States as Instruments of Anarchism

Brian D. Williams[†]

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[†] Assistant Professor, Department of Political Science, State University of New York at Cortland. Correspondence to: Dept. of Political Science, Old Main 217-C, PO Box 2000, State University of New York, Cortland, NY 13045.

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Abstract

How can societies maximize equal liberty in the context of the modern sovereign state? While liberal democracy is widely recognized as the type of political regime most conducive to this goal, it fails to offer a vision of life beyond state power and lacks sufficient safeguards against socioeconomic inequality. Meanwhile, the traditional anarchist tendency to downplay differences across political regime types has coincided with a commitment to the prefigurative strategic principle that state power cannot be used as a means to the anarchist end. In turn, it will be argued that strict adherence to prefiguration weakens the impact of anarchism, for instance by increasing the risk of bad anarchy. Gradualist anarchism provides a corrective to these issues, but encounters the challenge of bad government traditionally emphasized by anarchists.

I. INTRODUCTION

Since the era of classical anarchism began in the mid-19th century, adherence to *prefigurative principle* – the idea that a free and equal society cannot be advanced with the use of state power – became a strategic norm among both individualist and collectivist anarchists.[1] In this essay, an alternative approach, which I will refer to as *gradualist anarchism*, is presented.[2] Despite its occasional appearance in discussions about anarchism, a gradualist anarchist framework which explicitly incorporates the use of formal (i.e., state-based) institutions has yet to be given an explicit and systematic exposition.[3] This article fills this gap in the literature, while highlighting gradualist ideas found in the writings of the pre-classical anarchists such as Godwin and Proudhon, as well as subsequent authors.[4]

Given the abstract nature of the topic, this essay is necessarily broad in scope. However, it should also be noted that this essay focuses primarily on anarchism in the political sphere rather than the economic sphere. While economic questions concerning

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[1] The period of classical anarchism is taken to span from the First International Workingmen's Association (1864-1876) and the anarchism of Bakunin, to the end of the Spanish Civil War in 1939 (Schmidt & van der Walt 2009). By contrast, Fowler (1972) describes the era of classical anarchism as going back further to Godwin. Anarchists prior to the First International – e.g., Godwin and Proudhon – are referred to as pre-classical anarchists.

[2] The definition of *anarchism* used here is consistent with Malatesta's statement that, "Anarchism is the method by which to achieve anarchy" (Malatesta 2015, 13). That is, *anarchism* is understood as the means – encompassing both general strategy and specific tactics – while *anarchy* is understood as the end – especially the abolition of state power.

[3] The term *gradualism*, as it is utilized in this essay, implies a use of state power as an instrument of anarchist progress, and should therefore not be confused with examples of what we might refer to as "prefigurative gradualism" found in the history of anarchist thought. For example, Turcato (2009) identifies a "mature gradualist view" in Malatesta's thought by the 1920s. Also, Price observes that, "gradual change without confronting the state […] was advocated generations ago by certain anarchists. It was the program of Proudhon, the person who first called himself an 'anarchist.' It was advocated by Gustav Landauer. The history of this idea can be found in Martin Buber's *Paths in Utopia*. In the 60s this was raised by Paul Goodman. This was part of the program of Murray Bookchin's libertarian municipalism" (Price 2006).

[4] Gradualist ideas can be found in the writings of several anarchist authors. For example, Pateman refers to Chomsky's "claim that the state can be used to move towards a more equitable anarchical society" (Pateman 2009, 9). However, I am not aware of any effort to develop a comprehensive system of gradualist anarchism which explicitly incorporates the use of state power.

modes of production, collective versus private ownership, *et cetera*, are of course very important to discussions about anarchism, such an analysis is beyond the scope of the present article and will be dealt with in subsequent work.

The essay proceeds as follows. Following this Introduction, Part II establishes a historical context, focusing on the rise of the modern sovereign state, the spread of liberal democracy, as well as the current impasse in the advancement of freedom and equality – referred to here as *equal liberty*. Both liberal democracy and anarchism emphasize the importance of freedom as a historical objective, and it will be suggested that democratizing states have served as unwitting vehicles for progress towards this goal. However, an anarchist critique will illustrate the limited capacity of liberal democracy in this regard.

Part III provides a review and critical analysis of traditional prefigurative anarchism. While anarchism stands out as an attractive paradigm for the advancement of freedom, its contribution is hindered by its tendency to downplay differences across political regime types. This tendency, in turn, reinforces the commitment to the prefigurative strategic principle that states cannot be used as instruments for anarchist progress. It will be argued that this commitment affects anarchism's impact, for instance, by increasing the risk of "bad anarchy" – where the decentralization of power yields a net loss in equal liberty.[5] In Part IV, a gradualist alternative is presented which provides a corrective to these issues by explicitly incorporating the use of state power as an instrument for anarchist progress. Part V concludes.

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[5] These critiques are not new. As Gelderloos observes: "For over a hundred years, anarchists have been accused of both […romanticism] for insisting that even now we can create societies free of coercive institutions […and radical cynicism] for maintaining that all forms of government are fundamentally oppressive" (Gelderloos 2016, 1).

II. HISTORY, EQUAL LIBERTY, AND REVOLUTION

2.1 The Rise of the Modern Sovereign State and Liberal Democracy

The sovereign state, at least in the West, is a relatively recent development in human affairs. Having first developed in the Eastern Zhou Dynasty in China between 770 and 256 BC (Fukuyama 2011), and later in Western Europe following the transition from the Middle Ages to the Modern Era around the 17th century (Spruyt 1994), the Western sovereign state model was also exported to the Western Hemisphere and the global South via European colonization (Herbst 2000; Acemoglu & Robinson 2012). During the early stages of the modern sovereign state, it may have been possible to evade the state by fleeing to more rugged terrains in the highlands. However, the ability to seek refuge from the state has become increasingly difficult as the technological capacities and consolidation of state power have steadily advanced (Scott 2009).[6]

Since the emergence of the modern sovereign state, waves of democracy have swept over different regions of the world (Huntington 1991). The first wave began in the mid-19th century with the spread of universal suffrage in the West. The second wave occurred after the fall of fascism following World War II. The third wave swept over the remaining authoritarian regimes of Western Europe beginning in the 1970s, then spread outward into the global South and former Soviet Union in the late 1980s and early 1990s. Subsequent democratic developments include the Color Revolutions in the East European countries of the former Soviet Union (Way 2008), and the more recent Arab Spring uprisings which swept across the Middle East and North Africa in 2011 (Biekart &

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[6] Similarly, Gelderloos notes that, "[modern states] are now global and cannot be fled in the proper sense" (Gelderloos 2016, 174).

Fowler 2013). Also, Amartya Sen has argued that in the 20th century, democracy became a universal value (Sen 1999).

However, there are various signs that the advancement of liberal democracy in the world has plateaued in recent years (Diamond 2016). For example, in 2016, Freedom House reported the tenth straight year of decline in global freedom (Freedom House 2016), while support for the traditional modes of representative politics has declined (Tormey 2015) along with support for democracy itself, for instance, among millennials in the United States (Woolf 2016; Voeten 2016). Several countries have also witnessed a resurgence of right-wing political parties and populist movements with anti-democratic tendencies. To move beyond this impasse in the advancement of freedom, it will be argued that new modes of thought are needed, and that anarchism stands out as an attractive alternative in this regard.[7]

2.2 Equal Liberty as a Historical Goal

2.2.1 Equal Liberty and Liberal Democracy

The central question addressed in this essay is a familiar one among social philosophers: how can societies maximize freedom in the context of the modern sovereign state? In contemporary intellectual as well as lay discourse, liberal democracy is widely recognized as the type of political regime which maximizes freedom and equality. Diamond (2008) defines the liberal democratic regime as having three essential characteristics: free and fair competition between at least two political parties, universal

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[7] On anarchism as an alternative to *neoliberalism*, see Wigger and Buch-Hansen (2013).

suffrage, and constitutional rights. This is the definition of liberal democracy adopted in this essay.[8]

Liberal democracy is associated with freedom in other ways as well. According to Sen (1999), there are three inherent benefits that democracies have over their authoritarian counterparts: the intrinsic importance of political freedom, the instrumental value of allowing people to be heard, and the constructive role of giving citizens an opportunity to learn from one another. Regimes with democratic political institutions are also viewed as more resistant to corruption than authoritarian regimes, as the pluralist interest group competition associated with the former limits the capacity of elites to concentrate and utilize power for their own private gain (Acemoglu & Robinson 2012).

2.2.2 Equal Liberty and Anarchism

Like the proponents of liberal democracy, anarchists emphasize the importance of freedom and equality – referred to here as *equal liberty* – as a historical objective.[9] For instance, Newman refers to the "interrelatedness of freedom and equality" as "the central ethical principle of anarchism" (Newman 2001, 167).[10] Given the centrality of equal liberty to both liberal democratic and anarchist worldviews, it is not surprising to find that anarchists also emphasize the importance of democracy. For example, Newman observes that, "democracy, radically conceived, *is* anarchy" (Newman 2011, 34), and

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[8] Notice that liberal democracy so defined describes the type of *political regime* rather the type of *economic system* of a nation-state. Thus, by this definition, both the United States with its liberal market economy, as well as Germany with its coordinated market economy can be referred to as liberal democracies.
[9] The term *equal liberty* is borrowed from Newman (2011). This term was also used, for example, by Emma Goldman at her October 17, 1893 hearing in New York for unlawful assembly, where she proclaimed that, "we seek for each an equal liberty to cultivate the talents and abilities as well the attainments of the highest knowledge" (Falk 2003, 182).
[10] Newman also recognizes Stirner's notion of the ego – "a radical emptiness, a nonplace which rejects essence, affirming instead flux, contingency, and becoming" – as central to anarchism (Newman 2001, 140).

Graeber (2002) describes anarchism as "a movement about reinventing democracy."

Also, Schmidt and van der Walt explain that, "Anarchism would be nothing less than the

most complete realization of *democracy* – democracy in the fields, factories, and

neighborhoods, coordinated through federal structures and councils from below upward,

and based on economic and social equality" (Schmidt & van der Walt 2009, 70).

However, it is clear from these statements that anarchists aim to advance a more radical

form of democracy than currently exists at the nation-state level. In fact, anarchists have

been among the fiercest critics of liberal democracy.

2.3 Liberal Democracy and Revolution

2.3.1 The Anarchist Critique of Liberal Democracy

Anarchists have long questioned the level of freedom in liberal democracies. According

to Newman, anarchists viewed the liberal state as "another insidious attempt to mask the

brutal, despotic character of the state" (Newman 2001, 28). For example, in *Statism and*

Anarchy, Bakunin asserts that, "[F]orms of popular representation, do not impede state,

military, political, and financial despotism. Instead, they have the effect of legitimizing it

and giving it a false appearance of popular government" (Bakunin 1990 [1873], 114).

Another example is found in Alexander Berkman's letter to Emma Goldman, sent from

the Pennsylvania Western Penitentiary in December of 1901: "[I]n an absolutism, the

autocrat is visible and tangible. The real despotism of republican institutions is far

deeper, more insidious, because it rests on the popular delusion of self-government and

independence" (Falk 2003, 488).

This anarchist view becomes especially plausible under conditions of extreme socioeconomic inequality under a ruling class. Indeed, the existence of a ruling class would seem to indicate a lack of autonomy almost by definition.[11] Even in a nominally democratic society, given a high level of wealth concentration, the political elite and upper classes who benefit from the status quo will be unlikely to leave political outcomes to the uncertainties of a truly free and open democratic process.[12] In such a context, it is more likely that the flow of information, access to the vote, basic freedoms such as speech and assembly, and political outcomes will be controlled and circumscribed in a variety of ways so as to ensure the continuation of the status quo. Thus, for example, it is perhaps not surprising that the contemporary public relations sector developed first in the United States and Britain as a means of shaping public opinion (Chomsky 1989, 14-20).

2.3.2 The Need for Revolution in Liberal Democracies

If the existence of a ruling class is indicative of a lack of political autonomy, the advancement of equal liberty may necessitate a revolutionary overthrow of that ruling class. In the context of a liberal democracy, the need for revolution would seem to depend on (i) whether a ruling class exists (measured, say, by the concentration of wealth), and (ii) if the power of that ruling class can be broken up with reformist rather

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[11] The term *ruling class* here refers to a relatively narrow minority of the population with a highly concentrated share of the nation's wealth, as well as disproportionate control over policy making and politics. So defined, the term corresponds roughly with other terms such as plutocracy, aristocracy, oligarchy, and power elite.
[12] In a similar vein, Scott observes that, "democracy is a cruel hoax without *relative* equality" (Scott 2012, xvi).

than revolutionary tactics.[13] In the United States, for example, it is arguably the case that a revolution will be needed to break up the power of the ruling class (Williams 2016).

Schmidt and van der Walt note that mass anarchist tactics – such as protests and direct action – can pressure the state to grant policy concessions without having to actually participate in establishment politics (Schmidt & van der Walt 2009, 21).[14] However, it is crucial to recognize that a ruling class can only grant so many concessions before it begins to undermine its own power (Malatesta 2015, 73). It is therefore unlikely that a ruling class can be brought down via reformist tactics which pressure policy makers to grant increasingly generous concessions to the masses. It is more likely that a revolutionary movement will be needed to break up the power of that ruling class directly, if equal liberty is to be advanced.

2.3.3 The Challenge of Revolution in a Liberal Democracy

In a context of socioeconomic inequality, policy concessions and democratic freedoms won can be viewed as a double-edged sword. On the one hand, such reforms may reflect incremental advancements in democratization, enhanced quality of life for the people, and more freedom and resources to establish a truly revolutionary movement which aims to break up the power of the ruling class. From this perspective, the ruling class can be viewed as more "backed into a corner" in liberal democratic societies, in that the public is better positioned to build a revolutionary movement, and political elites will tend to be

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[13] By *reformist tactics* I mean those tactics underpinned by: (i) an acceptance of the prevailing establishment institutions and party system, and (ii) a praxis whereby specific policy changes are sought via these existing institutions. *Revolutionary tactics*, by contrast, are underpinned by: (i) a rejection of existing establishment institutions, and (ii) tactics which aim to change the institutions themselves so as to place essential reforms within reach.
[14] Similarly, Scott observes that, "democratic progress and renewal appear […] to depend vitally on major episodes of extra-institutional disorder" (Scott 2012, 19).

under greater pressure to appear responsive to public preference.[15] In this sense it can be argued that liberal democracies are *less distant* from equal liberty than their authoritarian counterparts. On the other hand, building a revolutionary movement is more challenging in a democratic society as the freedoms gained and policy concessions won tend to confer legitimacy and stability upon the regime and the ruling class with which it is associated.[16]

While the spread of liberal democracy can be viewed as the gradual consolidation of equal liberty, the anarchist perspective warns us that democratic forms of government may be more oppressive than their authoritarian counterparts. This perspective provides an invaluable source of critical thinking, and inspires us to question how free we are even in nominally democratic societies. In addition, anarchism offers an alternative paradigm which can help to spur further progress in the spread of global freedom. However, in what follows it will be argued that anarchism's impact is hindered by the predominance of prefigurative strategy, and an alternative gradualist framework is presented to help maximize its impact. It is to this critique which I now turn, beginning with an overview of traditional prefigurative anarchism.

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[15] As Tormey observes, following the first wave of democratization in the 19th century, "those exercising power had to be mindful of and accountable to those being represented" (Tormey 2015, 46).

[16] In some cases, democratization may be more accurately conceived as a major set of policy concessions, rather than a revolutionary overthrow of the ruling class (Acemoglu & Robinson 2000). For example, according to Gelderloos, "In Egypt, the transition between democracy and dictatorship […was] a simple switch in the control strategy of the ruling elite" (Gelderloos 2016, 237).

<center>**III. PREFIGURATIVE ANARCHISM**</center>

3.1 Prefigurative Anarchist Strategy

3.1.1 A Traditional Anarchist Perspective

Since the era of classical anarchism began with the First International Workingmen's

Association and the anarchism of Bakunin in the 1860s, anarchists have generally

opposed the use of formal (i.e., state-based) coercion as a means to the anarchist end.

Reflecting on the history of anarchist thought, Williams observes that, "Through it all,

anarchism seems to retain its central character as a viewpoint opposed to the presence of

coercion, hierarchy, and authority in human affairs" (Williams 2007, 300). Meanwhile,

Wilson emphasizes the long standing anarchist commitment to prefigurative strategy in

the following passage:

> "The [prefigurative] idea stretches back to the earliest anarchist thinkers: perhaps
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> most famously, Bakunin argued that we cannot expect a libertarian society to
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> come into being using authoritarian means. And, regardless of any other changes
>
> anarchism may have been through, the idea has continued to inform anarchist
>
> theory and practice ever since" (Wilson 2011, 84).

Similarly, Kramnick explains that, "In its radical defense of freedom, this

anarchism repudiates politics and the use of political means to achieve that freedom. This

is the very essence of anarchist thought, and, indeed, its most salient distinction from

other revolutionary doctrines" (Kramnick 1972, 114). Concisely stated, prefigurative

anarchism is understood here as the idea that anarchist ends *do not* justify the use of

formal (i.e., state-based) coercion as a means to that end. Prefigurative anarchism, so defined, would exclude any advocacy of or direct involvement with state-based reformism as a means of advancing society towards anarchy.

The commitment to prefigurative strategy distinguished the anarchist left from classical Marxists and Leninists who advocated the use of a proletariat transitionary state to achieve stateless communism (Newman 2001, 25). Because Marxists saw capitalism and the bourgeoisie as the primary source of oppression they believed that a proletariat state would be less oppressive than the bourgeois state. By contrast, "anarchists like Mikhail Bakunin insisted that the state must be seen as the main impediment to socialist revolution, and that it was oppressive no matter what form it took or which class controlled it" (Newman 2010). Several decades later, Errico Malatesta (1853-1932) explained that, "Anarchism is the method by which to achieve anarchy […] without authoritarian organisms which, by using force, *even, possibly for good ends*, impose their will on others" (Malatesta 2015, 13-14, emphasis added).

More recently, writers such as Bookchin,[17] Franks (2014), as well as the post-anarchist school that emerged in the 1990s, have continued to adhere, more or less explicitly, to prefigurative principle.[18] Today, prefigurative anarchists aim to confront existing political institutions, to develop alternatives to representative democracy, and to make the "struggle and the goal, the real and the ideal, become one in the present" (Maeckelbergh 2011, 4). Similarly, Juris describes prefiguration as "living your vision of

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[17] According to Bookchin, "Since [municipal] confederations would exist primarily in opposition to statecraft, they cannot be compromised by state, provincial, or national elections, much less achieved by these means" (Bookchin 1991).

[18] Despite its implicit adherence to prefigurative principle, post-anarchism can be distinguished from classical anarchism by the former's relaxation of essentialist claims such as that the state is the primary source of oppression. Rather, as May observes, "the sites of oppression are numerous and intersecting" (May 1994, 12). On post-anarchism also see Rousselle and Evren (2011).

an alternative world as you struggle to create it" (Juris 2009, 219). It is clear from this review that the definition of prefiguration adopted in this study is consistent with a widely accepted definition.

3.1.2 Prefigurative Anarchist Revolutionary Cycles

Several prefigurative tactical methods have been described, including insurrectionary and mass anarchism (Schmidt & van der Walt 2009, 144), organizational dualism – i.e., "the formation of specific anarchist political groups *in addition* to mass organizations like syndicalist unions" (Schmidt & van der Walt 2009, 22-23) – as well as revolutionary and protest strategies (Kinna 2005, 132-147). Prefigurative anarchism emphasizes the importance of establishing autonomous zones beyond the reach of state power (Ward & Goodway 2014, 11-12; Olson 2009, 39-40).[19] In theory, the stage is set for an anarchist insurrection by expanding autonomous zones until anarchist institutions rival their statist alternatives in their popularity and capacity to sustain the polity – a moment referred to as *dual power*. At that point, an insurrection can potentially succeed in toppling the state and establishing a sustainable anarchist alternative (Williams 2012a, 32).

According to Malatesta, the period of anarchy after an insurrection would last as long as there was a critical mass of individuals who opposed the establishment of any type of government. During this period of anarchy, the central question is if those who wish to re-establish government can be contained with informal (i.e., non-state) means of coercion. The extent to which this opposition to government was diffused across the

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[19] Prefigurative tactics can be found among individualist anarchists as well. For example, the market anarchist movement known as *agorism* is described as "a revolutionary movement led by workers and entrepreneurs voluntarily cooperating in economic exchanges that take place outside of the State's grasp" (Bronze 2016).

populace was itself viewed as a reflection of the effectiveness of anarchists' educational and propaganda efforts before, during, and after the insurrection. If and when any type of government is re-established, the collective anarchist effort to prepare for insurrection would continue, always outside of establishment politics (Malatesta 2015, 177-180).[20]

In sum, the prefigurative revolutionary cycle entails building up and expanding anarchist praxis from autonomous zones to a situation of dual power across an array of essential institutions while developing a revolutionary mass movement which eventually succeeds in toppling the state through insurrection, replacing the state's institutions, and consolidating anarchist gains at the societal level, all without relying on formal (i.e., state-based) coercion. What follows is a critique of this traditional prefigurative anarchist strategy, focusing in particular on the tendency to downplay differences across political regime-types, as well as vulnerability to the risk of "bad anarchy."

3.2 A Critique of Prefigurative Anarchism

3.2.1 Downplaying Differences across Political Regimes

Anarchists often argue that the state will tend to become captured by elites who utilize their positions of power to advance their own interests at the expense of the majority, and that the state certainly cannot be expected to wither away when is right.[21] As Newman observes, "The state, for anarchists, is a priori oppression, no matter what form it takes" (Newman 2001, 25). In a similar vein, Mancias notes that, "For [anarchists], the institutions of the state are inherently institutions of domination. The state is thus

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[20] The incremental progress made towards equal liberty over these revolutionary cycles might be referred to as "prefigurative gradualism."
[21] On the inability of the state to wither away, Gelderloos observes: "Lenin already proved that states do not wither away if we are using them as instruments for change" (Gelderloos 2016, 241).

necessarily antidemocratic" (Manicas 2011, 96). The view that all types of government

tend to be tyrannical can be found in the writings of various anarchists, including

Stirner,[22] Bakunin,[23] Kropotkin,[24] Reclus,[25] Malatesta,[26] Goldman,[27] as well as among

contemporary anarchists such as Landstreicher,[28] Chartier,[29] and Gelderloos.[30]

    As these examples attest, anarchists have long exhibited a tendency to downplay

differences across political regimes. As Kinna explains, "anarchist critiques of

government violence tend to encourage anarchists to blur the differences, sometimes to

the point of blindness, between forms of government" (Kinna 2005, 52). This tendency,

while invaluable as a source of critical thinking, can also limit anarchism's impact. For

instance, the exaggeration of regime-type homogeneity may hamper one's ability to

recognize the potential benefits of formal institutions. Also, as will be discussed in

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[22] For instance, Stirner asserts that, "Every State is a *despotism*, be the despot one or many" (Stirner 1919 [1844], 204).

[23] In one of his more well known passages, Bakunin declares that, "[W]e reject all legislation, all authority, and all privileged, licensed, official, and legal influence, even though arising from universal suffrage, convinced that it can turn only to the advantage of a dominant minority of exploiters against the interests of the immense majority in subjection to them" (Bakunin 1970 [1882], 35).

[24] According to Kropotkin, "[I]t is the essence of all government to take the side of the reaction against revolution, and to have a tendency towards despotism" (Kropotkin 2002 [1909], 238).

[25] Reclus, anticipating Michels' famous "iron law of oligarchy", discusses how individuals working for the state, "are raised up above their fellow citizens in dignity, power, and preferential treatment, and are consequently compelled to think themselves superior to the common people" (Reclus 2013 [1894], 122).

[26] For instance, Malatesta asserts that, "We will no more recognise a republican Constituent than we now recognise the parliamentary monarchy" (Malatesta 2015, 148).

[27] In the International Anarchist Manifesto on the War, printed in *Mother Earth* in May of 1915, Goldman *et al.* state that, "Whatever the form it may assume, the State is nothing but organized oppression for the advantage of a privileged minority" (Falk 2012, 516).

[28] According to Landstreicher, "the term 'state' refers to an accumulation of power […] the individuals who accumulate power institutionalize it in this form in order to maintain and expand their monopoly on power" (Landstreicher 2012, 180).

[29] In Chartier's view, "Those who occupy significant decision-making positions in any state apparatus […] are more likely than the average person to be ambitious and power-hungry […] And coming to occupy a position of power over others can tend to incline someone to want to exercise the power her position affords and to maintain the institutional setting in virtue of which her position exists and she possesses power" (Chartier 2013, 180).

[30] For instance, Gelderloos asserts that, "all modern states are fundamentally totalitarian, differing by degree and strategies for disguising or celebrating this fact" (Gelderloos 2016, 91).

greater detail below, this tendency renders anarchism more vulnerable to the risk of bad anarchy.

This is not to suggest, of course, that anarchists have not often recognized some benefits of democracy over its authoritarian counterparts. For example, citing passages from Stirner, Proudhon, and Bakunin, Guérin observes that "in spite of their savage attacks on bourgeois democracy, the anarchists admitted that it is relatively progressive" (Guérin 1970, 20). Nor have contemporary anarchists been unable to see differences between regime types. For example, Gelderloos notes that, "The particular state model in force clearly has a huge impact on our day-to-day life" (Gelderloos 2016, 236). However, such views remain exceptions to the rule that states are fundamentally alike and therefore cannot be utilized to advance freedom in the world.

3.2.2 The Risk of Bad Anarchy

Anarchists often argue that abolishing government would go a long way towards eliminating crime and other types of anti-social behavior. For instance, anarchists correctly emphasize that the state is itself a major contributor to crime, that the state upholds conditions of inequality and alienation which give rise to crime, and that many laws created by the state serve narrow interests and are therefore not essential. However, it is not certain that the abolition of state power would yield a *net reduction* in crime.

Indeed, prefigurative anarchism encounters a challenge identified early on by William Godwin (1756-1836), "the first to give a clear statement of anarchist principles" according to anarchist historical Peter Marshall (Marshall 2010, 191).[31] On the one hand,

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[31] Also indicative of Godwin's importance as an early anarchist, Kramnick refers to Godwin's *Enquiry Concerning Political Justice* as, "the bible of anarchism" (Kramnick 1972, 123).

Godwin recognized the state as "the only perennial cause of the vices of mankind" (Godwin 2009 [1796], 388). On the other hand, Godwin suggested that a certain level of rationality must be diffused across society if the dissolution of state power was to yield a net reduction in violence. This point is implicitly recognized, for instance, in the following passage from Godwin's *Enquiry Concerning Political Justice*:

> "[S]ince government, even in its best state, is an evil, the object principally to be aimed at is that we should have as little of it *as the general peace of human society will permit*" (Godwin 2009 [1796], 143, emphasis added).

Thus, Peter Marshall observes that Godwin "was left with the apparent dilemma of believing that human beings cannot become wholly rational as long as government exists, and yet government must continue to exist while they remain irrational" (Marshall 2010, 219).[32] Based on this reading of Godwin's work, one can argue that he implicitly recognized the risk of "bad anarchy" – where the abolition of government yields *a net loss* in equal liberty.[33]

In a recent article on philosophical anarchism, Jun explains that, "[Opposition to hierarchical institutions] need not imply an 'all or nothing' commitment to abolishing all such institutions and relationships at once" (Jun 2016, 565). While it is true that the prefigurative revolutionary cycle is an ongoing process, the prefigurative prohibition on the use of state power does seem to necessitate that government be toppled in a single

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[32] Malatesta identifies a similar dilemma in the following passage: "Men make society what it is and society makes men what they are, and the result is therefore a kind of vicious circle. To transform society men must be changed, and to transform men, society must be changed" (Malatesta 2015, 178).
[33] The term bad anarchy is borrowed from Seyferth, who observes, for instance, that failed states "are examples of 'bad anarchy' so many people fear" (Seyferth 2009, 281).

insurrectionary moment. Similarly, Woodcock comments that, "It may indeed be impossible for society to move in one step to complete freedom, but the anarchist believes that he should accept no less as his aim" (Woodcock 1971, 31-32).

IV. GRADUALIST ANARCHISM

4.1 Gradualist versus Prefigurative Anarchism

The theoretical argument outlined below departs from traditional prefigurative anarchism, not on the need for revolutionary change today, but on the question of how best to advance equal liberty *after* revolution. In contrast to prefigurative anarchism's emphasis on evading the state, the gradualist anarchist vision outlined below proceeds through the heart of society, skewering the state rather than evading it, by deploying some optimal combination of formal and informal institutions to maximize equal liberty.[34] In what follows, a system of gradualist anarchism is described, focusing in particular on the elements of gradualist anarchism: just law, consensus, and decentralization.

4.2 Elements of Gradualist Anarchism: Just law, Consensus, and Decentralization

4.2.1 Consensus and Coercion

Anarchists often emphasize the benefits of disagreement. For example, Bookchin observes that consensus-based decision making "precludes dissensus – the all important process of continual dialogue, disagreement, challenge, and counter-challenge, without which social as well as individual creativity would be impossible" (Bookchin 1995). In

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[34] The state can be viewed as at the heart of society in the Weberian sense of the state having a more-or-less consolidated monopoly on legitimate use of political force in a particular territory. Also indicative of the centrality of the state in society, Poggi observes that parliament "represents the public realm par excellence" (Poggi 1978, 112).

addition, Maeckelbergh has argued that mass movements should *embrace* contestation and difference, as the insistence on agreement tends to repress diversity and freedom (Maeckelbergh 2012). In a similar vein, Gelderloos underscores the advantages of decentralized as opposed to unitary decision making (Gelderloos 2016, 20-21).

On the other hand, several authors have noted that in the absence of consensus there may be some need for coercion. For instance, Simon observed that, "authority finds its *raison d'étre* in the need to assure common action when the answer to the question of what to do cannot be objectively demonstrated" (Simon 1973, 23). In a similar vein, Wilson comments that, "Coercion, of one sort or another, is the inevitable consequence of unresolved disagreements" (Wilson 2011, 136). Furthermore, according to Gelderloos, "Consensus precludes the need for enforcement and punishment by making sure that everyone is satisfied beforehand" (Gelderloos 2010, 61). Finally, Osgood who (although not an anarchist) states plausibly that, "As long as there are individuals so imperfect that they insist upon infringing their neighbor's rights, they must be restrained" (Osgood 1889, 19).

Consistent with prefigurative strategy, anarchists have generally emphasized the need to use *informal* (i.e., non-state) rather than *formal* (i.e., state-based) means of coercion. For example, one informal anarchist solution to dissensus is *the stand aside*, where dissenters exit a jurisdiction upholding laws, policies, or norms with which they disagree. However, as Wilson observes, the costs of exit can be prohibitive for many, and those unable to leave a particular community may have no choice but to comply with the

prevailing rules (Wilson 2011, 135-137).[35] Another informal solution to disagreement is the use of *diffuse sanctions*, a set of tactics which do not rely on calling the police, filing a grievance, or waiting for someone else to do something. Using the example of a neighbor who refuses to help clean the street, Gelderloos explains that the neighbors might apply direct criticism, ridicule, shunning, glaring, or for persistent anti-social behavior, expulsion from the group (Gelderloos 2010, 66-71).

4.2.2 Consensus and Just Law: What Needs to be Agreed Upon?

If consensus is essential for equal liberty, what needs to be agreed upon? At a minimum, there would seem to be a need for widespread agreement on a basic set of individual rights and a commitment to non-aggression.[36] However, the justness of a particular law or policy outcome ranges from absolutely certain to "essentially contested" (Gallie 1956). For example, it is fairly clear that the 1953 U.S. Supreme Court ruling in Brown v. Board of Education was more justified than the alternative outcome where racial segregation in public schools was allowed to continue (Scott 2012, xiii-xiv).[37]

At other end of the spectrum, one can also find examples of essentially contested issues. For example, Valentini explains that, "some favor proportional taxation on grounds of liberty, others campaign for progressive taxation on grounds of equality. Since neither view obviously violates equal respect, they are both reasonable, and hence worthy of consideration" (Valentini 2013, 184-185). Also, Scott asserts that, "Reasonable people

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[35] This notion that individuals within a jurisdiction cannot evade the law assumes that a common action must be taken. An alternative vision – polycentric legal orders – promotes choice between geographically overlapping legal regimes (Chartier 2013, 408).

[36] The term non-aggression is used here in reference to freedom from arbitrary rule, wanton attacks, invasion, domestic repression, *et cetera*.

[37] Essentially contested issues are those where reasonable parties disagree over which outcome is more conducive to the public good, not to be confused with cases where groups advancing their own private interests engage in strategic opposition.

can disagree about the levels of inequality that a democracy can tolerate without becoming an utter charade" (Scott 2012, xvi). In cases of essential contestation, the best solution may be to allow each party to implement its own preferred policy or, if the issue demands a common action, allow competing sides to alternate in government over time.

However, if one side is clearly more justified than the other (e.g., the school desegregation issue) then there is a need to build consensus on the more just outcome, and to police those acting unjustly in the meantime. Beyond agreement on a basic set of individual rights, anarchism is also likely to require a basic consensus with regards to essential public goods and services, as well as a sufficient level of volunteerism and coordination to ensure an effective provision and administration of such goods. Although the question regarding which public goods and services *are* essential is beyond the scope of this article, a logical starting point might be to ask which goods and services are needed to maximize equal liberty in a particular community.

4.2.3 Consensus and Decentralization: Consolidating Gains in Equal Liberty

The decentralization of power is often recognized as central to anarchism.[38] In this essay, the decentralization of power is understood to entail the following developments at some level of governance: (i) the winnowing out of excessive laws and policies, and the disbanding of inessential public agencies, (ii) an end to compulsory taxation and the discontinuation of its various revenue streams, and (iii) the sustainment of any laws, policies, and agencies which remain at the central level via voluntary contributions in

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[38] For example, Clark suggests that "Anarchism might also be defined as a theory of decentralization" (Clark 1978).

labor and other types of resources. Tersely summarized, the decentralization of power can be understood as a transformation from formal to informal governance.

Even if a state upholds just law – i.e., if "good government" is realized – its mere existence presupposes the presence of two classes: the governors and the governed (Dupuis-Déri 2016). Therefore, the existence of state power will always indicate some lack of equal liberty. Given the traditional commitment to prefiguration, anarchists have tended to favor the abolition of all government at once, albeit in the context of a longer-term prefigurative revolutionary cycle. Such a radical transformation would coincide with immense gains in *autonomy*, but not necessarily a commensurate increase in *self-government*.[39] Whether the enhancement of autonomy via decentralization yields a net gain in equal liberty will depend on the extent to which self-government has been diffused across the community, as well as the ability of that community to contain aggressive individuals without the assistance of a central government. The gradualist implication of this assertion can be found, for instance, in Proudhon's *Principle of Federalism*:

> "[T]he policy of federation, essentially the policy of progress, consists in ruling every people, at any given moment, by decreasing the sway of authority and central power *to the point permitted by the level of consciousness and morality*" (Proudhon 1979 [1863], 49, emphasis added).

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[39] The realization of equal liberty is understood to entail the maximization of (i) *self-government* – the extent to which individuals understand and voluntarily comply with just law (i.e., laws which advance or at least do not undermine equal liberty) – and (ii) *autonomy* – the extent to which individuals or collectives are free from formal (i.e., state-based) coercion.

Consider a hypothetical polity with central and regional tiers of government. If a supermajority of the regional governments were non-aggressive (towards their own citizens as well as neighboring regional governments), the central government could decentralize power to the regional level and thereby deepen the autonomy of the community. If the aggressive regional governments were few enough in number, the non-aggressive majority could conceivably contain the aggressive few informally without the assistance of the central government. However, as consensus and volunteerism decline, so too is the net level of equal liberty likely to dwindle. An extreme example of this would seem to be the "failed state" where, in the absence of a central government local conflicts proliferate (Seyferth 2009, 281). Summarizing the costs of decentralization in economic terms, De Vries observes that,

> "[T]he tragedy of the commons, the logic of collective action, or the prisoners dilemma and in general those involving the free rider problem are said to be problems which cannot be solved by cooperation and the rationale for government with major coercive powers is overwhelming" (De Vries 2000, 199).

While actual measures of equal liberty are not offered in this essay (crime rates would be an imperfect metric), one can conceive of some cost threshold beyond which the decentralization of power may yield a net loss in equal liberty. At that point, centralization – i.e., the reestablishment of formal institutions financed by compulsory taxation – may yield a higher net level of equal liberty than the decentralized condition. Although a step away from anarchy, centralization should not be viewed as the failure of

anarchism writ large so long as a sufficient number of governments remain committed to maximizing equal liberty amidst the ebbs and flows of decentralization.

4.2.4 Political Institutions and Social Progress

After the revolution, in an egalitarian society where anarchistic cultural norms prevail, it is conceivable that a democratic state can be used – not unwittingly, but *conscientiously* – to consolidate gains in equal liberty. In such a context, what types of political institutions will be most conducive to just law, consensus, and decentralization? At the macro level, there are important choices to be made concerning the structure of government and the type of electoral system to be used. For example, Lijphart (1999) distinguishes between majoritarian and consensus democracies. In a majoritarian setting, democratic freedom is reconciled with political division by allowing for oscillations in power between competing groups who acquire their majorities through free and fair elections (Lijphart 1980, 3).

By contrast, recent studies in comparative political science have found that consensual democratic institutions such as proportional representation (PR) and multiparty systems are more conducive to deliberation and consensus building on progressive social policies than majoritarian democracy (Lijphart 1999; Steiner et al. 2004). For example, New Zealand's transition from single-member district plurality to PR in the mid-1990s coincided with an increase in the frequency of supermajority legislative vote outcomes (Williams 2012b). Such studies suggest that PR may be more favorable to anarchism than its majoritarian alternatives. Proportional representation also

seems conducive to the "new political ecology" characterized by evanescent political parties, horizontal deliberation, and consensus building (Tormey 2015, 94).[40]

4.3 The Democratic Transitionary State versus its Alternatives

4.3.1 State Communism

In their justification of a proletariat-dominated transitionary state, supporters of the Communist Party sometimes argue that contemporary democratic societies, despite having the outward appearance of freedom, tend to be biased in favor of the bourgeoisie and capitalism. There is much evidence in support of this argument. For instance, Piketty (2014) shows that capitalist political economies have tended to produce increasing disparities in the accumulation of wealth.

In a similar vein, the *structural dependency thesis* contends that policy makers in liberal democracies will tend to favor capitalism over socialism (e.g., Block 1977). Indeed, there is evidence of such a bias even against more moderate social democratic policies. Examples can be found in the rightward shift of many traditionally center-left parties in recent decades (Tormey 2015, 147). For example, since the rise of neoliberalism in the 1970s there has been a sharp concentration of wealth in the U.S., and policy makers have become more responsive to elites than to average citizens (Bartels 2008; Hayes 2013; Gilens & Page 2014).

However, it can also be argued that democratic polities can, and to varying degrees already do, provide unbiased forums for democratic deliberation and the establishment of policies in the public interest. For instance, empirical research has found

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[40] By contrast, Guerrero (2014) makes a persuasive case that the delegation of policy-making authority by lottery is preferable to democratic elections, although his electoral system critique seems to focus more on majortarian than proportional systems. On the lottocratic method, see also Asimakapoulos (2013).

that after World War II, polities with proportional representation (PR) and multiparty systems have had higher rates of left-leaning governments and tend to redistribute wealth to lower income groups more than single-party governments in two-party systems (Iversen & Soskice 2006). In light of such evidence, one might plausibly predict that, freed from neoliberal hegemony, PR and multiparty democracy (in combination with other well-informed institutional choices) would limit the capitalist biases often exhibited by liberal democracies today.

4.3.2 Liberal Democracy

The democratic transitionary state described in this essay would differ from contemporary liberal democracies in at least three ways. The first difference is *cultural*. Unlike contemporary liberal democratic states, the democratic transitionary state would place more emphasis on the elements of gradualist anarchism: just law, consensus and decentralization. Given a widespread and genuine desire for equal liberty, such a democratic transitionary society could be described as anarchistic. The second difference is *socioeconomic*: unlike contemporary liberal democracies which permit high concentrations of wealth, the democratic transitionary society would necessarily be egalitarian, as a ruling class is unlikely to allow significant progress towards equal liberty.

The third difference is *historical*. It is widely held today that the realization of liberal democracies around the world is the ideal end of history – a situation where all states are classified as "free" in Freedom House's annual Freedom Around the World report. By contrast, through the lens of the gradualist anarchist strategy advanced here,

the spread of liberal democracy is but one goal along a longer historical trajectory involving the establishment of just law, consensus building, and then decentralization, eventually approximating an anarchist *summum bonum* wherein each individual is self-governing and autonomous.

4.3.3 The Libertarian Polity

In *Black Flame*, Schmidt and van der Walt describe the anarchist *libertarian polity* as follows: "control is exercised from the bottom up, and linked by delegates and mandates, rather than hierarchically imposed by officials, and class no longer exists" (Schmidt & van der Walt 2009, 203). The ideas of delegation and socioeconomic equality are consistent with the democratic transitionary state described in this essay. However, the "bottom up" characteristic of the libertarian polity is what the democratic transitionary state would aim to maximize by building consensus on just law and then decentralizing power commensurate with the level of self-governance achieved.

The essential difference between the democratic transitionary state and the libertarian polity as described by Schmidt and van der Walt thus concerns whether coercion is exercised *formally* or *informally*. Under the libertarian polity, coercion is exercised informally through traditional anarchist means such as the stand aside or diffused sanctions. By contrast, the democratic transitionary state recognizes that formal institutions may yield a higher level of equal liberty than informal institutions, and converges on the libertarian polity model upon closer approximation to equal liberty, as consensus spreads and informal institutions become increasingly sufficient for dealing with aggressive individuals, collective action problems, *et cetera*.

4.4 Avoiding Bad Government after the Revolution

Using states as instruments of anarchism will require "good governments" that are genuinely interested in advancing equal liberty. In the current context of socioeconomic inequality it would be unrealistic to expect governments to do this. But even in a context of relative equality after a successful revolution, can a democratic, anarchistic society evade Michels' infamous iron law of oligarchy? Newman captures this fear well stating,

> "The revolutionary – despite his or her best intentions – will get caught up in the cult of power and authority, and will come to depend on the state's mechanisms more and more; and we will soon find that the temporary state is now a permanent and increasingly oppressive presence in post-revolutionary society" (Newman 2011, 84).

It is here argued that this risk can be minimized with a set of carefully chosen democratic political institutions, in a context of relative socioeconomic equality, and an anarchistic culture conducive to the pursuit of equal liberty.[41] This argument parallels that of Schmidt and van der Walt who assert that, "democratic and decentralized structures, plus a strongly democratic culture among the rank and file, act as checks on oligarchic tendencies" (Schmidt & van der Walt 2009, 189). A failure (or major setback) of the gradualist anarchist system described above would be found where the democratic

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[41] This emphasis on the potential benefits and importance of variation in political institutions sets my theory apart from that of Bakunin, who was skeptical about the capacity of institutional mechanisms such as parliamentarian wages, recall elections, *et cetera*, to improve the behavior of policy makers in a parliamentary democracy (Schmidt and van der Walt 2009, 55).

transitionary state becomes captured by private interests and lose sight of its anarchistic objectives. Where the level of capture becomes so severe that the state cannot be redeemed via political reforms, prefigurative revolutionary strategy may once again become more conducive to anarchist progress.

IV. CONCLUSION

In his book *After Post-Anarchism* Rousselle identifies an "innermost outside" of the anarchist tradition in reference to that which "many have felt the need to define as 'anarchistic' so as to describe something which is almost anarchist" (Rousselle 2012, 186). Most anarchists would probably place the idea of a democratic transitionary state in the non-anarchist space or at best the innermost outside, given that prefigurative principle is widely recognized as a cornerstone of anarchist ontology. However, prefiguration is not inherent to anarchist ontology, but is rather an anarchist tradition which took root during the era of classical anarchism. It is democracy, not prefiguration, which is the essential and definitive characteristic of anarchism.

While prefigurative anarchists face the formidable challenges of building support for anarchism from the margins of society and consolidating anarchist gains without relying on formal institutions, gradualist anarchism faces the converse challenges of establishing and maintaining an egalitarian democratic transitionary state, and building consensus on anarchistic principles through the state amidst the welter of competing interest groups. This process of building consensus at the center of society has rendered the consolidation of anarchist progress – that is, democratization – very gradual.

However, recognizing the connection between democratization and anarchism could expedite progress towards equal liberty.

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