The Welfare State and Modern Sovereignty*

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Abstract

The paper analyses the current position of the welfare state and how it is reflected in the recent literature. It criticizes contributions that try to advocate the welfare state as a hallmark of European civilization, as they lack the proper analytical method to do so. It proposes an original approach that reveals a structural analogy that exists between the welfare state and the modern sovereign state. In a short historical survey, it demonstrates that during the process of its formation, the modern state gained structural elements that on one hand created a foundation for its later transformation into the welfare state, but on the other hand became a source of deep distrust. As this distrust also influenced the development of the post-war welfare system, the entire project eventually became vulnerable to ideological criticism. The paper shows that today's condemnations of the welfare state for its alleged non-affordability are but an echo of an older ideological – populist and liberal – distrust of the state itself. Finally, the paper attempts to argue in favour of both the modern sovereign state and the welfare state by developing an argument for their *de facto* existence and usefulness and showing the fundamental fallacy of the counter-arguments of its critics.

Keywords: welfare state; sovereign state; Bismarck; Beveridge; social policy

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1. Introduction

The aim of this paper is to develop an argument in favour of the welfare state against a background of modern discourse on the sovereign state. Starting from recent criticisms of the welfare state, the paper shows that parallels can be found between this criticism and the widespread sceptical attitude towards the modern sovereign state. Since there are – as we will further show – also parallels between the justifications of the two (which haven't really been addressed in recent debates), it leads us to believe that the case for the welfare state can be strengthened if we build on the above-mentioned parallelisms and make use of the

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arguments previously delivered for the sovereign state, pointing particularly to the fact that the sovereign state still proves to be effective despite decades of criticism and neglect.

To be sure, our aim is not to depict a substantive parallel or analogy between the two entities themselves. Given that the welfare state has historically evolved from the modern nation state, presupposes its full emergence and comprises an essential part thereof (cf. Pierson, Leimgruber 2012; Torfing 1998: 163; Tilly 1990), constructing an analogy between the sovereign and the welfare state would be a rather trivial – if not entirely hopeless – task. The point of the paper is not about the substance of the welfare state (which substantially is *a* state), but about the respective concepts. Drawing such parallels is useful given the cognitive situation where most critics of the welfare state, without necessarily being aware of it (or at least without making it explicit) in fact disprove the state itself, while advocates of welfare state policies seem to be – at least partly – oblivious of the fact that their case depends on the proper understanding of what the state is.

If this diagnosis is correct and various historical forms of criticism can be analysed based on the similar intellectual bias behind them, this presents a task for an historical survey of a special type. Such a survey should go beyond the surface of theories and practices and focus on more basic intentions and motivations, asking questions the authors themselves haven't necessarily asked. Such an enterprise must obviously be selective in two senses. First, its scope will be limited to what can be meaningfully grasped in a single journal study, namely, certain figures who can be seen as representative of mainstream Western political thought; second, the positions considered won't be discussed in detail or with respect to their own scientific objectives. Both limitations might be justified by the fact that from a plurality of conceptions, our analysis seeks to single out the positions relevant to what we believe is the central issue of modern political theory.

In what follows, I will first sketch the forms of today's criticism of the welfare state. In the next two sections, I will scrutinize historical positions on the state and ask what motivations and basic intentions might possibly have led the authors to formulate their theories. Then, I will show that the expectations of the authors who criticized or neglected the state have repeatedly proved to be wrong, since reoccurring political crises make the agency of the sovereign state inevitable. In this light, I will then describe two different attitudes of welfare state advocates and suggest that they differ in the degree to which their positions remain sensitive to the prior role of the state. Lastly, I will try to propose a justification of welfare state theory and practice against a backdrop of fictional state theory.

2. Recent Opinions on the Welfare State

According to a view shared by many social scientists, the classical model of the welfare state, as it flourished between the late 1940's and early 1970's, is today in crisis. The diagnosis of this crisis typically points to three major reasons and factors: 1) the process of globalization that exerts pressure on the social frameworks of nation states whose governments are no longer in a position to control the new trans-national economy, 2) shifts in the structure of the domestic economies of developed countries and – simultaneously – increasing social

expenditures which lead to austerity policies, and 3) demographic trends in Western societies, especially the ageing of the population and decline in birth rate (e.g. Myles, Quadagno 2002; Pierson 2001; McAuley 2003: 193–204; Morel et al. 2012; Begg et al. 2015: 26–28).

This diagnosis encourages us to believe that the classical welfare state agenda is no longer feasible under new social and economic conditions; since reality develops dynamically, it doesn't allow for concepts and practices that originate in previous periods.

However, economics and sociology is only part of the story. Since the late 1970s, the welfare state has also been under strong intellectual attack. Its critics – ranging from the 'New Right' movement to Marxism or feminism – have concentrated not so much on economic and social facts, but rather stressed the alleged moral dilemmas that the welfare state poses. While neo-liberals criticized the reduction of individual liberty and personal responsibility, Marxists kept lambasting the welfare state as a tool for preserving and reproducing capitalism, while feminists criticized welfare handouts for preserving gender stereotypes. In other words, the main problem with the welfare state according to these various criticisms was not that it was objectively unaffordable, but that it was morally endangering.

More recently, another moral challenge for the classical welfare state emerged in connection with the immigration problems of recent years. The authors who reflect on these new occurrences not only emphasize human rights that entitle immigrants to enter any state, but they also defend the inclusion of the newcomers into the body politic with full rights, including social rights, claiming, first, that depriving the immigrants of these rights would be undemocratic and, second, that inclusion would contribute to a more just global redistribution of wealth (Carens 2013: 252, 257; Dummett 2001: 80). From this perspective, a classical welfare state that implies a legally limited concept of citizenship seems to be questioned by the principles of human rights and distributive justice.

Thus, any analysis of the position of the welfare state today cannot limit itself to material causes and must also comprise ideational reasons (cf. Goodin 2008: 205). In fact, the latter might seem even more important than the former. As claimed by some recent surveys critical to the economic analyses delivered in previous decades, there is no empirical evidence demonstrating a negative correlation between social spending and economic performance (Goodin 2008: 207; Begg et al. 2015: 16, 33; Šikula 2014: 129). Others have highlighted the often overlooked fact that the welfare state deals with all social risks efficiently (Laurent 2014), at any rate much more efficiently than any conceivable non-state actor (see Hills 2014). There seems to be no indication that the welfare system will necessarily collapse for socio-economic reasons; in modern history, there has not been a single instance of a state going bankrupt merely due to its social and welfare expenditures. As still others have stated, it may have been ideological criticism in the first place that ruined the post-war class consensus on the model of the welfare state (Castles et al. 2010; King, Ross 2010).

As a matter of fact, direct opponents of the welfare state have not been the only ones contributing to its crisis; there is a widespread feeling among many supporters of social policy programmes that the classical model of the welfare state has been overwhelmed and a new framework is to be sought (e.g. McAuley 2003: 120–132).[1] The welfare state definitely seems to be out of fashion and this general feeling might have contributed to its demise.[2] Hence, there not only seems to be a conspicuous impact of certain ideas on the practice

and the very existence of the welfare state, but one might even suspect that its current crisis might well be simply an outcome of a self-fulfilling prophecy.

This situation in which critical ideas and negative expectations negatively affect the position of the welfare state has been realized by some of its apologists. Their recognition that the deficiency of the welfare state consists foremost in its ideological weakness led them to formulate a direct counterargument against neo-liberal propositions and especially against worries about the morally hazardous nature of the welfare state. These authors restated the old idea that the welfare state is an ethical entity and typically emphasised that the social system is an expression of civilisation and culture (Bourdieu, 1998: 24–28; Ferge 1999; van Istendael 2013; Ellison, Fenger 2013; Guardian Letters 2013).[3]

The problem with such an apology is twofold. First, its nature is rhetorical rather than analytical. Such an approach must face questions of the adequacy of its core concepts (such as that of culture and civilization), surely exposing itself to the objection of their arbitrariness (cf. Armstrong 2013).[4] Secondly, it is not able to explain why moral arguments opposing the welfare state gained such strong support among the general public: How could they have been so compelling as to cause the public to desert the commonly shared post-war consensus and successfully siege the public space over a period of nearly 40 years? From the point of view of welfare state advocates and their rhetoric of civic and cultural ethos, this development must remain hardly explicable and basically irrational.

The successful criticism of the welfare state must have had some historical preconditions that made it simple to reject the more or less successful project of the welfare state. I see these preconditions in the arguments that have historically been formulated against modern sovereign statehood. I suspect that at the heart of any rejection of the welfare state is distrust of the *sovereign state itself*.

3. The Modern State: Sovereign, Fictional, Indigestible

As is well known, the modern sovereign state developed during the 16th and 17th centuries against a background of two fundamental social rifts: between the monarchist and republican traditions and between Catholicism and Protestantism. Considered historically, the state became a way to resolve devastating social and religious conflicts. This sense of danger probably played a decisive role in the thinking of the authors on the modern sovereign state.

After N. Machiavelli's invention of a new state theory focused on preserving the state and keeping the peace (Machiavelli 1532; cf. Berlin 1980), and J. Bodin's first explicit articulation of the theory of sovereignty that put limitations on the individual person of the ruler introducing the fundamental separation between the ruling person and the sovereign power (Bodin 1576: I,8; VI,2; see Quaritsch 1986: 52–53.), it was T. Hobbes who finally formulated the theory of the state as an artificial and *fictional person*, separate from both the rulers and the subjects (Hobbes 1651: XVI–XVII; see Skinner 1997: 16–17). The idea of separation from both rulers and subjects is the source of new legitimization of specific state purposes: the common good is both dependent on, and included in, the preservation of the state (Hobbes 1651: XVII,13; XIX,4; XXIV,5–6; XXX,20, 25; Skinner 2009: 348).

Most important for our analysis of the opinions behind various historical theories and practices is the fact that Hobbes, and similarly Machiavelli and Bodin, tried to capture theoretically what they recognized as gradually occurring in their time, namely a new social reality beyond the existing conceptual framework that they considered practically useful and needed. It was Hobbes who first succeeded in putting his finger on the essential feature of the new reality when he attributed the state an abstract, i.e. fictional, character; this enabled the state to behave neutrally towards all citizens, following its own legitimate purposes. Though Hobbes frequently adopted rhetorical language using some strong metaphors, the description of state's agency is admittedly far from being metaphorical. Hobbes recognized that there are tasks in areas (such as protecting the life of every individual) where only the state can really act. From this perspective, the obvious fact that the particular decisions and actions of the state must be exercised by individual rulers, bureaucrats, politicians, etc. cannot be interpreted as actions of these physical persons. Rather, they act as *representatives* of the state – and only as such can they accomplish the tasks of the sovereign (Hobbes 1651: XVI, 4).

The theorists of the new state reality further believed that, in the new situation, the state is no longer legitimized by people's desire and natural ability to unite (as in the Aristotelian tradition), but by the motives of protection: of the sovereign state and of its inhabitants. The common benefit of individual citizens is inherent in the legitimizing goal of preserving the state. This goal finds its formal expression in the legal system and public order.[5] This is a key aspect of the sovereign state's heritage (to which social statehood also belongs): in a state based on individual empirical interests of self-preservation, it is possible to enforce certain goals independently of the will of individuals and social groups (see Przeworski, Wallerstein 2001: 40) but at the same time legitimately, i.e. by an authorized representative of the state (see Schmitt 2010: 99–113).[6]

Naturally, it took some time for this approach to be adopted *via facti* in the political and legal arenas (this took place at the latest during the 18th century) but also to be generally accepted as a legitimate concept in political practice, even by those rooted in the existing ethical and political traditions.[7] This demonstrates the situation typical for modern political thinking when specific concepts were not held and enforced *theoretically* by professional intellectuals, but grew out of specific practical *needs* and *interests* (see Ottmann 2001: 2–5), being accepted as a concept only *ex post*. Such a situation, when the practical *de facto* enforcement of the state is associated with a delayed and somewhat reluctant acceptance of its legitimacy, also applies to today's political debate. In accord with an important contemporary analyst of the statehood problem, we can call it the 'indigestible state' (Foucault 2004: 78). This metaphor precisely captures the reluctance, rooted in some theoretical – or, ideological – preconceptions or prejudices, to accept a concept that in reality is proven by a certain inherent goodness (e.g. ability to protect and provide for). Such reluctance is undoubtedly a consequence of a wider phenomenon of the crisis of governing in modernity (Foucault 2004: 70ff.). This, of course, cannot be analysed in detail here, but must be borne in mind when considering the question of general scepticism toward the modern sovereign state. This can be countered by emphasizing the inherent usefulness of the state and its ability to achieve the goal of self-preservation (of both the individual and the state), enabled by the double separation of the political system from the social one and of the ruler from the

civil authorities (von Beyme 1972: 162–163); this apparently suffices for the state to prevail as legitimate, despite all obstacles and ideological inertia.

4. Theoretical Positions on the State: From Criticism to Neglect

From the very beginning the elevation of the state above all existing individual-ethical as well as social-ethical criteria provoked significant suspicion. Immediately after the new concept of the state was formulated, strong criticism appeared from supporters of the traditional 'populist' theory that stressed the sovereignty of people (cf. Skinner 1997: 17–18; Skinner 2009: 354–355). However, the greatest difficulty for fictional state theory was not presented by this traditional criticism but by more recent reactions to the attempt to establish an alternative state theory. Hegel, failing to distinguish Hobbes' complex conception from purely contractual theories,[8] rejected his approach to the double-separation and thus *fictionality* of the state, replacing it with a more radical conception of the state as a *real* person.[9] It was precisely this radicalisation, adopted by Hegel's followers (Green 1986: section G; Bosanquet 1899: 162–184), which invited strong opposition to Hobbesian theory that significantly contributed to creating a bad reputation for any form of thinking that situates the state at the centre of its interest.

Even the term 'state' was pressurised by reactions to the Hegelian system, for they tended to repeatedly separate the state from society, however, this time emphasizing the domination of society over the state. All anti-statist theories from the 19th and early 20th century, whether utilitarian (Sidgwick 1891), liberal (Hobhouse 1918: ch. V) or Marxist (Marx, Engels 1959: *passim*),[10] are characterised by a strong prioritization of society over the state. In the view of liberals, society needs to be defended from the state as it can usurp people's rights or form an obstacle to the communitarian virtues and practices of society. According to Marxists, the state acts as an oppressive tool of the ruling class, and thus must not only be restricted and controlled but even eliminated. Both schools present, to a certain extent, a renewal of the old populist theory which insists that people always have all power in their hands.

After the First World War, the very existence of the state was challenged by the most prominent stream of political thinking. While for the older, populist, liberal or Marxist traditions the state still constituted the real political enemy, for mainstream political theory of the 20th century it started to be virtually irrelevant. The question arose as to whether space would still remain for the state on the political scene in the period of expanding trans-national institutions such as the League of Nations (cf. Laski 1931: esp. 92–100). Despite the fact that the political relevance of these institutions ultimately proved doubtful, by the middle of the century we find the topic of the state marginalized within mainstream political science (Bartelson 2001: 77).[11]

State-reductionism remained the most prominent feature in political thinking after World War II. The existence of the state is either parenthesised or reduced to various phenomena: system theory does not accept the state as a political player but substitutes it with

a 'political system' that is an element of the social sphere (Easton 1953; cf. Easton 1981; Luhmann 1990). Similarly, the theory of pluralism reduces the state to terms of government, system and political party contest (Dahl 1989). In the humanistic version of natural law theory, the state's existence is limited to a tool of socially determined objectives such as social justice, order and prosperity, without having its own substance (Maritain 1951: 1–53).

Two of the most influential political theories of the second half of the 20th century, the theory of discourse and the theory of justice, demonstrate almost complete neglect: the former transfers the question of the state and government to an analysis of the conditions enabling free and non-violent discussion (Habermas 1992: 32–35, 50–51, 138–142) and the latter exclusively examines the procedure of establishing just principles according to the precept of fairness (Rawls 1999: I, 1–2).[12]

Direct criticism of the state remained vital for rather marginal, often left-wing oriented, streams of political thinking: the post-cultural approach sees the state as a tool of oppression (Foucault 1982; Derrida 2002)[13] and the same point of view can be seen in radical democratic theory (Lefort 1983). Also, post-war Marxism preserved the anti-statist focus: it either retained Marx's original theory about the state as a coercive tool of the capitalistic class, or it diagnosed the disintegration of the state as a consequence of the continuing struggle between the capitalists and the non-privileged (Offe 1984; Jessop 1990).[14]

Less distrust to the state is shown by authors who adopt a position of so-called institutional statism, where both the elites and civil society must be limited by the state. However not even here is the state regarded as an independent person. It is subordinated to institutional limitation in order to avoid unauthorised interference in the civic sphere (Skocpol 1979: 3–46; Mann 1986: 1–33; Mann 1993: 44–91).[15] Some understanding of the role of the modern sovereign state can be found in the conservative version of natural law theory, criticising naïve attempts to reduce state authority that aim to eliminate something that either cannot be eliminated or can only be eliminated at the cost of negative consequences (Spaemann 1974; Koslowski 1982). Nevertheless, even here, a strong distrust of the state is manifested.[16]

It is telling that in the second half of the 20th century, we find complete comprehension of the concept of the modern state in only some strands of *historical-hermeneutical* thinking; it was primarily individual authors focusing on conceptual history who delivered an irreducible account of the modern state and also some systematic arguments for its advocacy (Böckenförde 1978; Quaritsch 1986; Skinner 1997; Skinner 2009; Bartelson 2001).

5. Factuality and the Goal of the Sovereign State

Taking into account this brief history of the criticism (prevailing from the 17th to 19th centuries) and neglect (typical for the 20th century), one may be tempted to consider it a catalogue of unfulfilled expectations. It is noteworthy that these opinions were typically voiced at times of relative stability, followed by a period of serious crises in which the state confirmed its stability and relevance through the way it faced the new challenges. As the Hobbesian sovereign state proved to be efficient in coping with actual civil war in the 17th and

18th centuries, the state of the 19th century – despite all liberal or Marxist criticism – was able to deal with the danger of potential civil war rooted in class division; in the 20th century, despite prospects of the national state yielding as an actor to international organizations, the will of sovereign states proved to be the only guarantor of war and peace. And finally, after the end of the post-war era representing the longest period of permanent peace in the modern era and also a period when the state has been basically neglected, we are again facing a rapid change of situation that forces us to radically alter our former expectations.

Since the beginning of the new millennium we have been experiencing numerous and ever-growing crises. The phenomenon of emergency powers, which became especially intensively studied after September 11, showed the state's willingness and readiness to eliminate existing legal code in the face of an actual threat to its existence (cf. Dyzenhaus 2006; see Benjamin 1999; Schmitt 2004: 13–14). In this new situation, the factuality of the state can hardly be questioned; the implicit anti-statism is thus forced to emerge from the shadows and became explicit, similar to the debates of the 17th–19th centuries. Instead of tacitly ignoring the state problem as commonly done in previous decades, open criticism is once again topical, particularly criticism of the state for violating the people's rights (see e.g. Agamben 2005; Voigt 2015: 162–163, 187–190).

Responding to this criticism, defenders of the sovereign state might wish to re-establish the arguments focusing on the theory of the sovereign state. The actual political reality in fact offers some clues to this type of argumentation.

First, the financial and economic crisis after 2008 showed that the state was the only political player with the means and willingness to confront the arising problems (Castles et al. 2010). It was not the monetary policies of the European Central Bank or the infamous Troika directives but the economic intervention by sovereign national states in the form of real economic policies that prevented economic collapse and further critical conflict. This activity sharply contrasts with the reluctance and inability of companies and markets to respond.

Second, as a parallel to the previous point, we can mention the practical-legal measures adopted by some European states to cope with the immigration wave of 2015. Instead of being the beginning of 'the end of Europe as we know it', as foreseen by many, the problem has at least temporally been mitigated; notice, again, that effective crisis management was provided not by the EU Commission but by provisions of the individual member states.

Finally, and rather more abstractly, an important – and for our purposes highly telling – feature of sovereignty is the recently much discussed matter of public debt; in contrast to the existence of the state itself, the existence of public debt is difficult to deny and the issue of the identity of the debtor thus arises. If the debt exceeds the ability to pay of a few generations (which is the contemporary economic reality in the majority of developed countries) then it cannot be borne by the actual individuals of a society, but rather by the state that possesses the power and means to accept these commitments (Skinner 2009: 363–364).

To be sure, from the standpoint of distributive justice, it is highly problematic if the state uses public money to save private businesses and their profits or to indirectly support the mafia organizing the exodus from North Africa. However, since it is only the state that is capable of such intervention – this is proven by its ability to collect taxes from people, to enforce obedience, to assume stewardship of bailed out factories and banks, to guarantee

electricity prices, etc. – the matter of justice becomes secondary to the superior question of whether it is right to use these capacities for the preservation of the state.[17] Consequently, the proper formulation of the question is not whether it is justifiable that I'm forced to support private banks and their irresponsible management with my taxes, but rather whether it is correct that the state supports the banks (with collected taxes) in an attempt to preserve itself (by preserving its economic system). The recent tragic experiment of Greece where both the public and their political representatives adopted painful measures in an attempt to face the consequences of the public debt, proved that it is virtually impossible to disentangle any society as a set of individual lives, interests and budgets from the complex framework of the national economy of the sovereign state.

In an era of highly complex social interactions, it is precisely the state which, in times of crisis, assumes responsibility for solving the most burning problems. This is essentially the goal of the state. As we have seen above, a certain inherent goodness or usefulness is present in the concept of the state from the very beginning. With the state's existence and orientation towards providing some good, its very being and teleology in fact coincide, forming two aspects of one and the same thing.

And it is precisely the inability to recognize this coincidence of the state's existence and teleology that lies behind the continuing criticism of the sovereign state. It is not that the most recent critics acknowledge the reality of the state and, for some reason, keep criticizing it. From the perspective of fictional state theory there are not two different positions on the problem of the state – naïve neglect and aware criticism – but just one and the same reductionism. The old idea can be evoked here that not seeing the good of a thing implies not seeing its substance. Both criticism and neglect imply a lack of proper understanding of the problem of the state.

6. Paralleling the Welfare and Sovereign State

Let us step back from the state itself to consider its welfare stage. We have indicated that there might be some parallels between the concepts of the sovereign and the welfare state. To see them, let us consider two sets of thoughts that led to two classics of welfare state policy, by Bismarck on the one hand and Beveridge on the other, that have eventually given birth to two different models of the welfare state.[18]

Bismarck, whose legislation successfully faced the new challenge of social-economic division between capital and labour in the last quarter of the 19th century, is widely considered the inventor of the welfare state.[19] We wish to claim now that it was by recognising the potentialities present in the sovereign national state that he[20] succeeded in his effort to reconcile seemingly hopeless class conflicts, and also to preserve the state's existence.[21]

By this self-affirmation, the sovereign state entered a new epoch of social statehood, unchanged in its fictional and abstract nature. As with the establishment of the modern state, one can point out the historical moment when the idea of the welfare state comes into being. Just as the modern state exists from the very moment it behaves neutrally to all citizens equally, which is enabled by its separation from both the rulers and the ruled, the welfare

state exists when social or welfare policy does not limit itself to some particular (i.e. needy) groups but to the inhabitants in general: this moment occurred when Bismarckean reforms established obligatory social insurance. The structural similarity between the concept of the state and that of the welfare state thus lies in the analogical conception of the relation between the state and both the citizens and the rulers.[22]

To support the notion of structural similarity, let us consider – by way of a negative paradigm – the case of the legitimization of the British post-war welfare state. It is precisely this welfare state model that shows the parallels in the criticism (or neglect) of the sovereign and welfare state.

Although the Beveridge social system, similar to the Bismarckean system in the 1880s, was constructed as a tool of social peace in a turbulent time of confronting the enemy (originally Nazi Germany, later the Soviet Union), this was done without the key idea of the state as an autonomous player. This autonomy was replaced by a pragmatic legitimisation of the expediency of social provision for industrial purposes and the will of society. The *Beveridge Report* talks about the state only in the sense of the power to enforce compulsory insurance, analogical to tax enforcement (Beveridge 1942: § 23); however, when it defends across-the-board benefits paid regardless of risk-benefit calculations, it does so only in reference to support from the majority of the *British public* (Beveridge 1942: § 24, 26). The same argument of genuine support by Britons is declared the main reason why social benefits are not granted unconditionally but are based on the insurance principle. It is becoming apparent that the main player of social reform is society, not the state.[23]

Thus, the original relationship between the welfare state and its social tasks was reversed: the state was considered to be merely a tool of the underlying *social* goal. The greatest difference between Bismarck and Beveridge is not that the former was a conservative and the latter was a liberal serving the socialists;[24] it lies in the fact that Bismarck construed welfare policy from a strong position of the state, which in his view was not subject to historical necessities (diagnosed by Marxists as potentially fatal), while Beveridge in fact agreed to the introduction of social services as something without any alternative.[25]

There is a strong suspicion that by doing so, Beveridge made the issue of social statehood rather vulnerable.[26] Under these conditions, to challenge the welfare state, it was enough for opponents to point to the increasing pressure of another set of necessities (for example, that of globalization) so that the welfare state was entirely brought into question (in the sense that 'we cannot afford it'). Social politics without legitimising support in the concept of the sovereign state have been carried on the waves of current social discourse and as such can be replaced.[27]

Our initial hypothesis about the parallels between the sovereign and welfare state is reinforced by the parallels in scepticism towards the former and vulnerability of the latter. Viewing the problem from the perspective of fictional state theory and with an awareness of its 'indigestibility', we may suppose that 'objective' claims declaring the welfare state to be unworkable are backed by hidden reservations to the state itself. In fact, it has been recently argued that transferring the social activity of the state to society and promoting the 'non-profit-sector' against a background of criticism of the welfare state is based on certain ideological conceptions of both the state and civil society (Trägårdh 2010). Attempts to return the social functions of the state to individuals or civil society (cf., most openly, in

Murray 2016) may then be seen not as a merely pragmatic reassignment of certain social practise from one level to another but rather as an expression of the old anti-statist sentiment hidden in the prevailing tradition of political thought. Thus, in place of alleged blind necessity indicated by 'factual' analysis, we find intention – be it deliberate or unaware – in the form of the old populist-liberal theory. Its argumentation, seemingly current, is in effect identical to that posited two hundred years ago: the role of the state (whether due to its inclination of becoming a usurping bureaucracy in the 19th century, or totalitarian in the 20th century or even because of its non-viable financial position in the 21st century) must be assumed by individuals, or the family and society (for example, charities).

This theory contains a certain anachronistic feature expressed by the unwillingness to accept the state and instead to substitute social statehood with protection on the level of simpler structures such as family or society. However, the anachronism is a cognitive error, similar to that behind the neglect and criticism of the state that does not recognize its inevitability in pursuing certain goals and thus its inherent goodness.

7. The Theory of the Welfare State

Based on the assumption given at the outset and affirmed in the last section, namely that the functioning of the welfare state has been subjected to similar prejudices that one can also detect for the sovereign state, the question arises as to whether a similar *justification* can also be delivered for the welfare state. By asking this I suppose that, due to its fictional nature, the state can accomplish social tasks that are beyond the scope of any set of individuals including society; and it is precisely this ability wherein lies the value of the state.

Having already mentioned the phenomenon of state debt, we can assert that it is the state system of pensions that corresponds to this in the social sphere – the pension system is also a form of state debt that possesses the character of a reasonable tool for achieving the goal of the state's preservation. And just as converting state debt into each person's share would evidently have absurd results, one gets a similarly absurd result when privatizing pensions. No one can be held responsible for that which exceeds the time horizon of his possible intervention; nobody should be made dependent on benefits that are many decades away (see Begg et al. 2015: 18). Our experience reveals life to be a complex entirety filled with so many turning points that it is beyond our power to mould it rigidly over a long-term perspective.[28] And this is precisely why we cannot reduce our existence to our natural surroundings consisting of physical persons.[29] It is only the welfare state in its capacity as a fictional sovereign state that by behaving neutrally to all citizens is able to accomplish these tasks. Here, we can observe a similar coupling of factuality and teleology as in the case of the sovereign state.

And similar to the triumphant rebirth of the state after 2000, we can observe that the welfare state has also reaffirmed its existence in the last decade. In reaction to the 2008 crisis many countries were forced to adopt economic and social measures to face the new challenges. In the period after the crisis, the share of social expenditures in GDP increased all over Europe (Yay, Aksoy 2018: 1031). This is more than a knee-jerk reaction; most probably we are experiencing an overall change of perception: it is becoming widely admitted

that in the forthcoming post-neo-liberal era a new theoretical framework is to be sought in which the economic, political and social functioning of the state will be seen in a much more realistic manner (Šikula 2014). Also some recent occurrences such as the ultimately failed attempts to repeal the Affordable Care Act ('Obamacare') in the USA in 2017 or the termination of neo-liberal pension reform in the Czech Republic in 2016 (and subsequent plans to bolster the state pension system), indicate that the welfare state is once again being counted upon and that all self-fulfilling prophecies about its gradual decline have proved to be simply wrong.

We can hardly deny, however, that the status of these recent occurrences is different from what we observed after 2000 with respect to the state. They lack that overwhelming urgency with which the sovereign state broke into practical politics, demanding its rights as a theoretical concept. The ongoing recent criticisms sketched at the outset of this paper seem to support this contention after all. And while the arguments of those who keep criticizing the state can be disproved as reductive for ignoring state teleology, the arguments questioning today's position of the welfare state cannot be *entirely* invalidated by reference to the good pursued by the welfare state; partly because they are simply too technical,[30] partly because some of them in fact acknowledge the inherent goodness of the welfare state; they only claim that in the new situation its role must be assumed by global agencies.[31]

Does this make the case of the welfare state more vulnerable? Up to now, the state's reaffirmation of its existence despite all efforts to ignore or abolish it may be seen as something lasting and, after all, necessary. If, on the other hand, the welfare state is being seriously challenged, what shall we do about our main hypothesis regarding the sovereign-welfare state parallelism?

This presents us with the following choice: We either have to abandon the hypothesis or change the formulation about the state's necessary existence. The second option seems more feasible as we can find some support for it in the historical conceptions of the sovereign state. This was already present in Hobbes's original formulation, according to which the Leviathan is a *mortal* god. No matter how much the state absorbs and directs social conflicts, it can eventually succumb to them (cf. Schmitt 1985: 376; Schmitt 1963: 17). This paradox pertains to the state's *de facto* existence: The state does not consider itself to be an immortal god, but it is vulnerable. The realistic approach to the state, being aware of its vulnerability, calls for *actions* directed to the state's defence that aim to *restrain* endangering social and economic powers.

Who is in position to resist all seemingly historical necessities and forcing arguments? Recalling the concept of the fictional state we can claim that it is the *person of the representative* who consciously and rationally acts for the *person of the sovereign*, being aware of what the state is and what is necessary for its self-preservation. He – as an ACTOR, to use the original Hobbesian terminology once again – in fact bears the state's agency and makes decisions in a way that follows some rational objectives necessary for the survival of the state. This aspect of decision-making sets the state apart from an impersonal entity operating only in the realm of natural necessity (in the Kantian sense), rather it is a person that can be credited with rational action and the ability to make decisions in difficult situations. An observation of the role recently played by respective politicians in the reaffirming of the state's position in world politics would very likely affirm this.

To see how important decision-making and the rational action of its representative is for the welfare state as well, let us turn to Bismarck one last time. From his personal point of view, the introduction of social insurance seemed to be a forced project. In assessing this paradoxical situation in which a Prussian landlord established social provisions for workers (see footnote 24), it would be wrong to suppose that he was simply forced to accept the necessities of his time. In fact, in doing so, he must also have recognized that it is exactly the state that is to take on this role.

It is precisely the agency of the representatives responsible for the rationality of sovereign conduct that is necessary for overcoming the welfare state's vulnerability. What is needed today is to reinforce the sense of state agency in respect to welfare policies. The state should act to resolve escalated conflicts, regardless of the ruler's personal belief and class biases, thus contributing to the common good of self-preservation through the establishment of social provisions. This sense of agency must be given priority over any theoretical considerations about efficiency and affordability; similarly, it must be given priority over cosmopolitan outlooks that, though adopted for morally legitimate reasons, leave the question of agency too vague to build on.[32] We can reasonably expect when the problem of the sovereign state *qua* welfare state is correctly apprehended by state representatives and reflected in their rational acts, it can also help prevent the general public from succumbing to wrong, seemingly 'scientific' arguments, unnecessary fears and unfounded expectations. For this, a sound welfare state theory based on fictional state theory with a strong concept of state agency is needed; this can prove more powerful than mere calls for culture, civilization and global justice.[33]

8. Conclusion

To conclude, let us review the most important points about the modern welfare state and its parallel to the modern sovereign state. First, concerning the concept: we have seen that the welfare state was established *against* a background of certain historical pressures. The same holds for the state *per se*, as it has been recognized by the classics of sovereign state theory. This is the reason why critics cannot confine themselves simply to the claim that the sovereign state (or the welfare state) does not concur with the given reality. For it is precisely the task of the state to – if necessary – resist what is simply given and to create a new framework for the future instead. Both the sovereign modern state and the welfare state are therefore conceived as fictional artefacts, i.e. something created at a certain point in history that cannot be reduced to its rulers or ruled, or its function, e.g. in terms of a social system. This provides the state with relative stability, though not permanency.

Second, there is a structurally similar criticism of both the sovereign and the welfare state. Though this criticism might range from factual to ideological reasons, it is unified by a single motivation of the critics, namely to reduce the state to more simple social forms and structures. It can be demonstrated that all these attempts conceal a certain element of naivety. It is time that creates clear boundaries regarding human autonomy. It is precisely time, in the form of our mortality, which lays the foundation for creating the rational state and its social role.

Third, justification: the state in all its forms, including its welfare stage, has a will for self-preservation that is independent of societal and economic factors and equipped with independent means. 'Independence' here refers to the formulation of the state's will as being independent of anyone while at the same time being representative to the multitude. Actually, it represents the deepest effects and movements of real, not fictional, persons, whether it is fear, simple compassion or complex solidarity. However, for the welfare state, it is important that once established, being a *fictional* person, it does not need to request authorisation for individual steps aimed at responding to these motivations. It is grounded in acts of will similar to those of the right to defend and formulate state interest.

Footnotes:

1. A sizable number of social policy specialists advocate a new model of social practice based on investment in education and social inclusion, while maintaining macro-economic continuity with neo-liberal ideas, rejecting regulation and stressing the necessity of activating non-state agents. See Morel et al. (2012). There are also similar attempts to reconstruct welfare policies by supporting 'the transition of the welfare state towards a welfare society, with more responsibilities shared and activities coordinated by public, private and civil society actors for the best solutions as a whole' (Hellström, Kosonen 2015: 124). Still another group of authors underlines the need to direct welfare policy away from the level of the national state into the global and cosmopolitan framework, calling the new policy 'social democratic globalization' (Held 2010: 166ff.; Held 2006: 259ff.; Pogge 2002: 177–195; cf. Pogge et al. 2010).
2. It seems that it was precisely this feeling, so prevalent in the 1990s, that gave birth to the success of the Third Way (see Giddens 1994; Giddens 1998; Blair 1998). A short quote from T. Blair's speech in 1996 in Singapore (quoted in: McAuley 2003: 127–128) could be illuminating here: 'Our welfare state (…) is one of our proudest creations. But it suffers today from two important weaknesses: it does not alleviate poverty effectively; and it does not properly assist the growth of independence, the move from benefit to work.' See further the proposal of the Commission on Social Justice 1994. The Third Way thinkers retained this sense of a necessary decline of the traditional model of the welfare state even in the new situation after the 2008 crisis; cf. Judt (2011: esp. 41–80).
3. However, the idea itself is much older; its origin lies with one of the leading principles of the post-war welfare state, namely that of social progress (see Beveridge 1942: § 8).
4. Consider the fact that the very same idea was adopted by proponents of the Third-Way concept to legitimize reforms that reduced welfare provisions; see Helmut Schmidt who speaks of the welfare state as 'the so far last great cultural achievement of the Europeans', only to suggest its reduction (Schmidt 2001); or Tony Blair, see footnote 2.
5. For preservation as both a leading moral and metaphysical idea of the modern period, see Henrich 1976. For the state as a 'permanent public order' (dauerhafte Friedensordnung) see Böckenförde (1978: 9). For the state as a legal state, not a fellowship of values (see Spaemann 1974; Spaemann 2004). For the inherent nature of the goal of common good through the preservation of the state (see Skinner 2009: 362).
6. There is an old dispute over how much metaphysics is behind the modern (Hobbesian) concept of the state. Without being able to discuss it here in detail, I suspect that starting from Plato and Aristotle, there has always been some metaphysics behind the idea of the state, insofar as the respective authors have some understanding of the role the state plays as an actor. It is noteworthy that no matter what kind of theoretical obligation lies behind the concept of the state –whether cosmological (Plato and Aristotle), natural law (Thomas Aquinas), materialist (Hobbes) or idealist (Hegel) – its

consequences tend to be similar and very realistic. From this point of view, the history of political thought can be seen as divided into two main streams: statist and anti-statist.

7. As an example of this process, one could consider the social teaching of the Catholic Church as an institution that incorporates the centuries-long continuing tradition of thought based on the perspective of natural law. Despite the fact that all three classics of the modern state mentioned above were listed on the *Index librorum prohibitorum* before 1948 or prohibited by the church in other ways, their concept of the state has been accepted, albeit reluctantly. A brief look at the contemporary *Catechism of the Catholic Church* (CCC) from 1992 gives a noteworthy image here. The *Catechism* does not mention the 'state' among the types of human co-existence and it generally tends to avoid using the term, consistently calling the political authority 'the political community' or 'society'. It is characteristic that even in the subsection called 'The political community and the Church' (CCC 2244-46) the word 'state' is not used. – However, this nomenclature does not mean that the *concept* of the state is alien to the magisterial document. Though the usual emphasis is on the personal responsibility of rulers (CCC 2199, 2213, 2234–46, 2308), who are understood in the more or less classical way as the opposite of the citizens, more noticeable is the appeal in some contexts not to individual persons but to 'political' or 'civil authorities' (CCC 2236–7, 2243–4, 2498). In such context, it is admitted that the state 'has a responsibility for the well-being of its citizens' (CCC 2372). This entity (called the 'authority' here) is entrusted with providing basic social rights (CCC 1908). Thus, the *Catechism* recognises the state as an independent agent with its own responsibility; elsewhere, the *Catechism* attributes responsibility precisely to *persons* (cf. CCC 1883, 1894, 2431). All these expressions reveal the perception of the sovereign state, including the recognition that power and its bearer (that is, the state and its representatives) are separated. – If we, on the other hand, look at the passages where the term 'state' crept in, instead of the usual 'society', we discover that this takes place exclusively in two contexts: it is either in the relationship between the Church and the state, especially with regard to the independence of the former, or in connection with providing social functions. – A similar treatment is given in the *Compendium of the Social Doctrine of the Church* (CSDC) of 2004. Here as well, the standard terminology speaks of a 'political community' or 'civil authority' instead of the 'state'; however, the term 'state' is not avoided in two contexts: firstly, when state is conceived as a potential threat (CSDC 186–188, 191, 421–423, 427), and secondly, when focusing on its specific social goals (291–294, 351–355). The state is responsible 'for attaining the common good' since 'the individual person, family or intermediate groups are not able to achieve full development by themselves' (CSDS, 168). – The ambiguity of the Church's approach to the state, the Church being the guardian of the classical tradition, is well documented here. It combines a foundation rooted in the traditional positions of natural law with a clear *de facto* acceptance of the state authority as a partner – although potentially dangerous – that is the legitimate bearer of certain social tasks. This ambiguity can be finally illustrated – in a way that is also exceptionally telling for our main argument – by two quotations of two subsequent popes who were considered close collaborators. While the encyclical *Centesimus annus* by Pope John Paul II reads that 'the Social Assistance State leads to a loss of human energies and an inordinate increase of public agencies' (48), his successor Benedict's XVI encyclical *Charitas in veritate* – pretty much in line with our own view – conveys: 'Both wisdom and prudence suggest not being too precipitous in declaring the demise of the state. In terms of the resolution of the current crisis, the state's role seems destined to grow, as it regains many of its competences' (41). I am indebted to one anonymous reviewer for the important consideration of *Charitas in veritate*.
8. Voegelin (1999b: 54) recognised that 'contract' did not play any significant role for Hobbes, merely an instrumental one.
9. Hegel rejected the individualistic basis of the legal state and attempted to justify its specifically communitarian character: the state is a living unity, the ethical completion of family and civil society, and as an expression of rational will it has to be ruled by a specific person-ruler (Hegel 1821: §§ 257–259). – To be sure, there is no substantial difference between real and fictional personhood with regard to agency: in both cases it is the state that acts. Nevertheless, whereas Hegelians believe the state is a real substance, for Hobbes, the fictional character of the state implies that it cannot be identified

with any physical person. That's why it can behave neutrally to all and therefore accomplish the necessary tasks.

10. In the *Communist Manifesto*, the state is conceived only as an instrument of the ruling class (Marx, Engels 1959: 464, 469, cf. 481).
11. In apparent antithesis to this tendency, the state became the central, almost identifying, theme of conservative thinking of the interwar period. Authors like Carl Schmitt (Schmitt 2004: 13–21, esp. 16–18), Rudolf Smend (Smend 1928), Hermann Heller (Heller 1983), and Eric Voegelin (Voegelin 1999a), reserved a dominant role for it. However, this was done in the relatively narrow context of conservative thought, which was never the most influential and was also suspected in the Post-War period – especially the first two authors – of being inclined towards the totalitarian state and directly cooperating with the Nazi regime.
12. R. Nozick, commonly perceived as an adversary of Rawls, offers structurally the same argumentation that leaves the state to emerge spontaneously on the basis of individual calculus; however, it is not even then a state in the full meaning of the word, rather, a gradually arising monopoly of power that is only retrospectively recognised as existing *de facto* (Nozick 2001: 88–119). Thus, for both Rawls and Nozick, the state is fully subordinated to the specific conception of individual ethics.
13. Foucault (1982) analysed the state as a tool of a pastoral form of power, making the subject into an object of control. The purpose of philosophy, including Foucault's own analysis, is to supervise the political rationality's inclination to excesses like fascism or Stalinism. (It is necessary to note, however, that in his aforementioned work of 2004 he approached the state in a significantly more empathetic way.) Derrida's strict distinction between law and justice (2002) forms a deconstructivist version of modern state criticism, connecting law with state violence.
14. Offe (1984) offers two statements: 1) The state is completely overwhelmed by its task to reduce inter-class conflicts for the benefit of all, so eventually it has to side with one of the parties. 2) Ultimately, all state interventions are dysfunctional and the state is not sustainable. According to Jessop (1990: 340), the theoretical fragmentation of the current discussion on the state creates an impression that the term 'state' is becoming contradictory throughout, lacking any hope of agreement upon a single and consensual definition.
15. The state is seen not as a passive place for class struggle (as in Marxism), nor as a true political agent (as for Hobbes) but as an active *place* for creating politics in the sense of an institutional form of decision making; it is precisely through the institutions that the dynamics of the state should be restricted.
16. For Spaemann, the state is not fully autonomous but is based on morals and conscience (Spaemann 1974: 231). For Koslowski, the state's full independence from society would endanger democracy and freedom (Koslowski 1982: 261, 264).
17. Cf. the argument already formulated by E. Rennan (cited by Voegelin 1999a: 84) that the institutional hierarchy presupposes the state's valid existence and any attempt to apply arguments of distributive justice to appointments of these institutions is infantile.
18. On the classical taxonomy of the welfare state: liberal, social-democratic and Christian-democratic, see Esping-Anderson (1990: 26–28). I cautiously agree with the opinion expressed by Goodin 1999; Goodin 2008: 202 that from the perspective of the goal of the welfare state, the difference between the various models is rather a matter of different priorities. I would add, however, that for proper understanding of the welfare state's goal, a reference to the goal of the state itself is necessary.
19. For other although less important contributions to the 'invention' of the welfare state, see Ullrich (2005: 20).
20. I dare to abstain from a closer discussion of who was actually the originator of Bismarck's social policy; however, the strong influence of Hermann Wagener, editor of *Neue Preussische Zeitung*, on the Chancellor, cannot be disputed. See Tennstedt 1997; others rather emphasize the role of G. Schmoller and especially of T. Lohmann (see Pierson, Leimgruber 2012).
21. Let us present a quote revealing this understanding and thus also a connection with fictional state theory: 'The only sound foundation of a great state, that essentially differentiates it from a small state,

is state egoism, not romanticism, and it is unworthy of a great state to fight for a cause that is not its own interest' (von Bismarck 1892: I, 264–265; cf. von Bismarck 1892: II, 29; von Bismarck 1929: 120).

22. Cf. Bismarck's statement: 'My idea was to win the working class, or should I say to bribe it, to regard the state as a social institution that exists for the sake of itself and cares for its own well-being' (von Bismarck 1926:195–196). Here, Bismarck described his intention: the state, now as a unit accepted by all, should be *seen* as a welfare state favouring one class (namely the workers). However, this favouritism is merely *pretended*: in its substance, the state is not a *welfare* state but a welfare *state*. This illustrates its separation from society and its classes, so as not to become their tool. For the other separation of the state from the ruling person, cf. footnote 23 below.
23. Cf. Bismarck's approach, appearing in his proposal of The Imperial Social Message from November 17, 1881 and especially his own corrections (reconstructed by Tennstedt, Winter 2002, in italics in the following text): 'The paths that lead to the goal will have to be sought in the proper *organization* of the insurance sector *under state participation* and *of the* corporate association of professional groups into organized *cooperatives*. *Before suggestions for the decision-making of the legislative bodies can be completed in this direction*, in-depth preparations *are required*, in particular the collection of reliable occupation statistics of *the Reich*. *My endeavour, based on corporate organizations*, is to relieve *communities* of caring for the poor, the cost of which has already stretched many *of them* to the utmost limits of their capacity, *and at the same time to improve this care in the interest of the poor*. *The financial work will have to follow up the statistical preparatory work*.' Here, Bismarck emphasises that it is the state of its own will that must actively enter the social realm as an organiser, removing the weight of social security from the local councils, and provide its own administrative abilities (statistics) and also financial resources. In the proposal, the will of the state is expressed in the first person singular: 'my endeavour'. Although formally this refers to the Kaiser, expressed through Bismarck's administrative hand, his person is conceived as a representative of the Reich. One may compare this usage of the first person singular ('my endeavour') expressing the fictional personality of the state with the similar phrase 'my idea' quoted in the previous footnote that points to Bismarck's own person.
24. Surely this distinction is not entirely insignificant. The fact is that social statehood and the social question itself was not originally a socialist or communist but a conservative project. Ottmann (2008: 40); Paxton (2013); cf. the analysis of Speamann (1959) that modern sociology could only have been born from the spirit of Restoration. Cf. also the statement about the 'intellectual stagnation of leftist thinking about the state' (Dunleavy 2012: 797).
25. According to the analysis of Connelly (2012: 210), the policy of the founders of the post-war welfare state was led by a sense of inevitability of the emergence of the welfare state based in their 'Whig conception of history'. In this context, this attitude can be compared with the mainstream of today's political leadership from Thatcher to Merkel, which has occasionally been characterized precisely by the mantra that 'there is no alternative' (cf. Gesellschaft für deutsche Sprache 2011; Berlinski 2010).
26. The fact that the deconstruction of the welfare state during recent decades has had much deeper effects in Great Britain than in Central Europe might be seen to support this suspicion, suggesting that it is not primarily different political cultures that result in various models of welfare state (see footnote 18) but rather the role the sovereign state plays in each particular country in implementing social provisions.
27. Cf. the evaluation of Kymlicka (1995: 88): 'The 1950s and 1960s saw a significant extension of the welfare state in most Western democracies, but there was no satisfactory political philosophy at that time which could make sense of this phenomenon.' In some sense, the lack of legitimization presented by socio-liberal practicians of the second half of the 20th century is not surprising. Taking an overall look at the mainstream liberal thinking of this period as outlined above, we realise that these authors could have hardly succeeded in grasping the issue of social politics in a non-reductionist way. As the state was understood either as an epiphenomenon of social function or as an expression of individual choice of instruments and forms of cooperation, responsibility for social care could have been easily transferred from the state to individuals or to civil society.

28. A recent leading researcher in the field grounds his hope that it is still possible to attain 'support for something rather like the welfare state into the indefinite future' on an argument that refers to the fundamental fact of human temporality; see Goodin (2008: 212–216).
29. It is easily verifiable by a simple test asking the question of whether my unique genealogy (including myself, my parents, grandparents and their parents) would be possible in its current form in any framework other than the one enabled by an operational sovereign state. I will probably come to understand the multiple historical determination of this genealogy, and thus also of my particular and unrepeatable existence, with the (welfare) state's rationality playing a significant role (in the social area, healthcare, housing, etc.).
30. To be sure, an orientation on technically-quantitative aspects of the welfare state is unavoidable insofar as the agenda of the welfare state is connected to factors such as demographic increase or democratization of rights and requirements. Nevertheless, our point is that the issue with the welfare state is primarily about ideas, not facts and numbers.
31. See above, Footnote 1.
32. An objection might be raised that by claiming this we adhere to mere decisionism. Such an objection, however, misses the point of what the state is. The state *is* basically a set of acts and decisions; it is an actor on a stage – a fictional entity, a 'mere' *persona* (in Latin), or *prosopon* (in Greek), literally: a mask on stage carried by the actor; but one that has a huge impact on reality.
33. Some speak about the ethical theory of the state in this context, but it may be better to avoid this terminology since an ethical approach to politics may generally be very critical to the state (see above, Footnote 12). We may rather speak about a theory of the state that has ethical implication. By ethics in this context, however, we mean political ethics, not individual ethics in the sense that modern liberal thinkers tend to speak about 'virtue of social institutions' (Rawls 1999a: 3). For an individual-ethical – and in my view wrong – account of the welfare state, see White (2010).

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