

of events which constitutes the French Revolution. For some (Salvemini, for instance) the Revolution was complete at Valmy: France had created its new State and had shown itself capable of organising the politico-military force necessary to assert and to defend its territorial sovereignty. For others the Revolution continues until Thermidor—indeed they speak of various revolutions (10 August<sup>80</sup> is a separate revolution, etc.).\* The interpretation of Thermidor and of the work of Napoleon provokes the sharpest disagreements. Was it revolution or counter-revolution? For others the history of the Revolution continues until 1830, 1848, 1870 and even until the World War of 1914. All these views are partially true. In reality the internal contradictions which develop after 1789 in the structure of French society are resolved to a relative degree only with the Third Republic; and France has now enjoyed sixty years of stable political life only after eighty years of convulsions at ever longer intervals: 1789, 1794, 1799, 1804, 1815, 1830, 1848, 1870. It is precisely the study of these "intervals" of varying frequency which enables one to reconstruct the relations on the one hand between structure and superstructure, and on the other between the development of organic movement and conjunctural movement in the structure. One might say in the meantime that the dialectical mediation between the two methodological principles formulated at the beginning of this note is to be found in the historico-political formula of Permanent Revolution.

The question of so-called relations of force is an aspect of the same problem. One often reads in historical narratives the generic expression: "relation of forces favourable, or unfavourable, to this or that tendency". Thus, abstractly, this formulation explains nothing, or almost nothing—since it merely repeats twice over the fact which needs to be explained, once as a fact and once as an abstract law and an explanation. The theoretical error consists therefore in making what is a principle of research and interpretation into an "historical cause".

Meanwhile, in the "relation of forces" various moments or levels must be distinguished, and they are fundamentally the following:

1. A relation of social forces which is closely linked to the structure, objective, independent of human will, and which can be measured with the systems of the exact or physical sciences. The level of development of the material forces of production provides a basis for the emergence of the various social classes, each one of which

<sup>80</sup> On 10 August 1792 the Tuileries Palace was stormed and the Monarchy fell.

\* See *La Révolution française* by A. Mathiez, in the A. Colin series.

represents a function and has a specific position within production itself. This relation is what it is, a refractory reality: nobody can alter the number of firms or their employees, the number of cities or the given urban population, etc. By studying these fundamental data it is possible to discover whether in a particular society there exist the necessary and sufficient conditions for its transformation—in other words, to check the degree of realism and practicability of the various ideologies which have been born on its own terrain, on the terrain of the contradictions which it has engendered during the course of its development.

2. A subsequent moment is the relation of political forces; in other words, an evaluation of the degree of homogeneity, self-awareness, and organisation attained by the various social classes. This moment can in its turn be analysed and differentiated into various levels, corresponding to the various moments of collective political consciousness, as they have manifested themselves in history up till now. The first and most elementary of these is the economic-corporate level: a tradesman feels *obliged* to stand by another tradesman, a manufacturer by another manufacturer, etc., but the tradesman does not yet feel solidarity with the manufacturer; in other words, the members of the professional group are conscious of its unity and homogeneity, and of the need to organise it, but in the case of the wider social group this is not yet so. A second moment is that in which consciousness is reached of the solidarity of interests among all the members of a social class—but still in the purely economic field. Already at this juncture the problem of the State is posed—but only in terms of winning politico-juridical equality with the ruling groups: the right is claimed to participate in legislation and administration, even to reform these—but within the existing fundamental structures.<sup>3</sup> A third moment is that in which one becomes aware that one's own corporate interests, in their present and future development, transcend the corporate limits of the purely economic class, and can and must become the interests of other subordinate groups too. This is the most purely political phase, and marks the decisive passage from the structure to the sphere of the complex superstructures; it is the phase in which previously germinated ideologies become "party", come into confrontation and conflict, until only one of them, or at least a single combination of them, tends to prevail, to gain the upper hand, to propagate itself throughout society—bringing about not only a unison of economic and political aims, but also intellectual and moral unity, posing all the questions around which the struggle

*not a process of structure  
transition*

rages not on a corporate but on a "universal" plane, and thus creating the hegemony of a fundamental social group over a series of subordinate groups. It is true that the State is seen as the organ of one particular group, destined to create favourable conditions for the latter's maximum expansion. But the development and expansion of the particular group are conceived of, and presented, as being the motor force of a universal expansion, of a development of all the "national" energies. In other words, the dominant group is coordinated concretely with the general interests of the subordinate groups, and the life of the State is conceived of as a continuous process of formation and superseding of unstable equilibria (on the juridical plane) between the interests of the fundamental group and those of the subordinate groups—equilibria in which the interests of the dominant group prevail, but only up to a certain point, i.e. stopping short of narrowly corporate economic interest.

In real history these moments imply each other reciprocally—horizontally and vertically, so to speak—i.e. according to socio-economic activity (horizontally) and to country (vertically), combining and diverging in various ways. Each of these combinations may be represented by its own organised economic and political expression. It is also necessary to take into account the fact that international relations intertwine with these internal relations of nation-states, creating new, unique and historically concrete combinations. A particular ideology, for instance, born in a highly developed country, is disseminated in less developed countries, impinging on the local interplay of combinations.\* This relation between international forces and national forces is further complicated by the existence within every State of several structurally diverse territorial sectors, with diverse relations of force at all levels (thus the Vendée<sup>81</sup> was allied with the forces of international reaction, and represented them in the heart of French territorial unity; similarly Lyons in the French Revolution represented a particular knot of relations, etc.).

\* Religion, for example, has always been a source of such national and international ideological-political combinations, and so too have the other international organisations—Freemasonry, Rotarianism, the Jews, career diplomacy. These propose political solutions of diverse historical origin, and assist their victory in particular countries—functioning as international political parties which operate within each nation with the full concentration of the international forces. A religion, freemasonry, Rotary, Jews, etc., can be subsumed into the social category of "intellectuals", whose function, on an international scale, is that of mediating the extremes, of "socialising" the technical discoveries which provide the impetus for all activities of leadership, of devising compromises between, and ways out of, extreme solutions.

<sup>81</sup> See note 47 on p. 79.

3. The third moment is that of the relation of military forces, which from time to time is directly decisive. (Historical development oscillates continually between the first and the third moment, with the mediation of the second.) But this too is not undifferentiated, nor is it susceptible to immediate schematic definition. Here too, two levels can be distinguished: the military level in the strict or technical military sense, and the level which may be termed politico-military. In the course of history these two levels have appeared in a great variety of combinations. A typical example, which can serve as a limiting case, is the relation involved in a State's military oppression of a nation seeking to attain its national independence. The relation is not purely military, but politico-military; indeed this type of oppression would be inexplicable if it were not for the state of social disintegration of the oppressed people, and the passivity of the majority among them; consequently independence cannot be won with purely military forces, it requires both military and politico-military. If the oppressed nation, in fact, before embarking on its struggle for independence, had to wait until the hegemonic State allowed it to organise its own army in the strict and technical sense of the word, it would have to wait quite a while. (It may happen that the claim to have its own army is conceded by the hegemonic nation, but this only means that a great part of the struggle has already been fought and won on the politico-military terrain.) The oppressed nation will therefore initially oppose the dominant military force with a force which is only "politico-military", that is to say a form of political action which has the virtue of provoking repercussions of a military character in the sense: 1. that it has the capacity to destroy the war potential of the dominant nation from within; 2. that it compels the dominant military force to thin out and disperse itself over a large territory, thus nullifying a great part of its war potential. In the Italian Risorgimento the disastrous absence of politico-military leadership may be noted, especially in the Action Party (through congenital incapacity), but also in the Piedmontese Moderate Party, both before and after 1848, not to be sure through incapacity but through "politico-economic Malthusianism"—in other words, because they were unwilling even to hint at the possibility of an agrarian reform, and because they had no desire to see a national constituent assembly convoked, but merely waited for the Piedmont monarchy, free from any conditions or limitations of popular origin, to extend its rule to the whole of Italy—sanctioned only by regional plebiscites.

PROBLEM OF THE "COLLECTIVE MAN" OR OF "SOCIAL CONFORMISM"<sup>42</sup>

Educative and formative role of the State. Its aim is always that of creating new and higher types of civilisation; of adapting the "civilisation" and the morality of the broadest popular masses to the necessities of the continuous development of the economic apparatus of production; hence of evolving even physically new types of humanity. But how will each single individual succeed in incorporating himself into the collective man, and how will educative pressure be applied to single individuals so as to obtain their consent and their collaboration, turning necessity and coercion into "freedom"? Question of the "Law": this concept will have to be extended to include those activities which are at present classified as "legally neutral", and which belong to the domain of civil society; the latter operates without "sanctions" or compulsory "obligations", but nevertheless exerts a collective pressure and obtains objective results in the form of an evolution of customs, ways of thinking and acting, morality, etc.

Political concept of the so-called "Permanent Revolution", which emerged before 1848 as a scientifically evolved expression of the

<sup>42</sup> See too NM. pp. 150-51: "Tendency to conformism in the contemporary world, more widespread and deeper than in the past: the standardisation of thought and action assumes national or even continental proportions. The economic basis of the 'collective man': big factories, Taylorisation, rationalisation, etc. . . . On social 'conformism', it should be stressed that the problem is not a new one, and that the alarm expressed by certain intellectuals is merely comic. Conformism has always existed: what is involved today is a struggle between 'two conformisms', i.e. a struggle for hegemony, a crisis of civil society. The old intellectual and moral leaders of society feel the ground slipping from under their feet; they perceive that their 'sermons' have become precisely mere 'sermons', i.e. external to reality, pure form without any content, shades without a spirit. This is the reason for their reactionary and conservative tendencies; for the particular form of civilisation, culture and morality which they represented is decomposing, and they loudly proclaim the death of all civilisation, all culture, all morality; they call for repressive measures by the State, and constitute resistance groups cut off from the real historical process, thus prolonging the crisis, since the eclipse of a way of living and thinking cannot take place without a crisis. The representatives of the new order in gestation, on the other hand, inspired by 'rationalistic' hatred for the old, propagate utopias and fanciful schemes. What is the point of reference for the new world in gestation? The world of production; work. The greatest utilitarianism must go to found any analysis of the moral and intellectual institutions to be created and of the principles to be propagated. Collective and individual life must be organised with a view to the maximum yield of the productive apparatus. The development of economic forces on new bases and the progressive installation of the new structure will heal the contradictions which cannot fail to exist, and, when they have created a new 'conformism' from below, will permit new possibilities for self-discipline, i.e. for freedom, including that of the individual."

Jacobin experience from 1789 to Thermidor.<sup>43</sup> The formula belongs to an historical period in which the great mass political parties and the great economic trade unions did not yet exist, and society was still, so to speak, in a state of fluidity from many points of view: greater backwardness of the countryside, and almost complete monopoly of political and State power by a few cities or even by a single one (Paris in the case of France); a relatively rudimentary State apparatus, and greater autonomy of civil society from State activity; a specific system of military forces and of national armed services; greater autonomy of the national economies from the economic relations of the world market, etc. In the period after 1870, with the colonial expansion of Europe, all these elements change: the internal and international organisational relations of the State become more complex and massive, and the Forty-Eightist formula of the "Permanent Revolution" is expanded and transcended in political science by the formula of "civil hegemony". The same thing happens in the art of politics as happens in military art: war of movement increasingly becomes war of position, and it can be said that a State will win a war in so far as it prepares for it minutely and technically in peacetime. The massive structures of the modern democracies, both as State organisations, and as complexes of associations in civil society, constitute for the art of politics as it were the "trenches" and the permanent fortifications of the front in the war of position: they render merely "partial" the element of movement which before used to be "the whole" of war, etc.

This question is posed for the modern States, but not for backward countries or for colonies, where forms which elsewhere have been superseded and have become anachronistic are still in vigour. The question of the value of ideologies must also be studied in a treatise of political science. [1933-34]

SOCIOLOGY AND POLITICAL SCIENCE

The rise of sociology is related to the decline of the concept of political science and the art of politics which took place in the nineteenth century (to be more accurate, in the second half of that century, with the success of evolutionary and positivist theories). Everything that is of real importance in sociology is nothing other than political science. "Politics" became synonymous with parlia-

<sup>43</sup> See note 49 on p. 80.

mentary politics or the politics of personal cliques. Conviction that the constitutions and parliaments had initiated an epoch of "natural" "evolution", that society had discovered its definitive, because rational, foundations, etc. And, lo and behold, society can now be studied with the methods of the natural sciences! Impoverishment of the concept of the State, which ensued from such views. If political science means science of the State, and the State is the entire complex of practical and theoretical activities with which the ruling class not only justifies and maintains its dominance, but manages to win the active consent of those over whom it rules, then it is obvious that all the essential questions of sociology are nothing other than the questions of political science. If there is a residue, this can only be made up of false problems, i.e. frivolous problems. The question therefore which faced Bukharin when he wrote his *Popular Manual*<sup>44</sup> was that of determining what status could be accorded to political science in relation to the philosophy of praxis: whether the two are identical (something impossible to maintain, except from the most crudely positivist viewpoint); or whether political science is the body of empirical or practical principles which are deduced from a vaster conception of the world or philosophy properly speaking; or whether this philosophy is only the science of the concepts or general categories created by political science, etc.

If it is true that man cannot be conceived of except as historically determined man—i.e. man who has developed, and who lives, in certain conditions, in a particular social complex or totality of social relations—is it then possible to take sociology as meaning simply the study of these conditions and the laws which regulate their development? Since the will and initiative of men themselves cannot be left out of account, this notion must be false. The problem of what "science" itself is has to be posed. Is not science itself "political activity" and political thought, in as much as it transforms men, and makes them different from what they were before? If everything is "politics", then it is necessary—in order to avoid lapsing into a wearisome and tautological catalogue of platitudes—to distinguish by means of new concepts between on the one hand the politics which corresponds to that science which is traditionally called "philosophy", and on the other the politics which is called political science in the strict sense. If science is the "discovery" of formerly unknown reality, is this reality not conceived

<sup>44</sup> See note 63 on p. 419.

of in a certain sense as transcendent? And is it not thought that there still exists something "unknown" and hence transcendent? And does the concept of science as "creation" not then mean that it too is "politics"? Everything depends on seeing whether the creation involved is "arbitrary", or whether it is rational—i.e. "useful" to men in that it enlarges their concept of life, and raises to a higher level (develops) life itself.\*

#### HEGEMONY (CIVIL SOCIETY) AND SEPARATION OF POWERS

The separation of powers,<sup>46</sup> together with all the discussion provoked by its realisation and the legal dogmas which its appearance brought into being, is a product of the struggle between civil society and political society in a specific historical period. This period is characterised by a certain unstable equilibrium between the classes, which is a result of the fact that certain categories of intellectuals (in the direct service of the State, especially the civil and military bureaucracy) are still too closely tied to the old dominant classes. In other words, there takes place within the society what Croce calls the "perpetual conflict between Church and State", in which the Church is taken as representing the totality of civil society (whereas in fact it is only an element of diminishing importance within it), and the State as representing every attempt to crystallise permanently a particular stage of development, a particular situation. In this sense, the Church itself may become State, and the conflict may occur between on the one hand secular (and secularising) civil society, and on the other State/Church (when the Church has become an integral part of the State, of political society monopolised by a specific privileged group, which absorbs the Church in order the better to preserve its monopoly with the support of that zone of "civil society" which the Church represents).

Essential importance of the separation of powers for political and economic liberalism; the entire liberal ideology, with its strengths

\* In connection with the *Popular Manual* and its appendix *Theory and Practice*, the philosophical review by Armando Carlini (*Nuova Antologia*, 16 March 1933) should be consulted; it appears from this that the equation "Theory: practice = pure mathematics: applied mathematics" was formulated by an Englishman (Wittaker, I think).<sup>45</sup>

<sup>45</sup> Sir Edmund Whittaker (1873–1956), physicist and mathematician.

<sup>46</sup> The doctrine developed by Montesquieu in his *Esprit des Lois*—on the basis of the contemporary bourgeois political system in England as he saw it—whereby executive, legislative and judiciary functions are exercised independently of each other. The principle inspired the American Constitution and others modelled on it.

and its weaknesses, can be encapsulated in the principle of the separation of powers, and the source of liberalism's weakness then becomes apparent: it is the bureaucracy—i.e. the crystallisation of the leading personnel—which exercises coercive power, and at a certain point it becomes a caste. Hence the popular demand for making all posts elective—a demand which is extreme liberalism, and at the same time its dissolution (principle of the permanent Constituent Assembly, etc.; in Republics, the election at fixed intervals of the Head of State gives the illusion of satisfying this elementary popular demand).

Unity of the State in the differentiation of powers: Parliament more closely linked to civil society; the judiciary power, between government and Parliament, represents the continuity of the written law (even against the government). Naturally all three powers are also organs of political hegemony, but in different degrees: 1. Legislature; 2. Judiciary; 3. Executive. It is to be noted how lapses in the administration of justice make an especially disastrous impression on the public: the hegemonic apparatus is more sensitive in this sector, to which arbitrary actions on the part of the police and political administration may also be referred. [1930-32]

#### THE CONCEPTION OF LAW

A conception of the Law which must be an essentially innovatory one is not to be found, integrally, in any pre-existing doctrine (not even in the doctrine of the so-called positive school, and notably that of Ferri).<sup>47</sup> If every State tends to create and maintain a certain type of civilisation and of citizen (and hence of collective life and of individual relations), and to eliminate certain customs and attitudes and to disseminate others, then the Law will be its instrument for this purpose (together with the school system, and other institutions and activities). It must be developed so that it is suitable for such a purpose—so that it is maximally effective and productive of positive results.

The conception of law will have to be freed from every residue of transcendentalism and from every absolute; in practice, from every moralistic fanaticism. However, it seems to me that one cannot

<sup>47</sup> Enrico Ferri (1856-1929), penologist and politician, began his political career as a socialist (editor of *Avanti!* 1900-1905), but rallied to fascism in 1922. He was the most prominent member of the so-called positive school of penology, and the founder of Italian criminology. The main idea behind his penal theories was the rejection of any idea of moral retribution in the punishment of crimes, in favour of the notion of punishment as a deterrent.

start from the point of view that the State does not "punish" (if this term is reduced to its human significance), but only struggles against social "dangerousness". In reality, the State must be conceived of as an "educator", in as much as it tends precisely to create a new type or level of civilisation. Because one is acting essentially on economic forces, reorganising and developing the apparatus of economic production, creating a new structure, the conclusion must not be drawn that superstructural factors should be left to themselves, to develop spontaneously, to a haphazard and sporadic germination. The State, in this field, too, is an instrument of "rationalisation", of acceleration and of Taylorisation.<sup>48</sup> It operates according to a plan, urges, incites, solicits, and "punishes"; for, once the conditions are created in which a certain way of life is "possible", then "criminal action or omission" must have a punitive sanction, with moral implications, and not merely be judged generically as "dangerous". The Law is the repressive and negative aspect of the entire positive, civilising activity undertaken by the State. The "prize-giving"<sup>49</sup> activities of individuals and groups, etc., must also be incorporated in the conception of the Law; praiseworthy and meritorious activity is rewarded, just as criminal actions are punished (and punished in original ways, bringing in "public opinion" as a form of sanction).

[1933-34: 1st version 1931-32.]

#### POLITICS AND CONSTITUTIONAL LAW

In *Nuova Antologia*, 16 December 1929, there is published a brief note by a certain M. Azzalini, *La politica, scienza ed arte di Stato*, which may be of interest as a presentation of the elements among which scientific schematism flounders.

Azzalini begins by affirming that it was a "dazzling" glory on Machiavelli's part "to have circumscribed the ambit of politics within the State". What Azzalini means is not easy to grasp, he quotes from Chapter III of *The Prince* the passage: "When the Cardinal of Rouen said to me that the Italians understood nothing of war, I replied that the French understood nothing of the State", and on this single quotation he bases his assertion that "hence" for Machiavelli "politics must be understood as a science, and as the science of the State, and that was his glory, etc." (the term

<sup>48</sup> See "Americanism and Fordism" on pp. 301-8.

<sup>49</sup> "premiatrici".

in the Napoleonic period on account of the vigilant control of the police; with greater facility from 1815 to 1830 under the Restoration, which was fairly liberal at the base and was free from certain preoccupations. In this period, from 1815 to 1830, the differentiation of the popular political camp was to occur. This already seemed considerable during the "glorious days" of 1830,<sup>61</sup> when the formations which had been crystallising during the preceding fifteen years now came to the surface. After 1830 and up to 1848, this process of differentiation became perfected, and produced some quite highly-developed specimens in Blanqui and Filippo Buonarroti.

It is unlikely that Hegel could have had first-hand knowledge of these historical experiences, which are, however, more vivid in Marx.\*

The revolution which the bourgeois class has brought into the conception of law, and hence into the function of the State, consists especially in the will to conform (hence ethicity of the law and of the State). The previous ruling classes were essentially conservative in the sense that they did not tend to construct an organic passage from the other classes into their own, i.e. to enlarge their class sphere "technically" and ideologically: their conception was that of a closed caste. The bourgeois class poses itself as an organism in continuous movement, capable of absorbing the entire society, assimilating it to its own cultural and economic level. The entire function of the State has been transformed; the State has become an "educator", etc.

How this process comes to a halt, and the conception of the State as pure force is returned to, etc. The bourgeois class is "saturated": it not only does not expand—it starts to disintegrate; it not only does not assimilate new elements, it loses part of itself (or at least its losses are enormously more numerous than its assimilations). A class claiming to be capable of assimilating the whole of society, and which was at the same time really able to express such a process, would perfect this conception of the State and of law, so as to conceive the end of the State and of law—rendered useless since they will have exhausted their function and will have been absorbed by civil society. [1931-32]

That the everyday concept of State is unilateral and leads to

<sup>61</sup> The three days in which the people of Paris rose and drove out Charles X.

\* For this series of facts, see as primary material the publications of Paul Louis and Maurice Block's *Political Dictionary*; for the French Revolution, see especially Aulard; see too Andler's notes to the *Manifesto*. For Italy, see Luzio's book on Masonry and the Risorgimento—highly tendentious.

grotesque errors can be demonstrated with reference to Daniël Halévy's recent book *Décadence de la liberté*, of which I have read a review in *Nouvelles Littéraires*. For Halévy, "State" is the representative apparatus; and he discovers that the most important events of French history from 1870 until the present day have not been due to initiatives by political organisms deriving from universal suffrage, but to those either of private organisms (capitalist firms, General Staffs, etc.) or of great civil servants unknown to the country at large, etc. But what does that signify if not that by "State" should be understood not only the apparatus of government, but also the "private" apparatus of "hegemony" or civil society? It should be noted how from this critique of the State which does not intervene, which trails behind events, etc., there is born the dictatorial ideological current of the Right, with its reinforcement of the executive, etc. However, Halévy's book should be read to see whether he too has taken this path: it is not unlikely in principle, given his antecedents (sympathies for Sorel, for Maurras, etc.). [1930-32]

Curzio Malaparte, in the introduction to his little volume on the *Technique of the Coup d'Etat*, seems to assert the equivalence of the formula: "Everything within the State, nothing outside the State, nothing against the State" with the proposition: "Where there is freedom, there is no State". In the latter proposition, the term "freedom" cannot be taken in its ordinary meaning of "political freedom, freedom of the press, etc.", but as counterposed to "necessity"; it is related to Engels' proposition on the passage from the rule of necessity to the rule of freedom.<sup>62</sup> Malaparte has not caught even the faintest whiff of the significance of the proposition.

[1931-32]

In the (anyway superficial) polemic over the functions of the State (which here means the State as a politico-juridical organisation in the narrow sense), the expression "the State as *veilleur de nuit*" corresponds to the Italian expression "the State as policeman"<sup>63</sup> and means a State whose functions are limited to the safeguarding of public order and of respect for the laws. The fact is glossed over that in this form of régime (which anyway has never existed except on paper, as a limiting hypothesis) hegemony over its historical development belongs to private forces, to civil society—which is "State" too, indeed is the State itself.

<sup>62</sup> At the end of his *Socialism: Utopian and Scientific*.

<sup>63</sup> *Veilleur de nuit* means "night-watchman", see below. The Italian expression referred to is "*Stato-carabiniere*".

It seems that the expression *veilleur de nuit*, which should have a more sarcastic ring than "the State as policeman", comes from Lassalle. Its opposite should be "ethical State" or "interventionist State" in general, but there are differences between the two expressions. The concept of ethical State is of philosophical and intellectual origin (belonging to the intellectuals: Hegel), and in fact could be brought into conjunction with the concept of State-*veilleur de nuit*; for it refers rather to the autonomous, educative and moral activity of the secular State, by contrast with the cosmopolitanism and the interference of the religious-ecclesiastical organisation as a mediaeval residue. The concept of interventionist State is of economic origin, and is connected on the one hand with tendencies supporting protection and economic nationalism, and on the other with the attempt to force a particular State personnel, of landowning and feudal origin, to take on the "protection" of the working classes against the excesses of capitalism (policy of Bismarck and of Disraeli).<sup>64</sup>

These diverse tendencies may combine in various ways, and in fact have so combined. Naturally liberals ("economists") are for the "State as *veilleur de nuit*", and would like the historical initiative to be left to civil society and to the various forces which spring up there—with the "State" as guardian of "fair play" and of the rules of the game. Intellectuals draw very significant distinctions as to when they are liberals and when they are interventionists (they may be liberals in the economic field and interventionists in the cultural field, etc.). The catholics would like the State to be interventionist one hundred per cent in their favour; failing that, or where they are in a minority, they call for a "neutral" State, so that it should not support their adversaries. [1935: 1st version 1930]

The following argument is worth reflecting upon: is the conception of the *gendarme*-nightwatchman State (leaving aside the polemical designation: *gendarme*, nightwatchman, etc.) not in fact the only conception of the State to transcend the purely "economic-corporate" stages?

We are still on the terrain of the identification of State and government—an identification which is precisely a representation of the economic-corporate form, in other words of the confusion between civil society and political society. For it should be

<sup>64</sup> Bismarck put through legislation providing for sickness and old age pensions; Disraeli denounced certain of the worst excesses of mid-Victorian capitalism in his novels, and his ministry (1874-80) limited the working day for women and children, passed the Combination Act of 1875 giving limited recognition to trade unions, and put through the Public Health Act and the Artisans' Dwelling Act in the same year, etc.

remarked that the general notion of State includes elements which need to be referred back to the notion of civil society (in the sense that one might say that State = political society + civil society, in other words hegemony protected by the armour of coercion). In a doctrine of the State which conceives the latter as tendentially capable of withering away and of being subsumed into regulated society, the argument is a fundamental one. It is possible to imagine the coercive element of the State withering away by degrees, as ever-more conspicuous elements of regulated society (or ethical State or civil society) make their appearance.

The expressions "ethical State" or "civil society" would thus mean that this "image" of a State without a State was present to the greatest political and legal thinkers, in so far as they placed themselves on the terrain of pure science (pure utopia, since based on the premise that all men are really equal and hence equally rational and moral, i.e. capable of accepting the law spontaneously, freely, and not through coercion, as imposed by another class, as something external to consciousness).

It must be remembered that the expression "nightwatchman" for the liberal State comes from Lassalle, i.e. from a dogmatic and non-dialectical stalist (look closely at Lassalle's doctrines on this point and on the State in general, in contrast with Marxism). In the doctrine of the State as regulated society, one will have to pass from a phase in which "State" will be equal to "government", and "State" will be identified with "civil society", to a phase of the State as nightwatchman—i.e. of a coercive organisation which will safeguard the development of the continually proliferating elements of regulated society, and which will therefore progressively reduce its own authoritarian and forcible interventions. Nor can this conjure up the idea of a new "liberalism", even though the beginning of an era of organic liberty be imminent. [1930-32]

If it is true that no type of State can avoid passing through a phase of economic-corporate primitivism, it may be deduced that the content of the political hegemony of the new social group which has founded the new type of State must be predominantly of an economic order: what is involved is the reorganisation of the structure and the real relations between men on the one hand and the world of the economy or of production on the other. The superstructural elements will inevitably be few in number, and have a character of foresight and of struggle, but as yet few "planned" elements. Cultural policy will above all be negative, a critique of the past; it will be aimed at erasing from the memory and at

destroying. The lines of construction will as yet be "broad lines", sketches, which might (and should) be changed at all times, so as to be consistent with the new structure as it is formed. This precisely did not happen in the period of the mediaeval communes; for culture, which remained a function of the Church, was precisely anti-economic in character (i.e. against the nascent capitalist economy); it was not directed towards giving hegemony to the new class, but rather to preventing the latter from acquiring it. Hence Humanism and the Renaissance were reactionary, because they signalled the defeat of the new class, the negation of the economic world which was proper to it, etc. [1931-32]

Another element to examine is that of the organic relations between the domestic and foreign policies of a State. Is it domestic policies which determine foreign policy, or vice versa? In this case too, it will be necessary to distinguish: between great powers, with relative international autonomy, and other powers; also, between different forms of government (a government like that of Napoleon III had two policies, apparently—reactionary internally, and liberal abroad).

Conditions in a State before and after a war. It is obvious that, in an alliance, what counts are the conditions in which a State finds itself at the moment of peace. Therefore it may happen that whoever has exercised hegemony during the war ends up by losing it as a result of the enfeeblement suffered in the course of the struggle, and is forced to see a "subordinate" who has been more skilful or "luckier" become hegemonic. This occurs in "world wars" when the geographic situation compels a State to throw all its resources into the crucible: it wins through its alliances, but victory finds it prostrate, etc. This is why in the concept of "great power" it is necessary to take many elements into account, and especially those which are "permanent"—i.e. especially "economic and financial potential" and population. [1932-32]

#### ORGANISATION OF NATIONAL SOCIETIES

I have remarked elsewhere that in any given society nobody is disorganised and without party, provided that one takes organisation and party in a broad and not a formal sense. In this multiplicity of private associations (which are of two kinds: natural, and contractual or voluntary) one or more predominates relatively or absolutely—constituting the hegemonic apparatus of one social group over the rest of the population (or civil society): the basis

for the State in the narrow sense of the governmental-coercive apparatus.

It always happens that individuals belong to more than one private association, and often to associations which are objectively in contradiction to one another. A totalitarian<sup>65</sup> policy is aimed precisely: 1. at ensuring that the members of a particular party find in that party all the satisfactions that they formerly found in a multiplicity of organisations, i.e. at breaking all the threads that bind these members to extraneous cultural organisms; 2. at destroying all other organisations or at incorporating them into a system of which the party is the sole regulator. This occurs: 1. when the given party is the bearer of a new culture—then one has a progressive phase; 2. when the given party wishes to prevent another force, bearer of a new culture, from becoming itself "totalitarian"—then one has an objectively regressive and reactionary phase, even if that reaction (as invariably happens) does not avow itself, and seeks itself to appear as the bearer of a new culture.

Luigi Einaudi, in *Riforma Sociale* for May-June 1931, reviews a French work *Les sociétés de la nation, Etude sur les éléments constitutifs de la nation française*, by Etienne Martin Saint-Léon (volume of 415 pages, éd. Spes, Paris, 1930), in which some of these organisations are studied—but only those which exist formally. (For example, do the readers of a newspaper form an organisation, or not?, etc.) In any case, in as much as the subject was dealt with, see the book and Einaudi's review as well. [1930-32]

#### WHO IS A LEGISLATOR?

The concept of "legislator" must inevitably be identified with the concept of "politician". Since all men are "political beings", all are also "legislators". But distinctions will have to be made. "Legislator" has a precise juridical and official meaning—i.e. it means those persons who are empowered by the law to enact laws. But it can have other meanings too.

Every man, in as much as he is active, i.e. living, contributes to modifying the social environment in which he develops (to modifying certain of its characteristics or to preserving others); in other words, he tends to establish "norms", rules of living and of behaviour. One's circle of activity may be greater or smaller, one's awareness of one's own action and aims may be greater or smaller; furthermore, the representative power may be greater or smaller, and will

<sup>65</sup> See note 33 on p. 147.