causal mechanisms could explain the concrete, complex development of social life. Thus I do not believe that the economic system (or the dominant mode of production) has the properties necessary to enable it to play a unilateral causal role in determining the form, functions or impact of other systems of social relations. Indeed, I deny that any system of social relations can have these properties. Nor do I believe that Marxist analyses (i.e. studies which

focus on modes of production, their dynamics, their conditions of existence and their effects on other phenomena) could exhaust all aspects of social structures and/or social relations. This implies in turn that, for some purposes, Marxist analyses must be articulated with concepts, principles of explanation and assumptions drawn from non-Marxist theories. One of my objectives in the following essays is to identify some of these concepts, explanatory principles and assumptions and to show how they might be integrated into a Marxist critique of the state and political economy.

Errors and Omissions

It would be quite wrong, then, to conclude that my focus on Marxist theories of law and the state or my concern to relate law and the state to Marxist economic categories imply that the modern state is in essence a capitalist state. I may have erred on other grounds in concentrating on these issues but not because of any alleged essentialism. Indeed, one basic aim of my approach is to refute attempts to reduce the state to just one of its multiple determinations – whether as a principle of explanation for what states are and what they do and/or as a point of reference for assessing the significance of the state in reproducing specific social forms. In this sense my work on Marxist theories can also be interpreted as an extended exploration of the methodology of theory construction. To the extent that the assumptions which inform the method of articulation are valid, it should also be applicable to other fields of state research.

This is my attempt at exculpation for two glaring omissions over the years: the failure to address militarism and warfare and the nature of feminist state theories.¹⁴ These are not unrelated. For, as Bob Connell expressed it so pithily: ‘the state arms men and disarms women’ (Connell 1988: 126). Even if one could claim, along with Catherine MacKinnon, that ‘there is no feminist theory of the state’ (MacKinnon 1983: 635), there are certainly more than enough ‘force theories’ of the state with which to contend.¹⁵ Whilst feminists have developed their own distinctive theories of gender and/or power relations, their ideas on the general nature and form of the state have quite often been imported from outside.¹⁶ They have aimed at a feminist critique of *political* theory rather than a feminist theory of the *state* as such¹⁷ or have been concerned with specific, gender-relevant aspects of the operation and impact of states, notably in their representative, legal and welfare functions. These have not been my substantive theoretical concerns: my starting point has been the specificity of the modern state as an impersonal, formally class-neutral, public authority with a constitutionalized monopoly of violence. The critique of Marxist political economy seemed the best place to begin in explaining why the modern state had acquired this particular form. Besides this, the critique of political theory has become important for me only recently through its

formative role in shaping state projects and, as for the state's strategic selectivity, I have been more interested in some of its capital- and/or class-relevant aspects. In another sense my concern has been with the methodological problems raised by state theory and, in this regard, Marxist state theory has hitherto offered a theoretically more sophisticated and self-aware body of work than feminist state theory.¹⁸

None the less it seems high time that more Marxist state theorists took account of some, if not all, feminist critiques of the state. We can classify the latter in the same methodological terms as Marxist theories: they too employ three main methods – subsumption, derivation and articulation. Thus some radical feminist theories simply subsume each and every state under the overarching category of patriarchal domination: whatever their apparent differences, all states are expressions of patriarchy and each must be opposed. Other feminist theorists have tried to derive the necessary form and/or functions of the state from the imperatives of reproduction (rather than production), from the changing forms of patriarchal domination, the nature of domestic mode of production etc. And yet others seek to establish the nature of the state on the basis of the contingent articulation between patriarchal and capitalist forms of domination crystallized in the state. The best work in this field confirms the importance of the articulation method: for it shows that patriarchal and gender relations make a difference to the state.

A Marxist state theorist could adopt one of three broad positions on feminist work. It could be dismissed as irrelevant; accepted as a more or less important supplement to the core contributions of a Marxist critique; or welcomed as a fundamental challenge to the received wisdom. For myself I incline to the third position. Since a general introduction is not the place to expand on this at length, let me take four quick examples from many. First, the statist as much as Marxist claim that the modern state enjoys a legitimate monopoly over the means of physical coercion must be fundamentally qualified. For it relates much more to the separation of coercion from the organization of production (exploitation takes the form of exchange, dictatorship takes the form of democracy) than it does to the exclusion of male coercion from the family and patriarchal domination over women. Secondly, if the state is uncritically defined in terms of the juridical distinction between 'public' and 'private', it is not just class relations which are obfuscated but also, and perhaps even more fundamentally, a crucial mechanism of patriarchal domination. Thirdly, turning to the repressive core of states constituted by their military and police apparatus, feminist analyses have shown important links among militarism, the state and patriarchy. And, fourth (but by no means last), feminist research is beginning to reveal new aspects of the strategic selectivity of the state in relation to its basic *forms* and not just in relation to the specific content of one or another policy field. Thus there are feminist critiques of forms of representation (e.g. how the rise of the party form reinforced the division between public and

private), the internal organization of the state (the feminist critique of bureaucracy as form) and intervention (e.g. the very form of the Keynesian welfare state).¹⁹ Pursuing these lines of enquiry through the method of articulation would mean transforming oneself from a Marxist state theorist into an articulated Marxist–feminist (or feminist–Marxist) theorist. But this would be no bad thing!

I am less convinced that ‘force theories’ pose a basic threat to Marxist theorizing but I am still open to persuasion. Some of the basic objections to claims that the fundamental dynamic of states is rooted in their control over armed force and their propensity to engage in warfare and predation were first clearly stated more than a century ago by Engels (1878, 1888). Likewise the apparent contradiction between multiple states and a tendentially global economy poses no basic theoretical difficulties for a Marxist critique (see Jessop 1982: 112–17). That there might be an emergent, radically autonomous military system with its own exterminist logic is more worrying, perhaps, because of its control over the ‘means of destruction’. But there are analogous tendencies towards autonomization elsewhere in the state system (witness Luhmann’s critique of the self-closure of the welfare state, 1981a) and they can be addressed with the sort of articulatory method recommended here. Nor do I feel inclined to apologise for neglecting international relations. They are certainly an important site of social practices but there is no more reason to accord them a special theoretical status than the ‘micro-physics of power’ relations.

Concluding Remarks

There is little point in anticipating all the arguments presented in the following essays and it would certainly try the patience of author and readers alike. But I hope that these general introductory remarks will help the latter to locate the overall significance of the collection and the contributions it might make to a critical analysis of the state. In addition to this general introduction, each successive part of the collection is preceded by its own introduction. This comments on the particular significance of individual chapters and how they fit together in the context of the theme raised within that part. The concluding chapter also includes an attempt to connect some of the different themes considered elsewhere in the book.

Notes

- 1 Initially I used the etiquette ‘strategic-theoretical’ by analogy with ‘capital- and ‘class-theoretical’ perspectives; in its late Poulantzian form I referred to it as a

- 'relational' approach to distinguish it from Poulantzas's earlier 'regional' account of the state from within a structuralist perspective. Rene Bertramsen suggested that the label 'strategic-relational' captures the essence of the approach and I am happy to appropriate his suggestion as my own.
- 2 This is particularly important in relation to the movement to 'bring the state back in', since its adherents often present only the most travestied and farcical accounts of what is dismissively labelled 'neo-Marxism'.
 - 3 My colleague, David Marsh, presents a different trajectory: rejecting determinism, introducing the concept of 'strategic selectivity', and my discovery of autopoietic systems theory. This is misleading for three reasons: I rejected economic (and other forms of) reductionism, not the general idea of determination; 'strategic selectivity' occurred in an implicit, 'pre-theoretical' level in my earlier work and became more explicit through my research on specific regimes and my growing interest in regulation theory; and, although I did discover autopoieticism, its influence has been mainly catalytic. This also holds, incidently, for my 'two-timing' with discourse analysis, with which I have also been flirting intellectually. A more appropriate candidate for a 'third stage' in my theoretical development would be my involvement with recent French and German work in the regulation school. But, not unnaturally, I prefer my own account with its emphasis on societalization. (See Marsh 1985 and my reply in Jessop 1985c).
 - 4 On the two movements between abstract-concrete and simple-complex, see the discussion on articulation below.
 - 5 The most recent, and best, attempt to combine form analysis with state theory is that of Reuten and Williams. Their form analysis is more rigorous than my own; they relate the 'method of articulation' to Hegelian logic; and they develop an interesting 'internal-external' dialectic in terms of the 'inner' state (or form of regime) and 'outer' state (or capitalist type of state and its necessary functions) (see Reuten and Williams 1989).
 - 6 As a self-description 'post-Marxism' is intellectually confused. Although it claims to have learnt from but then moved beyond Marxism, this is little more than a chronological account of the intellectual biography of its first generation adherents. Substantively it is not at all clear what its advocates have retained from Marx and their post-*Marxist* pretensions actually seem to depend on their having rejected the travestied Marxisms of the Second and Third Internationals. In other respects the '*post*' element seems to relate to emerging features of so-called post-modern societies such as social fragmentation, heterogeneity and social movements.
 - 7 Even the concept of 'states within the state' is misleading to the extent that it implies that there is one overarching state formation. At most there could be one dominant or hegemonic state which successfully limits the centrifugal tendencies and political resistances of other 'states'.
 - 8 This final suggestion is anticipated, somewhat elliptically, in Poulantzas's ungrounded assertion that the relative autonomy of the state is the sum of the relative autonomies commanded by different branches, apparatuses or networks *vis-à-vis* others of their kind (Poulantzas 1978a: 135-9). By implication, as I noted in my critique: 'the institutional unity of the state becomes the sum of the unities of different branches, apparatuses, or networks viewed in terms of the diverse

-
- organisations and diverse policies of these different components' (Jessop 1985a: 137).
- 9 Or, more fully, contingently realized interactive necessities.
 - 10 Cf. 'What is striking about language (and this is one of the fundamental insights of structuralism) is that the arbitrary association of two contingent systems of *difference* is capable of producing a system of *significance*' (Caws 1989: 73).
 - 11 I owe this example to Caws. He argues that music 'is the absolute stumbling block for any theory that maintains the primacy of language in the matter of significance' (Caws 1989: 115).
 - 12 I first developed the notion of 'contingent necessity' in Jessop 1982 and have used it ever since. The following defence is, however, new.
 - 13 As Bhaskar (1979) notes, it is a condition of intelligibility of the scientific enterprise that it assumes that there is a real world whose empirical events have real causes.
 - 14 Michael Mann (1984) and Martin Shaw (1984) have both criticised me by name for neglecting the military dimension of the state system. Sylvia Walby (1989) includes me among the state theorists who have ignored feminism, while Franzway et al. (1989) rightly complain that most state theorists have ignored feminism – though my name is mercifully not included on their own charge sheet.
 - 15 The term 'force theory' was used by Engels to label theories of the state which emphasized its origins in coercion and/or its predatory and militaristic tendencies.
 - 16 The same difficulty affects regulation theories: see chapter 11 below.
 - 17 Once one accepts that concepts of the state can have a key role in 'state projects', the distinction between political theory and state theory starts to become blurred. For there could clearly be a state-theoretic critique of political theory. See chapter 12 below.
 - 18 Feminist critics could well claim that a concern with such abstract issues as the underlying principles of theory constructing is itself a symptom of meta-theoretical machismo.
 - 19 It is probably invidious to cite particular studies outside my own field but, among those known to me, the following have been important: Barrett 1980; Burstyn 1983; Ferguson 1984; Sassoon 1986; Connell 1987; Isaksson 1988; Pateman, 1988; Franzway et al. 1989; Walby 1989.

Part I

*On Marxist Theories of Law, the State and their
Relative Autonomy from the Capitalist Economy
and Class Struggles*

INTRODUCTION

This part of the collection presents three essays first written over a period of eight years. All three deal with Marxist theories but their focus and approach differ in each case. They have been selected not only because they deal with different substantive aspects of the capitalist state and/or law but also because they reveal some key steps in the development of my own methodology and basic theoretical approach.

The first chapter was originally commissioned by the *Cambridge Journal of Economics* and drew on seminar discussion with fellow members of the Essex University CSE state theory group.¹ At that time we were mainly interested in reviewing the substantive differences among contending approaches to the state. This is reflected in the organization of the chapter: it moves from the work of Marx and Engels to consider alternative accounts of the state apparatus, its forms and functions. The only methodological remarks concern the general implications of Marxist theorizing for economic analysis. I did not deal with the different methods of theory construction employed in the various Marxist accounts nor did this question seem so important to me at that time. For this reason it still provides a useful survey of recent theories of the capitalist state (as I intended) without requiring the reader to grapple with extraneous methodological issues. But it also tends to treat them in terms of differences in coverage rather than differences in methodology. This latter interest has since become more important for me.

The second chapter is as much concerned with bourgeois law and juridico-political ideology as it is with the capitalist state. It was originally written for the *International Journal of the Sociology of Law* and this explains its greater concern with law. In addition to this shift of focus, three new themes also emerge. First, whereas the first chapter presented Poulantzas in terms of the Miliband–Poulantzas debate and later located him within a loosely defined

neo-Gramscian tradition, this chapter marks my interest in his views on law and ideology and also provides an initial appreciation of work on the state as a social relation. Secondly, although this review is also organized in terms of substantive foci, the various theories are also analysed in terms of their methodology. This can be seen in the analysis of derivationist studies as well as my remarks on Hirst. But it is also reflected in the concluding remarks. These begin to develop the implications of the 'method of articulation' for theory construction, explanation and research. And, thirdly, equipped with 20/20 hindsight, we can discern some first signs of an autopoieticist view of law in the closing account of the legal system. In fact any such reading would be wrong because this approach was inspired more by Tuschling and Hirst than any familiarity with the autopoietic theories of Niklas Luhmann. But it was my interest in legal theory which later provided the bridge to an interest in autopoiesis.

The third chapter began life in the early 1980s as an attempt to set out possible positions on the relative autonomy of the state. Marxists have long been concerned with this issue but its meaning has never really been clear. For the state is sometimes seen as autonomous from the economy by virtue of its institutional separation and distinctive capacities; or else state managers are held to be autonomous from the capitalist class because of their distinctive values and interests. In some cases this state autonomy is only 'relative' because it is required by the capitalist economy (or capital in general) so that its real long-term interests can be secured and this functional need is itself sufficient to create and reproduce the appropriate form of autonomy. In other cases the emergence and/or maintenance of this autonomy is seen as problematic for capital, and its relative functionality or dysfunctionality is explained in terms of class struggle. And, in yet others, the institutional separation of the state and/or its managers is seen as positively dysfunctional.

In exploring these different positions I came to see the deeply unsatisfactory nature of the very concept of 'relative autonomy' and began to look for other ways of posing the problem. A first attempt was offered in the final chapter of *The Capitalist State* (1982) but my ideas really crystallized during my period as a Jean Monnet research fellow at the European University Institute in Florence during 1985–6. There it was that, in writing a Marxist critique of the theory of autopoiesis, I finally sketched out the arguments presented in chapter 3. If I seem to flirt with systems theoretical language in this chapter, it is because this was an important catalyst in developing the argument. But I am not a systems theorist. The chapter has been substantially revised for this book and can be read quite independently of the critique of autopoieticist theories which appears in chapter 10.

All three of these chapters are mainly concerned with Marxist analyses of the economy, state and law. They also take the form of critique of others' views. But one can also discern the germs of my own strategic-relational approach. This will be presented more fully in subsequent parts of the book.

Note

- 1 Other key participants in this group were Ted Benton, Ernesto Laclau, Mary MacIntosh, Maxine Molyneux, Harold Wolpe and Tony Woodiwiss.

1

RECENT THEORIES OF THE CAPITALIST STATE

Despite their very different assumptions and principles of explanation, monetarists, Keynesians and Marxist economists share a concern with the nature and impact of state intervention in capitalist economies.¹ Yet, in contrast to the study of market forces, the state itself is strangely neglected as a field of analysis. This is as true of theories that presuppose an active role for the state as of those that entail a more limited role. Indeed, even though Marxists have long claimed special knowledge of the strategic significance of the state in class struggle, it is only in the past ten years (as of 1977) that they have rediscovered the state as a problem in political economy. The resulting discussion has ranged from the most abstract methodological issues to quite specific historical problems and has generated a variety of hypotheses and insights. It is unfortunately true that much of the Marxist debate is esoteric and often inaccessible and/or irrelevant to those working in other traditions. But, in the absence of any comparable reappraisal of the state, this debate merits wider consideration. Moreover, since Marxism has long been concerned with the state as well as with production and exchange, it is surely worth assessing to what extent an integrated approach can illuminate economic analysis. Such an enquiry is particularly germane in the current period of continuing world economic crisis and increasing state intervention to restructure the industrial and financial system.

It should be emphasized that the present survey is not concerned with Marxist economics as such. Instead it focuses on some recent Marxist theories of the capitalist state. Nor does it develop a new approach; it simply considers these theories in terms of certain given criteria. These comprise general criteria such as logical consistency and theoretical determinacy, as well as more specific criteria relevant to an evaluation of Marxist theories. The latter can be stated quite briefly as follows. A Marxist theory of the capitalist state will be

considered adequate to the extent that (a) it is founded on the specific qualities of capitalism as a mode of production, (b) it attributes a central role to class struggle in the process of capital accumulation, (c) it establishes the relations between the political and economic features of society without reducing one to the other or treating them as totally independent and autonomous, (d) it allows for historical and national differences in the forms and functions of the state in capitalist societies, and (e) it allows for the influence of non-capitalist classes and non-class forces in determining the nature of the state and the exercise of state power. To justify the choice of these particular criteria would sidetrack the discussion before it begins; it is hoped that their relevance and importance will emerge as we proceed.

The chapter starts with a short review of the approach of Marx and classic Marxist theorists to the capitalist state. Several different themes in their work are specified and their merits and demerits considered. This provides a framework within which to assess recent developments. Some variations on the themes of the classic texts are then examined and criticized for their failure to advance the Marxist theory of the state. This brings us to the central part of the paper, which deals with recent theories of the capitalist state, evaluated in the light of our criteria. The chapter concludes with some general remarks on Marxist analyses of state power in capitalist societies and their implications for other theoretical approaches.

The Classic Texts on the State

It is commonplace that Marx did not offer a theoretical analysis of the capitalist state to match the scope and rigour of *Das Kapital*. His work on the state comprises a fragmented and unsystematic series of philosophical reflections, contemporary history, journalism and incidental remarks. It is not surprising, therefore, that Marx rarely focuses directly on the complex relations among the state apparatus, state power, capital accumulation and its social preconditions. But it is less often remarked that the same is true of other classic Marxist theorists, such as Engels, Lenin, Trotsky and Gramsci. For, although they offer various acute observations on the state in general, specific historical cases and the nature of ideological domination, they do not confront the crucial question of the differential forms of the capitalist state and their adequacy to continued accumulation in different situations. Indeed, in so far as the classic texts do focus on this issue, they do so in inconsistent ways. There are at least six different approaches and, although they are often combined with varying degrees of consistency and mutual qualification, they involve different theoretical assumptions, principles of explanation and political implications. They must therefore be considered separately before one can draw any general conclusions about the classic approach as a whole.

1 Marx originally treated the modern state (at least that in nineteenth-century Prussia) as a *parasitic* institution that played no essential role in economic production or reproduction. In his view, democratic government would be characterized by a genuine unity of state and people, whereas the modern state was an expression of the irreconcilable conflicts rooted in the egoism of civil society. In this context, the state and its officials, far from representing the common interest, tend to exploit and oppress civil society on behalf of particular sectional groups. Indeed, Marx argues that, just as corporate organization enables the bourgeoisie and master craftsmen to defend their material interests, the state becomes the private property of officials in their struggle for self-advancement (Marx 1843: esp. 44–45; see also Hunt 1975: 124). This view was elaborated in his critique of Hegel's political theories, when the young Marx was still committed to liberal radical political ideas. Nor had he then developed the conception of capitalism as a mode of production and so could not identify the specific characteristics of the capitalist state (Althusser 1969: 49–86; 1974: 151–61; Mandel 1971: 52–67 and *passim*). Thereafter, although he retained the basic ideas about the form of the modern representative state and its separation from civil society, Marx treated it as a necessary part of the system of class domination rather than as extraneous and parasitic. The latter view can still be found in his subsequent work on Oriental despotism, however, where Marx sometimes treats the Asiatic mode of production as communal in nature and the Asiatic state as a parasitic body standing above society (see particularly Marx 1858a). But, although the idea that the modern state is essentially parasitic is still held in anarchist circles, it was not long retained by Marx himself.

2 Marx also discusses the state and state power as *epiphenomena* (i.e. simple surface reflections) of the system of property relations and the resulting economic class struggles. This view is again largely confined to the earlier writings, but it emerges occasionally in his later work and occurs frequently in more recent Marxist analyses. It is particularly clear in Marx's early comments on law (in which legal relations are treated as mere expressions of the social relations of production), but is also apparent in more general analyses of political institutions. The most frequently cited illustration of this approach is the 1859 *Preface* to his *Contribution to the Critique of Political Economy*. This appears to treat law and politics as a superstructure based on the economic infrastructure, to view property relations as the legal expression of relations of production and to ground revolution on the growing contradiction between forces and relations of production. In general, this approach considers the structure of the state as a surface reflection of a self-sufficient and self-developing economic base. And, since classes are defined in purely economic terms, the exercise of state power is seen as a surface reflection of economic struggle. It also implies that there is a perfect, one-to-one correspondence between juridico-political relations and economic relations or, at best, some