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KILLING FOR THE TELEPHONE COMPANY: WHY THE NATION-STATE IS NOT THE KEEPER OF THE COMMON GOOD

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Introduction

The fact that Pope John Paul II and the American Catholic bishops spoke out so forcefully, clearly, and repeatedly against the pre-emptive war on Iraq launched in March 2003 has been a great embarrassment to some politically conservative American Catholics who were accustomed, they thought, to having the Pope on their side. One of the primary ways of mitigating this embarrassment has been to cite the statement in the Catechism of the Catholic Church (2309) that indicates that evaluation of just war criteria "belongs to the prudential judgment of those who have responsibility for the common good". It is widely assumed that the state is responsible for promoting and protecting the common good; the Vatican's suggestions that legitimate action cannot be undertaken without the support of the United Nations are brushed aside. As a result, George Weigel and Michael Novak conclude that the opinions of the Pope and bishops should be heard, but Catholics should defer to the authority of the President of the United States in deciding when a war is just and when it is not.[1]

In Christian social ethics the assumption is often made, with a minimum of examination, that the responsibility for promoting and protecting the common good falls to the state. In this essay I want to examine that assumption. All too often Christian social ethics begins from ahistorical and idealized assumptions about the state as protector and benefactor. They are

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ahistorical because they assume that the state has been with us since biblical times. The state, as Charles Curran says, is "natural and necessary" and "based on creation".[2] It takes different forms—*polis* for Aristotle, *regimen principum* for Aquinas—but these different terms refer to the same essential reality; all historical forms of political community are conflated into the term "state".[3] These accounts are also idealized because they assume that society is prior to the state and broader than the state. Human society is represented as a pyramid: the family is at the base, other groups and associations are in the middle, and the state is at the top to coordinate and protect. The base has "ontological priority" to the state and calls forth the state to be at its service. Furthermore, "Society is broader than the state and includes much more."[4] The state is just one limited part of society, but is established in nature with an important role to play: "the end or purpose of the state or government [is] the pursuit of the common good".[5]

What I find unhelpful about such accounts is the way that they float free from any empirical testing of their theses. Christian ethicists will commonly recognize that, in a sinful world, particular states always fall short of the ideal. Nevertheless, the ideal is presented not merely as a standard for Christian political practice but as a statement of fact: the state in its essential form simply *is* that agency of society whose purpose it is to protect and promote the common good, even if particular states do not always live up to that responsibility. This conclusion is based on a series of assumptions of fact: that the state is natural and primordial, that society gives rise to the state and not vice-versa, and that the state is one limited part of society. These assumptions of fact, however, are often made without any attempt to present historical evidence on their behalf.

This may be because such evidence is lacking. In this essay I will examine the origins of the state and the state-society relationship according to those who study the historical record. I will argue that the above assumptions of fact are untenable in the face of the evidence. I will examine these three assumptions in order. First, unless one equivocates on the meaning of "state", the state is not natural, but a rather recent and artificial innovation in human political order. Second, the state gives rise to society, and not vice-versa. Third, the state is not one limited part of society, but has in fact expanded and become fused with society. The primary burden of this essay is negative: in arguing these three points, I will attempt to present the case against seeing the state as the promoter and protector of the common good. Only in the conclusion will I make some brief comments on what this implies positively for Christian thinking and practice.

A preliminary comment is necessary: my analysis of the development and current condition of the state and nation-state is based on Western—that is, primarily Europe and the United States—models. The state and nation-state are Western inventions. They have been exported to the rest of the world with varying degrees of success. In many Southern lands, the reality of

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the state and the sense of the nation are tenuous at best, and are mixed with other forms of political organization, such as tribal structures. Most of my examples are taken from the United States, though *insofar as* the nation-state has taken root elsewhere, similar dynamics can be seen in other contexts.

I. The State is not Natural, but Artificial

a) History of the Term

The word "state" is sometimes used loosely to refer to the political form through which a stable group of people is organized. Nomadic groups are usually the only kind of political community excluded from this definition, as it implies some form of geographical stability. The state is thus treated, as Friedrich Engels says, as a necessary and ancient "product of society at a certain stage of development",[6] and questions of, for example, "church and state" are perennial questions.[7] In more precise usage, however, "state" refers to a more limited development characteristic of modernity. The state emerged in Europe amidst the late Renaissance and Reformation. As Bruce Porter puts it, "The state as we know it is a relatively new invention, originating in Europe between 1450 and 1650."[8] The state in this more precise sense is a political form based on the distinctly modern concept of sovereignty, which may be defined as "supreme authority within a territory".[9] As formulated by Jean Bodin, Thomas Hobbes, and other lesser figures of the early modern period, the state claims *legitimate* authority—as opposed to mere coercion—a supreme authority that no lesser authorities within a recognized set of geographical borders may legitimately oppose. Sovereignty is a departure from earlier forms of governance in which people's political loyalties were based not necessarily on territoriality, but on feudal ties, kinship, religious or tribal affiliation.[10] If a stranger committed a crime on someone else's land, it would be necessary to find out to whom he or she owed loyalty in order to know what law applied.

It is perfectly acceptable to use the term "state" in the looser sense, provided one is clear that it is not being used in the stricter sense. Confusion is produced when, as in the case of Charles Curran above, the two senses are intermingled. It should be made clear that, although political community in some form may be natural and ancient, the sovereign state, as we know it, is not. One could claim that the modern state is just one more variation on the theme of the state, but that would be extremely misleading. In the first place, the term *status* began to appear in a political context only in the late fourteenth century, and until the sixteenth century it was used either to refer to the state of the ruler himself (*status principis* or *status regalis*) or to the current condition of the realm (*status regni*). The emphasis was on a personalized kind of rule embodied in the prince. Only in the sixteenth century does there arise the concept of an abstract "state" which is independent of

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both ruler and ruled. Niccolò Machiavelli is a transitional figure in this regard, employing the term *stato* both to refer to the prince's powers and position, and to indicate an abstract apparatus above prince and people. By the mid-sixteenth century, the abstract usage has won out in French and English legal writing.[11] In the second place, to treat the sovereign state as just one more variation on the ancient "state" is to misrepresent the radical nature of the modern state. As is often the case in the history of language, large etymological shifts followed profound changes in social organization. New vocabulary was needed to describe a radically new situation. To treat the modern state as simply a variation in the history of societies is to ignore the fact that there were no such things as societies, in the sense of clearly bounded and unitary systems of interaction, until the birth of the modern state. As Anthony Giddens remarks, traditional social systems are composed not of one society but many "societies"; the modern unitary society that originated in Europe is highly exceptional.[12]

This brings us to the term "nation-state", which designates an even more recent development in the history of political organization. As the hyphen implies, the nation-state is the result of the fusion of the idea of the nation—a unitary system of shared cultural attributes—with the political apparatus of the state. Nations are most commonly united by some combination of shared ethnicity, language, or history, but nationality is not simply "natural" or "objective", as ethnicity, language, and history are all themselves the result of contingent historical construction. The construction of a national sense is a matter of "common feeling and an organized claim".[13] Historically, this claim is first organized by the state. It is only after the state and its claims to territorial sovereignty are established that nationalism arises to unify culturally what had been gathered inside state borders. National claims tend to construct historical myths of origin stretching back into antiquity, but Carlton Hayes and Hans Kohn established in the 1930s and 1940s the majority opinion that nationalism first appears in the eighteenth century.[14] The nation-state first arises in the eighteenth century, and becomes prevalent only in the nineteenth century and following.[15]

b) Origins of the State

The above suggests something of the wide temporal gap between the modern nation-state and the context in which language of the common good originated. That caution registered, there is no question that the ground was prepared for the modern state in the medieval period. In his work on medieval political structures, Joseph Strayer locates the turning point toward greater administrative centralization somewhere around the beginning of the twelfth century. Although Strayer acknowledges that once the state did not exist, he sees the embryonic "state" in the increasing bureaucratization of civil authority in the twelfth century and after.[16] Hendrik Spruyt says that Strayer overstates the early origins of the state, but contends that, in the case

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of France if nowhere else, the basis of the state had been laid by the beginning of the fourteenth century.[17]

In his *On the Medieval Origins of the Modern State*, Strayer narrates the gradual accretion of power to royal courts beginning in the twelfth century. The first permanent functionaries were estate managers hired to centralize, regularize, and keep account of the extraction of revenues from the lands and populations subject to the king.[18] Next to develop were royal courts of law. Courts of law were originally simply royal courts, that is, the "great men" who surrounded the king and made up his household. In the twelfth and thirteenth centuries, these courts were increasingly called upon to settle disputes, frequently by knights and lesser landholders asking for protection against the wealthier nobles. The royal courts that developed were thus important to the king's struggle for power with the nobility. In general, the law became the principal tool of centralization and bureaucratization. By the fourteenth century, the governing apparatuses surrounding the king had "acquired their power largely by developing their judicial institutions and by protecting the property rights of the possessing classes".[19] Also, by the fourteenth century, war had made royal courts increasingly reliant on taxation, which in turn required inviting representatives of the propertied classes to give their consent in occasional non-voting assemblies. Such assemblies generally succeeded in shifting the tax burden more heavily onto the unrepresented classes.[20]

What is significant for our purposes is that Strayer's account leaves little room for the pursuit of the common good as an historical explanation for the rise of the state. According to Strayer, the development of regularized systems of revenue extraction and accounting, law courts, and assemblies were undertaken with reference to its advantages for particular parties—namely the royal household and the propertied classes—and without reference to anything like a common good. The common people came into the purview of the emerging bureaucracy almost exclusively as a resource for revenue extraction. At the same time, the very definition of what is common had begun a gradual transformation. The centralization of royal power involved a transfer of rights from local bodies that had previously been the primary referents of communal life. Legal right and the administration of justice was not created by royal power but was usurped from manorial lords, churches, and communities. If Strayer is accurate, this process took place to serve the particular interests of dominant groups, and not as the expansion of common space.

At this early stage, the ascendant civil bureaucracy did not yet refer to a unitary "common". In the absence of the sovereign state, there was no "society" to which a common good could be imputed. Europe was still a complex of multiple *societates* with a very weak level of integration among them. The administrative reach of even the most bureaucratized royal courts was short and rarely touched the lives of the great majority of people.

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Significant elements of military power lay outside the control of the central apparatus. Political power was still a matter of the personal disposition of the ruler, and his or her rule was diffused into a jumble of overlapping jurisdictions and loyalties. Strayer characterizes the situation of kingly rule in the fourteenth century with this example:

> A king of France might send letters on the same day to the count of Flanders, who was definitely his vassal but a very independent and unruly one, to the count of Luxemburg, who was a prince of the Empire but who held a money-fief (a regular, annual pension) of the king of France, and to the king of Sicily, who was certainly ruler of a sovereign state but was also a prince of the French royal house. In such a situation one could hardly distinguish between internal and external affairs.[21]

This distinction between internal and external would eventually get sorted out, but only in the establishment of sovereign borders through the coercive aggrandizement of royal power. The state does not arise as the establishment of a uniform system of common good and justice on behalf of a society of people; rather, a society is brought into being by the centralization of royal power.

The agent of this change is war. Strayer says that the increased intensity of war in the fourteenth century and following was necessary to distinguish inside and outside, and he regards the process of state-building after 1300 as inevitable.[22] Charles Tilly, however, argues against Strayer that there was nothing natural or inevitable about the rise of the state. In 1300 there were still five possible outcomes open:

> (1) the form of national state which actually emerged; (2) a political federation or empire controlled, if only loosely, from a single center; (3) a theocratic federation—a commonwealth—held together by the structure of the Catholic Church; (4) an intensive trading network without large-scale, central political organization; (5) the persistence of the "feudal" structure which prevailed in the thirteenth century.[23]

Tilly also faults Strayer for too little emphasis on the coercive aspects of state-building.[24] Tilly's larger contention is that there was nothing natural or inevitable about the rise of the state; it triumphed in Europe because of its superior ability to extract resources from the local population.

Tilly and eight other scholars changed the focus of the study of the genesis of the state in 1975 with the publication of *The Formation of National States in Western Europe*. Previous approaches tended to posit the problem in terms of whether or not political managers successfully directed socio-economic change—or "modernization"—toward desirable outcomes, including the survival of the political apparatus itself. As Tilly says, the problem thus put reproduces the worldview of the high administrative official: the world is "out there" to be dealt with and transformed by means of government. For

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Tilly and associates, the question of which political forms would survive to become a sovereign, national state is best answered in terms of "whether the managers of the political units undertook activities which were expensive in goods and manpower, and built an apparatus which effectively drew the necessary resources from the local population and checked the population's efforts to resist that extraction of resources".[25] Building a state depended on the ability of state-making elites to make war, and the ability to make war in turn depended on the ability to extract resources from the population, which in turn depended on an effective state bureaucracy to secure those resources from a recalcitrant population. As Tilly puts it, "War made the state, and the state made war."[26]

Gabriel Ardant looks carefully at the empirical financial conditions of state- and nation-building, and finds them intimately connected to the ability to make war. He shows how, in the period of European state-building, the greatest changes in fiscal burdens imposed on a population occurred because of war. At the same time, the most serious precipitant to violence, and the greatest spur to the growth of the state, was the attempt to collect taxes from an unwilling populace. Finally, the efforts at nation-building in the nineteenth century, including the efforts to broaden political participation, were due to the demands of war.[27]

The element of popular resistance contradicts the modernizing narrative that sees in the growth of the state the progressive increase of political rights. In the crucial period of state formation, the state either absorbed rights previously resident in other bodies (guilds, manors, provinces, estates) or eliminated them altogether, as in the enclosure of common lands.[28] Close analyses of the history of taxation,[29] policing,[30] and food supply[31] indicate that popular resistance to state-building was deep, broadly-based, frequent and violent. In England alone, the crown put down by force popular rebellions in 1489, 1497, 1536, 1547, 1549, and 1553, all responses to the centralizing efforts of the Tudors. Those asked to surrender men, crops, labor, money, and land to the emerging state did not do so without a fight. As Tilly observes, "The state-makers only imposed their wills on the populace through centuries of ruthless effort."[32] It must be underscored, however, that state-making was not the motivating intention of state-making elites. The state was largely an unintended byproduct of these elites' pursuit of their own ends.[33]

In a 1985 article entitled "War Making and State Making as Organized Crime", Tilly suggests the analogy of the protection racket for the formation of the Western state. The claim that emerging states offered their citizens protection against violence ignores the fact that the state itself created the threat and then charged its citizens for its reduction. What separated state violence from other kinds of violence was the concept of legitimacy, but legitimacy was based on the ability of state-makers to approximate a monopoly on violence within a given geographical territory. In order to pursue that monopoly, it was necessary for elites to secure access to capital from the local

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population, which was accomplished in turn either by the direct threat of violence or the guarantee of protection from other kinds of violence. The variations in the states produced are explicable in terms of variations in the difficulty of collecting taxes, the cost of military technology employed, the force available to competitors, and so on. In sum, Tilly suggests that "a portrait of war makers and state makers as coercive and self-seeking entrepreneurs bears a far greater resemblance to the facts than do its chief alternatives: the idea of a social contract, the idea of an open market in which operators of armies and states offer services to willing customers, the idea of a society whose shared norms and expectations call forth a certain kind of government".[34]

This view of state-formation has gained wide acceptance. It builds on the early twentieth-century work of Otto Hintze,[35] and is confirmed by the more recent work of Perry Anderson,[36] Hendrik Spruyt,[37] Anthony Giddens, Victor Burke[38] and others. In his survey of state-making studies over the last three decades, Thomas Ertman is able to say that "it is now generally accepted that the territorial state triumphed over other possible political forms (empire, city-state, lordship) because of the superior fighting ability which it derived from access to both urban capital and coercive authority over peasant taxpayers and army recruits".[39] As for explaining variations within the dominant form of the sovereign state, Ertman says that "the work of Hintze, Tilly, Mann, Downing, and Anderson has already conclusively established that war and preparations for war tended to stimulate the creation of ever more sophisticated state institutions across the continent"[40] and that war was the "principal force" behind the expansion and rationalization of state apparatuses.[41]

In his recent book, Michael Howard sums up the evidence bluntly: "the entire apparatus of the state primarily came into being to enable princes to wage war".[42] The word "primarily" suggests that violence was not the only factor in the creation of the modern state. All of the authors mentioned acknowledge a variety of other interrelated factors, including the rise of capital markets, technological innovations, geographical position, the introduction of Roman law, and urbanization. It is perhaps best to say with Bruce Porter that war was the catalyst and *sine qua non* mobilizing the other factors in the formation of the state.[43] One need not romanticize the medieval period to conclude that, at least in its origins, the state is not appropriately categorized as that agency of society that has responsibility for the common good. Those who study the origins of the state would find such a categorization rather remote from the empirical evidence.

II. The State is not a Product of Society, but Creates Society

The conceptual leap that accompanies the advent of the state in the sixteenth century is the invention of sovereignty. The doctrine of sovereignty asserts

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the incontestable right of the central power to make and enforce laws for those people who fall within recognized territorial borders. Giddens contrasts borders with traditional frontiers, peripheral, poorly-marked or -guarded regions in which the power of the center is diffuse. In pre-modern Europe, authority was often marked by personal loyalties owed in complexly-layered communal contexts. In the state, by contrast, borders mark out a unitary space in which the individual is subject directly to the center, which has the right to enforce its will through a monopoly on the means of legitimate violence within those borders.[44]

As an example of the complex pre-modern situation, Giddens cites the province of Sedan in the mid-seventeenth century.

> Sedan is often regarded as a distinct realm. But others have seen it as a boundary province of the larger state of France, in which the monarch was not able to sustain more than minimal authority. The hesitations of historians are not particularly surprising, reflecting in some part those current at the time. The dukes of Bouillon held direct lordship over the area, but owed some of their possessions to the bishops of Liege, who in turn were princes owing allegiance to the French crown. The ducal family relinquished Sedan in exchange for certain other areas in France. On occasion, this has been regarded by historical writers as the annexing of previously foreign territory, by others as the consolidation of royal power over French lands.[45]

What takes place in the modern era—not complete in some places until the late nineteenth century—is a reconfiguration of space that is much more profound than the creation of an expanded common space through the gathering up and coordination of formerly scattered elements into one. What happens is a shift from "complex space"—varied communal contexts with overlapping jurisdictions and levels of authority—to a "simple space" characterized by a duality of individual and state.[46] There is an enfeebling of local common spaces by the power of the center, and a simultaneous parochialization of the imagination of Christendom into that of the sovereign state. To say that the state "creates" society is not to deny that families, guilds, clans and other social groups existed before the state. Rather, the state "creates" society by replacing the complex overlapping loyalties of medieval *societates* with one society, bounded by borders and ruled by one sovereign to whom allegiance is owed in a way that trumps all other allegiances.

The early modern theorists of sovereignty saw this dynamic clearly. As formulated first by Jean Bodin, sovereignty is the triumph of the one over the many, the creation of a unified simple space. As such, the sovereign must be "absolute" and alone, which means above all to be able to give law without being subject to law. The laws of the sovereign, "although they be grounded on good and lively reasons, depend nevertheless upon nothing but his mere and frank good will".[47] Because law is based on will, the sov-

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ereign cannot be subject to his own laws. The unity of the republic depends on the absolute singularity of the sovereign, who creates a simple space through his power.[48] Bodin thus unblinkingly asserts that sovereignty, and therefore the state, is created not by contract, custom, or natural right, but by sheer power. All other types of association are subject for their very existence on the recognition of the sovereign.

Hobbes, too, derives sovereignty from will, though he attempts to found legitimacy in the implied consent of the people. For Hobbes, the sovereign is the representative of the people, their own creation; it is from this that legitimacy derives and this that makes Hobbes the founder of liberalism, despite the absolutist form his government would take. The foundation of the state in Hobbes is not a common good but rather a shared evil: the fear of death. Each person is possessed of a "perpetual and restless desire of power after power, that ceaseth only in death".[49] Individuals in the state of nature do not occupy a common space, for each has a *jus in omnia*, a right over everything, which makes them enemies, locked in the war of all against all. The only way out of this condition is for each to surrender his or her will to the sovereign, who gathers up the many into one. Despite his derivation of legitimacy from representation, therefore, it is the state that first gathers people into society with one another.

This creation of a unitary space requires the absorption into the sovereign of the church and any other bodies that would threaten the unity of Leviathan. Sovereignty is absolute for Hobbes because the *jus in omnia* that each individual transfers to the sovereign is unlimited. If each individual is possessed of an inviolable will which is his or hers alone, then the only way such a will could be transferred or represented is by the encounter with another irresistible will. Yet for Hobbes, the individual is not oppressed but liberated by Leviathan. In his view, the state is not enacted to realize a common good or common *telos*, but rather to liberate the individual to pursue his or her own ends without fear of interference from other individuals. In the peculiar new space created by the modern state, the individual members do not depend on one another, but are connected only through the sovereign, like spokes to the hub of a wheel. Cardinal Bellarmine has written, as Hobbes reports, that "the members of every commonwealth, as of a natural body, depend of one another". Hobbes replies, "It is true, they cohere together; but they depend only on the sovereign, which is the soul of the commonwealth; which failing, the commonwealth is dissolved into a civil war, no one man so much as cohering to another, for want of a common dependence on a known sovereign; just as the members of a natural body dissolve into the earth, for want of a soul to hold them together".[50] Hobbes sees clearly that it is the state that enacts civil society, and not vice-versa.

English liberalism would appear to fork into two paths, one of which dead-ends with Hobbes's absolutism and the other of which bears fruit in

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Locke and his followers among the Framers of the U.S. Constitution. John Locke, however, is dedicated to the same basic reconfiguration of space as is Hobbes. Commentators usually assume that Locke made an abrupt change of mind somewhere between his earlier absolutist writings—especially the *Two Tracts on Government* (1660–62)—and his later, more liberal writings, notably the *Letter Concerning Toleration* (1689) and *Two Treatises of Government* (1690). His thinking did certainly shift, but not regarding the fundamental importance of subordinating the church and other social groups to the state for the sake of public peace and order.[51] What Hobbes accomplished by absorbing the church into the state, Locke accomplished by privatizing the church. Peace would never be attained if essentially undecidable matters such as the end of human life were left open to public debate. What is common is therefore redefined as follows: "The commonwealth seems to me to be a society of men constituted only for the procuring, preserving, and advancing their own civil interests. Civil interests I call life, liberty, health, and indolency of body; and the possession of outward things, such as money, lands, houses, furniture, and the like."[52] As A. J. Conyers comments, for Locke "What is left to discuss in the public arena, therefore, is not the common good that creates society at the level of common affections and common goals, but merely the resolution of differing material interests."[53]

The political space imagined by Locke has two poles, the individual and the state. The state is enacted immediately from the need of the solitary individual to protect his person and possessions. The world belongs to all humankind in common, but it is quickly withdrawn from the common by human labor. Even the "wild Indian" who "knows no enclosure, and is still a tenant in common" establishes an exclusive individual right to whatever he appropriates from nature by his labor.[54] Here Locke breaks with tradition, for which property is social according to its use. As Aquinas says, "In this respect [of their use] man ought to possess external things, not as his own, but as common, so that, to wit, he is ready to communicate them to others in their need."[55] For Locke, by contrast, property is a strictly individual natural right, and the basis of the state, for the purpose of the state is to establish and enforce laws that clearly separate what is mine from what is thine. Locke combines this emphasis on individual property rights, however, with a curious sort of utilitarian justification of the system of political economy as a whole. Locke says that no one may appropriate from nature more than he or she can use, because it would then spoil. With the invention of money, however, perishable goods may be translated into imperishable goods, allowing the legitimate accumulation of great wealth. The advent of an exchange economy also means, therefore, that the legitimate owner of any goods is not necessarily the one whose labor produced the wealth, provided that all exchanges leading to such ownership were free. The system as a whole is beneficial for each, however, for wealth is increased through labor

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and exchange, such that, Locke tells us, even the day laborer in England enjoys one hundred times the material conveniences of an American Indian.[56]

The "society" that Locke's state enacts is coterminous with the market, to which individuals come to contract for certain goods, both material and political. Locke's simplification of political space into the oscillation between individual rights and state sovereignty—what Conyers calls Locke's "bipolar disorder"—relegates all other forms of common life—those based on biology, locality, common blood, common tasks, or common calling—to the status of the essentially private "voluntary society". What is common is common only by contract. Besides the Catholic Church, which Locke explicitly exempted from his principles of toleration, Locke's simple space could find no place for Native American tribes. Locke refers to the "inland vacant places of America",[57] the Indians already having been theoretically eliminated by the stark simplicity of Locke's justification of sovereignty. "Thus, in the beginning, all the world was America", says Locke,[58] common but waiting to be appropriated to private use and exchange for the benefit of each and all. The untranslatability of the Indians into American law and their consequent destruction is not simply the result of judicial malice but is inscribed in the very nature of state sovereignty. Simple space cannot accommodate the tribal structure. The formal equality of individuals before the law pits individual rights against the traditional tribal sense that it is the tribe, not the individual, that is the bearer of rights.

The classical sixteenth- and seventeenth-century theories of sovereignty that gave definition to the state do not yield much in the way of the common good. The foundational anthropology is strictly individual, such that the goal of the state is to secure the non-interference of individuals with each other's affairs. A new type of space is invented in which individuals relate to each other through the mechanism of contract, as guaranteed by the center. Public and private interest is seen to coincide, but the discourse thus shifts from good to will and right. The body politic does not pursue a common good, but seeks to liberate the individual to pursue his or her own ends. Contrary to Christian anthropology, the sovereign individual is presented here as the natural—not merely postlapsarian—condition of humankind. In fact, however, sovereignty is not the mere gathering of the many into one, but the *creation* of sovereign individuals related to one another through the sovereign state.

The nation-state presents itself as a way of reconciling the many into one, *e pluribus unum*, thus serving the common good. However, this reconciliation only comes after the creation of a prior antagonism, the creation of a novel form of simple social space that oscillates between the individual and the state. Simple space is a dangerous fiction, however, because, as John Milbank puts it, "no action can be perfectly self-contained, but always impinges upon other people, so that spaces will always in some degree 'com-

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plexly' overlap, jurisdictions always in some measure be competing, loyalties remain (perhaps benignly) divided".[59] If this is the case, then

> the issue of the common good most pointedly surfaces, not in the more abstract deliberations of governments, where, on the contrary, its reduction to utilitarian calculus or promotion of free choice will seem most seductively plausible, but rather in the ever re-encountered "boundary disputes" and occasions for collective action in the everyday lives of citizens. These disputes and occasions need somehow to be mediated, and where the reality of "community" fades, the attempt is made to more and more do so by the extension of merely formal regulation of human transactions (with its utilitarian and more predominantly liberal individualist presuppositions). More of life becomes economized and legalized, as legislation seeks—hopelessly—to catch up with every instance of "overlap," and institute more detailed rules of absolute ownership, whether by individuals, or legally incorporated groups: so much and no more *for you*; so far and no further *for you*.[60]

The result is not the common good, but an—ultimately tragic—attempt to ward off social conflict by keeping individuals from interfering with each other.

III. The State is not a Limited Part of Society, but Absorbs Society into Itself

a) Civil Society

At this point I would expect to encounter both agreement and disagreement from John Courtney Murray, still the dominant voice in U.S. Catholic social thinking about the state and common good. Murray agrees that the state is not the agency within a social order that has responsibility for the common good. The state concerns itself with the much more limited role of vigilance for public order. Murray would disagree in that his distinction of public order and common good follows his sharp distinction of state from civil society.[61] According to Murray, the state is the creation of civil society and is meant to serve it. The state possesses the coercive power necessary to maintain peace and order, but the real life of a social order takes place in civil society, the realm of freedom outside the direct purview of the state. Murray writes, "The pursuit of the common good devolves upon society as a whole, on all its members and on all its institutions . . . Public order, whose care devolves upon the state, is a narrower concept." Public order includes important public goods, but not the common good as such.[62]

This distinction follows from Murray's understanding of the U.S. liberal constitutional framework. The state in liberalism does not pursue the good, but rather secures peace among varying conceptions of the good.[63] According to Murray, the American state does not, therefore, try to impose uniformity on the many, but limits itself through mechanisms of consent and

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checks and balances, so that the many may flourish. Here the many are not merely individuals but rather all those varying types of communal life Murray calls "conspiracies", that is, spaces where people "breathe together". He has in mind especially the churches and synagogues, but the principle applies to all those associations that are intermediate between individual and state, all of which make for a strong civil society and the pursuit of the common good.[64] Sovereignty derives from the people and is not, as in Hobbes, alienated from them into a transcendent state. Sovereignty remains "immanent" to the people; power remains in the hands of the multitude through mechanisms of consent and checks and balances in government. In this view, liberalism is that constitutional regime that frees the intermediate associations of civil society by limiting the state. Unity (but not uniformity) exists strictly at the level of political conversation, and does not destroy the underlying pluralism of civil society.[65] The state, therefore, does not have direct responsibility for the common good, but nevertheless makes the pursuit of the common good possible.

This view of the state paints an attractively balanced picture, but unfortunately bears very little relationship to empirical studies of how "intermediate associations" have fared under the state.[66] The rise of the state is the history of the atrophying of such associations. As Robert Nisbet makes plain, the state is not a limited agency arising out of—and created for the service of—local communities, families, and tribes; "if we look not to imaginary beginnings in the never-never-land of ethnological reconstruction" but to the historical evidence, it becomes clear that "the rise and aggrandizement of political States took place in circumstances of powerful opposition to kinship and other traditional authorities".[67] The fundamental conflict of modernity, says Nisbet, is not between state and individual, but between state and social group.[68] The history of the state is the creation of an increasingly direct relationship between state and individual by the state's absorption of powers from the groups that comprise what has come to be called "civil society".[69] In other words, the state is not simply local government writ large. The state is *qualitatively* different; it is precisely that type of government that does *not* grow organically out of the self-government of social groups.

Prior to the rise of the state, central authority was weak and associations strong. Rights, honors, immunities, and responsibilities were attached to communities, and not to individuals. The family, the village, the church, the guild, and the university were held to precede the individual both in origin and in right. Associations did not depend upon royal authority for recognition. Such associations could, of course, be oppressive, and often were. The point here is not to romanticize earlier historical eras, the medieval period in particular, but simply to show the relative strength of local association to central authority. Central authority, where it existed, was severely limited in its ability to override local custom and law. The most significant law was not

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positive law given by a legislator but the customs and rules that provided the inner order of associations.[70]

The state grew by absorbing the rights and responsibilities of this plurality of social groups. The state came to be seen as the sole source of law, and as the guarantor of property and inheritance rights. The state took over many of the civil functions formerly belonging to the church, such as the system of ecclesiastical courts. The state claimed a monopoly on the means of coercion and facilitated the enclosure of common lands. The state claimed that the lesser association itself was, in effect, a creation of the state, a *persona ficta*. In many places Roman law, especially the Justinian Code, provided the legal vocabulary necessary to re-envision social relations as essentially contractual and subject to a sovereign lawmaker above the law.[71] In all places, war was the principal means by which the growth of the state advanced. Nisbet writes, "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."[72] War requires a direct disciplinary relationship between the individual and the state, and so has served as a powerful solvent of the loyalties of individuals to social groups other than the state.

The absorption of civil society by the state is manifested in at least three different ways in contemporary America. First is the exponential and continuous growth of the state. Bruce Porter has documented this growth, and concludes that war has been the primary impetus behind it. All but five cabinet departments and the majority of smaller federal agencies have come into being during wartime.[73] World War I produced a 1000% increase in federal spending;[74] the increase in government in World War II was three times that of the New Deal, the majority of it in the non-military sector.[75] After World War II the large bureaucratic state became a permanent feature of the landscape. Under the supposedly "anti-big government" Ronald Reagan, the federal government continued to grow, even in the non-military sector.[76] Today, in response to the "war on terrorism", such growth is represented by the 170,000 employees of the new Office of Homeland Security, the second largest government institution behind the Pentagon. Another recent example is the Pentagon's Total Information Awareness program, which will gather information on every American citizen from databases of credit card transactions, health records, ticket purchases, housing records, academic grades, and so on.[77]

Nisbet points out that the "absolutist" state of early modernity was in reality much less powerful than the contemporary nation-state, which has succeeded in establishing a direct relationship to every individual within its borders. Nisbet quotes Walter Lippmann to this effect:

> 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

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> 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.[78]

When Lippmann wrote those words in 1929, he could not have imagined the astonishing growth of state influence in the U.S. into the twenty-first century.

The second contemporary manifestation of the withering of civil society is the progressive enervation of intermediate associations. As Robert Nisbet, Robert Bellah,[79] Robert Putnam[80] and many others have documented, what exists is not John Courtney Murray's free space of robust "conspiracies" but a society of individuals alienated from substantive forms of common life. Intermediate associations such as the church, unions, and the family still exist, but they are expected to convey identities, virtues, and common ends in a context in which their relationships to production, mutual aid, education, and welfare have been absorbed into the state and the market.[81] Although potential solutions to the problem are hotly contested, the empirical fact of the decline of intermediate associations is not. The Council on Civil Society, for example, which includes such diverse figures as Francis Fukuyama and Cornel West, William Galston and Mary Ann Glendon, is able to treat the disintegration of "civil society" as a given.[82]

The third contemporary manifestation of the absorption of civil society is the symbiosis of the state and the corporation that signals the collapse of separation between politics and economics. As Charles Lindblom wrote in his landmark *Politics and Markets* twenty-five years ago, "the greatest distinction between one government and another is in the degree to which market replaces government or government replaces market".[83] We live under the former type, according to Lindblom, in which corporate leaders not only buy influence over politicians, regulators, and public opinion, but the business executive him- or herself becomes a type of public official.[84] Lindblom could scarcely have imagined the extent to which the state now treats corporations as its clients. This is hardly surprising given the revolving door between government and industry. A brief glance at the current president's appointees finds that the number two person at the Environmental Protection Agency was a lobbyist for the chemical giant Monsanto; the chief counsel to the IRS is a corporate tax attorney who won several high-profile cases defending corporate tax havens against IRS enforcement; the deputy secretary of the Interior Department was a lobbyist for the oil, gas, and coal industries; and on and on, ad nauseum.[85]

The point of these examples is that the state does not simply stand *over against* civil society as its oppressor. Indeed, the point of the transition from

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state to nation-state is the *fusion* of state and civil society. The nation-state fully realizes the claim merely articulated by the absolutist state to have direct access to governance of everyday life within a defined territory. As Giddens says, "the nation-state is a power container whose administrative purview corresponds exactly to its territorial delimitation".[86] For this reason, Giddens does not use the term "civil society" with reference to the nation-state; the nation-state is simply what sociologists mean when they say "society" in contemporary life. There is no "civil society" that stands outside the administrative and symbolic system ordered by the state.[87] With respect to origins, there is no unitary and organically pre-existing civil society that gives rise to the state. Hegel was correct empirically in positing the state as the ground of civil society.[88] The state creates a unitary space that enacts a single system of social interaction or society. It is not simply that government has gotten big, and economic and social transactions of every kind must pass through the organs of the state. It is also that the state itself—as well as churches, schools, unions, and other associations—has been colonized by the logic of the market. Marx predicted that the state would wither away. What has in fact happened, as Michael Hardt notes, is that civil society has withered, or more accurately been absorbed into the state.[89]

Nisbet thinks that the absorption of civil society in the U.S. is not systemic, but is due to the importation of the unitary idea of democracy from the Continent that, beginning in the late nineteenth-century, has choked out the native species of pluralist democracy.[90] Others, however, have more convincingly argued that there exists a deeper problem endemic to the modern notion of sovereignty. Popular sovereignty is supposed to solve miraculously the problem of the one and the many by subsuming the many of civil society into the one state as the unitary representative of the multiplicity of wills. The problem, as Pierre Manent says, is this:

> If civil society is what is natural, and if the state is only its instrument, why is the state detached from society in such a definite way? Why does civil society not simply take it over again, bringing an end to this "alienation"? Conversely, if the body politic exists only through the Representative, then the Representative is more than a mere representative; he gives consistency to civil society and is the source of social existence. The distinction between civil society and the state, and their union through the idea of representation, sets off a natural oscillation between two extreme possibilities: the "withering away" of the state on the one hand, the absorption of civil society by the state on the other. It is a distinction that calls out for negation, a negation that can benefit only one of the two terms.[91]

In fact, civil society is not the natural source of the state, but both society and state are enacted artificially "from above". The spontaneous life of traditional social groups from below tends to be de-legitimated because such

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groups tend not to be representative, that is, based in consensus. Interests from below will always need to be channeled through the state to achieve legitimacy, as only the state can gather the diversity of interests into a transcendent unity.[92] The state is the source of social life. In the absence of a common good or *telos*, the state can only expand its reach, precisely in order to keep the welter of individuals pursuing their own goods from interfering with each other. Where there is a unitary simple space, pluralism of ends will always be a threat. To solve this threat, the demand will always be to absorb the many into the one. In the absence of shared ends, devotion to the state itself as the end in itself becomes ever more urgent. The result is not true pluralism but an ever-increasing directness of relationship between the individual and the state as the foundation of social interaction.

The fusion of state and civil society is, then, a consequence of the unitary space created by sovereignty, not an accidental feature of modernity. As the early twentieth-century English pluralists saw, a limited state can only be one that does not enact a single society. A limited state could only exist where social space was complexly refracted into a network of associations, that is, where associations were not "intermediate associations", squeezed between state and individual, at all. In the view of John Neville Figgis, there is no single entity called "society". The state should be a *communitas communitatum*. "This is the true meaning of our word Commons; not the mass of common people, but the community of the communities."[93] For Figgis, common good is promoted only by communities of people united for a permanent end. Such communities have corporate personality that is independent of recognition from the state. They are publics in their own right. The pluralists thus rejected the reduction of such a diversity of publics to a single sovereign will. G. D. H. Cole regards the claim of a unitary sovereign to gather the diversity of wills into one as a ridiculous fiction. It is in fact the hijacking of legitimacy by a small fraction of the whole, and can only be made plausible by the subsumption of difference to state power. Representation should be, at most, the choice of personnel, and not the transfer of will to a sovereign power.[94] Whether or not Figgis' and Cole's positive recommendations for restructuring the state are possible is not my concern here. What is important is their recognition that unitary sovereignty or simple space is incompatible with a limited state. If this is correct, then the sovereign state can only be hostile to the common good as John Courtney Murray defined it, as the spontaneous life of the various "conspiracies" built around common ends.

b) The Nation-State

In the West, the state becomes the nation-state in the nineteenth century when the vertical relationship of state and individual is opened to include a horizontal relationship among individuals, an increasingly cohesive mass relationship.[95] In the liberal nation-state, the flows of power are not simply

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from civil society to state, as in Murray, nor from state to civil society. The flows of power are multidirectional. In other words, when state becomes nation-state it represents the fusion of state and society. The state precedes the idea of the nation and creates it, promoting the imagination of a unitary space and a common history. But in contrast to the absolutist state, the nation-state does not merely enforce its will through coercion. In order fully to realize the doctrine of territorial sovereignty and extend governance to every individual within its borders, the participation of the many in a unitive project is essential. Nationalism becomes a popular movement founded on consent.

Since Kohn and Hayes, scholars of nationalism have emphasized that "nation", like society, is not a natural or "ontologically prior" reality, but one that is invented by the state. As E. J. Hobsbawm puts it, "Nations do not make states and nationalisms but the other way round."[96] Most scholars agree that nations are only possible once states have been invented, and that nations, even seemingly "ancient" ones, are the product of the last two centuries. Until the nineteenth century states lacked the internal cohesion necessary to be nations. One way this can be illustrated is by looking at the use of language. As late as 1789, only fifty percent of the citizens of France spoke French, and only twelve to thirteen percent did so "correctly". At the moment of the creation of Italy (1860) only two-and-a-half percent of the people used Italian for everyday purposes.[97] As Italian patriot Massimo d'Azeglio said, "We have made Italy, now we have to make Italians."[98]

Nationalist sentiments were promoted by elites in the nineteenth century by various means. The first was the increasing influence of the state over education, by means of which a common history and common myths of origin were told.[99] The second was the spread of standardized language by means of print media. Sicilians and Venetians might not be able to understand each other's speech, but they were beginning to read mass-produced Italian media, which had a significant impact on the creation of Italy.[100] Finally, war had a profound influence on the rise of nationalism. The United States became a nation-state only after the crisis of the Civil War, and nationalism takes a quantum leap in the massive mobilization of society for World War I.[101] The questions of language and war are often intertwined; a language is just a dialect with an army, as the saying goes.

In the field of nationalism studies, there is a minority of scholars, some of them identified as "ethno-symbolists", that wants to press the origins of nations farther back by studying the ethnic identities that are precursors of the modern nation. Liah Greenfeld, for example, dates the sense of "nationness" in England to the sixteenth century, though she claims it was the only nation in the world for the next two centuries.[102] Anthony D. Smith claims that the origins of nationalism can be traced back in some European countries to the fifteenth and sixteenth centuries. Ethno-symbolists argue that nations were invented not out of nothing but out of pre-formed ethnic ex-

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periences and consciousness. The difference between previous cultural formations and modern nations is one of degree, not of kind. Once formed, ethnic identities are remarkably stable over generations and centuries.[103]

The ethno-symbolists have been criticized for defining the nation so broadly that all kinds of cultural groupings qualify. Smith, for example, has been criticized for attributing fully-developed group consciousness to premodern groups that had only vague ideas of what differentiated them from others. Smith also fails to give due weight to the lack of institutional basis for such groups, such that they did not and could not make claims to territory, autonomy, or independence. Most importantly,

> nationalism is not simply a claim of ethnic similarity, but a claim that certain similarities should count as *the* definition of political community. For this reason, nationalism needs rigid boundaries in a way that premodern ethnicity does not: 'Nationalism demands internal homogeneity throughout the putative nation, rather than gradual continua of cultural variation or pockets of subcultural distinction.' Most distinctively, nationalists generally assert that national identities are more important than other personal or group identities (such as gender, family, or ethnicity) and link individuals directly to the nation as a whole. In stark contrast to this, most ethnic identities flow from family membership, kinship or membership in other intermediate groups.[104]

Nationalism, in other words, demands the simple space that only state sovereignty can provide. As Geoff Eley and Ronald Suny argue, ethnic identities may be the raw materials with which the state works, but they are not simply precursors that develop in a linear fashion toward the nation. The nation represents a rupture in the history of social organization.[105]

The idea of the nation does not remain an elite idea, but becomes gradually more powerful among the lower classes in the nineteenth and twentieth centuries. Why were common people willing to sacrifice their lives for nations their grandparents had never heard of, as Benedict Anderson asks?[106] Ernest Gellner answers this question by drawing a direct link between the weakening of smaller types of association and the growth of the idea of the nation. The loosing of individuals from traditional forms of community created the possibility and need of a larger, mass substitute for community. Loyalties are gradually transferred from more local types of community to the nation.[107] At the same time, there is a gradual opening of the sphere of participation to the masses of people of whom the state had previously taken only sporadic notice. The rise of rights language goes hand in hand with the rise of the nation-state, because political and civil rights name both the freeing of the individual from traditional types of community and the establishment of regular relations of power between the individual and the state. Marx was wrong to dismiss rights as a mere ruse to protect the gains of the bourgeois classes.[108] Individual rights do, nevertheless, greatly expand the

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scope of the state because political and civil rights establish binding relationships between the nation-state and those who look to it to vindicate their claims. The nation-state thus becomes something of a central, bureaucratic clearinghouse in which social claims are contested. The nation-state is fully realized when sacrifice on behalf of the nation is combined with claims made on the state on the basis of rights.[109]

Alasdair MacIntyre alludes to this dual aspect of the nation-state in the following memorable quote:

> The modern nation-state, in whatever guise, is a dangerous and unmanageable institution, presenting itself on the one hand as a bureaucratic supplier of goods and services, which is always about to, but never actually does, give its clients value for money, and on the other as a repository of sacred values, which from time to time invites one to lay down one's life on its behalf . . . [I]t is like being asked to die for the telephone company.[110]

MacIntyre thinks that the nation-state can and does promote certain goods of order, but he also contends that it is incapable of promoting the common good. Integral to the political common good is a distribution of goods that reflect a common mind arrived at by rational deliberation. Rationality in turn depends upon recognition of our fundamental dependence on one another. According to MacIntyre, the nation-state is an arena of bargaining amongst different group interests. In the absence of any generally agreed rational standard to adjudicate among such interests, decisions on the distribution of goods are made on the basis of power, which is most often directly related to access to capital. The sheer size of the nation-state precludes genuine rational deliberation; deliberation is carried on by a political elite of lawyers, lobbyists, and other professionals.[111] For the same reason, the unitive community that the idea of the nation offers is an illusion. The nation-state is not a genuine community, a functioning rational collectivity whose bonds make possible the "virtues of acknowledged dependence" necessary for the common good. As MacIntyre says, "the shared public goods of the modern nation-state are not the common goods of a genuine nation-wide community and, when the nation-state masquerades as the guardian of such a common good, the outcome is bound to be either ludicrous or disastrous or both".[112]

The influence of money over deliberation to which MacIntyre refers has never been a merely accidental feature of the nation-state. For one of the functions of the idea of the nation is to short-circuit the conflict of classes by subsuming both forces of production and domination into one. Instead of the overtly class-based rule of absolutist states, the nation-state invites all classes to participate in a unitary project. This requires the imagination of a common space in which internal differences are minimized and external differences maximized.[113] Class analysis is considered divisive and subversive

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to the national project. So, for example, in the public forum both sides of the NAFTA debate asked "Will this treaty be good or bad for America?" Only a few marginal voices on the losing side were able to suggest that NAFTA would be good for some Americans and bad for others, namely, good for capital and bad for labor. Claims for the interests of groups must be justified in terms of national interests, but the wealthier classes are far more effective at presenting their interests as being national interests.[114] This is why tax cuts for the rich in 2002 and 2003 could be passed off as an "economic stimulus package" meant to get laid-off workers back to the plant, and why dissent from this legislation could be criticized by the House majority leader as sowing divisiveness at a time of national crisis.[115]

If the nation-state tends to elide actually existing internal differences, it tends simultaneously to accent external differences. National identity becomes one's primary loyalty, and that which separates one's nation from all others is highlighted. In terms of law, sovereignty assumes a condition of anarchy among states, and nationalism heightens general consciousness of this condition. What is "common" is reduced to what fits into national borders, and what is good can be purchased at the expense of what is good for other nation-states. The development of the nation-state in the nineteenth and twentieth centuries can be summed up as the completion of the contradictory process of alienation from local community and simultaneous parochialization of what is common to the borders of the nation-state. Neither movement facilitates the pursuit of a genuine common good.

c) Globalization

Understanding this apparently contradictory double movement is crucial to understanding the relationship of the nation-state to the process that has come to be called globalization. The accelerated worldwide economic and cultural universalization that has marked the move to post-Fordist types of production since the early 1970s is said to be trampling the borders of the nation-state and making sovereignty increasingly irrelevant. In some ways this is true, but it is important to see that the nation-state has been one of the primary promoters of this process. Globalization is, in part, the hyperextension of the triumph of the universal over the local on which the nation-state is founded.

Capitalism and the state arose simultaneously as, respectively, the economic and political logic of the same movement. The state produced a centralized and regularized legal framework to make mechanisms of contract and private property right possible. The state sanctioned the enclosure of common lands to private use, thus "freeing" landless peasants to become wage laborers.[116] The state directly promoted international trade. The state universalized and guaranteed money, weights, and measures to facilitate exchanges. Taxation became centrally organized under the state, which effectively signified the decline of the land-owning aristocracy and the ascent of

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the bourgeoisie. Above all, the state contributed, as we have seen, to the creation of "possessive individualism", the invention of the universal human subject liberated from local ties and free to exchange his or her property and labor with any other individual.[117] The advent of the nation-state and popular sovereignty has only reinforced the close relationship between the nation-state and capitalism. Enormous outlays of "corporate welfare" are only one manifestation of this fundamental cooperation. More fundamentally, as we have seen, the nation-state serves to subsume class conflict and advance the interests of capital as national interests. As Michael Hardt and Antonio Negri write, even conflicts between individual capitalists and the nation-state work for the health of capitalism as a whole.[118]

The advance of globalization has indeed eroded the nation-state's sovereignty on several fronts. This may eventually open up interesting possibilities for the reimagination of more complex political spaces. For the moment, however, corporations are the primary beneficiaries. Capital is now more mobile than ever, and nation-states have very little power to contain the flow of money and information across their borders. Corporations have become increasingly transnational, discarding loyalties to any particular locations or communities and moving to wherever cheap labor and unrestrictive environmental laws can be found. One might expect that the nation-state and globalization would be mortal enemies, but in fact that is not the case. Capital is free to move where it wants, but labor is not. The profitability of shutting down plants in Wisconsin and reopening them in northern Mexico depends on the national border—and border guards—that stands, in some cases, just a few hundred feet north of the *maquiladoras*. More striking is the fact that the nation-state regularly advances quite deliberately its own apparent loss of sovereignty. The surrender of sovereignty over tariffs, trade regulations, and environmental laws in the creation of the World Trade Organization was promoted by the governing elites of nation-states, and nation-states remain the only bearers of legitimate violence to enforce such international agreements. The Commerce Department and USAID encourage and subsidize the movement of factories to overseas locations.[119] The 2002 "economic stimulus" package included $21 billion in incentives for U.S. corporations to use tax shelters in the Bahamas and other Caribbean countries. These examples are inexplicable if one assumes that the nation-state and globalization are simply opposed. What is happening is perhaps best described as the hyperextension of the state's subsumption of the local under the universal. Just as the state enacted a unitary national market, so now a global market is taking its place. Government has not disappeared but become decentralized and partially deterritorialized. The fusion of politics and economics has gone beyond national boundaries, and national governments are increasingly integrated into a transnational system of power distribution of which transnational corporations and supranational organisms like the World Trade Organization are other significant components. Saskia

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Sassen criticizes those who "reduce what is happening to a function of the global-national duality: what one wins, the other loses. By contrast, I view deregulation not simply as a loss of control by the state but as a crucial mechanism for handling the juxtaposition of the interstate consensus to pursue globalization and the fact that national legal systems remain as the major, or crucial, instantiation through which guarantees of contract and property rights are enforced."[120]

If this is the case, then looking to the nation-state to defend the common good against the often brutal consequences of globalization does not appear promising. This is so not merely because the nation-state is increasingly powerless to oppose globalization, but because the nation-state at a fundamental level is not opposed to globalization. Nation-states may be resources for ad hoc resistance to the process of globalization, but in the long run, the prospects for resistance are undermined by the lack of autonomy of the political in the governance of nation-states.

IV. Conclusion

The nation-state is neither community writ large nor the protector of smaller communal spaces, but rather originates and grows over against truly common forms of life. This is not necessarily to say that the nation-state cannot and does not promote and protect some goods, or that any nation-state is entirely devoid of civic virtue, or that some forms of ad hoc cooperation with the government cannot be useful. It is to suggest that the nation-state is simply not in the common good business. At its most benign, the nation-state is most realistically likened, as in MacIntyre's apt metaphor, to the telephone company, a large bureaucratic provider of goods and services that never quite provides value for money.

The problem, as MacIntyre notes, is that the nation-state presents itself as so much more; namely, as the keeper of the common good and repository of sacred values that demands sacrifice on its behalf. The longing for genuine communion that Christians recognize at the heart of any truly common life is transferred onto the nation-state. Civic virtue and the goods of common life do not simply disappear; as Augustine saw, the earthly city flourishes by producing a distorted image of the heavenly city. The nation-state is a simulacrum of common life, where false order is parasitical on true order. In a bureaucratic order whose main function is to adjudicate struggles for power between various factions, a sense of unity is produced by the only means possible: sacrifice to false gods in war. The nation-state may be understood theologically as a kind of parody of the Church, meant to save us from division.[121]

The urgent task of the Church, then, is to demystify the nation-state and to treat it like the telephone company. At its best, the nation-state may provide goods and services that contribute to a certain limited order—mail

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delivery is a positive good. The state is not the keeper of the common good, however, and we need to adjust our expectations accordingly. The Church must break its imagination out of captivity to the nation-state. The Church must constitute itself as an alternative social space, and not simply rely on the nation-state to be its social presence. The Church needs, at every opportunity, to "complexify" space, that is, to promote the creation of spaces in which alternative economies and authorities flourish.

The theological rationale for such a move is founded in the biblical account of how salvation history interrupts and transforms human space and time. The word the earliest Church used to describe itself was *ekklesia*. In the Septuagint, *ekklesia* was used for the assembly of Israel for various public acts, such as covenant-making (Deut. 4:10), dedication of the temple (I Kgs. 8:14), and dedication of the city (Neh. 5:7).[122] In calling itself *ekklesia*, the Church was identifying itself as Israel, the assembly that bears the public presence of God in history. In Greek usage, *ekklesia* named the assembly of those with citizen rights in a given *polis*. In calling itself *ekklesia*, the Church was identifying itself as fully public, refusing the available language for private associations (*koinon* or *collegium*). The Church was not gathered like a *koinon* around particular interests, but was concerned with the interests of the whole city, because it was the witness of God's activity in history.[123] At the same time, the Church was not simply another *polis*; it was rather an anticipation of the heavenly city on earth, in a way that complexified the bipolar calculus of public and private.

The medieval synthesis, though fused with static social hierarchies, at least preserved the biblical sense that the Church was not a private association that mediated between the putatively universal state and the sovereign individual. When modern Catholic social teaching has insisted on the need for complex space, therefore, it should not be dismissed solely as nostalgia for medieval hierarchy. Pope Leo XIII's *Rerum Novarum* noted that the "ancient workmen's Guilds were destroyed in the last century, and no other organization took their place". As a result, working people have been left "isolated and defenseless".[124] The solution, according to Leo, is the proliferation of associations along the lines of the medieval Guilds, in complete independence from the state, and under the auspices of the Church.[125] Critics have noted the vagueness and nostalgia of Leo's cure, but his diagnosis is insightful: *the source of injustice is the modern creation of simple space, the individual cut loose from community and left isolated*. Pope Pius XI's *Quadragesimo Anno* also put forward an elaborate scheme calling for a proliferation of labor, religious, and professional vocational groups and "corporations" not under the direct supervision of the state. The principle of subsidiarity was meant as well to keep the state from distorting from above the organic life of community from below.[126]

Unfortunately, the contemporary Church often ignores the possibility that the Church itself could encourage the formation of alternative social bodies,

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and treats the state as the potential solution to any given social ill. An anecdote from political scientist Michael Budde captures this problem.

> Once upon a time, I was hired as a consultant for a public-policy arm of a state-level Catholic bishops' conference. The bishops, according to the institution's staff people, wanted to engage in rededicated efforts to confront the realities of poverty in their state.
>
> What the church bureaucracy had in mind was something on the order of a new lobbying initiative in the state legislature or perhaps an expert conference on poverty in the state.
>
> I told them that they should attempt to take every Catholic in their state on an intensive retreat, with follow-up programs upon their return. Nothing the Church could do would benefit poor people more, I argued, than to energize, inspire, and ignite the passion of larger numbers of the faithful. Without attempts to "convert the baptized," in William O'Malley's phrase, the stranglehold of self-interest, isolation, and religious indifference would continue to throttle the church's attempts to deal seriously with poverty in a global capitalist order.
>
> My advice, to put it gently, was unappreciated. I was fired. They had an experts conference. As far as I can tell, poverty in their state remained indifferent to their efforts.[127]

The bishops in this case were unable to imagine that the common good could mean the Church itself creating authentically common spaces among "the haves" and "the have nots", rather than advising the state on technocratic solutions to poverty.

The problem is not limited to liberal Christians who rely on the welfare state but in a different way captivates conservatives as well. The example cited at the beginning of this essay is a case in point. In regarding the nation-state as responsible for the common good, the Church's voice in such crucial moral matters as war becomes muted, pushed to the margins. Just war reasoning becomes a tool of statecraft, most commonly used by the state to justify war, rather than a moral discipline for the Church to grapple with questions of violence. The Church itself becomes one more withering "intermediate association", whose moral reasoning and moral formation are increasingly colonized by the nation-state and the market. To resist, the Church must at the very least reclaim its authority to judge if and when Christians can kill, and not abdicate that authority to the nation-state.[128] To do so would be to create an alternative authority and space that does not simply mediate between state and individual.

How is this appeal "common" and not particular and divisive? In the first place, if the analysis of this paper is correct, then the nation-state is simply not the universal community under whose umbrella the Church stands as one particular association. Not only does the nation-state carve the world up into competing national interests, but internally as well, it is destructive of

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forms of commonality that do not privilege the sovereignty of narrow individual self-interest. In the second place, the Church is not a merely particular association, but participates in the life of the triune God, who is the only good that can be common to all. Through the Eucharist especially, Christians belong to a body that is not only international, and constantly challenges the narrow particularity of national interests, but is also eternal, the Body of Christ, that anticipates the heavenly polity on earth. Salvation history is not a particular subset of human history, but simply is the story of God's rule—not yet completely legible—over all of history. God's activity is not, of course, confined to the Church, and the boundaries between the Church and the world are porous and fluid. Nevertheless, the Church needs to take seriously its task of promoting spaces where participation in the common good of God's life can flourish.

NOTES

1 George Weigel, "The Just War Case for the War", *America* Vol. 188, no. 11 (March 31, 2003), pp. 7–10 and Michael Novak, "War to Topple Saddam is a Moral Obligation", *The Times* (London), February 12, 2003.
2 Charles E. Curran, *Catholic Social Teaching, 1891-Present: A Historical, Theological, and Ethical Analysis*, (Washington, DC: Georgetown University Press, 2002), pp. 138–139.
3 Curran writes of the "state or political order" and the "state or the political community" as if they were simply interchangeable; *ibid*., p. 138.
4 *Ibid*., pp. 141–144.
5 *Ibid*., p. 144.
6 Friedrich Engels, "The Origin of Family, Private Property, and State" in Robert C. Tucker, ed., *The Marx-Engels Reader*, second edition, (New York, NY: W.W. Norton, 1978), p. 752.
7 For example, Hugo Rahner, SJ, *Church and State in Early Christianity*, trans. Leo Donald Davis, SJ (San Francisco, CA: Ignatius Press, 1992).
8 Bruce D. Porter, *War and the Rise of the State: The Military Foundations of Modern Politics*, (New York, NY: Free Press, 1994), p. 6.
9 Daniel Philpott, *Revolutions in Sovereignty*, (Princeton, NJ: Princeton University Press, 2001), p. 16.
10 *Ibid*., pp. 16–17.
11 Quentin Skinner, *The Foundations of Modern Political Thought*, (Cambridge: Cambridge University Press, 1978), vol. II, pp. 352–358.
12 Anthony Giddens, *The Nation-State and Violence*, (Berkeley, CA: University of California Press, 1987), pp. 1–2, 52–53. Ernest Gellner discusses the transition from traditional social orders to unitary societies in terms of language: "In a traditional social order, the languages of the hunt, of harvesting, of various rituals, of the council room, of the kitchen or harem, all form autonomous systems: to conjoin statements drawn from these various disparate fields, to probe for inconsistencies between them, to try to unify them all, this would be a social solecism or worse, probably blasphemy or impiety, and the very endeavour would be unintelligible. By contrast, in our society it is assumed that all referential uses of language ultimately refer to one coherent world, and can be reduced to a unitary idiom." Ernest Gellner, *Nations and Nationalism*, (Ithaca, NY: Cornell University Press, 1983), p. 21. While Giddens is keen to emphasize the radical break that the modern state represents, he nevertheless uses the term "state" to include traditional class-divided social groups; for Giddens, the crucial transition is marked by the rise of the "absolutist state" and subsequently the "nation-state".
13 "Nationalism" in *The Blackwell Encyclopedia of Political Thought*, ed. David Miller (Oxford: Blackwell Publishers, 1987), p. 354.

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14 Carlton J. H. Hayes, *The Historical Evolution of Modern Nationalism*, (New York, NY: R. R. Smith, 1931) and Hans Kohn, *The Idea of Nationalism: A Study in its Origins and Background*, (New York, NY: The Macmillan Company, 1944). E. J. Hobsbawm refers to Hayes and Kohn as the "founding fathers" of the study of nationalism and states that their dating of nationalism has not been successfully challenged; E. J. Hobsbawm, *Nations and Nationalism since 1780: Programme, myth, reality*, (Cambridge: Cambridge University Press, 1990), p. 9.
15 See for example, Hendrik Spruyt, *The Sovereign State and Its Competitors*, (Princeton, NJ: Princeton University Press, 1994), p. 195n2, where Spruyt distinguishes between the state and the more recent phenomenon of the nation-state. Also Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, (London: Verso, 1991), and "Nation-state" in *The Dictionary of World Politics*, ed. Graham Evans and Geoffrey Newnham, (New York, NY: Simon & Schuster, 1990), p. 258.
16 Joseph R. Strayer, *On the Medieval Origins of the Modern State*, (Princeton, NJ: Princeton University Press, 1970), pp. 15–27. If Strayer is looser with the term "state" than other historians, he is also looser with the term "sovereignty", seeing it existing in fact but not in theory in the fourteenth century (p. 9); what he means by medieval "sovereignty", however, is simply the right of the king to be the court of last resort in judging the law, whereas the early modern idea of sovereignty includes making the law (p. 102). Strayer also gives an early origin for nationalism, saying there are "some signs of what might be called nationalism" in England, France, and Spain in the seventeenth century (p. 109).
17 Hendrik Spruyt, *The Sovereign State and Its Competitors*, (Princeton, NJ: Princeton University Press, 1994), p. 79.
18 Strayer, *On the Medieval Origins of the Modern State*, pp. 28–29, 69.
19 *Ibid*., p. 61.
20 *Ibid*., pp. 58–68.
21 *Ibid*., p. 83.
22 *Ibid*., pp. 57–58.
23 Charles Tilly, "Reflections on the History of European State-Making" in Charles Tilly, ed., *The Formation of National States in Western Europe*, (Princeton, NJ: Princeton University Press, 1975), p. 26.
24 *Ibid*., p. 43.
25 *Ibid*., p. 40.
26 *Ibid*., p. 42.
27 Gabriel Ardant, "Financial Policy and Economic Infrastructure of Modern States and Nations" in Tilly, ed., *The Formation of National States in Western Europe*, (Princeton, NJ: Princeton University Press, 1975), pp. 164–242. On war and nationalism, see also Hobsbawm, p. 83.
28 Tilly, "Reflections on the History of European State-Making", pp. 37–38.
29 Rudolf Braun, "Taxation, Sociopolitical Structure, and State-Building: Great Britain and Brandenburg-Prussia" in Tilly, ed., *The Formation of National States in Western Europe*, (Princeton, NJ: Princeton University Press, 1975), pp. 243–327.
30 David H. Bayley, "The Police and Political Development in Europe" in Tilly, ed., *The Formation of National States in Western Europe*, (Princeton, NJ: Princeton University Press, 1975), pp. 328–379.
31 Charles Tilly, "Food Supply and Public Order in Modern Europe" in Tilly, ed., *The Formation of National States in Western Europe*, (Princeton, NJ: Princeton University Press, 1975), pp. 380–455.
32 Tilly, "Reflections on the History of European State-Making", pp. 22–24.
33 Charles Tilly, "Western State-Making and Theories of Political Transformation" in Tilly, ed., *The Formation of National States in Western Europe*, (Princeton, NJ: Princeton University Press, 1975), pp. 633–638.
34 Charles Tilly, "War Making and State Making as Organized Crime" in Peter B. Evans, Dietrich Rueschemeyer, and Theda Skocpol, ed., *Bringing the State Back In*, (Cambridge: Cambridge University Press, 1985), p. 169.
35 Otto Hintze, *The Historical Essays of Otto Hintze*, Felix Gilbert, ed. (New York, NY: Oxford University Press, 1975).
36 Perry Anderson, *Lineages of the Absolutist State*, (London: New Left Books, 1974).

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37 Hendryk Spruyt, *The Sovereign State and Its Competitors*, (Princeton, NJ: Princeton University Press, 1994).
38 Victor Lee Burke, *The Clash of Civilizations: War-Making & State Formation in Europe*, (Cambridge: Polity Press, 1997).
39 Thomas Ertman, *Birth of the Leviathan: Building States and Regimes in Medieval and Early Modern Europe*, (Cambridge: Cambridge University Press, 1997), p. 4.
40 *Ibid*., p. 26. Ertman's project builds on this consensus in offering what he says is a better account of the factors which predict whether or not a state will have an absolutist or constitutional framework. Ertman contends that Hintze, Tilly, Downing, and Mann do not adequately account for the "nonsimultaneity" of the process, that is, that not all states were affected by war-making at the same time; *ibid*., pp. 15, 26–27.
41 *Ibid*., p. 4.
42 Michael Howard, *The Invention of Peace: Reflections on War and International Order*, (New Haven, CT: Yale University Press, 2000), p. 15.
43 Porter, *War and the Rise of the State*, pp. 7, 24, 60–61.
44 Giddens, *The Nation-State and Violence*, pp. 49–51, 85–89.
45 *Ibid*., p. 89.
46 I adopt the language of complex and simple space from John Milbank, "On Complex Space" in *The Word Made Strange: Theology, Language, Culture*, (Oxford: Blackwell Publishers, 1997), pp. 268–292.
47 Jean Bodin, *The Six Bookes of a Commonweale*, Kenneth McRae, ed. (Cambridge: Harvard University Press, 1962), book I, chap. 8, 92, translation modified.
48 *Ibid*., book VI, chap. 6.
49 Thomas Hobbes, *Leviathan*, (New York, NY: Collier Books, 1962), p. 80.
50 *Ibid*., p. 418.
51 Robert Kraynak points to the underlying continuity in Locke's development in his article "John Locke: From Absolutism to Toleration", *American Political Science Review*, Vol. 74 (1980), pp. 53–69.
52 John Locke, *A Letter Concerning Toleration*, (Indianapolis, IN: Bobbs-Merrill, 1955), p. 17.
53 A. J. Conyers, *The Long Truce*, (Dallas, TX: Spence Publishing, 2001), p. 130. See also C. B. Macpherson's classic *The Political Theory of Possessive Individualism: Hobbes to Locke*, (Oxford: Oxford University Press, 1962), pp. 194–262.
54 John Locke, *Two Treatises of Government*, (New York, NY: Dutton, 1978), p. 129 [Bk. II, ch. 5].
55 Thomas Aquinas, *Summa Theologiae*, II-II.66.2.
56 Locke, *Two Treatises of Government*, pp. 131–141. On this point, see Pierre Manent, *An Intellectual History of Liberalism*, trans. Rebecca Balinski, (Princeton, NJ: Princeton University Press, 1994), pp. 39–52. Manent argues that, as a result of Locke's justification of exchange as beneficial for all of society, there can be no concept of "social justice". Hayek is the true heir of Lockean liberalism. Justice is not subject to debate, but is "*always already realized* as long as property is guaranteed and protected"; Manent, p. 46.
57 Manent, *An Intellectual History of Liberalism*, p. 134.
58 *Ibid*., p. 140.
59 Milbank, *The Word Made Strange*, p. 281.
60 *Ibid*., pp. 281–282.
61 Murray uses the term "society" to denote what today is most commonly referred to as "civil society", that realm of spontaneous social life beyond the direct reach of the state. To avoid confusion, I follow current usage; John Courtney Murray, "The Problem of Religious Freedom" in J. Leon Hooper, SJ, ed., *Religious Liberty: Catholic Struggles with Pluralism*, (Louisville, KY: Westminster John Knox Press, 1993), p. 144.
62 *Ibid*., pp. 144–145. The three public goods included in public order are peace, public morality, and justice. The inclusion of public morality in this list indicates that Murray envisioned a more significant role for the state than more libertarian types of liberalism would allow.
63 John Courtney Murray, *We Hold These Truths: Catholic Reflections on the American Proposition*, (New York, NY: Sheed & Ward, 1960), pp. 45–78.
64 *Ibid*., pp. 5–24.
65 *Ibid*., p. 45.

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66 Political scientist Michael Budde comments, "Murray's theory of the state, such as it is, can only be described as naïve, almost a direct transferal from civics texts to political description." Murray's conviction that the American people govern themselves through free consensus leads Budde to observe that "No testing of reality seems to have affected his assessment of American political institutions." Michael Budde, *The Two Churches: Catholicism and Capitalism in the World-System*, (Durham, NC: Duke University Press, 1992), p. 115.
67 Robert Nisbet, *The Quest for Community*, (London: Oxford University Press, 1969), p. 100.
68 *Ibid*., p. 109.
69 *Ibid*., p. 104.
70 *Ibid*., pp. 80–85, 110–112.
71 *Ibid*., pp. 104, 112–113. See also Robert Nisbet, *Twilight of Authority*, (New York, NY: Oxford University Press, 1975), pp. 166–171.
72 Nisbet, *The Quest for Community*, pp. 100–101.
73 Porter, *War and the Rise of the State*, pp. 291–292. This figure includes the first five years after major wars. The total number of years that fall into this category add up to only one-fifth of the total of American history.
74 *Ibid*., p. 269.
75 *Ibid*., pp. 278–280.
76 *Ibid*., 294–295.
77 According to congressional officials, Homeland Security is blessed with "unprecedented power for a federal agency to organize itself as it chooses, without congressional oversight". Homeland Security includes a new secret court before which the government is the only party allowed to appear. The Total Information Awareness project is headed by John Poindexter, convicted on six counts of masterminding the secret Iran-Contra connection under Reagan and lying to Congress about it; see Michael Ventura, "Weapons of Mass Deception", *Austin Chronicle*, November 29, 2002. In response to citizen concerns about privacy, the Pentagon has changed the name of the program to Terrorism Information Awareness, without changing the program itself; Michael J. Sniffen, "Anti-terror surveillance system name changed", *St. Paul Pioneer Press*, May 21, 2003: 4A.
78 Walter Lippmann, *A Preface to Morals*, quoted in Nisbet, *The Quest for Community*, p. 102.
79 Robert Bellah, et al., *Habits of the Heart*, (San Francisco, CA: Harper & Row, 1985).
80 Robert Putnam, *Bowling Alone*, (New York, NY: Simon & Schuster, 2000).
81 Nisbet, *The Quest for Community*, p. 54. Nisbet explicitly disavows any nostalgia for some bygone era. He believes that the existence of genuine community is empirically verifiable, and that it has been eroded in the modern era. However, he does not think that all community is good in and of itself; communities can be corrupt and stifling. Nor does he want to return to past forms of community, but rather to ask what new forms of community are viable today; *ibid*., pp. viii, 31, 106.
82 Council on Civil Society, *A Call to Civil Society*, (Chicago, IL: Institute for American Values, 1998).
83 Charles E. Lindblom, *Politics and Markets: The World's Political Economic Systems*, (New York, NY: Basic Books, 1977), p. ix.
84 *Ibid*., pp. 170–233.
85 These are just a few of the examples cited in Molly Ivins, "Fox-and-chicken-coop comparison might not say it all", *South Bend Tribune*, August 26, 2001. Another type of example of the fusion of state and civil society comes from the recent pro-war rallies organized by radio stations across the U.S. Most of the stations are owned by Clear Channel, whose chairman and vice-chairman have close business ties to President Bush. In 1998, the vice-chairman, Tom Hicks, purchased the Texas Rangers in a deal that made Mr. Bush $15 million on a $600,000 investment; Paul Krugman, "Channels of Influence", *The New York Times*, March 25, 2003.
86 Giddens, *The Nation-State and Violence*, p. 172.
87 *Ibid*., pp. 21–22, 172.
88 G. W. F. Hegel, *The Philosophy of Right*, trans. T. M. Knox, (Oxford: Clarendon Press, 1952), para. 256–257.
89 Michael Hardt, "The Withering of Civil Society", *Social Text*, Vol. 14, no. 4 (Winter, 1995), pp. 27–44; p. 45.

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90 Nisbet, *The Quest for Community*, pp. 248–254. Although the basic contours of Nisbet's sociological and historical analysis of the weakening of associations are, in my opinion, entirely convincing, Nisbet's analysis of the rise of the state is incomplete and often idealist because of his neglect of economic factors. In other words, the dissolution of community is laid on the state as cause, without much analysis of the solvent effects of capitalism. Nisbet ended his career as an ideologue of neo-conservatism at the American Enterprise Institute in the 1980s.
91 Manent, *An Intellectual History of Liberalism*, pp. 26–27.
92 *Ibid*., pp. 50–52, 62–63. This is why, according to Manent, Lockean liberalism tends toward a monarchical executive power, despite Locke's explicit wishes that the legislative power be supreme.
93 John Neville Figgis, *Churches in the Modern State*, (Bristol: Thoemmes Press, 1997), p. 80. For Figgis, the state exists only to provide some minimal regulation of interaction between such publics. The English pluralists should not be confused with American pluralists, such as Robert Dahl, who place great emphasis on intermediate associations, but who see such associations as conflicting competitors for influence over the state, which remains a neutral and unitary staging ground. See Paul Q. Hirst's Introduction in Hirst, ed., *The Pluralist Theory of the State: Selected Writings of G. D. H. Cole, J. N. Figgis, and H. J. Laski*, (London: Routledge, 1993), pp. 3–4.
94 G. D. H. Cole, "The Social Theory" in *The Pluralist Theory of the State: Selected Writings of G. D. H. Cole, J. N. Figgis, and H. J. Laski*, (London: Routledge, 1993), pp. 82–90.
95 Nisbet, *The Quest for Community*, pp. 101–102.
96 Hobsbawm, *Nations and Nationalism since 1780*, p. 10. This fact was recognized even by some of the great nationalist politicians. Colonel Pilsudski, "liberator" of Poland, said: "It is the state which makes the nation and not the nation the state." Quoted in Hobsbawm, pp. 44–45. To say that nations are invented is not necessarily to say that they are simply therefore "false". Benedict Anderson criticizes Hobsbawm and Gellner for implying falsity. Anderson prefers to see nations in a more neutral way as being "imagined". See Benedict Anderson, *Imagined Communities*, p. 6.
97 Hobsbawm, *Nations and Nationalism since 1780*, pp. 60–61.
98 *Ibid*., p. 44.
99 See, for example, Patrick J. Geary, *The Myth of Nations*, (Princeton, NJ: Princeton University Press, 2002). Geary shows how the "science" of European history was invented in the nineteenth century as a tool of nationalist ideology, especially in the case of Germany. Ancestors such as the "Visigoths" were invented to stretch the origins of the nation back to the dissolution of the Roman empire, and this history was disseminated through state control of education.
100 Benedict Anderson, "Nationalism" in Joel Krieger, ed., *The Oxford Companion to Politics of the World*, (New York, NY: Oxford University Press, 1993), p. 617.
101 Porter, *War and the Rise of the State*, pp. xvi, 12–14, 247.
102 Liah Greenfeld, *Nationalism: Five Roads to Modernity*, (Cambridge, MA: Harvard University Press, 1992), p. 14.
103 Anthony D. Smith, *The Ethnic Origins of Nations*, (Oxford: Blackwell Publishers, 1986), p. 16.
104 Umut Ozkirimli, *Theories of Nationalism: A Critical Introduction*, (New York, NY: St. Martin's Press, 2000), p. 185. The internal quote is from Craig Calhoun, "Nationalism and Ethnicity", *Annual Review of Sociology* Vol. 19 (August, 1993), pp. 211–239; p. 229.
105 Geoff Eley and Ronald Suny, "Introduction" in Eley and Suny, eds., *Becoming National: A Reader*, (New York, NY: Oxford University Press, 1996), p. 11.
106 Anderson, "Nationalism", p. 615.
107 Gellner, *Nations and Nationalism*, pp. 63–87.
108 Karl Marx, "On the Jewish Question" in David McLellan, ed., *Karl Marx: Selected Writings*, (Oxford: Oxford University Press, 1977), pp. 39–57, especially pp. 52–56. Marx was right, however, to describe the solvent effect of rights. Marx sees that the "rights of man" are not available to Jews unless they lose their ties to the Jewish community and consent to being treated as "self-sufficient monads" (p. 53).
109 Giddens, *The Nation-State and Violence*, pp. 205–206, 220–221; Tilly, "Reflections on the History of European State-Making", pp. 36–37.

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110 Alasdair MacIntyre, "A Partial Response to my Critics" in *After MacIntyre: Critical Perspectives on the Work of Alasdair MacIntyre*, ed. John Horton and Susan Mendus (Notre Dame, IN: University of Notre Dame Press, 1994), p. 303.
111 Alasdair MacIntyre, *Dependent Rational Animals: Why Human Beings Need the Virtues*, (Chicago, IL: Open Court, 1999), pp. 129–133, 141–142; also Alasdair MacIntyre, "Toleration and the Goods of Conflict" in Susan Mendus, ed., *The Politics of Toleration in Modern Life*, (Durham, NC: Duke University Press, 1999), pp. 139–144.
112 MacIntyre, *Dependent Rational Animals*, p. 132.
113 Tilly comments sharply on this process, "Hence the plausibility of doctrines of national self-determination to nineteenth-century Europeans—just so long as they were not dealing with their own ethnic/religious minorities." See "Reflections on the History of European State-Making", p. 79.
114 See Giddens, *The Nation-State and Violence*, p. 221. For those who need a reminder of the influence of money over governance in the U.S., William Greider's, *Who Will Tell the People: The Betrayal of American Democracy*, (New York, NY: Simon & Schuster, 1992), is breathtaking. Greider chronicles in painstaking detail exactly how corporations and wealthy individuals get what they want in Washington, and how common people are ignored and manipulated.
115 The fate of the Social Security trust fund is an especially egregious example of how this dynamic works. Over the last seventeen years, income taxes have been repeatedly cut, while the U.S. Treasury has "borrowed" $1.1 *trillion* from Social Security payroll taxes, 53 percent of which are paid by people who earn less than $20,000 a year. As economist Dean Baker says, "that's a huge transfer of wealth from low- and moderate-income people, who paid the payroll taxes, to people at the high end, who pay the bulk of individual and corporate taxes". Miles Benson, "Politicians must cure $1.1 trillion headache", *St. Paul Pioneer Press*, August 6, 2001, 3A.
116 Michael Perelman's excellent study, *The Invention of Capitalism: Classical Political Economy and the Secret History of Primitive Accumulation*, (Durham, NC: Duke University Press, 2000), shows how Smith, Ricardo, Steuart and other classical economists abandoned their laissez-faire principles when it came to advocating government policies that forced peasants off their land and into factories.
117 Giddens, *The Nation-State and Violence*, pp. 148–160; Nisbet, *The Quest for Community*, pp. 104–105.
118 Michael Hardt and Antonio Negri, *Empire*, (Cambridge, MA: Harvard University Press, 2000), pp. 304–305.
119 For example, "Losing our Shirts", *The Independent* (Durham, NC), April 6, 1994, on grants, loans, and advertising by USAID to encourage textile corporations to relocate factories overseas.
120 Saskia Sassen, *Losing Control?: Sovereignty in an Age of Globalization*, (New York, NY: Columbia University Press, 1996), pp. 25–26. See also Hardt and Negri, pp. xi–xvi, 304–309.
121 I make this argument at length in my book *Theopolitical Imagination*, (Edinburgh: T. & T. Clark, 2002).
122 Peter J. Leithart, *Against Christianity*, (Moscow, ID: Canon Press, 2003), p. 30.
123 Dieter Georgi writes, "Paul chose [*ekklesia*] to indicate that the assembly of those who followed Jesus, the assembly called together in a particular city in the name of the biblical God, was in competition with the local political assembly of the citizenry, the official *ekklesia*. The world is meant to hear the claim that the congregation of Jesus, gathered in the name of the God of the Bible, is where the interests of the city in question truly find expression." Dieter Georgi, *Theocracy in Paul's Praxis and Theology*, (Minneapolis, MN: Fortress Press, 1991), p. 57.
124 Pope Leo XIII, *Rerum Novarum*, paragraph 2.
125 *Ibid*., paragraphs 36–43.
126 Pope Pius XI, *Quadragesimo Anno*, paragraphs 31–40, 79.
127 Michael Budde, *The (Magic) Kingdom of God: Christianity and Global Culture Industries*, (Boulder, CO: Westview Press, 1997), p. 1.
128 I examine this issue, and Novak's and Weigel's arguments, in greater detail in my article "At Odds with the Pope: Legitimate Authority and Just Wars", *Commonweal*, Vol. CXXX, no. 10 (May 23, 2003), pp. 11–13.

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