

Lecture 16. Sociology 621
What Makes the Capitalist State a Capitalist State?
What Makes the Patriarchal State a Patriarchal State?

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I. INTRODUCTION

1. Pivotal Contrast: “State *in* Capitalist Society” versus “a *Capitalist* State”:

Instrumentalist approaches see the state as institutionally neutral but manipulated by powerful actors, especially classes. The state is a state in capitalist society → the political task is to seize this apparatus and wield it for other purposes

Structuralist approaches see the very form of the state as embodying class principles. The state is a distinctively capitalist type of state → it cannot just be seized: its form must be transformed (or, in a more extreme version: smashed). The very form of the state generates effects that serve the interests of capitalists.

Note on Patriarchal State: The same question can be asked about patriarchy: does the state serve the interests of men primarily because (a) it is controlled by men, or (b) its very form is inscribed with patriarchal elements.

2. Central question for which instrumentalist and structuralist approaches are answers:

QUESTION: Both of these approaches observe that, broadly speaking, the policies and actions of the state in capitalist societies generally contribute to the reproduction of capitalism in one way or another. While there may be policies from time to time that disrupt capitalism, these are rare and almost always quickly reversed. The question is why? *How do we explain the fact that the state broadly functions to serve the interests of the capitalist class and reproduce capitalism?*

Instrumentalist answer = the state fulfills this function by being controlled by capitalists or their direct agents who act in the interests of capital. The state acts *at the behest* of capital.

Structuralist critique = the ruling class is often too divided and too myopic to guarantee its own interests. The basic mechanism through which capitalism is sustained by the state, therefore, must be institutionally embodied in the very organization of the state, not (in general) its external manipulation. The state acts *on behalf* of capital, but generally not at the behest of capital.

We have several tasks here:

1. Examine methodological problem of establishing the class character of properties of the state.
2. discuss some of the candidates for properties of the state which have a distinctively bourgeois character
3. discuss some of the candidates for properties of the state which have a distinctively patriarchal character

II. METHODOLOGICAL PROBLEMS (Claus Offe)

Offe explores two issues:

- (1) what do we mean precisely when we say that the state has a “class” character?
- (2) how do we empirically demonstrate or discover these properties?

1. THE MEANING OF CLASS CHARACTER

1.1. Negative Selectivity:

Offe argues that the pivotal concept for understanding the class character of the state is the *negative selectivity* of state institutions:

The structure of the state is such that it makes certain state actions impossible and others improbable, i.e. it systematically imposes biases into the process of policy formation.

The thesis that the state has a class character is then treated as a proposition about the *content* of this selectivity: the state is organized in such a way that it excludes certain possibilities *on a class basis* -- the selectivity has a systematic class bias to it.

EXAMPLES:

1. explanation for the agenda of political debate: exclusion of issues from the table
2. explanation for the range of political choices in an election: excluded kinds of alternatives

1.2. Nested Filter Mechanisms

Offe elaborates this notion of selectivity in terms of four nested selective filter mechanisms built into the state:

- 1) structural/constitutional properties: eg. public/private spheres; electoral institutions
- 2) ideological filters
- 3) process/procedures of policy formation, bargaining, etc.
- 4) repression

2. HOW TO DEMONSTRATE CLASS BIAS: the logic of explaining “nonevents”

Offe’s approach to the problem of the class character of the state is similar in certain critical ways to what is sometimes called the analysis of *nonevents* or nondecisionmaking = *explaining what does not happen*. This is important because if nonevents are systematically produced, then the methodological decision to restrict empirical research to variations among actual events necessarily gives a distorted picture of the process. It could, for example, be the case that conventional pluralist theory could completely explain the choice of a policy alternative by the

state among the range of alternatives on the table while class theory could explain why some alternatives were excluded from the table altogether.

3. Methodological problem = there is an infinity of things that do not happen. Problem is to distinguish the systematically excluded from two other categories:

(1) **Contingently excluded:** Some nonevents are just potential events that *have not yet happened*; they are only contingently or accidentally excluded. There was no course in the Marxist sociology in this department before I was hired; now there is. This did not reflect a systematic exclusion, but just the fact that students had not yet demanded such a course.

(2) some nonevents are **“epochally” excluded** because no social category could conceivably support them: the practice of sacrifice of animals by the state at harvest time is not systematically excluded in an interesting way.

4. Strategies for identifying systematically excluded possibilities and the mechanisms which accomplish this exclusion. Possible strategies include:

- (1). *normative criteria*: problem = arbitrariness
- (2). *objective interests*: problem = difficulty in specifying what are objective interests of actors.
- (3). *empirical comparisons*: (eg. Crenson on the unpolitics of air pollution). Problem = exclusions may be common to all cases.
- (4). *voiced claims*: if exclusions are strong enough, then excluded alternatives may not be even voiced.

(5) CRUCIAL METHODOLOGICAL SOLUTION =

the limits of possibility created by negative selections are observable under those special historical situations in which they are challenged and transformed.

Upshot = there may not be historically ripe opportunities for testing certain class-exclusion hypotheses. All of the approaches discussed above may give some insight into class biases & mechanisms of exclusion/selectivity, but it may be impossible to fully investigate class selectivity except under conditions where the selectivity is systematically challenged

Implication for research: *crisis as the empirical setting for studying normal functioning* (cf. psychoanalysis: pathology as the empirical setting for the normal).

III. WHAT MAKES THE CAPITALIST STATE A *CAPITALIST* STATE

It is not enough to believe that the institutional form of the state imparts to the state a class bias; it is also necessary to decode that institutional structure in order to establish precisely which characteristics generate such class effects. Above all, it is essential to establish a typology of the *variability* in institutional forms corresponding to variability in class character.

This is an arduous task which has not been fully explore theoretically or empirically. The most sophisticated attempt so far has been that of Göran Therborn in his study *What Does the Ruling Class Do When it Rules?* In this section we will examine some of the key elements in his analysis.

1. STATE APPARATUS

The core concept in Therborn's analysis of the form of the capitalist state is the concept of "state apparatus".

STATE APPARATUS = the institutional structure through which state power is exercised. What then is "state power"? Therborn has some fairly complex – and at times a bit obscure – things to say about the concept of "state power", and I don't want to get into this here. Basically the idea is that state power is the *capacity of the state to produce effects* in the world. These effects are generated through institutions of the state, or apparatuses. Therborn's central thesis, like Offe's, is that these apparatuses have a distinctive class character in the sense that they impart to state power distinctive class-relevant effects:

Strong version: these apparatuses are structured in such a way as to **insure** the production of effects which reproduce capitalism and the class power of capitalists

Weak version: they simply **exclude** radically *nonreproductive* or disruptive effects.

Therborn discusses this thesis with respect to 11 aspects of the organization of state apparatuses. To illustrate the point, let's look at four of these. For each of them the class content of the exclusion mechanisms is demonstrated by contrasts with feudalism and socialism:

2. ILLUSTRATION OF SOME CLASS ATTRIBUTES

(1). The Selection of Tasks

Key issue = distinction between the *public* and *private* spheres as it is institutionalized in constitutions, legal procedures, bourgeois rights, etc. The institutionalization of a depoliticized private sphere which is, in principle, noncontestable is essential to the reproduction of capitalist interests, insulating them from the possible assault by the working class.

Contrasts =

- in feudalism the public is absorbed into the private;

- in capitalism the two are institutionally distinct (although the boundary shifts over time and may be contested);
- in socialism, the private is in some sense subordinated to the public (the personal is the political).

Two comments:

(a). The line of demarcation between public and private is called into question in advanced capitalism because of intervention. This necessitates *new forms of insulation* of production/accumulation from politics -- rise of technocratic legitimations, etc.

(b). Salience of this distinction to feminist issues: *the family as private sphere insulated from state intervention*. But note: in terms of sexuality and reproductive rights, feminist demands also include the essentially liberal demand for the absolute right of women over their own bodies (abortion, sexual preference, etc.) = extension of *private* sphere. **Important issue for feminism:** is there an inherently patriarchal character to the form of the public/private distinction in these kinds of states?

(2). Resource Acquisition

feudalism = state revenues from private royal estates

capitalism = from taxation of private accumulation

socialism = from state enterprises

Two implications of taxation in capitalism:

1. The capitalist form makes the state dependent upon its “tax base” for revenues → the state will avoid policies that undermine that base. Note competition between cities and states for business investments (debates over how good is the “business climate”). Comment: this is a *variable constraint*, not an invariant. Variability comes from:

(a) forms of taxation: value added tax vs sales tax vs income tax vs consumption tax

(b) degree of centralization of taxation: higher the level of territorial centralization of taxation → weaker constraint on taxation capacity

(c) sunk costs of capitalist investment and infrastructural dependency of capital on state.

(d) degree of social solidarity among citizens thus willingness to accept high taxes for high public goods (i.e. shift in consumption from private to public): basically if the “wage earning class” (the working class in the broadest definition) is willing to be heavily taxed for collective purposes, the state can achieve greater autonomy from capital.

2. Capacity for taxation is one measure of the democratic potential of a capitalist state: this defines the limits of democratic allocation of the social surplus.

(3). Transformation of tasks

Weberian-type Bureaucracy = a specific way of organizing the internal procedures for executing policies, transforming tasks. Pivotal issue = the way this *insulates the operations of the state from popular pressures*.

Contrast = citizen boards, client-centered administration, deliberative administrative institutions, etc. The PTA goes against the bureaucratic power of the state and represents an alternative logic.

(4). Leadership

feudalism = personal dependents

capitalism = professional bureaucratic leadership

socialism = cadre leadership: organic connection to communities

Each of these forms of leadership establishes different patterns of *accountability*, recruitment, change, etc.

IV. THE PROBLEM OF THE “PATRIARCHAL” STATE

How can we make sense of the parallel question to the question “is the state a distinctively *capitalist* state” that might be asked by feminists: “is the state a distinctively *patriarchal* state?”. What, if anything, is patriarchal about the form of the state?

The central issue = it is not enough to demonstrate a systematic empirical bias in state *policies* as such; the task is to demonstrate that this bias is generated by *distinctive patriarchal properties of the form of apparatus as such*.

1. Some possible candidates for patriarchal form:

- a. **Familialism** as an aspect of defining the “private” sphere;
- b. **Professionalism** (full time careerism in hierarchal bureaucracies) as male form;
- c. **abstract universalism** in formal rationality of the law as “male rationality” contrasted to more experiential or affective rationality.

2. Familialism

The issue = does the public/private distinction have a gendered character as well as a class character? Can one construct a gendered structuralism of the state alongside a class structuralism?

a. Capitalist vs patriarchal dimensions of public/private spheres:

- *Capitalist dimension* = establishment of distinctive sphere of *private property*
- *Patriarchal dimension* of public/private = privatized personal relations: establishment of distinctive sphere of private personal relations (family) outside of direct state regulation.

b. Note the leakiness/permeability of boundary:

- State Occupational safety & health regulation = politicization of private property rights
- State regulation of interpersonal behavior within families = politicization of private interpersonal behavior (eg. marital rape; wife beating; child abuse)
- state regulation of sexuality & the body (reproductive rights especially): politicization of the personal

Some Additional Comments

1. The issues of the class character of the state apparatuses can be related to the Alford/Friedland three fold distinction in levels at which “power” and politics can be analyzed =

Systemic power concerns power over what game is to be played ==> revolutionary v counterrevolutionary politics;

Organizational power concerns power over the rules of the game ==> reformist v reactionary politics;

Situational power concerns power over plays within a given set of rules ==> liberal vs conservative politics.

We can think of the contrast between a *state-in-capitalist society* and the *capitalist-state* views as reflecting different claims about the class analysis of the state at the systemic & organizational levels:

state-in-capitalist society → at the systemic level power can be understood as having a capitalist character, but the organizational level power is just “organizational power” → the state *as an organization* is basically neutral.

capitalist-state → at the organizational level itself the state has a class character as well: organizational properties of the state are embedded with class effects.

Implication = Lenin’s famous edict: smash the state. If the very form of the state has a class character, then it cannot simply be wielded by oppressed groups; its class nature must be transformed. Similar to the point that workers being on the board of directors of capitalist firms and owning stock will not make those firms “socialist”.

2. Unitary vs Contradictory class character of apparatuses

Recognizing that the apparatuses of the state have a class character does not imply that they have a unitary class character. Result = possibility of internal class contradictions within the state -- some apparatuses may have, to a greater or lesser extent, a noncapitalist character to them.

Examples of state apparatuses with potentially contradictory class character (contradictory negative selectivity):

- Juries
- PTA/PTO boards in public schools
- “Maximum Feasible Participation” in the 1960s War on Poverty agencies
- Empowered participatory governance