

Waning Sovereignty? The Kindred Myths of “Origins” and “Vanishing” of the State

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Abstract

This article discusses, from an historical-neo-institutionalist and relational-strategic perspective, the postmodern thesis of the end of the state due to the increasing processes of world globalization. The main hypothesis is that the arguments which predict the structural crisis or the disappearance of the State in the age of neo-liberal globalization have their roots in a theoretically and historically implausible concept of sovereignty that ignores and distorts central aspects of statehood and state-building in terms of both institutional structure and political action. The myth of the “origins” of the State in Medieval or Renaissance times shares with the postmodern vision of the “vanishing” of the state, the same underlying misconception of the scope and limits of the state power. Sovereignty (the monopolization of political power) was always a claim, a desiderata, a contested and unfinished political project not an accomplished empirical fact.

Keywords

Sovereignty, State, Globalization, Neoliberalism, Historical Institutionalism

1. Introduction

The thesis I defend in this text is that the arguments which predict the disappearance or crisis of the State in the age of neo-liberal globalization have their roots in a theoretically and historically implausible concept, which ignores and distorts central aspects of statehood in terms of both institutional structure and political action. In the following pages, I will propose a perspective that is both historical neo-institutionalist and relational to proceed to criticism of the hurried death certificates of this “mortal god” which is so frequent these days.

2. Concept and Evolutionist Process of State Building

The concept of *State*, in a modern sense, defines the complex and varied process

of construction (“state building”) of a system of specific domination, characterized by the institutional monopoly of political power and of legitimate violence. This definition requires some clarification: 1) in spite of the fact that the term “State” is present in many different historical contexts, it has diverse conceptual meanings and refers, quite often, to very different realities from that of the *State* in the strictest sense. The term “State” prior to the revolutions of the modern world designates, strictly speaking, *pre-State forms of domination* (“city States”, “Renaissance State”, “Modern State”, “absolutist State” etc.), characterized by the absence of the decisive conceptual feature that we consider to be indispensable: the *monopoly of political power* (legislative, judicial, executive, fiscal, military), in an organizational-institutional entity that splits off and becomes independent of civil society; 2) the State does not constitute the natural and logical result of the historical evolution of political forms, an inevitable and teleological point of arrival predetermined since the beginning of time. On the contrary, for centuries, the centralized territorial monarchies competed with very different formulae of organization of political power: city States, the Papacy, Empires, dominions and decentralized signoras etc. The State emerged as a possible and contingent result of a process, complex and multicausal, evolutive, adaptative and competitive, during which it eventually proved to be the most suitable formula to govern an extensive territory with a large population and maintain a standing army; 3) the progressive establishment of the new predominant logic of statehood and the subsequent triple conceptual rupture (Sovereignty), economic (Capitalism) and political (Revolution) between the world of States and of pre-State forms of domination, should not conceal, however, the fact that part of processes of State construction originates intellectually, socially and politically from elements already present within the prior late-feudal logic (centralized Monarchies, absolute Monarchies). In addition, it was always a tentative and incomplete process, the claims for “sovereignty” and the complete monopoly of political power in a territory were always idealistic aspirations and never fully crystallized realities. The process of concentration of political power was much disputed, underwent continuous advances and reverses, as a consequence of multiple internal and external challenges. Neither did there exist a single path or a final stage, uniform and homogenous, for standard configuration of a State, for these varied considerably depending on country or historical circumstances, both in their effective state *capacities* (bureaucratic, military, fiscal, law and order etc.), and in their decantation into *political regimes* (monarchic or republican, civil or military, democratic or authoritarian etc.).

From a perspective born of evolutionism and historical neo-institutionalism, the State is, in its strict conceptual sense, an adaptative and changing political system, a variegated and emerging set of instruments, procedures, rules and organisations, strategically selective of preferences and identities. These institutions are notable for their capacity to facilitate the taking of decisions, to implement the latter and render them acceptable to the citizens of a specific territory, support them with the monopoly of de coercion and present them ideologically

as the fulfillment of ideas of the common good and/or national interest. But the State is not and has never been a neutral and completely independent apparatus vis-à-vis the society it seeks to regulate, but is, in turn, coshaped by the latter and acts with strategic selectiveness, favouring certain social interests and individual (citizens) and collective (Nation) identities marginalising other possible preferences and other identity-based alternatives, via its public policies and its institutional designs. The State is a social relation that depends ultimately upon a specific correlation of political forces. Therefore, rather than a unified institutional entity, stitched together once and for all by the principle of sovereignty, it is the contingent result of the political struggles for hegemony (the intellectual and moral leadership of a country) which are part of—with their defeats and their victories—its own institutional materiality. In these institutions the State exercises, via diverse selective incentives, an infrastructural power of penetration, organisation and redistribution over society, in a specific territory and at the service of different social classes (Poulantzas, 1978; Mann, 1986, 1993; Jessop, 2016).

For these reasons it is advisable to adopt a relational and strategic perspective, since the modern State is not presented as a static and isolated structure, but as the result, provisional and very varied, of a process of evolution, competition and adaptation, caused by both exogenous shocks (economical, political or military), and political mobilizations and endogenous conflicts. This multicausal process, very different in its rhythms, characteristics and crystallizations from country to country, condenses, to a diverse degree, the effect of various factors. The latter, as explicative variables at once differentiated and interdependent, combine and explain, to a greater or lesser degree, each particular State, depending on the different contexts and ecologies in which the latter develops. The basic factors which intervene in the production of a State are: 1) *War*, coercion and the procurement of security; 2) the *Institutions* of legitimate decision-making (representation); 3) *Capitalism*, as a mode of production from the initial network of commercial cities to the creation of national and international markets, colonialism and imperialism; 4) *Territory* and the demarcation of borders, 5) the *Population* and its biopolitical production as people, nation and citizenry; 6) the intellectual conditions of State construction: *Ideas* (sovereignty), theories of State, the development of political thought, ideologies and discourses in conflict.

3. The Pre-State World: “City States”, “Renaissance State” and “Dynastic State”

To denominate the exceptional mode of domination of the “City States” or the “New Monarchies of the Renaissance” with the term “State”, even in its variants of “Modern State” or “Renaissance State”, only deforms the complex and irreducible reality of their specific political configuration and distorts—decontextualising and modernising—the political-institutional substantiveness of those pre-state forms of domination which require an appropriate and demystifying

empirical-conceptual reconstruction. The historiographical misperception of the “Modern State” and the “Raison d’État”—ejection, in turn, of the abusive extension of the contemporary concept of State, typical of capitalist society, conceals the political-institutional reality of the centralized or absolute European monarchies under construction (Spain, France ...) in the 15th and 16th centuries, and completely distorts the political reality of Renaissance Italy. It appears as if the political use, even with other specific meanings, of the same term, “status”, “stato”, or “State”, at that time, justifies the retroprojection of the concept of State, specified and elaborated much later as an abstract public body separate from civil society.

The historiography of political institutions has proceeded for years, in the wake of both greater empirical clarification and new conceptual precision, to link up with another classical, albeit minority, line of European research, traditionally aware of the discontinuity between the medieval and true modernity, in other words, between feudalism and capitalism. It is important to recall that an entire series of researchers, since the 1930s, have highlighted, in very diverse fields, the essential discontinuity between the dispersion of the hierarchised political power of late feudalism and the monopolization of the latter in one single authority that rises before civil society, characteristic of capitalism. The rupture, to sum up, between the kingdom of *privilege*, by definition unequal, and that of *equal rights*; between the world of the *feudal income* and that of *capital*; of the *subject* of the vassalistic relations of subjection and the *citizen* rendered equal by the law. Only if we pay heed to this structural watershed between the pre-capitalist, in other words, pre-state modes of domination, and to the arduous consolidation of a single centre of attribution of political power and only then, strictly speaking, *Sovereign*, alone worthy of the concept of State, will we be able to take adequate account of the far from lineal and very varied process of concentration and centralization of power by means of which the latter is constructed: dynastic territorial monarchies, absolute monarchies, national absolutism, revolutionary State etc.

If on the one hand it is necessary to retain the political and social capital that illuminates the birth of the State, on the other it is no less true that the latter is not born of nothing, but within a long process of tradition, possessed of a specific rhythm and driven by various factors within the more general transition from feudalism to capitalism and its breaking points (“bourgeois revolutions”). A process via which is constructed the central apparatus of the State, the administration, the army, the treasury, the organization of the territory itself and its borders, the nation and the citizenry. A process which, incidentally, in Italy, where the “origins” of the State were so often sought, underwent such exceptional difficulties of every kind which truncated the process of conversion to State. Narration of so complex and prolonged a transition, maintaining the specific empiricity of concepts, the irreducible historicity of categories and epistemological awareness of any presentist reading of the supposedly “state” past, has integrated the project, barely or belatedly recovered, of authors such as Hintze,

Brunner, Böckenförde, etc., or more recent ones like Rokkan, Spruyt, Tilly, Mann or Tarrow, amongst others, whose consideration becomes, however, decisive when it comes to addressing with a critical vision of the “lo stato” in Renaissance Italy.

Thus, for Hintze, from a Weberian perspective, demarcation, within an ideal type of State, of four stages with distinct specific characteristics in their historicity, serves to frame the progressive ruptures within the process of construction of a State with sovereign power, based upon the hierarchic, feudal constitution of the Middle Ages. This gradually dissolves as freedom from the tutelage of the Church increases and what is configured, very slowly, is a new apparatus of power, in the sphere of the European system of “dynastic States”, which will take the place of the universal clerical/secular monarchy of the Middle Ages. “Sovereignty”, as a historical concept, refers to this process of gradual hierarchisation, of appropriation by the Crown of princely fiefdoms by means of self-placement of the monarch within and, finally, at the top of the trabada pirámide of dynastic legitimacy. Such was the nature of that “sovereignty” that only approached (but never fully achieved) its theoretical program in practice as a result of the same process that would lead to the servant’s liberation from the *herrschaft*, the craftsman’s from the guild, the trader’s from his association. In short, when capitalism permeates the whole of society or, as Marx would note, when capitalism replaces feudal income and capitalist relations of production prevail over feudal ones. Capitalism develops, therefore, in close collaboration with the State and its full blossoming is also that of the State in a strict sense, but not until the 19th century (Hintze, 1970).

Otto Brunner, on the basis of Carl Schmitt’s distinction between *Verfassung* and *Konstitution*, reserving the contemporary signification of State of liberal-bourgeois Law for the latter, proceeds systematically to criticise those German authors who apply the idea of *Konstitution* to the medieval. An error that presupposes the ahistorical and implausible existence of the absolute State and its military and administrative apparatus, the separation between public and private Law, in other words: between civil society and State, between customary Law and positive Law. Brunner was also highly critical of the acceptance, implicit or explicit, of the criterion of Sovereignty in order to analyze the State prior to absolutism and the “Absolute Monarchy” itself. In his opinion, *Sovereignty* insofar as it essentially involves effective concentration of political power, requires separation between civil society and State, since only then does the latter rise over society as a whole, accumulating and transforming previously dispersed powers (fiscal, legislative, judicial etc.). For this reason, only the contemporary State in the 19th century attains sovereignty, monopoly of political power and legal personality, now indeed invoking genuine “raison d’État”, and as such emanates positive law understood as new law. Previously, although European sovereigns claimed a plenitudo *potestatis*, this did not make them sovereign in the modern sense, that is, in the recognition and fulfillment of such a claim to supreme decision-making competence. For centuries, King and territorial prince possessed if anything “state power”, but in no sense state power in its entirety. The existence

of *poderes señoriales* precluded this. “Sovereignty”, was but a disputed, negotiated and unstable hierarchy over the variegated fabric of powers and privileges that demanded to be respected (Brunner, 1980).

Neither would the late-medieval city reveal the “origins” of the constitutional State, via the reconciliation of seignory and civil community. Böckenförde highlighted the extrapolations of the concepts of citizenry, autonomy and association in a world that owed much to other political-institutional parameters. In an order, time and place where neither these concepts nor these structures existed, some authors like Gierke and many others translated all the categories belonging to that age into concepts that rang of the present (“citizenry”, “State”, “representation” etc.), endowing them with evaluation and status, ahistorically, solely on the basis of subsequent contemporary realities (Böckenförde, 1961). Pareto rightly termed this way of proceeding, “prejudice of origins”.

Hence the exception to the contrary of Renaissance Italy as opposed to the centralized European monarchies, not so much due to the permanence of universalist and territorial institutions like the Papacy, but owing to the premature development of merchant capital in the cities of the north, which would establish the bases for fierce political resistance to the unification of a late-feudal network of domination, which extended to the entire Italian territory. In this way, the exceptional political-cultural development of the cities of the north known as *Renaissance*—and the simultaneous eclipse of the Empire and the Papacy—rendered that territory a unique case, far removed from the construction of European States. A whole series of autonomous city-republics, centres of intense commercial activity, dynamic areas in the interstices of the feudal production model of the countryside, motivated by an autonomous logic as complex commercial and industrial entities, possessed of their own mechanisms of government, they formed a variegated mosaic that needs to be inserted, in spite of everything, in a vaster political-territorial space. The distance between the cities, as neuralgic centres of power, and the feudal countryside cannot conceal an essential dependence. The tension that existed between the two spheres was produced in parallel to an enlarged reproduction of feudalism which found its driving force in the cities. For this reason, not only the diverse plurality of the latter, but their interpenetration with/estrangement from the feudal world surrounding them was key to the fact that neither Florence, Milan nor Venice could dominate one another. And a consequence of this deadlock, as an internal cause, is the persistent, fragmented Italian weakness against European monarchies: isolated commercial development—further hampered within the cities by feudal institutions like guilds and workers’ associations—resulted in destructuring and pulverization of a territorial space, unimaginable for the moment as either “State” or “Nation” (“Italy”). Though it is true that the *poderes señoriales* that prevailed in the cities produced advanced elements of organisation and centralisation upon a triple axis: Army, Diplomacy and Bureaucracy. In this context, there were undeniably innovative phenomena such as the well-known fact that via treaties or force of arms there occurred the relative subjugation of independent dominions;

that acts of feudal investiture required the permission of the lord or the city; that commercial associations were denied political power; that laws were passed of general validity for larger territories; in short, that jurisdictional courts were set up for whatever purpose, etc. It is these very bases that have traditionally been regarded as the foundations of the conception of “Renaissance State” or home to the effective presence of “Raison d’État”. Quite to the contrary, the Republics and Principalities of the Renaissance, enclaves within the feudal world, from which they were separated by distance and various tensions, constituted in their disparate phases of economic development, and disparate political structures, spaces in permanent crisis, threatened externally by European monarchies and internally incapable of unifying a vaster “Italian” space which resembled a chaotic foule *d’incoherences*. All this found its paradigm in *Il Principe* as holder of dominion, the *stato* as power derived from princely *virtú*, as its adventitious and, therefore, unstable and always precarious property, deprived of any dynastic legitimation, of any network of loyalties, of any historical-institutional security, of any legal-constitutional guarantee.

Hence that permanent and irresolvable rift in the works of Machiavelli: the word “*stato*” sometimes subjectively designates the lord of the domain, the possessor of the *potere effettuale*, but on other occasions, objectively, the territory subjected to this power; its union is never presented analytically, nor is it postulated, stable and organic, intrinsic but personal, not structural but arbitrary, adventitious, contingent ... *Mantenere lo stato* is but the motto derived from the considerable precariousness of a power devoid of stable support, of principalities subject to the caprice of the avarice of military leaders and adventurers, of violence deprived of the customary channels, of the pillage fostered by the lack of dynastic legitimation, of the insecurity co-natural to the absence of hierarchy and loyalty of jurisdictional-territorial seignories.

The political and administrative inability to articulate in minimally structured fashion, via vasallistic allegiances, warring and competitive territorial spaces in the European context, in short, the impossibility of constructing a dynastically legitimate monarchy from and above civic mercantilism, thwarted from the start the possibility of creating ample spaces of political power centralised around the city States . The reference Works of Tilly, Spruyt or Tarrow follow the same line of argument (Tilly, 1990; Spruyt, 1994; Tarrow, 2004; Maiz, 2016) which may be synthesised as follows:

- 1) War was the great maker of States but, unlike the centralised territorial monarchies, the Italian city states were incapable, owing to their internal structure, to employ it beyond its immediate purpose towards ends of long-term State building;
- 2) Unlike the territorial monarchies of the day, the city states were unable to combine capital economic resources with appropriate institutional designs in order to build, upon the basis of a shared idea of “common good”, above the conflicting interests of the élites, authentic States, territorially and legally unified;
- 3) Built upon unstable pacts, the Italian city states-republican in their struc-

ture and oligarchic in their content-proved to be incapable of constructing an institutional casing via which to filter and process the particular interests of the ruling classes, and to generate the culture and trust necessary to establish a legitimate power;

4) The direct penetration of the interests of the ruling classes into the “political” sphere, without lasting or foreseeable institutional mediation, was but the correlative of the permanent overflow of the extra-institutional conflict and the chronic popular uprisings (i.e. “Ciompi”). As Anderson says, despite their apparently advanced modernism of means and technique and their famous inauguration of pure politics, of power as such, *las señorías* were, in fact, intrinsically incapable of generating the characteristic form of government of the first modern age, unitary monarchic absolutism (Anderson, 1974).

And what about the European centralised territorial monarchies? Modern historiography has repeatedly highlighted the error involved in over-estimating the “state2, “absolutist” aspects in particular, of those dynastic orders and structures, preferring to underline, in very different manner, their unmistakable character of specific formation, unquestionably a legacy of the old world of privilege. Thus, the increase of political power in the hands of the princes cannot conceal the fact of its compatibility with the persistence and even the increased reproduction of the laws of local ordinances, which on occasions reinforced their strength and survived, on others, safe from outside interference. This continued disintegration of power, beneath the theological-political glitz of *The King’s Two Bodies-Rex qui nunquam moritur* (Kantorowicz, 1957) should be highlighted in all its harshness insofar as it reveals an overlapping of various privileges, a patent absence, ultimately, of Sovereignty. The process of political centralisation was effected by means of the aggregation of particularities, of compact nuclei of power which retained much of their autonomy, particular order and institutional substantiveness, without at any moment being cancelled out by their inclusion in larger organisations. The processes of unification of the *las señorías* were combined, with absolute centrality and not with merely residual naturalness, the permanent counterbalance of a propensity to acknowledge and legitimise the old “bodies” or “arms”, as well as the diverse local ordinances. On top of that, to the “local freedoms”, “popular franchises” and inherited privileges were added the concession of newly created privileges, various local freedoms and vicariates which clearly demonstrate the essential feudal continuity of the mechanisms of political reproduction. The world of privilege, in short, not only far from breaks up, but its fabric expanded reticulately, driven from the nuclei of real power: municipalism maintained its charters; the trade corporations, despite their new subordination to the señor, generally retained their own jurisdictions; the clergy also enjoyed the latter as well as diverse fiscal immunities; cities and territories continued to possess many and even acquired new franchises and freedoms ... Within the cities themselves, a *las trabas reglamentistas de los gremios* se superponía una *estofa capilar* of internal privileges, of diverse statuses, a vast network, in short, of privileges that indissolubly blended economy and poli-

tics, depriving of meaning the subsequent distinction between civil society and State. What State puede predicarse de such a reformulation of fiefdom, of privilege, of the plural dispersion of power in the most diverse entities? What sovereignty can be read into the assembly of property and jurisdictional dominion, into the extra-economic coercion that, as Marx interpreted with such lucidness in his day, constitutes the basis of feudal income making a mere anecdote of the full ownership of the earth?

Neither the “Renaissance State”, nor the “Modern State” were genuine *States*, in the strict sense of the concept, for many reasons:

1. Thee monarchies of the age were dynastic non-national “States”, the monarchs defended the interests of the King, of his family, of his dynasty, not of the country, of the Kingdom or, much less, of the “nation”;

2. These monarchies were very limited by local privileges and customs. It was very difficult for the Monarch to complement *Jurisdictio* with *Gubernaculum* from the vertex of a pyramid of loyalties that, whilst hierarchically they raised him as the head upon the body and arms of the kingdom, they tied his hands with various commitments;

3. These “States” were, in spite of all the efforts made and some significant progress in this direction, fundamentally decentralised and non-centralised. This was a world of local jurisdictions (privileges), fragmentation and dispersion of power in society as a whole, and of systematic inequality before the law;

4. This was not a system of domination based on the State but on “States” or “estates” with special privileges, and the class that dominated these was the secular and ecclesiastic nobility, never the bourgeoisie of the cities;

5. Bureaucracy and the army, in spite of the undeniable advances, were too weak to guarantee the internal and external sovereignty of the territory, and the disproportionate fiscal effort to maintain a competitive standing army usually led to popular resistance and uprising, uncontrolled debt and the financial ruin of the monarchy;

6. Not only were privileges maintained in many cases, but to ensure the support of the nobility or to obtain resources for war, monarchs were forced to concede new territorial privileges, tax exemptions, sale of public office etc.;

7. Moreover, in order to obtain resources (men and money) to maintain a standing army, Monarchs were obliged to summon and/or reactivate various representative assemblies of the dominant orders, or to create a “Court Society” in order to negotiate support in exchange for concessions of privileges and local freedoms;

8. This model of decentralised and very limited government, always delicately balanced between King and Kingdom, resulted in the more or less belated appearance of a fixed capital and in the need for monarchs to move around their kingdoms in order to maintain them precariously united under a control that was always challenged from the exterior by other monarchs, and from within by secular or ecclesiastic nobles.

In short, 1) “city States”, “dynastic States” and “Renaissance States” were sys-

tems born of an organisational logic radically different from that of the State in the strict sense, that is, the monopoly of political power and legitimate violence; 2) however, the fact that these were two different logics should not conceal the fact that certain capacities and organisational developments gradually made possible the arrival of a new organisational structure, that of the State -territorial nation and that of sovereignty in the strict sense; 3) in this way, the process of formation of the State arises from elements such as the monetisation of the economy, the expansion of trade, the growth of cities, the military revolution of modern warfare etc. Which may be regarded as proto-capacities (Sassen, 2006) for the political construction of a centralised and, finally, exclusive authority in a territory; 4) lastly, the clash and mutual weakening of other formats of organisation of power like Church and Empire proved crucial to the emergence of the State and its pretensions of sovereignty.

Neither can we regard as States, in the strict conceptual sense, the *absolute Monarchies*, although they did introduce elements of statehood, which, however, occupied a place within the old prevailing pre-state logic. These Monarchies were in no way “absolute”, since absolutism, despite its name, never knew the figure of a monarch entirely *legibus solutus*. The powers of the Monarch, in spite of his “absolutist” pretensions, were restricted by counterbalances and powers distributed throughout society. Furthermore, the limits and centres of power competing with the absolutist “State” were always capable of considerable resistance: representative assemblies (courts) and cities, lay and ecclesiastical nobility with their respective legal privileges and tax exemptions, maintenance of territorial and provincial rights, a system of government shared between king and kingdom and, finally, insufficient development and depersonalised institutionalisation of bureaucracy.

Nevertheless, there is a significant difference between the pre-state systems of domination analysed thus far. The city States and the decentralised duchies victims of the centralised territorial monarchies, for the latter, introducing various elements of statehood (bureaucracy, treasury, standing army etc.), evolved, via the absolute monarchies, towards a process of state-building that would eventually give rise to an entirely new political reality. The process of State-building set in motion a new evolutive and adaptive logic, uneven, with different temporalities in different countries and with advances and reverses, never linear, but which would eventually crystallise into a radical discontinuity with the past. This logic develops via the intervention of the six aforementioned factors; let us consider them briefly:

1) The starting point of the process of State-building was war in its twin sense: international, between political units seeking to acquire territory and resources, and interior or civil in order to placate populations when faced with internal uprisings and allow for fiscal and administrative control and law and order in the territory. In a world at war the only political units that survived were those best equipped to maintain a large, well-armed and loyal standing army. In this kind of struggle for life in a scenario of warfare, the territorial State will prevail over

other competitors like city States, decentralised duchies (like that of Burgundy) or the late-feudal Empires and the Papacy.

2) The organisation of a standing army not only required a broad territorial dimension in order to recruit men and obtain resources, it also necessitated administration, in other words, Bureaucracy and a Tax Authority capable of organising the territory, collecting taxes, administering and legitimating them: Government, Treasury and Parliamentary representation constitutes three basic elements, which were added to the traditional administration of Justice, accompanied by the production of *derecho igual*, obligatory and forcibly imposed throughout the territory and the gradual repeal of particular privileges and exemptions.

3) States created national markets: unified law, minted currency, standardised prices, eliminated obstacles such as privileges, local taxes and income or guild regulation of trades, kept transport routes clear of criminals, created infrastructures to improve commerce and production, opened colonial spaces that benefitted traders, granted monopolies that guaranteed patronage, and developed the mercantile, civil and penal legislation without which markets could not exist. In this process, the role of the cities and the bourgeois class, their interests and their ideologies were crucial both as nuclei of intensive accumulation and concentration of capital, and for their participation in the construction of networks of circulation of capital and their conversion into progressively dependent centres of the law, the army and the domination of States. So, then, the State does not “interfere”, intervene or “disrupt” supposedly free markets: the State creates the markets (Reich, 2015: p. 5).

4) The above elements contribute to control, dominate and, in effect, politically produce the territory of the State by means of sovereignty both *internal* (monopoly of political power and legitimate violence) and *external* (acknowledgement as competitive subject in the international sphere of the system of States as equivalent units). The creation of fixed and stable *borders* is the transcript of the military, policing, bureaucratic and financial organisation of the State in a chain that indissolubly links territory, population and sovereignty.

5) The population of a (large) territory provides, on the one hand, the human resources needed for the army and the economic resources, money and supplies, necessary to be competitive. Meanwhile this also demands the collection of taxes and the creation of a Public Treasury (and the correlative elimination of local treasuries, privileges and exemptions), which refers us, in turn, to the genesis of legitimation of the latter via representative organs (courts, parliaments and councils), and the negotiation of the concession of rights, and to the conflicts of citizens and their individual rights. But also to political struggles for freedoms, by the extension of property rights, freedom, equality and political representation (the transition from selective to universal suffrage) and their constitutional consolidation. As a consequence of all this, the population of the territory of the State begins to be politically disciplined not only as the people of the State (set of individual citizens), but as *Nation* (Community): a mythical, symbolic and po-

litical production of common identity, a language, a history, a shared narrative, a community “we” that separates one’s own from another’s, friend from enemy. This process is crucial for both legitimation of domination and for fiscal and military sacrifices.

6) Finally, a decisive factor in the process of state-building are ideas, since in order to exist the concept of State also requires intellectual conditions of possibility, in other words, it needs to be thought out, imagined, theoretically elaborated with concepts like “sovereignty”, “law”, “constitution”, “representation” etc. The State produces and is produced via ideas and via institutional and economic material processes. Moreover, the power of ideas, the capacity of individual and collective actors to influence the values, beliefs and principles of other actors, plays a fundamental role in the development of statehood. The struggle and the rivalry between projects of statehood, ideas and ideologies constitute a vital dimension of the emergence and diverse hegemonic crystallisations of the modern State.

4. “National State”, “Liberal-Democratic State” and “Regulatory State”

State-building in the strict sense, that is, as a monopoly of political power and legitimate violence which achieves autonomy and separates from civil society, involves the emergence and generalisation of this wholly new dominant logic. A logic that, however, is 1) neither homogenous in every case, 2) nor simultaneous in every country, 3) nor exclusive, for it coexists for a certain period with pre-state remnants.

Very briefly, the process of State-building interrelates three fundamental elements: 1) social classes, 2) States and 3) Nations. And it does this via, at least, four processes that are successive and, at the same time, in some way superimposed and never linear: 1) the revolutionary mobilisations of rupture with the Ancien Régime, 2) the organisational, institutional and mythical-symbolic construction of the national State, 3) the uneven developments of the State Liberal democratic, constitutional representative State and the extension of citizenship; and 4) that of the State that regulated the economy and welfare (Mann, 1993; Rokkan, 1999; Finer, 1997).

Only after the double English revolution of the 17th century does a State begin to emerge which accumulates and reorganises previously disperse political power, which is why it is the work of Hobbes and not that of Bodin where the concept of sovereignty attains its genuinely modern meaning: not simply as a position of hierarchical superiority of one of the powers (the monarch) over others, whom it is obliged to respect, but as the only political power existing in a given territory. “Transferir todo el poder and toda la fuerza a un hombre o una asamblea de hombres” (Hobbes), in other words, to an institution that *monopolises* political power and which can be articulated as either Republic or Monarchy. From this moment the State begins to reshape itself as State-Nation, via varied and interrelated processes of *state-building* and *nation-building*. Accord-

ing to Rokkan's seminal schema, these processes are structured in a basic model of centre-*periphery* tension of four dimensions which are co-involved; namely: 1) violence (army, law and order, administration), 2) economy (production and distribution), 3) law (constitution, positive legislation, representation) and 4) culture (myths, symbols, languages). Processes of interaction and variation which, in turn, depend on four fundamental explicative variables: 1) secular/religious configuration, 2) linguistic unification/differentiation, 3) dependence on/Independence of the network of cities, and 4) concentration/dispersion of ownership of land. In a diachronic perspective it is possible, moreover, to establish a sequence of diverse phases in the aforementioned process of State-building : I) *territorial penetration* (tax system, law and order, legal resolution of conflicts, economic-political unification of the elites); II) *national standardisation*: military, cultural and linguistic (military service and compulsory education, mass media, communication routes: roads, railways, post, telegraphs etc.); (III) *participation and political representation* (extension of the rights of universal suffrage, political rights, formation of political parties, free and political elections, regulation of citizenship); and IV) *redistribution of resources* (welfare services, insurance, social citizenship, redistributive policies, progressive taxation). The autonomy of the State, its capacity to shape society (create markets and nations) should not cause us to forget the social conditioning of state institutions: the class conflict always constituted the fundamental cleavage in the process of democratisation and, in turn, the entrance of the popular classes onto the national political stage was a central aspect of national State-building in Europe (Bartolini, 2005).

However, as Montesquieu lucidly observed, that "suppression of intermediary powers", a vast, unprecedented concentration of means of domination, could very well make "of the English one of the most enslaved peoples on earth". It would be this monopoly of political power and this separation of State from civil society which would motivate the demands and conflicts to construct a new system of legitimacy, by means of which the new dominant classes of landowners could control and participate, with individual and political guarantees, in decision-making and the drafting of laws: the liberal *State*. Hence the debates and the reconfigurations of the British parliamentary monarchy and the appearance of the *Whig* and *Tory* parties as mechanisms of aggregation of political preferences via the election/political representation nexus which allowed for the formation of majorities and thus the taking of decisions. Precisely because the new political power emerges as a potential threat to civil society (now deprived of any power), the new emerging social sectors promote changes of enormous scope; among others: kings must abide by the laws of parliament, taxation requires the consent of the legislative chambers, the law guarantees respect for the property of the bourgeoisie, the army no longer belongs to the king but becomes national and controlled by parliament, parliament is nominated by free and selective elections, and the rights to expression, assembly and association are extended. This process occurs at different historical moments and with very varying suc-

cess in the United Kingdom (17th c.), in France with the Second Republic (1850), or in the Germany of the Weimar Republic (1918-1833). Let us analyse the principle axes of this process.

The first axis of State-building is that of the conflicts and processes of democratisation/*de-democratisation*: under these circumstances trajectories are not linear, but possess differentiated advances and reverses in each country; neither are they simultaneous nor homogenous, mutating extraordinarily from case to case. A decisive factor in democratisation is the relative *capacity* of each State, in other words, its efficiency when it comes to implementing the political decisions it adopts. This is a key dimension, since the relative capacity of a State lies in the level and intensity with which the action of state agents more or less significantly affects the distribution of resources and power, and the activities and interpersonal connections existing in a specific territory (Tilly, 2007). However, a high capacity may be at the service of processes of both authoritarianism and democratisation but, in any case, no real democracy is possible without the effective capacity of the State to implement its decisions. In fact, democracies in States of low capacity tend to be failed democracies, with a proliferation of violent conflicts, the presence of war lords, large areas beyond the reach of the power of the State and presence of a chaotic and uncoordinated multiplicity of political actors. The most creditworthy comparative empirical research reveals that it is the weakness of States, their low capacity, and not ethnic or nationalist conflict which is the factor that explains violence and the appearance of civil wars. States incapable of imposing with efficiency legitimate decisions and sanctioning non-compliance of the law, of administrating and incorporating their territorial peripheries or of providing their populations with services and basic public goods are those most prone to endemic crisis and civil war (Laitin, 2007).

The second axis of the process of State -building that should be examined is the question of the *Nation*, the production of *national-States*, that is, of States at the service of the culture, language and economic interests of the majority nation in the State territory. Initially, the Nation is constructed *from the State* (standard language, shared myths and symbols, national history etc.) as a community reinforcement of individual citizenship, legitimator of the legal, fiscal and military effort demanded of populations. Later, the creation of state-based capitalisms as a result of competition and international coordination between major powers, translated into the strengthening of State nationalism at the end of the 19th century. In both cases, national ethnic identity acts as a cognitive psychological mechanism of reduction of complexity and uncertainty and contributes significantly to the placement of human beings in a system of economically and militarily competitive States. This process of nationalisation of the citizenry of States crystallised politically in a very different way in each country, via the specific articulation, in each case and at each historic moment, of two elements: 1) an *ethnicity* (history, culture, values, myths, symbols) elaborated politically with materials inherited, chosen and invented by intellectuals, leaders and nationalist parties; and 2) expectations and prevailing national *economic interests* within an

international competitive capitalism. National identity thus provides a kind of lens through which are interpreted the preferences and expectations of the maximisation of the opportunities of each State, providing: 1) the specific criteria of common national belonging (language, history, religion, “race”, territory etc.); 2) political mobilisation of those differential factors for the key distinction we/they, one’s own/another’s, friend/enemy; and 3) articulating these shared elements and this difference with other nations (within or beyond the State borders) by means of a historical narrative and a mythical-symbolic complex of de belonging/exclusion. National identity-always politically created, never natural-precedes the defence of national economic interests, because it provides the reading criterion through which the latter are interpreted (Hale 2008). In this way, the process of liberal State-building is doubled with the process of national construction: it is not the Nation which segregates its own State, but rather the State that conforms its Nation. It is the State which, in certain cases, processes and contexts, and not in others, monopolises political power as *State -Nation* while it builds a *national* State, in other words, a more or less homogenous community with the same culture, language, history, myths and symbols shared by most citizens. Some States (France) also evinced more capacity to nationalise their populations than others, which, in their diverse trajectories of construction as national-States, maintained o promoted an increasingly activated plurinational structure (Spain, United Kingdom).

States created nations via a slow, plural and uneven process which, as Eugen Weber demonstrated in his day, required a highly efficient capacity to nationalise, which, in turn, depends on the relative capacity of each State, deployed via policies such as, among others: 1) universal conscription for the army, 2) generalised compulsory schooling, 3) national transport and communication system, 4) national work market etc. (Weber, 1976). The national State, therefore, re-elaborates the ethnic-national and economic preconditions within a certain structure of more or less favourable political historical opportunity, providing the material and moral resources, the nationalist ideology and the mythical symbolic linguistic complex and its cultural generalisation which lead or do not lead, as the case may be, the appearance of a national conscience shared by the majority of citizens or on the contrary, fuel a plurinational conflict with various demands for self-government or secession on the part of some territories.

The third axis of the process of State-building is the creation of the economy and “national markets”, in other words, of a capitalism based on the state. The English and French revolutions showed clearly that national States played a decisive role in the rise of the new bourgeois classes and of national capitalism, and vis-à-vis both the old noble classes in decline and the rise of the new working classes. At the same time States participated very actively in two key aspects of the construction of capitalisms and national markets; namely: 1) processes of colonisation and 2) diplomatic (treaties) and military (wars) support for foreign trade, always within an international context of permanent competition in the State system.

States created markets, and not vice versa. The industrial revolution in England, for example, was facilitated by the systematic intervention of the State in the protection of contracts and of property rights, which resulted in more efficient organisation and insurance of markets. Specifically, it was especially in the regulation of property rights by the British State and not the *laissez-faire* of the free play of markets which was the decisive factor that reduced transaction costs and with them the economies of scale, creating from above more integrated markets and higher levels of specialisation and productivity (North, 1981). In turn, the sovereign Parliament acted as a crucial guarantor of rights and freedoms which facilitated the entry of new elites, more dynamic and with innovative ideas (Mokyr, 2009).

These kinds of processes led in turn to the gradual creation of *regulating States*, with increasing intervention in the productive economy, commerce, infrastructures, legislation and international commercial, political, industrial expansion, etc. in a scenario of commercial competition and wars. Wars that demanded resources, the creation of well armed and supplied armies, new and costly weaponry, tax collection, the development of bureaucracies and, finally, large-scale heavy industrial production. With the passage of time, during the transition from the 19th to the 20th century, and with the support of the State, national capitalisms were transformed via processes of concentration, centralisation, monopolisation and international expansion via commerce, financial capital, export of capital, formation of multinational groups and, this should never be forgotten, colonialism. All of this increased competition between national and foreign capitals, encouraged protectionist measures on the part of States and stimulated the internationalisation of financial capital, always at the service of national capitalism regulated by each State. Thus was born a capitalism of a clearly state and national stamp, but which was coordinated and competed internationally. Even when States participated in international cartels, they did so in order to protect their own interests and maintain control of national capital. This State regulating national capitalism found its maximum expression in the 1930s with Keynesianism. However, the Project of national capitalism regulated by and from each State required, in turn, reinforced democratic legitimacy, free of internal conflicts and the backing of consumers and workers, which resulted in new concessions of rights, higher salaries and inducement of mass consumption.

In short, state regulation is crucial to the understanding of national economy. The poverty or wealth of States does not depend on culture (Catholicism or Protestantism, for instance) or on geography (North or South), but, above all, on the design and function of state institutions. Thus, economic development is the consequence of technological and productive advances, which, in turn, require the existence of inclusive *political institutions*, that is to say, which are centralised, pluralist and open and permit the access of new social sectors with innovative ideas. Otherwise, where extractive state institutions prevail—which concentrate power in a small elite and establish few limits upon the exercise of that

power-the elites deprive the rest of society of the vast majority of resources, maintain unacceptable levels of inequality, erect barriers to change and modernisation and restrict novelty and progress. This role of breaking down barriers to innovation and growth, via new open, pluralist and competitive institutional designs is the most significant medium-term consequence of revolutions such as those that occurred in France and England (Acemoglu & Robinson, 2012).

Only at the end of the 19th century did the working classes in the more developed countries begin to fight in organised fashion and attain certain political (universal suffrage, assembly, demonstration etc.) and social rights (strike, limited working hours and improved working conditions). The concentration of capital encourages the organisation of workers into parties and trade unions and increases, in this way, their capacity to exert pressure upon States and the ruling classes in order to attain social improvements. Nonetheless, just as occurred with the process of democratisation of States, neither did the appearance of Welfare States result endogenously from a linear evolution of States, but as a consequence of the class struggle between capital and work and political organisation and mobilisation of workers. In fact, the State did not create from above, generally speaking, the instruments of social insurance, its initial role consisted more in assuming, via different institutional channels and institutional, the systems of insurance arising from those conflicts and negotiations between capital and work, rendering them obligatory (Del Pino & Rubio, 2016). In continental Europe (Germany, France, Belgium, Netherlands) and unlike the in the United States, where market solutions were adopted to establish national insurance systems, mutual social security companies were created, protected and extended by the State, but retaining their relative autonomy. In the United Kingdom and the Nordic countries, meanwhile, what would be developed was a state model of protection and universal insurance for workers.

Furthermore, social rights and social citizenship, constitutive elements of the Welfare State, are inseparable, in their genesis, from the processes, autonomous and overlapping, of democratisation and guarantee of political rights, of consolidation and development of a national capitalism (growth in public spending that is compatible with economic growth), as well as the nationalisation of States, and therefore arise from a certain logic of demercantilisation of the civic condition. This complex logic which superimposes processes of welfare, democratisation, nationalisation and construction of a national capitalism, presents a wide variety in time and substantial differences between different countries. In this sense *three worlds of Welfare state*: have been identified 1) *liberal*: where administration of welfare is effected *from the market and which promotes low levels of benefits and insurance*; 2) *corporatist* (Bismarckian or continental): where insurance institutions are protected by the State, but which retains a high degree of autonomy in the management of programmes, de-commercialisation is average and benefits are high, but very unequal; and 3) *social democratic*: with a high level of de-commercialisation and universality which provides a high level of benefits and reveals an important egalitarian component (Esping-Andersen,

1990).

In this manner, in the 1970s and 1980s the States of Germany, France, Austria; Belgium and the Netherlands were configured as Welfare States characterised by : 1) obligatory nature and generalisation of insurance (retirement, health and accidents at work, unemployment benefit), based on contributions proceeding from salaries; 2) access to the system via contributions proceeding from salaries; 3) financing of the latter via social contributions; 4) cash benefits; 5) corporative bureaucratic structures with participation by the State and social agents; 6) average level of de-commercialisation; and 7) high levels of inequality between *insiders* (skilled workers, civil servants) and *outsiders* (women, young people, unskilled workers, immigrants).

In the process of creation of Welfare States and their diversity a key factor is to be found in the very diverse institutional materiality of the State, which restricts the range of possibilities of action available to political parties and the elites. Thus, the extension of Welfare States in different countries does not depend so much on culture or political preferences as on the institutional structure of decision-making: neo-corporatist in Sweden or pluralist, in the USA, for example (Steinmo, 1993). But at the same time preferences, beliefs and ideas are often endogenous and not exogenous to institutions, in other words, they are learnt, they are transmitted, but are also disputed, whenever actors not only reproduce institutions, but also modify them. States not only change as a result of external shocks (international economic crises, wars), but via endogenous processes of evolution, adaptation and conflict (Steinmo, 2010). Also, the fact that health care in some countries is administered via a national and centralised system, whilst others opt for decentralised and fragmented insurance systems, is explained by the presence in each country of powers of veto that made it necessary to negotiate with interests groups. The rules of the game—specific for health policy and general for the political system as a whole—encouraged different political strategies for the actors involved, which led to divergent results (Immergut, 1992).

Finally, as I commented earlier, the logic of States is at the same time both national and international, as all of them interact within a system of States. On the one hand, during the 19th century and until well into the 20th (the 1980s), there was a gradual intensification of the processes of colonialisation, of growth in foreign trade, of internationalisation and of financialisation of the economy; on the other, the prevailing logic was not of globalisation but of nationalisation in the strictest sense. And it was this wave of nationalisation, promoted by States, which led to the increase in State nationalisms, a competing world logic between entre capitalisms and national States, which led to an escalation of confrontation between States and, finally, two so-called World Wars.

Even in the post-war period and until the 1980s we find a logic that, although it anticipates some processes of the subsequent globalisation, remains however a legacy of the system of de competition/coordination between States and national capitalisms. Breton Woods and the creation of the FMI and the World Bank, constitute, in this sense, not the start of a new denationalising global logic of

openness to markets, but the final stage of international coordination between States and national capitals. This system combined four fundamental characteristics: 1) un gran protagonismo fiscal, rising public spending and a decisive regulatory role of States (state control of stock markets and protection of the national financial system from international fluctuations); 2) control and supervision of exchange rates and international movements of capital and internal economic management aimed at protecting the national economy and, above all, full employment in each country in spite of international upheavals. In other words, States participate on the international multilateral stage but in order to protect their national economies; 3) the creation and reinforcement of a multilateral system that is established by maintaining and even strengthening public administration of the economy, via reform but not dismantling of the Welfare State and regulation of finance capital and banking; 4) the protagonism of the world economic power of the USA, via the dollarization of the world economy, which translates into a process of “Americanisation” more than true globalisation (Sasoon 2006). In short, the increasing hegemony of financial should not cause us to forget that the international economic system of the Breton Woods era is essentially controlled by States and is, therefore, very different from the neo-liberal globalisation of the 1980s, a consequence, as we shall now see, of very different parameters.

5. Neoliberal Statism

From the strategic and relational perspective that I have been employing—in which each State constitutes a crystallisation of forces, a conflictive and disputed set of varied legacies of political culture, institutional structures and public policies, which articulate in a specific manner diverse regimes of democracy and welfare—various questions are posed when it comes to explaining the degree to which the processes of 21st-century globalisation and their crises affect the State itself. For, after all, each specific State is responsible for, in the absence of a coercive international order, the historical failures and achievements in processes of democratisation and welfare. As we have seen, in the institutional materiality of each and every State are to be found the successful hegemonic projects and the concessions obtained via the struggles for freedom, democracy and welfare. Have the functions of the State been eroded by the processes of privatisation, deregulation, mercantilisation and dependence upon the flow of international financial capital, to the point of losing its place on the political scenario, par excellence, of conflicts over democracy and equality? Are States inexorably subject to the logic and the politics dictated by international capital? Should we replace, then, the very notion of State with that of “Empire” (Negri & Hardt, 2001), or that of Law with “Global law without a State” (Teubner, 1997).

Diverse studies refute, with varying nuances, the loss of the strategic and functional character of States, and underline their centrality and capacity to adapt to the new context of globalisation (Robinson, 2004; Slaughter, 2004; Sassen, 2006; Steinmo, 2010; Jessop, 2016). In this respect I must insist, briefly, on two previ-

ous aspects that are decisive in the evaluation of the new role of States in today's world: 1) globalisation constitutes neither an entirely new (States were always inside the world market), nor unitary, universal and homogenous logic (this is an uneven, contingent, irregular and multiform process). The consequence of ignoring this spatial complexity and this continuity/discontinuity in time is that processes of globalisation are misinterpreted as a deceptive zero-sum game: what "markets" gain, "States" lose; 2) contrary to the popular thesis of "convergence" (of the neo-liberal levelling down of welfare in every country) we should recall that globalisation is processed in adaptative fashion in a very different way by different States, depending on their institutional legacies and public policies, on their political culture, on the correlation of forces and the different coalitions of parties which govern them.

Having clarified the above, let me synthesise some key aspects of the effect of globalisation upon regulatory and welfare States in the 20th century XX: 1) economic interdependence and the formation of global systems are implemented, on many occasions, *from the States themselves*. Certainly, the State system no longer operates with the same prominence or the autonomy as prior to the 1980s, and processes de deterritorialisation (not "denationalisation") have been accentuated. But the national and the global are not mutually exclusive dimensions: the global market requires national actions and policies. It is States which facilitate and participate in diverse fashion in the genesis of global markets and in the smooth functioning of multinational companies. In short, globalisation constitutes a process that is largely endogenous to the national State (Sassen, 2006); 2) state adaptation to globalisation, via the (very different in each country) processes of mercantilisation, deregulation and privatisation, generates changes in terms of the internal redistribution of political power (division of powers) in the state sphere: executive power clearly prevails over, generally speaking, legislative (and judicial) power. More than in terms of simple loss of state power, therefore, the changes should be analysed as a deterioration of the democratic and representative quality of States (Aman, 2004; Mair, 2013; Urbinati, 2014); 3) there is something more than mere deregulation in neo-liberal structural reforms: the endogenous processes of States involve, then, an expansion of the private sphere at the expense of the public sphere, not only in terms of expansion of the private sphere at the expense of the public, and the fact that the markets perform functions that previously corresponded to the public sector (mercantilisation of public functions), but also the gradual insertion of private interests into the sphere of public policies. The markets undergo an expansion of the goods and services they regulate (and therefore subject to the logic of short-term profit, to inequality and to neglect of "external diseconomies"), and invade functions that corresponded to the public sector and its democratic criteria of *accountability*. The regulatory and Welfare State becomes, not only for global reasons but also for inherently endogenous ones, an *efficient* and competitive *State* "the markets", in such a way that the logic of the global capital market is installed in the very nucleus of statehood. This involves the erosion not

of the “power of the State”, not even only of “the Welfare State”, but of something even more basic, the minimum preconditions necessary for the normal functioning of democracy: limitation of inequality, citizenship in the fullest sense, undistorted information etc. (Brown, 2015).

Ultimately, the State, or rather, States, are very resilient and continue to play a fundamental political role in globalisation. Even in their dimension as Welfare States they are resistant to policies of cut-backs, privatisation and dismantling. Neither the undoubted decline of their electoral support (the organised and skilled working class), nor the intensive neo-liberal “structural reforms” which, of course, have brought about very significant changes, have resulted in a pure and simple liquidation, accelerated and unstoppable, of the social capital of public policies and institutional arrangements of regulation and welfare. Neither has this occurred in uniform or homogenous manner in different countries. Path dependence and legal and institutional legacies have led citizens and organisations previously adapted to regulatory arrangements, have made huge investments in human, institutional and financial capital which make the costs of change prohibitive or, in any case, higher than the costs of relative continuity (Pierson, 1994).

Welfare States have demonstrated a very unequal, adaptative and self-transforming capacity, and their trajectory has depended, in each particular case, on the specific correlation of forces, the profile of political hegemony and the successes or failures of popular struggles. The state sphere retains a key scenario function precisely because it is transformed internally to locate itself at the fulcrum of a new distribution of sub- and supra-national powers, playing an irreplaceable role for the extended reproduction of capital. The decline in the demands for sovereignty (always ideal, let us not forget) and the increasing domination of the logic of financial capital, should not be extrapolated in the thesis of an entirely global society in which States, as opposed to a supposed “Golden Age” which never existed, play a decadent and peripheral role.

The existence of powerful trends of inequality in neo-liberal States in no way implies a homogenisation or convergence of capitalism on a global scale which reduces or renders irrelevant the differences between countries. In fact, the homogenising tendency of markets is countered by the counter-trend of “politics as a source of diversity” and the political parties and their dominant coalitions continue to campaign and govern in each country with alternative policies and programmes, with very different results. The problem of today’s societies is that structural class changes result in citizens expressing more complex and differentiated preferences, which underlines the autonomy of politics and the processes of production of preferences, identities and actors in each State. Moreover, the political space of contemporary capitalism is two-dimensional, with one well-known axis which revolves around greater or lesser state regulation of the economy, and another, less familiar, but which has proved to be very significant for the dimension of democracy and welfare, referring to the balance between public politics oriented towards consumption or towards mid- and long-term

investment, which affect different social classes in very diverse fashion (Bera-mendi, Häusermann, Kitschelt, & Kriesi, 2015).

The result of public policies arising from the current consensus regarding “structural reforms” consists not only in the slimming down of the public or the strengthening of mercantilisation, but in the alteration of the political balance and of the correlation of forces. The decline of trade unions, as a consequence of the crisis, constitutes a key element of the process. Indeed, the unions, as well as their economic role of counterweight in the regulation of the work market (salaries, working conditions) play a fundamental political role in the creation of other actors, such as the Labour and Social Democratic parties, which, in turn, influenced at the time the State’s pre-distributive and redistributive political policies on Welfare, in confrontation with the demands of capital. This is why policies that restrict or eliminate the capacity of unions to achieve decent salaries for workers not only generate a further transfer of income from workers to capital, but indirectly reduce union activity, weaken decisive actors for the working class and alter the political relationship of forces in favour of the dominant elites. In short, the hegemonic strategies and policies of privatisation in the crisis affect the distribution of political power within States, strengthening the dominion of oligarchies, which, in turn, push for new deregulation and privatisation.

The new neo-liberal global context has revealed that traditional State Welfare policies result now, with emergence of precarious employment, in special attention to sectors with stable employment (*insiders*), and the marginalisation of those others in a precarious situation (part-time or temporary employment) or unemployed (*outsiders*). The consequence of which is, in fact, the adoption of less egalitarian public policies and the abandonment of growing sectors of the electorate available for other partisan options (anti-political, exclusive nationalisms, xenophobic far-right etc.). The work market dualism between *insiders* and *outsiders* has important consequences for public welfare policies. indeed, this dualism not only involves a bifurcation that excludes broad sectors, but questions the prevailing policies in many contemporary States of protection *ex ante*, which, benefitting the more privileged sectors in the work market, lead to policies oriented towards consumption and facilitate the capture of income in the public sector. On the contrary, compensation *ex post* are crucial to avoid the exclusive effect and the generation of inequality of opportunities in Access to the work market and to encourage policies oriented towards investment and innovation and the political coalitions that promote them (Rueda, 2007).

The tension and variation between countries in processes of conversion to state and globalisation may be analysed as a set of trends and counter-trends (Jessop, 2016); among the most relevant we can list: 1) the denationalisation of the State and the delegation of powers towards supranational and subnational entities are countered by a reaction by States to control the multiscale dynamic and even the emergence and reinforcement of new nationalisms of the State or against the State; 2) the increasing trend towards consensual governance and the privatisation of whole areas of government is opposed by the growing presence

of coordination, intervention and new leadership on the part of States; 3) in response to the gradual internationalisation of public policies, the creation of alliances and new international regimes in defence of the interests of major powers and their allies.

I have already mentioned the fact that the process of globalisation has involved not only relative deterritorialisation, mercantilisation and prevalence of the executive over the executive. Moreover, a strategic and relational vision of the State requires attention to the changes in the relations of power and crisis democratic and representative legitimacy of States. In this sense, to the axes of institutions and actors that underpin Welfare states: 1) The regulatory State and its representative and redistributive mechanisms, 2) citizens as working classes in the broad sense, civil servants, pensioners etc. Represented by parties and unions; to this should be added the emergence of a new power in pursuit of hegemony: 3) the new constellation of national and international actors in financial markets. The decline of unions, of neo-corporatist agreements, of electoral participation and the offensive in favour of a new consensus in neo-liberal reforms (deregulation, privatisation), do not take the form of a natural evolution of the cycles of the capitalist economy, but as the result of the *strategy* of the powerful actor that is financial capital, which alters, in a different manner in each State, the terms of the traditional capital/work dialectic. A constellation of companies, various investment trust funds, etc. Drive a coordinated offensive -economic, political and ideological- of privatisation and deregulation of the economy on a global scale. A strategy that, incidentally, met with uneven resistance in each country from traditional actors like unions and social democratic parties (Streeck, 2014).

All this has resulted in changes not only in the economic policies and the institutional arrangements of Welfare, but in the very fabric of the social and organisational capital of civil society, with the consequent decline in civic and trade union associations and the emergence and reinforcement of very powerful interest groups (Skocpol 2003). This strategy should be addressed in terms of both its objectives-austerity, dismantling, deregulation, privatisation-and the political channels it serves, as it is exercised not only via votes and the dominant political parties, but, also, via the invisible mechanism of pressure groups and their influence beyond electoral politics, a politics of genuine “organised combat” as is shown by the enormous increase in the sums of money spent on *lobbying* in the USA (Hacker & Pierson, 2010) and in the European Union. Organised groups possess a growing capacity to mobilise economic, communicative and intellectual resources, and to coordinate in an effective manner their action at multiple levels, both state and international. In this way the State of (public) law gradually becomes a State of private law.

However, as we have seen, politics matters and, in each specific State, the different parties continue to provide a non-convergent panorama from the ideological point of view of alternative programmes for electors, so the explicative model of the ongoing changes should be directed more towards reflecting the

realignment and restructuring of the system of competition than a supposed cartelisation and generalised dealignment (Thelen, 2014).

Ultimately, neo-liberal globalisation plays a decisive role not only in eliminating the State, following libertarian guidelines, but in reformulating and restructuring it anti-democratically, reducing the perimeter of citizenship and rights. This is the problem we face today: by no means are we witnessing a linear process of deregulation, on the contrary, in the 2000s this was confirmed by the centrality of States in global capitalism and there appeared a new perspective of *neo regulation* by other means, focussed on the obsession with competitiveness and security. As a result neo-liberalism moves inexorably away from the conservative anarchist ethos of *libertarianism* (Plant, 2010). The State has gone from being the *objective* of the neo-liberal offensive to being a key actor (Panitch & Gindin, 2013), the *instrument* of this offensive of extension of deregulated markets, of privatisation of the public sector and cutbacks in rights and citizenship. This new and for some unthinkable neo-liberal statism (“liberal newelfarism”, “liberal neoestatism”), seeks both to impose internally, via public policies and political and administrative reforms, the prevailing vision of austerity and privatisation; and externally the defence of the interests of national capital in the international sphere (Schmidt & Thatcher, 2013).

6. Conclusion

In conclusion, we could say, using Mark Twain’s famous quote, that the report about the death of the State in the globalization context “was an exaggeration”. Contrary to the hastily drawn-up death certificates, arising from an incorrect premodern extension of its origins, everything explained in this article returns the State and State systems to their place at the centre of the political stage, albeit increasingly degraded, where political struggles take place that are crucial for democracy and equality in our age. Sovereignty was always a claim, a *desiderata* not an empirical fact. The State is not immortal as *Le Roi Soleil* dreamed of being, but it is still very resilient, adaptative and functional for neo-liberal capitalism. In order to understand the evolution of the State in the Global era, statist, imperial cosmopolitan or “Stack” visions are not appropriate, neither empirically nor legally. Indeed, in the first place, in a world of fragmented and shared sovereignties, a theory of State (and of Nation) that maintains the monist and theological-political tenets of sovereignism is an insane anachronism (Cohen, 2012). Secondly, the normative/empirical theory that postulates the appearance of a new form of postmodern domination, the *Empire*, different from the classic Imperialism of States, is premature and inaccurate, even as a mere trend. Neither does there exist a single power, a system of domination on a global scale that renders States irrelevant, nor a deterritorialised and atemporal power structure which has neither capital nor strategic centre. Nor do we live in a permanent State of exception, under a form of domination that moves from the disciplinary society to the society of total control as the result of an immanent historical necessity (Negri & Hardt, 2001). Thirdly, the theory of *transnational governance*

and the *multilevel cosmopolitanism* that legally requires, in turn, a cosmopolitan constitution (Held, 2010), is not appropriate in order to explain the ongoing processes within the system of neo-liberal deregulated and de-democratised States, not in spite of, but via their own governments and “structural reforms”. Finally, it seems hardly plausible the hypothesis that *The Stack*, the world of global digital networks and platforms could create a ubiquitous and vertical “Nomos of the Cloud” withering away the key political role of the states (Bratton, 2015).

Rather than the chimerical classical sovereignist statism and the excessively hasty postmodern diagnosis of the generalised vanishing of the State, a historical neo-institutionalist (Steinmo, 2010; Schmidt & Thatcher, 2013; Thelen, 2014) and, at the same time, strategic and relational vision (Poulantzas, 1978; Jessop, 2016), which addresses the struggles for democracy and equality, integrated within the changing adaptative institutional materiality of the neo-liberal system of States and its resilience, is a more plausible explanatory alternative to give an account of the structures and actors present in the economic and socio-ecological crisis, and of the new emerging national and international conflicts in today’s world.

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