Ideas / Idées

The State (or *Overstated*)

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> If the state is so difficult to think, it is because we are the state's thinkers, and because the state is in the head of the thinkers. —Pierre Bourdieu 1990
>
> A "protected democracy" is not a democracy at all. —Giorgio Agamben 1998

"This melody you will hear follows me everywhere I go. I hear it when I am sad and especially when I am glad. It seems to mock me for my past sins. It taunts me and it is driving me crazy." Anthropologists could be forgiven for sharing Edith Piaf's thoughts as they broach yet another ethnography or edited volume that can neither leave the state alone nor decide whether it really has any more substance than the Little Sparrow's melody.

It is of course essential to reflect on the nature of the state that envelops the "site" of one's fieldwork and possibly even think about how its workings, over the centuries, have played themselves out in the case of the people one is interested in. But recently anthropologists have been tempted to actually try to fill the state with so much theory and magical power that it threatens to break its moorings and float off in the prevailing winds. Heads raised skywards, their fascination with this hot air contraption means they see, hear or think about very little else. It is the state, it turns out, or its *effects* that constitute everything from everyday life, to intimate forms of subjectivity, to "identity," to bare life itself—in the words of Sharma and Gupta (2006:9) it is "the supreme authority that manages all other institutional forms that social relations take." It is a wonder anybody could figure out anything about such things in anthropologists' Edenic days before they bit on the apple of the state and were entered by the serpent of theory. It taunts me and it is driving me crazy.

What I want to write about here is the subtle turn this preoccupation has taken. Ferguson and Gupta (2002:995) remark that were we to reread the ethnographic record with a view to exploring the multiple ways

in which the state works its way into everyday life, "the data might well be too thin in many cases to carry out such a project." And indeed it is true that anthropologists made a significant move once they recognized that "the state," or "colonialism," was not something one attended to by simply adding a final chapter to an ethnographic study otherwise devoted to local cultural processes of what today we might call subject formation. It was a move made notably in that area of anthropology known as "political economy." Perhaps a key text here was Joseph and Nugent's (1994) *Everyday Forms of State Formation* because it straddled an old divide that had always made anthropologists uneasy—macro formations and everyday experiences, the large and structured, the intimate and affectual. The book itself was strongly influenced by another, Corrigan and Sayer's *The Great Arch* (1985), and this in turn was the product of rebellious but respectful students of Philip Abrams (1988) whose seminal "Notes on the Difficulty of Studying the State" made the argument that the apparent materiality and visibility of the state was itself the result of a sleight of hand—or at least a long-term historical process that produced the modern state. The state, he noted with a healthy absence of neutrality, "is a bid to elicit the support for or tolerance of the insupportable, and intolerable by presenting them as something other than themselves namely, legitimate, disinterested domination" (1988:76).

The subtitle of Corrigan and Sayer's book was *English State Formation as Cultural Revolution*. Anthropologists were no doubt comforted by the presence there of their favourite word "culture," celebrated for its fuzziness yet undoubted pervasiveness through every aspect of human conduct,[1] though the cultural revolution the authors had in mind was of a quite different order. Not only did this allow anthropologists to play the cultural card, trumping the political state, the *kapitalogik* state and so on; but it also helped clarify what part of the beast they could safely bite off for themselves, while leaving the rest for the likes of political theorists, sociologists and so on.

Nonetheless, in the work that came out during the 1990s, it would be true to say that there was an understanding of cultural aspects of the state in terms of a series of other elements such as its role as a site of struggle, as a key player in the international arena, and as a regulator for capitalism. It seems to me now, however, that we have lost that balance. We have ceased to understand the state, much perhaps as Catholics puzzled over "the Church" (as much a material institution as a set of beliefs and practices); instead the analogy now should be to God almighty.

> Anthropology may not find the state ready-made and waiting for our ethnographic gaze in the known sites of national government. Government institutions and practices are to be studied, of course, and we can deplore that anthropology has not contributed enough to their study. However, anthropologists are best suited to study the state from below through ethnographies that centre on the subjects produced by state effects and processes. [Trouillot 2003:93]

Trouillot's essay, an otherwise astute and wide-ranging agenda for studying the state "in an age of globalization," exhibits an uncomfortable tension between the encultured political economy approaches of the 1990s and the post-Foucauldian approaches in the first decade of this century. Two things exhibit the "turn" I am alluding to.[2] One has to do with a rather silent, taken-for-granted professionalization which assumes that there is agreement about what anthropologists do; the other has to do with a changing ontology of the state. Why does Trouillot think that "anthropologists are best suited to study the state" by focusing on subjects? What are the divisions of labour that are assumed by this statement? And then it turns out that these subjects are "produced by state effects and processes."[3] This latter has become such a widespread assumption that one seems churlish if, in a seminar or at a professional meeting, one asks (1) if there might not be other elements that produce subjects; (2) whether it is in fact the rather vast task of anthropology to discover how "subjects" are produced (is this professional hubris a result of inter-disciplinary status wars perhaps?); and (3) how would one distinguish between what was a state effect and an effect of something else or, put another way, is it not possible, even tempting, to find that everything is ultimately a state effect? If one believes in God, then surely everything is a God-effect. Once E.P. Thompson (1961) chastised his colleague Raymond Williams for making his definition of "culture" so broad that it would be hard to imagine anything that was not culture. Could we not say the same thing now about "state effects"?

In a recent book, Etienne Balibar (2002) noted, following Marx, that "politics" is not an autonomous, transhistorical concept, but is constituted by something else which he calls (borrowing now from Freud) "the other scene." What we see to constitute our politics depends on what we take that other scene to be—production relations, gender relations et cetera. The same could be said about the state (an expression after all of politics). There is an uneasy tension between a historical realist understanding of the constitution of the state (and the state as constituent) on the one hand, and an essentially for-

malist understanding of the state as discursively constituted and constituting. Both configurations may wish to explore the pervasiveness of the state into everything from everyday to bare life, but their understandings of what "pervasiveness" means and how it might be assessed are strikingly different as we move from the original Joseph and Nugent collection (1994) to recent anthropological interventions.

But this purely intellectual distinction disguises another—one that would explain the shift in tone if not perhaps argument—and has to do with the uncontested dominance of U.S. academic institutions as the sites for the production of authorized anthropological knowledge. For there is surely a yawning gap between the long-standing U.S. American pervasive hatred of "the state" combined with highly romantic and often untested notions of a form of political life without it, and a left socialist tradition which wrestles with the problem of the state as a crystallization (and necessarily therefore mystification) of popular sovereignty.

Taken together these different intellectual and attitudinal orientations produce two views of the state and "subjects" that are inversions of one another. Put schematically and perhaps too bluntly: one sees subjects as the result of the state, while the other sees the state as the outcome of struggles by people that have subject-inflecting effects. We can see this especially clearly if we juxtapose two quite different reflections on the state. Writing of Foucault, Das and Poole note,

> His meticulous description of the impact of statistics and the invention of the population as an object of knowledge and regulation on changing notions of sovereignty has led to important ways of reconceptualising the state, especially in shifting the emphasis from territorial jurisdictions to the management of life.[4] [2004:26]

We might usefully set this alongside a comment by Gramsci:

> A revolution is a genuine revolution and not just empty, swollen demagoguery, only when it is embedded in some kind of State, only when it becomes an organized system of power. Society can only exist in the form of a State, which is the source and the end of all rights and duties. [1993:97]

If the relationship between these two configurations took the form of a lively conversation (which unfortunately it does not), we might imagine the one participant, in a rather patronizing way, regarding the other as remarkably naïve. Here, after all is Gramsci talking of revolution and of the state in terms of rights and duties, when surely we know that revolutions are things of the past and states now operate with remarkable autonomy from a peopled "society." On the other hand, here are the governmentality types asking us to close off all enquiries into any form of subject-making that does not go along with contemporary forms of state-like disciplining, while not asking at all how the state comes to be a condensation of such things as class, national popular and international practices. I am arguing that we need to make ourselves aware of the implications of this crucial shift (exemplified in the tensions in Trouillot's article) from the former to the latter.

In what remains of this intervention I want to talk of the implications of these two gazes for the way we might think about contemporary states and subjects. I will begin with the governmental gaze and then shift to the popular gaze and I will argue that both depend on an unvoiced state of exception, one having to do with *state* sovereignty, the other having to do with *popular* sovereignty.

Exception and the Working of Power

When understandings of the power of states move along a logical progression from Foucault to Agamben, two things happen. One is a genre shift. Foucault habitually accumulates micro-histories while Agamben, a professor of Aesthetics, makes a formal argument and uses highly attenuated and selective historical "cases" (see especially 2005). Hence for Foucault the value of the intervention appears to emerge from the archaeology, while Agamben's value, in the hands of the anthropologist, lies in applying the pre-existing argument (about the state of exception) to an ethnographic case hitherto unexplored in these terms, to reveal what would otherwise escape analysis.

The other has to do with the source of power. Both make a radical critique of liberalism in terms of the essence of power in the relationship between the governor and the populace. For Foucault, this is an emergent property arising in the form of power/knowledge, while for Agamben the first concern is how sovereign power is first *constituted* and then maintained. Anthropologists' employment of Agamben represents an extreme case of the "overstated" because, through him, they advance from the effects of governmentality (through biopolitics) on populations to the effects of government biopolitics on different conceptions of life itself. (You cannot get much more invasive than that—though I am not holding my breath). I will take two anthropological employments of Agamben to make my argument: Hansen and Stepputat (2006) and Das and Poole (2004).

Hansen and Stepputat are driven from the rhizomic power of Foucault to questions of the state and sovereignty by what they call an impasse produced by the ethnographic work of various authors:

> If power is dispersed throughout society, in institutions, disciplines and rituals of self-making, how do we...account for the proliferation of legal discourse premised on the widespread popular idea of the state as a centre of society, a central legislator and adjudicator? [2006:296]

For them "the origin of sovereign power is the state of exception...fundamentally premised on the capacity and the will to decide on life and death, the capacity to visit excessive violence on those declared enemies or undesirables" (2006:301).

By making the shift from state-like spaces to de facto sovereignty "as a form of authority grounded in violence...from the neighbourhood to the state," they are able to propose that the authority of a community is based on who controls bare life, i.e., the site of the body as the object of sovereign power: the included body and the biological body. Under colonialism different kinds of sovereignty understood in this way coexisted and overlapped, as it was distributed often informally to local authorities. So, while in Foucault-like fashion we have micro sites of discipline, it is the colonial state which conditions the possibilities of subordinate forms of sovereignty (assuming that subordinate sovereignty is not a contradiction in terms). So they interpret Agamben in such a way as to suggest articulated or overlapping political rationalities:

> Sovereign power exists in modern states alongside and intertwined with, bio-political rationalities aiming at reproducing lives and societies as an ever-present possibility of losing one's citizenship and rights and becoming reduced to a purely biological form. [Hansen and Stepputat 2006:304]

Das and Poole (2004) cover similar ground and actually distinguish between what they call two modalities of rule deriving from Agamben's distinction between included lives and bare life. One has to do with classification of spaces and what they call rather elusively "figures" (presumably a term that allows us to include what we like—people, subjects, animals [Abraham's goat for example] and of course bodies), as "instantiations of how bare life is embodied and acted upon in modern forms of statehood" (2004:13). And, as with Hansen and Stepputat above, the other has to do not with actions but with possibilities: "as a threat held in abeyance and a state into which any citizen could fall" (2004:13). Unlike Hansen and Stepputat, however, who speak of non-state sites of sovereignty (permitted by the colonial state, for example), for them every practice imaginable can be understood as the result of the state or its "effects": from the *gamonales*[5] living "in the margins of the state" in highland Peru, who they describe as "figures of local authority [who] represent both highly personalized forms of private power *and* the supposedly impersonal or neutral authority of the state" (2004:14), to the informal economies on the physical borders of west African states where "the state exerts its own seemingly arbitrary claims to sovereignty over territories that it clearly cannot control" (2004:18).

While *any* relatively systematic exercise of power in modern societies can in some way be traced back to the state, it seems to me that here the hot air balloon, be it the state or Agamben himself, distracts more than it reveals. Except for somebody intent on seeing the state precisely at the moment of its exception, it is hard to see why one would have to think these conditions as anything to do with state regulation. And in both cases, one wants to ask if some other insight might come if, for example, we thought of gamonales less in terms of the state, and more in terms of the peculiar features of class in the highly disarticulated Peruvian political economy (Nugent 2008); or of different sectors of an informal economy operating in the spaces between formally recognized states not in terms of justice meted out by the state so as to draw attention to its laws, but rather in terms of entirely different forms of social regulation in such spaces (see for example, Heyman and Smart 1999; Lins Ribeiro 2007; Narotzky and Smith 2006; Smith 2007)

While Hansen and Stepputat seem much more cautious in this regard one is nevertheless struck by the way in which these views of the state, inspired by an extension of post-structuralism, have the effect of carving the state and its forms of governance off from the political economy in which it is embedded. The result is to foreclose any need to understand the specificities of different states, except insofar as they exhibit different "state effects" in the multiplicity of ethnographic sites where anthropologists work. If one were to hypothesize (for the sake of argument) that what we are seeing today in a variety of forms is a crisis of the relationship between changing capitalist relations of production and a crisis of the liberal democratic state, approaches driven by the gaze of state power would not help us to explore it.

This is especially striking in an article on the spatializing characteristics of states by Ferguson and Gupta (2002) which, one suspects, had some influence on the formulations of the above two interventions. There, after a selective review of the mistaken (spatial) views of the state

and civil society that makes no reference to Marx or Gramsci (thereby allowing civil society to survive in a vacuum innocent of capital or the market), the authors draw up a comparison between what they call the "strong state" of India with the weak states of "Africa" [*sic*], which in some cases they feel are hardly states at all, but instead are at the receiving end of new forms of transnational governmentality (2002:991, 989). The kind of thing one finds in the latter case is described as follows: "The role played by NGOs in helping Western *development agencies* to get around uncooperative national governments sheds a great deal of light on the current disdain for the state and celebration of civil society that one finds in both the academic and the development literature right now" (2002:993 emphasis added). While of course I am delighted that these authors share with me a certain nervousness about the (American) academic disdain for the state, the myopia vis-à-vis current forms of capitalism means that they find the practices of *development agencies* vis-à-vis African states more worthy of note than those of capitalist firms. Meanwhile the celebration of "civil society" that troubles them does not derive from any sense that the character of civil society and the reproduction of capital are dialectically related.[6] Yet, rather than the distinction between the strong state of India and the weaker ones of "Africa," surely an heuristically far more useful optic would be to explore the complex relationships between regional, national and international capitalist blocs and political society in different settings. Indeed, were one not now entirely habituated to these kinds of explanations in current anthropology, one might be rendered breathless by the thought of a discussion of the spatiality of the Indian state with no reference at all to the peculiar strengths and uneven regional concentrations of *Indian* capitalism.

The forward march of the *overstated*, that I have identified with a turn some time around the beginning of the new century, may seem unstoppable, providing as it does, endless amounts of cultural capital in the academic symbolic economy. But its refusal to engage with the complexities of political economy prevents it from being able to link the forces of counter-tendency necessary for a politics of praxis to the strategic moments of conjunctural possibility.

Undermining States

If *this* were the litmus test giving or denying value to a scholarly intervention how then might a critical analysis of a state be shaped? Two dimensions seem fundamental: immanent critique and history. The two call for different forms of attention, different ways of configuring the dynamics of social reality. The first insists, with Marx, that a critical perspective on current reality cannot be simply driven by moral indignation, or even astute assessments of the present—"criticism knows only how to...condemn the present, but not how to comprehend it" (1976:361). Rather it must seek to deconstruct the process of a social formation in such a way that it reveals its immanent tendencies—toward enhancement, failure or untroubled reproduction. It must move "from negating a reality in the name of an ideal to seeking within reality itself forces for further development and motion" (Rubin 1973:57). This is one dimension; the other works against it. It requires inspecting the contingencies of history: the way the present is the outcome of open-ended conflicts of forces and counter-forces over the mastery of the future. Despite the apparent incompatibility between immanence and contingency, it was Gramsci's point that what distinguished mere wilfulness from what he called "*organic* ideology" was the achievement of praxis through the tying of the two together.

If we are to re-approach the state in the spirit of critique as I am defining it here, then we need to set the present within the multiple experienced histories of the working out of the relationship between what Rancière (2006) calls "police" and "politics." The former involves social regulation by designated stewards claiming their legitimacy through the language of representation.[7] The latter is *always* to do with the autonomous agency of those denied representation or refusing to be represented. The contradiction between representation and democratic sovereignty then, formed the immanent critique of liberal democracy, in other words the tension between democratic sovereignty and a state claiming legitimacy through *representing* that sovereignty. Subsequent history shifted this problem of immanent contradiction from struggles over *politics* understood as an autonomous realm to *political economy* which understood politics to be constituted by something other than itself, especially by capitalism. Capital takes its place alongside the populace as a constituent of state representation to the point at which legitimacy is based as much on productivity as democratic representation (Lefebvre 1977). This in turn has produced different understandings of the relationship between police and politics—between the dominant bloc and people's lives included in the juridical order entirely in the form of their exclusion, in Agamben's (1998) terms.

What precisely is the nature of this change? Again, seen from the point of view of politics rather than governance, it is a change in what the project of praxis might be: from a politics of emancipation to a politics of transformation. The question of exclusion *from the juridical order* that Agamben raises here was the focus of an eman-

cipatory politics born out of the tension between ancien régime "estates" and bourgeois "universal" rights. As Balibar puts it,

> Autonomy becomes a politics when it turns out that a "part" of society is excluded—legally or not—from the universal right to politics (if only in the form of a mere opposition between "active" and "passive" citizens—which already says it all—or, in other words, between responsible, adult citizens and "minors"). [2002:6]

The crucial point about what he calls the autonomy of politics here is that, logically, insofar as "the unfolding of self-determination of the people" *by definition* cannot be granted (by somebody else), so it is therefore the people's own responsibility to win their liberty—it cannot be delegated to them by others. No one can be elevated to a position of equality, or be emancipated, by an external decision or by higher grace. "In this way we move from the self-determination of the people to the autonomy of politics itself" (Balibar 2002:4).

Thus the "granting" of human rights to various kinds of subaltern people excluded because of their state of being (their "race," their indigeneity, their gender, etc.) is part of police work, not of politics understood as autonomous practice. If we accept fully the notion of *egaliberté* (to use Balibar's expression), then how would equality result from some steward or other bestowing such a thing on an Other as a kind of gift? And how would the result be the transformation from passive to active citizenship? Hence emancipatory politics alone—i.e., politics that makes simply the claim to what the representatives of the people say should be the case (quite apart from transformative ambitions) cannot be about more or less enlightened forms of governance, but only about more or less effective forms of praxis.

Transformative politics, the politics most associated with Marx but by no means exclusively with him, was born out of the recognition that politics was not autonomous in this way, however. Rather it was constituted by political economy, in other words the remaining "have-nots" recognize that the achievement of égaliberté will not occur through access to existing *political* institutions alone. Thus Rancière here speaks not of one thing but of two: the enlargement through politics of the public sphere,

> has historically signified two things: the recognition,...as political subjects, of those that have been relegated by State law to the private life of inferior beings; *and the recognition of the public character of types of spaces and relations that were left to the discretion of the power of wealth.* [Ranciere 2006:55, emphasis added]

Rancière here notes that the space of public politics—of "police"—is not confined to an autonomous politics but includes the power of capital. Under consumer capitalism, both the state and capital make claims to the popular that are belied by the essential character of the state and of capital. Thus these spheres of police claim to speak for popular sovereignty both through "representative democracy" and also by claiming that popular sovereignty is expressed through consumption via the market. Insofar as both are moves by dominant blocs to be the stewards of legitimate public expression while nonetheless relying on this absence of the political (in Rancière's sense), they are always faced with the potential countertendency of the demos of real politics.

Praxis, as autonomous agency directed against the given-ness of the present, gives rise to a dialectic, what Rancière calls "the opposed logics of police and politics" (2006:55). The prefacing of "government" with the ameliorating adjective "democratic" obliges governments to dress the logic of power immanent in their reproduction in the cloak of "the common community." So, the "natural life" of government, which is to shrink this public sphere, is met by collective democratic struggles to expand the public sphere of politics. Meanwhile the promise of consumer capitalism is that it will provide for the needs of all through their effective capacity in the market. What makes politics transformative is when it is expressed as a radical negativity—that is the rejection of these kinds of liberal democracy and consumer capitalism through the use of key notions that seize the imagination of those, in fact, excluded from them. The historical expression of this in the West was a response to exclusive control over political capacity by *the citizens* in 1789, and to owners' claims to the right to control productive capacity by *the proletariat* thereafter.

What about the present distinguishes it from that history? It would seem that the *naming* of the excluded—the terms by which exclusion is legitimized—has changed, but what they are being excluded from remains pretty much the same: political capacity and control over their livelihoods. So where does that place the project of a radical anthropology?

To some extent this is to ask a counterfactual question of anthropology. The tradition that produced the generation of the 1990s had itself been powerfully influenced by a series of key works of a previous generation that took as their point of departure an enquiry into the possibilities for a transformative politics.[8] Though, after 1989, the younger generation were to inflect their enquiries differently, they retained its politics. How then might things have been had anthropology remained a wallflower hidden

from the strobe lights of the latest academic dance-style and unseduced by the flatteries of post-structuralism?[9]

We might begin by asserting that liberal democratic states were from the outset a project for a designated elite that was only moved from this path at moments of collective democratic struggle by the exceptions, the excluded, the minors and so on. It is a remarkable fantasy of so-called progressive intellectuals to believe that social democracy is the solution to this dilemma or that, given a chance, it *could* have the potential of resolving it. Moreover, like all fantasies, it is a mystifying one—precisely because of its refusal to recognize the tension between government and praxis, police and politics, order and history. An alternate agenda would invert the priorities of research from that which occurred after the turn. For it is in the way *overstatement* has met post-coloniality to configure in victimhood and marginality not so much a potentially *active historical agent* as a form of *being in the world* that is privileged in its exemplary immunity to intellectual rationality—and indeed to politics as well.

If we begin our enquiries then with the injunction that subalternity is a condition *to be changed* instead of a "resistant presence" *tout court*, then the limitations of overstatement become immediately apparent. Instead of the subject understood as a condition of *being* (or barely being) that results from state effects, we have the much more challenging engagement of our intervention in forms of political *doing* that begin with practising subjects and move on to emergent subjects arising out of practice itself. It is a move that will not be easy, for it not only holds no current academic street creds; it also moves us out of the comfort zone of the governmental gaze and away from the moral high-ground of post-coloniality where one pauses for a respectful bending of the knee toward the authenticity of the excluded before boarding the plane for a seminar in Chicago.

We do not live in an era that makes any answer to the questions thrown up by such an approach obvious. Nonetheless the point is to suggest that a perspective of this kind generates a quite different way of thinking about the relationship between the historically formed subject–agent and current forms of the state than those that understand the state in terms of a discursive play upon the body, the figure or bare life.

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Notes

1 For the way this led to an especially culturally inflected understanding of hegemony, see Smith 2004a and 2004b.

2 I take this use of the expression "turn" from Eric Wolf's discussion of "contested concepts" in his *Envisioning Power* (1999:21-67). It is used in an especially argumentative form by Brennan (2006).

3 Similarly for Sharma and Gupta (2006:11), an anthropological perspective deals with "how people perceive the state"—the cultural constitution of states—in just two spheres: everyday practices and representations.

4 It is important I think to note that Foucault himself was usually much more careful about the role of the state in the production of subjectivities. Thus he notes that there are in fact three types of struggles: against forms of domination, against forms of exploitation, and against "that which ties the individual to himself." As he saw it, in history they were mixed together though "one of them most of the time prevails" (2003:130).

5 The gamonal is a much discussed figure in Andean anthropology. Broadly speaking it refers to the landlord or political boss. But the gamonal is also a member of the dominant classes claiming access to and interpretation of indigeneity (Krupa 2007:369-370).

6 This usage would appear to make the word "civil" as a modifier for society especially inept.

7 Thus Bourdieu (1990:139): "[T]he leader of a trade union or of a political party, the civil servant or the expert invested with state authority, all are so many personifications of a social fiction to which they give life, in and through their very being, and from which they receive in return their power."

8 See Hobsbawm (1959), Wolf (1969), Thompson (1968), Huizer (1973) and Paige (1975).

9 I acknowledge that the turn toward post-structuralism in anthropology was originally motivated by a desire to continue the spirit of critique evidenced in earlier flirtations with Marx. My point is that these early good intentions have been diverted by the hypnotic songs of overstatement.

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