

**JÖRN LEONHARD**

## The rise of the Modern Leviathan

State Functions and State Features

## CHAPTER ELEVEN

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### Changing Semantics and Critical Discourses: Defining the State in a Period of Transformation and Crisis

From the end of the eighteenth century and against the background of both the French Revolution and the beginning of the industrial revolutions, the concept of the state underwent a fundamental change in Europe. Whereas classical authors of political theory such as Plato, Aristotle, or Hobbes concentrated on distinguishing the state from other types of human association like family, local community, or church, the late eighteenth and early nineteenth century witnessed a hitherto unknown distinction between state and society. Society, in this context, referred to the complex interactions between individuals who tried to satisfy their distinctive needs and interests, if necessary against the existing state authority. The idea of a homogeneous unity between state and society excluding conflict came under increasing pressure, and not only in political theory. During the French Revolution the politically self-conscious and socially influential part of the *tiers état* of French society proved to be capable of acting against the traditional state structures of the *ancien régime*. It was in the context of the French Revolution and its perception in Germany that Hegel for the first time warned against a confusion of state and “civil society.” For him, the state in its fullest sense and in its

developed form (Hegel thought about the Prussian example of his own days) represented the manifestation of a moral concept prior to the meaning of society.<sup>1</sup>

The changing meaning of the state during the long nineteenth century, covering the period between 1776/89 and 1914, was accompanied by numerous contemporary and often controversial discourses about the character of state and society. Later in the century and contrary to Hegel’s assumption, Marx argued that the state could only be the result of particular class constellations and thus formed part of a superstructure determined by socioeconomic processes. However, when confronted with the developments in France between 1848 and 1852, Marx had to admit that if no class was strong enough to monopolize power, a state executive under a charismatic leader like Napoleon III could at least temporarily instrumentalize the state for its own purposes.<sup>2</sup> In contrast to Marxist interpretations, a more functional approach was developed by Max Weber towards the end of the nineteenth century. He referred to the state as a particular apparatus of rule, characterized by a monopoly to use force in a legitimate way.<sup>3</sup> Finally, in the twentieth century, the “totalitarian” state seemed to remove the historically important distinctions between state and society. As the quite different examples of Fascist Italy, Nazi Germany, and Stalinist Russia proved, a totalitarian state in distinct historical

contexts and with distinct consequences seemed to reabsorb society and subordinate it to the will of a single party or a charismatic leader. The enormously destructive potential of these regimes in the twentieth century derived its force not least from the state and its developed instruments and infrastructures.

Against this background, this chapter concentrates on where the modern state, with its multiple functions and instruments, came from, which were the decisive structural processes behind the rise of the modern Leviathan in nineteenth-century Europe, and how particular functions and features developed in different historical contexts.

### **States and Modernization: State Traditions and Structural Changes since the Eighteenth Century**

It is impossible to understand the development of the state in the nineteenth century without taking into account the earlier origins before 1800. Two types of early modern states are important in this context. First, there were absolutist monarchies, which had, with varying degrees of success, developed fiscal structures to raise taxes and standing armies as stabilizing factors both internally and externally. These traditions and institutions not only characterized France, Prussia, the Habsburg Empire, and Russia, but also Sweden, Denmark, Spain, and Portugal, as well as a number of states on the Italian peninsula and in the Holy Roman Empire. Second, there were states in which there had developed a complex compromise between the prince's and the estates' power. Britain, after the failure of absolutist experiments in the seventeenth century, represented this category, but a similar constellation also existed in Poland, Hungary, and in the Holy Roman Empire as a whole, with its tradition of elective emperors. Many of these territorial states of the early modern period did not survive the restructuring of Europe's political map between the 1790s and 1815. Indeed, this highly complex process of state building led to an enormous reduction in the number of territorial states. The number decreased from about

500 units around 1500 to about 20 states around 1900. This process, much intensified between 1794 and 1815, was influenced by two new attractive state models: constitutional monarchy and nation-state. The success of both models in nearly all European states between 1789 and 1914 went hand in hand with the expansion of state functions and the development of adequate bureaucracies.<sup>4</sup>

The early roots of these transformations and the bureaucratic apparatus of modern states point back to the second half of the eighteenth century. Under the influence of Enlightenment philosophy and its European variants, the ideal of a well-ordered state machinery, based upon rational, economic, and uniform administration and justice, began to develop. Especially in the period of enlightened absolutism under Frederick the Great in Prussia and Joseph II in Austria, this ideal of a reform-oriented state, which no longer served the monarch but an abstract ideal of the common good, became a dominating feature. At the same time, these reform-minded monarchs began to provide their bureaucracies with special privileges in order to make them loyal instruments, independent from aristocratic clientelism, and to prevent corruption.

More importantly, European societies since the late eighteenth century were confronted with new and structural challenges which necessitated new institutions and infrastructures. The most fundamental of these challenges was clearly the demographic revolution: Europe's population grew from approximately 130 million in 1750, to 266 million in 1850, and 400 million in 1900. This enormous increase, indeed a demographic explosion in the long term, meant that migration began to affect an ever greater part of the population. It has been estimated that up to 85 percent of the population were directly or indirectly affected by migration within Europe. Some 70 percent migrated from the countryside to new and rapidly expanding cities. Since much of the migration was caused by a lack of traditional employment, migration also went hand in hand with social conflict, crime, and an increase in the use of collective violence. Therefore, the state apparatus not only had to secure the raising of taxes, the recruitment of military

conscripts, and the safeguarding of public order. Especially towards the end of the century, mass migration led to ever greater social problems in crowded cities, so that the concentration of so many migrants necessitated an interventionist state bureaucracy, able to deal with social problems and public health.<sup>5</sup>

This underlines that a particular constellation was responsible for the rise, development, and expansion of the modern state in Europe: on the one hand, a fundamental social and economic transformation of society, caused by demographic transformation and industrial modernization; on the other hand, bureaucratic traditions of the eighteenth century, originating from the enlightened ideal of a well-ordered state and its function to reform and educate society on the basis of progressive ideals. This tension between an active role of state bureaucracies and their response to structural changes, the ambivalent position between their fear of revolution and their will to plan the future, became one of the most striking characteristics of the modern state in the nineteenth century.<sup>6</sup>

### Men and Money: European Wars as Causes and Catalysts of State Expansion

In a long-term process that intensified from the late eighteenth century onwards, European states influenced and penetrated more and more aspects of everyday life. The wars of this period, and the military conflicts against revolutionary France since 1792 in particular, served as one of the most important catalysts in this process, because they led to the mobilization of money and men through the means of mass conscription and raising taxes. The ability to raise taxes and standing armies had already been a dominant feature of continental monarchies before 1789 (and neither should the rise of the military-fiscal state in Britain during the eighteenth century be underestimated), but the dimension of the European wars between 1792 and 1815 went far beyond this traditional paradigm of monarchical state building of the European *ancien régimes*.<sup>7</sup> If the combination of conscription and taxation

in wars served as a fundamental catalyst for the expansion and intensification of state functions, the focus on the European war periods between 1792 and 1815, 1854 and 1871, and before 1914 becomes obvious. Going beyond the direct consequences of war and defeat, state functions changed because wars provided criteria to judge the state's ability to perform successfully in periods of national crisis and collective challenge. Hence war experiences indirectly stimulated other state activities, for example regulating the public, directing education and providing welfare structures, thus replacing the old corporatist structures of the *ancien régime* with its numerous guilds, corporations, estates, and orders which had fulfilled many of these functions before the beginning of the century.

Wars and defeats also forced the import of new administrative structures and led (especially between 1792 and 1815) to the creation of new states which had to integrate numerous new territories and populations. Thus the French Revolution and the subsequent Napoleonic empire meant a fundamental watershed, not only for France, but also for large parts of continental Europe as they came under direct French rule or under French influence. The ideal of a centralized and uniform state administration was first meant to communicate and implement the will of the revolutionary regimes in Paris and later of the emperor in all parts of France. Countries occupied by the French, especially Italy, Spain, and Belgium, experienced this new ideal of strong administrative centralism. With the end of the Holy Roman Empire, the reshaping of Germany's political map after 1800, and the disappearance of numerous tiny principalities, the emergence of new post-revolutionary states such as Prussia, Bavaria, Baden, or Württemberg led to a new wave of state intervention and dynamic activity. Bureaucratic reforms "from above" were intended to make political and financial survival of the states possible.

Taking a *longue-durée* perspective, military competition and confrontation between states generated the fundamental prerequisites for modern state structures on the European continent, such as the princely court, the standing army, and the fiscal institutions which allowed

the effective raising of taxes. While the states monopolized the use of violence, the military-fiscal state absorbed ever more resources. Between 1500 and 1800 the European population doubled, whereas the number of soldiers increased tenfold.<sup>8</sup> Between 1800 and 1945 this process was further intensified and accelerated because of technical innovations and the introduction of mass conscription in the aftermath of the French Revolution and the Napoleonic Wars.<sup>9</sup>

Military defeats, throughout European history, also led to substantial political, administrative, and legal reforms. It was defeat which illustrated the necessity for these reforms in order to make the state strong enough to meet the challenges ahead. Thus the era of Prussian reforms, which witnessed an extraordinary but only temporary freedom of action for bureaucratic state reformers, dated from Prussia's military defeat against Napoleon in 1806. Similarly, the defeats of 1918 and 1945 meant turning points in the history of state bureaucracy and administration in Germany. For the Habsburg Empire, the defeats in 1748 against Prussia, in 1859 against Italy and France, and especially in 1866 against Prussia necessitated far-reaching reform initiatives. Russia's internal problems became obvious in the defeats in the Crimean War of 1854 and contributed to the bureaucratic reforms of the 1860s focusing on the abolition of serfdom and limited self-government on the basis of local and regional *Zemstvos*. Of equal importance was the military collapse in the naval war against Japan in 1904/5, which forced the tsar to make substantial concessions and led to the transformation of autocratic power into a constitutional monarchy with an elected Duma.

But however obvious state expansion in the nineteenth century was, its overall financial dimension remained relatively limited. After the end of the wars in 1815, war spending and mass conscription as new means of state activity came to an end, thus also avoiding two major causes of popular unrest. As a result, state expenditure declined. For example, in Britain it declined throughout the century, and even in France with its developed state infrastructure and its tradition of centralism and state activism, it remained at a modest level com-

pared with later developments in the twentieth century. Despite the military campaigns between 1854 and 1871 and the arms race before 1914, state spending in Europe by 1913 was only 10 percent of gross national income, compared with up to 50 percent in the post-1945 period, indicating the enormous impact of the two world wars and the development of welfare structures on a hitherto unknown scale.<sup>10</sup>

### Professionalization and Centralization: The Emergence of a Functional State Elite

"The chains of muzzled humanity are made from office-paper."<sup>11</sup> Thus commented at the beginning of the twentieth century the German-Austrian writer Franz Kafka on the enormous significance of the modern state and its bureaucracy. He pointed to the fact that there seemed to lie a sophisticated and well ordered system of repression through anonymous bureaucracies behind the rather boring routine of administration. Kafka also anticipated that totalitarian dictatorships would not only incorporate modern centralized administrations in order to implement their orders, but would in fact be heavily dependent on them: totalitarian command structures in many ways represented a bureaucratic ideal, an emotionless implementation of orders, irrespective of their ideological background, but often in the name of an abstract ideal of effectiveness and necessity.

The professionalization of legal education and the importance of trained lawyers in administrations became crucial for the development of functional state elites. Already in the early modern period the perception of Roman Law at continental universities had led to the emergence of a particular legal tradition which facilitated legal codification projects in the later eighteenth and nineteenth centuries. The idea of a state founded on the rule of law became a cornerstone of legitimizing modern states and their expansion. However, not all of continental Europe was affected by this tradition in the same way. Whereas Northern and Central

Europe, but also the Iberian peninsula, France and Italy, were directly influenced by the tradition of Roman Law, Eastern Europe, Poland, Hungary, and Russia were not (or only partly) affected by it. This also explained why in the nineteenth century the implementation of the principle of the rule of law proved much more difficult in these parts of Europe.

A further factor was the emergence of a self-confident administrative nobility, a nobility not by birth but by function. Since the fifteenth century, lawyers at the high courts in France, Spain, and Italy and in the larger states of the Holy Roman Empire had achieved equality with the other aristocratic members of administrative institutions. This led to the long-term development of a new educated elite, often with non-noble social backgrounds, but with experience of special training in law, characterized by a strong *esprit de corps*, an identity distinct from other groups of society. In France, but not only there, a *noblesse de robe* emerged which was privileged by the monarch and which regarded itself as the most loyal backbone of the French state.<sup>12</sup>

This new functional elite which the state needed to perform its administrative duties also developed abstract concepts of common good and *raison d'état*, transcending merely individual or group interests. Many of these state civil servants even survived the formal end of the *ancien régime* after 1789 and became very influential in the post-revolutionary reform period (and not only in France, as the examples of Prussia after 1806 under the influence of the leading reform minister Hardenberg, of Baden under minister Reitzenstein, and Bavaria under Montgelas after 1803, demonstrate). In these cases leading officials were no longer primarily loyal to the person of the monarch, but to a more abstract notion of the state and the common good as represented by the state. This "revolution in the good sense of the word," in the famous words of Hardenberg in his Riga Memorandum, were meant to safeguard the public good as defined by bureaucratic reformers who had been educated in the spirit of enlightened principles of the later eighteenth century. In some cases, notably in Italy and in some of the German states, this also explains why so many officials became crucial

for the development of early liberalism, which developed as bureaucratic liberalism seeking a consensus between state and society.<sup>13</sup>

### State Models and Variants of State Activities in the Nineteenth Century: Four European Cases

Within a general European trend there existed enormous differences between distinct state traditions and transformations. From a comparative perspective, four cases illustrate the diversity of responses to the challenges of socioeconomic transformation and political change during the nineteenth century.<sup>14</sup> Especially in the case of France, this illustrates how important the export of a bureaucratic model of the state could become for other European countries in the crucial period of the French Revolution and the subsequent Napoleonic empire.

France, with the emergence of the revolutionary state, the Napoleonic model, and its export to other continental European states, marked a watershed in the history of the modern state.<sup>15</sup> Three particular elements of the revolutionary and imperial era were exported to countries which were directly occupied by the French or indirectly influenced by developments in France: the new legal codification of the Civil Code which represented essentially bourgeois values, new legal institutions and procedures (especially jury courts), and a modernized and highly centralized administration. Revolutionary France had replaced the administrative chaos of the *ancien régime*, characterized by the contradicting functions of various offices, with a clear organization of new ministries: interior, justice, treasury, foreign policy, and defense. These ministries recruited their personnel from the *ancien régime's* old administration and from those who had politically benefited from the revolution. The result was a new bureaucratic elite, fusing old and new elements. Even more important was the development of special administrations (e.g., for ship building and mining), which recruited their personnel from newly created state institutions.

In these *écoles* (e.g., the *École polytechnique* or the *École normale supérieure* in Paris) a technocratic state elite with a strong identity was generated.

The post-revolutionary bureaucracy represented a highly centralized ideal of administration. It destroyed attempts, especially during the earlier part of the revolution, to achieve at least a certain degree of administrative devolution by allowing local self-government. Thus, even large French cities became subordinate units of the capital's ministries. Only from the later 1870s onwards were municipal councils given the right to elect their mayors. France's administrative structure, as generated by the revolutionary and Napoleonic era, was based on three elements: the local and municipal level, the regional level in the form of *départements*, and the national level in the form of central ministries in Paris. This administrative model was imitated in many other parts of Europe in order to integrate new territories and to implement a centralized government, as for instance in Bavaria and Baden (which, because of the enormous territorial changes between 1803 and 1806, had become much larger middle-states), but also in the new Kingdom of Italy after 1859.<sup>16</sup> The administrative chiefs of the French *départements*, the prefects, were directly appointed by the emperor. They were not only responsible for the implementation of orders from Paris and the organization of elections, but also for the appointment of local mayors and municipal councils. The emperor himself appointed all mayors of larger cities. This state centralization completed and perfected a long-term process which had already started in the *ancien régime*, when French monarchs of the eighteenth century had begun to use the new institution of royal intendants to contain the influence of feudal and corporative powers on a regional and local level. This process was accelerated after 1792 by revolutionary commissioners who had been sent from Paris to all French regions in order to ensure the proper implementation of revolutionary policies. Compared with the authoritarian and repressive nature of this bureaucratic state centralization, the legal system represented, at least to a certain degree, essentially liberal values: property rights, unlimited exchange of goods,

and legal equality. Despite a reform of the judiciary under Napoleon, the revolutionary ideal of a separate and independent third power besides legislative and executive remained theory. All political turning points of French history in the nineteenth century – 1814/15, 1830, 1848, 1851, 1870/1 – led to political purges of the judicial institutions. In terms of a social history of the French state, it is remarkable to see that despite the aim to fuse noble and bourgeois elements into a new loyal elite of *notables*, the social profile of the Napoleonic bureaucracy was essentially bourgeois: 85 percent had started their career after the revolution, and 70 percent had a middle-class background. Privileged by the imperial regime, they owed their careers no longer to being born into an already privileged estate, but to their talent and their education.<sup>17</sup>

A second type of state can be described as dynastic military, represented in different ways and with contrasting consequences by Prussia and the Habsburg Empire. Both Austria and Prussia had initiated far-reaching reform projects in the eighteenth century. These had been motivated by enlightened principles under Frederick the Great and Joseph II, and the aim to make the state more effective in mobilizing its resources. Raising taxes and strengthening military power remained the two main motives behind these reforms. Confronted with the victories of the revolutionary and Napoleonic armies, these apparently successful models of enlightened absolutism were questioned and forced to embark on a new era of reforms. Indeed, following the Prussian defeat against Napoleon, a generation of Prussian bureaucratic reformers had a temporarily extraordinary freedom of political action. This resulted in attempts to transform the corporatist society into a non-feudal, liberal market society, characterized by legal equality and socioeconomic modernization. The abolition of serfdom in 1807 was an important step in this direction, but the former landlords succeeded in maintaining many reserved rights, which in Prussia survived until the end of World War I.

Whereas the Prussian imitation of the French administrative model based upon central ministries as well as the separation of the judiciary from the administration proved to be

successful, the Prussian road to a state founded on the rule of law and a constitutional basis proved to be much longer and much more difficult. Only in 1849 was a constitution granted by the Prussian king, and it included a restrictive three-class franchise which was only abolished in October 1918. Since the 1820s Prussian state bureaucrats had lost much of their reform reputation and many liberals, despite the state's role in fostering economic reforms, regarded the bureaucratic state more and more not as a potential ally but as part of the problem of political paralysis.<sup>18</sup> In contrast to France, Prussia's administrative structure did not follow a consistently centralist model. The *Landräte* as the chief administrative officers of the regional districts were not recruited from a centrally trained elite in Berlin, but from the class of the regional estate owners. They represented both the Prussian monarchy and the interest of the landowning class. Even in 1910 no less than 58 percent of the Prussian *Landräte* were of noble origin – a remarkable difference compared with the dominating bourgeois social profile of the French prefects.<sup>19</sup> Furthermore, and again different from France, Prussia allowed her cities to develop much more autonomous self-government, as the early municipal reforms of Freiherr vom Stein after 1806 underlined.

Compared with Prussia, the Austrian bureaucratic state reforms had a much more limited impact, due to the end of enlightened reform absolutism after Joseph II and the restorative tendencies under Metternich after 1815. If reforms were carried out, they clearly followed a pattern of military and autocratic implementation, such as after 1848/9 in Hungary, where still-existing feudal institutions were abolished. However, overall, the bureaucracy after 1815 lost all reform initiative and became an institution more and more identified with the preservation of the status quo, a development furthered by political and religious censorship and the reemergence of aristocratic patronage. The administration of the multiethnic Habsburg Empire was centralized, but highly complex because of various intermediate institutions. With the exception of Hungary – where, after the compromise of 1867, civil servants were recruited from the

Magyars – the empire was governed by a German elite.

Britain remained on a special path in the development of modern state structures, very much characterized by the long-term reform of self-government. Here the failure of continental absolutism in 1688/9 led to a unique constellation. In stark contrast to continental experiences, the development of a bureaucracy as the monarchy's central administrative institution was stopped, allowing the landed gentry to maintain fundamental administrative functions. This type of aristocratic self-government became a most persistent factor in the development of British bureaucracy even in the nineteenth century. Local self-government, as represented by the landed nobility, dominated the counties, where for example justices of peace were recruited from the landed nobility until the late 1880s. Local self-government meant that the power of central administrative institutions in London remained rather limited and developed relatively late, for instance regarding Poor Law regulations and their implementation.<sup>20</sup>

Only as a consequence of early industrialization did this begin to change in the 1830s, when, responding to the social problems in larger cities, the Poor Law Amendment Act of 1834 provided for state inspectors responsible for maintaining centrally defined standards. The 1830s also witnessed far-reaching reforms of municipal self-government, which was now based upon elected municipal councils, leading to a rise of municipal services and communal bureaucracies in the second half of the century. Compared with this strong tradition of local self-government, the development of central institutions primarily followed a pattern of fiscal and military functions. In contrast to continental cases, the central ministries only developed a larger infrastructure from the 1830s onwards, especially in the case of the Home Office, which was responsible for recruiting inspectors for the Poor Law regulations, for schools, and health policies. They also cooperated closely with local governments. But compared with the continental experiences of France, Prussia, and Austria, the British central state bureaucracy remained a relatively small and loose organization of various old and new

institutions in London. Only in 1870 was a system of central examinations introduced for those applying for posts as higher civil servants. In contrast to the continental dominance of lawyers among the bureaucratic elite, most officials in Whitehall had experienced an education in Oxbridge, underlining the amateur ideal of generally educated gentlemen. However, the much more progressive characteristics of modern bureaucracies in the British case developed in the colonial administration, the Indian Civil Service and the Colonial Office, which became much more of a centralized and highly elitist organization, characterized by special training.<sup>21</sup>

Finally, the history of the state in Russia marks a fourth European type, a case of imitating modernization. In contrast to the cases described above, Russia did not experience any constitutionalization before 1905, underlining the contemporary reputation of an autocratic regime with corrupt bureaucracies. However, this interpretation overlooks the fact that the Russian bureaucracy was the product of imitation of Western examples. Peter I and Catherine II had studied and copied models of absolutist and enlightened state administration of their Western neighbors – the reforms of 1775–82 which introduced *gouvernements* and districts followed West European examples – whereas the legacy of revolutionary and imperial France did not have a lasting influence. Until 1861 the Russian state had delegated all legal and police functions to local landowners. Local self-administration was based upon the village community, which was collectively responsible for the payment of taxes and the distribution of land.

This constellation limited the central state's ability to penetrate the countryside, and indeed the administration on the levels of *gouvernements* and districts remained largely ineffective and weak. Attempts to achieve a more effective noble self-government were only partly successful, as the limited impact of local *Zemstvos* institutions illustrated in the later 1860s. It took more than three decades until these new bodies could stimulate any improvement of public services such as road construction, public health, and schooling. This particular structure was very much due to the fact that

St. Petersburg – with its central administrative institutions, and its political and cultural attractions – increasingly absorbed the talented and ambitious from the regional provinces and deprived local and regional self-government of a reform-oriented and self-confident elite. In combination with a fragile financial basis, caused by the lack of industrial development and by the agrarian sector's low productivity, the tsarist bureaucracy's attempts to stimulate the country's modernization remained extremely limited. It proved unable to imitate successfully the state-building process of Russia's Western neighbors in a period of socioeconomic change and political tension. It was World War I that served as a catalyst for bureaucratic modernization in Russia, which continued after 1917, when Bolshevik Socialism marked the start of a new era of state intervention on a hitherto unknown scale.<sup>22</sup>

### **New Functions, New Conflicts: Communication and Infrastructure, Education and Social Welfare, and the Emergence of the Interventionist State before 1914**

Three basic processes accompanied the development of modern state bureaucracies in Europe from the mid-eighteenth century onwards. Towards the end of the nineteenth century, especially after 1880, these processes combined and led to a new constellation in which the early roots of the modern interventionist state became obvious, though with remarkable differences in distinct European contexts: first, the dynamic demographic development and its consequences, especially mass migration within Europe; secondly, the industrial transformation of societies which absorbed the human surplus. Both processes led to social transformations and also social unrest, but they affected European regions to different degrees. Whereas the northwestern part of Europe – starting in England, then expanding to North and Central Europe, including the northern zones of the Mediterranean (northern Italy,

northern Spain/Catalonia) – became industrialized, the south and east remained very much excluded from these processes and maintained a primarily agrarian structure. Industrialization meant an enormous potential for increasing and intensifying state power through raising taxes, and indeed one can observe that states and societies in the northwest of Europe since the 1870s experienced the most rapid and far-reaching expansion of modern administrations.<sup>23</sup> In many European contexts, and especially in the case of socioeconomic latecomers, state governments and their bureaucracies acted as agencies to stimulate modernization through a “revolution from above,” by state regulation of the agrarian and manufacturing sectors, through legal and educational stimuli, and through state investments in industrial developments, especially in railway building.

Thirdly, the nineteenth century witnessed a revolution of communication with far-reaching consequences. This process accompanied the increasing mobility and expanding exchange of information among ever greater parts of society. It was based on technical innovations – the railways, telegraphs, and telephone – which reduced distances in time and space and led to a hitherto unknown intensity of exchange of information: letters, books, newspapers, and journals contributed to the dynamic circulation of information and to the development of a better informed public. The bureaucratic state of the nineteenth century was in many ways one of the motors behind this process: by the invention of modern statistics, by regulating time and orthography, by encouraging, stimulating, and enforcing literacy, by directing and administering railway building, post, and telegraph.<sup>24</sup> Administrative communication used the new media, thus serving as a catalyst for technical improvements and their implementation. This also meant that the new bureaucracies needed well educated and trained personnel; school and university education therefore became a vital precondition for effectively functioning states machineries.

Thus, new functions of the state developed when the industrial revolution intensified in continental societies. Railwaymen, postmen, policemen, and teachers, an army of state civil

servants, became everyday symbols of the various state functions. Railway building in the 1840s became a key component of investment, and in many cases (e.g., in the German states and France) it was state governments which led the way. State investments in post and telegraph stimulated mass communication. Primary and secondary education and the maintaining of public order were regarded as primary state functions. As a consequence of these processes, the number of state civil servants exploded, especially after 1850. Between 1870 and 1900 the numbers rose from 210,000 to 405,000 in Germany, from 99,000 to 395,000 in Britain, and from 224,000 to 304,000 in France, indicating the relatively modest level from which Britain started, compared with the already large state apparatus on the continent, but underlining the dynamic growth in the last third of the century, which became a European feature of the period.<sup>25</sup>

Two key state activities in the late nineteenth century deserve special attention, because they demonstrate not only the state's expansion, but also the potential limits and conflicts connected with this process. Education was no longer regarded as a private matter. It had to serve the state's interests and thus, in the eyes of contemporaries, legitimized the state's primary role in directing schools and universities – more directly in the French Third Republic than in the British monarchy. It became a prime target of state governments in Northern Europe between 1880 and World War I, and the funding of primary schools, trained teachers, and free education was reflected in state budgets, which also underlined the enormous differences between the north and south of Europe. In 1901 Germany spent no less than 12 percent of its state budgets on public education, England 10 percent, and France 8 percent, but Spain only 1.5 percent. The most important motive behind intensified education politics was national integration, which was of special importance not only for the French Third Republic after 1871 and the new nation-states of Italy and Germany, but also for the multiethnic empires of Russia and Austria. A common language seemed to be a more successful instrument of achieving unity than just a dynasty.<sup>26</sup>

But the state's activity in education also led to new conflicts, as the bitter antagonisms between state governments and the Catholic church in countries with large Catholic populations demonstrated. In France, the republican governments expelled teaching congregations from the primary school sector in 1886, provoking the growth of private Catholic schools which did not receive any state funds but attracted many pupils. In Germany the *Kulturkampf* between the government and the Catholic church was not only about the church's educational influence, but also represented a bitter conflict over loyalty to the new nation-state of 1871. In the eyes of German liberals, Catholicism stood for a "Romish" and hence universalistic set of ideas which was deemed unpatriotic, and they also pointed to the antagonistic ideologies between apparently enlightened liberal tendencies on the one hand and reactionary Catholic on the other. Here the conflict between state and church only concealed deeper-rooted conflicts over identity patterns in a period of nation-state building. In Italy the anti-clerical left unsuccessfully tried to abolish the catechism in state schools. In Spain the new state school reform of 1902 which introduced state-paid teachers and supervision by local and regional boards, provoked strong resistance from the Catholic church and Catholic politicians and associations. In all these cases the expansion of state activity met fierce resistance and underlined the complex and often limited nature of this process.<sup>27</sup>

In the context of rapid industrialization and urbanization, which affected more and more continental societies in the second half of the nineteenth century, European states were confronted with dynamic social change that questioned the traditional instruments of social welfare offered by churches, mutual aid corporations, and other charities. The social question of the day made it obvious that state repression was not an adequate response to the legitimate demands of industrial workers.<sup>28</sup> The case was particular in Germany, where universal manhood suffrage became part of the constitutional basis of the new nation-state of 1871. Here, Bismarck, who had believed in the natural conservatism of the workers, was confronted with the growing organizational and

political strength of German socialism as the representative of the German proletariat. Bismarck's response was a dual strategy of repression on the one hand (based on anti-socialist legislation which also provided a common ground for his cooperation with the Catholic centre) and worker-friendly social legislation on the other. It followed the model of "reforms from above," initiated – as in the days of the Prussian reforms after 1806 – by state governments and bureaucrats in order to avoid a further gap between state and society. Paradoxically, state socialism set the pace for innovative and modern social legislation and the origins of the modern welfare state in Germany, but the motives behind it were at the same time dominated by political conservatism. In order to achieve conservative ends, Bismarck was prepared to apply progressive means – without success in the long term, because neither anti-socialist legislation nor social state legislation could prevent the rise of the SPD, which by 1913 became the strongest political party in *Reichstag* elections.

Although the dimensions of the social insurance schemes of the 1880s (consisting of compensation for industrial accidents, sickness benefits, and old age and disability pensions) should not be overestimated – the full pension, for example, was only received at the age of 70, after 48 years of contributions, and could not be passed on to a widow or children – it signified the change from a traditionally reactive position of the state and a laissez-faire strategy to a proactive and potentially intervening welfare state. This not only had a deep impact on the meaning of the paternalist state and expectations of state activity in a period of dynamic social change in Germany, but also stimulated other European countries.

In the case of Britain, the influence of industrialists and their focus on freedom of contract and the ideal of self-help limited the development of an interventionist social state legislation for a long time. In contrast to Germany, there was no strong tradition of state-led and proactive reforms from above. Furthermore, the development of an independent labor party was a relatively late development, hence the government was under less political pressure to respond to a powerful representative of the

industrial workers. Some progress was made under the Liberal government of 1892–5, but Joseph Chamberlain's demands for poverty and unemployment legislation did not lead to large-scale schemes. Despite the Conservative government's cautious steps, the Workmen's Compensation Act of 1897 indicated a clear shift towards an interventionist and proactive state policy.<sup>29</sup>

In France, a government of moderate republicans and radicals initiated social legislation in the late 1890s, when the socialist Millerand took over the ministry of commerce. The Factory Act of 1900 reduced working hours for men and women in workshops. In Catholic countries such as Italy, both the state and the church focused on the social issue. Pope Leo XIII's encyclical *Rerum Novarum* was meant to encourage Catholic associations in order to weaken socialism.

Looking at the architectural incarnations of European states – its heritage in the numerous town halls and court buildings all across Europe's capitals, imitating and at the same time often overshadowing dynastic palaces as if it symbolized the state's emancipation from traditional types of rule – it seems obvious to regard the rise of the modern state in nineteenth-century Europe as an unbroken and somehow inevitable process.<sup>30</sup> But a closer look at the limits and resistance – as illustrated by the antagonisms between state and church as well as between state and working classes – may warn us about such a simplistic perspective. The history of the modern Leviathan is also the history of the many bitter conflicts which its rise provoked.

## NOTES

- 1 Entrèves (1967); Mager (1968); Oppenheimer (1975); Poggi (1978); Dyson (1980).
- 2 Marx (1852); Cowling and Martin (2002).
- 3 Weber, "Politics as a Vocation" (1919) in Gerth and Mills (1948); see also Beetham (1985).
- 4 Tilly (1975: 21); Raphael (2000: 17).
- 5 Raphael (2000: 13); Schulze (1995: 150–2).
- 6 Barker (1944); Genet (1990); Reinhard (1999).
- 7 I. A. A. Thompson (1976); Hochedlinger (2003); Gantet (2003: 119–21); Brewer (1989).
- 8 Parker (1988: 24); Raphael (2000: 20).
- 9 Moran and Waldron (2003).
- 10 Tombs (2000: 16).
- 11 Quoted in Raphael (2000: 10).
- 12 Ibid: 21–2.
- 13 Rosenberg (1958); Mueller (1984).
- 14 Raphael (2000: 41–75).
- 15 Ponteil (1966); Church (1981); Rosanvallon (1990).
- 16 Fried (1963); Davis (1988).
- 17 Charle (1980: 20–32); Raphael (2000: 49).
- 18 Gillis (1971); Lüdtke (1979).
- 19 Witt (1985).
- 20 Chester (1981); Pellew (1982); Waller (1983); Emsley (1983); Corrigan and Sayer (1985); Eastwood (1994).
- 21 Young (1961); Cell (1970); Kaminsky (1986).
- 22 Starr (1972); Pinter (1980); Lincoln (1990).
- 23 Raphael (2000: 13–14).
- 24 Perrot and Woolf (1984).
- 25 Tombs (2000: 17).
- 26 Gildea (1987: 351).
- 27 Ibid: 353.
- 28 Ibid: 356–60.
- 29 Mommsen and Mock (1981).
- 30 Lane (1983).

## GUIDE TO FURTHER READING

There is still a relative lack of systematically comparative works on the emergence of the modern state. The best overviews are still Barker's *Development of Public Services in Western Europe*, Dyson's *State Tradition in Western Europe*, and Tilly's *Formation of Nation States in Western Europe*, which concentrates on the relation between nation and state building in comparative perspective. See also Schulze's *States, Nations, and Nationalism* for a more recent and stimulating overview. Mommsen and Mock's *Emergence of the Welfare State* provides an innovative view on Germany and Britain, thus challenging some notions about apparent pioneers and latecomers. The crucial role of wars for state-building processes has been analyzed for the British case by John Brewer's excellent and groundbreaking case

study *The Sinews of Power*, which should now be read in combination with Moran and Waldron's *People in Arms*.

Useful works on the different European cases which, if read together, allow comparative perspectives include Chester's *English Administrative System* and Palmer's *Police and Protest in England*

and Ireland for Britain in the long nineteenth century; Church's *Revolution and Red Tape* and Payne's *The Police State of Louis Napoleon Bonaparte* on France. For Italy, see Davis's *Conflict and Control*. On Prussia, see Mueller's *Bureaucracy, Education, and Monopoly* and especially Lüdtke's *Police and State in Prussia*.