



[Dossier: Revisiting the debate on the theory of derivation of the State]

State and Capital: the state of debate on the derivation of the State

Estado y Capital: el estado del arte en el debate sobre la derivación del Estado

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Abstract

The following text systematizes the main aspects addressed in the inaugural lecture given by its author at the First Latin American Seminar Debating the Derivation of the State: Contributions to the Political Economy of Health and Labor, held between September 16 and 20, 2024 at the Faculty of Public Health and the Faculty of Law of the University of São Paulo, Brazil.

Keywords: State; Capital; Derivationism.

Resumen

El siguiente texto sistematiza los principales aspectos abordados en la conferencia inaugural dictada por su autor en el Primer Seminario Latinoamericano Debatiedo la Derivación del Estado: Contribuciones a la Economía Política de la Salud y del Trabajo, realizado entre el 16 y el 20 de septiembre de 2024 en la Facultad de Salud Pública y en la Facultad de Derecho de la Universidad de São Paulo, Brasil.

Palabras clave: Estado; Capital; Derivacionismo.



1. Gaza.

It's impossible to talk about the State at this moment without talking about Gaza. The war reveals that the essence of the State, not just the State of Israel, is a form of social organization: brutal, racist, inhumane.

Thus, I decided to change the title of my talk. Instead of *State and Capital: the art state in the debate on the derivation of the State*, I decided to call it *The State is a brutal, racist and inhumane form of social organization. So what? What should we do?*

What does this have to do with the debate on State derivation? A lot. The debate takes place in very abstract terms, but its political implications are very strong and very relevant. The Stalinists understood that when they executed Pashukanis in 1937.

What are these implications? First, that the State is capitalist. It may look like a potentially neutral State within a capitalist society, but that's not true. It's a capitalist State. I imagine all of you voted for Lula against Bolsonaro in the last election. I would have done the same. But that doesn't change the fact that Lula is the head of a capitalist State and is part of the dynamics of destruction that defines capitalism.

This is the first conclusion of the derivationist debate. The State is a capitalist one. It's not as if it were autonomous relative to capital, as Poulantzas argued (1976, 1980), whose ideas still have a lot of influence. Against its appearance, the State is a particular form of capital, of capitalist relations, one that generates its own appearance of neutrality. Capital is a set of particular forms that proclaim their autonomy, but that are part of the same totality. In *Das Kapital* (2020), Marx criticized the autonomy of social forms through the process of deriving one form from the other: commodity value, abstract labour of value, the money of commodity-abstract-labour-value, the money of capital, and so on. If we think of any society as a social cohesion, a totality of more or less coherent social relations, then Marx's derivationist method in *Das Kapital* demonstrates the strength of such cohesion, and the closed character of such totality. What was missing was the derivation of the State. A very important topic, because it looks as if the State didn't take part in such cohesion, of such closed totality, as if it could work as a counterweight against capital. So, the goal of the debaters, as had been also the goal of Pashukanis (1976) in 1924, was to show that, despite its appearance, the State is part of the same set of capitalist social forms, that is to say, part of the same capitalist totality. It is a specifically capitalist way of relating to each other.



So, NO to the State. For me, this is the most important conclusion from the debate. The particularization of the State form is sometimes confused with the idea of the State's relative autonomy. But that's not so. The idea of relative autonomy is an argument to participate in the State, thus Poulantzas understood it and thus figures such as Álvaro García Linera, former Vice President of Bolivia, approach it. To talk about the particularization of the State, not about the State's relative autonomy, is to say in the first place that the State is a capitalist form of social relations. If we are against capital, then we are against the State as a way of social organization.

In fact, there are two lines of argument that emerge from the debate on State derivation (and I imagine both of them are present here). Both are important, very different, but not necessarily incompatible. The first one can be understood as theory of the State, and the second one as a theory of the Anti-State.

The first line focuses on the State. If we understand the State as a particular form of capital, several things follow.

First of all, if the existence of the State derives from capital, it is clear that the State must promote the reproduction of capital. In other words, it has to ensure the maximum possible profitability of capital. If it doesn't do so, capital leaves. If it doesn't do so and capital leaves, there will be more unemployment and poverty. If the State doesn't ensure profitability of capital, there won't be enough taxes to pay for civil servants. This imposes very strong limits on what a left-wing government can do. It may be that Lula is better than Bolsonaro, but one can't expect too much from the Lula administration. It's not a matter of treason to the struggles of the working class, it's simply that he is trapped in an institution that imposes very strong limits.

This becomes clearer when we have in mind that the State is not a single State, but more than two hundred States, a multiplicity of States. This consideration wasn't present in the early contributions to the debate, but it was the main topic in an article by Claudia von Braunmühl (2017), who said that we must understand the State as not separated from national capital, but in relation to the global market or the global movement of capital. There is capital that moves around the world seeking the maximum possible profit, and there are many states trying to attract it, saying to the capital, "Come here, come here! I'll give you everything you need!" States are competitive, as Joachim Hirsch says in a later book; they exist in competition with one another to attract capital. Capital has no nationality.



Something else that emerges from the debate that affects our understating of the State is that the particularization of the State means a real separation between State and capital. The State has to ensure the best conditions for the profitability of capital, but it doesn't necessarily know how to do so. Public policies are necessarily a process of trial and error, something that was emphasized in the work of Laura Huwiler and Alberto Bonnet (2022).

Moreover, the real separation between capital and the State is important for the reproduction of capital as a whole. If a state becomes too closely linked to a specific capital type, which happens quite often, it can prevent the reproduction of capital as a whole. This is why elections are important as a periodic restructuring of the relationship between the State and capital.

Another implication of the debate to the understanding of the State is that it offers us a way to understand the historical tendencies of state organization. If the State must ensure capital accumulation, its development is marked by the development of accumulation. Capital goes through a repeated process of crisis and possible restructuring, and the State is increasingly focused on supporting capital within its territory, so that it survives and restructures throughout the crisis. This implies an intensification of competition against other States and also an intensification of social discipline within the State's territory. It is in this context that one must understand the rise in authoritarianism and militarism in the world right now and the tendencies towards the expansion of war. Gaza is not an exception but an expression of a global tendency. We all support Gaza, not only for empathy for the Palestinians, but also because we can see our own possible future.

All of this seems very important to me, but, as I mentioned earlier, there are two lines of argument that emerge from the debate on State derivation. The first is the one that I have just outlined, which is accepted by all those who follow the debate, probably. The other rather emphasizes the rejection of the State as a form of social organization.

The particularization of the State relative to capital is at the same time a particularization in relation to society. The violence required to maintain a society based on exploitation separates the State from the exploitation and thus becomes apparently neutral. Hence the title of the article by Wolfgang Müller and Christel Neusüss (2017), who inaugurated the debate, "The Illusion of the Welfare State and the Contradiction between Wage Labor and Capital". Hence also the famous question by Pashukanis (1976) "Why does



the domination of one class not remain what it is, that is, the subordination of one part of the population to another?" The exercise of violence and the social administration necessary to maintain the entire system of exploitation is concentrated in the instance called the State. It is a conclusion, a "go home." The constitution of the State is the creation of a body of officials that work full-time to administer society. They have to do it in a way to promote the accumulation of capital. This requires the exclusion of alternative logics, and the daily construction of a logic that supports accumulation, that is, the rule of money, of profitability. If a movement emerges to change any social aspect, the State replies "Yes, we hear you, now go home, we will sort it out". Like that, they close the door and try and solve or manage the problem in a way that doesn't interrupt the accumulation of capital. The existence of the State is a daily process of exclusion, of excluding us. This exclusion is necessary for promoting the accumulation of capital. It is a feature of any State, authoritarian or democratic. Elections are a very effective form of exclusion: "we hear you, now go home and we will see each other in six years, or else, we will have to repress you."

It is an exclusionary *process*. The word "process" is very important. The State is a form of capitalist relations, such as value, money, etc. But all these relations are processes that face resistance all the time. Capitalist forms are, in reality, processes-form, forming processes, processes that generate counter-processes.

The State is also a process that generates opposition. It is a process of exclusion that generates struggle against that exclusion. The "go home", which is the core of the state form, is faced with a "No, we won't go. We want to solve this problem. We don't want to be excluded from the determination of the development of our society." In general terms, the State, as a form of social relations, as exclusion, is faced with an anti-State, with the practice and the project of doing things another way, according to another logic. The theory of the State takes us to a theory of the anti-State, of the anti-state politics. This is, for me, the most important thing in the debate of State derivation.

What do I mean by anti-state politics? It is a politics that combats the particularization of the State, that is, politics that seeks to overcome the exclusion that is inherent to the existence of the State. If the State is constituted by its separation from society, the anti-State moves in the opposite direction, as a reabsorption of the public into the State.



Firstly, something that concerns all of us who work in the State. We know we work in a capitalist institution, but we are against capitalism. We are in-and-against the State. If we work in education, for instance, we are aware of being part of a system designed to produce exploitable workers, but we try to move in the opposite direction, giving critical or anti-capitalist content to our teaching activity. If we work in healthcare, we are aware of being part of a system that treats patients as objects, and we try to create another concept of medicine and medical care. It is a matter of thinking of our daily activity as one that goes against the State-form, against the particularization in relation to society. A book written by a group of us (like the London Edinburgh Weekend Return Group), as early as in 1979, *In and Against the State*, sought to explore this kind of everyday anti-State politics and had surprising success, which makes me think that we are among many that, for one reason or another, work inside the State but at the same time seek to walk the opposite way. Even this gathering can be understood in these terms: a gathering within a state institution that seeks to promote anti-state reflection and action.

When I think of anti-state politics, I also think of the great tradition of anti-capitalist struggles. The movements against capitalism have historically been organized in two main ways. On the one hand, we have the Party tradition: the communist, socialist, revolutionary parties. Parties have the State as a central reference point and seek to take over the State in order to change society. This implies adopting the state form, as a way of relating, as a way of behaving, as a form of organization. The result in all these cases has been the reproduction of the exclusionary State. It is true that there have been attempts from within the States to overcome this exclusion (like the participatory budgets in Porto Alegre or the neighborhood councils promoted by the Chaves administration in Venezuela), but they always fall within the general framework of respecting the priority of capital accumulation.

The other tradition of anti-capitalist organization is the assemblyist, councilist, the communal tradition: the Paris Commune, the Russian Soviets, the communes of Spain, the Kurdish and Zapatista assemblies. They are anti-State in the sense that, even though they don't use the language of the debate on State derivation, they do seek to overcome the characteristic particularization of the state form. That is to say, they seek to retake the social organization that was expropriated by the State, they seek to reabsorb social administration into the society itself. The capitalist nature of the State is not a matter of who controls it, but rather of an exclusionary logic that aligns with the reproduction of capital. The rejection of



capital is a rejection of this logic and the formulation and implementation of another way of doing things with other forms of organization.

Understanding the State as a social form helps us understand the urgency of overcoming this form. The particularization in relation to society means the abstraction, identification, categorization, that is, the dehumanization of the people. The State does not relate to me, John, as a person with my idiosyncrasies, my quirks, my loves, but as a citizen or foreigner, as a number, as an elderly person. It imposes on me categories, it imposes on me a logic based on abstraction, identity, grammar. One could say “well, yes, but it doesn’t matter”. Or one could say that this basic separation between citizen and foreigner, this separation that is a constitutive condition of the State as a form of territorial domination, has led to the slaughter of millions and millions of people in the last century and continues to cause the misery of the enormous and growing number of migrants around the world. The State as a form of organization is a constant training in abstract and dehumanizing identification. It is a school of fascism. The dehumanization of the Other implicit in the existence of the State as a form of social relations is what makes the genocide currently being perpetrated in Gaza possible. Hence the new title of my paper: *The state is a form of brutal, racist, inhumane organization. So what? What should we do?*

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