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Deinstitutionalization as a way of corrosion of the state's claim to a monopoly on legitimate violence: an approach based on Pierre Bourdieu, François Dubet and Danilo Martuccelli

A desinstitucionalização como forma de corrosão da pretensão do monopólio estatal da violência legítima: uma abordagem a partir de Pierre Bourdieu, François Dubet e Danilo Martuccelli

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Abstract

This article aims to discuss the impact of deinstitutionalization on the state's claim to a monopoly of legitimate physical and symbolic violence. Thus, in the first place, starting with a concise approach to the concepts of field, capital, and habitus, it presents, without pretension to a critical distancing (which would be incompatible with its dimensions and purposes), the general aspects of Pierre Bourdieu's reflection about the State. For this purpose, it then examines the thesis proposed by the author about the State as an institution responsible for the (re)production and canonization of forms of social classification. After this examination, it focuses on fundamental aspects of the analysis undertaken by François Dubet and Danilo Martuccelli about the process of deinstitutionalization to indicate some of its effects on the State.

Keywords: State; Symbolic power; Legitimacy; Deinstitutionalization; Individualization.

Resumo

O presente artigo pretende discutir o impacto da desinstitucionalização sobre a pretensão de monopólio da violência legítima, física e simbólica, por parte do Estado. Assim, em primeiro lugar, partindo de uma concisa abordagem dos conceitos de campo, de capital e de *habitus*, apresenta, sem pretensão a um distanciamento crítico (que seria incompatível com as suas dimensões e propósitos), os aspectos gerais da reflexão de Pierre Bourdieu acerca do Estado. Em seguida, examina a tese proposta pelo autor acerca do Estado como instituição responsável pela (re)produção e canonização das formas de classificação social. Após esse exame, enfoca aspectos fundamentais da análise empreendida por François Dubet e Danilo Martuccelli acerca do processo de desinstitucionalização para, a partir dela, indicar alguns dos seus efeitos sobre o Estado.

Palavras-chave: Estado; Poder simbólico; Legitimidade; Desinstitucionalização; Individualização.



Introduction

It can be said that, throughout its development, the social sciences have paid particular attention to the state.¹ This is a concern that has already been clearly expressed in the work of the founders of sociology, especially Émile Durkheim, Max Weber, and Karl Marx, and which is also expressed in the work of highly expressive contemporary authors such as Anthony Giddens, Jürgen Habermas, Niklas Luhmann, and Pierre Bourdieu. The strongly interdisciplinary subject has also attracted the attention of political anthropologists such as Pierre Clastres and Georges Balandier, historians such as Quentin Skinner, Perry Anderson, and Pierre Rosanvallon, political scientists such as Bertrand Badie, Charles Tilly, and Theda Skocpol, and contemporary philosophers such as Ernst Cassirer, Louis Althusser, and Michel Foucault.² However, the topic is also central to authors more directly involved in socio-legal studies and legal theory.³

Given that the subject of the state is addressed by a myriad of authors from the most varied backgrounds and with disparate interests and purposes, any attempt to draw up an exhaustive inventory of the production concerned with it is invariably doomed to failure.⁴ Thus, considering the monumental and multifaceted literature in the social

¹ As Bezes and Pierru (2019, p. 584) emphasize, "in the development of the social sciences, the sociology of the State has historically been the first way to approach public activities. All the founding fathers of sociology (Durkheim, Marx, Weber) and, a fortiori, of political science have proposed analyses of the State, articulating the creation of a legal-regulatory State, the construction of a professional administration and a general reflection on economic, social and political modernity. These pioneering perspectives gave birth to a first grammar of the analysis of power, rich and intégratrice, in terms of bureaucratization, territorialization, monopolization, the construction of a "centre" and the civilization of individual masters which, after the war, structured the comparative analysis of the State [...]." ["In the development of the social sciences, the sociology of the state was historically the first way of approaching public activities. All the founders of sociology (Durkheim, Marx, Weber) and, a fortiori, of political science proposed analyses of the state that articulated the establishment of a legal-rational state, the construction of a professionalized administration and a general reflection on economic, social and political modernity. These pioneering perspectives gave rise to a first grammar of power analysis, rich and integrative, in terms of bureaucratization, territorialization, monopolization, the construction of a 'center' and the civilization of individual customs that structured, in the post-war period, the comparative analysis of the State [...]." (freely translated from the original)].

² Classics of Brazilian thought, from Sérgio Buarque de Holanda, Caio Prado Júnior and Raymundo Faoro to Fernando Henrique Cardoso, Octávio Ianni and Francisco Weffort, including Simon Schwartzman, Roberto DaMatta and Florestan Fernandes, also attach particular importance to the state in their analyses.

³ Specifically with regard to socio-legal studies, taking into account the intellectual tradition in which the authors who will be used as a basis for this analysis are inscribed, see, in particular: Arnaud (2003; 2004); Chevallier (2008; 2011); Commaille (2015). In the Brazilian context, for illustrative purposes only, it is worth mentioning: Campilongo (2002) and Faria (2011). In the field of legal theory, see also, for illustrative purposes only: Kelsen (2006 [1945]); Troper (2011) and, in Brazil, Ferraz Jr. (2011).

⁴ For an analysis of this kind, Rosanvallon's observation (1990, p. 10) is pertinent: "il y a encore beaucoup de thèses à rédiger, de monographies à dresser et de montagnes d'archives à remuer pour songer à rédiger une histoire générale de l'État." ["There are still many theses to write, monographs to prepare and mountains of archives to move in order to think about writing a general history of the State." (freely translated from the original)]



sciences on the subject of the state, it is essential to choose a specific theoretical framework to avoid a superficial and eclectic approach. Considering the above, this article will use Bourdieu's perspective (1993; 1994; 2003 [1997]; 2012) to discuss the effects of deinstitutionalization, in the terms that Dubet and Martuccelli (1998) understand it.

However, the selection of a reference implies justification and, in this respect, the choice of Pierre Bourdieu's work is justified due to the breadth of his analysis, the consistency of his conclusions, and the wide range of authors (classic and contemporary) he focuses on. In this sense, it is worth noting that his book entitled *Sur l'État*, which brings together the courses he gave at the *Collège de France* between 1989 and 1992, is one of the most relevant current contributions to the treatment of questions relating to the sociogenesis, structure, and function of the state.⁵ As will be seen below, Bourdieu (2012, p. 66-67), in his expressive analysis, conceives of the state as an institution which, as such, consists of what the author defines as "organized fiduciary", that is, as "organized trust" or "organized belief".

From this perspective, Bourdieu (2012, p. 67) argues that a given institution is a kind of "collective fiction" that becomes real because of the belief placed in it. However, the author also points out that institutions are characterized by automatism since they refer to regular, repetitive, constant, and automatic processes. Furthermore, institutions exist independently of the people who inhabit them.⁶ Finally, Bourdieu (2012, p. 263) emphasizes that institutions always exist in two forms: in reality (in Civil Registers, Codes, and bureaucratic forms, for example) and in "people's brains". Consequently, an institution only works if there is a correspondence between the "objective structures" and the "subjective structures".⁷

⁵ The course given at the *Collège de France* between 1989 and 1992 can be found in Bourdieu (2012). See especially: Lenoir (2012b) and Villas Bôas Filho (2020a; 2021a; 2021b).

⁶ According to Bourdieu (2012, p. 67), "les institutions sont du fiduciaire organisé et doué d'automatisme. Le fiduciaire, une fois qu'il est organisé, fonctionne comme un mécanisme. [...] On parle de mécanismes pour dire que ce sont des processus réguliers, répétitifs, constants, automatiques, qui réagissent à la façon d'un automatisme. Ce fiduciaire existe indépendamment des gens qui habitent les institutions considérées." [The institutions are the organized fiduciary endowed with automatism. The fiduciary, once organized, functions like a mechanism. [...] We speak of mechanisms to say that they are regular, repetitive, constant, automatic processes that react in the manner of an automatism. This fiduciary exists independently of the people who inhabit the institutions in question." (freely translated from the original)].

⁷ According to Bourdieu (2012, p. 263), "une institution ne marche lorsqu'il y a correspondance entre des structures objectives et des structures subjectives." ["an institution only works when there is a correspondence between objective structures and subjective structures." (freely translated from the original)].



In turn, Dubet and Martuccelli (1998) point out that institutions designate how a given society ensures its social integration through socialization, social control, and the maintenance of values. Therefore, from this perspective, they would be an instrument for training individuals. However, the authors note that institutions, in addition to their socialization functions, encompass legal agencies of political life, enabling peaceful management of social conflicts.⁸ It would, therefore, be possible to indicate the existence of a broad and a narrow sense of the concept of institution.⁹ Thus, according to Martuccelli (2019), in a broad sense, the concept refers to all the ways of acting, thinking, and feeling that exist in any form of social life. However, in the strict sense, it expresses a limited number of legitimate principles embodied in certain social organizations that constitute real programs of action.

However, authors such as Danilo Martuccelli, François Dubet, and Jose Santiago have emphasized the effects of the deinstitutionalization process on the gradual corrosion of the action programs once provided by institutions.¹⁰ In this way, Dubet and Martuccelli (1998, p. 147) point out that, over the last few decades, the latter have experienced a progressive impairment of their capacity to socialize individuals through "institutional programs" that enshrine principles and values (religious or secular). Consequently, deinstitutionalization engenders the separation of two processes traditionally juxtaposed by classical sociology: socialization and subjectivation.¹¹ It will be pointed out here that this situation has consequences for the state's claim to a monopoly on legitimate violence,

⁸ Dubet and Matuccelli (1998, p. 65) argue that "la notion d'institution évoque aussi l'instauration d'un ordre symbolique, d'une structure mythique transformée en structure psychique, d'une loi plus large que les lois du droit. Autrement dit, partant d'un problème d'intégration, la notion d'institution a eu vocation à embrasser la totalité de la société en étudiant le processus de production des individus." ["The notion of institution also evokes the establishment of a symbolic order, of a mythical structure transformed into a psychic structure, of a law broader than the laws of law. In other words, starting from a problem of integration, the notion of institution sought to encompass the whole of society by studying the process of production of individuals." (freely translated from the original)]. It is worth noting that Dubet (1994, p. 170) associates the concept of institution, in its strict sense, with "une forte capacité d'intégration fonctionnelle autour des valeurs centrales [...]" (a strong capacity for functional integration around central values [...]).

⁹ It could be said that "institution" is a kind of "plastic word", in the sense that Uwe Pörksen defines it. In this respect, it is worth noting that Pörksen (1995 [1988]) uses the expression "plastic words" (*Plastikwörter*) to describe words that are extraordinarily malleable, but empty in terms of their real meaning. Thus, "plastic words", which sneak into everyday language and come to dictate our way of thinking, would be characterized by precise and restricted definitions when used in a scientific or technological context. However, this precision and definition would disappear when they are widely disseminated in common use. For uses of the notion of "plastic words" (*Plastikwörter*) in social science discussions, see, for example: Mattei and Nader (2008); Villas Bôas Filho (2016a; 2016b; 2019b).

¹⁰ See especially: Dubet and Martuccelli (1998) and Martuccelli and Santiago (2017).

¹¹ In the same vein, see: Martuccelli and Santiago (2017).



both physical and symbolic, in the terms defined by Bourdieu (1993; 1994; 2003 [1997]; 2012).

Given these considerations, this article aims to present, without pretending to be critically distanced (which would be incompatible with its dimensions and purposes), the general aspects of Bourdieu's (1993; 1994; 2003 [1997]; 2012) reflection on the state to discuss the impact of deinstitutionalization on its claim to monopolize legitimate physical and symbolic violence.¹² To this end, we will first take a concise look at the concepts of field, capital, and *habitus*, which structure Pierre Bourdieu's thinking. Next, we will examine the thesis proposed by the author about the state as the institution responsible for the (re)production and canonization of forms of social classification. After this examination, we will focus on some fundamental aspects of the analysis undertaken by Dubet and Martuccelli (1998) regarding the process of deinstitutionalization and then indicate some of its effects on the state. Finally, in a brief conclusion, we will summarize the subject.

1. General aspects of Pierre Bourdieu's thought: elements for an approach to the centrality of the state

Pierre Bourdieu's work is undoubtedly one of the most significant expressions of contemporary sociology.¹³ Drawing on the thoughts of Karl Marx, Émile Durkheim, and

¹² For criticisms of Bourdieu's thinking, see, for example: Martuccelli (1999); Martuccelli and Santiago (2017); Commaille (2015); Heinich (2007); Lahire (2005 [1998]; 2006). For a concise analysis of critical appropriations of Bourdieu's thought by authors such as Jean-Claude Passeron, Claude Grignon, Michel Dobry, Bernard Lahire, Luc Boltanski and Laurent Thévenot, see: Corcuff (2007). For a concise reconstruction of Bernard Lahire's perspective that contrasts it with Bourdieu's, see: Martuccelli and Singly (2012). For further developments of Bourdieu's thinking, see also: Jourdain and Naulin (2011). One could, for example, discuss the "hexagonal" character (in the sense of being strongly rooted in French social experience) of Bourdieu's understanding of the state and law. For a brief comparison with André-Jean Arnaud's perspective, see: Villas Bôas Filho (2018b; 2019c). In this regard, García Villegas (2004) observes that Bourdieu's conception of law is based on a theory of political domination centered on the state and strongly linked to the political history of France. For a more concise development of this argument, see: García Villegas (2015). For his part, Ost (2021) points out that, as a result of his distrust of the law and jurists (whom he calls "guardians of collective hypocrisy"), Bourdieu would be led to conceive of the law as a game of appearances that would only conceal (euphemize) its intrinsic violence.

¹³ For excellent introductions to Pierre Bourdieu's thinking, see, for example: Bouveresse (2003); Jourdain and Naulin (2011); Mounier (2001) and Pinto (2002). Regarding law in Bourdieu's thinking, see especially: Caillousse (2004); García Villegas (2004); Guibentif (2007; 2010); Lenoir (2004); Roussel (2004); Sckell (2016). With regard to politics, see, for example: Gambarotta (2016) and Riutort (2012).



Max Weber originally and creatively,¹⁴ the author of *La Distinction* developed a complex social theory in which particular attention is paid to the mechanisms of domination and social reproduction and which, as we know, is fundamentally articulated around the notions of "field", "capital" and *habitus*¹⁵ to propose a description of modern society that sees it as structurally differentiated into various fields, understood as social spaces that constitute a kind of "market" for specific capitals, in the midst of which agents, occupying asymmetrical positions, are in dispute.¹⁶

Thus, as Corcuff (2007) observes, from Bourdieu's perspective, each field is characterized by specific mechanisms for "capitalizing" on the legitimate resources that are specific to them. Consequently, the one-dimensional conception of capital, which reduces it to its economic dimension alone, has been replaced by another that breaks it down into various dimensions (cultural, political, symbolic, etc.). As a result, a one-dimensional representation of social space would be replaced by another that sees it as multidimensional, in other words, as made up of various "microcosms" that differ from each other by the "specific legalities" that govern the interaction of the agents who pass through them.¹⁷

On the other hand, as Bourdieu emphasizes (1980, p. 87 ff.; 2003 [1997], p. 200-205), each field consists of the institutionalization of a point of view in "things" and *habitus* understood as "systems of durable and transposable dispositions" that constitute "generating and organizing principles" of practices and representations that can be objectively adapted to their ends without this implying the necessary awareness on the part of the agent. Therefore, according to Bourdieu, *habitus*, as a system of dispositions for practice, constitutes an objective basis for regular conduct, predisposing agents who are endowed with it to behave in a certain way in certain circumstances.¹⁸ For this reason,

¹⁴ On the influence of Durkheim, Marx, and Weber on Bourdieu's work, see, for example, Berthelot (2008); Corcuff (2007); Jourdain and Naulin (2011) and Fabiani (2016). With specific regard to the influence of Marx, see: Mauger (2012). As for Weber's, see: Lenoir (2012a). With regard to Durkheim, see: Pinto (2012).

¹⁵ On the centrality of these three concepts, see especially: Bourdieu (2015; 2016).

¹⁶ For a more detailed characterization of the notion of field, see, in particular: Bourdieu (2002 [1984]; 2003 [1997]; 2015; 2022). For an analysis of this issue, see: Fabiani (2005) and Lahire (2005).

¹⁷ As Bourdieu (2003 [1997], p. 143) emphasizes, "le principe de vision et de division et le mode de connaissance (religieux, philosophique, juridique, scientifique, artistique, etc.) qui ont cours dans un champ, en association avec une forme spécifique d'expression, ne peuvent être connus et compris qu'en relation avec la légalité spécifique de ce champ comme microcosme social." ("the principle of vision and division and the mode of knowledge (religious, philosophical, legal, scientific, artistic, etc.) that prevail in a field, in association with a specific form of expression, can only be known and understood in relation to the specific legality of that field as a social microcosm"). See especially: Bourdieu (2022).

¹⁸ For a particularly enlightening analysis of this, see: Bourdieu (1986a). In this respect, Corcuff (2007, p. 28) observes that "c'est donc la rencontre de l'habitus et du champ [...] qui apparaît comme le mécanisme



opposing the assumption of a conscious calculation as the principle that generates actions, Bourdieu emphasizes the "ontological complicity" relationship between *habitus* and field, expressed precisely in this pre-reflective agreement between agent and social world.¹⁹

Bourdieu (1994, p. 119 and 158-160; 2003 [1997], 142-143) also argues that the emergence of this configuration, characterized by the existence of "autonomous fields" which, in his view, is typical of modernity, is the result of a progressive process of differentiation of the social world. For this reason, Martuccelli (1999) places Bourdieu's work in the context of the "matrix of social differentiation" which, drawing on authors such as Émile Durkheim, Talcott Parsons, and Niklas Luhmann, proposes a sociological interpretation of the modern social configuration that emphasizes the passage from the simple to the complex, from the homogeneous to the heterogeneous, maintaining significant "elective affinities" with a functionalist conception.²⁰

It is worth noting that Bourdieu (1987, p. 147) claims to start from a perspective he calls *constructivist structuralism* or *structuralist constructivism*.²¹ About the assumption of a structuralist conception (which, according to him, is not to be confused with those that developed from Ferdinand Saussure or Claude Lévi-Strauss), it is a

principal de production du monde social. Bourdieu reprend ici au Jean-Paul Sartre de *Question de méthode* (1960), en s'efforçant de rendre opératoire pour des travaux empiriques, le double mouvement d'intériorisation de l'extérieur et d'extériorisation de l'intérieur." ["It is therefore the meeting of *habitus* and field [...] that appears as the main mechanism for the production of the social world. Bourdieu takes up Jean-Paul Sartre's *Question of Method* (1960) in an attempt to make the double movement of internalization of the exterior and externalization of the interior operative for empirical work." (freely translated from the original)]. On the question of *habitus*, see also: Corcuff (2005).

¹⁹ According to Bourdieu (1994, p. 154), "à la réduction au calcul conscient, j'oppose le rapport de complicité ontologique entre l'*habitus* et le champ. Il y a entre les agents et le monde social un rapport de complicité infra-consciente, infra-linguistique [...]." ["To the reduction to conscious calculation, I oppose the relationship of ontological complicity between the *habitus* and the field. Between the agents and the social world, there is a relationship of infraconscious, infralinguistic complicity [...]." (freely translated from the original)].

²⁰ Referring to Bourdieu, Martuccelli (1999, p. 109-110) states that "dans son œuvre, il est facile de repérer une distinction essentielle entre les sociétés peu différenciées et les sociétés hautement différenciées, classement qui suit de près le récit des sociétés modernes qui s'est lentement forgé dans la filiation de la matrice de la différenciation sociale. [...] C'est en effet de la différenciation sociale que découle la préoccupation essentielle de Bourdieu, établir un principe de domination à travers différents champs historiquement constitués et montrer la forte adéquation entre les exigences de chaque champ, les positions sociales occupées et les dispositions individuelles." ["In his work, it is easy to identify an essential distinction between poorly differentiated societies and highly differentiated societies, a classification that closely follows the narrative of modern societies that was slowly forged in affiliation with the matrix of social differentiation [...]. It is, in fact, from social differentiation that Bourdieu's essential concern is to establish a principle of domination through different historically constituted fields and to show the strong match between the demands of each field, the social positions occupied and individual dispositions." (freely translated from the original)]. For an analysis of the sociological matrices of modernity based on Martuccelli's work, see: Gonçalves and Villas Bôas Filho (2013) and Villas Bôas Filho (2009; 2019b).

²¹ In this respect, Corcuff (2007, p. 27) observes that "Bourdieu définit le 'constructivisme structuraliste' à la jonction de l'objectif et du subjectif [...]." (freely translated from the original).



question of sustaining the existence, in the social world itself, of objective structures, independent of the consciousness. The agents will be capable of guiding or coercing their practices or representations. As far as the constructivist dimension of his thinking is concerned, this leads him to argue, on the one hand, for the social genesis of the schemes of perception, thought, and action that make up the *habitus* and, on the other, for the existence of social structures, especially social camps, groups, and classes.²²

As Martuccelli (1999) observes, the central problem that permeates Bourdieu's work consists of the articulation between the various processes of differentiation, described based on the existence of multiple social fields and the agents' ability to adapt, through their *habitus*.²³ Therefore, moving away from the tradition that, since Ferdinand Tönnies (2011 [1887]), has been based on the divide between *Gemeinschaft* and *Gesellschaft*, Bourdieu, drawing on his ethnological research in Algeria,²⁴ argues that the "ontological complicity" between "agent" and "situation" is the normal operating principle of all societies, even highly differentiated ones.²⁵ It is worth mentioning, however, that Martuccelli (1999) problematizes the thesis of the "ontological complicity" between the agents' dispositions, engendered by *habitus*, and the morphology of the

²² However, as Corcuff (2007, p. 34-35) points out, "la priorité donnée par Bourdieu aux aspects objectifs de la réalité l'amène aussi parfois à réactiver le couple apparence/réalité, qui tendrait à éloigner sa sociologie de l'univers constructiviste. [...] L'analyse de la construction sociale de la réalité est alors quelque peu limitée par une telle opposition entre une vraie réalité (objective) et une fausse réalité (subjective), car la dialectique du subjectif et de l'objectif y apparaît enrayée." ["Bourdieu's prioritization of the objective aspects of reality also sometimes leads him to reactivate the appearance/reality pair, which would tend to distance his sociology from the constructivist universe. [...] The analysis of the social construction of reality is then somewhat limited by such an opposition between a true (objective) reality and a false (subjective) reality, because the dialectic of the subjective and the objective seems to be blocked." (freely translated from the original)].

²³ However, as Martuccelli (1999, p. 33) points out, "Bourdieu [...] ne se lasse pas de répéter l'imbrication intime existant entre l'agent et les champs, organisée autour de la notion d'*habitus*, et ne cesse pourtant de donner empiriquement la preuve de leurs multiples désaccords au cœur de la modernité." ["Bourdieu [...] never tires of repeating the intimate imbrication existing between the agent and the fields, organized around the notion of *habitus*, and yet he never ceases to give empirical evidence of their multiple disagreements at the heart of modernity." (freely translated from the original)].

²⁴ See, for example: Martuccelli (1999); Yacine (2005). In fact, Guibentif (2007), contrasting Bourdieu's work with that of Foucault, Habermas and Luhmann, observes that his concern with fieldwork would make his analyses closer to "social reality". See also: Guibentif (2010).

²⁵ This aspect is particularly well analyzed by Martuccelli (1999, p. 111) who, referring to Bourdieu's thought, points out that it is characterized by being based "sur une correspondance étroite entre l'agent et les situations, sur leur complicité ontologique, et faire de cet accord le principe de fonctionnement normal de toute société. [...] Bourdieu ne nie pas le mouvement inhérent à la modernité. [...] Mais la prise en compte pratique de ce mouvement n'a d'autre fonction que de réaffirmer la présence, au sein des sociétés hautement différenciées, de l'indifférenciation entre les attitudes et les structures." ["on the close correspondence between the agent and the situations, on their ontological complicity, and to make this agreement the principle of the normal functioning of any society. [...] Bourdieu does not deny the movement inherent in modernity. [...] But the practical consideration of this movement has no other function than to reaffirm the presence, within highly differentiated societies, of the indifferenciation between attitudes and structures." (freely translated from the original)].



fields, confining it to traditional societies and the upper strata of differentiated societies.²⁶ In addition, as Lahire (2005 [1998]) argues, the diversity of forms of socialization undermines Bourdieu's thesis of the unity and homogeneity of class *habitus*.²⁷

However, as Martuccelli (1999) emphasizes, Bourdieu obviously does not disregard the significant differences between traditional and modern societies, emphasizing, among other things, that in the transition from the former to the latter, there would be a gradual replacement of the primacy of symbolic capital, based on the logic of honor and prestige, by economic capital, which would become dominant. However, this article cannot analyze all the aspects listed by Martuccelli (1999) to highlight the distinguishing factors between these two types of social formation in Bourdieu's thinking.²⁸ For the purposes outlined here, it is important to emphasize the transformation experienced by how domination is exercised in the transition to modernity. This is the gradual replacement of diffuse symbolic capital, based solely on collective recognition, by objectified symbolic capital, codified, delegated, and guaranteed by the state.²⁹

Thus, according to Bourdieu (1993; 1994; 2003 [1997]; 2012; 2022), modern societies, structured by differentiation into autonomous fields, would be characterized by an intense concentration of symbolic capital in the state which, for this reason, would progressively impose itself as the body that holds the power of naming and, as such, as a kind of "bank of symbolic capital" that guarantees acts of authority that, without its seal, would remain arbitrary and unknown.³⁰ This is because, as Bourdieu (1994, p. 122) argues,

²⁶ According to Martuccelli (1999, p. 125 and 140), "malgré la volonté de Bourdieu d'établir un accord aussi étroit que possible entre l'habitus et le champ, cette relation ne cesse jamais, pratiquement, d'être écartelée. [...] À terme, on ne peut dès lors que se demander où est encore véritablement à l'œuvre la complicité ontologique entre l'habitus et le champ. L'ajustement ne semble vraiment de rigueur que dans le passé et pour les couches supérieures des sociétés différenciées [...]." ["Despite Bourdieu's desire to establish as close an agreement as possible between *habitus* and field, this relationship practically never ceases to be torn apart. [...] In the final analysis, one can only wonder where the ontological complicity between *habitus* and field is still really at work. Adjustment only really seems necessary in the past and for the upper strata of differentiated societies [...]." (freely translated from the original)].

²⁷ See also: Lahire (2006); Martuccelli and Singly (2012).

²⁸ It is worth noting that Martuccelli (1999, p. 112-113) also points to the progressive replacement of symbolic capital by economic capital and increasing codification as characteristics mobilized by Bourdieu to describe the transition from traditional to modern societies.

²⁹ Referring to this process, Bourdieu (1994, p. 122) states that "on passe d'un capital symbolique diffus, fondé sur la seule reconnaissance collective, à un capital symbolique objectivé, codifié, délégué et garanti par l'État, bureaucratisé." [One goes from a diffuse symbolic capital, based only on collective recognition, to an objectified symbolic capital, codified, delegated and guaranteed by the State, bureaucratized." (freely translated from the original)].

³⁰ Referring to the power of nomination, Bourdieu (1994, p. 122) emphasizes that "la nomination est un acte, en définitive, très mystérieux qui obéit à une logique proche de celle de la magie telle que la décrit Marcel



naming belongs to a class of official acts or speeches that are symbolically efficient since they are carried out in situations of authority by "official" characters who act *ex officio*, as holders of an *officium (publicum)*, i.e., a function assigned by the state.³¹

Thus, as Bourdieu (1993; 1994; 2012) emphasizes, as a result of a concentration of different types of capital, the state becomes the holder of a kind of "metacapital" that enables it to exercise power over other symbol types of capital and their respective holders.³² It is precisely for this reason that Bourdieu (1994, p. 123-131; 2003 [1997], p. 252-253) asserts that, in modern societies, the state is primarily responsible for constructing the official categories based on which populations and "spirits" are structured. As seen below, for the author of *Méditations pascaliennes*, the state produces and imposes, especially from school institutions,³³ the categories of thought applied spontaneously to all things and to itself.³⁴ This would lead to the conception of law as normativity emanating exclusively from the state.³⁵

Mauss." ["Naming is, in the final analysis, a very mysterious act that follows a logic close to that of magic as described by Marcel Mauss." (freely translated from the original)].

³¹ Bourdieu (1994, p. 123) exemplifies these acts by referring to the verdicts of a judge or a teacher, notarial procedures, etc.

³² The genesis of the state, as a process of concentration of different types of capital, is widely analyzed by Bourdieu (1993; 1994; 2012). On this issue, see also: Bourdieu and Guibert (1995) and Déloye (2007). However, there is no way to analyze this issue here. It is enough to point out that, according to Bourdieu (1993, p. 52), "the State is the aboutissement d'un processus de concentration des différentes espèces de capital, capital de force physique ou d'instruments de coercition (armée, police), capital économique, capital culturel ou, mieux, informationnel, capital symbolique, concentration qui, en tant que telle, constitue l'État en détenteur d'une sorte de méta-capital, donnant pouvoir sur les autres espèces de capital et sur leurs détenteurs. La concentration de différentes espèces de capital (qui va de pair avec la construction des différents champs correspondants) conduit en effet à l'émergence d'un capital spécifique, proprement étatique, which allows the State to exercise power over the different fields and over the different particular types of capital, and in particular over the rates of change between them (and, of course, over the power relations between their opponents)." ["The state is the culmination of a process of concentration of different types of capital, capital of physical force or instruments of coercion (army, police), economic capital, cultural capital or, better still, informational capital, symbolic capital, a concentration which, as such, constitutes the state as the holder of a kind of metacapital, conferring power over the other capitals and over their holders. The concentration of different types of capital (which goes hand in hand with the construction of the different corresponding fields) leads, in fact, to the emergence of a specific, properly state-owned capital, which allows the state to exercise power over the different fields and over the different particular species of capital and, in particular, over the exchange rates between them (and, at the same time, over the balance of power between their holders)". (freely translated from the original)].

³³ On this issue, see especially: Bourdieu (1989; 1993; 1994; 2012) and Bourdieu and Passeron (1970). It is worth noting that, according to Bert (2011), Foucault, as part of his analysis of power, criticized Pierre Bourdieu and Jean-Claude Passeron's thesis on school domination.

³⁴ On this question, see above all: Bourdieu (1989; 1993; 1994; 2012).

³⁵ It is not possible to elaborate on this in this article. García Villegas (2004, p. 60) points out that, for Bourdieu, "legal authority is the privileged form of power, especially in terms of legitimate symbolic violence - monopolized by the State - which the State both produces and practices." [For Bourdieu, "legal authority is the privileged form of power, especially in terms of legitimate symbolic violence - monopolized by the State - which the State both produces and practices".



Bourdieu (1989; 1993; 1994; 2003 [1997]; 2012) therefore attaches great importance to the state in his work.³⁶ This is a particularly difficult subject to tackle because, as Bourdieu (1993; 1994; 2012) emphasizes, the state itself produces the categories from which we think of it. For this reason, relying especially on the work of Émile Durkheim, Bourdieu (1993; 2012) stresses the need to beware of preconceptions, prejudices, and what he calls "spontaneous sociology". Thus, the analysis undertaken by Bourdieu (2012), despite mobilizing a myriad of authors,³⁷ is particularly attentive to a basic consideration in Durkheim's sociology: the social genesis of our forms of classification.³⁸

Furthermore, Durkheim's "sociological theory of institutions" is important because it argues that understanding an institution implies reconstructing its history; in other words, it requires a genetic study that reconstructs its progressive development.³⁹ This is precisely the strategy adopted by Bourdieu (2012), who, as we know, develops a "genetic sociology" or "social history" of the state to understand it. Thus, for Bourdieu (2012), understanding the state institution must articulate two presuppositions: a) "de-

³⁶ On the state in Pierre Bourdieu's thinking, see: Lenoir (2012b); Sueur (2013); Villas Bôas Filho (2021b). For a thought-provoking contrast between Bourdieu's and Althusser's conceptions of the state, see: Pallotta (2015).

³⁷ In his expressive analysis of the state, Bourdieu (2012) mobilizes, in addition to Marx, Durkheim and Weber, the works of Shmuel Noah Eisenstadt, Perry Anderson, Barrington Moore, Reinhard Bendix, Theda Skocpol, Norbert Elias, Charles Tilly, Philip Corrigan and Derek Sayer. It is worth noting that Bourdieu's (1993; 1994; 2003 [1997]; 2012) reflections on the state, although controversial, provide very useful contributions to socio-legal research, understood as an interdisciplinary field. On interdisciplinarity in socio-legal studies, see, for example: Arnaud (1992); Bailleux and Ost (2013); Dumont and Bailleux (2010); Villas Bôas Filho (2018a; 2019a).

³⁸ On this subject, in addition to the texts mentioned above, see especially Bourdieu (2001).

³⁹ According to Durkheim (2010 [1895]), institutions respond not to particular and contingent interests, but to deep collective tendencies and, as such, are durable. Thus, it would be necessary to study in what sense institutions "fit" or not in a given social environment. There are situations in which an institution may no longer fit into a given social environment (caste system, for example). In that case, the institution would have to transform itself. Hence the need for a comparative and historical study of the institutions. In this respect, Durkheim (2010 [1895], p. 267) states that "pour rendre compte d'une institution sociale, appartenant à une espèce déterminée, on comparera les formes différentes qu'elle présente, non seulement chez les peuples de cette espèce, mais dans toutes les espèces antérieures. [...] Par conséquent, on ne peut expliquer un fait social de quelque complexité qu'à condition d'en suivre le développement intégral à travers toutes les espèces sociales. La sociologie comparée n'est pas une branche particulière de la sociologie; c'est la sociologie même, en tant qu'elle cesse d'être purement descriptive et aspire à rendre compte des faits." ["To account for a social institution belonging to a specific species, we will compare the different forms it presents, not only among the peoples of that species, but in all previous species. [...] Consequently, one cannot explain a social fact of any complexity unless one follows its integral development through all social species. Comparative sociology is not a particular branch of sociology; it is sociology itself, insofar as it ceases to be purely descriptive and aspires to give an account of the facts". (freely translated from the original)]. See especially: Revel (2013 [1995]). Incidentally, it should be noted that this also explains the influence exerted by Durkheim's thinking on authors such as Douglas (1986). For an introduction to Durkheimian legal sociology, see: Villas Bôas Filho (2019b). For Durkheim's reflections on Douglas, see: Villas Bôas Filho (2020a; 2022).



banalization" (emphasis on the artificial/socially constructed character of this institution that shapes our schemes of perception of reality); b) the sociogenetic analysis of this institution.

2. Pierre Bourdieu and the State as the institution responsible for (re)producing and canonizing forms of social classification

The thesis that classification systems are socially produced is widely mobilized by Bourdieu (1994; 2001; 2012).⁴⁰ In his analysis of "symbolic power", for example, Bourdieu (2001, p. 201-205) points out that, since Durkheim, forms of classification have ceased to be considered universal (transcendental) and have become "social forms", i.e., arbitrary (in the sense of being relative to a particular group) and therefore socially determined. In fact, Bourdieu (2012) also argues that the notion of "symbolic form" proposed by Ernst Cassirer - as encompassing not only the constitutive forms of the scientific order but also those of language, myth, and art - has a clear affinity with the analysis of "primitive forms of classification" carried out by Émile Durkheim and Marcel Mauss.⁴¹

However, as Bourdieu (2012, p. 262) emphasizes, while Ernst Cassirer's perspective, in line with the Kantian tradition, considers that "forms of classification" are transcendental and therefore universal, Durkheim's perspective argues that such forms are, in fact historically constituted, i.e., associated with historical conditions of production and therefore arbitrary, i.e., conventional in the Saussurian sense of the term. Therefore, Durkheim's thesis is that "forms of classification" are socially produced and, therefore, conventional as they relate to the structures of a particular group. Consequently, if "cognitive structures" are not without social genesis, the principles of classification should be related to the "structures of the social order" in which "mental structures" are constituted. In other words, there is a "genetic relationship" between "mental

⁴⁰ For a concise reconstruction of this issue, see: Villas Bôas Filho (2020a; 2021a; 2021b).

⁴¹ According to Bourdieu (2012, p. 262), "Cassirer [...] écrit en toutes lettres: « quand je dis 'forme symbolique', je ne dis pas autre chose que ce que dit Durkheim lorsqu'il parle de 'formes primitives de classification' »." ["Cassirer [...] writes in all letters: 'when I say 'symbolic form', I say nothing other than what Durkheim says when he speaks of 'primitive forms of classification'". (freely translated from the original)]. It is worth noting, however, that Cassirer's statement (1992 [1947], p. 22) is not exactly like that. On the question of "primitive forms of classification", see: Durkheim and Mauss (1969 [1903]). See also: Bourdieu (2003 [1997]).



structures", understood as the principles from which physical and social reality is constructed, and "social structures".⁴²

It is worth noting that, based on this assumption, Bourdieu (2012, p. 262) points to the state as a "producer of classification principles", in other words, as an instance capable of engendering "structuring structures" that can be applied to anything, especially social things. According to the author, this is why the state exists as an institution.⁴³ However, Bourdieu (2012, p. 66-67) points out the imprecise nature of the term "institution" in "sociological language" and, therefore, the need to define in more rigorous terms what is meant by it. In this respect, alluding to the notion of institution which, in the Durkheimian tradition, has tended to be identified with the "social", Bourdieu (2016, p. 118-119) stresses the need to define a more restricted meaning.

Firstly, Bourdieu (2016, p. 119) distinguishes between the notions of "institution" and "field",⁴⁴ emphasizing that not everything is instituted in a given social field.⁴⁵ He also points out that fields are not standardized uniformly, i.e., different degrees of institutionalization within different social fields. Thus, according to Bourdieu (2016), considering the specificities of each social field, it would be possible to ask about the degree of institutionalization of the procedures of struggle, success, accumulation, consecration, reproduction, and transmission that correlate with them.⁴⁶ Bourdieu (2016) therefore, correlates "institution" and "codification", "nomination" and "objectification".⁴⁷ However, there is no way to analyze this issue here, as it would require a digression incompatible with the dimensions and scope of this article.

⁴² On this issue, see also: Bourdieu (1994, p. 124-125).

⁴³ Bourdieu (2012, p. 263) argues that "si l'on suit cette tradition, on peut dire que nous avons des formes de pensée produites par l'incorporation de formes sociales, et que l'État existe en tant qu'institution." ["If one follows this tradition, one can say that we have forms of thought produced by the incorporation of social forms, and that the State exists as an institution." (freely translated from the original)]. See especially: Chevallier (2008; 2011); Commaille (2015); Delpuech, Dumoulin e Galembert (2014).

⁴⁴ As we know, the notion of "field" is central to Bourdieu's work. See especially: Bourdieu (1986b; 2002 [1984]; 2003 [1997]; 2012; 2015; 2016; 2022) and Bourdieu and Chartier (2010).

⁴⁵ According to Bourdieu (2016, p. 119), "dans un jeu, un espace ou un champ social, il y a donc de l'institutionnalisé et du non-institutionnalisé." ["In a game, a space or a social field, there is therefore the institutionalized and the non-institutionalized." (freely translated from the original)].

⁴⁶ According to Bourdieu (2016, p. 37), "on pose la question universelle et on s'interroge dans chaque cas sur le degré d'institutionnalisation et les effets liés au degré élevé ou faible d'institutionnalisation des acquisitions antérieurs." [We ask the universal question and ask ourselves in each case about the degree of institutionalization and the effects linked to the high or low degree of institutionalization of previous acquisitions." (freely translated from the original)]

⁴⁷ In this respect, Bourdieu (2016, p. 119) emphasizes that "l'institué serait, selon moi, cet aspect des mécanismes sociaux qui est porté de l'état de régularité à l'état de règle; c'est le produit d'un travail de codification ou d'un acte d'institution qui est, par si, un acte de codification [...] il y a institution lorsque, non seulement les choses se font, mais que quelqu'un doté d'autorité dit comment elles doivent se faire et que la



For the purposes outlined here, it is important to point out that Bourdieu (2012, p. 66-67), in his expressive analysis of the state, defines institutions as "organized fiduciary", in other words, as "organized trust" or "organized belief". In this sense, for Bourdieu (2012, p. 66-67), a given institution would be a kind of "collective fiction" that would become real by the belief placed in it. As already mentioned, Bourdieu (2012) argues that, as an "organized fiduciary", institutions are characterized by automatism since they refer to regular, repetitive, constant, and automatic processes.⁴⁸ Furthermore, institutions exist independently of the people who inhabit them.⁴⁹ Finally, as we have seen, Bourdieu (2012, p. 262) emphasizes that institutions always exist in two forms: in reality (in the civil registry, in the Codes, and bureaucratic forms, for example) and in "people's brains". Bourdieu (2012, p. 263), therefore, states that an institution can only function if there is a correspondence between "objective structures" and "subjective structures".

It is precisely based on these assumptions that Bourdieu (2012), based on the classic Weberian definition of the state, states that the state has a legitimate monopoly on physical and symbolic violence, emphasizing that, ultimately, the latter is a condition for the possession and exercise of the former.⁵⁰ This implies conceiving of the state as a "producer of classification principles", which in turn presupposes the "genetic

forme selon laquelle les choses doivent se faire est l'objet d'une objectivation." ["the instituted would be, in my view, that aspect of social mechanisms which is transported from the state of regularity to the state of rule; it is the product of a work of codification or of an act of institution which is itself an act of codification [...] there is an institution when, not only are things done, but someone endowed with authority says how they should be done and that the way in which things should be done is the object of an objectification."]. (freely translated from the original)]. On the issues of codification, nomination and objectification, see especially: Bourdieu (1986a; 1986b). For an analysis of the role of jurists in the construction of the state, see, in particular: Bourdieu (1991; 1993; 1994 and 2012).

⁴⁸ It is worth noting that Saussois (2012, p. 97), based on authors such as Douglas North, points out that the institutional "structure" (*framework*) conditions the organizational "structure" (or form). Thus, according to the author, these two structures would evolve dynamically to become coherent, if not balanced. For a critical perspective on this relationship, see: Luhmann (2010 [2006]).

⁴⁹ As already mentioned, for Bourdieu (2012), institutions are the organized fiduciary endowed with automatism.

⁵⁰ Bourdieu (2012, p. 14) states that "j'ai fait, il y a déjà plusieurs années, une addition à la définition célèbre de Max Weber qui définit l'État [comme le] 'monopole de la violence légitime', que je corrige en ajoutant: 'monopole de la violence physique et symbolique'; on pourrait même dire: 'monopole de la violence symbolique légitime', dans la mesure où le monopole de la violence symbolique est la condition de la possession de l'exercice de la violence physique elle-même." ["A few years ago, I made an addition to Max Weber's famous definition of the state [as the] 'monopoly of legitimate violence', which I corrected by adding: 'monopoly of physical and symbolic violence'; one could even say: 'monopoly of legitimate symbolic violence', insofar as the monopoly of symbolic violence is the condition of the possession of the exercise of physical violence itself." (freely translated from the original)]. On this subject, see: Weber (2002 [1922], p. 1056 e ss.). On the Weberian definition of the state, see, for example: Colliot-Thélène (2006); Fleury (2009); Freund (1987); Hübinger (2009); Lassman (2000).



relationship" between "mental structures" and "social structures". Thus, in line with Émile Durkheim and Marcel Mauss,⁵¹ Bourdieu (1994; 2003 [1997]; 2012) explains "symbolic domination", i.e., the spontaneous adherence of individuals to the social order in which they are inscribed, stressing that their mental categories are largely produced socially and, in the modern Western context, especially by the state.⁵²

Drawing on Durkheim's distinction between "logical integration" and "moral integration", Bourdieu (2012, p. 15) asserts that the state, as it is generally understood, appears to be the foundation of these two forms of integration. According to Bourdieu (2012, p. 15), "logical integration", as Durkheim sees it, consists of the fact that the agents in the social world share the same logical perceptions that lead to an immediate agreement resulting from being guided by identical categories of thought, perception, and construction of reality. "Moral integration" would consist of agreement on certain values.⁵³ However, for Bourdieu (2012, p. 15-16), in his readings of Durkheim's work, there is a tendency to consider only the issue of "moral integration", leaving aside what, in his view, would constitute its fundamental aspect: "logical integration".⁵⁴

Therefore, by defining the state as having a monopoly on legitimate violence, both physical and symbolic, Bourdieu (2012) illustrates this thesis of logical integration, i.e., the social sharing of categories of perception and forms of thought, by alluding to the role of the state in the social construction of the structure of temporality. Thus, alluding to the historian Lucien Febvre's classic book on Rabelais (*Le problème de l'incroyance au XVI^e siècle: la religion de Rabelais*), Bourdieu (2012, p. 23) points out that the 16th century

⁵¹ Cf. Durkheim (2013 [1912], p. 23-25) and especially Durkheim and Mauss (1969 [1903]).

⁵² Bourdieu (1994, p. 114-115) states that "l'État façonne les structures mentales et impose des principes de vision et de division communs, des formes de pensée qui sont à la pensée cultivée ce que les formes primitives de classification décrites par Durkheim et Mauss sont à la 'pensée sauvage', contribuant par là à construire ce que l'on désigne communément comme l'identité nationale – ou, dans un langage plus traditionnel, le caractère national." ["The state shapes mental structures and imposes common principles of vision and division, forms of thought that are for cultivated thought what the primitive forms of classification, described by Durkheim and Mauss, are for 'savage thought', thus contributing to constructing what is commonly referred to as national identity - or, in more traditional language, the national character." (freely translated from the original)]. In the same vein, see: Bourdieu (2003 [1997]; 2012).

⁵³ For this reason, referring to the State, Bourdieu (2003 [1997], p. 249) states that "il est de ce fait le fondement d'un 'conformisme logique' et d'un 'conformisme moral' (les expressions sont de Durkheim), d'un consensus préreflexif, immédiat, sur le sens du monde, qui est au principe de l'expérience du monde comme 'monde du sens commun'". ["It is therefore the foundation of a 'logical conformism' and a 'moral conformism' (Durkheim's expressions), of a pre-reflexive, immediate consensus on the meaning of the world, which is the principle of the experience of the world as a 'world of common sense'." (freely translated from the original)].

⁵⁴ This aspect highlights the partial and limited nature of Luhmann's criticisms (2008 [1972]; 2009 [1980]; 2004 [1993]; 2013 [2002]) of Durkheim's thinking. On this subject, see: Villas Bôas Filho (2010; 2017; 2019b). For a concise examination of Durkheim's legal sociology, see: Serverin (2000).



would be highly revealing in terms of the genesis of what we now call the state. According to Bourdieu (2012), this is expressed, for example, in the social sharing of temporality. As the author points out, the collective regulation of time, which today is seen as self-evident, with clocks chiming more or less the same time, would not be ancient. On the contrary, the world in which public time is constituted, instituted, and guaranteed simultaneously by objective structures - calendars and clocks, for example - and by mental structures, in other words, by concrete people who habitually consult a clock and make appointments based on it, would be something new. Therefore, for Bourdieu (2012, p. 23), this kind of "compatibility of time", which presupposes its public sharing, would be a relatively recent invention and related to the constitution of "state structures".

For this reason, Bourdieu (2012, p. 15-16) asserts that in addition to providing "moral integration", understood as the promotion of an agreement on values, the state as an institution is responsible for the production and canonization of social classifications, which implies the progressive monopolization of the structures of perception that establish "logical integration" in society. Consequently, from this perspective, the state would be a fundamental institution in constructing the social world. In fact, Bourdieu (2012, p. 94), using a play on words that cannot be adequately translated into English, states that the "State is meta" (*l'État est méta*), in the sense that, as the holder of a monopoly on legitimate symbolic violence, it quantifies and codifies individuals, assigning them a legitimate social identity. Thus, according to Bourdieu (2012), it would be up to the social sciences to unveil this situation by "de-banalizing" and "analyzing the genesis of the state".⁵⁵

3. The impact of the deinstitutionalization process on the State: notes from François Dubet and Danilo Martuccelli

In contemporary sociology, there has been much discussion about deinstitutionalization.⁵⁶ Of course, there is no way to focus on this broader discussion in

⁵⁵ On this subject, see especially Bourdieu (2012, p. 169 ff.). For an excellent overview of this issue based on Bourdieu's work, see: Lenoir (2012b) and Genet (2014).

⁵⁶ As Martuccelli and Singly (2012, p. 32) emphasize, "à partir des années 1980, se répand l'idée que, dans la mesure où la société ou les institutions ne transmettent plus de manière harmonieuse des normes d'action, il revient aux individus de donner un sens à leurs trajectoires." ["Since the 1980s, the idea has spread that, to the extent that society or institutions no longer harmoniously transmit patterns of action, it is up to individuals



an article. For this reason, this analysis will be based on the considerations of Danilo Martuccelli and François Dubet on this issue. Thus, it is worth noting that Martuccelli (2002, p. 347) observes that sociological research tends to attribute the following requirements to institutions: a) the establishment of "legitimate meanings", to which individuals confer authority; b) the external nature of meanings, whose validity does not depend on any particular person.⁵⁷ However, according to Martuccelli (2002), we are increasingly seeing the transfer to the individual, to the detriment of institutions, of the shaping of their own destiny, a phenomenon that, in sociological literature, would be described in terms of deinstitutionalization.⁵⁸

In this respect, Dubet and Martuccelli (1998, p. 147) argue that the sociological tradition has conceived of institutions as "machines for producing social order" capable of producing autonomous individuals in line with the demands of the social system. Thus, according to the authors, most sociology textbooks state that the family, school, church, etc., are fundamental institutions for reproduction and stability insofar as they produce actors adapted to society's needs.⁵⁹ However, according to their thesis, this representation no longer corresponds to what is happening in contemporary social life.⁶⁰ Referring to domination in the context of the "modern condition", Martuccelli (2001) emphasizes that power resides less in the structure of organizations than in the networks that constitute them.⁶¹

to make sense of their trajectories." (freely translated from the original)]. See also: Dubet and Martuccelli (1998); Martuccelli and Santiago (2017).

⁵⁷ It should be noted that, as Martuccelli (2019) emphasizes, the concept of institution has both a broad and a narrow meaning. It is to the second of these that the author refers. On the polysemy of the concept of institution, see, among others: Dubet (2010); Dubet and Martuccelli (1998); Revel (2013); Tornay (2011).

⁵⁸ According to Martuccelli (2002, p. 348), "désinstitutionalisation, veut alors dire que ce qui hier était pris en charge collectivement par les institutions est de plus en plus transmis à l'individu lui-même, qui doit dès lors assumer, sous forme de trajectoire personnelle, son propre destin." ["Deinstitutionalization, then, means that what was once collectively cared for by institutions is increasingly passed on to the individual himself, who must therefore assume, in the form of a personal trajectory, his own destiny." (freely translated from the original)]. On this subject, see: Martuccelli (2006).

⁵⁹ It should be noted that Dubet and Martuccelli (1998) analyze only three institutions: school, family and church. However, it is clear that his conclusions can and, indeed, should also be extended to the state.

⁶⁰ In this respect, Martuccelli (2010, p. 7) observes that "en apparence, rien n'a changé. Les institutions fonctionnent, les acteurs agissent, les États régulent, la vie sociale se reproduit. [...] Mais nous sentons bien que quelque chose d'étrangement profond et d'insaisissable a eu lieu. [...] De quoi s'agit-il en juste ? D'une transformation de notre sensibilité sociale. L'individu, à l'échelle de notre vie singulière, est devenu l'horizon liminaire de notre perception sociale." ["In appearance, nothing has changed. Institutions function, actors act, states regulate, social life reproduces itself. [...] But we feel that something strangely profound and elusive has happened. [...] What exactly is it? A transformation of our social sensibility. The individual, on the scale of our singular life, has become the liminal horizon of our social perception." (freely translated from the original)].

⁶¹ On the "modern social condition", see especially: Martuccelli (1999; 2001; 2017).



The reasons listed by Dubet and Martuccelli (1998, p. 147) for this situation are as follows. 147) for explaining this situation are basically as follows: a) institutions would be in crisis, as they would no longer function as "apparatuses" (*appareils*) capable of transforming values into norms and imposing them on individual personalities; b) thus, what was once carried out collectively by institutions (introjection of values, formation of perception and classification schemes) would be progressively transmitted to the individual who, for this reason, would begin to assume, through their personal trajectory, a more effective determination of their own destiny; c) from this perspective, individuals would then move through a social horizon in which identities would be less and less directly shaped by institutions; d) as a result of the fragmentation of the contemporary world, the integration of principles would no longer be ensured by a coherent and unitary cultural model.⁶²

Dubet and Martuccelli (1998) state that the idea of an institution presupposes a relative homogeneity of values, based on which a system of norms and roles is established that no longer exists. From this perspective, the fragmentation of the contemporary social world and the effects that result from it contribute to the phenomenon of deinstitutionalization. That said, the authors emphasize that this phenomenon is fundamentally the result of the progressive weakening of the centrality of traditional institutions in social reproduction.⁶³ As an illustration of this argument, Dubet and Martuccelli (1998) analyze three institutions: the school, the family, and the church. However, it is clear that his conclusions can and, indeed, should also be extended to the state.⁶⁴

⁶² As Martuccelli (2002, p. 349) emphasizes, "l'intégration des principes n'est plus assurée par le biais d'un modèle culturel cohérent et unitaire, mais il doit être établi par chaque acteur." ["the integration of principles is no longer ensured by means of a coherent and unitary cultural model, but must be established by each actor." (freely translated from the original)].

⁶³ Dubet and Martuccelli (1998, p. 168-169) state that "l'idée d'institution suppose une relative homogénéité des valeurs à partir de laquelle s'enclenche un système de normes et de rôles. [...] La désinstitutionnalisation procède aussi de la perte de monopole des vieilles institutions. [...] Toutes institutions ont perdu ce qui faisait leur 'essence', leur identification à des principes généraux et leur capacité de socialiser les individus à partir de ces principes." ["The idea of institution presupposes a relative homogeneity of values from which a system of norms and roles is set in motion. [...] Deinstitutionalization also stems from the loss of the monopoly of the old institutions. [...] All institutions have lost their 'essence', their identification with general principles and their ability to socialize individuals on the basis of these principles." (freely translated from the original)].

⁶⁴ The effects of deinstitutionalization at state level are quite evident in the current Brazilian context. Although the purpose of this article is not to undertake a concrete discussion of these effects, alluding to some of them may be useful, not least to highlight the importance and topicality of this issue in our country. Thus, by way of illustration, it is worth mentioning the practices of co-opting authorities from institutions such as the Attorney General's Office, and members of the Armed Forces and the Federal Police who, once enticed, begin to deviate from their duties, ultimately bringing these institutions into disrepute. In the same way, the



In line with this observation, prominent authors point to the need to rethink the state given the contemporary social configuration. Chevallier (2008), for example, observes that the transformations experienced by the state cannot be disconnected from the social horizon in which it is inscribed.⁶⁵ According to Chevallier (2008), these transformations express a general crisis of institutions in Western societies and even of the very values of modernity. As a result of this situation, there was pressure to build a "new model of social organization". It is based on this observation that the author, in developing his analysis of the "post-modern state", highlights, among other things, the effects of "hyper-individualism" in reconfiguring the relationship with the collective.⁶⁶ It is possible to say that, in general terms, Jacques Chevallier's analysis - which, due to its complexity cannot be reconstructed here - would serve as an illustration of the deinstitutionalization of the state, as Bourdieu (2012) conceives it, and its effects on legal regulation.⁶⁷

However, it's worth noting that the discussion on deinstitutionalization has as its most direct empirical horizon societies characterized by what Martuccelli (2019) calls "institutional individualism", i.e., social configurations in which institutions provide real "action programs" for individuals. Thus, it would be worth discussing its specificity in contexts such as those of Latin American societies, where an "agentic individualism" prevails due to precarious institutional support,⁶⁸ marked by the permanent tension

ideological contamination of public policies, the recurrent attempt to intervene in Regulatory Agencies, Public Companies, Autarchies and Foundations with the aim of instrumentalizing them for political and/or electoral purposes, are also a blatant example of deinstitutionalization. The use of subterfuges to conceal the allocation of public budget resources, which leads to a concentration of power (and therefore bargaining power) in the hands of the Speaker of the Chamber of Deputies, compromising impersonality and transparency in the management of these resources, also expresses this same tendency. Finally, the initiatives to delegitimize the last electoral process, especially by the incumbent, through the systematic propagation of fake news, the introduction of external actors of dubious neutrality claiming to interfere in the conduct of the election and even the hiring of a private company to audit the process, are also clear examples of deinstitutionalization.

⁶⁵ See also: Commaille (2015).

⁶⁶ Chevallier (2008, p. 16) argues that "cet hyper-individualisme imprègne la vie sociale tout entière. La société contemporaine est travaillée par un mouvement d'individuation, rendant caduques les anciennes classifications, catégorisations, dispositifs de contrôle, territorialités qui assuraient le quadrillage de l'espace social et la production des identités collectives [...]." ["This hyper-individualism pervades all of social life. Contemporary society is affected by a movement of individuation, making obsolete the old classifications, categorizations, control devices, territorialities that ensured the grid of social space and the production of collective identities [...]" (freely translated from the original)].

⁶⁷ With regard to this last aspect, Chevallier (2008, p. 123 ff.) analyzes what he calls the "explosion of legal regulation" (*l'éclatement de la régulation juridique*). It is worth noting that, as far as the state is concerned, deinstitutionalization can also be associated with the phenomenon of populism, in the terms in which Godin (2012), Tarragoni (2013) and, above all, Rosanvallon (2020) define it. On the judicialization of politics as an instrument to contain the populist degradation of democratic legitimacy, see: Villas Bôas Filho (2020b).

⁶⁸ Demarcating his position from that of authors such as Anthony Giddens, Martuccelli (2019, p. 26) emphasizes that the term "agentic" designates "la generalización de acciones y experiencias distantes,



between individual capacities and institutional prescriptions, with the resulting overload on agents' abilities.⁶⁹ It could be argued that in these social contexts, in which networks of interpersonal relationships are built to make up for the absence of institutions, the state assumes a different position from that attributed to it by analyses that take "institutional individualism" as their benchmark.⁷⁰

Final considerations

This article sought to analyze the impact of the deinstitutionalization process on the state's claim to monopolize legitimate physical and symbolic violence. To this end, he sought to examine the state as an "organized fiduciary", in the terms French sociologist Pierre Bourdieu conceives of it. It is evident that the selection of the work of the author of *Le sens pratique* as a point of reference for considering the state from a sociological perspective is based on the author's extensive analysis, his examination of both classic and contemporary authors, and the coherence of his findings. However, this choice is also supported by the fact that authors who discuss the process of deinstitutionalization,

indiferentes, transgresivas o antagonistas respecto a las prescripciones institucionales o convenciones vigentes en una sociedad." ["the generalization of actions and experiences that are distant, indifferent, transgressive or antagonistic in relation to the institutional prescriptions or conventions in force in a society." (freely translated from the original)].

⁶⁹ As Martuccelli (2019, p. 27) emphasizes, in many contemporary societies with "residual welfare states", actors develop in the midst of institutions that, at best, only generate ambivalent resources. Individuals should therefore learn to protect themselves from institutions, from their errors or shortcomings, from their impossible or contradictory prescriptions. Referring to the agentic individualism that, in his view, occurs in various Latin American societies, the author argues that there is an "unregulated self-confrontation" with social life that, in his view, increases ontological insecurities and forces individuals to create an alternative functional system. This would lead them to distrust the groups and rely on their personal abilities. Therefore, in contexts where agentic individualism prevails, the actors would be urged to solve, with their skills and resources, challenges that elsewhere are managed by institutions or in close relationship with them. In these contexts of agentic individualism, there is a permanent tension between individual capacities and institutional models. Individuals would be compelled to systematically exceed institutional prescriptions and face a series of challenges and unforeseen events, such as: the absence of institutional assistance; clientelist practices that undermine their independence; insufficient bonds of solidarity and abuses committed by the authorities. See also: Martuccelli (2017).

⁷⁰ In this regard, Martuccelli (2017, p. 379-381) points out, for example, that "le mode d'individuation à l'œuvre dans la société française est indissociable d'un ensemble de droits très concrètement mis en œuvre par l'État social national. [...] Si le processus d'individuation en France est irréductible au seul État social national, sa réalité est omniprésente dans la vie des individus." ["the mode of individuation at work in French society is inseparable from a set of rights very concretely implemented by the national welfare state. [...] If the process of individuation in France cannot be reduced to the national welfare state alone, its reality is omnipresent in the lives of individuals." (freely translated from the original)].



notably Danilo Martuccelli and François Dubet, take it as an unavoidable reference in their analyses.⁷¹

Consequently, based on a concise approach to the fundamental concepts that structure Pierre Bourdieu's thinking, a concise analysis was made of his thesis regarding the state as responsible for the reproduction and canonization of social classifications. Thus, preliminary emphasis was placed on the author's appropriation of the thesis of Émile Durkheim and Marcel Mauss about the conventional and socially constituted nature of "forms of classification". Next, we tried to show that, based on this assumption, Bourdieu (1993; 1994; 2003 [1997]; 2012) sees the state as a "producer of classification principles" and, therefore, as an instance capable of engendering "structuring structures" which, in his view, could be applied to anything, especially social things.

It has therefore been pointed out that Bourdieu (1993; 1994; 2003 [1997]; 2012), based on Durkheim's distinction between "logical integration" and "moral integration", considers that the state, as it is generally understood, is the foundation of these two forms of integration of the social world. In this regard, it was highlighted that, for the author of *La misère du monde*, the state as an institution, in addition to providing "moral integration", understood as the promotion of an agreement on values, would be responsible for the production and canonization of social classifications, which would imply the progressive monopolization of the structures of perception that establish "logical integration" in society. Hence, the author defines the state as having a monopoly on legitimate violence, both physical and symbolic.

Finally, a brief reference was made to the thesis of deinstitutionalization proposed by Dubet and Martuccelli (1998). Concerning this issue, particular emphasis was placed on the idea, supported by the authors, that the institution presupposes a relative homogeneity of values based on which a system of norms and roles is established that no longer exists. It was thus emphasized that, for Dubet and Martuccelli (1998), the fragmentation of the contemporary social world and the effects that result from it contribute to the phenomenon of deinstitutionalization. The authors illustrate their argument by analyzing three institutions - the school, the family, and the church - and support extending their conclusions to the state. However, it was observed that the discussion on deinstitutionalization has as its most direct empirical horizon societies

⁷¹ Cf. Dubet and Martuccelli (1998); Martuccelli and Santiago (2017).



characterized by what Martuccelli (2019) calls "institutional individualism", i.e., social configurations in which institutions provide real "action programs" for individuals. Thus, it would be worth discussing its specificity in contexts such as those of Latin American societies, where an "agentic individualism" prevails due to precarious institutional support.

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The author is solely responsible for writing the article.

