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# The Paradox of Power in Conflict Dynamics

Daniel Rothbart
*School for Conflict Analysis and Resolution, George Mason University*, drothbar@gmu.edu

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## Abstract

In recent decades the political state has been implicated in genocide, mass violence, political oppression, and targeted deprivations. Yet, in the field of conflict analysis, the meaning of state "power over" in conflict settings is under-theorized. In this article I probe the conceptual depths of state power to show that such power is neither singular nor simple. It's neither ahistorical nor asocial. Beneath the surface of the state's wide-ranging practices of governing its political subjects is a fundamental paradox that juxtaposes the state's authority as the rightful authority over its subjects against the state's vulnerability to potentially de-stabilizing threats to such authority. Critical to the meaning of state power, this paradox is revealed in an entanglement of contrary forces of state legitimation and its de-legitimation by threatening forces. Such an entanglement is illustrated in the state's power to protect the nation from aggressors, to enact laws, and to manage its political subjects. The paradox implies that state power is fundamentally conflictual and, as a result, suited perfectly for analysis by scholar-practitioners in our field.

## Author Bio(s)

Daniel Rothbart is professor of conflict analysis and resolution at the Jimmy and Rosalynn Carter School for Peace and Conflict Resolution, George Mason University. He specializes in prevention of mass violence, ethnic conflicts, power and conflict, the ethics of conflict resolution, civilians in war and the psycho-politics of conflict. He currently serves as co-director of the Program on Prevention of Mass Violence. Professor Rothbart's academic writings include more than fifty articles and chapters in scholarly journals and books. Among his ten authored or edited books, his recent publications include the following books: *State Domination and the Psycho-Politics of Conflict* (2019);*Systemic Humiliation in America: Fighting for Dignity within systems of Degradation* (2018). He is currently exploring the intersection of power, psychology and conflict. Professor Rothbart received his Ph.D. in philosophy from Washington University, St. Louis, and taught in the department of philosophy at GMU. He also held positions as visiting research scholar at Linacre College, Oxford, University of Cambridge and Dartmouth College.

# The Paradox of Power in Conflict Dynamics

## Daniel Rothbart

Power is almost everywhere in protracted violent conflicts. The protagonists of such conflicts seek to impose their will on their adversaries, coercing them to accede to their wishes, needs or designs, whether rational or not. Such coercion constitutes power over their adversaries. Underpinning many conflicts are systems of structural violence that thrive on power inequities. The result of such inequities are various forms of direct violence in which the low power group experiences deprivation relative to the rights and privileges the high-power elites enjoy. In response to such inequalities, the underprivileged consolidate their power to generate collective resistance or rebellion.  Of course, one primary mission of peacebuilding is to induce the conflict protagonists to replace systems of inequality with more equitable systems, including sharing control of the channels of power.

Despite its centrality to protracted violent conflict, power has not received serious attention as a distinct topic. In conflict analysis, the theoretical underpinnings of power remain ill-defined; its various forms are conveyed indirectly through this-or-that modes of behavior and its uniqueness as a critical topic of analysis is under appreciated. All of which stand in contrast to the theoretical depth given to the categories of conflict, violence, and conflict resolution. To be sure, a few conflict analysts have showcased the centrality of power in conflict resolution. They include Kevin Avruch (2012), Peter Coleman (2006), and Karina Korostelina (2014). Yet, for a vast majority of conflict analysts, power falls outside their field, leaving its theoretical underpinnings to other social scientific fields, such as international relations. In my opinion, this dislocation outside of conflict inquiry is mistaken.

In this paper, I examine one critical element of power—its meaning. In particular, what exactly is the meaning of state power in the context of state-orchestrated structural violence? I argue that such meaning is neither self-evident nor politically neutral; it's neither transparent nor ahistorical. My focus centers on power's deep meaning. I argue that such meaning reveals a fundamental paradox of the state's affirmation and negation in various forms of political life.[1] The paradox consists in the interaction of contrary fields of practices where the state's right to rule is juxtaposed against its vulnerability to attacks regarding such a right. On one side of the paradox is the state's legitimacy as rightful ruler, that is, its political authenticity to establish laws, policies, and punishments. With such legitimacy, state offices and officers are conferred with certain legal rights to impose their will on political subjects. In acting within its sovereign rule, the state tacitly reaffirms itself as the legitimate authority over its political subjects. With such practices, the political subjects cannot legally escape the reach of state authority, since the threat of physical violence looms over any violators. In countries ruled by kings, dictators, or tyrants, state authority takes on a religious quality that deifies the political leaders, adorns the nation's sacred sites, and glorifies in its heroes through renditions of valor. Public rituals showcasing state leaders constitute acts of political consecration, which are charged with social-political meaning regarding the rights and responsibilities of political subjects. Such rituals foster

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[1] The twentieth century philosopher Ludwig Wittgenstein distinguishes between a term's surface meaning and its deep meaning. While a term's surface meaning consists of the semantic similarities (family resemblances) across a wide range of the term's uses, its deep meaning is found in the patterns of social practices, that is the forms of life that give rise to the surface meaning. For example, on the surface "violence" resembles features across the many social contexts of its use. Underpinning such resemblances are the forms of life—its deep meaning—that include the aggressor's psychological state, the history of social relations between aggressor and target, and the social norms that underpin the violent behavior.

a groupthink that "our" nation's political doctrines are true, our history is glorious, our values are adorned by God, or our future is bright. With such ritual comes the sense of the citizen's primordial attachment to the state.

Lurking in the shadows of a state's right to rule is its fragility to potentially threatening political forces that challenge its legitimacy as the just governing authorities. Such fragility centers on the state's vulnerability to accusations of injustice, criminality, incompetence or recklessness. The state's legitimacy stands in opposition to its fragility; its fragility is in contrast to its legitimacy. The realms of the state's authority and its vulnerability comprise fields of political practice that both need and respond to the other for its existence. The state's power over its subjects operates in response to the possibility of resistance, disobedience, or rebellion. This is a fundamental paradox in state power, a paradox that runs deeper than any particular case of political rebellion against prevailing state rulers. I'm not rehearsing the obvious historical point that certain states under specific social-political conditions have experienced rebellion. My objective for this paper is conceptual, to broaden the understanding of state power beyond the simplistic notion of being an objectively real force devoid allegedly of social relationships. Power's meaning is paradoxical, in which the requirement for such legitimacy is entangled conceptually with the potential for its illegitimacy, which in turn reflects the push and pull of counter-veiling social-political processes. State power requires both its legitimacy as the rightful authority to dominate its political subjects and its potential for critiques of its illegitimacy.

This paradox is not limited to an historical struggle between bourgeoisie and proletariat classes, or between Western imperialist power and their former colonies. The paradox of state power is situated in a perennial struggle of contradictory political fields of practice. Each field operates in dialectical relations to its contrasting field in a perennial political tug of war, moving

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back and forth in relation to each other. Each field of political force tacitly presupposes the shadow presence of the other.

This paradox rests on understanding state power in its making, that is, in the social-political processes of its construction in and through patterns of practices. I invoke Pierre Bourdieu's notion of a field of practice, which consists of a constellation of practices that are determined by socially sanctioned norms such as the explicit rules of the organization, commands by an institution's director, and public principles that guide the institution's operations (Bourdieu & Wacquant, 1994). The field's participants, which Bourdieu likens to players of the game, are guided by regulative principles players internalize through repetition. Eventually, the field's principles become embodied in a player's habitus. Yet, players are not blindly obedient to a field's protocols; such a habitus calls for a player's interpretation, adjustment, and skill in the application of the field's norms (Bourdieu 1977, pp. 85-87, 433).

To explain the paradox of state power, I begin with an analysis of the legitimation of state power. This is followed by an application of such legitimation to three fields of power. Each field reveals a paradox in which the state's proclaimed legitimacy at the surface is juxtaposed against a political struggle over its right to rule. The first field of power centers on the wide-ranging systems of securitization. Such systems reveal an ideology resting on dualistic categories of "us" and "them;" "ally" and "enemy;" and "victory" and "defeat." The challenge comes from accusations of reckless over-reach in both domestic and foreign affairs. Such an ideology has been extended to certain governmental policies involving the control of migrants, both authorized and unauthorized, that seek shelter in the United States. Second, I probe the field of power associated with the enactment of laws of the land. Such practices include the symbolic power of sanctifying a certain classification system that advances certain categories, distinctions,

and political norms. The third field centers on the notion of government power of administration, management, and bureaucracy. Such a field comes with dangers of over-reach that Foucault captured in his notion of governmentality. Each field of practice is illustrated by a case study of immigration policies and practices of the United States.

## Legitimation of Power

Power is virtually axiomatic to the existence of a sovereign state.  Sometimes, such power is exercised with the use of brute force.  The sovereign state is the only legitimate authority of a political community to use brute force to enforce its law, prevent rebellion and promote national security.  Of course, the full meaning of state power goes far beyond this use of force. Its meaning is neither simple nor innocuous.  For classical realists in international relations, power consists of a capacity to rule, govern, sway, control, influence or dominate others; state power locates such a capacity in various institutional—or systemic—units of control. While the system of sovereign states in Europe took shape in the Peace of Westphalia in 1648, the writings of influential political thinkers had a significant impact on subsequent political leaders. The political subjects within a territory establish their political identity through their relationship to the sovereign state. For Machiavelli, the rationale for the sovereign's rule was not natural law, canon law or divine rule; the prince must protect them from outside invaders and internal troublemakers. For Hobbes, sovereign authority is guaranteed through a tacit contract which gives the Leviathan supremacy over its political subjects, who are obligated to obey. Of course, with modern democratic governments, state sovereignty underpins the rule of law over its political subjects.

The history of the sovereign state is inseparable from a history of radical critiques of its legitimacy.  For example, before Karl Marx railed against the capitalist states operating as self-

sanctified committees of the insidious bourgeoisie, Jean-Jacques Rousseau exposed the French aristocracy as crafting an enormous scam to manipulate the workers' minds and bodies. And before the New Left of the 20th century revealed how state-sponsored systems seek to convert society to stultifying regimentation, Antonio Gramsci warned how the state advances the interests of the ruling class by creating "an iron cage" of oppression of the general population. In the field of conflict analysis, Johan Galtung warns against the state support campaigns of structural violence that is rationalized by ideological notions of supremacy based on being chosen by God, racially pure, culturally elite, or nationally exceptional.

Aside from these radical critiques of the modern state, I believe that the realist conception of state power fails to account for the social relations that underpin state power. Such a conception exhibits a ready-made quality, in which power is stripped of the social relations implicated in relations of power. In realist view, power is objective and measurable, like a commodity that can be possessed, transferred, enhanced, or diminished. Power is an objective thing that flows from its source through a channel to a target. Power is a capacity that does not require being exercised at a particular time. Just as a king retains his power while sleeping on his throne, so governmental agencies retain power over their subjects without necessarily committing certain actions. Power is observable directly when its force is exercised.

In his critique of this objectivist notion of state power, Max Weber (1978) argues that the state's domination over its subjects includes the need to justify itself; the modern state requires cultivation among its political subjects of its legitimacy (p. 213). If the modern state is to survive without the continued use of brute force against its citizens, then the state must foster belief of its rightful rule among those who govern and those who are governed. The state's capacity to promote order, garner obedience, foster participation in certain governmental focuses,

and punish criminals, rests on such a belief.  For states governed by democratic principles, the electorate must have faith in the legitimacy of government in order to participate freely in the democratic processes.  Weber argues that for the modern state, belief among the political subjects is not sufficient for such legitimation.  Such legitimation consists in rational-legal rule, which in turn requires both a belief in the state's right to rule over its citizens and the potential to justify rationally such rule (Weber, 1978, p. 217).  For example, belief in the rightful rule of a state-run bureaucracy must be supplemented by the duty to respond with rational arguments to questions and criticisms by political subjects.  Government officials must show that the bureaucracy in question operates without regard to whim, sentiment or bias on the part of the bureaucrats.

Weber's conception of rational-legal legitimation has been criticized for its alleged failure to ground legitimation on normative judgments, that is, a failure to permit judgments regarding whether a state meets the standards of critical political values, such as freedom and equality (Beecham 2013, p. 8).[2]  Jürgen Habermas offers an advancement of Weber's notion of rational-legal legitimation. For Habermas, such a notion requires both a belief in the state's rightful rule and the cultivation of rational deliberation over the selection and implementation of political values. Habermas advances a notion of legitimation that rests on the need for the state to foster rational deliberation regarding the selection and fulfillment of recognized political norms. He writes:

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[2] According to Robert Grafstein, belief in a state's rightful rule must be subject to normative critiques based on the "correctness of its procedures, justification for its decisions, and fairness with which it treats its subjects" (Grafstein, 1981, p. 456).

If binding decision are legitimate, that is, if they can be made independently of the concrete exercise of force and of the manifest threat of sanctions, and can be regularly implemented even against the interests of those affect, then they must be considered as the fulfill of recognized norms. This unconstrained normative validity is based on the supposition that the norm could, if necessary, be justified and defended against critique. (Habermas, 1975, p. 101)

He goes on to argue that the modern democratic state is experiencing an identity crisis regarding its failure to garner mass loyalty among its subjects (Habermas, 1975, p. 46).

In summary, state power requires legitimation of its authority to rule over its citizens. And yet, such legitimation is included in the paradox of such power.

## Power as Securitization

For classical realists in international relations, potential threats from invaders and rebels establish the state's primary mission. The state's right to rule comes with the responsibility to protect the nation from enemies abroad and traitors at home. Invoking images of Hobbes' *Leviathan*, classical realists advance a securitization logic that gives strategic primacy to the survival needs in the face of threats of physical violence. The greatest fear comes from the risk of violence by strangers, whether they are enemies at the gates or criminals in the streets. The sovereign leader is entrusted with the responsibility of protecting the community or nation in exchange for certain sacrifices by the political subjects (Simmons, 2020, pp. 35-75). Political leaders from ancient Rome to present-day Russia have invoked this logic. Driven by a belief in a natural instinct towards aggression, classical realists are pessimistic about the prospects of

international peace.[3] The state must display a strong military presence to guard against such natural drives, preparing for enemies at the gate and rabble-rousers in the streets. The demands for national security come with a strategy for deterrence of enemy attack: to ensure peace and be prepared for war.[4]

A securitization logic comes with the notion that security is the jurisdiction of professionals, such as military strategists, tacticians, intelligence officers, commanders, and soldiers. Among these professionals are those political leaders who render decisions about war and peace, presumably on rational grounds. For classical realists, rationality is a critical requirement for such decisions and based on cost-benefit calculations of probabilities in a zero-sum game (Mesquita, 1981). However, a growing body of literature reveals the impact of arational or irrational factors on such decision makers. Many decisions by political leaders to engage in interstate aggression are driven by parochial domestic politics, narrowly focused ideology, the leader's social-psychological state, or their partisan ethnic biases (Lebow 2010, p. 53). Given the many cases of irrational decision-making on matters of war and peace, some critics question the value of rationalistic models as failing to explain or accurately predict the outbreak of many wars (Lebow 2010, p. 45).

For example, consider the following two elementary questions about the so-called "War on Terrorism" the United States carried out: "Who is the enemy?" and "Who is the U.S. military seeking to protect?" While the 9/11 militants that attacked buildings in New York like the Twin Towers were identified as Al Qaeda members U.S. President George W. Bush expanded the

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[3] For an excellent analysis of the so-called natural instinct towards aggression as a basis of violent conflict, see Christopher Mitchell's *The Nature of Intractable Conflict* (Mitchell, 2014, pp. 23-44).

[4] Some realists recognize that the securitization strategy for deterrence tends to promote interstate aggression by driving state leaders to expand levels of military armament, which in turn tends to increase the likelihood of war (Little 2007, pp. 100-124).

enemy category to include anyone who offered support to international terrorists. He declared that nations of the world were either enemies or allies of such a war. With this stark duality, the right of self-defense includes the justified attacks on "any person, organization or government that supports, protects or harbors terrorists" (Rubenstein 2012, pp. 43-44). This set in place the logic of a global crusade. As the troops are stationed abroad, they are vulnerable to threats in their forward positions, which in turn require additional troops to protect them, and so on. With this ever-expanding military commitment, the distinction between legitimate self-defense and unwarranted aggression becomes murky at best. And the meaning of such defensive action—as the exercise of military power—is charged with normativity and ideological influences.

With this expansive notion of the enemy comes a precarious political status assigned to civilian noncombatants living in the enemy nation. At most they play a secondary role in a military campaign. Warfare is not theirs to win or lose. Neither friend nor foe, civilians are cast as collateral objects to war's primary agents. Invading soldiers often perceive them as nuisances, interfering objects, or frictions to war's machine. During war, civilians live politically in a liminal state as neither pure citizens nor pure aliens (Rothbart & Korostelina 2011, pp. 28-43). Their fatality constitutes war's cost, which is often rationalized as necessary, acceptable, unavoidable, unintentional, and occasionally terrible. Such perceptions of civilians as objects reflect their character nullification as they are objectified as impediments to war's primary agents.

**Case Study: Securitization of Immigration Policy**

Since 2016, the United States has witnessed an extension of securitization to its domestic affairs. For example, consider the political rhetoric over the policies and practices concerning the flow of immigration into the US. In particular, President Donald Trump's actions to limit such a

flow is driven in part by the narrative that immigrants from the southern border represent a

national security threat (Reilly, 2016). Before he ascended to the presidency, many other political

figures castigated immigrants as inherently dangerous to native-born Americans. The stigma of

migrants as dangerous invaders was intensified through stories of their distribution of illegal

drugs, acts of murder and rape. Horrific images of "hordes" of criminals laying siege at the

Mexican border seemed to illustrate their existential threat to the nation. Political candidates,

such as Senator Ted Cruz (Cruz, 2017), Congresswoman Michele Bachman, and Congressman

Steve King railed against their alleged crimes, recounting episodes of sexual violence, gangland

murders, and drug smuggling.

Securitization defines the work of the two U.S. immigration agencies within the

Department of Homeland Security: Immigration and Customs Enforcement (ICE) and Customs

and Border Patrol (CBP). As their names indicate, both agencies establish national security as

their primary mission, developing strategies needed presumably to ward off threats to the

homeland. From its website, ICE identifies the objective of its enforcement and removal

operations (ERO) as follows:

> The ERO directorate upholds U.S. immigration law at, within, and beyond U.S. borders.
>
> ERO's work is critical to the enforcement of immigration law against those who present a
>
> danger to national security, are a threat to public safety, or who otherwise undermine the
>
> integrity of the American immigration system. (U.S. Immigration and Customs
>
> Enforcement, n.d.)

With such a rationale, ICE has established itself as a law enforcement agency. Former acting

Director Thomas Homan echoed the securitization of immigration policy during his 2016

testimony to the Homeland Security Subcommittee of the U.S. Congress:

You should look over your shoulder, and you need to be worried . . . Most of the criminal

aliens we find in the interior of the United States, they entered as a non-criminal. If we

wait for them to violate yet another law against a citizen of this country, then it's too late.

We shouldn't wait for them to become a criminal. (Foley, 2017)

ICE's law enforcement status is illustrated in a formal partnership known as ICE directive 287

(g) (U.S. Immigration and Customs Enforcement, n.d.) between ICE and local, state, and federal

law enforcement agencies. This directive requires criminal justice officials to provide ICE

officials with critical information about the whereabouts of unauthorized immigrants.

Do immigrants actually represent a security threat? The evidence to the contrary is quite

clear. While some immigrants—authorized and unauthorized—do violate criminal law, native-

born men have a higher rate of imprisonment for violation of criminal law than immigrant men.

According to a U.S. CBP report in 2008, the actual number of MS-13 gang members crossing the

border illegally represents a tiny percentage (only 0.0075%) of the total number of migrants

known to enter the country illegally. For immigrants residing in the US, the rate of incarceration

is lower than native-born residents. In 2014, unauthorized immigrants were incarcerated 44

percent below native-born citizens (Landgrave & Nowrasteh, 2017). This is consistent with the

American Immigration Council's 2010 study of incarcerated 18 to 39-year-old men. Of these

men, 1.6 percent were immigrants, while 3.3 percent were native born.

**Power as the Enactment of Law**

Every sovereign state is responsible for the enactment of the nation's laws. With such

responsibility is the power to compel its political subjects to comply with such laws.

Underpinning its legitimacy is the ever-present threat of physical violence looming in the

background.[5] For example, constitutional governments are authorized to establish legislative rulings through its compliance with the rule of law. In the United States, federal officials are required to take an oath of obedience to the U.S. Constitution and not to any particular office holder. Of course, the system of checks and balances is designed to forestall abuses of powers, where one governmental branch acquires excessive controls over the nation. All of which presupposes that the political subjects accede to this particular form of governance and the nation's future rests in the hands of those who are mandated to govern political subjects under the law.[6]

Yet, the state's power to enact a law *in its making* is neither self-evident nor politically innocuous. Beneath the surface of legislative practices are contestations, conflicts, and controversies. More deeply, the state's capacity to enact laws of the land operates in relation to its vulnerability for such enactment. This juxtaposition of the state's legitimacy and vulnerability reflects a perennial struggle of the contradictory fields of practice; such a struggle reflects an entanglement of the state's authoritative right to enact legislation with the threats from forces of resistance. As the state reaffirms its legitimacy in its legislative rulings, the historical trajectories of past political struggles are suppressed.

The paradox of the state's power to rule does not imply that such power is inherently violent. Nor does the paradox imply all states everywhere impose hardships through acts of omission or commission upon their political subjects. Unjustified violence is neither universal to,

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[5] Weber writes, "We have to say that a state is a human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory. The state is considered the sole source of the 'right' to use violence" (1946, p. 78).
[6] Some legal scholars argue a balance of constitutional power is critical for preventing interstate war since such wars are more common among states with a stark imbalance of governmental powers (Little, 2007).

nor inherently defining of, state power.  State power to enact laws comes in many forms: hard

(coercive) or soft (gently persuasive), good (yielding social benefits) or bad (causing violence).

Such power can be used for the good of all, or just for a few at the expense of many. It can be

used to improve or destroy lives. It can foster human flourishing or create suffering. Again, the

paradox of state power is revealed in the state's underbelly of contrary fields of practice. This is

a tension between the state's legitimacy and threats to such legitimacy. Such a paradox is evident

in the deployment and contestation over state-sanctioned classification systems.

Underpinning the enactment of any law is a symbol system of concepts, categories,

distinctions, and relationships. Such systems come with the risk of symbolic violence regarding

the rank ordering of population groups. Pierre Bourdieu warns against the power of the state to

establish social categories and boundaries which impact how population groups are perceived,

understood, and known (Bourdieu & Wacquant 1994, p. 13). He focused on the taken-for-

granted notions that underpin the sub-conscious notions about the prevailing social order of

hierarchy; notions that rationalize supremacy of the social-political elite, and the inferiority of

the marginalized population groups with direct implications for the general ethos of society.

These notions operate as cognitive instruments below the agent's consciousness, like an active

residue of the agent's past that functions in the present, shaping perception, thought, and action

(Bourdieu, 2001, p. 37). Such instruments are charged with political meaning, which he explains

as follows:

> … [W]hen their thoughts and perceptions are structured in accordance with the very
>
> structures of the relation of domination that is imposed on them, their acts of *cognition*
>
> are, inevitably, acts of *recognition*, submission. . . . [Yet,] there is always room for a

*cognitive struggle* [author's emphases] over the meaning of the things of the world and in particular of sexual realities. (Bourdieu, 2001, pp. 13-14)

In particular, the classification systems associated with national security tend to categorize population groups in terms of polarized dualities such as enemy/ally, criminal/non-criminal, and safe/dangerous. Authorities use this power to prefigure the thought processes of a segment of the population and to warp their sense of normality about how the nation is defined and its people are organized.

One mechanism of symbolic violence consists of collective erasure, which refers to suppression of the history, exploits, achievements, or suffering of a population group from the nation's consciousness. With erasure comes the group's invisibility and incapacity to exert a public presence. Invisibility is a form of powerlessness in garnering sympathy, galvanizing support, and resisting the forces of disciplinary control (Goldberg, 1996). Well-known examples include the Reich Citizenship Law of the Nazi government in Germany, the Group Areas Act of 1950 in South Africa, and the Jim Crow laws of the 20th century in the United States. In other nations, collective erasure is legal, at least tacitly so. For example, the Basic Law of Saudi Arabia, Article 1, states, "The Kingdom of Saudi Arabia is a sovereign Arab Islamic state with Islam as its religion; Allah's Book and the Sunnah of His Prophet, Allah's prayers and peace be upon him, are its constitution." By equating the pure citizens to Islam, Saudi Arabia is implicitly subordinating members of other faiths, with implications of various discrimination. In like measure, Israel's eleven Basic Laws—like a constitutional law—define the state as "the state of the Jewish people." This implies the subordination of non-Jews. In the United States, the preamble to the U.S. Constitution defines "a more perfect Union" with equal justice for all but excludes voting rights for servants, women, and men without property.

Other examples of legalized erasure are subtle, incremental, and easily hidden from the public. Consider cases where a group's history as the indigenous people is expunged from history textbooks or where their slaughter at the hands of the nation's military leaders is ignored by public monuments glorifying these leaders. Other cases of erasure involve the technicalities of governmental administration, as in the failure to recognize the existence of an indigenous group. For example, the Monacan Indians who lived in Virginia only received the official state designation in 1989. In that year, Virginia's government and general assembly recognized this tribe as the first Indian people to be acknowledged as such. As of 2018, they are one of seven federally recognized tribes in the state (Hantman, 2018, pp. 157-158).

**Case Study: Governmental Power and Immigration Law**

The history of immigration law in the US shows clear trends of increasing and decreasing openness. The laws of the late 19th century led to the mass migration of approximately 18.2 million people between 1890-1912 from southern and eastern Europe. The Emergency Quota Act of 1921 severely restricted such migration through a system of quotas based on nationality. The 1965 Immigration and Nationality act removed the system of national quotas and contributed to the mass migration to the United States between 1965 and 2015 that totaled 58.5 million immigrants (Pew Research Center, 2015, pp. 18-22). Later, in 2012, President Barack Obama established the Deferred Action for Childhood Arrivals (DACA) by executive order. Currently, the federal government has enacted an enormous array of immigration regulations that establish two categories of aliens. One category of aliens includes lawful permanent residents, asylees, and refugees. The second category of aliens consists of non-immigrants such as tourists, students, and those under Temporary Protection Status (TPS). Today, large segments of the population are immigrants: 33.8 million are authorized to live in the United States, and an

additional 11.1 million are unauthorized (Pew Research Center, 2015). Unauthorized immigrants are those who entered the country illegally or overstayed their temporary visa.

Collective erasure is ubiquitous with government policies regarding the placement of immigrants in the US. Today, ICE is responsible for apprehending and removing individuals who enter the US illegally. Detection centers are used to secure them while awaiting the outcome of their immigration proceedings. The centers are physically structured as prisons with thick concrete walls, have doors monitored by guards, small to no windows, and high levels of security (Cervantes, 2017, p. 278). These centers function as prisons where "detainees" are subjected to total surveillance with minimal contact with the outside world.

Reflecting an ambivalence of power, such institutions also exhibit a contradiction between humanitarian treatment and oppressive controls (Fassim, 2005). Governmental officials rationalize their custody as humane, given the objective to minimize the risk of harm detainees might face from other detainees. Yet, the contradiction of institutional power is revealed in the admission procedures for all detainees.  Upon admission, each detainee is identified, categorized, and defined through a formal classification system. The admission officer identifies the "detainee's general case status, disciplinary record, housing, special needs, adjustment to institutional living, opportunities for voluntary work assignments and general well-being" (U.S. Immigration and Customs Enforcement, 2019, p. 21). The officer must record scores regarding the detainee's risk of being assaulted by other detainees. Juxtaposed against such factors are the scores regarding the detainee's criminality. Information is gathered about "any current criminal offense(s), past criminal offense(s), escape(s), institutional disciplinary history, documented violent episode(s), and/or incident(s)…" (U.S. Immigration and Customs Enforcement, 2019, p. 22). And to determine the degree of severity of their criminal offense is categorized as follows:

(1) Highest, such as aiding escape, kidnapping, murder, sexual battery, armed robbery, inciting a

riot; (2) High, such as aggravated assault, aggravate battery, aggravated child abuse, arson; (3)

Moderate, such as armed trespassing, burglary, carrying concealed firearm, forgery; and (4)

Low, such as driving under the influence, leaving the scene of an accident, simple assault,

disorderly conduct, gambling, possession of marijuana, and petty theft.

By normalizing this classification system in routine practices of admission, the officers

pre-fix the detainees' criminality. In effect, such a system consists of technologies of systemic

humiliation designed to create a sense of inferiority in a segment of the population by focusing

on their incapacities, inherent weaknesses, or social worthlessness. I am referring to the power of

mind-control, that is, a psychic invasion to their sense of relative positioning in society, their

pride of place concerning others, and their image as people who are, or are not, worthy of the

rights, privileges, and benefits afforded to others. With systemic humiliation, such degradation is

designed to get into their heads, to warp their senses of self, impose manufactured images of

their inferiority, and instill a sense of their lowly station in society. Again, in such cases, the

group members are treated as deficient, dangerous or tarnished in some way, as if affixed with a

taint (Rothbart, 2019, pp. 14-34). The agents of such symbolic violence need not experience a

sense of vitriolic hatred of the detainees. The invasive strategy is sugar-coated with messages

that are pleasing, palatable, and comforting to the public. Such violence has a clear political

purpose; a people who feel inferior to high power groups are less likely to complain, object, or

resist authorities. Such technologies constitute the instruments of large-scale humiliation. Neither

minor nor superficial, such humiliation goes to the core of one's sense of self and threatens one's

social or political standing in society.[7] In effect, these technologies manufacture debasement in order to foster obedience, acquiescence, and complicity among the targeted population group. The technologies are designed to domesticate political subjects for their disciplinary control.

In summation, underpinning the fields of administrative management of the nation's population comes a paradox of power, in which its self-proclaimed legitimacy is juxtaposed against accusations of its potential for insidious assaults on select population groups. Neither minor nor superficial, such assaults go to the core of a group's placement in society. Such an assault constitutes a form of violence to their existence regarding their worthlessness in society.

## Power as Management of Bodies and Minds

Of course, the state's right to rule also includes the right to manage the nation's population groups through an array of governmental services such as hospitals, schools and health facilities, designed to promote health and well-being. Yet, as Michel Foucault (1986) argues, such services come with an ever-present danger of insidious invasion into the individual's personal life. His famous case study of prison life represents a prototype of state power generally. The technologies of such power are found in routine instruments, practices, and strategies that are woven in "a network of relations from top to bottom, but also to a certain

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[7] Hannah Arendt (1958) captures the most extreme form of systemic humiliation in her notion of radical evil. In their radical evil, the architects of the concentration camps create a new category of human beings as non-human corpses. Biologically alive, these beings lacked the capacity for spontaneity, individuality, and a sense of moral self-worth. They were converted to totally conditioned beings, whose behavior can be predicted by their aspiration for mere survival. As such, killing an inmate was as morally insignificant as swatting a fly (pp. 389-459).

extent from bottom to top" (pp. 176-177). The power directed towards prisoners "invests them, is transmitted by them and through them; it exerts pressure upon them, just as they themselves, in their struggle against it, resist the grip it has on them" (p. 27). This is the power of governmentality, which consists of an "ensemble force by the institutions, procedures, analyses and reflection, the calculations and tactics that allow the exercise of this very specific albeit complex form of power" (Foucault, 1991, p. 102). Rarely subject to electoral controls, governmentality constitutes the practices of administering and managing the masses. With such power comes the objectification of political subjects where the patient, student, client, or prisoner is domesticated, as it were, for the techno-science of their management. The power that prison officials exert is designed to create docile bodies (Foucault, 1986, p. 135).

Underpinning Foucault's riveting case studies is his general conception of state power. He argues power cannot be acquired, seized, possessed, accumulated, and hoarded by any human agent (Foucault, 1990, p. 94). Power is neither tangible nor a commodity that governmental officials possess; it has neither directionality nor a fixed point of origin. Power is "exercised from innumerable points that lacks an all-encompassing opposition between ruler and ruled" (Foucault, 1990, p. 94). Never concentrated in the hands of a single person, power is like "manifold relations of force that take shape and come into play in the machinery of production, in families, limited groups, and institutions" (Foucault, 1990, p. 94).

Foucault's insightful case studies leave the impression that power is necessarily a top-down form of domination. But he claims that in any relationship of top-down power there is always the possibility that the low power group will resist. Power relations are "found" in a field of possibilities which conversely presuppose the possibility of violation, deviation or rebellion. Governmentality always comes with the possibility of a counterforce to power over, which in

effect undermines the link between the controls by high power agents and the behavior of low-power individuals (Foucault, 1980, pp. 137-138).[8] Acts of disobedience reflect the resisters' power that constitutes a shadow presence in his writings. He writes: "If there are relations of power throughout every social field, it is because there is freedom everywhere" (Foucault, 1987, p. 123).

**Case Study: Governmental Administration of Subjects**

In recent years, technologies of governmentality have been extended to immigration policies. As immigrants are considered security threats, some state legislative bodies have enacted "common sense" measures to protect the security of native-born Americans. In particular, certain immigration laws are designed explicitly to create conditions that threaten the migrants' sense of safety, their livelihood, and well-being. Such threats represent assaults on their security in the United States, for the purpose of coercing their "voluntary" self-deportation. According to their architects, such laws implement policies of state-sponsored attribution.

Of course, military attrition is a common war strategy. During World War I, allied forces sought to destroy the enemy's resources through a series of incursions over an extended period to undermine their will to fight. In like measure, legislators around the country have adopted a strategy of fear through government policy to undermine the sense of security of immigrants. In Arizona, statute SB 1070 is designed to threaten "illegals" in public spaces. With this law, police officers are required to check the legality of anyone who is "reasonably suspected" of unlawful residency, employers are prohibited from hiring "illegals," and property owners cannot rent to them. The law's rationale is conveyed as follows: "The intent of this act is to make attrition

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[8] Stellan Vinthagen (2006) provides an excellent analysis of the power of non-violent resistance.

through enforcement the public policy of all state and local government agencies in Arizona, to discourage and deter the unlawful entry and presence of aliens" (Maldonado, 2016). This law's primary architect championed it as a mechanism for the voluntary self-deportation of illegal immigrants.[9] In like measure, Alabama's law HB 56 also establishes attrition as a state policy. According to the law's chief sponsor, the law is intended to attack "every aspect of an illegal alien's life . . . to make it difficult for them to live here so they will deport themselves" (Waslin 2012, p. 2). Similar restrictive laws were enacted in Georgia, Indiana, South Carolina, and Utah. These laws are designed to generate fear so "illegal immigrants" will realize the dangers of entering public spaces.

As a result of their criminalization, undocumented migrants live "shadowed lives" where they are forced to hide by working under the table, foregoing health care facilities, and avoiding exposure to the police (Chavez, 1992, p. 150). They live in an ambiguous social-political zone of uncertainty, subjected to the evolving decisions of the state, bureaucratic norms and judgments of law enforcers. A border region is experienced when the undocumented immigrant confronts representatives of the prevailing social-political order when their address is challenged while

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[9] In full support of this law, Arizona Governor Jan Brewer cited immigrant criminality as the justification for this law:

> Well, we all know that the majority of the people that are coming to Arizona and trespassing are not becoming drug mules . . . The drug cartels have taken control of the immigration. So, they are criminals. They're breaking the law when they are trespassing and they're criminals when they pack the marijuana and the drugs on their backs … Human rights violations that have taken place (by the cartels) victimizing immigrants and the families are abhorrent. (CNN Wire Staff, 2010)

seeking to vote, when they are questioned at international airports on arrival, and when they are refused access to medical treatment at an emergency room for failing to show proper ID.

**Conclusion**

The implications of this paradox of power are significant for conflict analysis. Rather than leaving the study of state power to other social sciences, such as political science, conflict analysts should embrace this subject as central to our field. Power's deep meaning reveals its inherently conflictual nature. In its full meaning, state power is suited perfectly for scholar-practitioners of conflict analysis and resolution.  Beneath the state's legitimation practices, such as the proclamations by government officials that the state of the nation is safe and sound under the controls of the prevailing government, we find the rumblings of critics, actions of protesters, or possibly the mobilization of rebels.

Power in the making has no single or simple structure. Power is inseparable from a compilation of strategies, skills, techniques, instruments, and symbolic systems. To probe power's deep meaning requires treading carefully in the turbulent waters of political controversy, contention, and critique. In its deep meaning, power reveals a paradox that juxtaposes a state's legitimacy against its vulnerability; its authority to govern against its moral-political bankruptcy; and its right to rule against accusations of corruption, violence, and criminality. Such meaning is not completely reducible to the contentious politics associated with the struggle for political power, although such a struggle can represent the public face of state sovereignty.

Power's paradox is illustrated in the three fields of practice presented above. First, underpinning the power of securitization is an interdependency of contrary fields of practice, one of which establishes the right of the state to commit legal violence while the other field consists in challenges to such a right, in part from the reckless extension of securitization to domestic

affairs. Second, the field of enactment of laws reveals a contradiction between the state's proclaimed right to rule and accusations of pernicious over-reach. Third, the power of state management reveals a contradiction between its services designed for the public's welfare or security against the manipulative techniques of governmentality that, in turn, include systems of humiliation designed for disciplinary control.

Again, state power in general reveals an entanglement of contradictory forces. This entanglement constitutes the Janus face of power's meaning in which the state is cast as legitimate or not, just or unjust, virtuous or cruel, pure or corrupt. The failure to understand power's deeper meaning serves the interests of government officials who seek to portray their authority as legitimate, politically valid, and consistent to the nation's welfare.

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