Book Review


The first line of Robert Wolff’s essay, *In Defence of Anarchism*, tells us that political philosophy begins and ends with the state. He writes: ‘Politics is the exercise of the power of the state, or the attempt to influence that exercise. Political philosophy is therefore, strictly speaking, *the philosophy of the state*. If we are to determine the content of political philosophy, and whether indeed it exists, we must begin with the concept of the state’ (1970, p. 4, emphasis in original). The state as the dominant form of political organisation is the most important, and ever-present, idea in political philosophy. And thus, there simply is no political philosophy without the question of necessary or justified political authority. While the phantom of the state haunts all of our discussions as political philosophers, few of us shine a light directly upon it. Instead, the state often sits in the background, occasionally rearing its head either as a constraint or a solution. But the centrality of the state speaks to why Philip Pettit’s 2023 book, *The State*, is so necessary. Particularly at a time when the expansion of the discipline has perhaps caused us to lose sight of these largest of questions.

The central argument of *The State* can be divided into two core components. First, Pettit aims to show that the state is in some sense inevitable, or at least ‘robustly likely to emerge’ (p. 16). Given certain assumptions, we can show that the state (or something looking very much like it) will almost certainly develop and persist in any society of reasonably rational and organised persons. Indeed, given that we already live in a world of states, its endurance as our principal political system is all but guaranteed. If a state were to disappear, another state would simply take its place. And, as Pettit notes, ‘no state has the power to govern the world unilaterally, and distrust between peoples makes the prospect of an agreed world government elusive’ (p. 313). Given this genealogy and set of facts about the current state system, it seems as though the state is really the only game in town. Pettit then demonstrates what this state must look like for it to fulfil its core function. The state, according to Pettit, has a *nomothetic function*: it aims to entrench and uphold a regime of law. In doing so, it offers its citizens peace and security. Pettit argues that, while still fulfilling this function, states should be *incorporated* and *decentralised*. The state must speak with one unified voice to fulfil its function of instantiating and determining law, but it must also have a polycentric constitution to allow for checks on its own power. Second, having demonstrated how the state should be organised to best fulfil...
its function, the book then explains how this functional, ideal state can respond to different ideological worries. First, the citizenry will maintain a good deal of collective power in the functional state. Second, the state will be able to respect individual rights to a significant degree (according to Pettit these rights are institutional rather than natural in character). And third, the functional state will be able to proactively intervene in the modern market economy.

Pettit’s work in this book is compelling precisely because it is so careful. The text moves slowly through debates in philosophy of language, theories of mind, and principles of market economics, and shows how they relate to the ideal composition of our collective political community. In doing so, it offers a unified theory of personhood, communication, norm internalisation, and politics. To that end, this book is as thorough as it is rigorous; almost no stone is left unturned.

Importantly for any criticism, The State is pitched as the first of two volumes – the first establishing the rulebook that we must play by when imagining our forms of political organisation, and the second showing how justice can be achieved within these boundaries. It’s therefore somewhat difficult to evaluate this first book without the second, as many of the questions that are left unanswered will almost certainly be picked up by Pettit later on. Those of us who are used to reading Pettit’s work on freedom as non-domination will perhaps find The State to be a slightly different medicine in its focus on function and constraints. However, Pettit is right that in order to determine what is politically possible in the pursuit of justice, we must figure out what possibilities are functionally off the table. His topic as he describes it is ‘statehood, not justice’. Although, in the end, the more complete picture might be described as statehood then justice.

1. The closing of doors

Much of what I have to say here about this book concerns the nature of political possibility. Pettit’s project is partly one of demonstrating which doors are open and therefore which doors are closed. In doing so, he, at a minimum, is saving us all a great deal of time. In being able to rule out almost all non-state options, we can focus on the achievement of justice within these statist boundaries. He is attempting to establish that there are certain features of our world (or perhaps any world) that political actors and thinkers must work within. The state is simply one such constraint. We therefore have no real choice but to work within it. But some will find this shutting down of options to be too hasty. Consequently, there are two questions I want to ask here. First, we might wonder whether, even though Pettit shows that some kind of nomothetic entity will emerge and endure, this needs to be the territorialised, militarised modern state. Second, we might question what an abstraction from our real world of states can tell us about how their current practice or organisation ought to be
justified. To understand these responses better, I will outline the argument for the emergence and endurance of the state in more detail.

In the first chapter, Pettit sets out the emergent story of the state to determine both its functional possibilities and constraints. By way of a genealogical story, Pettit gives us a familiar picture of the beginnings and development of the modern state, although his methodology is subtly different. On Pettit’s account, we begin with a picture of what a pre-state world might look like. We imagine moderately rational and self-regarding people living in conditions of relative scarcity. We are asked to assume sufficient equality among a significant group of residents. This helps to ensure that there will be at least some minimal balance of power between the ruler and the ruled. But without political authority, such a condition would not be a state of war, as Hobbes famously described it. Instead, such groups would likely develop mutually beneficial norms in order to co-ordinate with one another. These norms will become *conventions* and will be internalised by members who seek to embody the regularity required by shared systems of behaviour. A system will then develop for regulating and fine-tuning these conventions and norms. They therefore would slowly be instantiated into a system resembling something like a legal regime. On Pettit’s picture, this norm-based legal regime will precede the political apparatus of the state. The state’s function will be to uphold this pre-existing regime of law to establish order. In Pettit’s words, ‘The state will be a precipitate of such regime of law insofar as the operation of the regime entails the existence of a skeletal state’ (p. 53). This sets the groundwork for what Pettit calls the state’s norm-instantiating or *nomothetic function*. On this picture, ‘the role of the state is to establish and entrench a regime of law under which citizens enjoy a realm of individual security’ (p. 66). Much like Hobbes, Pettit believes that the function of the state is to establish some kind of peace in response to the problem of disagreement. Unlike Hobbes, Pettit believes that this apparatus will organically emerge, rather than be ignited by the collective agreement of the multitude.

In response to certain practical problems, this proto-political organisation will then slowly become more like the entity that we recognise as the state today. It will instantiate a coercive monopoly in response to the problem of non-compliance. It will also quickly establish a set of borders to delineate territorial jurisdiction in response to the threat of those hoping to escape the reach of the law, and an international profile to protect its citizens against bad external actors. And so, something like the modern state will be born. According to Pettit, ‘This nomothetic body will be robustly likely to emerge among relatively rational, interdependent parties living a settled, non-nomadic existence under conditions of moderate scarcity and of an appropriate if restricted balance of power. And as it will emerge reliably under those conditions, so it will reliably endure’ (p. 60). Pettit’s state therefore comes into being through a kind of natural selection: slowly the most beneficial structures will instantiate themselves and the core function of the state will emerge. What appears to underlie this argument is the view that the state is not our enemy but instead a kind of
achievement. Rather than viewing the state as antithetical to justice, we should emphasise the many ways in which the state can enable and uphold justice.

2. Being like a state

As we have already noted, the second half of Pettit’s argument really depends on this case for the emergence and endurance of the state. If this picture is correct, then entertaining alternative forms of political organisation is something of a non-starter. However, we might wonder whether some more radical possibilities are closed off a little too quickly. There may well be good reason to believe that some form of political organisation will robustly emerge and endure from our collective lives of mutual organisation and cooperation. Humans surely need ways to mediate disagreement and establish norms to govern the ways in which they live together. But out of this argument, quite a specific kind of picture of the modern territorialised state emerges.

From this picture, we are left wondering about the forms of political organisation that are pushed aside. How are states unique? What is the difference between the state and other forms of political organisation: cities, federations, communes, urban leagues, or empires? Pettit does not spend much time on the question of political alternatives, despite his argument implying that these options are unviable. Those of us who might want to imagine a world without the modern state, or a radically different kind of state in its place, are left wondering how these other options fare against the modern state in terms of nomothetic function. Why not a world government, or a system of city-states? Why not a network of empires?

This broadness of our understanding of the state is not just a problem for Pettit. Charles Tilly defines states as ‘coercion-wielding organisations that are distinct from households and kinship groups and exercise clear priority in some respects over all other organizations within substantial territories’ (1990, p. 1). This definition might also apply to many different kinds of political order, presumably not just modern territorialised states. The worry here may be in part due to Pettit’s commitment not just only to states, but to states ‘more or less as we know them’ (p. 313). Indeed, the question of territory stands out here. According to Pettit, the functional state must be bordered. This must happen in response to two, broadly logistical, problems. First, offenders attempting to escape the reach of the law and, second, random movements of the population. He writes: ‘These dangers would prompt legal authorities to establish and police their borders, marking the beginning and end of their jurisdiction. It would be close to unintelligible if they failed to do this, since failure would jeopardise the system that they run’ (p. 58). He continues, ‘[O]nly by taking such steps will they be able to guard against the permeability problem, preventing domestic offenders from fleeing or outside offenders from operating as opportunistic raiders’ (p. 59). And so, the state becomes bordered within less
than a page of argument. The possibility of open or porous borders is closed off to us in the name of function. Many states do have open or porous borders without completely collapsing in their central function. Citizens of many European countries can move across huge territories freely without the need for permission. The same is true of many African free-movement agreements which allow for labour migration and extradition co-ordination. To be fair, none of these states have totally open borders; European states famously support free movement within their ranks while rapidly fortifying their external borders. But this shows that borders can be more open than we might think without being ‘close to unintelligible’.

In a similar vein, Pettit argues that states must adopt a ‘defensive aggressive profile in relation to other regimes’ (p. 60). In other words, states must be prepared to go to war to protect their citizens. States, of course, do this all the time so it should perhaps be no surprise that it is part of the state pursuing its core function. But it will also seem, for some, that this case in favour of a militarized, bordered state comes too quickly.

3. The counterfactual regime

There is a second question that arises concerning the relationship between Pettit’s arguments and our real, messy world of sovereign states. The genealogical picture of state emergence that Pettit presents is, of course, artificially neat. Pettit calls this experimental genealogy our ‘counterfactual regime’, or the close possible world that helps us to determine what we humans ought to do in this much more chaotic one. This is because he wants to present the circumstances under which state emergence might arise and how it might ideally become institutionalised. ‘Robustness’ is an important concept here – it underlines the consistency of state emergence across many different possible conditions. The claim that the state is ‘robustly likely to emerge and endure’ means that even if we go beyond our imagined counterfactual regime, the state will consistently appear. There are no close possible worlds in which there are no states, or at least not many. However, we are not in such a neat world. And states did not emerge in this neat way. Instead, there are many different stories of state emergence and various theories of how exactly they come about. The question is, then, do Pettit’s arguments help us to justify these states, *this world of states*, some of which arose through the use of violence, famine, colonialism, and genocide? As Murray Rothbard replied to Robert Nozick’s theory of the inevitable emergence of the night watchman state, ‘no existing state has been immaculately conceived’ (1977, p. 46).

In our real world, it was only in early modern Europe that the state began to emerge as synonymous with territorial sovereignty, with that model being exported throughout the world. And the institutionalisation of order that is demanded by the modern state as a political force has brought many harms
along with it. The historical imposition of such order by state officials is famously documented in James Scott’s *Seeing Like a State* (1998), which maps the development of the modern state as an entity of mass organisation, often to the detriment of the people living within such states. Scott warns of the imposition of order from above, demonstrating many instances in which states have failed their citizens in the quest for coherence and structure. Of course, it is not fair to say that Pettit is imposing any such picture of the state – instead he is reflecting the political reality in which we find ourselves. Scott was concerned with the historical anthropology of state control but also how people attempted to undermine or avoid the state, albeit often unsuccessfully. But what is important is the distinction between ‘high politics’ and what Bernado Zacka calls the *political theory of implementation*. Such a focus shifts our attention away from the ideal and towards the actual ways in which politics is exercised by state and state officials. As Zacka puts it, ‘These considerations are not goals but standards, and they pertain not to what the state does but to *how it does it*’ (2022, p. 25, emphasis added). Pettit does not engage with the politics of implementation – this is not his project here. He therefore shies away from questions of institutional design, though he does set some clear boundaries for what those institutions should look like. But any level of abstraction ultimately must be implemented somehow.

Importantly for Pettit, Scott himself noted that most attempts to disrupt the political process through revolution led to more powerful and terrible forms of governance. In *Two Cheers for Anarchism* (2012), he reminds us that ‘virtually every major successful revolution ended by creating a state more powerful than the one it overthrew, a state that in turn was able to extract more resources from and exercise more control over the very populations it was designed to serve’ (2012, p. x). Even Scott, with his anarchistic leanings, at some level acknowledges that the state is likely here to stay. What is important for Scott is that it is the state itself that has turned some of these old political possibilities into dead options. For instance, the question of *mutuality* – the ability of people to cooperate without the need for a higher form of institutionalised power – now seems usurped by the modern state and its all-encompassing reach. State power is what has made these alternatives impossible. And for some people this loss of a potential alternative might be understood as a kind of tragedy.

In our messy world, many states do not achieve the functional ideal that Pettit sets out – indeed, perhaps no states do. This does not turn them into non-states on Pettit’s picture (a heart that no longer pumps blood is still a heart). Instead, Pettit’s state here functions as a kind of ideal type; it is something for our current system of states to strive for. The function of the hypothetical or counterfactual regime is to offer us something to aspire to, and a picture against which to measure our current failings. But even if we accept Pettit’s core argument that the state is here to stay, the question remains as to whether we should view this as a kind of loss. It would surely be a stroke of luck if the only door remaining open happens to be the one that can lead us towards justice. But
for many, the closing of the other doors should be viewed with a kind of sadness. Perhaps such sadness would be an example of what Bernard Williams has called ‘wishful thinking’ or a failure of our beliefs to be answerable to the real world (2002). We cannot simply will something to be true. In a world of states, to continue to imagine something beyond would be akin to burying one’s head in the sand.

All of these questions make Pettit’s work more valuable, rather than less. To establish the conditions under which justice might be achieved we have to rule out some possible options and ways of seeing the world. We are constrained not only by what we can imagine but also by what is realistic. Even for those who want to question the idea that the state is the sole envoy of justice, The State will be valuable for many generations of political philosophers to come. In this work, the state is squarely at the centre of political philosophy. It is therefore precisely where it belongs.*

References

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