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Rethinking the State: Genesis and Structure of the Bureaucratic Field

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To endeavor to think the state is to take the risk of taking over (or being taken over by) a thought of the state, i.e. of applying to the state categories of thought produced and guaranteed by the state and hence to misrecognize its most profound truth.¹ This proposition, which may seem both abstract and preemptory, will be more readily accepted if, at the close of the argument, one agrees to return to this point of departure, but armed this time with the knowledge that one of the major powers of the state is to produce and impose (especially through the school system) categories of thought that we spontaneously apply to all things of the social world—including the state itself.

However, to give a first and more intuitive grasp of this analysis and to expose the danger of always being thought by a state that we believe we are thinking, I would like to cite a passage from *Alte Meister Komödie* by Thomas Bernhard:

“School is the state school where young people are turned into state persons and thus into nothing other than henchmen of the state. Walking to school, I was walking into the state and, since the state destroys people, into the institution for the destruction of people . . . The state forced me, like everyone else, into myself, and made me compliant towards it, the state, and turned me into a state person, regulated and registered and trained and finished and perverted and dejected, like everyone else. When we see people, we only see state people, the state servants, as we quite rightly say, who serve the state all their lives and thus serve unnatural all their lives.”²

The idiosyncratic rhetoric of T. Bernhard, one of excess and of hyperbole in anathema, is well suited to my intention, which is to subject the state and the thought of the state to a sort of *hyperbolic doubt*. For, when it comes to the state, one never doubts enough. And, though literary exaggeration always risks self-effacement by de-realizing itself in its very excess, one should take what Thomas Bernhard says seriously: to have any chance of thinking a state that still thinks itself through those who attempt to think it (as in the case of Hegel or Durkheim), one must strive to question all the presuppositions and pre-constructions inscribed in the reality under analysis as well as in the very thoughts of the analyst.

To show both the difficulty and the necessity of a rupture with the thought of the state, present in the most intimate of our thoughts, one could analyze the battle recently declared—in the midst of the Gulf War—in France about a seemingly insignificant topic: orthography. Correct spelling, designated and guaranteed as normal by law, i.e., by the

¹ This text is the partial and revised transcription of a lecture delivered in Amsterdam on June 29, 1991.

² Bernhard, Thomas, *The Old Masters*, trans. Ewald Osers, Quartet Books, London, 1989, p. 27.

state, is a social artifact only imperfectly founded upon logical or even linguistic reason; it is the product of a work of normalization and codification, quite analogous to that which the state effects concurrently in other realms of social life.³ Now, when, at a particular moment, the state or any of its representatives undertakes a reform of orthography (as was done, with similar effects, a century ago), i.e., to undo by decree what the state had ordered by decree, this immediately triggers the indignation protest of a good number of those whose status depends on “writing,” in its most common sense but also in the sense given to it by writers. And remarkably, all those defenders of orthographic orthodoxy mobilize in the name of *natural* spelling and of the satisfaction, experienced as intrinsically aesthetic, given by the perfect agreement between mental structures and objective structures—between the mental forms socially instituted in minds through the teaching of correct spelling and the reality designated by words rightfully spelled. For those who possess spelling to the point where they are possessed by it, the perfectly arbitrary “ph” of the word “*néuphar*” has become so evidently inextricable from the flower it designates that they can, in all good faith, invoke nature and the *natural* to denounce an intervention of the state aimed at reducing the arbitrariness of a spelling which itself is, in all evidence, the product of an earlier arbitrary intervention of the same.

One could offer countless similar instances in which the effects of choices made by the state have so completely impressed themselves in reality and in minds that possibilities initially discarded have become totally unthinkable (e.g., a system of domestic production of electricity analogous to that of home heating). Thus, if the mildest attempt to modify school programs, and especially time tables for the different disciplines, almost always and everywhere encounters great resistance, it is not only because powerful occupational interests (such as those of the teaching staff) are attached to the established academic order. It is also because matters of culture, and in particular the social divisions and hierarchies associated with them, are constituted as such by the actions of the state which, by instituting them both in things and in minds, confers upon the cultural arbitrary all the appearances of the natural.

A RADICAL DOUBT

To have a chance to really think a state which still thinks itself through those who attempt to think it, then, it is imperative to submit to radical questioning all the presuppositions inscribed in the reality to be thought and in the very thought of the analyst.

It is in the realm of symbolic production that the grip of the state is felt most powerfully. State bureaucracies and their representatives are great producers of “social problems” that social science does little more than ratify whenever it takes them over as “sociological” problems. (It would suffice to demonstrate this, to plot the amount of research, varying across countries and periods, devoted to problems of the state, such as poverty, immigration, educational failure, more or less rephrased in scientific language).

Yet the best proof of the fact that the thought of the bureaucratic thinker (*penseur fonctionnaire*) is pervaded by the official representation of the official, is no doubt the power of seduction wielded by those representations of the state (as in Hegel) that portray bureaucracy as a “universal group” endowed with the intuition of, and a will to, universal interest; or as an “organ of reflection” and a rational instrument in charge of realizing the general interest (as with Durkheim, in spite of his great prudence on the matter).⁴

The specific difficulty that shrouds this question lies in the fact that, behind the

³ Pierre Bourdieu, *Language and Symbolic Power*, Cambridge, Polity Press, 1991, chapter 2.

⁴ Emile Durkheim, *Leçons de sociologie*, Paris, Presses Universitaires de France, 1922, esp. pp. 84–90.

appearance of thinking it, most of the writings devoted to the state partake, more or less efficaciously and directly, of the *construction* of the state, i.e., of its very existence. This is particularly true of all juridical writings which, especially during the phase of construction and consolidation, take their full meaning not only as theoretical contributions to the knowledge of the state but also as political strategies aimed at imposing a particular vision of the state, a vision in agreement with the interests and values associated with the particular position of those who produce them in the emerging bureaucratic universe (this is often forgotten by the best historical works, such as those of the Cambridge school).

From its inception, social science itself has been part and parcel of this work of construction of the representation of the state which makes up part of the reality of the state itself. All the issues raised about bureaucracy, such as those of neutrality and disinterestedness, are posed also about sociology itself—only at a higher degree of difficulty since there arises in addition the question of the latter's autonomy from the state. It is therefore the task of the history of the social sciences to uncover all the unconscious ties to the social world that the social sciences owe to the history which has produced them (and which are recorded in their problematics, theories, methods, concepts, etc.). Thus one discovers, in particular, that social science in the modern sense of the term (in opposition to the political philosophy of the counselors of the Prince) is intimately linked to social struggles and socialism, but less as a direct expression of these movements and of their theoretical ramifications than as an answer to the problems that these struggles formulated and brought forth. Social science finds its first advocates among the philanthropists and the reformers, that is, in the enlightened avant-garde of the dominant who expect that "social economics" (as an auxiliary science to political science) will provide them with a solution to "social problems" and particularly to those posed by individuals and groups "with problems."

A comparative survey of the development of the social sciences suggests that a model designed to explain the historical and cross-national variations of these disciplines should take into account two fundamental factors. The first is the form assumed by the social demand for knowledge of the social world, which itself depends, among other things, on the philosophy dominant within state bureaucracies (e.g., liberalism or Keynesianism). Thus a powerful state demand may ensure conditions propitious to the development of a social science relatively independent from economic forces (and of the direct claims of the dominant)—but strongly dependent upon the state. The second factor is the degree of autonomy both of the educational system and of the scientific field from the dominant political and economic forces, an autonomy that no doubt requires both a strong outgrowth of social movements and of the social critique of established powers as well as a high degree of independence of social scientists from these movements.

History attests that the social sciences can increase their independence from the pressures of social demand—which is a major precondition of their progress towards scientificity—only by increasing their reliance upon the state. And thus they run the risk of losing their autonomy *from* the state, unless they are prepared to use *against* the state the (relative) freedom that it grants them.

THE GENESIS OF THE STATE: A PROCESS OF CONCENTRATION

To sum up the results of the analysis by way of anticipation, I would say, using a variation around Max Weber's famous formula, that the state is an X (to be determined) which successfully claims the monopoly of the legitimate use of physical and *symbolic* violence over a definite territory and over the totality of the corresponding population. If the state is able to exert symbolic violence, it is because it incarnates itself simultaneously in

objectivity, in the form of specific organizational structures and mechanisms, and in subjectivity in the form of mental structures and categories of perception and thought. By realizing itself in social structures and in the mental structures adapted to them, the instituted institution makes us forget that it issues out of a long series of acts of *institution* (in the active sense) and hence has all the appearances of the *natural*.

This is why there is no more potent tool for rupture than the reconstruction of genesis: by bringing back into view the conflicts and confrontations of the early beginnings and therefore all the discarded possibles, it retrieves the possibility that things could have been (and still could be) otherwise. And, through such a practical utopia, it questions the “possible” which, among all others, was actualized. Breaking with the temptation of the analysis of essence, but without renouncing for that the intention of uncovering invariants, I would like to outline *a model of the emergence of the state* designed to offer a systematic account of the properly historical logic of the processes which have led to the institution of this “X” we call the state. Such a project is most difficult, impossible indeed, for it demands joining the rigor and coherence of theoretical construction with submission to the almost boundless data accumulated by historical research. To suggest the complexity of such a task, I will simply cite one historian, who, because he stays within the limits of his specialty, evokes it only partially himself:

“The most neglected zones of history have been border zones, as for instance the borders between specialties. Thus, the study of government requires knowledge of the theory of government (i.e., of the history of political thought), knowledge of the practice of government (i.e., of the history of institutions) and finally knowledge of governmental personnel (i.e., of social history). Now, few historians are capable of moving across these specialties with equal ease . . . There are other border zones of history that would also require study, such as warfare technology at the beginning of the modern period. Without a better knowledge of such problems, it is difficult to measure the importance of the logistical effort undertaken by such government in a given campaign. However, these technical problems should not be investigated solely from the standpoint of the military historian as traditionally defined. The military historian must also be a historian of government. In the history of public finances and taxation, too, many unknowns remain. Here again the specialist must be more than a narrow historian of finances, in the old meaning of the word; he must be a historian of government and an economist. Unfortunately, such a task has not been helped by the fragmentation of history into sub-fields, each with its monopoly of specialists, and by the feeling that certain aspects of history are fashionable while others are not.”⁵

The state is the *culmination of a process of concentration of different species of capital*: capital of physical force or instruments of coercion (army, police), economic capital, cultural or (better) informational capital, and symbolic capital. It is this concentration as such which constitutes the state as the holder of a sort of meta-capital granting power over other species of capital and over their holders. Concentration of the different species of capital (which proceeds hand in hand with the construction of the corresponding fields) leads indeed to the *emergence* of a specific, properly statist capital (*capital étatique*) which enables the state to exercise power over the different fields and over the different particular species of capital, and especially over the rates of conversion between them (and thereby over the relations of force between their respective holders). It follows that the construction

⁵ Richard Bonney, “Guerre, fiscalité et activité d’Etat en France (1500–1660): some preliminary remarks on possibilities of research,” in Ph. Genet and M. Le Mené, eds., *Genèse del’Etat moderne. Prélèvement et redistribution*, Paris, Ed. du CNRS, 1987, pp. 193–201, citation p. 193.

of the state proceeds apace with the construction of a *field of power*, defined as the space of play within which the holders of capital (of different species) struggle *in particular* for power over the state, i.e., over the statist capital granting power over the different species of capital and over their reproduction (particularly through the school system).

Although the different dimensions of this process of concentration (armed forces, taxation, law, etc.) are *interdependent*, for purposes of exposition and analysis I will examine each in turn.

1. CAPITAL OF PHYSICAL FORCE

From the Marxist models which tend to treat the state as a mere organ of coercion to Max Weber's classical definition, or from Norbert Elias's to Charles Tilly's formulations, most models of the genesis of the state have privileged the concentration of the capital of physical force.⁶ To say that the forces of coercion (army and police) are becoming concentrated is to say that the institutions mandated to guarantee order are progressively being separated from the ordinary social world; that physical violence can only be applied by a specialized group, centralized and disciplined, especially mandated for such end and clearly identified as such within society; that the professional army progressively causes the disappearance of feudal troops, thereby directly threatening the nobility in its statutory monopoly of the warring function. (One should acknowledge here the merit of Norbert Elias—too often erroneously credited, particularly among historians, for ideas and theories that belong to the broader heritage of sociology—for having drawn out all the implications of Weber's analysis by showing that the state could not have succeeded in progressively establishing its monopoly over violence without dispossessing its domestic competitors of instruments of physical violence and of the right to use them, thereby contributing to the emergence of one of the most essential dimensions of the "civilizing process.")⁷

The emerging state must assert its physical force in two different contexts: first externally, in relation to *other actual or potential states* (foreign princes), in and through war for land (which led to the creation of powerful armies); and second internally, in relation to rival powers (princes and lords) and to resistance from below (dominated classes). The armed forces progressively differentiate themselves with, on the one hand, military forces destined for inter-state competition and, on the other hand, police forces destined for the maintenance of intra-state order.⁸

2. ECONOMIC CAPITAL

Concentration of the capital of physical force requires the establishment of an efficient fiscal system, which in turn proceeds in tandem with the unification of economic space (creation of a national market). The levies raised by the dynastic state apply equally to all subjects—and not, as with feudal levies, only to dependents who may in turn tax their own men. Appearing in the last decade of the 12th century, state tax developed in tandem

⁶ E.g., Charles Tilly, *Coercion, Capital, and European States, AD 990–1990*, Oxford, Basil Blackwell, 1990, esp. chapter 3.

⁷ See N. Elias, *State Formation and Civilization*, Oxford, Basil Blackwell, 1982, and *The Civilizing Process*, Oxford, Basil Blackwell, 1978.

⁸ In societies without a state, such as ancient Kabylia or the Iceland of the sagas (see William Ian Miller, *Bloodtaking and Peacemaking*, Chicago, The University of Chicago Press, 1990), there is no delegation of the exercise of violence to a specialized group, clearly identified as such within society. It follows that one cannot escape the logic of personal revenge (to take justice into one's hands, *rekba* or *vendetta*) or of self defense. Thus the question raised by *The Tragic*—is the act of the justice maker Orestes not a crime just as the initial act of the criminal? This is a question that recognition of the legitimacy of the state causes to vanish and that reappears only in very specific and extreme situations.

the growth of *war expenses*. The imperatives of territorial defense, first invoked instance by instance, slowly become the permanent justification of the “obligatory” and “regular” character of the levies perceived “without limitation of time other than that regularly assigned by the king” and directly or indirectly applicable “to all social groups.”

Thus was progressively established a specific economic logic, founded on *levies without counterpart* and *redistribution* functioning as the basis for the conversion of economic capital into symbolic capital, concentrated at first in the person of the Prince.⁹ The institution of the tax (over and against the resistance of the taxpayers) stands in a relation of *circular causality* with the development of the armed forces necessary for the expansion and defense of the territory under control, and thus for the levying of tributes and taxes as well as for imposing via constraint the payment of that tax. The institution of the tax was the result of a veritable *internal war* waged by the agents of the state against the resistance of the subjects, who discover themselves as such mainly if not exclusively by discovering themselves as taxable, as tax payers (*contribuables*). Royal ordinances imposed four degrees of repression in cases of a delay in collection: seizures, arrests for debt (*les contraintes par corps*) including imprisonment, a writ of restraint binding on all parties (*contraintes solidaires*), and the quartering of soldiers. It follows that the *question of the legitimacy* of the tax cannot but be raised (Norbert Elias correctly remarks that, at its inception, taxation presents itself as a kind of racket). It is only progressively that we come to conceive taxes as a necessary tribute to the needs of a recipient that transcends the king, i.e., this “fictive body” that is the state.

Even today, *tax fraud* bears testimony to the fact that the legitimacy of taxation is not wholly taken for granted. It is well known that in the initial phase armed resistance against it was not considered disobedience to royal ordinances but a morally legitimate defense of the rights of the family against a tax system wherein one could not recognize the just and paternal monarch.¹⁰ From the lease (*ferme*) concluded in due and good form with the Royal Treasury, to the last under-lessee (*sous-fermier*) in charge of local levies, a whole hierarchy of leases and sub-leases was interposed as reminders of the suspicion of alienation of tax and of usurpation of authority, constantly reactivated by a whole chain of small collectors, often badly paid and suspected of corruption both by their victims and by higher ranking officials.¹¹ The recognition of an entity transcending the agents in charge of its implementation—whether royalty or the state—thus insulated from profane critique, no doubt found a practical grounding of the dissociation of the King from the unjust and corrupt agents who cheated him as much as they cheated the people.¹²

The concentration of armed forces and of the financial resources necessary to maintain them does not go without the concentration of a symbolic capital of recognition (or legitimacy). It matters that the body of agents responsible for collecting taxation without profiting from it and the methods of government and management they use (accounting, filing, sentences of disagreements, procedural acts, oversight of operations, etc.) be in a position to be known and recognized as such, that they be “easily identified with the person, with the dignity of power.” Thus “baliffs wear its *livery*, enjoy the authority of

⁹ One would have to analyze the progressive shift from a “patrimonial” (or feudal) usage of fiscal resources where a major part of the public revenue is expended in gifts and in generosity destined to ensure the Prince the recognition of potential competitors (and therefore, among other things, the recognition of the legitimacy of fiscal levies) to a “bureaucratic” usage of such resources as “public expenditures.” This shift is one of the most fundamental dimensions of the transformation of the dynastic state into the “impersonal,” bureaucratic state.

¹⁰ See J. Dubergé, *La psychologie sociale de l'impôt*, Paris, PUF, 1961, and G. Schmolders, *Psychologie des finances et de l'impôt*, Paris, PUF, 1973.

¹¹ Rodney H. Hilton, “Resistance to taxation and other state impositions in Medieval England,” in *Genesis* pp. 167–177, and especially pp. 173–74.

¹² This disjunction of the king or the state from concrete incarnations of power finds its fullest expression in the myth of the “hidden king” (see Y.M. Bercé, *Le Roi caché*, Paris, Fayard, 1991).

its *emblems* and signify their commands in its name.” It matters also that the average taxpayer be in a position “to recognize the liveries of the guards, the signs of the sentry boxes” and to distinguish the “keepers of leases,” those agents of hated and despised financiers, from the royal guards of the mounted constabulary, from the *Prévôté de l’Hotel* or the *Gardes du Corps* regarded as inviolable owing to their jackets bearing the royal colors.¹³

All authors agree that the progressive development of the recognition of the legitimacy of official taxation is bound up with the rise of a form of nationalism. And, indeed, the broad-based collection of taxes has likely contributed to the unification of the territory or, to be more precise, to the construction, both in reality and in representation, of the state as a *unitary territory*, as a reality unified by its submission to the same obligations, themselves imposed by the imperatives of defense. It is also probable that this “national” consciousness developed first among the members of the *representative institutions* that emerged alongside the debate over taxation. Indeed, we know that these authorities were more inclined to consent to taxation whenever the latter seemed to them to spring, not from the private interests of the prince, but from the *interests of the country* (and, first among them, from the requirement of territorial *defense*). The state progressively inscribes itself in a space that is not yet the national space it will later become but that already presents itself as a *fount of sovereignty*, with for example the monopoly to the right to coin money and as the basis of a transcendent symbolic value.¹⁴

3. INFORMATIONAL CAPITAL

The concentration of economic capital linked to the establishment of unified taxation is paralleled by a concentration of *informational capital* (of which cultural capital is one dimension) which is itself correlated with the unification of the cultural market. Thus, very early on, public authority carried out surveys of the state of resources (for example, as early as 1194, there were “appraisals of quarter-master sargents” and a census of the carriages (*charrois*) and armed men that eighty-three cities and royal abbeys had to provide when the king convened his *ost*; in 1221, an embryo of budget and a registry of receipts and expenditures appear). The state concentrates, treats, and redistributes information and, most of all, effects a *theoretical unification*. Taking the vantage point of the Whole, of society in its totality, the state claims responsibility for all operations of *totalization* (especially thanks to census taking and statistics or national accounting) and of *objectivation*, through cartography (the unitary representation of space from above) or more simply through writing as an instrument of accumulation of knowledge (e.g., archives), as well as for all operations of *codification* as cognitive unification implying centralization and monopolization in the hands of clerks and men of letters.

Culture¹⁵ is unifying: the state contributes to the unification of the cultural market by unifying all codes, linguistic and juridical, and by effecting a homogenization of all forms of communication, including bureaucratic communication (through forms, official notices, etc). Through classification systems (especially according to sex and age) inscribed in law, through bureaucratic procedures, educational structures and social rituals (particularly salient in the case of Japan and England), the state molds *mental structures* and imposes common principles of vision and division, forms of thinking that are to the civilized mind

¹³ Y.M. Bercé, *op. cit.*, p. 164.

¹⁴ The ideal of feudal princes, as well of the kings of France later, was to allow only the use of their own money within the territories they dominated—an ideal only realized under Louis XIV.

¹⁵ [Translator’s note:] “Culture” is capitalized in the French original to mark the appropriation of the emerging bodies of knowledge linked to the state by the dominant, i.e., the emergence of a dominant culture.

what the primitive forms of classification described by Mauss and Durkheim were to the “savage mind.” And it thereby contributes to the construction of what is commonly designated as national identity (or, in a more traditional language, national character).¹⁶

By universally imposing and inculcating (within the limits of its authority) a dominant culture thus constituted as *legitimate national* culture, the school system, through the teaching of history (and especially the history of literature), inculcates the foundations of a true “civic religion” and more precisely, the fundamental presuppositions of the national self-image. Derek Sayer and Philip Corrigan show how the English partake very widely—well beyond the boundaries of the dominant class—of the cult of a doubly particular culture, at once bourgeois and national, with for instance the myth of *Englishness*, understood as a set of undefinable and inimitable qualities (for the non-English), “reasonableness,” “moderation,” “pragmatism,” hostility to ideology, “quirkiness,” and “eccentricity.”¹⁷ This is very visible in the case of England, which has perpetuated with extraordinary continuity a very ancient tradition (as with juridical rituals or the cult of the royal family for example), or in the case of Japan, where the invention of a national culture is directly tied to the invention of the state. In the case of France, the nationalist dimension of culture is masked under a universalist facade. The propensity to conceive the annexation to one’s national culture as a means of acceding to universality is at the basis of both the brutally integrative vision of the republican tradition (nourished by the founding myth of the universal revolution) and very perverse forms of universalist imperialism and of internationalist nationalism.¹⁸

Cultural and linguistic unification is accompanied by the imposition of the dominant language and culture as legitimate and by the rejection of all other languages into indignity (thus demoted as *patois* or local dialects). By rising to universality, a particular culture or language causes all others to fall into particularity. What is more, given that the universalization of requirements thus officially instituted does not come with a universalization of access to the means needed to fulfill them, this fosters both the monopolization of the universal by the few and the dispossession of all others, who are, in a way, thereby mutilated in their humanity.

4. SYMBOLIC CAPITAL

Everything points to the concentration of a symbolic capital of recognized authority which, though it has been ignored by all the existing theories of the genesis of the state, appears as the condition or, at minimum, the correlate of all the other forms of concentration, insofar as they endure at all. Symbolic capital is any property (any form of capital whether physical, economic, cultural or social) when it is perceived by social agents endowed with categories of perception which cause them to know it and to recognize it, to give it value. (For example, the concept of honor in Mediterranean societies is a typical form of symbolic capital which exists only through *repute*, i.e. through the representation that others have of it to the extent that they share a set of beliefs liable to cause them to perceive and

¹⁶ It is especially through the school, with the generalization of elementary education through the 19th century, that the unifying action of the state is exercised in matters of culture. (This is a fundamental component in the construction of the nation state). The creation of national society goes hand in hand with universal educability: the fact that all individuals are equal before the law gives the state the duty of turning them into citizens, endowed with the cultural means actively to exercise their civic rights.

¹⁷ P. Corrigan and D. Sayer, *The Great Arch: English State Formation as Cultural Revolution*, Oxford, Basil Blackwell, 1985, p. 103.

¹⁸ See P. Bourdieu, “Deux impérialismes de l’universel,” in *L’Amérique des français*, edited by C. Fauré and T. Bishop, Paris, Editions François Bourin, 1992, pp. 149–155. Culture is so intimately bound up with patriotic symbols that any critical questioning of its functions and functioning tends to be perceived as *treason* and *sacrilege*.

appreciate certain patterns of conduct as honorable or dishonorable).¹⁹ More precisely, symbolic capital is the form taken by any species of capital whenever it is perceived through categories of perception that are the product of the embodiment of divisions or of oppositions inscribed in the structure of the distribution of this species of capital. It follows that the state, which possesses the means of imposition and inculcation of the durable principles of vision and division that conform to its own structure, is the site par excellence of the concentration and exercise of symbolic power.

The Particular Case of Juridical Capital

The process of concentration of juridical capital, an objectified and codified form of symbolic capital, follows its *own logic*, distinct from that of the concentration of military capital and of financial capital. In the 12th and 13th century, several legal systems coexisted in Europe, with, on the one hand, ecclesiastical jurisdictions, as represented by Christian courts, and, on the other, secular jurisdictions, including the justice of the king, the justice of the lords, and the jurisdiction of *municipalités* (cities), of corporations, and of trade.²⁰ The jurisdiction of the lord as justice was exercised only over his vassals and all those who resided on his lands (i.e., noble vassals, with non-noble free persons and serfs falling under a different set of rules). In the beginning, the king had jurisdiction only over the royal domain and legislated only in trials concerning his direct vassals and the inhabitants of his own fiefdoms. But, as Marc Bloch remarked, royal justice soon slowly “infiltrated” the whole of society.²¹ Though it was not the product of an intention, and even less so of a purposeful plan, no more than it was the object of collusion among those who benefited from it (including the king and the jurists), the movement of concentration always followed one and the same trajectory, eventually leading to the creation of a juridical apparatus. This movement started with the provosts-marshals mentioned in the “testament of Philippe Auguste” in 1190 and with the bailiffs, these higher officers of royalty who held solemn assizes and controlled the provosts. It continued under St Louis with the creation of different bureaucratic entities, the *Conseil d'Etat* (Council of State), the *Cours des Comptes* (Court of Accounts), and the judiciary court (*curias regis*) which took the name of parliament. Thanks to the appeal procedure, the parliament, a sedentary body composed exclusively of lawyers, became one of the major instruments for the concentration of juridical power in the hands of the king.

Royal justice slowly corralled the majority of criminal cases which had previously belonged to the tribunals of lords or of churches. “Royal cases,” those in which the rights of royalty are infringed (e.g., crimes of lese-majesty; counterfeiting of money, forgery of the seal) came increasingly to be reserved for royal bailiffs. More especially, jurists elaborated a *theory of appeal* which submitted all the jurisdictions of the kingdom to the king. Whereas feudal courts were sovereign, it now became admitted that any judgement delivered by a lord upholder of law could be deferred before the king by the injured party if deemed contrary to the customs of the country. This procedure, called *supplication*, slowly turned into appeal. Self-appointed judges progressively disappeared from feudal courts to be replaced by professional jurists, the officers of justice and the appeal followed the ladder of authority: one appeals from the inferior lord to the lord of higher rank and

¹⁹ P. Bourdieu, “The Sentiment of Honour in Kabyle Society,” in J.G. Peristiany (ed.), *Honour and Shame: The Values of Mediterranean Society*, London, Weidenfeld and Nicholson, 1965, pp. 191–241.

²⁰ See A. Esmein, *Histoire de la procédure criminelle en France et spécialement de la procédure inquisitoire depuis le XIIe siècle jusqu'à nos jours*, Paris, 1882, repub. Frankfurt, Verlag Sauer und Auvermann KG, 1969. See also H.J. Berman, *Law and Revolution: The Formation of the Western Legal Tradition*, Cambridge, Harvard University Press, 1983.

²¹ Marc Bloch, *Seigneurie française et manoir anglais*, Paris, A. Colin, 1967, p. 85.

from the duke or the count to the king (one cannot skip a level and, for instance, appeal directly to the king).

By relying on the *specific interest of the jurists* (a typical example of interest in the universal) who, as we shall see, elaborated all sorts of legitimating theories according to which the king represents the common interest and owes everybody security and justice, the royalty limited the competence of feudal jurisdictions (it proceeded similarly with ecclesiastical jurisdictions, for instance by limiting the church's right of asylum). The process of *concentration* of juridical capital was paralleled by a process of *differentiation* which led to the constitution of an autonomous juridical field.²² The *judiciary body* grew organized and hierarchized: provosts became the ordinary judges of ordinary cases; bailiffs and seneschals became sedentary; they were assisted more and more by lieutenants who became irrevocable officers of justice and who gradually superseded the bailiffs, thus relegated to purely honorific functions. In the 14th century, we witness the appearance of a *public ministry* in charge of official suits. The king now has state prosecutors who act in his name and slowly become functionaries.

The ordinance of 1670 completed the process of concentration which progressively stripped the lordly and ecclesiastical jurisdictions of their powers in favor of royal jurisdictions. It ratified the progressive conquests of jurists: the competence of the place of the crime became the rule; the precedence of royal judges over those of lords was affirmed. The ordinance also enumerated royal cases and annulled ecclesiastical and communal privileges by stipulating that judges of appeal should always be royal judges. In brief, the competence delegated over a certain *ressort* (territory) replaced statutory precedence or authority exercised directly over persons.

Later on the construction of the juridico-bureaucratic structures constitutive of the state proceeded alongside the construction of the body of jurists and of what Sarah Hanley calls "the Family-State Compact," this covenant struck between the state and the corporation of jurists which constituted itself as such by exerting strict control over its own reproduction. "The Family-State Compact provided a formidable family model of socio-economic authority which influenced the state model of political power in the making at the same time."²³

From Honor to Cursus Honorum

The concentration of juridical capital is one aspect, quite fundamental, of a larger process of concentration of symbolic capital in its different forms. This capital is the basis of the specific authority of the holder of state power and in particular of a very mysterious power, namely his power of nomination. Thus, for example, the king attempts to control the totality of the traffic in *honors* to which "gentlemen" may lay claim. He strives to extend his mastery over the great ecclesiastical prerogatives, the orders of chivalry, the distribution of military and court offices and, last but not least, titles of nobility. Thus is a *central authority of nomination* gradually constituted.

One remembers the nobles of Aragon, mentioned by V.G. Kiernan, who called themselves "*ricosombres de natura*": gentlemen by nature or by birth, in contrast to the nobles created by the king. This distinction, which evidently played a role in the struggles within the nobility or between nobility and royal power, is of utmost importance. It opposes two modes of access to nobility: the first, called "natural," is nothing other than heredity and

²² The functioning of this field is sketched in P. Bourdieu, "The Force of Law: Towards a Sociology of the Juridical Field," *Hastings Journal of Law*, 38, 1987, pp. 209-248.

²³ S. Hanley, "Engendering the State: Family Formation and State Building in Early Modern France," *French Historical Studies*, 16(1), spring 1989, p. 4-27.

public recognition (by other nobles as well as by “commoners”); the second, “legal nobility,” is the result of ennoblement by the king. The two forms of consecration coexist for a long time. Arlette Jouanna clearly shows that, with the concentration of the power of ennoblement in the hands of the king, *statutory honor*, founded on the recognition of peers and of others and affirmed and defended by challenge and prowess, slowly gives way to *honors attributed by the state*.²⁴ Such honors, like any fiduciary currencies, have currency and value on all the markets controlled by the state.

As the king concentrates greater and greater quantities of symbolic capital (Mousnier called them *fidélités*, “loyalties”),²⁵ his power to distribute symbolic capital in the form of offices and honors conceived as rewards increases continually. The symbolic capital of the nobility (honor, reputation), which hitherto rested on social esteem tacitly accorded on the basis of a more or less conscious social consensus, now finds a quasi-bureaucratic statutory objectification (in the form of edicts and rulings that do little more than record the new consensus). We find an indication of this in the “grand researches of nobility” undertaken by Louis XIV and Colbert: the decree (*arrêt*) of March 22, 1666, stipulates the creation of a “registry containing the names, surnames, residences and arms of real gentlemen.” The intendants scrutinize the titles of nobility and genealogists of the Orders of the King and *juges d’armes* fight over the definition of true nobles. With the nobility of robe, which owes its position to its cultural capital, we come very close to the logic of state nomination and to the *cursus honorum* founded upon educational credentials.

In short, there is a shift from a diffuse symbolic capital, resting solely on collective recognition, to an *objectified symbolic capital*, codified, delegated and guaranteed by the state, in a word *bureaucratized*. One finds a very precise illustration of this process in the sumptuary laws that meant to regulate, in a rigorously hierarchized manner, the distribution of symbolic expressions (in terms of dress, in particular) between noblemen and commoners and especially among the different ranks of the nobility.²⁶ Thus the state regulates the use of cloth and of trimmings of gold, silver, and silk. By doing this, it defends the nobility against the usurpation of commoners but, at the same time, it expands and reinforces its own control over hierarchy within the nobility.

The decline of the power of autonomous distribution of the great lords tends to grant the king the monopoly of ennoblement and *the monopoly over nomination* through the progressive transformation of offices—conceived as rewards—into positions of responsibilities requiring competency and partaking of a *cursus honorum* that foreshadows a bureaucratic career ladder. Thus that supremely mysterious power that is the power of *appointing and dismissing the high officers of the state* is slowly instituted. The state is thus constituted as “fountain of honour, of office and privilege,” to recall Blackstone’s words, and distributes honors. It dubs “knights” and “baronets,” invents new orders of knighthood, confers ceremonial precedence and nominates peers and all the holders of important public functions.²⁷

Nomination is, when we stop to think of it, a very mysterious act which follows a logic quite similar to that of magic as described by Marcel Mauss.²⁸ Just as the sorcerer mobilizes the capital of belief accumulated by the functioning of the magical universe, the President

²⁴ A. Jouanna, *Le devoir de révolte: La noblesse française et la gestation de l’Etat moderne, 1559–1561*, Fayard, Paris, 1989.

²⁵ R. Mousnier, *Les institutions de la France sous la monarchie absolue*, Paris, Presses Universitaires de France, 1980, p. 94.

²⁶ Michel Fogel, “Modèle d’Etat et modèle social de dépense: les lois somptuaires en France de 1485 à 1560,” in Ph. Genet and M. le Mène, *Genèse*, *op cit.*, pp. 227–235 (especially p. 232).

²⁷ F.W. Maitland, *The Constitutional History of England*, Cambridge, Cambridge University Press, 1948, p. 429.

²⁸ M. Mauss, *A General Theory of Magic*, New York, Norton, 1975 (orig. 1902–03).

of the Republic who signs a decree of nomination or the physician who signs a certificate (of illness, invalidity, etc) mobilizes a symbolic capital accumulated in and through the whole network of relations of recognition constitutive of the bureaucratic universe. Who certifies the validity of the certificate? It is the one who signs the credential giving license to certify. But who then certifies this? We are carried through an infinite regression at the end of which “one has to stop” and where one could, following medieval theologians, choose to give the name of “state” to the last (or to the first) link in the long chain of official acts of consecration.²⁹ It is the state, acting in the manner of a bank of symbolic capital, that guarantees all acts of authority—acts at once arbitrary and misrecognized as such (Austin called them “acts of legitimate imposture”).³⁰ The President of the country is someone who claims to be the President but who differs from the madman who claims to be Napoleon by the fact that he is recognized as founded to do so.

The nomination or the certificate belong to the category of *official* acts or discourses, symbolically effective only because they are accomplished in a situation of authority by authorized characters, “officials” who are acting *ex officio*, as holders of an *officium* (*publicum*), that is, of a function or position assigned by the state. The sentence of the judge or the grade of the professor, the procedures of official registration, certified reports or minutes, all the acts meant to carry legal effect, such as certificates of birth, marriage, or death, etc., all manners of public summons as performed with the required formalities by the appropriate agents (judges, notaries, bailiffs, officers of *état civil* and duly registered in the appropriate office, all these facts invoke the logic of official nomination to institute socially guaranteed identities (as citizen, legal resident, voter, taxpayer, parent, property owner) as well as legitimate unions and groupings (families, associations, trade unions, parties, etc). By stating with authority what a being (thing or person) is in truth (verdict) according to its socially legitimate definition, that is what he or she is authorized to be, what he has a right (and duty) to be, the social being that he may claim, the State wields a genuinely *creative*, quasi-divine, power. It suffices to think of the kind of immortality that it can grant through acts of consecration such as commemorations or scholarly canonization, to see how, twisting Hegel’s famous expression, we may say that: “the judgement of the state is the last judgement.”³¹

MINDS OF STATE

In order truly to understand the power of the state in its full specificity, i.e., the particular symbolic efficacy it wields, one must, as I suggested long ago in another article,³² integrate into one and the same explanatory model intellectual traditions customarily perceived as incompatible. It is necessary, first, to overcome the opposition between a physicalist vision of the social world that conceives of social relations as relations of physical force and a “cybernetic” or semiological vision which portrays them as relations of symbolic force, as relations of meaning or relations of communication. The most brutal relations of force are always simultaneously symbolic relations. And acts of submission and obedience are

²⁹ Using Kafka, I have shown how the sociological vision and the theological vision meet in spite of their apparent opposition (see P. Bourdieu, “La dernière instance,” in *Le siècle de Kafka*, Paris, Centre Georges Pompidou, 1984, p. 268–270).

³⁰ John Austin, *How to do Things with Words*, Oxford, Oxford University Press, 1952.

³¹ Publication, in the sense of a procedure aimed at rendering a state or act public, at bringing it to everybody’s knowledge, always holds the potentiality of an usurpation of the right to exercise the symbolic violence which properly belongs to the state (and which is expressed, for example, in the publication of marriage notices or the promulgation of law). Hence, the state always tends to regulate all forms of publication, printing, theatrical representations, public predication, caricature, etc.

³² P. Bourdieu, “On Symbolic Power,” in *Language and Symbolic Power*, op. cit., pp. 163–170 (originally in *Annales*, 3 June 1977, pp. 405–411).

cognitive acts which as such involve cognitive structures, forms and categories of perception, principles of vision and division. Social agents construct the social world through cognitive structures that may be applied to all things of the world and in particular to social structures (Cassirer called these principles of vision of division “symbolic forms” and Durkheim “forms of classification”: these are so many ways of saying the same thing in more or less separate theoretical traditions).

These *structuring structures* are historically constituted forms and therefore arbitrary in the Saussurian sense, conventional, “*ex instituto*” as Leibniz said, which means that we can trace their social genesis. Generalizing the Durkheimian hypothesis according to which the “forms of classification” that the “primitives” apply to the world are the product of the embodiment of their group structures, we may seek the basis of these cognitive structures in the actions of the state. Indeed, we may posit that, in differentiated societies, the state has the ability to impose and inculcate in a universal manner, within a given territorial expanse, a *nomos* (from *nemo*: to share, divide, constitute separate parts), a shared principle of vision and division, identical or similar cognitive and evaluative structures. And that the state is therefore the foundation of a “logical conformism” and of a “moral conformism” (these are Durkheim’s expressions),³³ of a tacit, pre-reflexive agreement over the meaning of the world which itself lies at the basis of the experience the world as “commonsense world.” (Neither the phenomenologists, who brought this experience to light, nor the ethnomethodologists who assign themselves the task of describing it, have the means of accounting for this experience because they fail to raise the question of the social construction of the principles of construction of the social reality that they strive to explicate and to question the contribution of the state to the constitution of the principles of constitution that agents apply to the social order).

In less differentiated societies, the common principles of vision and division—the paradigm of which is the opposition masculine/feminine—are instituted in minds (or in bodies) through the whole spatial and temporal organization of social life, and especially through *rites of institution* that establish definite differences between those who submitted to the rite and those who did not.³⁴ In our societies, the state makes a decisive contribution to the production and reproduction of the instruments of construction of social reality. As organizational structure and regulator of practices, the state exerts an ongoing action formative of durable dispositions through the whole range of constraints and through the corporeal and mental discipline it uniformly imposes upon all agents. Furthermore, it imposes and inculcates all the fundamental principles of classification, based to sex, age, “skill,” etc. And it lies at the basis of the symbolic efficacy of all rites of institution, such as those underlying the family for example, or those that operate through the routine functioning of the school system as the site of *consecration* where lasting and often irrevocable differences are instituted between the chosen and the excluded, in the manner of the medieval ritual of the dubbing of knights.

The construction of the state is accompanied by the construction of a sort of common historical transcendental, immanent to all its “subjects.” Through the framing it imposes upon practices, the state establishes and inculcates common forms and categories of perception and appreciation, social frameworks of perceptions, of understanding or of memory, in short *state forms of classification*. It thereby creates the conditions for a kind of immediate orchestration of habituses which is itself the foundation of a consensus over this set of shared evidences constitutive of (national) common sense. Thus, for example,

³³ E. Durkheim, *The Elementary Forms of the Religious Life*, New York, Free Press, 1965 (orig. 1912).

³⁴ P. Bourdieu, “Rites of Institution,” in *Language and Symbolic Power*, *op. cit.*, pp. 117–126 (orig. pub. 1982).

the great rhythms of the societal calendar (think of the schedule of school or patriotic vacations that determine the great “seasonal migrations” of many contemporary societies) provide both shared objective referents and compatible subjective principles of division which underlie internal experiences of time sufficiently concordant to make social life possible.³⁵

But in order fully to understand the immediate submission that the state order elicits, it is necessary to break with the intellectualism of the neo-Kantian tradition to acknowledge that cognitive structures are not forms of consciousness but *dispositions of the body*. That the obedience we grant to the injunctions of the state cannot be understood either as mechanical submission to an external force or as conscious consent to an order (in the double sense of the term). The social world is riddled with *calls to order* that function as such only for those who are predisposed to heeding them as they *awaken* deeply buried corporeal dispositions, outside the channels of consciousness and calculation. It is this doxic submission of the dominated to the structures of a social order of which their mental structures are the product that Marxism cannot understand insofar as it remains trapped in the intellectualist tradition of the philosophies of consciousness. In the notion of false consciousness that it invokes to account for effects of symbolic domination, that superfluous term is “consciousness.” And to speak of “ideologies” is to locate in the realm of *representations*—liable to be transformed through this intellectual conversion called “awakening of consciousness” (*prise de conscience*)—what in fact belongs to the order of *belief*, i.e., to the level of the most profound corporeal dispositions. Submission to the established order is the product of the agreement between, on the one hand, the cognitive structures inscribed in bodies by both collective history (phylogenesis) and individual history (ontogenesis) and, on the other, the objective structures of the world to which these cognitive structures are applied. State injunctions owe their obviousness, and thus their potency, to the fact that the state has imposed the very cognitive structures through which it is perceived (one should rethink along those lines the conditions that make possible the supreme sacrifice: *pro patria mori*).

But we need to go beyond the Neo-Kantian tradition, even in its Durkheimian form, on yet another count. Because it focuses on the *opus operatum*, symbolic structuralism à la Lévi-Strauss (or the Foucault of *The Order of Things*) is bound to neglect the active dimension of symbolic production (as, for example, with mythologies), the question of the *modus operandi*, of “generative grammar” (in Chomsky’s sense). It does have the advantage of seeking to uncover the internal coherence of symbolic systems *qua* systems, that is, one of the major basis of their efficacy—as can be clearly seen in the case of the law in which coherence is deliberately sought, but also in myth and religion. Symbolic order rests on the imposition upon all agents of structuring structures that owe part of their consistency and resilience to the fact that they are coherent and systematic (at least in appearance) and that they are objectively in agreement with the objective structures of the social world. It is this immediate and tacit agreement, in every respect opposed to an explicit contract, that founds the relation of *doxic submission* which attaches us to the established order with all the ties of the unconscious. The recognition of legitimacy is not, as Weber believed, a free act of clear conscience. It is rooted in the immediate, pre-reflexive, agreement between objective structures and embodied structures, now turned unconscious (such as those that organize temporal rhythms: viz. the quite arbitrary divisions of school schedules into periods).

³⁵ Another example would be the division of the academic and scientific worlds into disciplines, which is inscribed in the minds in the form of disciplinary habituses generating distorted relations between the representatives of different disciplines as well as limitations and mutilations in the representations and practices of each of them.

It is this pre-reflexive agreement that explains the ease, rather stunning when we think of it, with which the dominant impose their domination:

Nothing is as astonishing for those who consider human affairs with a philosophic eye than to see the ease with which the *many* will be governed by the *few* and to observe the implicit submission with which men revoke their own sentiments and passions in favor of their leaders. When we inquire about the means through which such an astonishing thing is accomplished, we find that force being always on the side of the governed, only opinion can sustain the governors. It is thus solely on opinion that government is founded, and such maxim applies to the most despotic and military government as well as to the freest and most popular.³⁶

Hume's astonishment brings forth the fundamental question of all political philosophy, which one occults, paradoxically, by posing a problem that is not really posed as such in ordinary existence: the problem of legitimacy. Indeed, essentially, what is problematic is the fact that the established order is *not* problematic; and that the question of the legitimacy of the state, and of the order it institutes, does not arise except in crisis situations. The state does not necessarily have to give orders or to exercise physical coercion in order to produce an ordered social world, as long as it is capable of producing embodied cognitive structures that accord with objective structures and thus of ensuring the belief of which Hume spoke—namely, doxic submission to the established order.

This being said, it should not be forgotten that such primordial political belief, this doxa, is an orthodoxy, a right, correct, dominant vision which has more often than not been imposed through struggles against competing visions. This means that the "natural attitude" mentioned by the phenomenologists, i.e., the primary experience of the world of common sense, is a politically produced relation, as are the categories of perception that sustain it. What appears to us today as self-evident, as beneath consciousness and choice, has quite often been the stake of struggles and instituted only as the result of dogged confrontations between dominant and dominated groups. The major effect of historical evolution is to abolish history by relegating to the past, i.e., to the unconscious, the lateral possibles that it eliminated. The analysis of the genesis of the state as the foundation of the principles of vision and division operative within its territorial expanse enables us to understand at once the doxic adherence to the order established by the state as well as the properly political foundations of such apparently natural adherence. Doxa is a particular point of view, the point of view of the dominant, when it presents and imposes itself as a universal point of view—the point of view of those who dominate by dominating the state and who have constituted their point of view as universal by constituting the state.

Thus, to account fully for the properly symbolic dimension of the power of the state, we may build on Max Weber's decisive contribution (in his writings on religion) to the theory of symbolic systems by reintroducing specialized agents and their specific interests. Indeed, if he shares with Marx an interest in the function—rather than the structure—of symbolic systems, Weber nonetheless has the merit of calling attention to the producers of these particular products (religious agents, in the case that concerns him) and to their *interactions* (conflict, competition, etc).³⁷ In opposition to the Marxists, who have overlooked the existence of specialized agents of production (notwithstanding a famous text

³⁶ David Hume, "On the first Principles of Government," in *Essays and Treatises on Several Subjects*, 1758.

³⁷ For a fuller discussion, see P. Bourdieu, "Legitimation and Structured Interests in Weber's Sociology of Religion," pp. 119–136 in *Max Weber, Rationality and Modernity*, edited by Sam Whimster and Scott Lash, London, Allen and Unwin, 1987.

of Engels which states that to understand law one needs to focus on the corporation of the jurists), Weber reminds us that, to understand religion, it does not suffice to study symbolic forms of the religious type, as Cassirer or Durkheim did, nor even the immanent structure of the religious message or of the mythological corpus, as with the structuralists. Weber focuses specifically on the producers of the religious message, on the specific interests that move them and on the strategies they use in their struggle (e.g., excommunication). In order to grasp these symbolic systems simultaneously in their function, structure and genesis, it suffices, thence, to apply the structuralist mode of thinking (completely alien to Weber) not solely to the symbolic systems or, better, to the space of *position takings* or stances adopted in a determinate domain of practice (e.g., religious messages), but to the system of agents who produce them as well or, to be more precise, to the space of *positions* they occupy (what I call the religious field) in the competition that opposes them.³⁸

The same holds for the state. To understand the symbolic dimension of the effect of the state, and in particular what we may call the *effect of universality*, it is necessary to understand the specific functioning of the bureaucratic microcosm and thus to analyze the genesis and structure of this universe of agents of the state who have constituted themselves into a state nobility by instituting the state,³⁹ and in particular, by producing the performative discourse on the state which, under the guise of saying what the state is, caused the state to come into being by stating what it should be—i.e., what should be the position of the producers of this discourse in the division of labor of domination. One must focus in particular on the structure of the juridical field and uncover both the generic interests of the holders of that particular form of cultural capital, predisposed to function as symbolic capital, that is juridical competence, as well as the specific interests imposed on each of them by virtue of their position in a still weakly autonomous juridical field (that is, essentially in relation to royal power). And to account for those effects of universality and rationality I just evoked, it is necessary to understand why these agents had an interest in giving a universal form to the expression of their vested interests, to elaborate a theory of public service and of public order, and thus to work to autonomize the *reason of state* from dynastic reason, from the “house of the king,” and to invent thereby the *Res publica* and later the republic as an instance transcendent to the agents (the King included) who are its temporary incarnations. One must understand how, by virtue and because of their specific capital and particular interests, they were led to produce a discourse of state which, by providing justifications for their own positions, constituted the state—this *factio juris* which slowly stopped being a mere fiction of jurists to become an autonomous order capable of imposing ever more widely the submission to its functions and to its functioning and the recognition of its principles.

THE MONOPOLIZATION OF MONOPOLY AND THE STATE NOBILITY

The construction of the state monopoly over physical and symbolic violence is inseparable from the construction of the field of struggles for the monopoly over the advantages attached to this monopoly. The relative unification and universalization associated with the emergence of the state has for counterpart the monopolization by the few of the

³⁸ For a fuller demonstration of this point, see P. Bourdieu, “Genesis and Structure of the Religious Field,” *Comparative Social Research*, 13, 1991, pp. 1–43 (first pub. 1971).

³⁹ Pierre Bourdieu, *La noblesse d'Etat*, Paris, Editions du Seuil, 1989, especially part V.

universal resources that it produces and procures (Weber, and Elias after him, ignored the process of constitution of a statist capital and the process of monopolization of this capital by the state nobility which has contributed to its production or, better, which has produced itself as such by producing it). However, this *monopoly of the universal* can only be obtained at the cost of a submission (if only in appearance) to the universal and of a universal recognition of the universalist representation of domination presented as legitimate and disinterested. Those who—like Marx—invert the official image that the bureaucracy likes to give of itself, and describe bureaucrats as usurpators of the universal who act as private proprietors of public resources, ignore the very real effects of the obligatory reference to the values of neutrality and disinterested loyalty to the public good. Such values impose themselves with increasing force upon the functionaries of the state as the history of the long work of symbolic construction unfolds whereby the official representation of the state as the site of universality and of service of the general interest is invented and imposed.

The monopolization of the universal is the result of a work of universalization which is accomplished within the bureaucratic field itself. As would be revealed by the analysis of the functioning of this strange institution called *commission*, i.e., a set of individuals vested with a mission of general interest and invited to transcend their particular interests in order to produce universal propositions, officials constantly have to labor, if not to sacrifice their particular point of view on behalf of the “point of view of society,” at least to constitute their point of view into a legitimate one, i.e., as universal, especially through use of the rhetoric of the official.

The universal is the object of universal recognition and the sacrifice of selfish (especially economic) interests is universally recognized as legitimate. (In the effect to rise from the singular and selfish point of view of the individual to the point of view of the group, collective judgement cannot but perceive, and approve, an expression of recognition of the value of the group and of the group itself as the fount of all value, and thus a passage from “is” to “ought”). This means that all social universes tend to offer, to varying degrees, material or symbolic profits of universalization (those very profits pursued by strategies seeking to “play by the rule”). It also implies that the universes which, like the bureaucratic field, demand with utmost insistence that one submits to the universal, are particularly favorable to obtaining such profits. It is significant that administrative law which, being aimed at establishing a universe of dedication to the general interest, has the obligation of neutrality as its fundamental law the obligation of neutrality, should institute as a practical principle of evaluation the suspicion of generosity: “the government does not make gifts”; any action by a public bureaucracy which individually benefits a private person is suspect if not illegal.

The profit of universalization is no doubt one of the historical engines of the progress of the universal. This is because it favors the creation of universes where universal values (reason, virtue, etc.) are at least verbally recognized and wherein operates a circular process of mutual reinforcement of the strategies of universalization seeking to obtain the profits (if only negative) associated with conformity to universal rules and to the structures of those universes officially devoted to the universal. The sociological vision cannot ignore the discrepancy between the official norm as stipulated in administrative law and the reality of bureaucratic practice, with all its violations of the obligation of disinterestedness, all the cases of “private use of public services” (from the diversion of public goods and functions to graft to corruption). Nor can it ignore the more perverse abuses of law and the administrative tolerances, exemptions, bartering of favors, that result from the faulty

implementation or from the transgression of the law. Yet sociology cannot for all that remain blind to the effects of this norm which demands that agents sacrifice their private interests for the obligations inscribed in their function (“the agent should devote himself fully to his function”), nor, in a more realistic manner, to the effects of the interest to disinterestedness and of all those forms of “pious hypocrisy” that the paradoxical logic of the bureaucratic field can promote.