The 'Ideal Total Capitalist': On the State-Form in the Critique of Political Economy

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Abstract: What is the role of the contemporary welfare state – or in Negri's terms, the "warfare state" – within the reproduction of the capital-relation? The key political question today is not just the ongoing crisis of welfare under the crisis of capitalism: it is the more fundamental point that liberal democracy, rather than being a bulwark against the domination of all social elements by capital, is in fact *the institutional mechanism par excellence* through which capital's perverse force operates. Welfare, the basic task of liberal democracy, is not a benign field of "taking care" of the human being, making citizens happy, and so forth. Welfare is the material support for the ideological field of liberal democracy, a material support for the reproduction of labour power, the key raw input for capital's own ceaseless expansion. The question of the welfare state today is not an anachronistic question. In our current moment of a generalized "capitalo-parliamentarism," to use Alain Badiou's term, it is the crucial link between the renewal of the critique of political economy and the renewal of the possibilities of political intervention.

Keywords: Marx, welfare state, capitalism, critique of political economy, labour power, Badiou

> The modern state, no matter what its form, is essentially a capitalist machine, the state of the capitalists, the ideal personification of the total capital [or literally, "the ideal total capitalist" (*der ideelle Gesammtkapitalist*)]. The more it proceeds to the taking over of productive forces, the more *the state becomes the actual total capitalist* (*wirklicher Gesammtkapitalist*), the more citizens (*Staatsbürger*) does it exploit. The workers remain wage-workers — proletarians. The capital-relation (*Das Kapitalverhältniß*) is not done away with (*aufgehoben*). It is rather brought to a head (*auf die Spitze getrieben*).[1]
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> - F. Engels

> Any modern state is intrinsically bourgeois and hence pertains, with regard to the communist topology, to the category of the structure and the obstacle.[2]
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> - A. Badiou

1 Engels 1987 [1988], 266 [443], Translation modified.

2 Badiou 2009, 235.

Throughout the 1970s and 80s, the problem of the welfare state figured as a central question of Marxist theory. The experience of Eurocommunism, the seeming expansion of the state sector to encompass all sorts of new arrangements of cooperative labour, welfare protections, and para-state institutions, made the state take on a new dimension. In the eyes of the apologists for the welfare state, this new stage was one in which the state-form itself was no longer simply the organ of the "legitimate monopoly on violence," but rather a merely "contentless" arrangement of logistical entities. In this situation, the state would also come to be perceived as the site of a paradoxical *mixture*: from this apologist perspective its repressive aspect was seemingly conjoined to the possibility of slowly building "dual power" institutions within the interior of a constantly expanding state sector, in which fields of partial workers' hegemony could be envisioned. But this optimistic and affirmative view of the welfare state was also accompanied by the beginnings of a renewed critique of the state as the guarantor and ultimate horizon of politics.

What does this question mean today, following the experiences of cyclical financial crisis, of the explosion of social struggles around the world, and the ongoing *reconquista* of an old model of capitalism, of the most openly violent and vicious dispossession of the working class, the peasants, the poor, the unemployed, the sick, the young and so on? Can we even speak of the critique of the welfare state today when the global neoliberal right seems intent on dismantling precisely the institutions of the welfare state from the 1970s that were *the result* of an entire sequence of workers' struggles? What would it mean to rethink the critique of the welfare state from our present moment?

Here, I want to make a specific sort of wager: if we want to renew this critique of the form of state within the contemporary renewal of the critique of political economy – a project taken up in diverse ways in thought today – we will need to first identify how the welfare state as a form is linked to the *drive* of capital. This is a way to understand the particular *ideological* content of the welfare state (or perhaps what Antonio Negri will later refer to as the "warfare state" to designate the transformations in the 1980s that would later come to be called "neoliberalism"[3]): after all, in Althusser's terms, a given ideological instance always lasts longer than the specific historical conditions that produced it. In other words, we must try to link the lasting ideological instance of this specific form of state to the nature of capital itself, not merely to questions of policy or questions of planning. In fact, we will see how these concepts of "policy" and "plan" are themselves profoundly linked to the perverse and deranged nature of capital's inability to manage its own force of pulsion, its drive. Here, in a broad investigation

3 See Negri 1988.

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of the theoretical and historical question of the welfare state and its position within capitalism, we will attempt to link this critique to the development of a new *historical persistence* of the project of communism.

Today, political responses to the rightward turn of many of the advanced capitalist countries have often remained at the level of the populist defense of the welfare state ("Main Street, not Wall Street!"). But this type of formulation is incapable of seeing the basic ideological paradox of the state today: although the limits of capital are being constantly questioned from every corner of society, the basic underlying *political* structure of world capitalism – liberal democracy – remains largely unassailed. In fact, more fundamentally, these two terms, "capitalism" and "liberal democracy" are often seen as opposed, as two entirely separate sets of relations. It is here that Slavoj Žižek has reminded us of what is at stake: "we should read the ongoing dismantling of the Welfare State not as the betrayal of a noble idea, but as a failure that retroactively enables us to discern a fatal flaw of the very notion of the Welfare State."[4] Thus the key political question today is not just the ongoing crisis of welfare under the crisis of capitalism: it is the more fundamental point that liberal democracy, rather than being a bulwark against the domination of all social elements by capital, is in fact *the institutional mechanism par excellence* through which capital's perverse force operates. Welfare, the basic task of liberal democracy, is not a benign field of "taking care" of the human being, making citizens happy, and so forth. Welfare is the material support for the ideological field of liberal democracy, a material support for the reproduction of labour power, the key raw input for capital's own ceaseless expansion.

The question of the welfare state today is not an anachronistic question. In our current moment of a generalized "capitalo-parliamentarism," to use Alain Badiou's term, it is the crucial link between the renewal of the critique of political economy and the renewal of the possibilities of political intervention.

The Welfare State and its "Origin"

The theory of the state has long been one of the most controversial and contested fields of inquiry in the Marxist theoretical tradition. From the scattered formulations of Marx and Engels on the role of the state in capitalist society, to the debates on the seizure of state power in the Second International, the theory of the state has remained an inexhaustible set of questions for the critique of political economy: what role does the state play in capitalist development? Is the state a merely epiphenomenal apparatus capable of being subjected to divergent arrangements of domination and control? Or is the state a central and necessary mechanism at the core of the accumulation process? In turn,

4 Žižek 2012, 15.

this analysis of the state and capital has never been a merely *theoretical* question. Rather, it is a set of questions with a directly *political* content: Can the state be colluded with as a device through which to hold back the capitalization of all elements of a given social formation? Is the state capable of serving as a "revolutionary weapon" in the hands of an insurrectionist political process? Or is the state always-already too saturated by its own structural dominance? Is all entry into the state inherently doomed to failure, to capture, to complicity?

From the debates of the 1970s between figures such as Nicos Poulantzas, Ralph Miliband, Bob Jessop, Simon Clark, John Holloway and others, to the German "state-derivation debate," to the Italian discussions of the "planner-state" (*stato piano*), particularly in Negri's writing on the crisis of the 1970s, the theory of the state's *autonomy* from the accumulation of capital has been vigorously contested. Rather than being seen merely as a contentless mechanism or device, the state has come to be seen rather as an apparatus that intervenes in the economic process in order to deal with those aspects of a given capitalist social formation that cannot be strictly speaking controlled from within purely economic relations. This duality or supplementarity of control under capital recalls the long history of the analysis of *civil society* and *political society*, broadly speaking the two spheres of *economy*, specifically exchange or circulation, and *governing*, that is, the sphere of the state. We will expand this duality of civil and political society in the following section, before discussing the broad question posed by Alain Badiou's formulation of "capitalo-parliamentarism" for our current global conjuncture. For the moment, let us trace back through the "origin" of the welfare state.

When we think of the term 'welfare state' we tend to think of a quite limited and recent history of this concept. We tend to think of a specific feature of postwar capitalism, its tendency towards the phenomenon of *embourgeoisement*, in the terms of the Regulation School, its tendency towards ever increasing wage levels in the imperialist countries, towards greater and greater state protections, in turn effectively neutralizing workers' independent resistance by integrating them fully into investment in the same capitalist mechanisms as their employers. But the centrality of the concept of "welfare" has been with us since the advent of the capitalist mode of production, and signals a set of problems wider and more extensive than simply what goes under the name "welfare state."

From the outset, what is the welfare state on a theoretical level? What relations and elements of force are concentrated here? Ian Gough, in his 1979 *The Political Economy of the Welfare State*, attempts to define this concept formally, in an extensive taxonomy of the role of welfare in the Marxist theoretical register. For Gough, the welfare state refers to "the use of state power to modify the reproduction of labour power

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and to maintain the non-working population in capitalist societies."[5] We thus have an initial definition of the problem. Welfare, broadly speaking, intervenes at a crucial weak point of the cycle of capitalist reproduction. Since capital, strictly speaking, cannot maintain a constant supply of labour power without becoming involved with the physical capacity and corporeal well-being of the labourer, the role of welfare is located at a crucial moment. In short, the existence of commodities as products of labour is itself based on an incessant overcoming of a specific social and historical restriction placed upon capitalist production methods, namely that for capitalist production to exist at all, capitalist production must consume as a commodity something that capital cannot produce as a commodity directly: the peculiar commodity of labour power.

While this social restriction on capitalist production is especially clear, for example, during phases of economic prosperity (when industry widens its scale of production and thus requires the absorption of more and more workers) it is equally clear that industry cannot assume that workers would necessarily "be there" for capital, since workers cannot be simply and easily transferred like fixed capital (machinery and so forth). Nonetheless, bourgeois political economy routinely disavows this fundamental vulnerability of capitalist production by theoretically treating labour power merely as a commodity as a product of labour. Unlike a slave economy, in which the worker's body itself is sold as a commodity, the formation of the "doubly-free wage labour" – free to sell its work to the highest bidder, and simultaneously free or *available* for exploitation – at the advent of the capitalist era connotes a situation in which what is sold as a commodity is the *capacity, potential,* or *force* to work within definite limits and for a definite period.

Unlike various pre-capitalist forms of labour, in which the compulsion to work is generated by means of certain forms of "extra-economic coercion" (directly feudal landed property-relations, seigneurial systems of ground rent, direct relations of force and violence to compel serf labour), the formation of labour power is only possible when what is commodified – that is, circulated as a commodity – is not labour *in general* but the specific capacity to work "piecemeal" or "for a determinate period."[6] This difference furnishes us with the essential problem of the labour power commodity, a commodity that is bought and sold in the labour market, but that can never be located in a stable presence. What is essential is that because the labour power commodity must be *assumed to be given and present,* as well as consumed as a commodity by capital despite capital's inability to produce labour power *directly*, the history of struggles over land enclosures, the factory system,

5 Gough 1979, 45.

6 Marx 1996 [1962], 178 [182].

the life-and-death struggles of the workers "thrown onto the market" by the decomposition of the previous social relations, and so forth is involved in this process of transforming labour power into a commodity. If we take Gough's point then, that the role of welfare is "the use of state power to modify the reproduction of labour power and to maintain the non-working population in capitalist societies," we notice something crucial. Even if the welfare state as a specific political form is a historical development, a type of state policy and planning characteristic of the world postwar order, the fact is that this concept of "welfare" has been central to capital since the beginning.

Gough expands his argument in two crucial directions that we ought to take into account in order to clarify the relation between the critique of the welfare state and the critique of political economy. He reminds us that although the role of welfare is to "modify the reproduction of labour power and maintain the population, nevertheless, "this does not exhaust its functions, for the population also contains individuals that are not part of the workforce. The second arm of the welfare state serves to maintain non-working groups in society."[7] At this point it should be stated clearly that the maintenance of "non-working groups in society" is not only the function of the welfare state: it is a crucial and central moment of capital in general.

In the theoretical structure of *Capital*, Marx's analysis of the law of value and the law of profit directly leads to his discovery of "the law of population peculiar to the capitalist mode of production" (*der kapitalistischen Produktionsweise eigentümliches Populationsgesetz*).[8] The law of population, which posits labour power in relative superfluity to capital's organic composition, allows the capitalist production process to treat labour power as the most disposable commodity during phases of recession but also as the most indispensable commodity during phases of prosperity.[9]

But how and in what ways does Marx demonstrate this? In Volumes 1 and 3 of *Capital* especially, Marx shows how, on the basis of the transformation in circulation of labour power into a commodity, capitalist production unavoidably leads to the overproduction of capital itself and crisis, particularly how this can *only* occur at the zenith of the accumulation phase of prosperity. What is the resulting phase of accumulation? It is a phase of recession, during which time two things generally take place on the road to the renewal of capitalist production. First, the technical composition of capital is reorganized with better and more efficient machinery. This process, however, is restricted by

7 Gough 1979, 47.

8 Marx 1996 [1962], 626 [660].

9 On the analysis of the "relative surplus population" see Kawashima 2009.

time, and cannot simply take place automatically; in this regard, the time it takes to replace old machinery with new machinery determines the temporal length of the phase of recession. Partly because of the difficulty in selling off old fixed capital in capitalist production, a second process takes place. Obviously, this is the point at which workers are laid off during phases of recession, forming what Marx called a *relative surplus population*. It is called this because this population now stands in a relationship of relative excess to the level of demand for a regular labouring population and thus is located in a general separation or at a distance from capitalist production. This population is not an absolute social surplus, but a surplus that can only be grasped in its *relationality* to capitalist production, from which it has been cast out as the most easily disposable commodity: capital can always dispose of the worker's physical body during the phase of recession, in which capital attempts to shed as much labour power as it can. And this relationality is in essence contained within capital itself, a circular or cyclical relation that stems from the fact that "labour power is the form under which variable capital exists during the process of production."[10]

In its relative separation from production, however, this relative surplus population now forms a social mass of workers who, theoretically, once again have nothing but their labour power to sell as a commodity, establishing and setting in motion a cyclical process of disposal and re-capture of labour power. In this way, Marx theorizes the law of populations peculiar to capitalist production, namely that while capitalist production cannot produce labour power as a commodity directly, it can produce a relative surplus population, which functions as a *mechanism* for capital to bridge this gap *indirectly*.[11] This mass of bodies must then sell their potential to labour—their labour power—in order to consume their daily necessities, in other words, a certain quantum of the means of subsistence that capitalist production can produce directly. Thus capital, through the form of population, turns a direct barrier to itself into a new *threshold* of accumulation, a new beginning or commencement.

Crisis as a phase of capitalist accumulation does not mark the end of the capitalist system; rather, it is merely a passing phase that mediates the phases of prosperity and recession. It is during the phase of recession that a relative surplus population is formed, which allows Marx to theoretically show how capitalist production can, as it were, compensate for its original and fundamental inability to produce labour power as a commodity by producing a relative surplus population, which creates the general social milieu, the "narrowly restricted social foundation" for the commodification of labour power. At its full extension, Marx refers to this

10 Marx 1996 [1962], 585 [616].

11 See Walker 2016, ch. 5.

stratum as the "Lazarus layers of the working class," the unemployed who can be somewhat "resurrected" as variable capital when the expansion of the business cycle requires it.[12]

Yet even so the commodification of labour power cannot be assumed to take place automatically on the road to renewal and prosperity *simply* because a surplus population has been produced as compensation for capital's inherent historical restriction. The reason is that, precisely because capitalist production has ground to a halt during the phase of recession, it is as if a "dead zone" or void appears or intervenes between excess capital and surplus populations. There is no money to be exchanged for labour power at this moment in the cycle. There is only decaying and dying—the "moral degradation" and the devaluation of capital, and it shows another way to think the conceptual sequence of "the first time as tragedy, the second time as farce," for the tragedy of capital's inability to directly produce labour power as a commodity now becomes transmuted—in the theory of crisis—into farce, where capital still cannot presuppose its own ability to capture labour power as a commodity *even through* the production of a relative surplus population as compensation for capital's fundamental historical restriction (the originary and primal "tragedy").

Thus, when we theorize the welfare state as an entity devoted to the maintenance of the non-working population, we have to understand this as a core function of capital's own reproduction – the management of the *faux frais* that capital throws off to be managed by apparatuses external to the production cycle. In other words, Gough continues, "the two basic activities of the welfare state correspond to two basic activities in all human societies: the reproduction of the working population and the maintenance of the non-working population. The welfare state is the *institutional response within advanced capitalist countries* to these two requirements."[13] Gough here provides us with an essential riposte to those who see in the deepening of social democracy and defense of the state the possibility of a new opening for radical politics, and against capital. Rather than being a merely "contentless" entity that can modified by means of policy, Gough's point is precisely that in advanced capitalist societies, the very form of the welfare-based nation-state is inseparably linked to the reproduction of the aggregate capital, because it serves as the primary mechanism through which labour power can be indirectly regulated and the project of labour segmentation can be repeatedly undertaken.

At this point, let us recall Marx's argument that one of the "essential

12 Although I cannot expand on it here for reasons of topicality, Ken Kawashima and I are working on a long-term collaborative project precisely around the explication of these "Lazarus-layers" in relation to the theory of crisis.

13 Gough 1979, 48.

elements" of capital's origin in the "so-called primitive accumulation" is precisely the fact that "the bourgeoisie, at its rise, wants and uses the power of the state to 'regulate' wages, *i.e.*, to force them within the limits suitable for surplus-value making, to lengthen the working-day and to keep the labourer himself in the normal degree of dependence."[14] It is precisely in this sense that the function of "welfare" within capitalism has never been something separate from its workings; rather, it is something co-emergent and central to the operation of the capital-relation itself. "We see this most clearly in the original case of England, where welfare did not develop after capitalism but alongside it, and it may have been a key factor in bridging the transition to this new economy, grounded as it was in a radically distinct method of exploitation."[15] Patriquin here traces an extensive historical genealogy of the direct relation between welfare and violence at the origins of the capitalist mode of production. In the sense that welfare has always been indispensable for capital's "normal" functioning, we should keep our focus on this "originary" element of the welfare state. Rather than being a political development in which capital's violence is ameliorated through social spending, we should rather understand the welfare state as the *primary mechanism* through which the process of primitive accumulation can be continuously sustained in the advanced capitalist countries.

Today, instead of the social-democratic and liberal emphasis on the relative autonomy of the state and capital, we seem to be entering a period when these two functions are increasingly difficult to distinguish. This is the essential fact reflected in Badiou's formulation of "capitalo-parliamentarism": capital and the state exist today with such a level of integration that we might as well see these two social relations as directly conjoined rather than overlapping but separate processes, or even a "total" process, exactly what Engels early on identified as the "totality" that exists between capital and the state. Let us think briefly about this concept "total."

Marx utilizes a very specific concept when attempting to think the labour process: the concept of a "collective" or "total" labourer, the *Gesammtarbeiter*, in other words, "the living mechanism of Manufacture" (*den lebendigen Mechanismus der Manufaktur*).[16] Individual workers are brought together into a single productive body by means of capital: this establishes a connection between their individual functions that nevertheless appears external to themselves. This totalization is not their own act, but the act of capital that forces them to play a collective role as

14 Marx 1996 [1962], 178 [182].

15 Patriquin 2007, 207.

16 Marx 1983a, 275. In the 1872-1875 French edition (the so-called "Lachâtre" version) of *Capital*, Marx gives here the phrase "le travailleur collectif," hence the common English translation as "collective labourer." See *MEGA*, Abt. II, Bd. 7, 290, and the terminological note in Abt. II, Bd. 7 (Apparat), 837 [280.21].

the physical source of labour power. Panzieri writes, "Hence the connection existing between their various labours appears to them, ideally, in the shape of a pre-conceived plan of the capitalist, and practically in the shape of the powerful will of another, who subjects their activity to his aims. Capital's planning mechanism tends to extend and perfect its despotic nature during the course of capital's development. For it has to control a growing mass of labour-power with the concomitant increase of workers' resistance while the augmented means of production require a higher degree of integration of the living raw material'.[17] So if we have on one side this *Gesammtarbeiter*, who personifies the total working class, on the other side we have the *Gesammtkapitalist* discussed by Engels, the source of capital's particular "planning" function.

But who is this "total capitalist"? It is none other than the state-form itself. Here we have to think of the homology between this triple structure: the *Gesammtarbeiter* of Marx, the result of a *Gesammtmechanismus*[18] in which numerous social organisms are arranged from the perspective of capital, and the emphasis of Engels that it is the form of state that plays the role of the *wirklicher Gesammtkapitalist*, the "actual total capitalist," or personification of capital. In turn, it is this inquiry that leads us into the question of the inside and outside of the state, a crucial question for the clarification of the role of "welfare" for capital.

The Interiority and Exteriority of the State-Form

When we inquire into the problem of how to locate the specific local form of capitalist development, concretized in the single nation-state, within the overall nature of global capital, which in itself knows no such boundaries, we immediately confront the problem of the *logical* and the *historical*. This problem of the relation of world and nation is mediated or supported by the concept of "civil society," the general social form of economic life, which in turn is based on both the *logical necessity* and the *historical contingency* of the form of the *individual*, a problem that will be directly linked to the question of the production of subjectivity. In this term "civil society," two lexical sequences are immediately opened up. These two lexical sequences are in turn related to two semiotic fields, two registers of signification: on the one hand, the existence of "civil society" expresses, in Althusser's well-known terms, a "process without a subject" in which concrete individuals are merely shells corresponding to positions in relations of exchange or commerce, existing solely as the "bearers" (*Träger*) or "guardians" (*Hütern*) of the forms of commodities and money.[19]

17 Panzieri 1976, 58-59.

18 Marx 1962, 364-365.

19 For an extended development of the arguments in this section, see Walker 2013 and in a broader sense, Walker 2016.

On the other hand, precisely because "interest" or "need" are expected to appear at the basis of these social interactions, the individuals who engage in the social process of exchange are *produced as subjects* of these needs. This double structure itself returns back into the unstable core of the concept "civil society," where it exerts a specific set of forces, a specific theoretical physics that produces a set of fundamental limitations or boundaries within which the vast and aporetic question of the subject is located. For Marx, civil society (*bürgerliche Gesellschaft*), designating the development of a form of society in which the bourgeosie becomes the quintessence of social relations, is precisely the sphere in which the exchange of commodities is buttressed by very specific forms of *individuality* through which the subjects of exchange can be produced or convoked. It installs in history a bizarre situation in which "the bourgeosie idealizes and universalizes its own conditions of existence under the name of 'man', or more generally, the form of individuality which allows private property to be considered 'natural'."[20] In turn this creates a situation of something like a "multiple personality" for "man": *homo nationalis*, *homo economicus*, *homo juridicus*, and so forth. What appears as the historical installation of a very specific regime of differentiation so as to furnish the basis of exchange relations comes to be linked to *property*, a question we will return to in the following section.

When Marx refers to 'civil society', to *bürgerliche Gesellschaft*, he indicates in the most general sense "the total material *intercourse* (*Verkehr*) of individuals within a determinate stage of development of the productive forces." He continues, "It embraces the whole commercial and industrial life of a given stage and, insofar as this, goes well beyond the state and the nation." However, and in the following contrast I believe Marx gives us an absolutely decisive clue that we must pay close attention to, he critically reverses this claim, or better still, adds to this claim a simultaneous paradox:

> Yet, on the other hand again, civil society must assert itself *externally* [or "on the outside"] (*nach Außen*) *as nationality* (*Nationalität*), and internally ["on the inside"] (*nach Innen*) must organize itself as *the State*" (Marx 1962c: 36; Marx 1976: 89).[21]

Marx provides us here with an extremely suggestive problem to insert into the question of civil society, and in turn, into the articulation of citizen and subject. If civil society, or the historical emergence of the tendency towards the universalization of the *bourgeois*, is the field in which the citizen-subject is formed and joined together, it is significant

20 E. Balibar 2011, 473.

21 Marx 1969 [1975], 36 [89].

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that Marx identifies two directionalities or vectors of its function: exteriority and interiority.

The sphere of civil society corresponds, for Marx, to the sphere of economic life on the surface of society in general; it connotes, in other words, the sphere of circulation or exchange, the site wherein given commodities are exchanged between given individuals occupying specific roles. As we have mentioned above, the "citizen" installed into the scene of society with the advent of "bourgeois universalism," in Balibar's terms, always maintains a complex relation with the form of the subject, and specifically with the form of the *national* subject, or *homo nationalis*. In a concrete sense, then, the form of individuality that is presumed or presupposed within relations of exchange is itself assumed to be historically continuous with a given national formation.

In turn, this indicates that, if the individual presumed in capitalist society on the level of abstract generality must always be "homo nationalis," it means that this "national" element intervenes at a primal stage of the *reproduction* of social relations. Social relations in capitalist society take on a specific character that stems from the logic of this relation itself from the very outset. It means "Homo nationalis" is a central *mechanism*, apparatus or arrangement that capitalist social relations are founded on. Thus when Marx reminds us that "civil society" designates exactly the social level at which "exchange" (*Verkehr* and thus "intercourse" but also "*échange*" and therefore the later sense of *Austausch* for "exchange") between "individuals" is made into the motor-force of social life, he draws our attention to the bizarre and paradoxical relation of the sphere of circulation and the sphere of production. That is, the productive capacity of society exerts a historical force on the way in which social relations can operate. But the *image* or *schema* of "civil society," which ought to be "rational" and based on the undivided unit, literally the In-dividual, is not derived from the production process, but from the abstract individuals (the bearers – *Träger* – of labour power, and the possessor of money in the form of wages) presupposed within the circulation process, which *itself* must be *presupposed*. Therefore, there is always already, at the core of civil society, some hard kernel of irrationality or impossibility, but an impossibility that has been *made to operate as if it were not there*.

The "world of capital," which presents itself as a total systematic expression of pure exchange, produces "civil society" in order to invert itself, and try to derive itself precisely from its own presupposition. Civil society in essence connotes the entire life of the sphere of circulation. In other words, it connotes a field in which is presupposed a "formal" equality between commodity-owners: one owner the seller of this strange thing called "labour power," and the buyer, the owner of money. This exchange puts the form of money into the hands of the seller of labour power, who in turn uses it to purchase "means of subsistence"

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by which he or she can reproduce themselves. Thus, Marx importantly points out, the value of labour power as a commodity always "contains a historical and moral element," that is, this value always has a necessary reference to something *outside* the exchange process, *outside* the supposedly "smooth" sphere of circulation. This shows us too that the *theory* of the exchange process, in which social relations are *represented* as a "rational" field of smooth circulation is implicated from the very beginning in the real functioning of this circuit:

> The economic is in this sense the object itself of Marx's 'critique': it is a representation (at once necessary and illusory) of real social relations. Basically it is only the fact of this *representation* that the economists abstractly explicate, which is inevitably already shared *practically* by the owners-exchangers (*propiétaires-échangistes*) of commodities, that the 'economic' relations appear as such, in an apparent natural autonomy. The representation is implicated in the very form of the *manifestation* of social relations. This is precisely what enables producers-exchangers to *recognize themselves* in the image that the economists present of them. The 'representation' of the economic is thus for Marx essential to the economic itself, to its real functioning and therefore to its conceptual definition.[22]

Therefore, civil society *presupposes* the form of the individual, endowed with these "needs" and socially engaged to pursue them. Civil society in this sense is a name for the field of effects in which the production of subjectivity is undertaken. Without this specific form of social life, characteristic of modernity and the world-scale of social relations, we cannot speak about the concept of the subject. On the other hand, in a disciplinary sense, we thus see that the production of subjectivity, in which the form of singularity must necessarily be violently re-produced as the form of *individuality* which belongs to a genus, is in no way separate from the logic of capital.

Civil society is a paradox: the relations that compose it can only be understood as adequately civil on the basis of an entire volatile historical sequence. The "pre-history" of capitalism's emergence into the world constitutes the genealogy of the concept: the bands of feudal retainers are broken up, the self-sufficient peasantry is transformed into the proto-proletarian small tenant on the one hand and the "beggars, robbers, and vagabonds" on the other; this movement of enclosure on the scale of the land is thus mirrored in the enclosure of bodies, sentiments and so forth into the form of the "individual" or "property in his own person" (Locke). In turn, it is this form of identification between the formation of

22 Balibar 1974, 213.

the property-owner endowed with rights and the individual endowed with social rationality that forms the specific historical movement which would culminate in the figure of the "bourgeois" or indeed the "civilian" (*cives*). But the entire capacity of civil society to form the bond or articulation between social organization (state) and social legitimation (nation), which is presumed to be a rational, coherent, and necessary development from within its own *logic*, is therefore always reliant on its outside or reliant on what must be *axiomatically* excluded from its own process: the volatile space of historical time. In this sense, the whole logic of the citizen-subject is that of a volatile amalgam, held together, but always threatening to expose the fundamental volatility of this amalgamation itself. In this sense it is exactly something like the (im)possibility, the instability that underpins the social forms that exist under capital.

Let us now sum up the contours of the problem and put forward a further complication. Capitalism is a form of society organized by capital. This already presents us with a certain regressive structure in theory, because capital is not a thing but *a social relation*. At the same time, capital in capitalist society is the only "thing" that expresses itself as an individuality, that is, not as a "bearer" or "guardian" but as a true "individual" in the sense that it cannot be *divided*, but operates as *one*. The social human being is always divided in capitalist society, as the "bearer" of the "thing" that proves its social position, labour power. The human being in this sense is not *active* in capitalist society, but *passive*, a receptacle for the object – labour power – that is generated inside him or her. Thus when we say that capitalism is organized by capital, what we mean is that capitalism is a society in which relationality is a perspectival or focal point devoted to the reproduction of this original relation itself. This is the broad philosophical point behind the description of capital as self-expanding value. Capital is itself a relation devoted to the reproduction of the relations that it itself implies as the motor-force of a social field. Labour power, in this sense, is a kind of exterior or externality whose givenness must be assumed in precisely the same way that the boundaries of citizenship must *presuppose* that they can be mapped onto a set of coordinates already given by the form of the national subject – it is precisely here that we must carefully note Marx's point that "civil society" expresses itself *externally as nationality*, and *internally as the state*. The entire question of the function of the nation-form within the capital-relation thus pivots around this complex and unstable object at the core of capital's logic, the commodity-form of labour power. It is this strange form of labour power that constitutes one of the most important advances of Marx's *critique of political economy*, an advance that we are still seeking to understand. After all, "If there is an element of 'proletarian politics' in Marx which is a genuine *third term*, it is necessary to seek it in the direction of everything which resists and dislocates the civil Society – State dichotomy. If it is to be found above all in the critique

of political economy, this is because *this dichotomy*, as it is handed down to Marx (and to us after him) *is above all an effect of economic ideology*."[23] Labour power cannot be located in either polarity of civil society or the state, but exposes something critical about this dichotomy: both civil society and the state must essentially *presuppose* the existence of labour power, yet neither can *guarantee* it. But what specific *politics* are implied by this problem?

Politics at a Distance from the State

The critique of political economy explicates the set of reasons that the *welfare* of labour power must become a crucial concern for capital and the state. It is not only that capital's apparently smooth circulation must presuppose something that it cannot strictly control, but also it must presuppose the reproducibility of labour power, the fact that labour power "must appear every day in the market." This fact, that labour power is used up in the forms of "wear and tear and death," and therefore must be replaced by fresh labour power, shows us the critical place in the entire schema of welfare. But the question is crucial: who or what mechanisms undertake to provide this "welfare"? Capital itself, as a social relation, is not concerned with the worker's well-being as such. This question is essentially anterior or simply corollary to capital's accumulation process, which is undertaken *as if* it were endless. What must "take care" of labour power, and specifically the worker's body, in which is generated this bizarre non-substance, is nothing other than the state. The state is that institution that enacts itself, and then subsequently acts through, the Law. The legality established by the state to uphold capitalist relations of production and the global imperialist division of the earth, is something directly concerned with welfare. We must clarify that welfare here does not only refer to "taking care" or "making live" – it concerns the entire sequence of questions that relate to the worker's physical being and corporeality. Welfare is simply the name for the physical control, maintenance, and discipline of the body.

Slavoj Žižek has recently emphasized something crucial in relation to this point, a point that we should pay close attention to:

> We do not vote about who owns what, or about worker–management relations in a factory; all this is left to processes outside the sphere of the political. It is illusory to expect that one can effectively change things by 'extending' democracy into this sphere, say, by organizing 'democratic' banks under people's control. Radical changes in this domain lie outside the sphere of legal rights. Such democratic procedures can, of course, have a positive role to play. But they remain part of the state apparatus of

23 Balibar 1985, 18.

> the bourgeoisie, whose purpose is to guarantee the undisturbed functioning of capitalist reproduction. In this precise sense, Badiou was right in his claim that the name of the ultimate enemy today is not capitalism, empire or exploitation, but democracy. It is the acceptance of 'democratic mechanisms' as the ultimate frame that prevents a radical transformation of capitalist relations.[24]

We largely accept today the populist critique of finance while also accepting the statist horizon of bourgeois legal norms as the final form of human society. This paradox is based on a complete misunderstanding of the nature of the welfare state, which has never once been a form of state devoted to "well-being" in the sense of the care for human physical and spiritual plenitude, but rather to fully and completely integrating the economic violence of capital and the political violence of state and law. When we think of the welfare state as a bulwark against capital, we immediately lose sight of the centrality for capital of precisely those mechanisms the welfare state apologists claim are its countervailing tendencies. The irony of the support of the welfare state today is that it has been the welfare state, more than any other form, that provided and continues to provide the labouratory of social relations for the global resurgence of the right-wing since the 1980s.

It is on this point of the welfare state as a combination of tendencies and drives that returns us to a central question in Marx, pointed to here by Balibar:

> Marx, unlike all the other socialists of his time, is paradoxically *outside* of economic ideology: his process involves a systematic demolition of its mode of analysis. I spoke of laws of historical evolution, but aside from this concept, which rather has the appearance of a philosophical generalisation *a posteriori*, there is another concept of a quite different nature, which is more directly enlisted in the analysis; i.e., the concept of a *law of tendency*. A law of tendency is the combination of a tendency and a counter-tendency. This does not mean that the tendency is held back, or that the history of capitalism follows a middle course between tendency and counter-tendencies, it means that the tendency never arrives at its originally projected aim. This is why we have a *history* of capitalism and not just a *logic* of accumulation. *Above all this means that capitalism cannot 'administer' its own tendencies without combining into them quite heterogeneous strategies of exploitation of labour power*, which are just so many ways of responding to the class struggle, or of anticipating it, this time in the sense of a good sportsman anticipating his opponent, with the difference that this game has no rules, and there are no holds barred. This is why *Capital*, to the amazement of most of its readers, is not purely an economic argument.[25]

Another way of phrasing this point is to insist that the critique of political economy is not *an economics*, but instead something directly *political*. When Balibar emphasizes here capital's inability to function without discovering mechanisms outside its orbit through which it can "administer its own tendencies" in "heterogeneous strategies of exploitation of labour power," he points to a crucial quality of the welfare state – its capacity to serve as a mechanism in which widely differing exploitations of labour power can be combined together *through the quasi-universality of bourgeois law*.

The fantasy of a split between "Main St." and "Wall St." bolsters the ideology that the welfare state is the only horizon of an anti-capitalist politics today. Instead of this ideological position, we should insist that this reduces the horizon of all politics to a statist solution. The form of the state here is mystified, obscured. Its essential violence is covered over by the political dementia of liberal democracy, which can never imagine anything beyond a peculiar use of welfare to supposedly ameliorate the hard edge of capital and the state. What this position essentially cannot think, therefore, is the fact that welfare has never been something that destabilizes capital's drive: from the very outset of the development of world capitalism and its incarnation in the form of state, welfare has been one of the essential mechanisms *through which* this violence has been exercised. It is this active forgetting of the violent origins of welfare that is effectively exposed by the recent theses of Badiou around the concept of "capitalo-parliamentarism," a term taken up in numerous of his recent works. But let us briefly go back to an older work of his to find the most basic expression of this point:

> Parliamentarism is not only an objective or institutional figure (elections, dependent executive branch of legislature – in varying degrees -, etc). It is also a specific political subjectivity, an engagement, a propagandist designation. This engagement has two characteristics:
>
> - It subordinates politics solely to a statist site [*lieu étatique*] (the sole 'collective' political act is the designation of governmental personnel), and in doing so eliminates the fact of politics *as thought*. From this emerges the typical character of parliamentarism: not a thinker of politics, but a politician (we could also say today "a functionary").

24 Žižek 2010, 88.

25 Balibar 1985 [1981], 19-20 [162-163], translation modified.

- It requires as a regulatory condition the autonomy of capital, owners, and the market.

So let us agree to call our democracy, for clarity's sake, *capitalo-parliamentarism*.

Capitalo-parliamentarism masquerades as the only mode of politics, the only that combines within it economic efficiency (the profits of the owners) and the popular consensus.[26]

Liberal democracy and its parliamentarism is not something contentless, something that can be "adapted" or applied for other purposes. It is the ideological field that corresponds to the domination of capital. It is part of capital. It is this basic aspect of *politics* that is missed by the nostalgic bleatings for the high period of the welfare state, the imagination that a social state can somehow hold back a capitalist world. This is why we have to forcefully remember Engels' point that when we deal with the form of state, we are dealing with the "ideal total capitalist," a personification and institutional concentration of capital's set of tendencies and functions. Thus when Badiou calls on us to sustain a "distance from the state," it is not simply a question of *withdrawal* or abstentionism. It is an exhortation to remember our inherent political distance *from capital* – after all, it is us, "we, the defective commodities," in the phrasing of Yutaka Nagahara,[27] who provide capital with its "self-conscious instrument of production." But this also provides us the openings of politics: to keep our distance from the state means nothing less than the reopening of a new epoch of struggle, of politics, of intervention. The tendency today to merely enact a weak and defensive legitimation of the last vestiges of the postwar welfare state is not just an anachronistic and historically outmoded position; it is a position that denies the very reality of political struggle today, in which the state's function as the "ideal total capitalist" is coming more and more to the forefront of the accumulation process. Marx writes:

> Ignorant louts such as Heinzen, who deny not only the struggle but the very existence of classes, only demonstrate that, for all their bloodthirsty, mock-humanist yelping, they regard the social conditions in which the bourgeoisie is dominant as the final product, the *non plus ultra* of history.[28]

The fantasies today of the maintenance of the welfare state, of the reduction of politics to the horizon of the state, are simply *denials of politics*. To regard the form of the welfare state as an unsurpassable achievement of our modernity is to regard our current conjuncture of crisis, recession, state violence, world war, and reinvigorated imperialisms as the achieved telos of history. Against this false telos, we have seen a rebirth of crucial social struggles in the last three years: the fightback against austerity in the core imperialist countries, the new rounds of social contestation and defence of the revolutionary process across Latin America, the unresolved national liberation struggles in Asia, Africa, the Middle East and elsewhere, the return of demands for indigenous self-determination, the riots and uprisings across the capitalist world. Rather than the bourgeois state as a closure, as a *fait accompli* or the "*non plus ultra* of history," we ought to see in this moment a new *openness* of history, a new openness of politics, in which the reduction of revolution to the state is being contested from all directions. The social force of these uprisings must be joined to a reinvention of the critique of political economy, itself a directly political intervention through which we must reject the thesis of the necessity of the welfare state, and speak instead of the "rebirth" of history, the rebirth of the possibilities of politics at a distance from capital and the state, the birth of a new anticapitalist and antistatist sequence:

> The rebirth of History must also be a rebirth of the Idea. The sole Idea capable of challenging the corrupt, lifeless version of 'democracy', which has become the banner of the legionaries of capital, as well as the racial and national prophecies of a petty fascism given its opportunity locally by the crisis, is the idea of Communism, revisited and nourished by what the spirited diversity of these riots, however fragile, teaches us.[29]

26 Badiou 1998, 36-37.

27 Nagahara 2008 and more recently, Nagahara 2015.

28 Marx 1983b, 65.

29 Badiou 2012, 6.

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