

Everyone against the One...

CONTR'UN

2

Self-Government and the Citizen-State:
Explorations in Proudhonian Sociology

Writings by Shawn P. Wilbur

This issue of *Contr'un* collects of two different attempts to grapple with one aspect of Proudhon's sociological thought—his developing theory of *the State*—and the philosophical concerns which shaped his analysis. The first is a book-chapter, written for a German-language series on philosophies of the State, and the second is a set of more wide-ranging notes written during the composition process. Together, they raise some questions about the identification of anarchism with “anti-statism,” a concept which is of comparatively recent origin.

The first analysis corrects certain common misconceptions about the historical relationships between anarchism and “the State,” and introduces some of the main concepts of Proudhon's philosophy and social science. The second extends the exploration to address other sorts of institutions, such as “the market.”

A third section includes translations of related primary-source materials.

Pierre-Joseph Proudhon: Self-Government and the Citizen-State¹

Shawn P. Wilbur

[The State] is itself, if I may put it this way, a sort of citizen..."

—Pierre-Joseph Proudhon²

For more than a hundred years, *anti-statism* has been a key principle of anarchism. But this was not always the case. A search of English- and French-language sources suggests that for much of the nineteenth century, the term “statism” (or “étatisme”) did not have its present meaning. In the political realm, it simply meant “statesmanship.” As late as the 1870s, the American anarchist Stephen Pearl Andrews used the term to mean “a tendency to immobility,” without apparent fear of confusion, and the American Dental Association considering adopting Andrews’ coinage, apparently without fear of entering political territory.³

Anarchism emerged as a political philosophy in the first half of the nineteenth century, when much of the modern political lexicon was still being established. “Individualism,” “socialism,” and “capitalism” all seem to date from the 1820s or 1830s, and their early histories are entangled with that of “anarchism,” a term we generally date from 1840, and which was initially defined in terms of its anti-*authoritarian* or anti-*governmental* critique. Of course, the relatively late appearance of the term *anti-statism* does not itself tell us much about the history of the associated critique. We know, however, that at least some of the participants in the anarchist movement considered the emergence of *anti-statism* as both a real departure from the existing *anti-governmental* critique—and as a misstep. In 1887, for example, more than twenty years after the death of anarchist pioneer Pierre-Joseph Proudhon, Frédéric Tufferd wrote:

The most incredible confusion is that between the government and the State. I am an anarchist, as Proudhon was, for like him I want to abolish government, the principle of authority in the State, in order to replace it by an responsible and controllable administration of the public interests; but I do not want, with Bakunin, to abolish the State. The word State comes from stare, to hold, to persist; the State is thus the

¹ Completed June, 2013. A German-language version of this essay will appear in the *Staatsverständnisse* series, published by Nomos, who hold the rights to the translation.

² Pierre-Joseph Proudhon, *Théorie de l'impôt*, Paris: Dentu, 1861: 68.

³ Bakunin was writing about “statism,” or its Russian equivalent, by 1870. Joseph Lane’s “An Anti-Statist Communist Manifesto” was published in 1887, and in the previous year the American individualist anarchist Benjamin R. Tucker had published a partial translation of Proudhon’s “Resistance to the Revolution” under the title “The State.”

organized collectivity. Just as the commune is the local collectivity, the State is the national collectivity which has lasted, lasts, and will last as long as the nation itself.⁴

For Tufferd, socialists faced a choice between dividing over speculations on the *nature* of the State, God, etc., or uniting around a science focused on social *relations*. As he understood the terms of the “confusion,” *government* was any relation on the basis of the “principle of authority,” which could, indeed, shape particular *States*, but which was ultimately separable from the State as such. The State was merely a persistent manifestation of society.

This was quite different from the view which ultimately united much of the anarchist movement in opposition to the State as such. Almost from the beginning there had been those who felt that a decisive break had to be made with existing institutions. Not all were as extreme as, for example, Ernest Coeurderoy, who claimed that liberty could not come to European civilization unless it was first destroyed by the Cossacks, but many in the movement believed that very little of the present social organization could be allowed to persist. Certainly Bakunin—the representative figure, for Tufferd, of the *anti-statist* school—held government and the State to be entwined, and both to be impediments to anarchy.⁵

Despite their differences, however, both schools of thought could claim, with at least some justification, a descent from the work of Proudhon. Their specific inspirations were simply drawn from different periods of his career. Proudhon’s thoughts about the State appear, at least at first glance, to have run a wide gamut. At times, he had been its staunchest opponent, calling for its entire abolition. In 1848, during the Second Republic, he asked: “Why do we believe in Government? From whence comes, in human society, this idea of Authority, of Power; this fiction of a superior Person, called the State?”⁶ Yet, in 1861 he claimed that “the State, as the Revolution has conceived it, is not a purely abstract thing, as some, Rousseau among them, have supposed, a sort of legal fiction; it is a reality as positive as society itself, as the individual even.”⁷ He went so far as to describe the State as “a species of citizen.”

Could the State be in some sense a fiction? And, if so, could the same State also be, in some sense, a reality, a being of sorts, as real as the human individual? Proudhon answered both questions in the affirmative, and in terms which only require some clarification to render consistent. During the period of the Second Republic, he argued that the real power attributed to the State was legitimated by a false account of relations within society, and he waged an unrelenting war against that fundamental political fiction—but also against all

⁴ Frédéric Tufferd, “L’Union en socialisme,” *Société nouvelle* 2, No. 33 (septembre 1887): 224.

⁵ See, for example, Mikhail Bakunin’s “La science et la question vitale de la révolution.”

⁶ Pierre-Joseph Proudhon, *Confessions d’un Révolutionnaire*, new ed., (Paris: Lacroix, 1876): 5.

⁷ *Théorie de l’impôt*. 77.

other *governmentalist* accounts, which posited the necessity of a ruling authority outside and above the equal associations of individuals. Then, during the Second Empire, having swept aside, at least to his own satisfaction, that false account of the composition and realization of society, he began to advance an alternate account, in which he found that government and the State were indeed separable, and that the non-governmental functions of the State, though modest in comparison to those attributed to its authoritarian forms, served vital roles in society—even when the political forms of society approached *anarchy*.

Between the two periods, Proudhon himself identified a watershed corresponding to his own “complete transformation:” “From 1839 to 1852, I have had what is called my *critical* period, taking this word in the lofty sense it is given in Germany. As a man must not repeat himself and I strive essentially not to outlive my usefulness, I am assembling the material for new studies and I ready myself to soon begin a new period I shall call, if you like, my *positive period* or period of construction.”⁸

Proudhon’s claim was perhaps hyperbolic, since transformation was for him something of a constant process. Elsewhere, in what is perhaps a more satisfactory account, he characterized himself as “the man whose thought always advances, whose program will never be accomplished.”⁹ But he was quite correct in pointing to separate *critical* and *constructive* analyses, each predominating at different times in his work, which can serve us to distinguish—and ultimately to explore the relations—between two aspects of his theory of the State.

What follows is a roughly chronological examination of Proudhon’s developing understanding of the State, including accounts of the two analyses already noted. The first of these is an account of *critical* analysis of the *governmentalist* State, as Proudhon presented it in a series of published debates with Louis Blanc in 1849. The second is an exploration of some of the developments that he gave to his theory of the State in his later writings—in his 1858 masterwork, *Justice in the Revolution and in the Church*, and in a number of other texts from the 1860s, including *War and Peace*, *The Theory of Property*, and *The Federative Principle*. Between these two studies it will be necessary to pause, as Proudhon did in his own career, for an examination of his early studies, in order to clarify the extent to which his later conception of the State grew directly from the earlier work. We’ll end by revisiting the “confusion” that concerned Tufferd, and consider the potential lessons of the largely neglected conclusions of Proudhon’s second analysis of the State.

Pierre-Joseph Proudhon emerged as a public figure—and launched the modern anarchist movement—in 1840, when he published *What is Property?* To the question posed in the title, he proposed the infamous response: “Property is

⁸ Proudhon, *Correspondance*, vol. 6, (Paris: Lacroix, 1875): 285-286.

⁹ Proudhon, *Philosophie du progrès: programme*, (Bruxelles: Lebegue, 1853): 22.

theft!" The work was hardly a political manifesto, and it would, in any event, be some years before the anarchist movement consisted of more than a small, heterodox collection of Proudhon's fellow-travelers. Instead, it was a collection of critiques of existing property conventions, and the "Psychological Exposition of the Idea of Justice and Injustice, and a Determination of the Principle of Government and of Right," in which Proudhon declared "I am an anarchist," was not exactly an afterthought, but it was certainly written for non-anarchist contemporaries, rather than those who would eventually be his ideological heirs. Still, Proudhon defined anarchy in fairly clear and simple terms, as the "absence of master, of sovereign," and declared that it was "the form of government which we approach every day." Anarchy would come by means of a shift from rule by authority, or will, to a condition in which "the legislative power belongs to reason alone, methodically recognized and demonstrated." Under these circumstances, "as the opinion of no one is of any value until its truth has been proven, no one can substitute his will for reason,—nobody is king."¹⁰ Proudhon distinguished this political order—sometimes designated by the English term *self-government*—from even those sorts of democracy for which it is claimed that "everyone is king," as he believed that the multiplication of sovereign wills still differed from the dethroning of will in politics altogether.

Proudhon followed his book on property with others on the same subject, and soon found himself the object of both considerable notoriety and government prosecution. He was only saved from imprisonment because it was argued that he was merely a philosopher. For much of the 1840s, he did indeed concentrate on philosophy and social science, establishing himself as something of a rival to the "utopian" socialists Henri de Saint-Simon, Charles Fourier, Pierre Leroux and Etienne Cabet. But events in France would eventually lead him to an active political life.

During the Second Republic, Proudhon had direct incentives to think about the nature of the State itself. In the debates surrounding the form and direction of the French republic many revolutionary options no doubt seemed possible,¹¹ as well as any number of catastrophic failures, and Proudhon was not only drawn into the political conversation but into the government itself, serving in the constituent assembly from June 1849 until March 1849. He proposed programs and legislation. His work on property languished somewhat, while he established the theoretical basis and eventually the institutional apparatus for his Bank of the People, a currency reform project based on "free credit."¹² He enjoyed a wide notoriety, but faced consistent opposition on most fronts. His career as a statesman ended when his immunity from prosecution was lifted and he was imprisoned for insults to president Louis Napoléon Bonaparte. In

¹⁰ Proudhon, *Qu'est-ce que la propriété?* (Paris: Prevot, 1841): 301-302.

¹¹ See, for example, Pierre Leroux, *Projet d'une constitution démocratique et sociale* (Paris: G. Sandré, 1848.)

¹² Proudhon's key writings on credit are assembled in *Solution du problème sociale* (Paris: Lacroix, 1868.)

prison, he continued to be intensely involved in the political discussion, writing books and articles analyzing the failure of the 1848 revolution, and it was during this period that he engaged in the very public debate with fellow socialists Louis Blanc and Pierre Leroux on the “nature, object and destiny” of the State.

The 1849 debate on the State was a surprisingly public affair, a debate between socialist philosophers so well publicized that early in 1850 *La Mode*, a popular magazine, could publish a one-act play, “The Feuding Brothers,” which was little more than a parodic report of the debate, cobbled together from quotes in the popular. The anonymous author of the farce could assume a fairly high degree of familiarity with the details, in large part because the French Revolution of 1848 had transformed socialist philosophers into men of state. The whole world was watching the developments within the Provisional Government of the Second French Republic, where the most important sorts of questions were being discussed among representatives whose preferred systems ranged from anarchy to the restoration of the constitutional monarchy.

Between Proudhon and Leroux, there seems to have been almost complete agreement on most of the substantive issues, although this didn’t prevent them from making outrageous accusations and calling one other the most bizarre names. Between Blanc and Proudhon, however, the lines were clearly drawn. For modern readers, the most striking aspect of the exchange might be the obvious animosity between the two men. Proudhon referred to the “the avowed, cordial hatred of Louis Blanc,”¹³ while Louis Blanc, reprinting his contributions some years later, felt the need to suppress some passages that “was marked by too much vehemence and does not deserve to figure in a discussion de principes.”¹⁴ But there were also a clear clash of principles.

Blanc’s account of the State was a progressive one, assuming an evolution through forms of “tyranny,” followed by a democratic transformation to the “reign of liberty.”

“What is the State?” asks Louis Blanc. And he replies:—

“The State, under monarchical rule, is the power of one man, the tyranny of a single individual.

“The State, under oligarchic rule, is the power of a small number of men, the tyranny of a few.

¹³ *Mélanges*, tome iii, 30.

¹⁴ Louis Blanc, *Histoire de la Révolution de 1848* (Paris: Marpon et Flammarion, 1880): 235. The personal aspects of the debate occasionally allow us a glimpse of the intimate lives of the participants. In his correspondence, Proudhon includes this curious detail. “While Louis Blanc accuses me of *selling* socialism, his framed portrait serves as the companion to mine in my wife’s bedroom! Could I refuse that place to the man who, despite the weakness of his deductions and his incompetence, best represents the governmental principle?...” *Correspondance*, Vol. 5 (Paris: Lacroix, 1875): 107.

“The State, under aristocratic rule, is the power of a class, the tyranny of many.

“The State, under anarchical rule is the power of the first comer who happens to be the most intelligent and the strongest; it is the tyranny of chaos.

“The State, under democratic rule, is the power of all the people, served by their elect, it is the reign of liberty”¹⁶

At the end of its evolution, Blanc claimed, the State would be “nothing other than society itself, acting *as society*, to prevent... what? Oppression; to maintain... what? Liberty.”¹⁶ There had been master-States, he said, but in the democratic regime the State would be a servant.

Proudhon naturally challenged the characterization of the anarchic regime, but he also questioned the apparent sleight of hand by which the tyranny of the State in all its other forms became liberty when in the hands of democratically elected officials. He claimed that Blanc, and the other proponents of the State, did not really believe in a society that could act *as society*, insisting instead on the necessity of the State, which he characterized as “the external constitution of the social power.” His opponents believed “that the collective being, that society, being only a being of reason, cannot be rendered sensible except by means on a monarchic incarnation, aristocratic usurpation, or democratic mandate.”¹⁷ Proudhon, on the contrary, believed that this “collective being” had a real existence, strongly analogous to that of the human individual: “in both cases, the will, action, soul, mind, and life, unknown in their principle, elusive in their essence, result from the animating and vital fact of organization.”¹⁸ This was not simply an analogy for Proudhon, but an enduring part of his social science, which he was prepared to state in no uncertain terms: “We affirm, on the contrary, that the people, that society, that the mass, can and ought to govern itself by itself; to think, act, rise, and halt, like a man; to manifest itself, in fine, in its physical, intellectual, and moral individuality, without the aid of all these spokesmen, who formerly were despots, who now are aristocrats, who from time to time have been pretended delegates, fawners on or servants of the crowd, and whom we call plainly and simply popular agitators, *demagogues*.”¹⁹

In his response, Blanc did not challenge Proudhon’s account of society as a collective being, but he objected that it was incomplete: “If this collective being of which the citizen Proudhon declares the existence is anything but a collection of senseless syllable, it must be realized. But the collective being realized is precisely the State.” Altering the argument slightly, Blanc said that society

¹⁶ *Mélanges*, tome iii, 9-10.

¹⁶ Louis Blanc, *Histoire de la Révolution de 1848* (Paris: Marpon et Flammarion, 1880): 236.

¹⁷ *Mélanges*, tome iii, 11.

¹⁸ *Mélanges*, tome iii, 13.

¹⁹ *Mélanges*, tome iii, 12.

might form an organized, unified body, but that it would lack unity if it lacked the State, which he likened to the human head.

The analogy was not particularly apt. We probably wouldn't say that the human body is "realized" by the head, or that the head was the site of its unity, even if we were convinced that the State was a real "organ" of society—unless, of course, we believed that the body was unorganized without the direction of something like a soul. Proudhon seized on this element of the argument, referencing Descartes' attempts to find a site for the soul in pineal gland.

For Proudhon, there could be no equivocation between beings capable of *self-government* and those animated by some external force or principle. Every attempt to combine the two accounts would involve a fatal contradiction, and this was inevitable in any defense of States organized according to the principle of authority. No doubt, Proudhon admitted, those contradictory States were inevitable in the evolution of society, but in the end the fiction of authority would be overcome. "*Anarchy*," he said, "is the condition of existence of adult societies, as *hierarchy* is the condition of primitive societies: there is an incessant progress, in human societies, from hierarchy to anarchy."²⁰

The debate over the aim or object of the State simply clarified the arguments concerning its nature. According to Proudhon, the governmentalists believed that in the absence of a State society would be in a constant state of internal warfare. For Proudhon, a collection of individuals in constant warfare would simply not constitute a society. In this instance it would indeed be society which was fictive, and we might ask ourselves how this warfare might give rise to the peaceful impulses which presumably would inform the rule or "realization" accomplished by the State. The divide between Proudhon and Blanc revolved around a choice between "internal" and "external constitution" of the society. Without the "realizing" element of the State, Blanc argued, society would just be a group of elements. In response, Proudhon argued that every individual is essentially a group of elements—but that in every individual worthy of the name the principle of association or realization, the only law the anarchist Proudhon was prepared to recognize, is inherent in and demonstrated by the association itself. There is *self-government* or there external imposition, and it matters little, in the long run, whether the imposing force is vested in one individual or many, or what we call those who wield the force. It is still tyranny.

On the question of the destiny of the State and the possibilities for its reform, Proudhon had very little room for optimism. What he objected to in the State was not, according to his present understanding of the terms, an inessential part of it, but its very essence, its external position with regard to society. Some States might be more or less objectionable in their impositions on society, but the point, for Proudhon, was to cease imposing any order on society which was not its own order, derived from its own internal law. Proudhon wanted neither master-States nor servant-States, just as he wanted neither

²⁰ *Mélanges*, tome iii, 9.

masters nor servants. As he had not yet found the grounds on which to deal separately with government and the State, that left him with no option by to reject the State entirely.

Imprisoned until after the coup d'état, Proudhon was poorly positioned to effect the course of the republic, but, like many political prisoners, he made the most of his incarceration. His debate with Leroux and Blanc had been preceded by the *Confessions of a Revolutionary*, a critical history and personal indictment of the French Revolution of 1848, and it was followed by *The General Idea of the Revolution in the Nineteenth Century*, in which he sought to argue for the possibility, even the necessity of a new revolution. His anti-governmentalist critique—and perhaps his entire “critical” phase—reached its crescendo in the “Epilogue” of the latter work, in what has become one of his most famous passages:

To be governed is to be kept in sight, inspected, spied upon, directed, law-driven, numbered, enrolled, indoctrinated, preached at, controlled, estimated, valued, censured, commanded, by creatures who have neither the right, nor the wisdom, nor the virtue to do so.... To be governed is to be at every operation, at every transaction, noted, registered, enrolled, taxed, stamped, measured, numbered, assessed, licensed, authorized, admonished, forbidden, reformed, corrected, punished. It is, under the pretext of public utility, and in the name of the general interest, to be placed under contribution, trained, ransomed, exploited, monopolized, extorted, squeezed, mystified, robbed; then, at the slightest resistance, the first word of complaint, to be repressed, fined, despised, harassed, tracked, abused, clubbed, disarmed, choked, imprisoned, judged, condemned, shot, deported, sacrificed, sold, betrayed; and, to crown all, mocked, ridiculed, outraged, dishonored. That is government; that is its justice; that is its morality. And to think that there are democrats among us who pretend that there is any good in government; Socialists who support this ignominy, in the name of Liberty, Equality, and Fraternity; proletarians who proclaim their candidacy for the Presidency of the Republic! Hypocrisy!²¹

This is the *anti-governmentalist* faith that he never abandoned, and the aspect of Proudhon's thought which has been consistently honored by the anarchist tradition. But the Republic was nearing its final crises in 1851, and the context for Proudhon's critique would change dramatically with the emergence of the Second Empire.

With the *coup d'état*, the legislative conversation was abruptly closed, and Louis Napoleon's regime was not accommodating to dissenting voices, rewarding them not just with censorship, but sometimes with imprisonment or exile. Like many others, Proudhon gradually adapted, or, as he put it, he “transformed.”

²¹ Proudhon, *Idee générale de la révolution au XIXème siècle*, (Paris: Garnier Frères, 1851): 341-342.

He had said that “a man should not repeat himself,” but the truth is that by 1852 he had probably repeated his critique to just about every audience available to him: the people and his fellow socialists, in a series of publications; his fellow legislators; the bourgeoisie, in *The General Idea of the Revolution in the Nineteenth Century*; and even the emperor Louis Napoleon, in *The Social Revolution, Demonstrated by the Coup d’État of December 2*. But Proudhon found himself increasingly limited in what he could publish in France, and fairly quickly found himself in exile in Belgium.

It would not be hard to imagine, given the events surrounding Proudhon’s development, how someone who identified as an anarchist in 1840 might have come to terms with the State in the context of the Second Republic, and then come to reject it again as a result of political disappointment and persecution. We could also, no doubt, understand if imprisonment and exile had dampened the ardor of a political activist. Proudhon’s evolution is perhaps a little more difficult to understand.

By 1858, he had defined the terms of his *constructive* project:

I intend to suppress none of the things of which I have made such a resolute critique. I flatter myself that I do only two things: that is, first, to teach you put each thing in its place, after having purged it of the absolute and balanced it with other things; then, to show you that the things that you know, and that you have such fear of losing, are not the only ones that exist, and that there are considerably more of which you still must take account.²²

But this apparently mild-mannered program appeared in the midst of his *Justice in the Revolution and in the Church*, a massive frontal assault on the Church and continued critique of *governmentalism*, for which he once again faced prosecution—a work in which he declared, defiantly and a bit dramatically, “I am a sans-culotte”!

Without speculating unnecessarily on the factors which drove the “complete transformation” of the early 1850s, we can point to circumstances which undoubtedly played a role. Just as he was being forced into Belgian exile, Proudhon undertook a review of his philosophy, and in the course of that work quietly corrected some problems from the *critical* period.

In 1853, Proudhon published *The Philosophy of Progress*. The work took the form of two long letters to a French journalist who had asked him for a summary of his ideas, and they afforded an opportunity for Proudhon to bring together the various aspects of his previous work in a way which he had not done before. Much of the work was devoted to a consideration of “the criterion of certainty” in science and philosophy, and, to no doubt over-simplify a long and

²² Proudhon, *De la Justice dans la Révolution et dans l’Église*, Tome III (Paris: Lacroix, 1868): 113.

very interesting study, his conclusion was that little, if anything, was certain but *change*.

Indeed, finally pressed to explain himself, he condensed his project down to a single opposition and a single affirmation: "All that I have ever written, all that I have denied, affirmed, attacked, and combated, I have written, I have denied or affirmed in the name of one single idea: Progress. My adversaries, on the contrary—and you will soon see if they are numerous—are all partisans of the absolute..."²³

This opposition, he believed, was a sort of skeleton key, not only to the works he had written, but to any work he might pursue:

If, then, I could once put my finger on the opposition that I make between these two ideas, and explain what I mean by Progress and what I consider Absolute, I would have given you the principle, secret and key to all my polemics. You would possess the logical link between all of my ideas, and you could, with that notion alone, serving for you as an infallible criterion with regard to me, not only estimate the ensemble of my publications, but forecast and signal in advance the propositions that sooner or later I must affirm or deny, the doctrines of which I will have to make myself the defender or adversary.²⁴

This distillation of his project gave him a clear set of principles with which to set out on the next phase of his careers, and *The Philosophy of Progress* highlighted elements of his early works which might have otherwise gone unremarked. But as Proudhon consolidated his project around the notions of progress and the opposition to the absolute, some shortcomings of his early works may have presented themselves.

Arguably, some of the apparent single-mindedness of his opposition to concepts like property and the State, so admired by the anarchist tradition, was achieved by questionable terminological gymnastics. In the introduction to *What is Property?*, he contrasted his view with that of one of property's defenders: "Mr. Blanqui recognizes that there are a mass of abuses, odious abuses, in property; for myself, I call *property* exclusively the sum of those abuses."²⁵ While this made for a bold statement, it also threatened to reduce the impact of his claim that property is theft. Even while arguing for the historical development of the notion of justice, he drew firm lines between himself and those who would construct similar accounts about property. In 1841 he distinguished his terminological approach from that of Pierre Leroux: "Thus, according to Mr. Leroux, there is property and property: the one good, the other bad. Now, as it is proper to call different things by different names, if we keep the name "property" for the former, we must call the latter robbery, rapine, brigandage. If, on the contrary, we reserve the name "property" for the latter, we must designate the former by the term *possession*, or some other equivalent;

²³ Philosophie du progrès, 19.

²⁴ Philosophie du progrès, 20-22.

²⁵ Qu'est-ce que la propriété, xviii.

otherwise we should be troubled with an odious synonymy.”²⁶ However, he was unable to escape that “odious synonymy” in a number of his works, and as his analysis became more complex, he even began to exploit it, emphasizing the internal contradictions in many key concepts.

By the beginning of his *constructive* phase he had reached a point in his battle with the reigning concepts like “religion, government, and property” where he could allow them to retain their “patronymic names,” even when they assumed new forms, in order to highlight the action of progress. As a result, familiar terms may have meaning with only a family resemblance to those we know. Whether or not Proudhon himself underwent a “complete transformation” in the early 1850s, we are likely to lead ourselves astray if we do not acknowledge that at least his vocabulary was fairly substantially transformed.

In 1858, Proudhon published his *Justice in the Revolution and in the Church*, a work in four volumes, later expanded to six. In a series of studies within it, he contrasted the conception of justice advanced by the Catholic Church with an anarchic vision in which a vast array of interests would be balanced, without political hierarchy or governmental authority, in relations consistent with reason and science. The studies combined *critical* and *constructive* elements, with the theory of collective beings receiving a considerable amount of development.

In his early writings, Proudhon had adopted a sort of second-hand Hegelian dialectic, without having direct access to Hegel’s writings. He believed that human progress was achieved by the playing out of contradictions—which he called theses and antitheses, without otherwise conforming to the details of Hegel’s system—and he believed that when these terms were synthesized, the tensions between them was resolved. However, he had also incorporated elements of the serial analysis of Charles Fourier, and attempted to synthesize those influences in what he called a “serial dialectic.” It is safe to say that some tensions remained in his own construction, until he finally abandoned it in 1858, asserting that “The antinomy does not resolve itself... The two terms of which it is composed BALANCE, either between themselves, or with other antinomic terms.”²⁷ With this theory of antinomies as his guide, there was no longer any question of dramatic victories or defeats for ideas or forces. Instead, the only form of resolution was balance, and while Proudhon liked to talk about the *scales [bascule]* of justice, as he began to build a “true” social system by bringing more and more ideas into relation, the varieties of balance multiplied. In the work on *Justice*, the study on “Goods” ended with an incomplete catalog of more than a dozen sorts of economic antinomies to be balanced.

²⁶ Proudhon, *Lettre à Mr Blanqui sur la propriété: deuxième mémoire*, (Paris: Prevot, 1841): 130.

²⁷ Proudhon, *De la Justice dans la Révolution et dans l’Église*, tome I (Paris: Garnier Frères, 1858): 353.

With no recourse to external governmental control, all of this balancing was necessarily to be achieved by individuals situated in the midst of this complex, evolving web of relationships. The interested beings would not, of course, be limited to individual human beings. In the study on the State, Proudhon reaffirmed his belief in “social beings,” on a range of scales from families and small workshops to nations and States.

He retraced the arguments of 1849, armed with a vast new body of historical data and contemporary political analysis. One brand new element was, however, featured prominently: a constructive notion of the State as another collective being. The “Small Political Catechism” which summarized the study began with the question: “Every expression conceals a reality; of what does the reality of the social power consist?” The answer was: “It is collective force.” Furthermore, “collective force being a fact as positive as individual force, the first perfectly distinct from the second, collective beings are as much realities as individual ones.”²⁸ This notion of collective force had been part of Proudhon’s theoretical apparatus since the work on property in 1840, where he used it to demonstrate that individual property could not emerge simply from social labor. In *The General Idea of the Revolution* he had invoked it to suggest limits on individual ownership of capital, based on whether the means of production in question would be employed individually or by some organized association of laborers. By 1849, the family and society had joined the list of collective beings manifesting one or more varieties of synergetic “force.” As Proudhon’s thought developed, the range of beings and manifestations of force to be reckoned with continued to multiply. It was perhaps inevitable that Proudhon would find *something* in all the manifestations associated with government and the State that he had to consider a reality.

The theory of the State that emerged in 1858 was still rather vague: “The State results from the gathering of several groups, different in nature and object, each formed for to exercise a special function and for the creation of a particular product, then assembled under a common law, and in an identical interest.”²⁹ If this State was to be understood as an individual, a “species of citizen,” there was still some elaboration to be made. Proudhon, however, was most concerned with showing that the role of the state would be “primarily commutative,” but “no less real” for that. All of the usual activities associated with states, the “works of public utility,” seemed to him to be “effects of the ordinary collective force,” with no natural or necessary connection to any structure of external authority. As examples of appropriate projects for his anti-authoritarian State, he discussed questions like general security and the provision of a circulating medium.

The work on *Justice* also presented an important evolution in Proudhon’s discussion of *reason*, the sole source of legislation in his anarchist vision.

²⁸ Op cit., 480-481.

²⁹ Op. cit., tome I, 481.

Collective reason emerged alongside collective force as a manifestation of collective being, and in the study on “Ideas” Proudhon described the special role that it had to play in safeguarding individual reason against the corrupting influence of the absolute. To simplify what is both a wide-ranging and occasionally puzzling discussion, we might simply observe, in this context, that as the force exerted by individuals in industry finds expression both in industrial organizations and in more strictly individual forms, the individual reason which is supposed to inform our *self-government* is expressed, if we may put it this way, by individuals as individuals, by collectives as individuals, and by individuals as parts of collectives. The anarchic *self-government* of a given society will have to be grounded in the balancing of those manifestations of reason, and the overlaps between individual and collective give us some clues to the mechanisms likely to be involved.

Proudhon himself, in talking about the “organ” of the collective reason, situated it everywhere that collective force might be found. This proliferation of *reasons* to be reckoned with perhaps served to combat the one real danger he foresaw need to protect against: “There is only one precaution to take: to insure that the collectivity consulted does not vote, *as one man*, by virtue of an individual sentiment that has become common...”³⁰ That danger was apparently real enough in Proudhon’s mind that, in a puzzling paragraph, he proposed a “special magistracy” to operate as “police of conversations and guardian of opinion.” The proposal was, however, without details, and in context it is hard to imagine how this “magistracy,” whether formal or figurative, could have been tasked to do anything but stave off premature agreement.³¹ In any event, if Proudhon’s most ambiguous statements raise momentary questions about his entire opposition to government, there is no lack of unambiguous declarations affirming it. “Justice alone commands and governs,” he insisted, “Justice, which creates the power, by making the balance of forces an obligation for all. Between the power and the individual, there is thus only right: all sovereignty is rejected; if it denied by Justice, it is religion.” Beyond this *self-government*, guided by justice, society was “ungovernable.”³²

³⁰ De la Justice dans la Révolution et dans l’Église, tome III, 119.

³¹ The suggestion recalls Proudhon’s statement from 1840, where he proposed that questions of policy might be decided by the Academy of Sciences, to whom all citizens could appeal, on the basis of “departmental statistics.” The proposal has sometimes been mistaken for the creation of a “Department of Statistics,” presumably with authority to regulate on the basis of science, although that seems clearly at odds with the anarchistic self-government Proudhon was in the process of proposing. While the most authoritarian readings of these two passages are almost certainly incorrect, there is certainly something puzzling about them, and we know that Proudhon was not immune to proposing mechanisms arguably at odds with his goals. It was, after all, in the context of a very similar discussion of the “organ of justice” that he elevated the patriarchal family to a special place in his social theory.

³² De la Justice dans la Révolution et dans l’Église, tome I, 495.

There are a number of other details relevant to the theory of the State, scattered through the sprawling work on *Justice*. In a sort of delayed response to Blanc, Proudhon poked fun at the “monstrous idea” that others had possessed of “social being:” “it is like an animal of a mysterious species, but which, in the manner of all the known animals, must have a head, a heart, nerves, teeth, feet, etc. from that chimerical organism, which everyone strives to discover, they then deduce Justice, that is to say that we derive morality from physiology, or, as we say today, right from duty, so that Justice always finds itself placed outside of consciousness, liberty subjected to fatalism, and humanity fallen.”³³

Another study provided a positive account of liberty, suggesting that freedom is not simply the absence of prohibition or restraint, but a quality inherent to the organization of beings, which is greater or lesser to the extent that the relations between them are complex and energetic—a notion that would form part of the rationale for Proudhon’s federalism. Long sections devoted to gender roles, and the proper role and constitution of the family have earned Proudhon a reputation for anti-feminism, but even beneath the genuinely reactionary social roles proposed there is a curiously radical notion that the “organ of justice” is located in a human relationship, rather than a human individual.

Proudhon developed his theory of the state in three works during 1861. *War and Peace*, probably the most interesting of the three, was a two-volume examination of the role of conflict in human history, demonstrating the means by which a proper understanding of war might lead to a just peace. It is a difficult, sometimes perplexing work, which has led some to treat Proudhon as a militarist, despite the fact that the book ended with the declaration that “HUMANITY WANTS NO MORE WAR.”³⁴ In it we find Proudhon working out the play of the antinomies on a large political stage, dealing with the interactions of States and peoples, mixing lessons drawn from history with more observations applicable to the theory that he was in the process of constructing.³⁵

The work contained important statements about justice in general: “Justice is not a commandment made known by a higher authority to an inferior being, as is taught by the majority of writers who have written on the rights of the people; justice is immanent in the human soul; it is its deepest part, it constitutes its highest power and its supreme dignity.”³⁶ Where individual rights are concerned “RIGHT, in general, is the recognition of human dignity is all its faculties, attributes and prerogatives. There are thus as many special rights as humans can raise different claims, owing to the diversity of their faculties and

³³ De la Justice dans la Révolution et dans l'Église, tome III, 113.

³⁴ Proudhon, *La guerre et la paix*, tome II (Bruxelles: Hertz, 1861): 420.

³⁵ Lack of space prevents me from addressing some interesting material on relations between States. Readers are encouraged to consult Alex Prichard, *Justice, Order and Anarchy* (New York: Routledge, 2103) for an analysis of *La Guerre et la Paix* from the perspective of international relations.

³⁶ Proudhon, *La guerre et la paix*, tome I (Bruxelles: Hertz, 1861): 199.

of their exercise.”³⁷ These various claims, however, are limited to the specific spheres in which the faculties are expressed, and must still be harmonized through a process of balancing. It’s clear that by this period in his career Proudhon had given the conventional language of political philosophy some fairly individual interpretations. If, as Proudhon claimed, all manifestations of individual or collective force bear their “rights” within them, then what we find in the theory of rights, and the notion of immanent justice, is really just a restatement of basic anti-authoritarian principles: equality is the basis of society and interests must be balanced.

It was in *The Theory of Taxation*, also published in 1861, that the citizen-State finally emerged. While primarily concerned with methods of public finance, the book contained a very brief section on the Relation of the State and Liberty, according to modern rights.” Despite its brevity, however, it is perhaps the most concise summary of Proudhon’s later theory of the State. The modern theory of rights, he claimed, “has done one new thing: it has put in the presence of one another, on the same line, two powers until now had been in a relation of subordination. These two powers are the State and the Individual, in other words the Government and Liberty.” He reaffirmed that the State had a “positive reality,” manifesting itself as a “power of collectivity,” issuing from the organized collective, rather than imposed on it from outside, and thus possessing rights—of the sort introduced in *War an Peace*—but no authority. He asserted that in a regime of liberty it too must be ruled, like the citizens, only by reason and by justice—because, as he put it, “it is itself, if I may put it this way, a sort of citizen.”³⁸ This image of the citizen-State, neither master nor servant, and located “on the same line” as the other citizens, may be the simplest characterization possible of Proudhon’s complex and elusive ideal for the State. Finally, Proudhon declared the State “the protector of the liberty and property of the citizens, not only of those who have been born, but of those who are to be born. Its tutelage embraces the present and the future, and extends to future generations: thus the State has rights proportional to its obligations; without which, what use would its foresight serve?”³⁹ The State was now as Tufferd described it, the thing that persisted and mediated the balancing of interests even between generations.

A third work, *The Theory of Property*, was substantially completed in 1861, although it was not published until after Proudhon’s death. It was controversial at the time of its publication, because the editors did not clearly mark their contributions to two summary sections left unfinished by the author.⁴⁰ It has been controversial for more recent readers, because it represented the final stage of Proudhon’s theory of property—a theory which evolved in some of the

³⁷ Op. cit., 288.

³⁸ *Théorie de l’impôt*, 68.

³⁹ Op. cit., 76-82.

⁴⁰ See Auguste Beauchery, *Economie Sociale de P.-J. Proudhon* (Lille: Imprimerie Wilmot-Courtecuisee, 1867.)

same surprising ways as his theory of the State. Indeed, those who knew his many writings on property should probably have been prepared for the development of this State-theory. He had hardly made his first, triumphant pronouncements about property's defeat in 1840 when he began to make what we would probably recognize as a very early shift from *critical* to *constructive* concerns, raising the possibility that the same property that was "theft" was also "liberty," if properly balanced by other forces," by 1846. By 1848, Proudhon believed that "All that it is possible to do against the abuses or drawbacks of property is to merge, synthesize, organize or balance it with a contrary element..."⁴¹ In *The Theory of Property* he was finally able to move beyond that impasse, by proposing the State as the counterbalancing power to individual property.

The work shows that he was far from having overcome all his misgivings about the State. "The state, constituted in the most rational and liberal manner, animated by the most just intentions, is none the less an enormous power, capable of crushing everything, all by itself, if it is not given a counter-balance."⁴² One of the useful powers of property was, somewhat ironically, a power to divide society, a power required because "[t]he power of the state is a power of concentration; give it freedom to grow and all individuality will soon disappear, absorbed into the collectivity; society will fall into communism; property, on the other hand, is a power of decentralization; because it is itself absolute, it is anti-despotic, anti-unitary; it is because of this that it is the principle of all federation; and it is for this reason that property, autocratic in essence carried into political society, becomes straightway republican."⁴³

Beyond the transformation of the despotic, fictive State into the citizen-State, difficulties and responsibilities still remained. "We have understood finally that the opposition of two absolutes—one of which, alone, would be unpardonably reprehensible, and both of which, together, would be rejected, if they worked separately—is the very cornerstone of social economy and public right: but it falls to us to govern it and to make it act according to the laws of logic."

Through the 1860s, one of the dominant ideas in Proudhon's thought was this notion of federation, which involved the decentralization of society and the organization of the parts in a mutual, horizontal manner, without relations of authority over one another. *The Federative Principle*, published in 1863, started with the premise that both the political and economic realms were doomed to content with irreducible antinomies: "It is a question of knowing if society can arrive at something settled, equitable and fixed, which satisfies reason and conscience, or if we are condemned for eternity to this Ixion's wheel."⁴⁴ For Proudhon, of course, it was again a question of balancing opposing forces and

⁴¹ Confessions, 228.

⁴² Proudhon, *Théorie de la propriété* (Paris: Lacroix, 1866): 137.

⁴³ Op cit., 144.

⁴⁴ Proudhon, *Du Principe fédératif* (Paris: Lacroix, 1868): 40-41.

tendencies, and much of the text is devoted to exploring the details of that equilibration in various arenas.

Alongside reiterations of his warning to keep the power of the State in check, he clarified what he took to be the specific role of the state: "In a free society, the role of the State or government is *par excellence* a role of legislation, institution, creation, inauguration, installation; — it is, as little as possible, a role of execution."⁴⁵ If collective beings were to have a special role in the division of political labor, it is natural that it would involve the identification of problems pertaining specifically to the collective aspects of society, but the non-governmental implementation of solutions to such problems could only fall back on the individuals that made up the collectivity. Perpetual social progress would guarantee a permanent role for entities like the State, but should they be allowed to fulfill beyond that to which they were especially suited, the balance of forces would be upset, and the hard-won stability of society sacrificed.

At the end of his life, Proudhon had come to think of federation as the practical key to achieving and maintaining justice—understood simply as balance—in all aspects of society:

All my economic ideas, developed for twenty-five years, can be summarized in these three words; *Agro-industrial Federation*.

All my political views come down to a similar formula: *Political Federation* or *Decentralization*.

And as I make of my ideas neither a party instrument nor a means of personal ambition, all my hopes for the present and the future are expressed by this third term, corollary of the other two: *Progressive Federation*.⁴⁶

Proudhon worked on his social science to the very end. In *The Theory of Property*, he had declared that "humanity proceeds by approximations," positing a progress-without-end as an alternative to utopian blueprints, and he had on several occasions sketched out general "approximations" of his vision of an anarchist society, most notably perhaps in *General Idea of the Revolution in the Nineteenth Century*. His final, deathbed work, *The Political Capacity of the Working Classes*,⁴⁷ was of a similar character, but written, with the benefit of Proudhon's entire *constructive* development, specifically for the radical workers who would be Proudhon's immediate ideological heirs. It provided concrete examples of how the various elements of Proudhon's project, including the re-imagined State, might fit together in a free society.

Looking back over Proudhon's writings on the State, it is clear that some aspects of his theory remained unfinished or unwritten at the time of his death,

⁴⁵ Op cit., 54.

⁴⁶ Op cit.. 83-84.

⁴⁷ Proudhon, *De la capacité politique des classes ouvrières* (Paris: Lacroix, 1868.)

but it is also striking how much of what was written by this pioneering anarchist and social scientist has essentially been ignored by both traditions for more than a hundred years. There are elements of Proudhon's thought which are strikingly contemporary, including a sort of anti-foundationalism which many may be surprised to find in nineteenth works. There is also a novel approach to questions of the relationship between the individual and collective. Above all, perhaps, the importance of an adequate analysis of the institutions of property and the State, or the principles of liberty and authority, have not diminished in the time since Frédéric Tufferd confronted the socialist movement with a choice of paths. To acquaint ourselves with Proudhon is, if nothing else, to provide ourselves with long-forgotten options.

Notes On Proudhon's Evolving Theory Of The State

SHAWN P. WILBUR

The most incredible confusion is that between the government and the State. I am an anarchist, as Proudhon was, for like him I want to abolish government, the principle of authority in the State, in order to replace it by an responsible and controllable administration of the public interests; but I do not want, with Bakunin, to abolish the State. The word State comes from *stare*, to hold, to persist; the State is thus the organized collectivity. Just as the commune is the local collectivity, the State is the national collectivity which has lasted, lasts and will last as long as the nation itself. Even if society ever succeeds in realizing the ideal of the universal Republic, that Republic will still be composed of distinct States, in solidarity with one another, but each living its own life.—Frédéric Tufferd, "Unity in Socialism" (1887)

Although it is something of a commonplace that Proudhon expected some form of "state" to persist within anarchism, and to take its place in a complex balancing of forces with individual absolutisms, property, etc., statements like Tufferd's are still a bit startling, in part because we have seldom tried to take the theory from works like *The Theory of Property* and explore what these vague notions of "countervailing forces" would amount to in practice. To do so, of course, requires confronting a number of other key elements in Proudhon's social theory which threaten to complicate matters rather dramatically.

We know that Proudhon held two different perspectives on "the state," and that they seem radically different—even opposed. In the debates of 1849, with Louis Blanc and Pierre Leroux, Proudhon made his famous analysis of "the state" in "Resistance the Revolution" and some connected essays (best known in English through the section published separately as "The State.") In that analysis he identifies "the state" with the manifestation of "the governmental principle," and opposes both to the "social revolution."

Given those assumptions, his critique of "the state" follows naturally:

The State is the external constitution of the social power.

The constitution supposes, in principle, that society is a creature of the mind, destitute of spontaneity, providence, unity, needing for its action to be fictitiously represented by one or more elected or hereditary commissioners: an hypothesis the falsity of which the economic development of society and the organization of universal suffrage agree in demonstrating.

The constitution of the State supposes further, as to its object, that antagonism or a state of war is the essential and irrevocable condition of humanity, a condition which necessitates, between the weak and the strong,

the intervention of a coercive power to put an end to their struggles by universal oppression. We maintain that, in this respect, the mission of the State is ended; that, by the division of labor, industrial solidarity, the desire for well-being, and the equal distribution of capital and taxation, liberty and justice obtain surer guarantees than any that ever were afforded them by religion and the State.

As for utilitarian transformation of the State, we consider it as a utopia contradicted at once by governmental tradition, and the revolutionary tendency, and the spirit of the henceforth admitted economic reforms. In any case, we say that to liberty alone it would belong to reorganize power, which is equivalent at present to the complete exclusion of power.

As a result, either no social revolution, or no more government; such is our solution of the political problem.

But ten years later, as he writes the works of his mature period, Proudhon seems to have changed his position completely, and his discussions of "justice in the revolution" and the dynamics of an anarchist society include a role for state, and even a defense of its "rights."

This has been taken as an indication that Proudhon abandoned anarchism, that the emphasis on "federalism" in his later works marked some sort of retreat from his early, radical conclusions about government. This interpretation closely parallels the reading of Proudhon's work on property which opposes Proudhon's later embrace of individual property to his early claim that "property is theft," and takes the former as evidence of backsliding. Both interpretations are, I would argue, completely wrong, but there are undoubtedly clues in the development of his thoughts on property—which has been much more extensively documented—which give us clues about how to understand the shift in his thoughts about "the state."

Proudhon connected the two analyses in "Resistance to the Revolution:" "The Revolution of February raised two leading questions: one economic, the question of labor and property; the other political, the question of government or the State." The first question, he claims, has been answered by "free credit" and the proposal for a "single tax on capital."

"The economic problem, then, may be considered solved.

It is far from being the same with the political problem,—that is, with the disposal to be made in the future, of government and the State. On this point the question is not even stated;..."

If Proudhon's own development is any indication, he was probably speaking more truly when, in 1846 in *The System of Economic Contradictions*, he made a similar pronouncement about property:

"The problem of property is, after that of human destiny, the greatest that reason can propose, and the last that it will be able to resolve. Indeed, the theological problem, the enigma of religion, has been explicated; the philosophical problem, which treats the value and legitimacy of knowledge, is

resolved: there remains the social problem, which simply joins these two, and the solution of which, as everyone believes, comes essentially from property.”

In 1849, Proudhon's thoughts about these economic questions were ultimately doomed to further transition. The “free credit” projects were still playing themselves out, although Proudhon had already distanced himself both physically and organizationally from them. His thinking on taxation would also develop substantially.

Arguably, Proudhon did not change his ideas dramatically in the later writings, but he did change the way he talked about almost all of his major concerns. In the case of his analysis of “the state,” his apparent reversal occurred because, as Tufferd claimed, he uncoupled the notion of “the state” from that of “government,” and the governmental principle.

But what did he do that? There are a number of reasons why Proudhon's developing thought might have led him in that direction:

1) The debate with Louis Blanc and Pierre Leroux was perhaps not Proudhon's, or French socialism's, finest hour. When Blanc reprinted his contributions, he made a point of saying that he had removed some remarks of a purely personal nature—and the work certainly benefited from it. The exchange is an example of three very intelligent, talented writers on something very close to their worst behavior. The exchange between Proudhon and Leroux is particularly strange, as even Proudhon insists that they agree on most of the important issues. The period between the Revolution of February 1848 and the *coup d'état* of 1851 was one where Proudhon was focused more narrowly on the practical questions facing the presumably revolutionary government, and on his political rivalries. And, ultimately, he was not prevailing against in his attempts to steer policy. The project of starting the Bank of the People had been interrupted by new legal attacks on him, and had been succeeded by the Mutuality of Laborers, with which he was ultimately unwilling to ally himself. His tax proposal was not accepted. And his battles with fellow socialists were attracting more ridicule than anything else, as works like *The Feuding Brothers* demonstrate. It must have been a frustrating period for Proudhon, and perhaps he sensed, as it is hard not to sense reading the controversies of that period now, that he was not entirely on the right track. There are certainly still significant, interesting tensions in the theoretical work he did do in that period, including some of his most provocative moments, but they seem to be largely exploratory. It will only be after the *coup d'état* that he begins to really move beyond the confident claims that this or that critically important question is now closed, to embrace the more nuanced, progressive elements of his analysis.

2) Embracing the notion of “progress” is key to the development of Proudhon's thought. Once he has determined to his own satisfaction that change is a constant, there can no longer be a question of closing any of the important

questions—which we can certainly say in retrospect were not closed by his attempted interventions in the 1840s, and probably couldn't have been.

3) But the embrace of progress also influences his choice of keywords and the way that he treats concepts. In his early work on “property,” he had differed with Pierre Leroux over Leroux's decision to use the same word, “property,” to designate both the abusive present forms and possible future forms which would be in accordance with justice. He was rather insistent on the matter, choosing to define “property” in his own work as “a right of use and abuse,” but really only wishing to address, as he made clear in the preface to the second edition of *What is Property?*, “the sum of [property's] abuses.” That was a dangerous move, since it is not so impressive a claim to say that “the abuse of property is theft.” And we know that Proudhon fairly rapidly shifted ground. The shift is made explicit in *The Philosophy of Progress*, published in 1853:

I will retain, with the common folk, these three words: religion, government, property, for reasons of which I am not the master, which partake of the general theory of Progress, and for that reason seem to me decisive: first, it is not my place to create new words for new things and I am forced to speak the language of everyone; second, there is no progress without tradition, and the new order having for its immediate antecedents religion, government and property, it is convenient, for the very guarantee of that evolution, to preserve for the new institutions their patronymic names, in the phases of civilization, because there are never well-defined lines, and to want to accomplish the revolution by a jump, that would be beyond our means.

4) Finally, this new clarity about the nature of social evolution was accompanied by a more sophisticated notion of how “collective force,” which was so important in his analysis of “property,” manifests itself in the form of collective *beings*—or rather how all beings worthy of the title are always already collectivities, organized according to a law of unity and development. That notion led him to reconsider the status of “the state,” apart from its connection to the principle of government, and to rank some sort of non-governmental state alongside families, workshops, and other collective beings which must somehow be accounted for in his sociology.

The consequences of positing this “organized collectivity” (to use Tufferd's phrase) as a being, with its own organization, interests and reason, operating alongside human beings and other collective beings (when not itself subordinated to other interests by governmentalism) require careful elaboration, and threaten to take us some very strange and interesting places.

That will be the task in the second part of this analysis.

[These notes are connected to a book chapter I am writing on Proudhon's theory of the state, some parts of which will undoubtedly end up in *TGM: Rearmed*. They wander somewhat far afield from that specific question, as I

trace out some similarities between various aspects of Proudhon's thought. And because that wandering became a little more extensive than I had anticipated, I am stretching the series out to three posts.—SHAWN.]

I'm aware that readers who have followed the argument this far are likely to be resistant to the interpretation I'm presenting, and for a number of reasons. I'm entirely sympathetic, since the most likely resistances are likely to be ones which I faced myself as I worked through Proudhon's thought.

1) Anti-statism is generally considered an essential part of anarchism—so essential, in fact, that some anarchists consider anti-statism nearly the entirety of anarchism. This is particularly the case among market anarchists, but social anarchists generally have some investment in the Bakunin-style opposition to the state. At the same time, a perception of Proudhon's thought on the subject has been established on the basis of the portion of "Resistance to the Revolution" that was translated (multiple times, by William B. Greene and Benjamin R. Tucker) as "The State." To suggest that anarchist theory ought to find a place for a state in its schemes, even "after the revolution," certainly goes against much of the grain of anarchist thought—so there should presumably be very good reasons for pursuing this other analysis.

2) The whole question emerges in the context of a mutualist renaissance which doesn't just come with a few potentially topsy-turvy new ideas, but with a radical rereading of anarchism's early history, which has arguably been neglected by the tradition. As a movement, we've tended to boil Proudhon's thought down to some slogans, a few dubious generalizations, and a selection of his worst missteps—more than fifty volumes of works reduced down to something that could be scrawled on a cocktail napkin. Now, however, we've seen a lot of new translation and analysis, not just of Proudhon but of a number of early figures who complicate the origin story of anarchism. Even if all this new material does not threaten any of our closely-held notions about what anarchism is all about, it's still a lot of new, challenging material.

3) And it is not easy material to take in. There's not much doubt that one of the reasons that some of the early forms of anarchism did not have more impact was that they were more closely connected in their forms and assumptions to the "utopian" socialisms that predated them than to the forms which survived the battles in the First International and the major cultural transitions of the mid-19th century. But the "utopian" label was ultimately a weapon wielded by Marx's faction in the battle to define what would count as "social science" and could be recognized as revolutionary theory, and some of those old socialists may now look quite a bit more contemporary. There is, for example, a great deal of Fourier in Deleuze, and we might be inclined to summarize a lot of Derrida's work with the phrase "property is theft." But the fact that there are presentist reasons to take a good look at anarchist theory which has been neglected, doesn't make that theory any simpler—and the need to address the debts to

“utopian” socialist thought only increases the amount of material we need to deal with.

Ultimately, though, my own experience is that none of these reasons to go proceed carefully comes anywhere close to being a reason not to proceed. On the contrary, a careful reading of Proudhon’s theory seems to lead us towards a radical sociology that is not only more consistent than the napkin’s-worth of Proudhon we’ve inherited, but is also arguably both more powerful than virtually any of the theory provided by the “classical” anarchists and more consistently anarchistic.

Let’s return to the similarities between the development of Proudhon’s thought on property and that of his theory of the state. The general trajectory of Proudhon’s property theory is as follows:

- 1839—Proudhon makes a few statements about the true meaning of the commandment against theft, which suggest that any system of “private” property might be built on theft (“putting aside”), rather than theft being an abuse of property.
- 1840—He makes the bold claims that “property is theft” and “property is impossible” in *What is Property?* But he also proposes an anarchist form of liberty which he defines in terms of a “synthesis of community and property.” He makes a distinction between “simple possession” (a “matter of fact”) and “simple property” (a right of “use and abuse”), but is not entirely consistent in his definitions. Then, an introduction to the second edition of the book, he defines “property” in terms of “the sum of its abuses,” threatening the strength of his critique. Two more memoirs on property follow.
- 1842—In a response given in court, where he was defending the publication of his memoirs, he proposes to eliminate or neutralize property by universalizing the “theft” that it represents.
- 1846—In his *System of Economic Contradictions*, property is given an antinomic character, within which both positive and negative characteristics battle, and he describes property as a problem second only to “human destiny” in importance, and one not likely to be solved soon.

This is the point at which Proudhon declared the problem of religion solved, and it’s worth noting here what Proudhon that that solution was—particularly because it bears a close resemblance to his analysis of the state.

Proudhon’s claim is that what humans have sought in the form of gods is, in fact, their own collective capacities, which they did not recognize in the collective being which they confronted, and that this failure to understand the nature of their own powers allowed those powers to be harnessed against them

by individuals claiming divine right and inspiration. As in the critique of the state, it is a question of the external manifestation of social power being understood as necessarily performing a governmental function, and thus existing above individual human beings.

1848—Pursuing his theory of property through the revolutionary period and into his brief involvement with the Provisional Government, Proudhon wrote a series of analyses of property and its relations to labor and credit, and his conclusions, often tied to particular occasions and arguments, cover a tremendous amount of ground. In “The Revolutionary Program,” for example, he made a series of rather startling declarations:

I am, as you are well aware, citizens, the man who wrote these words:
Property is theft!

I do not come to retract them, heaven forbid! I persist in regarding this provocative definition as the greatest truth of the century. I have no desire to insult your convictions either: all that I ask, is to say to you how, partisan of the family and of the household, adversary of communism, I understand that the negation of property is necessary for the abolition of misery, for the emancipation of the proletariat. It is by its fruits that one must judge a doctrine: judge then my theory by my practice.

When I say, Property is theft! I do not propose a principle; I do nothing but express one conclusion. You will understand the enormous difference presently.

However, if the definition of property which I state is only the conclusion, or rather the general formula of the economic system, what is the principle of that system, what is its practice, and what are its forms?

My principle, which will appear astonishing to you, citizens, my principle is yours; it is property itself.

I have no other symbol, no other principle than those of the Declaration of the Rights of Man and of the Citizen: Liberty, equality, security, property.

Like the Declaration of Rights, I define liberty as the right to do anything that does not harm others.

Again, like the Declaration of Rights, I define property, provisionally, as the right to dispose freely of one's income, the fruits of one's labor and industry.

Here is the entirety of my system: liberty of conscience, liberty of the press, liberty of labor, free trade, liberty in education, free competition, free disposition of the fruits of labor and industry, liberty *ad infinitum*, absolute liberty, liberty for all and always?

It is the system of '89 and '93; the system of Quesnay, of Turgot, of J.-B. Say; the system that is always professed, with more or less intelligence and good faith, by the various organs of the political parties, the system of the *Débats*, of the *Presse*, of the *Constitutionnel*, of the *Siècle*, of the *Nationale*, of the *Réforme*, of the *Gazette*; in the end it is your system, voters.

Simple as unity, vast as infinity, this system serves for itself and for others as a criterion. In a word it is understood and compels adhesion; nobody

wants a system in which liberty is the least bit undermined. One word identifies and wards off all errors: what could be easier than to say what is or is not liberty? Liberty then, nothing more, nothing less. *Laissez faire, laissez passer*, in the broadest and most literal sense; consequently property, as it rises legitimately from this freedom, is my principle. No other solidarity between the citizens than that accidents resulting from chance. . .

Then he proceeded to claim that this sort of *laissez faire* will lead to a sort of anarchic “centralization:”

Who does not see that the mutualist organization of exchange, of circulation, of credit, of buying and selling, the abolition of taxes and tolls of every nature which place burdens on production and bans on goods, irresistibly push the producers, each following his specialty, towards a centralization analogous with that of the State, but in which no one obeys, no one is dependent, and everyone is free and sovereign?

And we can see that this idea of a state unconnected to the governmental principle was already part of his theoretical repertoire, well before the major shifts in his approach, and that his ideas on both property and the state seem to have gone through significant oscillations during the revolutionary period. It is in this period that he finally describes property as “liberty,” while still maintaining that it is also “theft.”

1853—This year marked his decision to allow concepts like “religion, government, and property” their “patronymic names.” In practice, he did not often use the terms “property” and “government” in ways that differ too dramatically from his earlier uses. In the case of property, it was enough to begin to talk about it both in terms of its logics and its social aims. He doesn’t seem to have had much interest in making a similar argument about government, although there are a few nods in that direction, but he did once and for all detach the notion of the state from any necessary connection to the governmental principle.

Let’s stop again and think about the moves Proudhon is making. Although he claimed in 1849 that the problems of property were solved, but those of government were hardly touched, it appears that the problem of government—the misrecognition of the collective force embodied in the state as a kind of secular god—was really the problem for which he had at least the solid beginnings of an answer, while property continued to pose significant problems for him.

We can speculate on why these two analyses played out differently. I’ve noted on a number of occasions that Proudhon did not ground his theory of property particular well in a theory of the subject and its ownness (of the sort that we might find in Locke or Stirner, who, despite significant differences, both

start from the self in order to talk about appropriation.) Proudhon seems to have taken something of that sort for granted, and even to have assumed some sorts of rights which were closely connected to possession. By 1861, in *War and Peace*, Proudhon had an interesting theory of rights elaborated:

Right, in general, is the recognition of human dignity in all its faculties, attributes and prerogatives. There are thus as many special rights as humans can raise different claims, owing to the diversity of their faculties and of their exercise. As a consequence, the genealogy of human rights will follow that of the human faculties and their manifestations.

And subsequent elaboration would suggest that we might, in justice, require ourselves to recognize these rights at scale both larger and smaller than that of the unified individual human being. We have at least hints that perhaps the whole range of scales, from the infinitesimal to the universal (so familiar from the writings of Fourier and Dejacque), might come into play. Given this, and the claim that rights are simply raised along with potential claims, some of the apparent inconsistencies of the early writings (like the uncertainty whether “possession” is a matter of mere fact or also one of possessory right) seem to be provided with solutions (as Proudhon’s growing tendency to associate property in all its forms with absolutism, and his rethinking of the “right of abuse” salvage his 1840 arguments from the undercutting he gave them in the preface.)

A key difference between the arguments regarding property and those regarding the state is it probably never occurred to Proudhon to question the reality of the human being or its possession of at least some rights, while it is quite likely that he may have dreamt of simply denying or eradicating the state. That, after all, has become the standard anarchist position, to characterize the state as artificial or illegitimate or even imaginary in some key aspects, and to proceed in terms of simply suppressing any form of state.

1858—By the time Proudhon had published *Justice in the Revolution and in the Church* he had committed himself to a theory of beings according to which all beings recognizable as individuals were also recognizable as organized groups.

“[T]he beings to which we accord individuality do not enjoy it by any title other than that of the collective beings: they are always groups formed according to a law of relation and in which force, proportional to the arrangement at least as much as to the mass, is the principle of unity.”

That notion that human individuals and collectivities, including the state, are accorded individuality by the same title makes it very hard simply sidestep the question of the reality of the state as a manifestation of collective force—an individual. Another great realization of 1858, that “the antinomy does not resolve itself,” undoubtedly took the wind out of some of the bolder

proclamations of Proudhon's earlier works—or represented the failure of those claims to manifest themselves. And to these we should also add some elaboration of the theory of federation which would become one of Proudhon's primary concerns in the final phase of his career: "this federation, where the city is equal to the province, the province equal to the empire, the empire equal to the continent, where all groups are politically equal..." The leveling of the playing field is the consequence of denying the governmental principle, which, unlike the manifestation of collective force in the state, seems to be primarily an artefact of our inability to recognize our own strength when it confronts us in collective form.

1861—We can stop our timeline here, not because Proudhon was finished, but because his elaboration of the various forms of rights in *War and Peace*, and the "New Theory" of property which he had apparently completed by then, ultimately brought the analyses of property and the state together, as countervailing forces which would work together to create spaces within which liberty—and free beings of various scales—could emerge and develop.

At this point, there has been a fairly radical transformation of Proudhon's analysis, but no great reversals in his thought—except for his recognition of the non-governmental state as an individual actor which must be accounted for. But what would it mean to account for the state in relations of mutuality? What are the implications of this leveling of the field? And what does adopting all of this rather peculiar theory gain us?

That's still the work of one more section, where we can look at the possible role of the state within anarchism—but also speculate about other potential collective beings, such as "the market."

The Republic is the organization by which, all opinions and all activities remaining free, the People, by the very divergence of opinions and will, think and act as a single man. In the Republic, every citizen, by doing what they want and nothing but what they want, participates directly in the legislation and in the government, as they participate in the production and circulation of wealth. There, every citizen is king; for he has the fullness of power; he reigns and governs. The Republic is a positive anarchy. It is neither liberty subjected to order, as in the constitutional monarchy, nor liberty imprisoned in order, as the Provisional Government intends. It is liberty delivered from all its shackles: superstition, prejudice, sophistry, stock-jobbing, authority. It is reciprocal liberty, and not the liberty which restricts; liberty, not the daughter of order, but the MOTHER of order.—P.-J. Proudhon, *Solution of the Social Problem*

I think that a couple of things should be fairly clear from the sketch I've given of Proudhon's development:

1) It took a while for Proudhon to make a consistent social theory out of the insights of his earliest work.

2) The revolutionary period of 1848-1851, when Proudhon mixed his writing with periods in government, in exile and in prison, was a period when his ideas were in a considerable amount of flux, and his statements, while they were frequently as penetrating as they were bold, were not necessarily definitive—and were sometimes mixed with the sort of interpersonal tension we might expect among reluctant politicians.

3) The theory of collective force—so key to the critique of property—was a driving force in making Proudhon reconsider the necessary connection between “the state” and governmentalism.

Let's step away from Proudhon for a moment and see if this sort of uncoupling of an institution and the despotic elements which seem to dominate it is really alien to our thought (however strange it may seem in the context of “the state.”) What Proudhon ultimately says about “the state” is very similar to at least *part* of what market anarchists say about “the market:” There is an emergent order, with logics different from those of the individual economic actors, which is captured or distorted by privilege—and which can be freed by disconnecting the market from the structures and relations of privilege (“government” chief among them) which distort its function. Of course, market anarchists tend to be among the strongest opponents of “the state,” tending to reduce anarchism towards mere anti-statism. For market-oriented mutualists, the project seems to be the one Proudhon laid out near the beginning of *The General Idea of the Revolution in the Nineteenth Century* (1851):

“To dissolve, submerge, and cause to disappear the political or governmental system in the economic system, by reducing, simplifying, decentralizing and suppressing, one after another, all the wheels of this great machine, which is called the Government or the State.”

But the question remains whether this simple identification of “the Government or the State” is adequate to the analysis of the real manifestations of collective force. My strong suspicion is that many market-mutualists simply define “the market” in terms of those institutions which would remain after the governmental principle had been taken out of the equation, including some that revolve around the cash nexus, but others which do not. There would thus be “unregulated markets” in a particular sense, since *governmental regulation* would be eliminated more or less by definition, but also “unmarketed regulation” by other means, in the sense that economic customs and norms would not only be suspect to that cash nexus. I suspect that many market anarchists have accepted Proudhon's non-governmental state without accepting his argument, and while clinging to an anti-statism which might well benefit from a little

unpacking and clarifying along Proudhonian lines. What is uncertain is whether or not at least some market anarchists have actually transferred that “EXTERNAL constitution of the social power,” and the governmental principle, from “the state” (or “the gods”) to “the market.” This is a question of considerable importance, which hinges on the relationship between “individual” and “collective” reason (using those terms with the individual human being as a reference), and the way we imagine mutualistic justice—which is always essentially a question of “balance”—playing out.

So let’s get right down to it.

We have the elements of our social science pretty well identified:

1) We have a level “field of play” where the beings we are accustomed to consider “individual” and a range of organized collectivities can actually only claim “individual” status by the same title, their status as groups organized according to an internal law which gives them unity. People, families, workshops, cities, nations and “humanity”—as well, perhaps as animals, natural systems, and even individual human capacities—occupy non-hierarchical relationship with one another, despite differences in scale and complexity, and despite the participation of individuals at one scale in collective-individualities at another. This is key, I think. Without a governmental principle to elevate any of these individuals “above the fray” in any way, mutuality becomes absolutely vital—and dizzyingly tough to come to terms with.

2) We have “rights” manifested by nothing more than the manifestation of capacities—which means we have rights that are going to conflict and clash, and which are to be balanced by some sort of (broadly defined) commutative justice.

3) We also have a theory of freedom (although I’ve neglected to introduce it directly, along with at least one other key elements, in these notes so far) which is not primarily concerned with permissions and prohibitions, but with the strength and activity (the *play*) of the elements that make up the individual, and the complexity of their relations. Again, this is key, giving us another important justification for the kinds of moves Proudhon made with regard to the question of the state. In all of these elements so far, we see a move away from a legal understanding of individuals and society towards a much more material one (despite all the charges from our more Marxian comrades.)

4) Bound up with these other notions, we have the idea of the human being as a “free absolute,” which is essentially the completion and redemption of the notion that “property is theft.” When Proudhon did get around to talking about what I’ve been calling “ownness” (which is something close to “property in person” or the material *material* aspect of “self-ownership”) it is in 1858, in the work on *Justice*, in the context of an explanation of the origins of legal property. Allow me one more long quotation:

"Let us consider what occurs in the human multitude, placed under the empire of absolutist reason, so long as the struggle of interests and the controversy of opinions does not bring out the social reason.

"In his capacity as absolute and free absolute, man not only imagines the absolute in things and names it, which first creates for him, in the exactitude of his thoughts, grave embarrassment. He does more: by the usurpation of things that he believes he has a right to make, that objective absolute becomes internalized; he assimilates it, becomes interdependent (*solidaire*) with it, and pretends to respect it as himself in the use that he makes of it and in the interpretations that it pleases him to make of it. Each, *in petto*, reasoning the same, it results, in the first moment, that the public reason, formed from the sum of particular reasons, differs from those in nothing, neither in basis nor in form; so that the world of nature and of society is nothing more than a deduction of the individual self (*moi*), a belonging of his absolutism.

"All the constitutions and beliefs of humanity are formed thus; at the very hour that I write, the collective reason hardly exists except in potential, and the absolute holds the high ground.

"Thus, by virtue of his absolute *moi*, secretly posed as center and universal principle, man affirms his domain over things; all the members of the State making the same affirmation, the principle of societary absolutism becomes, by unanimity, the law of the State, and all the theories of the jurists on the possession, acquisition, transmission, and exploitation of goods, are deduced from it. In vain logic demonstrates that this doctrine is incompatible with the data of the social order; in vain, in its turn, experience proves that it is a cause of extermination for persons and ruin for States: nothing knows how to change a practice established on the similarity of egoisms. The concept remains; it is in all minds: every intelligence, every interest, conspires to defend it. The collective reason is dismissed, Justice vanquished, and economic science declared impossible." (*Justice*, Tome III, pp 99-100)

This is another side of the claim that all individuals claim their individuality by the same title. In order to claim any sort of *property*—to claim that anything is *proper* to themselves as individuals, that anything is their *own*—there is a necessary resource to absolutism, a bowing to the continuous demands of an evolving force, a demand for a separation that can only come through a denial of material interconnection. Property is necessarily despotic, and Proudhon finally made it clear how his early *bon mot* reached far beyond the mere critique of existing property relations. But, in the process, he posed some very significant problems for the constitution of a free society. Not the least of these is that, while all beings seem to manifest themselves to some extent as absolutes, not all of those absolutes are "free," in the sense of being able to reflect on their natural absolutism or to modify their behavior accordingly.

5) That's where mutualism comes in, with its complex mix of individualistic and socialistic elements, and its notion that each ethical actor—each free absolute—could carry with them a basic principle for encountering, recognizing and engaging with others, our beefed-up and extremely demanding version of the

Golden Rule. However complex our social interaction may be, the mutual principle suggests that the first thing to do is to identify the other as an individual, and then to address them as such, specifically. Perhaps it's not immediately clear how one practices an anarchic encounter with a non-human manifestation of collective force, but I think Proudhon gives us some very useful clues—not the least of which is proposing a basis on which we can at least begin to relate to any individual. That theory of the individual's "title" is at least a common structure on which to build more substantive common ground. The identification of human beings as "free absolutes" at least makes it clear to us that if there is to be change in accordance with a conscious mutualistic ethic, it's going to have to come from beings like us.

6) And we only underline that special responsibility, and the difficulties faced by human ethical actors, when we remind ourselves that, according to Proudhon—and we can probably point to confirmations in our own experience—the collective reason of the collective beings is not necessarily that of individual human beings, nor are the interests of those beings our own, or even necessarily in harmony with our own. Just as it would be a failure of mutuality to simply project our desires onto other human beings, we'll have to go very carefully in any engagement with these collective beings, which are not themselves "free" in the sense we are. And it is unlikely that anything is made any easier by the fact that part of what we encounter in collective beings is our own force arranged in some larger assemblage according to a new law.

It's the sort of stuff to make you head spin, and it flies in the face of an awful lot of conventional anarchist and philosophical terminology and theory. That doesn't mean it isn't a powerful body of analytic tools for anarchists. The radical leveling of the analysis encourages us to find other means to talk about whatever is not simply governmental rule or systematic privilege in the realm of "hierarchy" and "authority." What the plumber, or the educator, or the workplace logistics expert, brings to a given interaction is an organization of resources and a quantity of force usefully applicable in particular contexts—and perhaps that's the best way to talk about that stuff in an anarchist context. The head-on confrontation with the fact that we appear to be hardwired in a way which creates both potentially antagonistic separation and the possibility of reflective change in our social relations, and the identification of increasing freedom with increasing intensity in our attempts to work out those evolving balances, strikes me as a very promising direction—and one which provides one more rationale for the sort of complex, decentralizing, federative societies mutualists tend to lean towards. The possibility of demystifying the state, as we have worked to demystify religion and economics, is appealing.

But his business of encountering the state, or the market, or any number of other collective individuals on that radically leveled playing field isn't likely to lose its more daunting aspects any time soon.

The best indications that Proudhon gave us of how this might play out are probably in *War and Peace*, a two-volume study as difficult as anything Proudhon wrote, and already subject to many misunderstandings. Rather than attempt to do justice to that analysis, perhaps, for now at least, we can tackle things a bit more simply.

If we set aside all the hot-button terminology, what are we talking about? In the case we have been examining most closely, it is a question of an encounter between a human individual and a collectivity emerging from the actions of human individuals, so that in that encounter we come face to face with the effects of the force we have exerted, organized together with the effects of the actions of others. We encounter ourselves, but not just ourselves, and the encounter is mediated by processes which are more or less “social.” We also encounter some manifestation of persistence (and probably complex, evolving persistence), with the result that, among other things, we probably don’t have any means of simply reducing this encounter to a mass of encounters with specific individuals.

These *social persistences*, not having bodies of their own, persist—or don’t persist—through us, through physical structures that we build or tear down, through practices and norms that we do or do not honor, maintain and modify. But their persistence means that often the building, maintaining and shaping is not a one-way street. Through customs, norms, languages, etc., they shape us as well—sometimes in ways that increase our health and freedom, and sometimes in quite opposite ways. The possibility that our actions contribute to persistent influences on other human beings, and perhaps on those not yet born, is something that anarchists—and particularly mutualists—probably ought to take into account.

The “how” is the more difficult question here, since this “encounter” with collective beings is never literal. We act in particular ways, and that adds force to particular organizational forms in particular realms of society. Obviously, part of the problem is addressed by simply taking our ethic of mutuality seriously, taking into account the “downstream effects” of our actions and the sorts of collectivities that they seem likely to strengthen. But then we are faced with all of the problems of planning and prediction. Collective beings are interesting to us in large part because they have their own reason and interest, whether we intend to celebrate that fact (as market anarchists often do with the emergent logic of “the market” and social anarchists sometimes do with “society”) or damn it (in which case you can pretty much just switch the terms.)

There’s a lot here to be teased out—and it seems we are still just posing the question in some ways—but if we take seriously the arguments we find in Proudhon for recognizing these collective beings the first consequence has to be to acknowledge that perhaps even our most rigorous application of the principle of mutuality on a more narrowly interpersonal basis will necessarily lead directly towards our goals of social justice. Given that, there are certainly

reasons to question whether we can count on any institutions to guarantee justice if we *fail* to apply that ethic to our individual actions.

I'm inclined to think of these collective beings as some combination of social "collective tissue," inherited resources, and products of our collective production—and to think of the process of incorporating them into the complex counterbalancing act of mutualist justice as a matter of figuring out how to best balance careful stewardship of the resources, care for our fellows being both directly and indirectly through those connecting institutions, and care in what we produce and maintain. In order to strike that balance we probably need to be practicing the sort of sociology that Proudhon began to elaborate, incorporating its lessons into the institutions it creates, and using all of that as a guide to extending existing mutualist theory beyond its traditional bounds. The "cost principle," for example, may have a lot to teach us that has very little to do with "labor notes," as our opposition to any "right of increase" may strike more fertile ground as we distance ourselves a bit from the traditional concerns with specific forms of "usury."

Lacking anything but just a sense that there is a potentially useful sort of analysis here, it's hard to pursue the details too far. But perhaps there's one more interesting indication we can make. Having rejected the governmental principle, there is no question of respecting any sort of manifestation of collective force which presents itself or is presented as a ruler, judge or arbiter. The market-arbiter is probably as lost to us as Louis Blanc's state-policeman. Looking around for other ways to think about these abstract beings which seem at once to shape and be shaped by us, and acknowledging that perhaps this Proudhonian analysis will lead us to a fundamentally antinomian "solution," let me suggest two passages from Proudhon as potential windows into the terms of one possible antinomy.

In the "Toast to the Revolution," Proudhon argued that The Revolution (which was, for him, a sort of ongoing process) was both conservative and revolutionary. So, while we are committed to change in the direction of ever-great justice, both in our individual interactions and our institutions, we are probably also logically committed to a sort of stewardship role. If we are to go so far as suppressing any of these collective beings, we certainly need to do so with a clear understanding of the effects and their relation to the ethics of mutuality. Embedded, as we are, in a context in which governmentalism and destructive forms of absolutism are woven into the social fabric on almost all sides, we are undoubtedly doomed to some very tough choices—but that just means we need to bring our most powerful tools to bear on those problematic choices.

The passage with which I opened this particular section of the notes—the source of Liberty's masthead slogan, "Liberty not the daughter but the mother of order"—suggests another way to approach our relationship with these collective beings. Arguably, one of the problems we have with them is a confusion about who is the child and who is the parent in the relationship—a natural confusion, given their evolving persistence. But these collective beings

are in part defined by the fact that they are not “free absolutes,” that they cannot enter into relations with us except through the mediation of individuals, and therefore are fairly poor candidates for the parental role, even assuming that role was the relatively horizontal one of guidance and stewardship that anti-authoritarians generally expect from parents. In his early writings on the state, Proudhon explicitly associated the state with the infancy of humanity, and anarchy with its maturity. Perhaps, to the extent that the state will persist as an active actor in anarchist societies, we should be treating it as a sort of powerful child. As we free ourselves from governmental tutelage, perhaps it is precisely a parent’s role, or a role of tutelage, that we ought to adopt towards these children of liberty.

Notes on the Notes:

Notes on the Notes: Three (+1) Proudhon Periods?

There's a lot to unpack and clarify in the "Notes on Proudhon's changing notion of the state," but one of the simplest elements to clarify may be the notion that Proudhon's development can be roughly broken into three periods:

1. 1839-1846: an early exploratory period, marked by early insights and some provocative statements, but also by inconsistent or non-existent definitions of key terms ("possession," for example;)
2. 1848-1852: a period when much of Proudhon's focus was on the 1848 Revolution and its aftermath in the Second Republic, marked by more occasional writings, many of them related to political events and rivals, and also marked by some rather dramatic variations in the strong claims Proudhon was willing to make at any given moment; and
3. 1853-1865: a mature period, beginning with *The Philosophy of Progress* and the clarification of Proudhon's project that took place in that work, marked by a much more consistent approach to keywords (*property*, etc.) and the development of an increasingly complex, consistent, and powerful social science.

(We might also add a sort of virtual "fourth" period, indicated to us by the trajectory of Proudhon's unfinished work.)

There's no point in leaning too heavily on this scheme, since there is a considerable amount of useful work in every period of Proudhon's career, but as a matter of emphasis, it may help to recognize that the work in the period of the Second Republic may not be Proudhon's most consistent or least distracted—however interesting that period, and Proudhon's responses to it, may be in other terms.

Another thought on the relation between states and conflict

One of the common responses to my recent writing about Proudhon's theory of "the state" has revolved around the opposition of his definitions of "state" with the "territorial monopoly on force" stuff that is so common in our circles. I think the action is elsewhere.

It doesn't look like any of the socialists in the 1849 debate were very concerned with "monopoly on force." When Proudhon complains that "the state is external constitution of the social power," he's probably just agreeing with Louis Blanc (and possibly Pierre Leroux as well) about the definition of the "state," and differing on whether or not an external constitution of social power is a good thing.

One of the things I haven't addressed particularly well yet is the objection that Proudhon made to Blanc's apparent contention that society was always characterized by a sort of state of war, which required that externalization of social power to take a policing role, interposing everyone's power between everyone, in a sense, to protect those in need of defense. In 1849, Proudhon questioned whether or not such a warlike sort of interaction would create a policeman that could be trusted to keep the peace.

It's a good question, but it becomes more interesting in the context of Proudhon's mature theory, when he had developed his own theory of society as made up of a balancing of potentially antagonistic "absolutes." The approach that sees peace as the perfection/balancing of conflict still isn't Blanc's position, since it is unclear that the balancing could actually take place if the collective force mediated all these individual interactions (at least in the way that a policeman-state would likely structure that mediation.)

Instead we have a horizontal working-out of conflict, but within that context we also have the various "persistences*" that make up the state. And these latter have no particular authority, no power to rule, but they are obviously going to be important players in that working-out process.

It seems possible and perhaps even most consistent, given the other elements that are present in contemporary mutualism, to pursue the same strategy we have sometimes taken with "the market" and champion some sort of "free/d state" strategy ("real democracy" for anarchists, or some such....) But one of the other potential lessons of Proudhon's sociology is, as I *did* suggest in the "Notes," that we need to look a little more closely at both how we think about the relation between the interests of "the market" and our own interests, and that we need to be careful that we have not replaced "the state" with "the market" as that external constitution of social power.

Presumably, the Proudhonian sociology doesn't really let us deny persistences like "state" and "market," and they are key actors (though not free absolutes, like the human actors, and thus unable to reflect and adapt by themselves) that constantly confront us in the course of our "individual interactions." So what should we see when we see these "collective beings,"

beyond the extent to which they may currently be hijacked by individual interests? I rather provocatively suggested "an inheritance" and "our children" in the "Notes," but I'm struggling to say something even stronger, since it appears to me that these problematic collectivities are the most "present" manifestations of justice that will remain on our anarchistically-leveled playing field, and that they will be a far better barometer of just how successfully we have "perfected" our conflicts.

It's not a question of changing in any way our opposition to social, political or economic hierarchy and rule, but of how we think about what persists in our societies. It seems to me that in our circles we have often fairly simply damned one sort of persistence, and pretended it was a conqueror, while praising another, only lamenting the extent to which it has been conquered. And I am fairly certain we need to escape from that particular interpretive apparatus, not just to make sense of the Proudhonian sociology, but to make sense of "the state" and "the market."

Which isn't to say it's an easy task...

"They've a temper, some of them..."



Talking about the "Notes," there really does seem to be a certain amount of fear that if we don't couch our anarchism in a specific language of "anti-statism" we may somehow slide into the embrace of something we ought to oppose. Now, any set of terms or concepts can almost certainly lead us astray, if we let the terms do the leading, and not our principles. That, of course, includes those honored by time and tradition, if they have become *fixed ideas*. Recall that Proudhon's

assault on "property" began with a pre-Stirner warning about such things—and then recall Stirner. And if that doesn't do it, recall the words of Humpty-Dumpty:

"I don't know what you mean by 'glory,' " Alice said.

Humpty Dumpty smiled contemptuously. "Of course you don't—till I tell you. I meant 'there's a nice knock-down argument for you!' "

"But 'glory' doesn't mean 'a nice knock-down argument'," Alice objected.

"When *I* use a word," Humpty Dumpty said, in rather a scornful tone, "it means just what I choose it to mean—neither more nor less."

"The question is," said Alice, "whether you *can* make words mean so many different things."

"The question is," said Humpty Dumpty, "which is to be master—that's all."

ANONYMOUS

THE FEUDING BROTHERS.

Democratic and Social Reckoning for the Year 1849.

A Terrible and Jovial Drama in One Act

The stage represents a newspaper office. — To the right, on the mantelpiece, sits a red cap perched on a mushroom; to the left, a library, on the shelves of which sprawl the works of Vadé and a copy of the *Billingsgate Catechism*, bound in red Moroccan leather; in the foreground, close to the door, a sturdy broom-handle.

CHARACTERS:

Brother CONSIDERANT.
Brother PROUDHON.
Brother Louis BLANC.
Brother Pierre LEROUX.

(The scene takes place under the Republic.)

SCENE ONE.

Brother CONSIDERANT (making a pince-nez with the eye at the end of his tail, and looking down his nose at brother Proudhon in an impertinent manner.)

I would be done with you, Mr. Proudhon. You are mad, my good man, mad with one of those follies which inspires a legitimate disgust. It is that sad sickness of the mind which gives to your writings the odor of hatred and that tawny color that characterizes them... Your life has been nothing but denigration and wounds; you have made a name for yourself only by detracting from the very people whose ideas you exploit. There is nothing, nothing, you understand, nothing serious about you, not a shred of an idea, not a wisp of thought. A zero—very large and bloated, full of noise and venom, I admit—but the numeral zero, and nothing else, that is your score... You have spoiled everything, burned everything, Mr. Proudhon, to make a name for yourself... If your outward, historical name is Erostratus, your private name is more sinister still: you call yourself *destruction*... I find in you, in a word, in the sphere of

principles and ideas, that mysterious and sacrosanct character, that de Maistre found in the ancient and quasi-pontifical conception of the executioner.

(He lets his pince-nez fall and crosses his arms in a attitude defiant stance.)

Brother PROUDHON (steadying his glasses on his nose and taking two steps back, like a man who wants to pull a pistol from his pocket to fire on his adversary.)

I will be done with you, Mr. Considerant! It is necessary to have your mind dazed, for twenty-five years, by the mephitic vapors of the phalanstery, to conduct oneself in a manner as vacuous as Mr. Considerant. The *Démocratie Pacifique*, daily organ of the so-called societary school, is a sort of spillway for all the mad absurdities and impurities of the human mind. That spillway has for a symbol the name of the greatest hoaxer of modern times: Fourier. For real aim, it has a speculation of unprincipled schemers... There is no theory of Fourier, no social science according to Fourier; consequently, no phalansterian socialism. There is only a collection of charlatans, of which you (you, the subscribers of the *Démocratie!*) are the miserable dupes... Your inability, monsieur Considerant, shines out despite you... Your speech is like a horn coated with lead, a cracked cymbal. You are dead, dead to democracy and to socialism... What speaks, what writes, what jargonizes, what rattles on under the name of Victor Considerant, is only a shadow, the soul of a dead man who returns to demand prayers from the living. Go, poor soul, I will recite for you a *de profundis* and give you 15 sols to say a mass.

(He leaps for the broomstick, and, with a blow as deft as treacherous, pierces the eye on the tail of Considérant, who loses his name *Victor* in the battle.)

SCENE II.

Brother Pierre LEROUX (making a comb with the five stiffened fingers of his left hand, and with the other anxiously twisting the middle button of his beaver coat at the proprietor).

You are a Malthusian, an eclectic, a liberal, an individualist, a bourgeois, an atheist, a proprietor.

(He lets out a plaintive *Oh! Oh!*, and signs himself with a charm, an offering of filial devotion from citizens Pauline Roland and Jeanne Deroin.)

Brother PROUDHON, (having let out a roar of laughter as mocking as it is satanic).

Listen, dear Theogloss, I will spare you today all the follies and absurdities that you have spread against me. I would make you suffer too much by noting them. You may characterize my ideas, as is your right; but I forbid you from characterizing my intentions, or else I will characterize you yourself, and mark you so aggressively and so hotly, that it will be remembered in the future generations. That will be a more certain means for you of being reaching posterity than the *triad*, the *circulus* and the *doctrine*.

(*He takes him by the ears. — Scene of hair-pulling.*)

SCENE III.

Brother LOUIS BLANC (waddling and finishing a sandwich spread with *his favorite democratic delicacy*, a filet of venison with pineapple puree.)

You are a gladiator by profession, a flesh-ripper renowned among the people, a panegyrist of tyrants (*redoubling the volubility of his language*); a juggler, a tender of limes, a sower of doubts (*he nearly chokes in rage*); a prompter of discord, a snuffer of light, a calumniator of the people (*he lets his sandwich fall*); a sort of Thrasymachus, of Lysander, of Tallien (*he stamps on his sandwich*); a sophist, a Philippist, a Hellenist, a Galimafron, a giant, a proud, vain, rude, brutal idolater of yourself, a Satan, a schoolboy, a Herostratus, an *enragé*, and finally a *free student* of the College of Besançon.

(He pretends he wants to pick up his sandwich and darts between the legs of his interlocutor, to make him, in the way kids do, fall backwards at full length.)

PROUDHON, (solemnly taking brother Louis Blanc by the ears and setting him back on his feet in front of him).

Child, child, you are only a pseudo-socialist and a pseudo-democrat, the stunted shadow of Robespierre, a puny nibbler of political crusts, a crass ignoramus, the vainest, most vacuous, most impudent, and most nauseating rhetorician, produced, in the most garrulous of centuries, by the loosest of literatures... But I excuse you, seeing your extreme youth.

(He gives him a little pat on the cheek; but the child pokes him in the eyes.
Radical boxing.)

EPILOGUE.

We no longer see anything on the field of battle but a punctured eye, a pair of shattered spectacles, a fistful of hair and a slice of buttered bread.

We hear, as the curtain falls, a strident voice which murmurs: They have devoured one another with a truly brotherly appetite. That is all that remain of the Vadiuses of demagogy and the Trissottiuses of socialism! *requiescant in pace!!*

Excerpts from Proudhon's Works

[These passages are taken from the Fourth Study, on "The State," in Proudhon's *Justice in the Revolution and in the Church.*]

[From CHAPTER I.]

V. — I will not make my readers wait for the solution. As you have just seen, I reduce all of political science to a single question, that of STABILITY.

Why is it that from ancient times until the present, the constitution of the states has been so fragile, that all the publicists, without exception, have declared them essentially instable? How are we to bestow stability and duration on them?

It is from this specific side that I tackled the political problem; it is on this terrain, still unexplored, that I pose the question.

And this is my response:

What we must consider above all in government is not the origin (divine right, popular right or right of conquest); nor is it the form (democracy, aristocracy, monarchy, simple or mixed government); it is not even the organization (division of powers, representative or parliamentary system, centralization, federalism, etc.): all these things are the material of government. What we must consider is the spirit that animates it, its thought, its soul, its IDEA.

It is by their idea that governments live or die. So let the idea become true, and the state, however blameworthy its origin, however defective it appears in its organization, correcting itself according to its secret thought, will be sheltered from all outside attack, as from all internal corruption. It will radiate its thought around it, and constantly increase in scope, depth and strength. On the contrary, let the idea remain false, then legitimacy, popularity, organization, military power cannot maintain it: it must fall.

Now, as the idea, avowed or not, of the governments, has thus far been a prejudice radically opposed to Justice, a false political hypothesis; as from another side the succession of states in history is an ascending march towards Justice, we can, from this double point of view of theory and history, classify them all according to three different ideas, which we will examine one after the other:

1. The idea of *Necessity*, which is that of pagan antiquity;
2. The idea of *Providence*, which is that of the Church:

These two ideas, antitheses of one another, are the opposite extremes of an antinomy which encompasses the world religious age;

3. The idea of *Justice*, which is that of the Revolution and which constitutes, in opposition to religious government, human government.

Thus, it is with government as with property, with the division of labor, and with all the economic forces: taken by themselves, and not considering the more or less legal thought which determines them, it is a stranger to right, indifferent to every moral idea; it is an instrument of force. As long as government has not welcomed Justice, it remains established on the idea of fatality and providence, it tends to *inorganism*, it oscillates from catastrophe to catastrophe. The problem is thus, after having prepared the economic terrain, to apply Justice to government, by freeing it from inevitability and arbitrariness. Such is the object of the Revolution.

CHAPTER VII

Government according to Justice. — Actuality of power; collective force; constitution of the Republic.

XLIV. — What makes the life of a state, we said at the outset, what determines its stability or its caducity, is its idea. If that idea expresses a relation of justice, the state will be, internally, sheltered from all dissolution; from the outside, no power will be able to prevail against it. If, on the contrary, the idea that rules the state is false and iniquitous, even though universal prejudice is on its side, the state, in contradiction with itself, will perish sooner or later.

It seems that after that, the law of equality being demonstrated, we do not have to concern ourselves with government any longer. Let government rule itself according to the law of equality, and, whatever its form, from the moment that it only exists for Justice, it is assured of living; its constitution becomes a secondary thing, that one can abandon without inconvenience to the popular fancy or local tradition.

However, such a conclusion would only be true within certain limits: that is to say that, the balance of services, products and fortunes being accomplished, one can entrust to Justice the care of securing the state, and to give the definitive form to government. Apart from that, one would make a grave error, if one supposed that, economic equilibrium established, the government can preserve the organization that it was previously given according to its idea of inequality. The indifference of the economic science, in matters of government, does not go so far.

THE IDEA of government given, the *form* follows: those two terms are linked with one another, as the organization of the animal is to its destiny. We know what the form of states has been up to the present, after the idea of the exploitation of man by man: despotic centralization, feudal hierarchy, patricians with followers, military democracy, mercantile oligarchy, finally constitutional monarchy. What is the proper form of republican government, organized by and

for equality? That is a question from which it is impossible for us to shrink. Justice, without that, would lie to itself; it would not be Justice, having less creative force than its contrary, iniquity.

That is not all. Thus far we have only considered in government a form of action: we have not asked ourselves if that form covered something real; if we must see there a combination of the human brain, or the manifestation of a positive nature. Now, the state having its idea, which is its conscience, and then its form, in other words its organism, which is its *body*, we are led necessarily to believe that this word, state, power, government, indicates a veritable being, since that which unites the two attributes of existence, idea and form, soul and body, cannot be reduced to a nonentity. What is the actuality of the state? What does it consist of? Where is it found? — I will explain.

XLV. — From the beginning of these studies, we have posed to ourselves the question: What is Justice?

And the result of our research has been to demonstrate that religion made of Justice a divine commandment, and philosophy [made it] a simple relation, a necessity of reason, Justice, according to both, was reduced for the conscience to an abstraction; that thus right lacked reality in the heart of hearts, all of reality was a pure prejudice, a voluntary submissiveness, in no way obligatory, to certain proprieties themselves deprived of foundation. In such a case, atheism was right to maintain that Justice is a word, and good and evil just words; that there is no other right that strength, and that all that theology and metaphysics delivers in that regard is pure fantasy, logomachy, superstition.

However, we see Justice draw humanity along, produce civilization by its development, raise up high the nations that observe it, and doom, on the contrary, those that forget it. How would we attribute such powerful, real effects to an idea without subject, to a chimera?

To account for history and save morality, to explain religion itself, it was thus to demonstrate that Justice is anything but a commandment and a relation; that it is still a positive faculty of the soul, a power of the same order as love, superior even to love, a reality, finally: and that is what we have set about in these Studies.

Another question.

After have recognized Justice in its essence and its reality, we asked ourselves, passing from persons to things: what is the law of production and distribution of wealth, in other words, what is the economy? Does there really exist, can there exist a science of that name, having for object a determinable reality, possessing some principles of its own, some definitions, and a method; or must we see in that would-be science only the acts of a mercantilism without principle and without law, some caprices of the imagination, some zigzags of the will, in which it would be illogical to seek a shadow of reason, and which only falls under the good pleasure of the government?

In this latter case, it is clear that political economy, summarizing itself in a word, liberty, save for the exceptions that the state imposes, is not by itself a

science: it is a negation, and the conclusions of socialism are without foundation.

For us, on the contrary, economics is a science in the most rigorous sense of the word; science having for aim to study the order of phenomena which, although produced under the initiative of liberty, and infinitely variable, still obey some constant laws, whose certainty is equal to that of all the laws which rule the universe. Some *forces* and *laws*, that is what makes up the reality of economics: there is nothing else in physics itself. Thanks to this actuality of Justice and of economics, society is no longer an arbitrary phantasmagoria, a transient figure; it is a creation, a world.

Now I continue:

What is the power in society? What produces the government, and gives rise to the state? Does the political idea correspond, like the legal idea and the economic idea, to a reality *sui generis*, or is it still only a fiction, a word?

According to the Church and all the mythologies, the social power does not have its base in humanity: it is of divine constitution. According to the philosophers, who will try to determine its conditions, government would result from the abandonment that each citizen makes of a part of his liberty; it would be the product of a voluntary renunciation, a sort of joint stock company, nothing in itself.

Some men, in recent times, appear to have sensed the radical insufficiency of all these conceptions. "Without the individual," they have said, "without liberty, government, society itself, is certainly nothing. But can one not also say that, society once formed, it is another thing than the individual, an organism which impose its laws on the latter?..." it is thus that is formed the hypothesis of social being, real, positive and true.

But that is only one hypothesis: who vouches for that reality to us? What does it consist of? Where to grasp it? How to analyze its parts? Here everything is still to be done, and if the Revolution does not inspire us, there is no longer anything for us but to confess our powerlessness: there is no government.

I reason thus about government as I reason about economics and Justice. The government is a thing in which, despite all the disappointments, humanity perseveres, and which neither violence, nor subterfuge, nor superstition, nor fear, suffice to explain. *A priori*, that the political institution expresses, not a convention or an act of faith, but a reality.

That will be the subject of the last section. [The "last section" is the "Little Political Catechism," which appears in an English translation by Jesse Cohn in *Property is Theft!*]

from The Theory of Taxation (1861)

Relation of the State and Liberty, according to modern right.

Modern right, by introducing itself in the place of the ancient right, has done one new thing: it has put in the presence of one another, on the same line, two powers which until now had been in a relation of subordination. These two powers are the *State* and the *Individual*, in other words *Government* and *Liberty*.

The Revolution, indeed, has not suppressed that occult, mystical presence, that one called the sovereign, and that we name more willingly the State; it has not reduced society to lone individuals, compromising, contracting between them, and of their free transaction making for themselves a common law, as the *Social Contract* of J.-J. Rousseau gave us to understand.

No, Government, Power, State, as one wishes to call it, is found again, under the ruins of the *ancien régime*, complete, perfectly intact, and stronger than before. What is new since the Revolution, is Liberty, I mean the condition made of Liberty, its civil and political state.

Let us note, besides, that the State, as the Revolution conceived it, is not a purely abstract thing, as some, Rousseau among others, have supposed, a sort of legal fiction; it is a reality as positive as society itself, as the individual even. The State is the power of collectivity which results, in every agglomeration of human beings, from their mutual relations, from the solidarity of their interests, from their community of action, from the practice of their opinions and passions. The State does not exist without the citizens, doubtless; it is not prior nor superior to them; but it exists for the very reason that they exist, distinguishing itself from each and all by special faculties and attributes. And liberty is no longer a fictive power, consisting of a simple faculty to choose between doing and not doing: it is a positive faculty, *sui generis*, which is to the individual, assemblage of diverse passions and faculties, what the State is to the collectivity of citizens, the highest power of conception and of creation of being (D).

This is why the reason of the State is not the same thing as individual reason; why the interest of the State is not the same as private interest, even if that was identical in the majority or the totality of citizens; why the acts of government are of a different nature than the acts of the simple individual. The faculties, attributes, interests, differ between the citizen and the State as the individual and the collective differ between them: we have seen a beautiful example of it, when we have posed that principle that the law of exchange is not the same for the individual and for the State.

Under the regime of divine right, the reason of State being confused with the dynastic, aristocratic or clerical reason, could not always be in conformity with justice; that is what has caused the banishment, by modern right, of the abusive principle of the reason of State. Just so, the interest of the State, being

confused with the interest of dynasty or of caste, was not in complete conformity with Justice; and it is that which makes every society transformed by the Revolution tend to republican government.

Under the new regime, on the contrary, the reason of State must in complete conformity with Justice, the true expression of right, reason essentially general and synthetic, distinct consequently from the reason of the citizen, always more or less specialized and individual (E). Similarly, the interest of the State is purged of all aristocratic and dynastic pretension; the interest of the State is above all an interest of noble right, which implies that its nature is other than that of individual interest.

The author of the *Social Contract* claimed, and those who follow him have repeated after him, that the true sovereign is the citizen; that the prince, organ of the State, is only the agent of the citizen; consequently that the State is the chose of the citizen: all that would be bon à dire while it was a question of claiming the rights of man and of the citizen and of inaugurating liberty against despotism. Presently the Revolution no longer encounters obstacles, at least from the side of the *ancien régime*: it is a question of rightly knowing its thought and of putting it into execution. From this point of view the language of Rousseau has become incorrect, I would even say that it is false and dangerous.

Determination of the functions, attributes and prerogatives of the State, according to modern right.

The State, a power of collectivity, having its own and specific reason, its eminent interest, its outstanding functions, the State, as such, has *rights* too, rights that it is impossible to misunderstand without putting immediately in peril the right, the fortune and the liberty of the citizens themselves.

The State is the protector of the liberty and property of the citizens, not only of those who are born, but of those who are to be born. Its guardianship embraces the present and future, and extends to the future generations: thus the State has rights proportionate to its obligations; without that, what would its foresight serve?

The state oversees the execution of the laws; it is the guardian of the public faith and the guarantor of the observation of contracts. These attributions imply new rights in the State, as much over persons as things, that one could not deny it without destroying it, without breaking the social bond.

The State is the justice-bringer par excellence; it alone is charged with the execution of judgments. De ce chef encore, the State has its rights, without which its own guarantee, its justice, would become null.

All of that, you say, existed before in the State. The principle then and its corollaries, the theory and the application remain at base the same, nothing has changed? The Revolution has been a useless work.

This has changed between the ancient and the new regime, the in the past the State was incarnated in a man: "*L'État c'est moi*;" while today it finds its

reality in itself, as a power of collectivity; — that in the past, that State made man, that State-King was absolute, while now it is subject to justice, and subject as a consequence to the control of the citizens; — that in the past the reason of the State was infected by aristocratic and princely reason, while today, exposed to all the critiques, to all the protests, it has strength only from Right and Truth; — that in the past, the interest of the State was confused with the interest of the princes, which distorted the administration and caused justice to stumble, which today a similar confusion of interests establishes the crime of misappropriation and prevarication; — that finally, in the past, the subject only appeared on its knees before it sovereign, as we saw it in the Estates General, while since the Revolution the citizen deals with the State as equal to equal, which is precisely what allows us to define tax as an exchange, and to consider the State, in the administration of the public funds, as a simple trader.

The State has preserved its power, its strength, which alone renders it respectable, constitutes its credit, creates awards and prerogatives for it, but it has lost its *authority*. It no longer has anything but Rights, guaranteed by the rights and interests of the citizens themselves. It is itself, if we can put it this way, a species of citizen; it is a civil person, like families, commercial societies, corporations, and communes. Just as there is no sovereign, there is no longer a servant, as it has been said, that would be to remake the tyrant: he is the first among his peers.

Thus liberty, which counts for nothing in the State, subordinated, absorbed as it was by the good pleasure of the sovereign, liberty has become a power equal in dignity to the State. Its definition with regard to the State is the same as with regard to the citizens: *Liberty, in the man, is the power to create, innovate, reform, modify, in a word to do everything that exceeds the power of nature and that of the State, and which does no harm to the rights of others*, whether that other is a simple citizen or the State. It is according to this principle that the State must abstain from everything that does not absolutely require its initiative, in order to leave a vaster field to individual liberty.

Ancient society, established on absolutism, thus tended to concentration and immobility.

The new society, established on the dualism of liberty and the State, tends to decentralization and movement. The idea of human perfectibility, or progress, has revealed itself in humanity at the same time as the new right.

NOTE D, Page 65.

LIBERTY AND THE STATE. — The antithesis of the State and of Liberty, presented here as the foundation and principle of modern society, by replacement of the supremacy of the State and the subordination of Liberty, which made the base of ancient society, that antithesis, eminently organic, will not be admitted by the publicists and partisans of the principle of authority, of

the eminent domain of the State, of governmental initiative and of the subordination of the citizen or rather subject; it will not be understood by those who, formed by the lessons of the old scholasticism, are accustomed to see in the State and free will only abstractions. Those, just like the old partisans of divine right, are born enemies of *self-government*, invariable adversaries of true democracy, and condemned to the eternal arbitrariness of the reason of State and of taxation. For them the State is a mystical entity, before which every individuality must bow; Liberty is not a power, and taxation is not an exchange; principles are fictions of which the man of State makes what he wants, justice a convention and politics a bascule. These *doctrinaires*, as they are called, the skepticism and misanthropy of which today governs Europe, are as far beneath the ancient monarchists and feudalists, as arbitrary will is beneath faith, Machiavelli beneath the Bible. Europe owes to this school of pestilence the confusion of ideas and the dissolution of morals by which it is beset: the slack maxims Jesuits could produce nothing comparable.

This is not the place to open a discussion of the actuality of the State and of Liberty: I will content myself with referring provisionally to my work *Justice in the Revolution and in the Church*, Fourth and Eighth Studies of the Belgian edition.

NOTE E, Page 66.

OPPOSITION OF COLLECTIVE AND INDIVIDUAL REASON. See, on this curious subject, the work indicated in the preceding note, Sixth Study of the Belgian edition.

[Working translations by Shawn P. Wilbur]



A CORVUS EDITION
corvuseditions.com