

1 A theoretical overview

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I

What stands between families and states? The conventional answer of modern political theory is civil society: the sphere of voluntary associations and relationships that provides individuals with a means of escape from both the confines of family life and the rigours of state politics. This can be either a descriptive or a normative claim. One of the distinguishing features of modern societies is the sheer scale and variety of civil associations for which they allow, whether in economic life, cultural life, communications, religion, sport or education. That is an observable fact, but it is also often held to be one of the major benefits of modern existence, and hence something to be celebrated and cultivated. We need civil society in order to avoid being trapped in the binary, pre-modern world of household and polis, in which the opportunities for human expression and experimentation are more limited.

Modern civil society is valuable because it helps to take us away from purely private concerns. It offers a route out from family life through to the wider perspectives of social and political justice. In Susan Moller Okin's terms, quoted by Paul Ginsborg in his chapter in this book, we need 'a continuum of just associations' in order to 'enlarge [our] sympathies'. But civil society is also valuable because it can provide some respite from the relentless pressures of public life, organised by and for the state. It offers some protection for families from the intrusions of the state by providing a buffer against coercion.

For these reasons, the tendency is to see civil society as intermediating between families and states, whether in an expansive or in a protective capacity. The expansive view can be traced back to Hegel, as Ginsborg shows:¹ on this account, we move up from the particularity of the family through civil society (and *only* through civil society) to the majestic vistas of the state. The protective view can be traced back to Tocqueville, for whom local and civil associations provided the best possible defence against the oppressive powers

¹ As well as the brief discussion in his chapter in this book, I am also drawing here on Ginsborg 1995.

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of a democratic state motivated by the totalising principle of equality. The loss of this intermediary layer, as local civic life becomes increasingly dissipated and atomised, is one of the things that modern day Tocquevillians, like Robert Putnam, most lament.² But either way, whether celebratory or admonitory, ascending or descending, extensive or restrictive, these accounts of the family–civil society–state triad are linear. We move one way or the other, but we move *through* civil society.

Linear accounts of this kind are capable of considerable complexity, and indeed they may be dialectical, as in Hegel's case, or in the well-known account of the evolution of the 'public sphere' given by Jürgen Habermas, in which the emergence of civil society out of bourgeois family life comes eventually to sideline and diminish the civic capacity of families.³ The historical relation between state and civil society is also potentially dialectical, and not simply in Hegel's terms: the development of the modern state form was in part a response to the pluralisation of civic and religious life that followed from the Reformation; at the same time, the pluralisation of civic life was greatly enhanced by the legal and bureaucratic structures developed by the form of the modern state.⁴ Thus even when viewed in broadly linear terms, the institutions of family, civil society and state may be seen as interacting in intricate ways.

Nonetheless, these linear accounts, for all their potential complexity, still rest on a common assumption: that modern politics separates out states and families by interposing civil society between them. There is, however, another way of understanding the family–civil society–state triad. This is as a circular (or, as Tony Fahey suggests in his chapter on Ireland, 'triangular') rather than as a linear relationship. Ginsborg touches on this alternative picture in his chapter on Italy. I want to try to offer a fuller development of it here, since I believe that it is better able to make sense of the multifarious and multifaceted relations between families and states in the recent history of Western Europe that are described in the different parts of this book.

Figure 1 shows a picture of family–civil society–state relations with no single entry point and no fixed line of development, either up or down. Seen in this way, a circular account suggests that the relationship between state and family does not have to pass through civil society. Equally, it implies that the relation between state and civil society may pass through the family, depending on where in the circle you enter. But there is a further possible variation, which follows if the direction of the circle is reversed, as in Figure 2.

Now, it is possible for the relation between family and civil society to pass through the state. A circular picture makes it clear that any one member of the

² See Putnam 2000. ³ See Habermas 1989. ⁴ See for example Figgis 1913.

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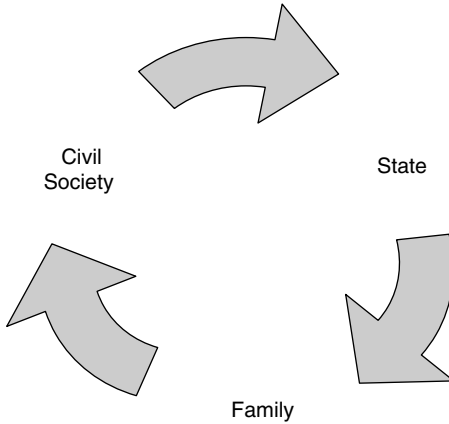


Figure 1

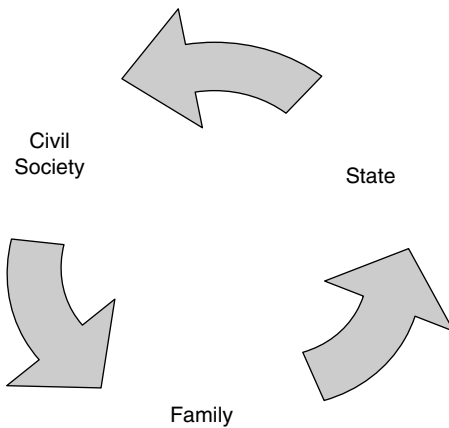


Figure 2

triad may be the mediator or the barrier, interposing between the other two. It also makes it possible to bypass one of the three altogether, since all can be related to each other directly without the need of an intermediary. As we shall see, these possibilities are reflected in the recent history of Western Europe. States regulate family life in order to sideline civil society; families look to states to rescue them from the pressures of the market; economic pressures on states produce direct impacts on families; family pressures on states lead to the regulation of civil society. These recognisable features of recent history are hard to describe according to a linear model.

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A circular model also makes it easier to resist the idea that political force in modern societies is always either ascending or descending: that is, either moving up towards the state or coming down from the state. Politics does not necessarily work like that. More often, power moves through the system in an interconnected chain, as different actors react to or anticipate the behaviour of others. This makes it much harder to identify where power starts and where it ends. It would be better to say that power *circulates* through modern societies.

In this chapter I want to illustrate these ideas in two ways. First, I shall discuss the thought of another of the foundational theorists of modern politics, though, unlike Hegel and Tocqueville, one who is not often discussed in this context: Thomas Hobbes. Hobbes has some claims to be the most linear of all modern political theorists – certainly it ought to be clear on his model how power moves up to the state and how it is meant to come down again. Yet I want to argue that even Hobbes’s model is not plausibly linear when it comes to the relations between state, civil society and family, and seeing why helps us to understand how hard it is to avoid some circularity. Secondly, I shall explore the implications of the recent emergence of what is sometimes known as the ‘neo-liberal’ or ‘market’ state in Western Europe. The liberalisation of the state – the limiting of its welfare functions, the preference for light-touch governance over direct intervention, the legal recognition of a plurality of different lifestyles – has not happened at the same time nor in the same way across the different countries and regions covered by this book. But it is something that has affected them all, and this is reflected in the chapters that follow. I want to suggest that by exploring these changes in broad theoretical terms – by looking at what they tell us about the changing character of the state as a source of status, of welfare, of loyalty – we can see something of the variety and circularity of relations between states, civil society and families. I shall attempt to illustrate this claim with examples drawn from elsewhere in the book.

II

For Hobbes, the power of a state derives straight from its individual subjects. It does not pass through families or other civil associations – it is an unmediated relationship between rulers and the individuals over whom they rule. However, the purpose of this arrangement is to achieve peace, and peace for Hobbes meant a flourishing civil society, with associations dedicated to learning, religion, trade, culture and leisure. His famous description of the state of nature, in which the life of man is ‘nasty, brutish and short’, also describes it as a place without ‘Industry ... Navigation ... commodious Building ... Arts ... Letters ... Society’; sovereign power was required in order to make these things

sustainable.⁵ But sovereigns also needed to control the bodies that constituted civil society, which included local organisations, trading companies, universities, and so on. In chapter XXII of *Leviathan*, Hobbes makes it clear that this is to be achieved by limiting their power, and by making sure that they operate only according to the rules established by the state. All ‘systems’ (Hobbes’s term for ‘any number of men joined together in one Interest or one Business’) must be subordinate to the state. In the same chapter he identifies families as a distinct category of ‘system’, because they are formed naturally and without specific political sanction. But they too must be subject to political control, so that the power of heads of families extends ‘as far as the law permitteth, though not further’.⁶

This is evidently a descending theory of state power, and it looks highly linear: power passes down from the state to lesser political and non-political bodies until it reaches the family (that is the order in which Hobbes discusses them in chapter XXII; the only groups that come after the family are ‘illegal systems’, meaning crime organisations). But it is not straightforwardly descending. For example, it is not the case that the family stands beneath other civil associations; rather, it exists alongside them, in a separate category (‘lawful, private bodies’). Moreover, Hobbes is clear that other non-state bodies do not have the power to interfere with families; only the state can do that. Above all, though, what comes through from Hobbes’s account are his reasons for wanting such tight political control: all ‘systems’ must be subject to the state because they are all potentially in competition with the state, even families. Hobbes was so insistent on a linear account because he understood very well the ways that power might otherwise circulate.

As Hobbes saw it, families, civil associations and states all work according to the same basic model: as members of the group, individuals must be spoken for by others. So just as states have sovereigns, colonies have governors, cities have councils, businesses have boards of directors, universities have governing bodies and families have parents. In every case, the group is controlled or directed by representatives claiming to act on behalf of its members. Some groups, Hobbes accepted, are best run as democracies, like trading corporations, where all the shareholders will expect to have a say. Others are suited to monarchy, such as families, which Hobbes describes as ‘little monarchies’ and whose rulers – parents – he calls ‘sovereigns in their own families’ (which included not just children but servants too).⁷ What this means is that even in a Hobbesian commonwealth individuals will have plenty of different people able to speak on their behalf. There will be overlapping claims, there will be conflicts of interest, there will be rivalries, even between states and families

⁵ Hobbes 1996, p. 89. ⁶ Hobbes 1996, p. 163. ⁷ Hobbes 1996, p. 163.

(or, one might say, especially between states and families). The state needed to keep a tight hold of this panoply of representative associations precisely because of its inherent tendency to spin out of control.

The peoples of contemporary Europe do not live in Hobbesian commonwealths: their governments do not have that kind of power. Our rulers are subject to extensive popular oversight and they can eventually be replaced if we have had enough of them, something that would have been anathema to Hobbes. Modern families do not fit the Hobbesian model either: children, including quite young children, are no longer happy with the idea of ‘absolute domestic government’, and there are few if any servants around to be spoken for by their masters. States now provide all individuals who are subject to the authority of others – children, students, employees, shareholders, passengers, even spectators – with extensive rights to guard them against abuse. But it does not follow from any of this that the core Hobbesian insight into the potential for overlap between family, civil associations and state is obsolete. If anything, the reverse is true. As states have become less able to direct their power straightforwardly downwards, so we see more and more opportunities for rivalry and competition between the state and other bodies. And as Hobbes knew, where there is rivalry, there will always be shifting alliances. Families look to states for protection against the pernicious influence of civil society; civil society looks to families to guard against the failings of the state; the state looks to civil society to break the hold of family; and so on. Hobbes was wrong if he thought this sort of fluidity would lead to political breakdown and ultimately civil war. But he was right if he thought it destroyed the possibility of a purely linear account of politics.

Hobbes’s particular preoccupation with the family as a rival to the state reflected the early modern (and in some senses pre-modern) setting of his thought. He was especially concerned about the standing of what he called ‘great families’, whose pretensions to power and consequent vulnerability to accusations of treachery he understood well after a lifetime of service to the Cavendish family (the Earls of Devonshire). Hobbes was, at various points, secretary, tutor, confidant, man of business, intellectual ornament and political embarrassment to one of the most powerful families in the land. He never married and lived as part of an extensive household that more closely resembled a mini-state than a modern nuclear family. Yet he also recognised that these great families were inherently fragile and could not be called ‘properly a Commonwealth’, because they might not hold together under pressure: ‘every [member] may use his own reason in time of danger, to save his own life, either by flight or by submission to the enemy’.⁸ Hobbes himself fled England for

⁸ Hobbes 1996, p. 142.

Paris in 1640, fearing for his life in the run-up to the Civil War, and though he maintained contact with the Cavendishes, he did not resume working for them again until his return in 1652. Families, in Hobbes's terms, could mimic states, but in the end it was up to individuals to judge where their best chances of protection might lie.

The age of the great aristocratic families of Europe is long past, and dukes no longer threaten the security of states with bodies of retainers so large that they resemble private armies. Modern societies, in this sense, have successfully separated out the public from the private domain in order to minimise the possibility of conflict. It is much harder now for a family to mimic a state. But it is not impossible: the Italian case, described in this book, demonstrates that ostensibly modern societies can still retain strong pre-modern echoes of family favouritism and patronage, both lawful and unlawful. Moreover, in the case of a politician like Silvio Berlusconi, the separation of public and private domains shows signs of breaking down altogether. And it is not just in Italy that family life and high politics overlap. In different parts of the Western world, family ties continue to run through many political elites. Under the recent Labour government, the British cabinet contained both a husband and wife (Balls/Cooper) and a pair of brothers (the Milibands), with a brother and sister (the Alexanders) linking the Labour establishments in England and Scotland. In the United States, but for the intervention of Barack Obama, the presidency would have remained in the hands of two families (the Bushes and the Clintons) for an entire generation. We should not imagine that modern democratic politics is immune from the tendency of families to colonise the political sphere, bypassing civil society along the way.

This overlap between blood ties and political power might look archaic in the context of twenty-first-century politics. Contemporary democracies are meant to favour the impersonal claims of individual citizens over the personal hold of family connections. But by extending Hobbes's line of argument, we can see that the blurring of public/private boundaries is a function of the individualism of modern political life, rather than simply an affront to it. Underlying Hobbes's whole body of thought is the idea that individuals and their personal choices are the basis of all social groupings, even families – we choose where and how we want to be spoken for by others. This means that all forms of human association – whether natural or non-natural, state or non-state – are potentially political, because any association can offer a means of escape from the hold of any other. We can use family ties to negotiate political relationships just as we can use political relationships to negotiate family ties. Of course, this opportunity was always there, and it hardly serves to distinguish modern from pre-modern societies. But Hobbes's point is that individualistic societies offer more, not fewer, chances for people to utilise the social relationships that suit their particular interests – that is why he was so insistent on the state remaining

in control of it all. As individuals weigh up whether their prospects are better served by private or public associations, the line between them is bound to become a little blurred. Sometimes, the results will be distinctly old-fashioned, as when politicians continue to give preferment to family members. But this is consistent with the general trend of modern societies towards greater individualism, since the greater the individualism, the harder a linear distinction between family, civil society and state will be to maintain.

Hobbes also saw that the competition between families, civil associations and states for the loyalty of individuals was unavoidably ideological. If these groups are seeking to mimic each other in their ability to represent their members, then they have to compete with each other in the domain of public reason as well. Families, just as much as states, need to explain what they can do for people to justify making claims on them. Moreover, they will adopt whatever tools are at hand. For Hobbes, these arguments were almost certain to get mixed up with wider questions of religion and morality, and from there lead to conflict. In this sense, family life could prove a battleground in civil war just as easily as the high politics of church and state (and famously, the English Civil War did split some families down the middle, pitting fathers against sons). Nowadays, violent conflict arising out of the rival claims of families and states seems less likely (though as Sarah Howard shows in her chapter on France, in the deprived and alienated suburbs these can sometimes still be burning issues, literally). But the ideological component of family–state rivalry is still there. The different chapters in this book show that questions of religion, morality, public welfare and social justice remain bound up with family life, even in an apparently post-ideological age. Indeed, this is what we ought to expect: as the lines between public and private become less rigid, so political argument will migrate across them. Hence political claims about justice can end up being couched in the language of family, just as family ties can end up trumping the claims of political justice. A more individualistic, post-ideological society is also a more fluid one, and with fluidity comes increased opportunities for political arguments to move round the state–civil society–family circle.

Finally, there is a dialectical aspect to the Hobbesian account, although not a linear one. Hobbes believed that a successful, peace-promoting state would lead to a flourishing civil society. However, a flourishing civil society will produce many more potential rivals to the state. An optimistic reading of Hobbes suggests that he hoped people would learn how to deal with this tension, and with peace would come a greater understanding of the importance of political stability, so that an expanded civil society would not threaten the ultimate dominance of the state. But any optimistic reading of Hobbes always runs up against his strong sense of the lingering potential for conflict in all human relations, even when stability seems to be assured. People will always find new things to argue about. So this is not a view of politics that can guarantee

steady progress towards greater cooperation and understanding on the part of states, civil associations and families. Such cooperation is always possible, but so is its breakdown. As states introduce the rules that free up civil associations and families to enjoy the benefits of political stability, so they will also look for new forms of control, to make sure that civil associations and families do not try to dispense with state altogether. Political stability does not necessarily make states feel secure; it can also make them feel irrelevant. Cooperation creates the conditions for new forms of competition, which is why the political rivalry between states, civil society and families in Western Europe continues to evolve.

The open-endedness of a Hobbesian account, with its emphasis on fluidity, competition and the cross-cutting claims that groups make on individuals, fits reasonably well with the recent history of families and states in Western Europe. So too does its uncertain mixture of optimism and pessimism.⁹ Of course, as I have said, we do not actually live in Hobbesian states. Western Europe is now made up of liberal democracies, offering citizens extensive forms of redress against the abuse of political power. Moreover, these states are something less than sovereign in Hobbes's terms, having partially pooled their sovereignty in the European Union. But they are still *states*, with all the capacity for power-grabs and paranoia that this implies. And as states, they have evolved in recent years in ways that chime with some of Hobbes's concerns. Hobbes wanted states that protected citizens while granting them the scope to pursue their own ends: in that sense, he was a liberal. Modern European states have retained much of their security apparatus (they have not, for instance, either pooled or privatised their armies) while handing over other functions to the EU or to the market. They have become less prescriptive in how they regulate family life, without giving up their capacity to intervene when they think necessary. They have sought to encourage the growth of civil associations, while reinforcing some of their own central powers. This 'liberalisation' of the state has not produced neat, linear outcomes. Instead, it has created new sources of tension and competition with families and civil society, as well as new kinds of alliances. That is what I will try to illustrate in the remainder of this chapter.

III

The idea of the 'market state' (the phrase is borrowed from Philip Bobbitt) is primarily an Anglo-American invention.¹⁰ It refers to the market-oriented,

⁹ There is a mixture of optimism and pessimism in Tocqueville's *Democracy in America* too, but it is more linear: plenty of optimism in volume I (1835), greater pessimism in volume II (1840). See Tocqueville 2000.

¹⁰ See Bobbitt 2002.

individualistic, security-conscious forms of politics which emerged out of the Thatcher/Reagan years (hence its alternative title: the ‘Anglo-Saxon model’). Many Europeans – including many European politicians, and even a few British ones – would like to see Europe continue to offer an alternative to this, in the form of a more traditional, social democratic, corporatist model of politics, with a greater emphasis on welfare provision and less focus on market reforms. Yet this resistance is in itself a reflection of the increasing pervasiveness of the market model, and the anxiety it has provoked. Its presence is something that is reflected throughout this book and across the continent, from Scandinavia to Spain, and from Ireland to Italy. Nowhere has been immune to the forces of liberalisation and globalisation of which the market state is both a symptom and a cause.

The essential feature of the market state, as described by Bobbitt, is that it seeks to help individuals make use of the market and prosper through it, rather than trying to control the market and protect them from it. This hands-off approach means that market states are broadly tolerant of different ways of life and willing to accommodate a certain amount of personal experimentation in the domain of family and civil associations. It is what Bobbitt calls an ‘umbrella’ association, offering the basic protection needed for people to do their own thing. Liberalisation also goes along with an increased interconnectedness between states, as they reallocate some functions (communications, transport, trade regulation) to international bodies. But market states jealously guard their basic security functions, and they retain the capacity to take decisive action in an emergency. Finally, market states purport to be less ideological than their predecessors, and more pragmatic, sticking to ‘what works’. One of the watchwords of this form of politics is governance, not government, implying that impersonal rules are to be preferred to structures of command and control.

Nowhere does the market state exist in a pure form: it is simply an ideal type. Yet aspects of it can be seen almost everywhere, including in Europe. Over the last twenty years, all Western states have had to adapt to the increased pressure for a more liberal – in the sense of a less *dirigiste* – politics. But this has not been a linear process, either in its causes or its consequences, especially as these changes have related to the family. In some countries, social changes at the level of the family have driven liberalisation, with the state frequently struggling to catch up (as in Spain and Italy); other states have sought to embrace market reforms while retaining control of the forces of social liberalisation (as in Britain during the Thatcher years or France under Nicolas Sarkozy). Sometimes, states have attempted to influence family life through the institutions of civil society (as in France and Germany); alternatively, they have tried to bypass civil society altogether by dealing with the family direct (as in Spain). Some of the most heated confrontations