

BEYOND THE MINIMAL STATE: SKETCHING AN ALTERNATIVE AGENDA*

*Más allá del Estado mínimo:
Hacia una agenda alternativa*

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ABSTRACT

The minimal definition of the state is too restrictive for a research agenda around state and stateness, as it fails to encompass the complexity of contemporary state action. As an alternative, I suggest using a broader definition, which considers the plurality of the state's components, functions and means. This conceptualization might give rise to a definition that has the advantage of portraying states in their complexity, with the flexibility necessary to embrace their diversity. This could be the base for a parallel research agenda that would favor national cases divided into sub-national cases on the basis of functional variety in state scope, instead of comparing all the countries in the region at once.

Key words: Minimal State, Neoliberalism, State Definition, Post-Weberian Approach, State Complexity.

RESUMEN

La definición mínima del Estado es demasiado restrictiva para una agenda de investigación sobre Estado y estatalidad, ya que no logra capturar la complejidad de la acción del Estado contemporáneo. Como alternativa, sugiero ocupar una definición más amplia, que considere la pluralidad de los componentes, funciones y medios del Estado. Esta conceptualización podría dar lugar a una definición que tiene la ventaja de representar a los Estados en su complejidad, con la flexibilidad necesaria para abarcar su diversidad. Esta definición podría ser la base para una agenda de investigación paralela que se enfoque en casos nacionales, divididos en casos sub-nacionales sobre la base de la diferenciación funcional dentro de las actividades estatales.

Palabras clave: Estado mínimo, neoliberalismo, definición del Estado, abordaje post-weberiano, complejidad del Estado.

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Since 2010 Chile –for many years the “quiet country” in a continent accustomed to social protest, has been catching up with its neighbors. The student movement, which has escalated since 2011, has given the country a new image. Chilean students demand a revival of public education. In February and March 2012, this call was echoed by protesters in southern region Aysén who rebelled against low standards of living. The main leader of the Aysén protests, Iván Fuentes, stated: “We want the State of Chile, which is ultimately the father of all Chileans and therefore charged with distributing resources, to enact a more fraternal policy, more egalitarian”.¹ He declared that the movement’s demands were based on “the responsibility of the state, to give us decent healthcare, a decent education”.² As the spokesman of an important social movement, he was asking the state to participate in issues such as economic redistribution, health, and education on the basis of the responsibility he considers the state to innately have in these matters.

This understanding of the state-as-provider is not in line with recent scholarship on this topic. Looking at the ongoing agenda on state and stateness in Latin America, there is a tendency to focus on state action only for a restricted set of issues. These issues are usually grouped around a Weberian definition of the state as claimer of the monopoly on legitimate violence, the rule of law, and sometimes the provision of specific basic services; a view that could be termed a minimal state. Therefore, seen from this perspective, how do we deal with organized citizens’ demands for state intervention in other realms of social life? Do they challenge and change our understanding and definition of the state? Minimally, these popular demands draw our attention to the fact that a minimal definition of the state is highly controversial.

I argue that when talking about such a contested object as the state, paying attention to competing definitions, be these academic or common sense, is crucial. Any conceptualization should be made without losing sight of what is excluded through that definitional decision. From this perspective, in this piece I illustrate some of the drawbacks of using a minimal definition of the state, and advocate for an alternative, both on conceptual and methodological grounds. I will proceed to do this in a four stage-process: I will first show that in the inherently scientific trade-off between conceptualization and measurement, the cost of focusing on the minimal state is too high given that it disproportionately favors the measurement side. By focusing on the minimal state, we may end up creating an artifact that bears no relation to the contemporary Latin American state. Second, I will show that the allegedly established link between neoliberalism and the minimal state –often a justification for looking only at a restricted scope of state action– is inaccurate both theoretically and empirically. In the third section I will advance an alternative definition, based on a broader view of state action, and in the final section, I will outline a research agenda based on national case studies. The proposed research strategy

¹ Article published on the website <http://www.elclarin.cl/> (25-03-12). Translation is mine. “Entonces queremos que el Estado de Chile que es –en definitiva– el padre de todos los chilenos, el que tiene que repartir las lucas –el Estado de Chile tiene que hacer una política más de hermanos, una política más igualitaria”.

² Article published on the website www.eldivisadero.cl (20-03-12). Translation is mine. “la responsabilidad del Estado, de darnos una salud digna, una educación digna”.

considers a focus on within - case variation over cross-national studies. This outline is not intended to replace the current agenda on the minimal state, but is suggested as a worthy complement.

I. MINIMAL STATE AND ITS CRITIQUES

The ongoing agenda about the state in Latin America whether looking at stateness, state capacity (Soifer, in this dossier) or state strength (Kurtz and Schrank, 2012), appears mostly concerned by the challenge of measurement.³ This agenda intends to move beyond the failed state literature which is mostly located in the international relations discipline and is estimated to offer weak instruments to differentiate between cases. Ever since O'Donnell first raised the alarm about the phenomenon of "brown areas" –locations at the limits of the reach of the state (O'Donnell, 1993)– comparative politics has been concerned with state ability to project itself throughout its territory. From that viewpoint, state is considered mostly through the application of the rule of law. Beyond the issue of reach, the interesting aspect here is the focus on a classical role of the state in security. Research on the history of state formation shared the same concerns, and these were usually linked to the extractive capacity of central head of the state (López-Alves, 2000; Centeno, 2002).

The ongoing agenda seeks to develop cross-country comparisons, at least on the continental scale. The main concern is to be able to differentiate between cases, in particular those at the low-end of the scale, meaning countries where the state seems to have limited capacity or is in the process of losing said capacity. From this perspective, the selected strategy is to focus on what might be considered the essential attributes of the state, therefore giving shape to the minimal state vision.

There are few cases when the author explicitly acknowledges that they are selecting this vision among other options for conceptualization and measurement of the state. For example, Soifer clearly states that the focus on a limited scope of the state is due to measurement concerns (Soifer, in this dossier). He is worried that otherwise, we would face the risk of biasing our evaluation of states in the region. In his words, not focusing on a reduced set of functions would lead one to "lump together a fairly capable but minimal state (for example, Chile) with a fairly weak state". In my understanding of the issue, the risk we run is exactly the opposite. This minimal state vision would create an artifact of the state in Chile casting shadows on other areas where it is also present. Consequently, looking through this lens at the state in Chile, Brazil or anywhere else, would be deeply biased.

The theoretical question is whether the minimal state is a good proxy by which to measure state in general, if we take for granted that it is not limited to these functions. I am concerned here with the effects of this operation of amputation of the state from

³ This was a major topic of discussion during the Conference on Stateness in Latin America in the 21st century, held in Santiago Chile in March 2012, which was the basis for this special journal issue.

other functions that it might assume. Using a simplistic metaphor, imagine examining a car and deciding to only look at the wheels but not the engine. As a consequence, we would be wheel and not car specialists. Should they have the same wheels, we might confuse a modern car with a wagon. There lies the problem of looking into parts of a broader entity. The quality of the minimal state as a proxy for the state as a whole is too often taken for granted, and I sustain it remains to be proven.

Given these reasonable doubts, I suggest that in our haste to measure, the substantive cost we are paying is too high. While security and rule of law are certainly issues that deserve to be fully explored, I sustain that reducing contemporary states to that specific dimension, even if it would make it easier to compare and classify states in the region, is an unproductive strategy. This is a typical case of the trade-offs researchers face when constructing their research design (Brady and Collier, 2004). In order to be able to measure –especially on a broad array of cases, conceptualization becomes dulled. There is a balance to be found between both terms. Measurement is necessary to advance the discipline, but in this case, its overemphasis leads to failing to deal with states as they really are: diverse and complex. The minimal state definition obscures state complexity. While it is legitimate to focus on either rule of law or security, these studies should not be read as capturing the whole nature of the state. Taking the minimal state as a proxy for the state is in fact creating an artifact of the state that does not cover what states actually do in most polities. The scope of the state, in the sense of the range of social activities where state plays a part, is much more fluid than a restrictive definition can capture. While claiming to aim for a finely-tuned, precise estimation of the state, it actually creates an artifact of the state.

The critique is not aimed at banning any use of minimal state conceptualization. On the contrary, it points out that findings made with this conceptualization will not be about the state in general, but about a narrow view of the state. As the difficulty of resolving the trade-off cannot just lead to refusing to work on the state, I should propose another definition of the state to work with. But before getting to that point, I'll explore further the meaning of this so-called minimal state, and its link to neoliberalism, aiming at theoretical and practical problems of this association, making the minimal state unfit to describe contemporary state complexity.

II. MINIMAL STATE, NEOLIBERALISM AND THE CURRENT LATIN AMERICAN STATE

Just as the conceptual reasons to adopt a minimal state perspective were not well founded, weak empirical-historical reasons have also been invoked to justify the use of minimal state. Some say that it is consistent with what states *are* nowadays in Latin America. Once again, Soifer illuminates a key assumption behind taking the minimal state as a proxy of the state in general. He justifies the focus on a minimal definition by the existence of the “neoliberal turn” that took place in the region during the 1990s, linking it with “retrenchment of state intervention and bureaucracy” (Soifer, in this

dossier). I contend that the transformation of state action during this period cannot be described in this way. By doing so, I undermine the claim of the fitness of the concept of minimal state for Latin American states.

I question this empirical justification for a minimal state definition both from a theoretical and a practical point of view. There are two major theoretical problems with thinking of the post-neoliberal-turn state as inherently minimal. On the one hand, there is deep contradiction at the heart of “neoliberalism” as an analytical category; on the other, the idea of a neoliberal state that would come after other forms such as an interventionist state and that it would somehow be equivalent to the pre-interventionist minimal state does not take into consideration the basis of institutional change analysis. In the following section, I’ll explain both of these problems of the minimal state as an analytical category.

The complexity and even elusiveness of neoliberalism as an analytical category (Boas and Gans-Morse, 2009) makes it a poor historical referent for the minimal state. Due to its uncertain definition neoliberalism presents a theoretical problem; and given the diversity of actions that have been undertaken in its name, a practical problem. Relationships between states and neoliberalism are unclear and subject to tensions between different versions of neoliberalism, revealing conceptual contradictions. Within the same category, the original impulse – a real phobia of the state (when seen as the enemy of markets) coexist with the fact that state power and attributes are required to establish new markets coexist (Audier, 2012). This is due to its multiple facets; neoliberalism is both an ideology and a description of a way to govern that has often diverged from the original discourse of state retrenchment (Mudge, 2008).

In reaction to the post World War II period of increasing state intervention to realms of social activities, the neoliberal project promoted the reduction of the scope of the state. But it was hardly a return to what was defined earlier as a minimal state, or night-watchman state as conceived by the founding fathers of economic liberalism. On the contrary, the neoliberal project gave rise to a set of policies linked to the Washington consensus and New Public Management that were implemented in Latin American countries in the 1980s and 1990s; and in practice, these reforms meant major state intervention (Bezes, 2007). Intentions to downsize the state did not necessarily become reality. A large body of studies has shown that more than state retrenchment, what happened has been state redeployment and new forms of intervention (Levy, 2006; Mayaux and Surel, 2010). For sure, the state might have cut back on manufacturing activities, which were prevalent in the interventionist state of the 1940s and 1950s. But the state not producing does not mean that it became inactive in these areas of social life. There is a wide array of activities that it can still exert, especially through regulation. The state has certainly undergone changes, but to characterize it using the minimal state conceptualization is likely to obscure these changes instead of fully referring to them.

There is another theoretical critique that undermines the foundation of the minimal state concept in a historical process of state retrenchment. It is in fact a critique of the simplistic vision of institutional change that is implicit in neoliberal rhetoric. At the height of the neoliberal wave, most observers and political actors were convinced the

world was on an inexorable path towards an “eclipse of the state” (Evans, 1997).⁴ As states were under strong pressures to retrench from some spheres they had entered in earlier decades, some thought that state’s very nature was permanently changing. From the point of view of the theory of institutional change, such a change would mean an operation of displacement: total substitution. But this is only one option among a range of possibilities that include other typical alternatives such as drift, conversion, or layering (Thelen and Mahoney, 2010); the fortune of the legacies of past period is critical to this approach.

To consider change only through the option of displacement reflected a belief that a teleological movement towards the end of the state was in motion. The current situation in Latin America, where states are in fact growing again in their scope,⁵ is a refutation of this thought, not only on empirical grounds, but also on theoretical grounds, where it shows that the transformation of the state is much more complex than the substitution of one form by another. One of the many examples of the alternatives to substitution listed in Thelen and Mahoney’s typology is the case of highways in Chile where new forms of public action were piled over the old ones (Zrari, 2010), in a process of layering that seems to be characteristic of state transformations.

Policies oriented towards state reduction during the 1990s managed to successfully promote the illusion that institutional change necessarily involved substitution, rather than other alternatives. But thinking that the state could change entirely, erasing its previous form; from an interventionist state to a much reduced, potentially minimum, state, was a misreading of the process as a result of not taking into account the variety of change that has been identified by the literature.

The whole idea of a “total eclipse of the state” is a misreading of the trajectory of the institution of the state –whether welfare or interventionist–, thinking that it could be substituted by other forms of social coordination –mainly markets. Such a broad transformation as that undergone by state agency in economic matters is likely to be a combination of changes and legacy, not pure replacement. As this “replacement discourse” originated in political discourse favorable to state retrenchment, scholars should be cautious to distance themselves, using the conceptual tools at their disposal. For example, Evans’ article was a good anticipation of a process of state transformation that finally turned out to be more redeployment than progressive extinction. In my view, inspired by historical neo-institutionalism, legacies are very important for political processes. When thinking about an institution of such proportions as the state, these concerns cannot be ruled out.

Even if state does transform itself, it is highly unlikely that it simply vanishes from areas where it used to be a key player. The transformation from productive activities to regulatory intervention (Majone, 1997) does not justify restricting our concept of state

⁴ To be fair, Evans actually argues that this expected eclipse of the state is unlikely.

⁵ See, for example, the growing role of the state in social policy in many countries in the region (Huber and Stephens, 2012).

to a night-watchman state; that which would be an anachronism. This process calls our attention to the elusive nature of state intervention as a “moving target”, as its instruments can evolve in time (Levy, 2006). In consequence, there’s a need for a more sophisticated definition, if our goal is to evoke contemporary state activities beyond a restricted scope. Conceptualizing the contemporary state is a challenge that requires moving beyond the minimal state scope. In the next section, I’ll propose an alternative definition faithful to the complex reality the concept of state is intended to synthesize.

III. BEYOND THE MINIMAL STATE: AN ALTERNATIVE DEFINITION

As the night-watchman state approach is insufficient, I propose an expanded definition, articulated around components, means and functions of the state (Migdal, 2001). The challenge here is to delineate the scope of an entity –the state– which is a moving target. Weber detected this problem early on establishing that “there is scarcely any task that some political association [today the state] has not taken in hand, and there is no task that one could say has always been exclusive and peculiar to those associations which are designated as political ones” (Weber, [1919] 1946). This elusiveness of the state perimeter is an argument used by the supporters of a minimal definition. They argue that, as the state could do anything, we should focus on a set of functions that it always fulfills, which are at its core.

But, as I mentioned earlier, this strategy of taking the minimal state as a proxy for state might not be suitable to assess complex modern states. Therefore, there is a need for a flexible definition that can adapt to state transformations across time and space. By ‘flexible’ I mean the possibility that the object qualified as state might not fulfill all the conditions of the definition, or fulfill some of them only partially, and despite this would still qualify as state. I’m thus assuming that any project targeting the state, or something as broad as state capacity or state strength, needs to accept that it will incur “conceptual stretching” (Sartori, 1970).⁶ As this methodological decision is made necessary by the diversity and complexity of the object itself, it is part of the demonstration of how unfit the minimal state definition is to capture the reality of what states actually do.

An alternative definition might be based on various state components and means, with the monopoly of violence being the specificity of this institution. However, I think the question of the ends is also decisive for a holistic comprehension of the contemporary state. Certainly, states had been involved in a wide variety of activities at the time of Weber’s writing, and his broad historical knowledge provided him with many examples. But, we must also take into account that he wrote before the post 1929 crisis and World War II expansions. Contextualizing his work in this way raises reasonable doubt about the appropriateness of maintaining a restriction to state means and other traditional definition components in contemporary analysis.

⁶ Conceptual stretching was seen as a problem by Sartori. I envision this process of “definitional flexibilization” in a more positive way. Perhaps it can become an opportunity for more precise typologies, especially through conceptualization by way of “family resemblance” (Collier and Mahoney, 1993; Goertz, 2005).

From a post-Weberian stance, many scholars have looked for a definition that would give some room for the diversity of state action. This implies leaving aside an essential vision of the state, to focus on what the state does, in addition to what it is. Most of the literature in recent years has gone beyond coercion as the sole criteria to define state. This post-Weberian definition has been synthesized as “a set of interdependent institutions, relatively differentiated, legitimate, autonomous, on a given territory, recognized as such by other states, having at hand an administrative capacity to steer society, establish binding rules –in particular establish property rights and guarantee trade, extract and concentrate resources, organize economic development and protect the citizens”⁷ (King and Le Galès, 2011). This proposal builds on Weber without restricting itself to an orthodox Weberian approach. I do not put forth this definition as a way to put an end to the discussion of how to conceptualize state, but I think it is a good starting point from which to tackle state complexity and diversity. It also calls for a critical evaluation to make clear the pay-offs of broadening the conceptualization of state. So I will discuss the three main points of this definition: components of the state, the means at state disposal, and state ends. For each point I emphasize how a minimal definition of the state fails to capture the complexity of contemporary action and the extension of state scope.

- **Components**

We begin our analysis by listing core components, like territory or institutions, which are classical elements of stateness. Among these “necessary conditions,” we also consider recognition by the other states –which is contemporarily expressed through membership at the United Nations Organization. The minimal definition stops with these attributes. As there is scholarly consensus on these core components of stateness, I will accept them as my starting point without any further discussion.

From here I turn to King and Le Galès’ above-mentioned three attributes that could be thought of as immaterial components: differentiation, legitimacy and autonomy.⁸ The three of them share the characteristics of being relational and inherently incomplete, and as such, require a flexible definition in which to be considered. They refer to the relationship that the state establishes with society. In that sense, the attribute of differentiation ratifies the specificity of the state among other political actors. However, as an incomplete attribute, it also introduces the idea that the state is not separate from society. The same idea is present within the attribute of autonomy, which cannot be total, as is the case in the “embedded autonomy” (Evans, 1995). Autonomy cannot be

⁷ “un ensemble d’institutions interdépendantes, relativement différencié, légitime, autonome, sur un territoire donné, reconnu comme tel par les autres États, disposant d’une capacité administrative pour diriger la société, établir des règles contraignantes (légiférer) –notamment établir les droits de propriété et garantir les échanges, extraire et concentrer des ressources, organiser le développement économique, et protéger les citoyens”, translation from the author. The translation of “diriger” is particularly ambiguous, as it could mean at the same time to run or to lead. However, I think to steer is probably the closest to the authors’ intentions.

⁸ These issues were also addressed by other papers presented at the closest conference. Mazzuca for example incorporates autonomy and legitimacy alongside capacity in what he calls “state’s holy trinity” (Mazzuca, in this dossier).

null, or the state would lose its specificity. But there is a large gap between these two poles where various empirical configurations can fit.

Legitimacy –the consent to be governed– also deals with the relationship between state and society. Beyond Weber’s three sources of legitimacy, it’s possible to distinguish between input and output legitimacy (Scharpf, 2009). Weber’s classical category of domination rests on three types of legitimacy: traditional, charismatic and legal-rational. All three cases stem from the input type of legitimacy, the origin of this domination. Legitimacy from the output has been established as another form that is highly present in contemporary polities. From a broader perspective, legitimacy is an important issue for determining the boundaries of state action. States will tend to expand wherever there is a possibility to claim legitimacy. For example, the roll-back of state participation in the economy during the 1980s and 1990s is in major part a consequence of how neoliberal rhetoric undermined legitimacy for state action in this sector. In that sense, legitimacy is a determinant of the scope of state action.

When looking for the right scope to define the state, there is therefore a connection between the legacies of past state interventions and the scope that should actually be considered for conceptualization and measurement. The citations presented in the introduction give a glimpse of this phenomenon, which should be explored further. In Chile, where state retrenchment was intended to change the way the population envisioned the state (Gárate, 2012), these statements are signs of lasting legitimacy for the state.⁹ Even if the state changes its form of intervention, from provision to regulation, it can only with difficulty escape responsibility –in other words, to shift the blame (Hood, 2010)– in matters where it had some responsibility before. There is thus inertia of shape and representation of the state that opting for a minimal conceptualization rules out. As a consequence, a broader definition is more fitted.

- **Means**

Regarding the means of the state, a minimal definition focuses on the coercive action of the state, as in the classical Weberian assertion of the state as a “human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory” (Weber, [1919] 1946). This definition leaves out other mean of action that states can use. On this, King and Le Galès definition is brief, and mentions law and administrative capacity, establishing a link to the on-going agenda in Latin America based on the minimal state.

Administrative capacity is a very elliptical way to refer to the means the state can use to accomplish the goals it pursues. It includes the traditional monopoly of the legitimate force, but also goes further, as state action is not only about coercion. It can also involve orientation or coordination (Hood and Margetts, 2007), as in building partnership with private actors, or trying to have them fulfill some task state prefers not to execute itself (Schmidt, 2009). In the discussion of neoliberalism, the minimal state, and the contemporary

⁹ Results from surveys on the participation of the state in a variety of domains could also be considered (UDP 2007 y 2008).

state, this diversity of strategies is important. It goes in line with the assessment that state intervention has evolved from production to other forms of intervention to orient private actors. In that sense, means do inform this inquiry about scope; acknowledging a variety of means is a condition for embracing a larger scope.

- **Functions**

Finally, the functional scope of the state is directly addressed in this definition. The minimal definition focuses on security and rule of law. As quoted above, Max Weber had envisioned the diversity of functions that the state or its equivalent had performed throughout history. Such diversity seemed to him an obstacle for a good definition of the state. This might be the case if we were looking for a definition that could travel through history, but my goal is more narrowly defined, focusing instead on a historical period that begins with state expansion during the 20th century. King and Le Galès' definition points in the right direction but lacks the generality required in order to avoid a bias towards certain types of state.

Their definition reads that the state is an entity that must "steer society (...), establish property rights and guarantee trade, extract and concentrate resources, organize economic development and protect the citizens". "Steer society" seems a rather ambitious goal, even when the ambiguity that the original French term "diriger" is resolved with "steer" and not "run" or "lead", which would be a more radical translation, in the role it would assign to the state. Independent of the translation we choose, it appears to be placed too far on the interventionist pole, lacking the flexibility I'm looking for. An alternative formulation would be "to orient" leaving space for degrees of state intervention.

The same occurs with "organizing economic development" of which property rights and trade are modalities. "Organize" indicates planning, and should be formulated differently, as the state does not always plan, but can still be held responsible –the legitimacy part of the definition– for the promotion of economic development. That can be done through a diversity of available strategies, where property rights and trade are only a few of the possible alternatives. Otherwise, we would have to consider that a state which favors public property as a means of production, or inside-orientated growth, would not be a state anymore, or less of a state? I don't think that's the case, so the function the state fulfills in economic matters should be formulated more neutrally.

The second function mentioned is the protection of citizens. From Weber's definition until now, there is a broad consensus that security is a core function of the state. An interesting trend that Weber could not have anticipated is the extension of the idea of security, which extended from the protection from both internal and external violence, to protection from social risks that the welfare state has started to take care of. In this expanded vision of security, the contemporary transformation of state intervention in the economy gives rise to a grey area where the boundaries between security and economics are blurred. I will discuss this issue further in the next section.

Through this process of revision of the elements of King and Le Galès' definition, I showed how this definition could capture the diversity and complexity of states, in

a way that a minimal state definition cannot. The state is better conceptualized as “a set of interdependent institutions, on a given territory, recognized as such by other states, relatively differentiated, legitimate, autonomous, having at hand” (King and Le Galès, 2011) a broad array of instruments to orient society, protect citizens and promote economic development with more or less direct intervention.¹⁰

This extensive definition is oriented towards what the state actually does, and intends not to replicate a bias towards neoliberal state retrenchment. In order to be applicable to a broad variety of cases, it is an open, flexible definition, where not all attributes, in particular functions, need be fully met. Such a definition has its drawbacks. Its breadth is problematical, especially when the intention is to undertake large N comparisons. However, given that the phenomenon we intend to examine is extremely complex, I think it is necessary to at least consider this complexity, as we are realizing simplifying operations in order to establish measurement. Otherwise, the state we will measure may well be an artifact. This definition must now be put at work.

IV. PUTTING THE DEFINITION AT WORK: A COMPLEMENTARY AGENDA FOR STUDYING STATE

One implication of the proposal of an alternative definition is that other studies are needed to get a more accurate image of what states do. I delineate briefly where this work should be headed, favoring intra-national and in-depth studies. Then I introduce a potential crucial case, Chile in the post-dictatorship period.

First, I acknowledge that the alternative definition might be cumbersome to work with. Going back to the trade-off between conceptualization and measurement, it might seem that we are now on the other side of the problem: the definition makes the state a very hard object to grasp, because of its diversity and complexity. However, no matter how tough the challenge of tackling state’s complexity, it must be taken up. As several areas of specialization are mobilized, it implies unifying knowledge about the state. The scope of this project - parallel to the scope of the state - makes clear that it evidently requires collective work. One way to start this work is to research issues that scholars interested in state capacity have left unexplored. That means that state economic intervention and state transformation should be central to this agenda, a first step before a link with works on realms more proper of the minimal state (rule of law, security) can be established.

The difference between the on-going agenda and this outline lies not only in scope, but also in methods. The constraints that existed on conceptualization were due to the eagerness to measure across countries. Conversely, the alternative definition has the opposite effect on research design. Medium or large-N designs are hardly viable options anymore. On the contrary, this unwieldy definition is more appropriate for work on detailed national cases, which could be compared later in small-N designs, probably through collective work.

¹⁰ Translation and paraphrase of King and Le Galès (2011) by author of this article.

An important pay-off of the definition and the strategy to look at single cases is that it will allow research that challenges the prevalent assumption that state intervention is even across functions. Using the definition I previously developed we can look at any state at some point of history, and define its scope. But the scope we observe from the outside might be more diverse than expected if we look into it. Expectations of homogeneity –implicit in cross-country-studies– might not be fulfilled. In other terms, cross-country studies are subject to a “whole nation bias” (Snyder, 2001), that makes them at best incomplete, but also potentially improvable.

Whole nation bias is not a novelty, but what I propose is to explore its effects beyond the spatial dimension to which its discussion has been confined. This bias has been detected –and addressed– on the spatial dimension of political phenomena. In this sense, it’s actually fundamental to the contemporary rise of “subnational” studies, especially on state capacity, but also a broad range of issues (Culpepper, 2005). Snyder makes a compelling argument for the suitability of looking to subnational units, in his case for scholars interested in neoliberal reforms (Snyder, 2001). His is a two-pronged argument. From a methodological point of view, a subnational approach allows greater control over “non-political variables” than when comparing countries. And on the substantial issues he’s addressing, the politics of the post-neoliberalism phase, such an approach gives access to a vision different from the national one, where homogeneity usually prevails.

I think these arguments in favor of a subnational approach are not restricted to the spatial unevenness of political issues, but rather can be replicated for functional matters. By functional differentiation, I allude to the sectors of public intervention, which depend on the mission that the state holds as its own. The pay-offs would be a better control on national variables, allowing comparison between within-cases *ceteris paribus*, and more substantial investigation that puts into perspective the national view that has been dominant during the last centuries. An important difference between the spatial and functional dimension is that it’s easier to decide a criteria of distinction on a spatial basis, where administrative division is available; while for functional divisions the boundaries are more blurry, with possible controversies and overlaps, but these problems are to be resolved looking at the cases themselves.

To look at what states do, there is a need for those case studies (including within-cases) to be explored across a relatively long period of time. Snapshots are not the most adequate for looking at an object with such deep historical roots, because they fail to capture the dynamics of processes and the accumulative nature of the state. As explained earlier, there is considerable inertia in state scope and more broadly action, for which we need the right instruments.

So an exploratory study would need to select a country that could be a crucial case to show the fit of the definition. To start working on this complementary agenda, a crucial case could be appropriate to demonstrate the pay-offs of using such a definition. Post-dictatorship Chile (1990-2010) is a strong candidate. As a result of the intense transformations it underwent during the dictatorship, there is an impression among scholars that it could be the typical “capable but minimal state” (Soifer, in this dossier).

Regional rankings have pointed in the same direction. The *Rule of Law Index* of the World Justice Project situates Chile at the first place in the region, considering items such as “order and security” or “fundamental rights” (Argast, Botero, Ponce, 2011).

As such, it would be a “most-likely case”¹¹ of a minimal state if state would just concentrate on these tasks implying law and the monopoly of legitimate force. The point here would be to show that the state still intervenes where it supposedly retrenched, weakening the justification for using a minimal state definition. So the most suitable research strategy is to look for what the state actually does in economic or social arenas. Returning to the more complete definition stated earlier, such a strategy would involve looking at state functions beyond the scope of a minimal state, where it might act through means that are not restricted to coercion. It is beyond the scope of this theoretical and methodological paper to develop this case study, but I am confident the results will invalidate the use of a minimal definition of state in this case.¹²

CONCLUSION

In this paper, I claimed that the minimal definition of the state is too restrictive for an research agenda focused on state and stateness. I argued that the minimal definition is not a good proxy of what states are. The minimal state definition addresses important problems of the states in the region, such as deficient rule of law and state penetration in the national territory, but it fails to encompass the complexity of contemporary state action. By focusing exclusively on security issues, it creates an artifact of the state over-emphasizing only one dimension of a complex reality. This minimal conceptualization of the state is not a faithful representation of what actual states are and do, even when applied to the region’s states after the neoliberal project transformed them.

As an alternative, I suggest using a broader definition which considers the plurality of the state’s components, functions and means. This conceptualization might give rise to a definition that is more cumbersome, but has the advantage of portraying states in their complexity and with the necessary flexibility to embrace their diversity. Instead of endeavoring to simultaneously compare all the countries in the region, I propose this conceptualization as the basis for a parallel research agenda. The proposed agenda would favor a national focus analyzed as multiple within-cases differentiating on the basis of functional variety in state scope.

¹¹ Most-likely cases are used to disconfirm a theory, taking cases where the odds of finding the manifestation of a phenomena are high, to finally establish that it does not appear (Gerring, 2007).

¹² In my PhD dissertation, currently in progress, I focus on six sectors in Chile between 1990-2010 (electricity, telecommunications, public transportation, pensions, social security and college education). This work may be the basis for such a crucial case study.

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