



Anarchism: war, violence and scapegoating

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Abstract

This article gives an anarchist account of politics as war to theorise an anarchist *Realpolitik*. Mikhail Vereshchagin's killing in *War and Peace* provides the springboard to review the claim that sovereign power secures peace and to explore the merit of scapegoating. We elaborate the anarchist account of politics as war by juxtaposing Foucault's and Proudhon's interpretations of Hobbes' sovereign and adopt the term 'reverse ethics' to describe the proposal that citizens retain the philosophical right to forcefully disrupt the state's supposed peace. The anarchist embrace of war conflicts with the common view that anarchism's alignment of the means and ends of political action commits anarchists to reject violence. To meet this objection, we discuss Frazer and Hutchings' theorisation of anarchist ambivalence. We argue that reverse ethics complicates tensions between the presumption of non-violence and the critique of state violence. To consider the use of force in liberal democracy, we connect reverse ethics to Hyams' anarchist defence of upward scapegoating and targeted assassination. Considering applications in contemporary politics, we argue that reverse ethics constructively redirects attention from the need to justify political violence to the demand to hold sovereign power to its contractual obligation. This is anarchist *Realpolitik*.

Keywords Anarchism · Sovereignty · Social contract · War · Violence · Scapegoating · History of ideas

In *War and Peace* Leo Tolstoy tells the story of the killing of Mikhail Vereshchagin. He depicts Vereshchagin as the patsy for the hawkish Count Fedor Rostopchin, the governor of Moscow, who has vowed to defend the city to the last. On the eve of Napoleon's advance on Moscow in 1812, and to deflect attention from

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the looming military catastrophe, Rostopchin accuses Vereschchagin of treachery. As David Galloway notes, Tolstoy's description of Rostopchin's public prosecution of Vereshchagin evokes Christ's trial by Pilate (Galloway, 2000, p. 1). Yet, there is a difference, whereas in the gospel story the mob demands Jesus' crucifixion and Pilate hesitates, the crowd in *War and Peace* initially fails to respond to Rostopchin's orders to kill. Only when a soldier of the guard responds to a command to strike a glancing blow, do the people do his bidding. The sight of first blood unties the 'thread of human sympathy' that had previously bound them to Vereshchagin's cause. They beat and throttle him, 'tearing him limb from limb', (Tolstoy, 2016 [1868–9], vol. III, pt. III, Chap. 25, p. 988). As he escapes the scene Rostopchin bemoans the mob's violence and, satisfying himself that his vital public duty removes him from the fray, distances himself from its barbarity.

Tolstoy's fictionalised account of Vereshchagin's killing can be read as a forceful statement of his commitment to non-violence, and yet it also exemplifies the concept of leadership and power that he sets out in the book's second Epilogue: Rostopchin's action illustrates the principle that '[p]ower is the relation of a given person to other individuals, in which the more this person expresses opinions, predictions, and justifications of the collective action that is performed, the less is his participation in that action' (2016 [1868–9], Epilogue II, Chap. 7, p. 1341). Finally, it provides an example of political scapegoating that is every bit as chilling as Machiavelli's account of Cesare Borgia's brutal dispatch of his emissary, Ramiro d'Orco. Like Vereshchagin, Ramiro is killed to placate the populus in fear of its safety. Like Rostopchin, Borgia presents himself as the peoples' protector, even though he is responsible for the insecurity (Machiavelli, 1988 [1532]). In this, the history of ideas overlaps with the realm of contemporary politics.

In this article, we examine all three elements to present a general account of anarchism, war and violence, and consider the types of resistance it empowers. This takes us to an anarchist *Realpolitik*: anarchist thought that retains its philosophical commitments yet seeks application while navigating the sociological reality of the nation state.

In the first section, 'Violence', we argue that anarchists invoke the permanence of war in politics to question the achievement of social peace and to attack the institutionalisation of violence. In contemporary political theory, this position is articulated by Michel Foucault in a critique of Thomas Hobbes, which, we argue, dovetails with Pierre-Joseph Proudhon's forgotten analysis of *Leviathan*. In bringing them together, our intention is not to present Proudhon as a 'proto-Foucauldian' (Mattessich, 2018, p. 78). Our more limited aim is to consider what their connection brings to the anarchist conception of the state. Following Philip Pettit's refreshingly 'breezy' (1997, p. 10) approach to the construction of political traditions, we detach interpretation from 'controversial theses in the history of ideas' (1997, p. 10) and emphasise the commonality of their account of politics as war. We call this 'anarchist' and label their embrace of the reality of war and rejection of sovereign peace a 'reverse ethics' of violence.

In the second section, 'Ambivalence', we examine Elizabeth Fraser and Kimberly Hutchings' claim that anti-state violence derails anarchist commitments to prefigurative change and argue that the apparent *impasse* in anarchism extends



from a concept of peace and contractual agreement which reverse ethics treats as illusory.

In the third section, ‘Scapegoating’, we turn to Edward Hymans’ overtly Tolstoyan, transgressive critique of sovereign power to consider how citizens may wage war in liberal democratic states against those who authorise devastating violence against them.

In developing an anarchist *Realpolitik* from anarchist thought, we follow the contours of the theoretical critique of the state with the aim of bringing anarchist practices from the margins of protest politics to the heart of institutional politics. Leaving violence on the table places war and peace on a continuum, weakening the sovereign’s power to amplify its own protective role and criminalise or demonise marginalised populations as disruptors of the peace. Reframing familiar arguments about anarchist violence brings the insidious violence of pacification into view (Baron et al., 2019). Rejecting the theorisation of sovereign power, while accepting the conventions of hierarchical government, enables an anarchist *Realpolitik* of upward political scapegoating to rival the Machiavellian stratagems, which enable leaders to avoid responsibility for the harms they permit.

Violence

In 1996, Brent L. Pickett claimed that aspects of Foucault’s political philosophy were ‘troubling’ (1996, p. 466) and allowed for ‘the worst forms of engagement’ (1996, p. 465). The issue that caused his disquiet was violence. Foucault refused to take violence ‘off the table’, because he believed that its removal would frame any movement within the ethical confines of the existing system, thus stunting real change (1977, p. 230). His Nietzschean perspective on morality as a power structure led Foucault to consider any wholesale rejection of violent resistance, as a tool of struggle, too limiting. As Arnold Davidson observes, aligning permissible action to a morality ‘borrowed’ from the existing order (1997, pp. 131-132) narrows possibilities to what is already acceptable to the very hegemony being challenged.

For Foucault, the state’s monopoly of violence not only entrenches a power hierarchy, but also a social contract ethic which insulates that hierarchy from those disadvantaged by it. It automatically demonises those who resist the sovereign claim of establishing peace, placing an immediate limitation—conceptually, practically, psychologically and ethically—on violent resistance, while at the same time justifying the violence built into sovereign power as the guarantor of peace.

For Pickett and others, Foucault’s refusal to take violence ‘off the table’ smacks of terrorism. Our view is that this reaction distracts from the contractual story that lies beneath the claim to sovereignty and that it concedes too much to a political culture where we feel as if the state, through its mere presence, has already benefitted us.

Foucault reopens the contractual story in a discussion of Hobbes’ *Leviathan*. His account is animated by puzzlement about Hobbes’ admission that sovereign states were typically created by conquest. Why, Foucault asks, did Hobbes go to the trouble of grounding his concept of sovereignty in the state of nature? His conclusion is



that Hobbes was trying to overcome the idea that rebellion is ‘not the destruction of a peaceful system of laws’, but a ‘response to a war that the government never stops waging’ (Foucault, 2004, p. 108) against a conquered caste of people. Rebellion, in the context of an historical conquest, is therefore simply the contestation of the permanent war that the new conqueror wages through laws, taxes and the enforcement of obedience.

In the English Civil War, this was the case that Diggers and Levellers made against the ‘Norman yoke’. For these groups, 1066 had delegitimised the state and removed any obligation to obey it (Foucault, 2004, p. 107). To meet this protest, and, as Foucault says, to block ‘political historicism’, Hobbes asked us whether we would submit to a sovereign if that power did not already exist? His hypothetical, pre-societal state of nature, so evocatively desperate and potentially violent, is the alchemy which produces the accord between us required to generate a sovereign. By the time it comes along, we are grateful for it. By ‘making all wars and conquests depend upon a contract’ Hobbes essentially rescued a theory of state legitimisation from conquest (Foucault, 2004, p. 99), with very little obligation on the sovereign. It is already the guarantor of security: the end of a state of nature. The moral claim of sovereignty is the establishment of peace.

In what sense is Foucault’s refusal to reject violence ‘anarchist’? The affinity is suggested by the connection with the critique presented by Proudhon in *War and Peace* (2022 [1861] 2nd bk, Chap. VI). According to Proudhon’s largely decontextualised account of the contract, Hobbes’ purposes were philosophical: to discover the origins of society, elaborate a concept of the state, reveal the basis of political order, establish the extent of princely power, the meaning of the classic forms of government and the value of promising. Hobbes approached these tasks, Proudhon argues, as a man of reason, a materialist and an atheist. Yet, his philosophy, while entirely and profoundly irreligious, was also thoroughly theological. On the one hand, Hobbes defined religion wrongly as ‘an institution from on high’ (Proudhon, 2022 [1861], p. 156) and failed to appreciate that it was practised communally and independently of priestly authority, thus providing a springboard for justice. On the other, *Leviathan* rehashed the story of the Fall: Hobbes advanced a doctrine of power to justify curbs on our liberty demanded by failings, replacing the idea of divine authority with a ‘juridical absolute’ (Proudhon, 2022 [1861], p. 153). Thus, Hobbes stripped society of moral cohesion and invented a mechanism to control the competition that godlessness unleashed.

Hobbes’ mistaken conclusion, ‘that the best government is the one best established in authority or in force’ (Proudhon, 2022 [1861], p. 158), wrongly cemented force as a ‘guarantor, an agent or organ of reassurance’ (Proudhon, 2022 [1861], p. 158) to constrain the right of force which, like other rights, existed ‘as a tacit convention’ and was essential to the determination of right (Proudhon, 2022 [1861], p. 165). In establishing force as a guarantor while simultaneously denying the right of force, Proudhon argued that Hobbes presented ‘peace’ as ‘*all the time not given over to warfare*’, defined war, ‘as a state of calamity, the antithesis of genuine right’ and right as the ‘faculty which man possesses to DO EVERYTHING, making no distinction between good or bad’ (Proudhon, 2022 [1861], p. 156). He was wrong on all counts. War and peace were properly construed as ‘sisters in the dispensation



of justice' (Proudhon, 2022 [1861], p. 473). The notion that peace was somehow created by the imposition of sovereign contract was nonsensical. Indeed, a society 'which has no other guarantor of order, no sanction for right other than force' was 'a society in jeopardy'. It would either 'regenerate or perish' (Proudhon, 2022 [1861], p. 159).

Hobbes' argument, Proudhon argued, proceeded from 'unrighteousness to righteousness' and purported to show how 'un-right', or the 'ability to kill and steal', provided a basis for right (Proudhon, 2022 [1861], p. 151). Nodding to Immanuel Kant, Proudhon added that the key to 'perpetual peace' was the demolition of the Hobbesian view which, like warfare itself, survived 'only on its good reputation' (Proudhon, 2022 [1861], p. 160). To correct Hobbes' errors, Proudhon proposed to channel force productively by removing the structural injustices that sovereign peace imposed. Accordingly, he proposed elevating 'the economic question' over the 'political question' and replacing sovereign contract with plural labour contracts. Justice, he argued, was immanent in the exercise of rights, including the right of force (Proudhon, 2022 [1861], pp. 162, 449).

Historians of ideas are likely to query these readings of *Leviathan*. Indeed, Foucault's approach to *Leviathan* has been described as misleading because it simplifies the problem of disorder that Hobbes aimed to resolve (Pasquino, 1993; Spieker, 2011). Yet, his inscription of war into Leviathan's regime of security is not at issue. Political theorists are also likely to question the compatibility of these accounts. Foucault's aim was to present an alternative story of the state rather than reveal the flaws in Hobbes' reasoning: if Proudhon's sociology facilitated new perspectives on state formation and proposed the substitution of the 'economic or industrial system' for the 'governmental ... and military system' (Proudhon, 1989 [1851], p. 170), Foucault's genealogy emphasised the multiplicity of possible narratives. As Eli Lichtenstein puts it, the state is pluralistic, in the sense that it 'will have as many origins as it has contradictory governmental practices' (Lichtenstein, 2020, p. 89).

Our contention is that there are echoes of Proudhon in Foucault and that they merit discussion. As Alex Prichard notes, Proudhon's quest to "'demonarchize the Universe'" resonates with Foucault's call to "'cut off the sovereign's head'" (Prichard, 2022, p. 16). As Prichard also notes, the account of power, force and war Foucault gives in *Society Must be Defended* is strikingly Proudhonist (Prichard, 2022, p. 33).

Foucault's critical appraisal of the state's origin begins with the inversion of Clausewitz's proposition that '[w]ar is a mere continuation of policy by other means' (Clausewitz, 1982, p. xxiv). If power is the 'implementation and deployment of a relationship of force', it should be analysed 'first and foremost in terms of conflict, confrontation, and war' and not 'in terms of surrender, contract, and alienation'. In other words, 'politics is the continuation of war by other means' (Foucault, 2004, p. 15), not the implementation of peace. Although it is unclear whether Proudhon had read Clausewitz's *On War*, his claim that 'politics is warfare in its essence, in its institutions, and in law' (Proudhon, 2022 [1861], p. 447) anticipates Foucault's inversion. Proudhon firmly rejected Hobbes' binary conception of war and peace and, like Foucault, charged Hobbes with creating a 'state of society' that misrepresented war as peace while leaving the 'social war' for 'exploitation and property' raging as a background condition (Proudhon, 2022 [1861], p. 472). Whereas



Foucault used the historical memory of conquest and the principle of violence as witnesses for the case against political legitimacy, Proudhon used contractual entrenchment of un-right to do the same. In Foucault's terms, both leave violence on the table to demonstrate the political reality of conquest and designate the sovereign contract securing peace as mythology.

Using the connection, we can describe the anarchist analytic for the state as an institution of engrained violence that entrenches itself not only through force, but also through an ethic of non-violence that establishes a permanent ban on the use of violence by non-state actors. This analytic can be applied generally, for example to John Locke, for whom the avoidance of war was 'one great reason of men's putting themselves into society' (Locke, 1988 [1689], Chap. III § 21) and Rousseau. As Stanley Hoffman notes, the social contract moralised citizens and protected them from the pernicious, unjust conditions that give rise to violence in nature (1963, p. 320). The 'standard liberal view', David Miller argues, censures the violent person 'like a football player who has committed some gross foul and for whom the only remedy is a swift removal from the pitch'. In other words, all forms of violence 'are lumped together and condemned in the same terms' (1984, p. 419).

The anarchist position that we elaborate here is that the formation of the state 'sanctions and reproduces' a 'disequilibrium of forces' (Foucault, 2004, p. 16) in which the state has the advantage. As Proudhon put it, to be governed 'under pretext of public utility' is to be 'drilled, fleeced, exploited, monopolized, extorted from, squeezed, hoaxed, robbed' and on 'the first word of complaint, to be repressed, fined, vilified, harassed, hunted down, abused, clubbed, disarmed, bound, choked, imprisoned ...' (1989 [1951], p. 294). If peace is established through a monopoly of the very force that made the war—violence—then 'peace itself is a coded war' (Foucault, 2004, p. 51). Yet, it is a war where only one party is permitted to mobilise, and where its permanence is concealed by a linguistic strategy that dubs 'war' the conflict subjects authorise sovereigns to wage against outsiders, insiders, and 'others'.

The persuasiveness of the state's ethic explains why Foucaultians are sometimes tempted to hedge the argument or soften its edges. For example, Dany Lacombe tackled the 'troubling' issue of violence by adding human rights and liberalism into Foucault's philosophy (Lacombe, 1996). The moral concerns precipitated by the history of anarchist violence have prompted similar responses. This is surely a strategic move to make anarchism more palatable or practical within the realities of nuclear nation states.

But keeping violence on the table achieves two things. First, it exposes the wrongheadedness of the sovereign's claim to establish peace by means of force and an ethic against violence to quell dissent. Second, the exposure of the universality of force shows that its embrace is consistent with the rejection of the actual ethic of war. Recognising the reality of war focuses attention on its institutionalisation in different kinds of social order. As Proudhon puts it, 'war is part of the human constitution' (2022 [1861], p. 499). The removal of sovereign power does not eradicate force; Proudhon's proposal was to transform it from 'bloody, armed struggle' into 'struggle involving labour and industry' (2022 [1861], p. 501).

The purpose of such critical framings is to act as an 'instrument for those who fight, those who resist and refuse' (Foucault, 1991, p. 84) the idea of a contracted,



legitimate violence that outlaws all other forms of it. To ‘resist’ requires an intellectual debunking of the origins of political order. When we home-in on the issue of force, specifically the state’s monopoly of violence, we thus seek an origin not of contract or compact, but domination, entrenchment and concealment. Charles Mills’ contractualist critique of contract arrives at a similar conclusion: by airbrushing actual history from the sanitised story of the state’s origins, he argues, contract theorists become guilty of writing race and gender domination into justice (1997, 2017) (Pateman & Mills, 2007). The difference with the anarchist position is that anarchism rejects the use of hypothetical contract as a theoretical device to remedy the real-world injustices that contractarianism perpetuates. As Carole Pateman puts it, it proceeds on the basis that the contract cannot be ‘washed clean’ (Pateman, 2007, pp. 34; 44).

Both Proudhon and Foucault tell us that the avoidance of actual history in social contract theory is not justified by what avoidance conjures for us—some form of hypothetical consent—and that the instantiation of war in the state’s origin enables us to challenge mythologies and re-think the ethics of political order and stability. Anarchist reverse ethics jettisons the idea of sovereign peace to refuse the terms on which the war has been apparently concluded. In short, Foucault’s and Proudhon’s interpretation of Hobbes conjures alternative accounts of state formation, enriches these with a view of the state’s multiple origins (and therefore, often contrary justifications), and appeals to targeted groups who feel that peace was never established, and that structural violence is overlooked. We expect a person experiencing homelessness, made so through austerity, to obey the sovereign ethic of peace, even if we disagree with the policy; established order must persist. Yet, if they had not followed this ethic, on the day of their eviction they would be relegated from the ‘tragic’ to the ranks of the criminal.

Ambivalence

The anxieties prompted by Foucault’s refusal to take violence off the table are amplified in anarchist politics where long running debates about propaganda by the deed and property damage have divided proponents of the diversity of tactics from advocates of non-violence. The defence of the right of force does not commit anarchists to embrace political violence or act imprudently. But the anarchist claim that the state never stopped waging war seems to sanction anti-state violence and, for proponents of non-violence, to legitimise what the state is, in truth, all about. Frazer and Hutchings introduce a concept of ambivalence to describe this conundrum and to defend non-violence. In this section, we consider their position and reconceptualise ambivalence to argue that ‘reverse ethics’, or the retention of the right of force, empowers a pragmatic resistance to sovereign authority.

Frazer and Hutchings’ sympathetic critique of Mikhail Bakunin, Peter Kropotkin and Tolstoy introduces the concept of ambivalence to highlight a persistent dilemma in anarchism. Ambivalence, they argue, results from the ‘recognition of and engagement with the dynamics of violence in both repressive and resistant politics, and recognition of the dynamic and tense relationship between individual and collective



action' (2016, p. 261). This ambivalence is expressed in different ways in historical anarchism. In Tolstoy's work, it manifests as a repudiation of political violence that leaves violence intact. In the work of Bakunin and Kropotkin, it is instead expressed as a rejection of state violence that leaves 'violence in place' in the plan 'for its undoing' (Frazer & Hutchings, 2019a, b, p. 277). Either way, ambivalence centres on the contention that violence is already in play in politics, albeit often obfuscated in state mechanisms, concealed by 'civility, economic necessity, piety, rights, social conformism and the rest' (Frazer & Hutchings, 2019a, 2019b, p. 264), and that this acknowledgment gives rise to a suspicion, a tragic acceptance, or even agnosticism about violent resistance.

Frazer and Hutchings empathise with the anarchists' predicament but only to encourage them to abandon violence. Echoing C.J. Friedrich's sentiment that violence 'is not desirable, and its avoidance is the task of community' (1972, p. 176), they argue that violence should neither be celebrated nor reflexively turned to as a form of resistance. Quite the opposite, it is to be managed through collaborative, collective effort. It follows that the appeal to violence in history and contemporary activism is something that anarchists must 'face up to' in their own philosophy (2019, p. 275).

Noting that the 'question of violence is invariably a matter of controversy and dispute for anarchists' (p. 260), Frazer and Hutchings tie ambivalence to the anarchist commitment to prefigurative politics. Anarchism, they argue, distinctively aligns the means of action to anarchism's 'political and ethical ends' and thus confronts anarchists with the choice of advocating 'good' revolutionary violence to combat 'bad' state coercion or to refusing the goodness or revolutionary violence and resigning themselves to the badness of state coercion (pp. 260–261).

The argument chimes with a significant body of post-war and contemporary political theory. For example, observing that anarchism is a '*creed* to be demonstrated in practice', April Carter argues that 'anarchists have always rejected the idea that there are two sets of values, one to be applied now and the other reserved to the indefinite future' (1978, p. 327) (emphasis added). Deployed to align anarchism with antimilitarism and disarmament, it has unquestionable appeal. Yet, this reading of prefiguration constructs anarchy through the lens of the critique of the state's monopoly of violence, and, following Hannah Arendt, conceptualises politics as the space where force ends and law begins. Thus, Frazer and Hutchings argue that anarchists must remove violence from their repertoires of action because their prefigurative commitment is to establish 'politics proper' in 'non-coercive' anarchy (p. 260). Elsewhere, they contend, the overthrow of the state demands overcoming and ending violence, whatever forms that takes: 'politics proper, ideal policies, is threatened fundamentally by structures and practices of violence' (2019a, p. 117).

This conflation of anarchy with peace is reflected in the utopian vision of anarchist change Frazer and Hutchings present. Kropotkin, they argue, 'was committed to the "naturalness" of anarchism', a principle that reflected his 'instinctive recognition of human worth and dignity, of mutuality and the value of cooperation'. He imagined that anarchy 'would be realised when a revolution for freedom removed the artificial constraints on human behaviour that are imposed in unequal, exploitative societies with their failures to meet human needs and their self-defeating (at



best) state governments' (pp. 263–264). Bracketing Kropotkin with Bakunin, they contrast the 'violence of civil war, or of insurrection, revolt or rebellion' with the construction of 'a genuinely non-violent world' (p. 271). Tolstoy, they find, was 'strikingly vague about the anarchist society'. But like them, he counterposed state violence to anarchist peace. His 'account of an alternative to the logic of violence' underpinned the 'individual refusal to participate in the organised and organising violence of the state, a refusal incumbent on everyone, including those in positions of power' (p. 275).

Nineteenth-century literature is littered with utopian visions of anarchy. Prominent figures routinely equated anarchic self-regulation with 'peace' or 'harmony' (Goldman, 1979a, b [1908], p. 38). Yet, these images typically speak to a lawless contestation of difference rather than a non-violent contestation of law. Goldman thus contrasted law, 'stationary, fixed mechanical' that 'grinds all alike without regard to time, place and condition', taking no account of 'cause and effect' or of the 'complexity of the human soul' with progress, 'ever renewing, ever becoming, ever changing'. This was anarchy: the condition 'that knows nothing of fixity', which 'cannot be pressed into a definite mould' and which is never '*within the law*' (Goldman, 1979a, b [1917], p. 323).

Bakunin, Kropotkin and Tolstoy similarly associated state violence with the imposition of law. Following Proudhon, Bakunin understood sovereign contract as a device that wrongly removed religion from morality and collapsed justice into state interest. The 'contents and purpose' of the contract was to establish 'the good and the just' by means of submission and domination (1980 [1867], p. 132). In *Statism and Anarchy* he argued that the state 'stands outside the people and above them, and must invariably try to subject them to rules and objectives which are alien to them' (1990, p. 136). Turning from the theorisation of un-right to state formation, Kropotkin related the imposition of peace to forced political union 'in servitude before the king, the judge, the priest, and the State' (1943 [1896], pp. 24–25). Mulling over the discrepancy between the legal theory and historical reality, Tolstoy argued:

All men are brought up in the habit of obedience to State laws first of all ... In the majority of cases men of our time do not believe in the justice of that law; they despise it, but yet they obey it ... we know how our laws are made ... we know that they are the product of cupidity, trickery, and party strife, and that there cannot be real justice in them. And so men of our time cannot believe that obedience to civil or State laws can satisfy the demands of reason or human nature (1936 [1893], pp. 144–145).

The critique of sovereign law does not make ambivalence disappear. Rather, it suggests a modification. In Frazer and Hutchings' analysis, ambivalence seems to express 'mixed feelings' or 'contradictory emotions'; a simultaneous 'love and hate' of something (Hillcoat-Nallétamby & Phillips, 2011, p. 203). Following Swindell, ambivalence can also be characterised as 'a conflict of second order desires' in which 'there is either a difficulty in forming of second order positions (identifying or outlawing) or a difficulty ordering second order desires (willing)'. Ambivalence has an affective element and 'necessarily typically causes the agent to feel torn' and it can be 'paralysing' or 'residual'. In the former case, the agent fails to form a will.



In the latter, the agent forms a will ‘but is still drawn towards the other desires that conflict with the desire that she wills’ (2010, p. 29).

The ‘mixed feelings’ Frazer and Hutchings point to are the disagreements anarchists voice about the forms that direct action may take and the apparent theoretical doublethink arising from the necessity to discount any attempts to destroy the state’s monopoly of violence by violence. Anarchist ambivalence thus arises from speaking or acting against the aspiration for ‘peaceful’ anarchy. Swindell’s conflict of second-order desires instead draws attention to the conflict between the appeal to justice or morality, on the one hand, and the horror of violence deployed by the state to maintain its domination on the other. In Swindell’s terms anarchist ambivalence is typically residual: anarchists form a will and wrestle with the affect. Frazer and Hutchings contend that anarchists were and are ambivalent about violence. But this ambivalence is complicated by the rejection of sovereign un-right and the violence that the sovereign ethic entails and not by the necessity of aligning non-violent means to the ends of peaceful anarchy as Frazer and Hutchings construe it.

What is gained by re-theorising ambivalence in this way? Our concern is that the aspiration to achieve ‘non-coercive social relations’ (2019, p. 260) underscores the apparent incoherence of anarchism. In contrast to the abolition of chattel slavery, forced homelessness or the death penalty, which can be imagined within the framework of the state, the state’s abolition becomes inconceivable, a transformation of such magnitude can only be envisioned as a transformation of nature or a social rebirth. Ironically, the analysis mirrors the Hobbesian argument for the state’s ordering of anarchy. Political theory is thus valorised through the critique of anarchy.

If anarchist ambivalence is construed as a response to the war that states wage under the cover of peace, it becomes clear that anarchy cannot prefigure a world where there is no violence. It can only prefigure a world where the permanent threat of state violence is removed from the determination of right. Anarchist political theory acknowledges that violence will never be completely banished, at least not in the political sphere, because attempts to do so will ultimately require a sovereign monopoly on violence, bringing them back to square one.

Frazer and Hutchings’ conception of ambivalence invites us to think about political violence and what we think political order is and leads us to the recognition of the issues of justice and injustice to which violence speaks. But it gives us few tools to deal with them. Indeed, their framing of ambivalence risks robbing anarchism of its transgressive nature and undoing its critical power by presenting anti-state violence as a moral problem for those who enact it. It is a political choice, rather than a condition that everyone is immersed in. In the end, this conception of anarchist ambivalence abstracts and conceals the political circumstances which produce that choice, because ambivalence must come from a universal ethic against the use of violence—the sovereign ethic.

This logic applies even when states renege on the very responsibilities that underpin the claim to hierarchy—keeping us safe. We could consider the violence of disasters caused by a lack of proper infrastructure and planning, the violence of impoverishment where people are forced to break laws just to survive and face punishment in the process, or the violence of ideologies which identify outsider groups as subhuman and unworthy of liberty—the very thing that the sovereign jealously



guards—to keep them in oppression. Having ‘mixed feelings’ about violence internalises the social contract ethic that anarchist political theory reverses and presents a misleading agency.

Anarchists have long argued that resistance happens in a context and that actions—which actors judge fitting—are explicable within these contexts (Kropotkin, 1956 [1898], pp. 129–132). Ambivalence can be recalibrated when we accept that violence takes place in the context of war and the stark choice between violence and non-violence is open to review.

In his account of prisons, Foucault used the idea of ‘localised response’ to describe context-dependent violence. Localised responses are responses to specific instances of state violence, and also, generally, to the ethic of violence, or ‘background war’, which social contract underwrites. What types of violence are acceptable, and what types are not? The implication of Foucault’s view is that this is always a contextual question and responsive to the violence deployed by the sovereign state. In other words, localised conditions determine how far along a spectrum of violence actors choose to go enacting a right to reject the un-right of the state and the monopoly on violence it permits. Foucault argued:

When the prisoners began to speak, they possessed an individual theory of prisons, the penal system, and justice. It is from this form of discourse which ultimately matters, a discourse against power, the counter discourse of prisoners and those we call delinquents – and not a theory about delinquency. The problem of prisoners is local and marginal (Foucault, 1977a, 1977b, p. 209).

The corollary of reverse ethics is that anarchism does not internalise the idea of sovereign or conclude that violence needs to be banished for order to be present. Our argument is that keeping violence on the table, or constituting politics as the realm of war, gives us a better understanding of modern power as a dispersed phenomenon, as Foucault argued; as something with relays, interspersed institutions and networks, which manifest the monopoly. This is not to deny the existence of a centre where power is concentrated. But if we are to qualify Hobbes’ idea that subjects constitute sovereignty and study how domination also constitutes subjects, we have to ‘see the structures of power as global strategies that traverse and use local tactics of domination’ (Foucault, 2004, p. 46). In this perspective, violence runs through capillaries of Leviathan’s beating heart and the promise of elimination points to an ethics entrenched in sovereign-sanctioned institutions. Frazer and Hutchings evaluate anarchism by the standards of this entrenchment when confronted with these institutions of violence. This undermines the philosophical position which enables the articulation of anarchising stratagems within the nation state, leaving resistance stuck, and the anarchist facing the tyrant with one hand tied behind their backs.

Scapegoating

In a nuclear world where the overthrow of the state seems like romantic gesturing, acquiescence to the ethics of the sovereign contract appears to be the only logical or practical response. Against this, we have argued, non-violence is a strategic move



that undermines the power of the anarchist critique of war. The question is: if keeping violence on the table is philosophically consistent, how does it function in practice without falling prey to romantic notions of state overthrow, libertarian licence or the charge of terrorism? In what follows we argue that reverse ethics—the rejection of the state peace for the sake of individual right—opens a space in anarchism for an anarchist *Realpolitik* of upward scapegoating. We present this as a form of transgressive theorising.

In using the term transgression, we follow bell hooks (hooks, 1994), and not Foucault or George Bataille, for whom transgression means shoring up existing rules to assuage feelings of guilt and shame (Bataille, 2012) (Foucault, 1978). To theorise transgressively is to acknowledge the existing conventions and to imagine their extraordinary but not impossible implications. We take Jens Bartleson's discussion of Kant's ban on the interrogation of the state's origins as a model. Recognising the force of the convention, Bartleson exposes the conservatism of conventional anti-state theory and formulates a transgressive theory that presents the state as 'constitutive of modern political science' (Bartleson, 2001, p. 77). This philosophical transgression, he argues, invites 'critical gestures' (2001, p. 3) within political discourse.

Following Bartleson, we argue that Hyams' (1910–1975) *Killing No Murder* (1970) is a practical expression of the critical gesture in anarchism. Hyams' starting point was the acknowledgement of the popular acceptance of the necessity of government. The convention, as he puts it was 'In order that they shall be governed and enabled to live and work peacefully, men are obliged to set other men in authority over them' (1970, p. 20). His transgression was to scrutinise the robustness of the promises that are supposed to follow from it and present leaders as scapegoats. Coupling the acceptance of the convention with a refusal to acquiesce in the arbitrary exercise of power, he adapted Proudhon's argument about the 'impossibility' of property rights—namely, the restrictions on possession that entitlement creates—to argue that the promise of security can never in fact be satisfied in the real world. His critical gesture was to insist that leaders fulfil the terms of the convention, thus utilising the sovereign ethic of peace to reassert the right of force. The argument shifted the focus of anarchist critique from the contestation of the state's necessity to the scope for remedial action. In what follows, we outline Hyams' argument and discuss its political gains and applications.

Hyams—a novelist, gardener and journalist—described himself as a philosophical anarchist. His posthumously published study of Proudhon's life and thought (1979) hinted at his understanding of the term. He placed himself in an intellectual tradition usually traced to William Godwin rather than the school of thought associated with Robert Paul Wolff. Indeed, sidestepping the questions of political obligation that preoccupy scholars like Wolff, he turned directly to the state's monopoly of violence. He depicted government as an institution 'sanctified by tradition and custom, for the purpose of committing by force and with impunity the most revolting crimes', and governors as felons: 'only criminals', he argued 'are attracted to the task of manning a criminal institution' (Hyams, 1970, p. 21). Yet, noting that the monopoly on violence is premised and maintained on the idea that it is necessary for our security, he added a fresh twist to the anarchist critique by arguing that the failure to provide protection constituted a contractual



breach for which the wielders of power must be held responsible. The result is an extraordinary anarchist statement that crosses the boundary of acceptable politics to illuminate the terms of sovereign power.

Hyams' philosophy is underpinned by a thought experiment. He invited his readers to re-think the ticking time bomb to make the antagonist a political leader. Instead of imagining a bomber who will be responsible for thousands of deaths and debating the rights and wrongs of torture to establish the location of the device, Hyams substituted a political leader threatening to drag a populace into battle to devastate and slaughter millions. The point of applying the logic of the state's consequentialist reasoning to anti-state theory was similarly to neutralise the charge of criminality. In state theory, the defence of the ticking time bomb is that the captive who has information about the bomb, tortured to the point of death, is not really 'murdered', because the violence inflicted results in a political good. Hyams' suggestion was that the despatch of a leader by citizens attempting to prevent millions being sucked into an armed conflict could similarly be designated killing but not murder.

The latitude Hyams gave citizens to seek recompense from flaky leaders appeared to put him at odds with Tolstoy. His stark view was that citizens were 'entitled' to destroy 'the users of force' and 'wagers or war' (1970, p. 22). Indeed, urging war against government, he defended political assassination as a public good, proposed the establishment of assassination squads and produced a hit list of living candidates (1970, p. 225). Yet, allotting the role of peacekeeper to the sovereign, he also encouraged citizens to reject the logic of state violence. One suggestion was the introduction of a law against incitement to war (1970, p. 228). Rulers were to be sacrificed only when *Realpolitik* demanded. Killing thus connects a Tolstoyan call to ordinary citizens to 'root out the evil in themselves and behave gently' (1970, p. 22) with Machiavellian's preparedness to scapegoat.

Scapegoating is a return of sorts to old religion and ritual where the Chieftain 'must fight in front of his people, and not behind them'. Such a leader would 'naturally be far more anxious to keep the peace if their lives were first to be endangered by war, and their survival unlikely' (Hyams, 1970, p. 39). Reimagined in this way, Hyams uses the mythology of the contract to turn the tables on the powerful, disallowing exemptions based on the hierarchy of position, because it is in turn reliant on the monopoly on violence. In Machiavelli, it enables the virtuous Prince to wash his hands of the actions his subordinates perform at his command. Machiavelli's lesson is that downward scapegoating preserves established power by sacrificing its proxy and allowing harms inflicted by leadership to fade from memory. Because order is maintained, the system is somehow thought to be working. In contrast, in Hyams' account, the scapegoat keeps the Prince squarely in the frame. In his hands, scapegoating ought to work upwards and assume that the state's hands are bloody, unless those wielding power can prove that they are clean. His reversal operationalises the queasiness that Tolstoy induces in readers confronted with Rostopchin's attempt to distance himself from the killing of Vereshchagin. Scapegoating short circuits Rostopchin's attempt to demonise the murderous crowd and routes the killing back to Rostopchin.



Hyams' proposal that sovereign peacekeepers act as a warrior for peace or be scapegoated was hatched by his experience in the Second World War and his anxieties about the Cold War. Above all, *Killing No Murder* was a statement of his desire to avert another international conflict and save the lives of the millions who would otherwise be happily sacrificed to their leaders' cause. His provocative defence of tyrannicide was a response to hawkishness, but that does not make the concept of upward scapegoating any less useful.

Hyams' argument changes the dynamics of the relationship between leaders and led, which electoral politics pacifies, and applies equally to leaders who drive thousands to suicide by the imposition of austerity or cause pandemics or starve millions by creating artificial famines, to politicians who make decisions (and mistakes) which directly and indirectly imperil and endanger lives. In the UK, for example, the Post Office prosecutions, the Windrush deportations, blood contamination or the Grenfell fire.

Re-theorising the relations of sovereign power opens a space to re-think our politics, for example, aligning the treatment of political failure or poor performance with practices readily adopted in other realms. To return to the football analogy, the management model for failure is a Hyams vision of upward scapegoating: poor performance generally lands at the manager or chairperson's feet, as do issues around behaviour and public statements (Southgate, 2021). Similarly, consider the parallels between politics and healthcare. A mechanism exists to ensure that there is a high cost for errors and complacency because it is a high stakes environment. If healthcare workers make mistakes, they are liable to be investigated by the Nursing and Midwifery Council (2020). If the mistake is judged innocent, they may be forced to re-train or undertake a competency test. If the error is considered to have had a sinister cause, or the errors are multiple, medics can be disbarred from practice. Healthcare professionals pay £120 a year for the privilege of having their safety and capability assured by an independent body.¹

In career politics, political scandals and mistakes emerge again and again. Control mechanisms are weak, and recompense for failure is not required. In the profession of politics, elections test a politician's abilities to maintain peace and integrity. Yet, in liberal democracies, elected representatives routinely defy their constituents to use the vote to censure their bad behaviour, knowing that this mechanism is toothless as a disciplinary measure. It is sufficient for Tony Blair to explain the Iraq war by saying that he did what he thought was right. Plenty of ordinary citizens will support him. But the possibility that his decision would have put him in the field or resulted in his having to undertake some sort of international community service to help build and run shelters for women and those who have suffered sexual assault and rape during the war may have forced him to re-think or at least toughen this defence. Similarly, in a democracy, cuts to tax credit can be justified on neo-liberal, Nozickean grounds as well as financial prudence (the argument that David Cameron and George Osborne preferred in 2015) (Nozick, 1974). With Hyams' version of upward scapegoating, it becomes possible to imagine Cameron living out the rest

¹ <https://www.nmc.org.uk/registration/your-registration/paying-your-fee/>.



of his days on Universal Credit, not lording it over the Foreign Office. If existing laws and international tribunals do some of the corrective work that Hyams' recommends, upward scapegoating raises the political stakes.

We can imagine a scenario where a minister or head of a government agency decides to initiate an inquiry into a case of neglect, incompetence or dishonest practice:

Minister: How's this: 'I can confirm today that we will establish an independent public inquiry on a statutory basis with full powers under the inquiries act of 2005 ...'²

Advisor: that won't do, Minister

Minister: 'to work closely with the devolved administrations ...'

Advisor: it's not a matter of scope, Minister

Minister: 'to learn the lessons ... recover as one team UK'

Advisor: you're missing the point, Minister

Minister: 'to start next year, or maybe in 18 months to avoid diverting or distracting front line services from their important work ...'

Advisor: Minister, you won't be able to shunt this one off into a siding.³ The Council has decided against an inquiry. You've been judged a 'risk to the public'. You will resign. You will be permanently debarred from public office. You will forfeit your pension, annual allowance and any monies derived from your time in office.

In this alternative universe, the minister is legally sanctioned as any staffer would be and prevented from continuing their profession, because the way they operated in office. The imaginary dialogue reveals the absurdity of the government convention: the inverse relationship between the power of command and the liability for action.

Conventional political practice allows those who wield political power to be insulated from the consequences and proximity of their decisions, inducing a lack of empathy and understanding and a failure to ensure that the leadership we appear to be saddled with fulfils the conditions that theorists of sovereignty tell us the state provides. In contrast, Hyams' upward scapegoating prevents political leaders from hiding behind the devolution of responsibility. Agents and officials who commit state-sanctioned violence against citizens are similarly treated as bearers of the leaders' power rather than bad apples whose harms can be excised from an otherwise smooth system of protection. The harms they inflict are not left simply to fade away. We intuitively understand that abstention from violence in any localised space, out of respect for a nationalised sovereign myth, misunderstands the nature of power. When police officers use excessive force, mandated by the state, they are habitually scapegoated in a Machiavellian way. Yet, with Hyams, responsibility goes all the way to the top: state-mandated violence was also the cause of George Floyd's death.

² Based on 'Oral Statement to Parliament. PM House of Commons Statement on COVID: 12 May 2012', gov.UK <https://www.gov.uk/government/speeches/pm-house-of-commons-statement-on-covid-12-may-2021>.

³ See Sales (2004).



This reality is somehow obfuscated by applying personal responsibility to Derek Chauvin, forgetting that he would have been unable to murder Floyd without that monopoly, ethic and institution in place. Chauvin, as an individual, showed a flagrant disregard for Black lives, and so murdered Floyd. But his restraining technique was a police procedure, albeit one that he apparently applied erroneously. The argument that he should not have knelt on a cuffed suspect merely tweaks violence as strategy. It is not controversial to argue that wielding sovereign authority conceptually includes being held to account—you cannot have one without the other. Scapegoating operationalises this relationship. Liberal ideas on sovereign legitimacy endorse a *Realpolitik*, which exonerates malpractice and incompetence, because the sovereign contract, ironically, is not taken seriously. Anarchist *Realpolitik* is not just about greater accountability or improving the virtue of public servants. It is about changing the theoretical dynamics and relations which produce government. Convention tells us that government requires a sword; Hyams' scapegoating simply demands that leaders fall on it.

Conclusion

This article has sought to reconsider the role of anarchist theory as a philosophy that enables and cultivates a political culture of greater accountability within a nation state. It attempted to show that anarchism could accept its sociological reality, the overwhelming power of a nuclear nation state, while navigating philosophical consistency. In other words, an anarchist *Realpolitik*. We sought this in the history of ideas.

First, we examined why violence must be left on the table, philosophically, within anarchist thought, finding an affinity in Foucault's and Proudhon's theories of social contract. We argued that the force involved in physically preventing resistance was underpinned by a sovereign ethic of peace. The idea of sovereignty structures our thinking about violence, making resistance difficult. The rejection of the ethic gives rise to a reverse ethics of war, or the retention of the right of force against the sovereign.

Second, we argued that framing anarchist violence as an 'ambivalence' assessed the right of force from the very perspective it critiques: sovereign claims to a monopoly of violence, or a sovereign ethic. In liberal theory, the sovereign creates peace from war using anarchy as its foil. One anarchist response is to reject the state's characterisation of anarchy as a realm of war and the violence that the state legitimises by misdescribing anarchy in this way. We construct anarchy as a lawless order that recognises the right of force to reduce the incidence of violence. This conceptualises anarchy as a political condition, and one that realists describe as war. To assert a right of force against the state is not, then, to adopt the state's repressive strategies but to continue 'by other means' the war that states use violence to pacify. This response renders anarchist violence philosophically consistent and creates space to consider the applications of the right of force.

Third, we explored the applications of the right of force and developed an anarchist *Realpolitik* to challenge political conventions. Using Hyams' militant



reflections on political assassination and scapegoating, we argued that political leaders should be held to the standards they set for everyone else. Scapegoating need not start and end in assassination. We imagined scenarios based on other fields of professional practice.

We do not need anarchist thought to know that those in power often scapegoat subordinates or use politics cynically to preserve their position or innocence. But a theory of reverse ethics re-thinks the practice of scapegoating and redirects the flow of power. As Tolstoy argued, government has produced a *Realpolitik* that enables malpractice and incompetence to be pushed *downwards*. Political leaders can wield force of the state while dodging and evading responsibility when things go wrong. Anarchist *Realpolitik* challenges this default. It raises the stakes of political failure by embarrassing government and forcing it make good on its legitimising claims. The starting position is not one of placation, but assertion: ‘what price will we extract from leaders for flouting or denying a right’? This warrior stance can be adopted by any group or collective that finds itself on the wrong end of government decision.

Data availability Not applicable.

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