

Chapter Five

T HE STATE AS REVOLUTION

The argument of this book is that the single most decisive influence upon Western social organization has been the rise and development of the centralized territorial State. There is every reason to regard the State in history as, to use a phrase von Gierke applied to Rousseau's doctrine of the General Will, 'a process of permanent revolution.' The conflict between the central power of the political State and the whole set of functions and authorities contained in church, family, gild, and local community has been, I believe, the main source of those dislocations of social structure and uprootings of status which lie behind the problem of community in our age.

To refer categorically to the State is to risk a degree of abstraction and empirical unreality that leaves in view none of the concrete manifestations of political behavior in modern history. Such abstraction leads too often to personifications of

the State, to visions of objective will, and to a false sense of the exteriority of the State to human aspirations and conduct.

On the other hand, not to deal with the State categorically is to risk losing, in the varied sequences of diplomatic, military, and political events, the essential unity of the State as an idea system in the modern West and, more important, the powerful and cohesive nature of the State as an institution, as a system of human allegiances and motivations. In the next two chapters we shall be concerned with some of the more concrete aspects of the State and its historical relation to social organization. Here it is important to call attention in more general terms to the qualities that have made the Western State so revolutionary an idea system.

Like the family, or like capitalism, the State is a complex of ideas, symbols, and relationships. Unlike either kinship or capitalism, the State has become, in the contemporary world, the supreme allegiance of men and, in most recent times, the greatest refuge from the insecurities and frustrations of other spheres of life. Where capitalism has become enveloped throughout the Western world, and the East as well, in a thickening cloud of distrust and renunciation, and where kinship, like religion, has become increasingly devoid of institutional significance and symbolic appeal, the State has risen as the dominant institutional force in our society and the most evocative symbol of cultural unity and purpose.

If we are to understand the historical importance of the State in the Western world, we must be clear in our appreciation of certain general characteristics of the State as an historical entity.

In the first place, State and society must be sharply distinguished. Despite the considerable number of writers who make State and society synonymous, there is actually no more warrant for making the State a generic term to include all types of association than there is for so making religion or kinship. Historically, the State presents as distinctive a pattern of power and rights as either religion or the family. The usual reason

advanced for disregarding the differences and making the State and society one is that the State is basically a system of authority and, since some kind of authority exists in every human association, all manifestations of society may legitimately be described as aspects of the State. But this is a piece of semantic juggling that cannot be tolerated unless we close our eyes to the historical record. The fact that almost no sphere of life in the contemporary world is removed from the processes of political behavior is no more of a justification for the historical blurring of distinction between State and society than is the fact that, in the medieval world, no sphere of life was wholly removed from the authority of the Church. From the point of view of any useful historical examination, the State must be regarded as but one form of relationship, existing, in varying degrees of prominence, among many other forms.

In the second place, and following closely from the first, the State is not the direct outgrowth of family, tribe, or local community. The belief in the kinship origin of the State has been among the most deeply rooted manifestations of the Western faith in developmental continuity. The popularity of the belief owes much to Aristotle's celebrated triadic scheme of evolution—from family to community to State—and has been nourished in modern times by frequent appeals to irrelevant and historically unconnected ethnographic materials. As is true in so many other alleged instances of developmental continuity, the fact of *logical* continuity has been converted into the superposition of *historical* continuity within a specific area or chronology. But, if we look not to imaginary beginnings in the never-never-land of ethnological reconstruction but to historically connected sequences of change in such specific areas as ancient Athens, Rome, or modern England and France, we discover that the rise and aggrandizement of political States took place in circumstances of powerful opposition to kinship and other traditional authorities.

If there is any single origin of the institutional State, it is in the circumstances and relationships of war. The connection

between kinship and family, between religion and Church, is no closer than that between war and the State in history. 'The war chief and his band,' writes Edward Jenks, 'of whom we have such abundant evidence in early Teutonic history, are the earliest form of the State. . . By its very nature it becomes an aggressor upon the province of the Clan.'¹ In the beginning, in France, England, and elsewhere, the State is no more than a limited tie between military lord and his men. The earliest distinct function of the king is that of leadership in war. But to the military function is added, in time, other functions of a legal, judicial, economic, and even religious nature, and, over a long period, we can see the passage of the State from an exclusively military association to one incorporating almost every aspect of human life. The process of change is intermittent, given spasmodic impetus by new forces, with long periods of inertia, but it is one of the clearest and most relentless of all tendencies in Western history. And it is in light of this development of the military State into the legal and the economic State, a development involving ever greater territorial centralization of function and authority, that we may best see the revolutionary impact of the State upon other institutions and groups in society.

Finally, it is inadequate to regard the State, especially in its later phases of development, as a mere superstructure of power. In the beginning, to be sure, State and government were the same thing. The State was hardly more than the king himself, at most a limited *vertical* relation between king and subject. The powerful competing allegiances of Church, class, and economic association rendered the political tie, for a long time, a relatively tenuous one in the lives of most people in a national area. But the revolutionary quality of modern political history is to be seen in the gradual extrication of the political power from the fetters laid upon it by these earlier authorities, and in the increasing functional importance of political relationship in the lives of many human beings. The State begins to reach its most revolutionary influence when, as in France at the end of

the eighteenth century, it ceases to be merely a vertical relation of power between king and subject and becomes a kind of *horizontal* relationship among individuals, with power made immanent in the Nation, with rights and duties made dependent upon the Nation. Since the eighteenth century, in most parts of Western Europe, the State has been, literally, to use Hobbes's earlier prophetic words, the people as a unity ruling over the people as a multitude. The contemporary State cannot be limited to a mere superstructure of power. It is an increasingly popular and ever more cohesive *mass relationship*.

Two

To be sure the State *is* power. What Walter Lippmann has written on this aspect of the State is illuminating. 'It is of no importance in this connection whether the absolute power of the State is exercised by a king, a landed aristocracy, bankers and manufacturers, professional politicians, soldiers, or a random majority of voters. It does not matter whether the right to govern is hereditary or obtained with the consent of the governed. A State is absolute in the sense which I have in mind when it claims the right to a monopoly of all the force within the community, to make war, to make peace, to conscript life, to tax, to establish and dis-establish property, to define crime, to punish disobedience, to control education, to supervise the family, to regulate personal habits, and to censor opinions. The modern State claims all of these powers, and, in the matter of theory, there is no real difference in the size of the claim between communists, fascists, and democrats. There are lingering traces in the American constitutional system of the older theory that there are inalienable rights which government may not absorb. But these rights are really not inalienable for they can be taken away by constitutional amendment. There is no theoretical limit upon the power of ultimate majorities which create civil government. There are only practical limits. They are restrained by inertia, and by prudence and even by good will. But ultimately and theoretically they claim absolute authority

as against all churches, associations, and persons within their jurisdiction.'²

The modern State is monistic; its authority extends directly to *all* individuals within its boundaries. So-called diplomatic immunities are but the last manifestation of a larger complex of immunities which once involved a large number of internal religious, economic, and kinship authorities. For administrative purposes the State may deploy into provinces, departments, districts, or 'states,' just as the army divides into regiments and battalions. But like the army, the modern State is based upon a residual unity of power. The State may occasionally delegate or place, as it were, in trusteeship certain powers, but anyone familiar with the processes of modern government, democratic or totalitarian, knows that it does this rarely and reluctantly. The extraordinary unity of relationship in the contemporary State, together with its massive accumulation of effective functions, makes the control of the State the greatest single goal, or prize, in modern struggles for power. Increasingly the objectives of economic and other interest associations become not so much the preservation of favored *immunities* from the State as the capturing or directing of the political power itself.

But the State has arrived at this eminence only over a long period of time in modern history. We refer often to the 'absolute' State of early centuries in Western European history, but, in truth, the early State was too fragile and functionally insignificant a tie among individuals, even in England where the forces of centralization operated the earliest, to warrant applying the term without qualification. The king may have ruled at times with a degree of irresponsibility that few modern governmental officials can enjoy, but it is doubtful whether, in terms of effective powers and services, any king of even the seventeenth-century 'absolute monarchies' wielded the kind of authority that now inheres in the office of many a high-ranking official in the democracies. There were then too many social barriers between the claimed power of the monarch and the

effective execution of this power over individuals. The very prestige and functional importance of church, family, gild, and local community as allegiances limited the absoluteness of the State's power.

The expansion of the State in European history has been both territorial and functional. It is the latter that is more significant here. The history of the Western State has been characterized by the gradual absorption of powers and responsibilities formerly resident in other associations and by an increasing directness of relation between the sovereign authority of the State and the individual citizen. Present-day debates on the proper limits of governmental intervention in society sometimes overlook the fact that the whole history of the State in Europe has been characterized by innumerable 'interventions' in the economic and moral life of people.

We may see this in the establishment of the King's Peace and in the beginnings of the common law in England, in the increasing utilization of Roman law principles for the centralization and consolidation of royal power on the Continent, in the growing conception of the State as the source of prescriptive law, in the invasions by the State into matters of property disposition, inheritance, and alienation of shares, in control of kinship activities formerly vested in the family alone, and in the increasing transfer to civil power of functions and authorities traditionally resident in the Church.³ In innumerable places we may see the almost incessant historical intervention by the State in matters of decision and function which earlier belonged to other institutions. It is a historical process that began centuries ago and continues at the present time. Even the histories of capitalism and Protestantism fall within this political process.

Thus, with respect to the rise of capitalism, we may give full credit to internal conflicts of a purely economic sort in the gild system and to the influence of the middle class, but it is a fair generalization that, apart from the massive changes that were taking place in the structure of political power dur-

ing the fifteenth and sixteenth centuries, capitalism would never have come into existence. The State's development of a single system of law, sanctioned by military power, to replace the innumerable competing laws of gild, Church, and feudal principality; its deliberate cultivation of trade in the hinterland; its standardized systems of coinage, weights, and measures; its positive subsidies and protections to those new businessmen who were seeking to operate outside the framework of gild and Church; its creation of disciplined State work-houses—all provided a powerful political stimulus to the rise of capitalism. Above everything else, the State offered, through its efforts at territorial consolidation of law, a scene increasingly impersonal and calculable—a scene within which businessmen might operate as individuals rather than as members of a traditional group. It is in these terms, indeed, that one historian has been led to wonder how far capitalism was the work of the businessman at all, and how far it was the consequence of the overthrow of the medieval system by the military might of the absolute State.⁴

Similarly in the rise of Protestantism the State provided, in many areas, an environment of protection for those individuals who were seeking to liberate themselves from the Roman Church. The political rulers may have been less interested in the theological elements of either Catholicism or Protestantism than they were in breaking the secular power of the Catholic Church, but the consequence was nevertheless a favorable one to such men as Luther. What is more important is the fact that as the State began to assume some of the social functions formerly placed in the Catholic Church, it provided, inevitably, valuable assistance to those religious reformers who were seeking to divest religion of its corrupting social trappings. The liaison between Luther and the German princes was more than a relation of temporary expediency. It was very nearly indispensable to the rise of a reformed Christianity which made the individual the prime unit.⁵

It is this maximization of political power, this penetration of the State into institutional areas formerly autonomous, that lies behind so much of the modern political interest in problems of individual freedom, individual rights, and social equality. The significance of the State in Western Europe cannot be limited to matters merely of power and rule. Its revolutionary influence has come from the fact that it has been, also, a complex of individual rights, freedoms, and equalities, and perhaps most important of all, a sphere of growing popular participation in the workings of society.

Military force and arbitrary decree may explain temporary conditions of servitude and dependence, but they will not explain the acceptance of the State as a positive, popular area of participation. Force alone will not explain the psychology of allegiance, or the growing moral dependence upon political action. The early distrust of the political sovereign in Western Europe and the traditional reliance upon religious and social systems for protection and security have been dissolved only by a growing conviction that a type of 'freedom' comes from political power.

It is this aspect of the State, as we shall see later, that was to be so brilliantly emphasized by Rousseau in the eighteenth century. To Rousseau the real oppressions in life were those of traditional society—class, church, school, and patriarchal family. How much greater the realm of individual freedom if the constraints of these bodies could but be transmuted into the single, impersonal structure of the General Will arising out of the consciousness of all persons in the State. This, however, is a later conception of political freedom, one that attained its greatest influence in the nineteenth century. Behind it in time lies another that has a good deal of hard historical fact to support it: the visible emancipation, by the State and its law, of innumerable individuals from the often oppressive structures of gild, monastery, class, and village community. The proffer of, first, the personal power of the monarch and, then, the power of the seventeenth-century legal State in sup-

port of those eager to be freed of medieval group restrictions must be seen as one of the most powerful causes of modern, Western individualism in all spheres of life.⁶ Between the State and the individual there arose a genuine affinity that was not obscured by later, often intense, conflicts between the public law and asserted private rights.

In the medieval world there was relatively little concern with positive, discrete rights of *individuals*, largely because of the diffuseness of political power and the reality of innumerable group authorities. But when the consolidation of national political power brought with it a destruction of many of the social bodies within which individuals had immemorially lived and taken refuge, when, in sum, law became a more centralized and impersonal structure, with the individual as its unit, the concern for positive, constitutionally guaranteed rights of individuals became urgent. European governments may have sought often, and successfully for long periods, to resist claims of individual right, but it is hard to miss the fact that the States (England, for example) which became the most successful, economically as well as politically, had the earliest constitutional recognition of individual rights, especially of property. In retrospect, however, we see that it was the sheer impact of State upon medieval custom and tradition, with the consequent atomizing and liberating effects, that, more than anything else, precipitated the modern concern with positive individual rights.

Similarly, with respect to political and social equality among individuals, the profound influence of the State is unmistakably apparent. Here again, the very centralization of monarchical and State power could not help but create the conditions for a growing interest in personal equality. For, in the interests of its own aggrandizement, the State was forced to restrict sharply the authorities of medieval classes and estates. In so doing it could not help but partially level these ranks and, by its growing stress upon the impersonality and equality of law, to create a scene in which many traditional

medieval inequalities had to be diminished. As in other aspects of political history, this process is a slow and intermittent one in history. New inequalities of both a political and economic sort were being created, and the old ones were slow to dissolve. But the net effect of the State in history, as such students as Tocqueville and Halévy have emphasized, is nevertheless leveling.⁷

It is in the profoundly important concept of *citizenship* that we see the summation of so many of these combined authoritarian and libertarian qualities of the modern European State. In the Middle Ages, the citizen was literally the inhabitant of a free town. His status under the king, however, was that of *subject*. The two statuses were sharply distinguished then, and even at the end of the sixteenth century, in the writings of Bodin, we may see the continuation of this distinction. But in the modern history of politics, especially since the Age of Revolutions, the clear tendency has been for the terms citizen and subject to become virtually synonymous. The frame of reference has changed from the town to the nation as a whole, and the citizen is the atom-unit of the political association of the State. But in the modern concept of citizenship there inheres not merely the medieval idea of free status but also the idea of subjection to sovereign political power. The condition of subjection to rules and the condition of freedom have, in a sense, emerged from their medieval dualism and become fused into one concept and symbol.⁸

Three

It would be impossible to exaggerate the role of conflict between political power and the social group in the development of modern ideas of sovereignty, freedom, rights, and equality which together form the idea system of the Western State. All that was noted in the preceding chapter on the importance of conflict among institutional authorities in history has increased relevance when we deal with the State.

The real conflict in modern political history has not been, as is so often stated, between State and individual, but between State and social group. What Maitland once called the 'pulverizing and macadamizing tendency of modern history' has been one of the most vivid aspects of the social history of the modern West, and it has been inseparable from the momentous conflicts of jurisdiction between the political State and the social associations lying intermediate to it and the individual. The conflict between central political government and the authorities of gild, village community, class, and religious body has been, of all the conflicts in history, the most fateful. From this conflict have arisen most of the relocations of authority and function which have formed the contexts of decline of medieval communalism and the emergence of both individual and central political power.

In the same way that the modern army has resulted historically from the breaking down of clan and communal immunities to service, and from the formation of new aggregates of individuals united directly by military command from a single center, so the development of the Western State, with all the qualities of power, freedom, rights, and citizenship referred to above, has been part of the general process of subordination and destruction of such groups as village, gild, and feudal class. The individual and State have been brought into ever closer legal relationship. To compare the position of the political power of the State in the thirteenth century with that power today is to realize that fundamental among all the 'emancipations' of modern history has been the emancipation of the State from the restrictive network of religious, economic, and moral authorities that bound it at an earlier time.

In the preceding chapter we observed the social importance in medieval society of the smaller groups based upon kinship and function. This importance cannot be separated from the larger system of authority within which they existed. Organism, medieval society may have seemed to the Schoolmen, and Unity it may appear in retrospect to all those who,

like Henry Adams, seek escape from the flux and diversity of the modern world. But, in fact, medieval society, from the point of view of formal authority, was one of the most loosely organized societies in history. Despite the occasional pretensions of centralizing popes, emperors, and kings, the authority that stretched theoretically from each of them was constantly hampered by the existence of jealously guarded 'liberties' of town, gild, monastery, and village.⁹

'Such autocracy as existed in the Middle Ages,' Pollard writes in his study of Wolsey, 'was because of the absence of centralization. It was dilute, not because it was distributed in many hands, but because it was derived from many independent sources. There were the liberties of the church, based on law superior to that of the King; there was the law of nature, graven in the hearts of men and not to be erased by royal writs; and there was the prescription of immemorial local and feudal custom stereotyping a variety of jurisdictions and impeding the operation of a single will. There was no sovereignty capable of eradicating bondage by royal edict or act of parliament, regulating borough franchises, reducing to uniformity the various uses of the church, or enacting a principle of succession to the throne. The laws which ruled men's lives were the customs of their trade, locality, or estate and not the positive law of a legislator; and the whole sum of English parliamentary legislation for the whole Middle Ages is less in bulk than that of the single reign of Henry VIII.'¹⁰

To be sure the corporate liberties of Church and gild and university could themselves become often more restrictive of the life of the individual than was easily tolerable, and not a little of the appeal of political government to such men as Wyclif arose from the protection it could occasionally offer from the 'liberties' of other associations in society. But what is significant here is the immense range of legal autonomy possessed by the intermediate associations. The king, as Bracton and many another jurist of the Middle Ages declared, was *under* the law; he did not make it.¹¹ Neither did parliament,

for it was an essentially judicial, not legislative, body until relatively late in history.¹² The real law of the Middle Ages lay in immemorial custom, in the rule of seigneur, gild master, or churchman. Such customs and rules were simply the inner order of associations, and the autonomy of these associations was, as we have seen, jealously prized. In the early Middle Ages, the right of an association to come into existence was commonly a free one, not contingent upon royal permission. 'The borough, the gild merchant, the ordinary social or religious gild, all came into existence,' Rashdall tells us, 'held corporate property, and exercised other attributes of corporate responsibility without any charter or legal incorporation.'¹³

It is the *particularism*, then, rather than the asserted unity of the Middle Ages that stands as the most significant fact in the understanding of its structure of authority.¹⁴ Apart from the legal facts of diversity and decentralization ('anarchy' later legal rationalists were to call them), the pre-eminence of the medieval social group is unintelligible. This is the point that has so often been overlooked by modern reformers of an orthodox or scholastic set of mind who have endeavored to re-establish some variant of medieval moral or educational practice. The claims of kinship, gild, and university lay then in a framework of authority that has largely disappeared in the modern world. Such terms as *corpus morale*, *corpus mysticum*, and their many synonyms had deep roots in the legal particularism of the Middle Ages, and it is worthy of notice that the mystic unity of a given group was never so clamantly upheld as when the environing legal conditions were threatened.

Now, it is precisely among the conflicts between this whole area of intermediate authorities and the rising military power of the king that we may observe the legal foundations of the modern national State emerging. If it was characteristic of medieval society, as the Carlyles have emphasized, 'that local and personal attachments were strong, while relations to the central authorities were comparatively weak and fluctuating,'¹⁵ it has been equally characteristic of the modern world

that central authorities have become increasingly powerful and the local and personal ones weak and fluctuating. And it is in terms of this massive rearrangement that we may see not merely the developing influence of the State but, also, the momentous shift of the referent of the word liberty from the group to the individual. State and individual become the key terms of modern political discussion just as surely as the group was the key term of medieval thought.

Lord Acton stated this superbly in his *History of Freedom*: 'The modern theory, which has swept away every authority except that of the State, and has made the sovereign power irresistible by multiplying those who share it . . . condemns as a State within a State every inner group and community, class or corporation, administering its own affairs; and, by proclaiming the abolition of privileges, it emancipates the subjects of every such authority in order to transfer them exclusively to its own. . . It recognizes liberty only in the individual, because it is only in the individual that liberty can be separated from authority, and the right of conditional obedience deprived of the security of limited command.'¹⁶

Increasingly, then, within the contexts provided by struggle between State and medieval association, doctrines of right, duty, interest, and allegiance come to rest upon the claimed reality of society, regarded not as a *communitas communitatum* (the true origin of the word commons) but as a vast aggregate of socially free individuals. 'After the associations into which individuals have been placed as members of society have been dissolved and destroyed,' Ehrlich suggests, 'the only connecting links that remain between the individual and society are ownership, contract, and the State.'¹⁷

In all this the revived doctrines of Roman law performed a major function. The source of monarchical aspirations toward centralized power may have been in military necessity and the desire for increased revenue, but the rationalization of such aspirations was commonly drawn from the texts of Roman law. Maitland has rightly declared that 'at the end of the Middle

Ages a great change in men's thoughts about groups of men was taking place, and the main agent in the transmutation was Roman Law.¹⁸ In Roman law, principles were to be found as atomizing in their theoretical consequences as military centralization was in a practical way. It is not correct to say, as von Gierke did, that Roman law, with its general emphasis on State and individual, 'had nothing to say of the groups that mediated between the State and the individual.' It had a great deal to say in its theory of corporations. But what it said was destructive of associative autonomy. The Roman doctrine of concession asserted in effect that all groups were dependent upon the will of the State for the exercise of their functions and authorities. Groups existed, so to speak, only in the legal contemplation of the sovereign. This was a revolutionary doctrine indeed. And to the doctrine of concession was added one that sprang from philosophical nominalism, the powerful principle that declared all corporate groups to be mere fictions, that declared individuals alone to be the real units of society. It is one of the ironies of history that this nominalist doctrine, first used by Innocent IV against some of the component groups of the Church, should have been turned later with such deadly effect upon the whole of the Catholic Church.¹⁹ The Roman law stress upon the prince, who alone is *legibus solitus*, and upon individuals united only by the sovereignty of the State and by precarious relations of contract within the State, together with the rising influence of nominalism, sounded the death knell of the corporate pluralism and legal decentralization that had characterized medieval society.

Four

Our concern in this book is with modern Europe, but it both illuminates and reinforces the argument stated to observe, in two other notable ages, similar processes of conflict and change in the relation among group, individual, and State. We may see these in Greece and Rome.

In ancient Athens, as Zimmern has pointed out, 'what we have to watch is the gradual snapping of the lesser loyalties which form the intermediate links between the State and the individual, till the citizen stands, free and independent, face to face with the City.'²⁰ The conflict between the central government and the historic loyalties to clan and tribe was one of the decisive processes of Athenian history. This conflict was apparent in the circumstances leading up to the reforms of Solon, but it was a major factor determining the reforms of the great Cleisthenes. In his desire to centralize political power and to create a scene more favorable to military and economic demands, Cleisthenes was led, toward the end of the sixth century B.C., to the abolishment of dominant kinship structures as significant legal entities. His ingenious creation of the deme was an act designed to destroy any resurgence of old kinship loyalties by concentrating in it all crucial legal and political processes. In the deme the individual achieved political status, not, thereafter, in family. From the territorial unit of deme arose the structure of legal authority which encompassed all citizens of Attica. Both State and individual were freed.²¹

From Cleisthenes' reforms flowed both the democracy and the political individualism of the great fifth century. We may look to these conditions for much of the explanation of the great flowering of culture which took place in the fifth century. It was an age of creative individuality in many spheres. The individual became more and more conscious of himself as a discrete, rational being, and less and less conscious of himself as a member of a binding community of kinship and religion. Out of such circumstances came the intense preoccupation with change, the nature of the individual, the role of pure reason, that is to be found in the philosophy of Socrates and his contemporaries.

But out of these conditions came also reflections and actions of a different sort. To Thucydides, in the late fifth century B.C., individualism could appear increasingly symptomatic of a fatal disease, *stasis*, internal fragmentation and disruption.

To him and others it constituted a threat both to the stability of society and to the integrity of the individual. Above all, to Plato at the very end of the fifth century B.C. the conflict of allegiances in Athens and the increasing alienation of individuals from morality seemed intolerable. What Plato saw in the society about him was disorganization and conflict, alienation and frustration. The bases of the old society were gone; internal strife and political misrule had replaced the religious and communal supports of the old order in Athens. The individual was left ever more precariously exposed to moral uncertainty and conflict of allegiances. What was necessary, as Plato saw the problem, was the radical completion of the process of politicization which had begun with the reforms of Cleisthenes. Man could not bear the spiritual consequences of intellectual and cultural diversity. The State must therefore become itself a community, unified and absolute, capable of resolving both the external and internal conflicts of man.

Despite the severity of Plato's ideal State, one must beware of labeling Plato an anti-individualist, for there is clearly a sense in which the *Republic* may be regarded as a profound plea for the individual—his justice, his security, and his freedom from want, uncertainty, and ignorance. It is impossible to read Plato's political writings without feeling the clear honest devotion to the individual as well as the State. The problem for Plato, as it was to be the problem for Rousseau two thousand years later, was that of discovering the conditions within which the absolute freedom of the individual could be combined with the absolute justice of the State.²²

Plato's solution of the problem was radical. It was nothing less than the extermination of all forms of social and spiritual loyalty which would, by their mere existence, constitute distractive influences upon individuals and divisive allegiances within the total community of the State itself. 'The zeal of the State had come upon Plato,' Barker has written, 'and had come as a fire to consume whatever was not of the State. A fire will not stop at exceptions; and these exceptions to the organic

unity of the State he could not brook. . . The whole system of Platonic communism is meant to set the individual free of everything which prevents him from taking his right place in the scheme of the State: it is designed to secure those conditions—in other words, to guarantee those “rights”—which are necessary to the positive discharge of his function in that scheme.’²³

In Plato's view there is inevitable and intolerable conflict when the allegiances of man are plural. Plurality and diversity must therefore have no place in the ideal State. Unity is the condition both of order and genuine freedom. The existence of autonomous economic and social associations can lead only to social disorder, to paralyzing conflict in the consciousness of the individual, and to continuous subversion of the unity of life and society which Plato prized. Plato's hostility is directed, then, not against the individual as such but against the social group. His distrust of the autonomous family is matched by his fear of an independent or private religion, and of an independent art, music, and education. All membership and cultural activity must be related closely and continuously to the monistic political community.

When we pass from the Athens of Plato to the Rome of Cicero and Caesar, we observe similar conflicts of allegiance and association. Especially after the civil wars of the first century B.C. do we see an almost ceaseless conflict between the State and the intermediate unities of family and other forms of association. From its earlier, almost absolute status in Roman society, the authority and functional autonomy of the family, literally the *patria potestas*, declined almost continuously under the increasing centralization of political power.

In this process the demands of war exerted great influence. Whatever the stresses and strains arising from economic dislocation, they were relatively small as compared with those caused by the mounting incidence of war and the readjustments in internal polity which resulted from war. The military reforms of Marius, especially, were of profound consequence

to the traditional structure of Roman society. The professionalization of the old militia into a standing army, the increasing autonomy and centralization of military command, the growing allure of military service with its promised rewards—all led to the formation of what was in fact a new association in Roman society, an association based upon the imperatives of battle, upon the eagle of the legion. As freedom from the control of the Senate increased, the whole machinery of the Roman army was at the disposal of the man possessing military command. Out of the civil wars in the first century B.C. Augustus emerged as unchallenged military ruler, and what we observe in the principate that followed, and for that matter for the remainder of Roman history, is a society based upon the army. The emperor, as Rostovtzeff writes, 'ruled wholly through the army and for so long as the army was willing to keep him and obey.'²⁴ The most fundamental change that took place in Rome during the century that stretched between Marius and Augustus was the shift of real authority in society from the Senate, and the family system which supported it, to the army. And thereafter in the same proportion that the State became militarized, society became increasingly politicized.

'Relations between the State and the individual became ever more direct. The various situations in which the juridical person found himself affected him alone, and there was no more need to break or form any bond with a jealous and exclusive family group. Being no longer the foundation of the Republic, the *familia* ceased to interpose between the individual and the State.'²⁵ In Rome, during the centuries following the civil wars, we cannot help but see the parallel tendencies of centralization of power in society and the individualization of the traditional social structure. There were, especially during the Augustan age and the later age of the Antonines, periods when the individual seemed the chief beneficiary of institutional change. These were periods of cultural and economic efflorescence. But there were other periods when the

and allegiance which, together, form so large a part of the history of institutions. We do not have to appeal to any immanent spirit or dialectic to appreciate the revolutionary role of the State in history. We see it in such concrete occurrences as the Cleisthenian reforms in ancient Athens, in the founding of Roman law, in the establishment of the King's Peace in the eleventh and twelfth centuries, in the conflict of the political power with the universities, the gilds, the Church, in the enclosure acts, and in the whole development of an administrative bureaucracy that gradually absorbed functions and authorities formerly resident in other associations.

In historical terms the State is the outgrowth of war. In its earliest form, everywhere, it is essentially a military organization. But it does not long remain a purely military association. For the consolidation of authority and the gaining of revenue necessary to military effectiveness inevitably bring political power into conflict with other associations that lay claims to obedience and property. The State may conflict now with clan, now with church, now with class, or village community or gild, or university, depending on necessities inherent in the historical situation.

For long periods of time the conflict may not be obvious. The inroads of political power are restrained by difficulties of communication, by custom, by inertia, and by the frequently formidable nature of ecclesiastical, kinship, or economic institutions. In other periods the conflict flares up and is starkly revealed by decrees and enactments, by constitutional crises, even by civil wars and revolutions. But always in the history of politics, in one degree or another, we see the conflict that is created necessarily by the existence, on the one hand, of associations, local, sectional, or functional, each claiming limited jurisdiction over its members, and, on the other, an association that identifies itself with *all* persons in a given territory and seeks to consolidate all important authorities within that territory.

We see this conflict vividly today in such an area as India. Here the ancient authorities of caste, village, and family are slowly being absorbed by a political administration based upon Western standards. In terms of the functions wielded and allegiances commanded, the State grows stronger, the other associations weaker. In India no more than in the history of modern Europe is this simply a process of crude power expansion. As a process it is bound up with the creation of a system of positive rights of individuals and of important humanitarian gains, with the reduction of inefficiencies and corruptions on the local level, and with the liberation of millions of individuals from caste and religious authorities which have become oppressive.²⁹ In the new State there are millions of Indians who can look forward to a life politically free, if frequently less secure in a social and psychological sense than any they have known before. But these characteristics of the new order do not hide the often profound conflicts that arise between new agencies of government and traditional social groups. Nor do they obscure the rapidly changing balance of power between central political authority (historically weak in its contact with individual and in functions performed) and the traditional authorities of caste, village, and joint family.

This, in conclusion, is the revolutionary essence of the State: the combination of social dislocation and political reassimilation; of liberation with power; of loss of old status with the gaining of new. Who can doubt that from this conflict of State with other associations in society have come some of the most important humanitarian gains and personal liberties in Western culture? But who can doubt, either, that from this same conflict, from this same, still ongoing process of revolution, have come problems of balance of authority in society and problems of associative and personal freedom which are very nearly overwhelming at the present time?