

Building a New American State

The Expansion of National
Administrative Capacities,

1877-1920

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The new state and American political development

... first and chiefly, I have to convey what seems to me to be the most significant and pregnant thing of all... I think it is best indicated by saying that the typical American has no "sense of the state."

H. G. Wells, *The Future in America: A Search After Realities*, 1906

A "sense of the state" pervades contemporary American politics. It is the sense of an organization of coercive power operating beyond our immediate control and intruding into all aspects of our lives. We have labeled this organization an *administrative state*, a *bureaucratic state*, a *capitalist state*, a *corporate state*, a *postindustrial state*, a *regulatory state*, a *welfare state*, but we have yet to consider the grand historical irony that lingers behind these labels. After all, it is the absence of a sense of the state that has been the great hallmark of American political culture.

Our sense of the state mocks all that seemed to set the American system of government apart as something different. If we are finally to come to terms with the state in America, we will need more than a list of its generic characteristics; we will need a reassessment of the significance of our distinctive past. By defining the American state in terms of the traits it now shares with others, we have merely replaced the old image of "America, the exception" with an image of "America, the symptom." The American state itself remains a historical enigma.

This is a study of American state building. It attempts to illuminate the connection between our exceptional past and our present condition. It argues that the exceptional character of government in early America presented a knotty problem in American political development around the turn of the twentieth century and that this developmental problem shaped the character of the modern American state. Unraveling the state-building problem in modern American political development places the apparent statelessness of early America in a new light and makes the past a valuable source of insight into the ominous organization of power we are so conscious of today.

America's state-building problem will be traced through institutional innovations forged around the turn of the century. The innovations chosen for study encompass the reform of civil administration, the reorganization of the army, and the establishment of national railroad regulation. These were selected because any given state can be readily identified by its civil service, its army, and its regulation of the economy. The changes that can be observed concurrently across these three institutional realms reveal a systemic transformation of American state organization. Taken together, they mark the pivotal turn away from a state organization that presumed the absence of extensive institutional controls at the national level toward a state organized around national administrative capacities.

Generally speaking, the expansion of national administrative capacities in America around the turn of the century was a response to industrialism. The construction of a central bureaucratic apparatus was championed as the best way to maintain order during this period of upheaval in economic, social, and international affairs. Viewed at this level, the American experience fits a general pattern of institutional development and rationalization in public administration. Indeed, specific and contemporaneous parallels can be found throughout the rapidly industrializing Western states for each of the administrative innovations to be examined here.

At a deeper level, however, our administrative response to industrialism stands apart and deserves special attention. In America, the modernization of national administrative controls did not entail making the established state more efficient; it entailed building a qualitatively different kind of state. The path that had been traveled in the development of early American government did not anticipate the need for a strong national administrative arm. To embrace the cosmopolitan bureaucratic remedy in meeting new demands on government, America had to alter course and shed already well-articulated governing arrangements. The expansion of national administrative capacities in the age of industrialism became contingent on undermining the established structure of political and institutional power and on simultaneously forging an entirely new framework for governmental operations. The state that now supports so prominent a central bureaucracy is the product of this precarious politics of negotiating an internal governmental reconstruction.

Those who championed timely cosmopolitan departures in American administrative development around the turn of the century challenged the most basic political and institutional relationships defining powers and prerogatives within the established state apparatus. The analysis of state building presented here will focus on the struggles that ensued among government officials seeking to gain or maintain political power

and institutional position as long-standing governmental arrangements were being thrown into question. These struggles were the critical factor intervening in and mediating our administrative response to industrialism. They kept the break with the old order suspended in institutional irresolution and political uncertainty at a time when unprecedented new demands for central control and direction were being pressed on the national government. Ultimately, the problems encountered in reconstructing American government internally affected the quality of the new relationships established between state and society in the industrial age.

Over the following pages, the modern American state will be traced to its origins in the unique developmental challenge that conditioned the rise of our modern bureaucratic apparatus. The distinguishing features of this state will be found in the specific forms new administrative institutions took, in the special place they claimed in the government as a whole, and in the peculiar problems officials faced in reestablishing a semblance of governmental order and political authority in their presence. The path taken in modern American institutional development has now fully eclipsed the sense of statelessness that so clearly marked our early politics, but that past was not without consequence for our present difficulties. Its impact is uncovered in the political and institutional struggles that attended the formation of the state in which we now live.

American exceptionalism and the study of state building

The problem of American state building in the industrial age was rooted in the exceptional character of the early American state. This preestablished governmental order was so peculiar that many have refused to consider it a state at all.¹ At base, however, early America maintained an integrated organization of institutions, procedures, and human talents whose specific purpose was to control the use of coercion within the national territory.² Rather than allowing the peculiarities of this organization to preempt consideration of early America as a state, it would seem more appropriate to treat these peculiarities as distinguishing marks of a particular state.

The exceptional character of the early American state is neatly summarized in the paradox that it failed to evoke any sense of a state. Implicit in this paradox is a set of comparisons between early American government and the European tradition. Indeed, the absence of a sense of the state in early America was carefully examined by European political theorists in the nineteenth century. From the key insights of three of these theorists – Tocqueville, Hegel, and Marx – we can construct a composite

portrait of early America as the great anomaly among Western states. With this portrait, the significance of American exceptionalism for a study of state building can be brought into focus.

Tocqueville, of course, gave the most exhaustive account of the early American anomaly. Our most famous foreign visitor from the most renowned of European states observed that government in America functioned as an “invisible machine.” A unified legal order was effectively maintained, but the distinction between state and society was blurred.³ The official realm of government, so clearly demarcated in Europe, seemed to blend inconspicuously with American society.

Tocqueville traced this peculiarity directly to the early and full development of democracy in America. The absence of any readily apparent separation of the state from society at large was the result of America’s “law of laws” – popular sovereignty.

In some countries a power exists which, though it is in degree foreign to the social body, directs it, and forces it to pursue a certain tract. In others the ruling force is divided, being partly without the ranks of the people. But nothing of the kind is to be seen in the United States; there society governs itself for itself. All power centers in its bosom, and scarcely an individual is to be met with who would venture to conceive or, still less, to express the idea of seeking it elsewhere. The nation participates in the making of its laws by the choice of its legislators, and in the execution of them by the choice of agents of the executive government; it may also be said to govern itself, so feeble and so restricted is the share left to the administrators, so little do the authorities forget their popular origin and the power from which they emanate. The people reign in the American political world as the Deity does in the universe. They are the cause and the aim of all things; everything comes from them, and everything is absorbed in them.⁴

This relationship between the early development of democracy and the sense of statelessness characterizing our early government is nicely complemented by Hegel’s perspective on America. Hegel refused to consider America a “Real State” because it had not developed the national governmental forms and orientations that distinguished the state realm in Europe. Specifically, there was no insulated bureaucratic class to give a distinct character to national administration and no hereditary monarchy to represent the permanent interest of the national community. There were no great national corporations or formal estates to sort out the major special interests in civil society and bring them to bear on these overarching institutions. There was also no national intellectual culture, rooted in a national church and attached to the state, that could raise individuals above their immediate concerns and express their cultural

ideals. Lacking these, America was defined entirely by “the endeavor of the individual after acquisition, commercial profit, and gain; the preponderance of private interest devoting itself to that of the community only for its own advantage.”⁵

The absence of the formal institutional arrangements that so clearly identified the European state was, for Hegel, directly related to the simplicity and isolation of early American society. There were no foreign enemies posing a threat to security, and internal social conflict could be diffused through movement to the frontier. In this remote nation, relations between society and government could remain direct, unmediated, and one-dimensional. The United States required no more than a “republican constitution” whose laws merely expressed the “subjective unity” of American social life. As far as Hegel was concerned, America was only a “land of the future.” Until such time as the subjective unity of this society was threatened and the need for the higher form of unity offered by great national institutions became manifest, the United States would remain stateless.⁶

Although Hegel’s institutional perspective provides a crucial element in a portrait of the early American anomaly, the absence of European state forms need not be equated with an undeveloped state. Indeed, Marx completely inverted this equation in the course of formulating his famous critique of Hegel. For Marx, the United States was “the most perfect example of the modern state.”⁷ It was the state of the most advanced class yet to come to political power. Early America presented, in purest form, the bourgeoisie’s impulse to balance democracy and capitalism within a single legal order.⁸

Not unlike Tocqueville, Marx tied the peculiar appearance of statelessness in early America to its political democracy. The legitimacy of American government rested on the world’s most fully developed principles of political equality. Here institutions were completely free from the fixed societal divisions that had anchored feudal remnants in European governments. American institutions were merely abstract forms, their content periodically determined by the people at large through an egalitarian electoral politics. In this, Marx saw a “fictive state”; American politics portrayed a state “trying to realize itself as pure society.”⁹

Yet, Marx insisted that the way in which coercion is legitimized reveals only one side of the state. On the other side, America and Europe had much in common. The coercive apparatus in America, like that in the most clearly distinguishable states of the continent, was used rather effectively to support a particular economic system. America’s “real state,” its “material state,” was revealed in its laws: “property, etc., in brief, the

entire content of law and the state is, with small modification, the same in North America as in Prussia.”¹⁰ America’s fully developed democratic politics, juxtaposed to its legal protections for private property, distilled an emergent pattern among Western states. The peculiar genius and modernity of early American government lay in its apparent, but ultimately illusory, statelessness.

Taken together, the comparative perspectives of Tocqueville, Hegel, and Marx go far in helping us come to terms with a nineteenth-century governmental order that failed to evoke the sense of a state. The basic insights of these three celebrated interpretations of the appearance of statelessness in early America can be combined into a single composite portrait of American exceptionalism. Early America exemplified an emergent pattern among Western states with its legal supports for democracy and capitalism, but its democracy was already highly developed, and it maintained a meager concentration of governmental controls at the national level. This combination of extremes – a highly developed democratic politics without a concentrated governing capacity – made early America the great anomaly among Western states. It also foreshadowed a developmental problem that was unique in the experience of Western states.

Returning to our original formulation of early America’s claim to consideration as a state, we can now bring the problem of modern American state building into focus. After all the European comparisons have been made, the extreme features of American government in the nineteenth century are still best appreciated as distinguishing a particular organization of institutions, procedures, and human talents that asserted control within the national territory. In these terms, America remains an exceptional case; yet, it is exceptional not for the absence of a state but for the peculiar way state power was organized. Treating the great anomaly among Western states as a state organization with an integrity of its own allows us to move beyond assessments of its relative modernity or backwardness toward an examination of a structure of power that combined two extreme characteristics and an analysis of the way this structure of power conditioned subsequent development.

In this light, the study of modern American state building presents a striking variation on a classic developmental problem: that of negotiating a systemic change in relations between an established state and its society. This classic problem appeared in American political development when the bucolic environment in which the early American state had taken shape began to disappear. The close of the frontier, the rise of the

city, the accentuation of class divisions, the end of isolation – these changes raised demands for national governmental capacities that were foreign to the existing state structure and that presupposed a very different mode of governmental operation.

To meet this challenge, American state organization had to be fundamentally altered. Governmental authority had to be concentrated at the national level and governmental offices insulated from the people at large. The institutional forms and procedures through which American government had been working for decades would not simply give way once their limitations became apparent. As America entered a new age, the seemingly innocuous governmental order that had been evolving over the nineteenth century was exposed for the tenacious organization of power that it was. It defined a tortuous course for the development of national institutional controls, and this course had to be negotiated through an already highly developed democratic politics.

The governmental forms and procedures necessary for securing order in industrial America emerged through a labored exercise in creative destruction. Our national bureaucratic apparatus clearly stands out as the major constructive achievement. Yet, this achievement was premised upon and delimited by an extended assault on the previously established governmental order. Modern American state building worked through this dilemma. To institutionalize a whole new range of governing capacities, the established state organization ultimately had to be thrown into internal disarray. The bureaucratic advance ultimately shattered the old governmental regimen, and this dynamic turned the reestablishment of internal governmental order into one of the most elusive problems of the twentieth century.

As the path linking past and present is studied, the question of America's contemporary status as a state appears in a new light. Did this break with the old order lead to "the end of American exceptionalism"?¹¹ Clearly, the United States is now one of several states that supports an electoral democracy, a private economy, and a powerful central bureaucracy. It shares similar problems with these states in maintaining political legitimacy, in planning for continued economic growth, and in overcoming bureaucratic intransigence. But simply treating America as a typical example of the "Western system of power" or a symptom of "the crisis of the modern Western state" can obscure as much as it clarifies.¹² The study of state building in America draws out the implications of the unique sequence and circumstances in which the modern American state developed the basic characteristics it now shares with others.

Democracy was firmly established in America before a concentration of national governmental controls was demanded. The development of

the national government did not portend a “Europeanization” of America, nor, for that matter, did the democratization of Europe portend its “Americanization.” In America, a new kind of state organization had to be fashioned through a highly developed electoral democracy to meet the governing challenges of the industrial age. The state-building problem was unique, and the state-building process inevitably pushed America off along another peculiar tangent. The modern American state, for all its cosmopolitan features, emerged as an institutional curiosity operating in a paradoxical but intimate relationship with the exceptional past it had to escape.

The state-building process: developmental imperatives and the struggle for institutional power

State building is a process basic to any nation’s political development. Government officials seeking to maintain power and legitimacy try to mold institutional capacities in response to an ever-changing environment. Environmental stimuli, official responses, and new forms of government are the basic elements of the state-building process, and these can be compared cross-nationally to identify developmental patterns and contextual variations.

Students of political development have focused on three kinds of environmental changes that tend to stimulate efforts to expand governmental capacities. These are domestic or international crises, class conflicts, and the evolving complexity of routine social interactions. The combined impact of *crisis*, *class conflict*, and *complexity* was concentrated on a national scale for the first time in American history between 1877 and 1920. This complex of forces pressing simultaneously for an expansion of national governmental controls will be distinguished here to elaborate the notion of American administrative development as a response to “industrialism.”

A *crisis* is a sporadic, disruptive event that suddenly challenges a state’s capacity to maintain control and alters the boundaries defining the legitimate use of coercion. Crisis situations tend to become the watersheds in a state’s institutional development. Actions taken to meet the challenge often lead to the establishment of new institutional forms, powers, and precedents. Students of political development have called attention to war, the most extreme environmental crisis, as “the mother of all states.”¹³

The environmental crises encompassed in the years 1877–1920 are benchmarks in the emergence of modern America. The end of Recon-

struction in 1877 saw a final dismantling of the institutional machinery that had supported the most costly war of the nineteenth century. The extraordinary demands of the Civil War had stimulated the growth of a powerful central government, but this rapid development had far outpaced routine demands for institutional control.¹⁴ Ironically, the final reaction against the wartime state apparatus came in a year of unexpected domestic labor violence that placed new and more permanent demands on government. The international and domestic crisis situations created by the Spanish-American War and World War I posed additional challenges of a new era in world politics. The major environmental crises of this period punctuate America's abortive attempt to retreat to the provincial governmental style of its agrarian past and its emergence as a world power in the industrial age.

The state in a capitalist society is continually involved in controlling *class conflict*. Two basic stimuli for institutional development can be identified in the evolution of the private market economy. First is the interclass struggle between labor and capital; second is the intraclass conflict among factions of capitalists competing for market advantages.¹⁵ If the state is to maintain order in the private economy, it must expand its institutional capacities for mediation and/or repression as these conflicts develop.

From a class perspective, the period chosen for study here reveals major institution-building stimuli. The years 1877-1920 are notable for the emergence of a nationally based market, the rise of organized labor to national prominence, the most violent struggles between capital and labor in American history, the growth of trusts and oligopolies with national orientations and national economic power, and the intrusion onto the national political scene of factional conflicts among merchant, finance, and industrial capital.¹⁶ Such conditions radically altered the demands on the American state in its role as guarantor of the economic system as a whole.

The state also responds to a more general evolution in social *complexity*. This dynamic refers to the growth and concentration of the population, the division of labor, the specialization of functions, the differentiation of social sectors, and the advance of technology. These factors affect government internally as part of this evolving society, and they affect its functions in society as coordination and communication become more difficult. To use Durkheim's metaphor, the state is the society's "brain," which develops as the social organism becomes more complex and interdependent.¹⁷

In the eyes of contemporary historians, American history between 1877 and 1920 reveals a rapid movement from social simplicity to social

complexity. Scholars have traced in these years the destruction of the isolated local community and its replacement with one interdependent nation tying together every group and section.¹⁸ Provincial forms of social interaction gave way to the cosmopolitan as the dominant pattern in American life. By 1920, men were "separated more by skill and occupation than by community, they identified themselves more by their tasks in an urban-industrial society than by their reputation in a town or city neighborhood."¹⁹ To accommodate this transformation in American life, early American government had to change dramatically.

The striking character of the combined forces of crisis, class conflict, and complexity in these years establishes the background to a pivotal episode in the development of American government. Each was a powerful catalyst for a nationalization of governmental controls. Yet, whether considered singly or in some combination, these environmental changes are only the stimuli for institutional development.²⁰ Government officials do not respond automatically with the appropriate institutional innovations. New institutional forms and new relations between state and society remain contingent on how these officials respond.

The intervention of government officials is the critical factor in the state-building process. As managers of the state apparatus, these officials assert the state's claim to control the use of coercion within the territory. Their most basic task is to vindicate this distinctive claim. It is a task that depends upon their collective action within the state apparatus from the determination of effective policies through their implementation.

The collective action of government officials in responding to environmental changes is mediated by the institutional and political arrangements that define their positions and support their prerogatives within the state apparatus. As an integrated organization of institutions, procedures, and human talents, an established state structures a set of power relationships among its discretionary officers, and it provides an operating framework through which these officers attempt to maintain order. This working organization of power routinizes and circumscribes the way government officials gain and maintain their positions, the way they relate to each other within and across institutions, and the way they relate back to social and economic groups.

An official's response to environmental disruptions will involve a distinctly political calculus of the impact of potential innovations on the particular arrangements that support him in office. Though any innovation can spark conflict among officials seeking to maintain or enhance their prerogatives, a given operating framework for concerted action is

likely to facilitate a considerable amount of institutional adaptation. However, in the course of a nation's development, an impasse may be reached in relations between an established state and its society, an impasse in which the most basic political and institutional arrangements structuring state operations are no longer pertinent to the task of maintaining order.²¹ The collective power calculations of officeholders can then do more to inhibit than to facilitate concerted state action. Vindicating the state's claims to control under such conditions would require a reconstruction of the foundations of official power within the state apparatus and a redefinition of the routine mode of governmental operations.

American state building around the turn of the century involved negotiating this kind of historical-structural impasse in relations between state and society. Industrialism, in all its dimensions, exposed severe limitations in the mode of governmental operations that had evolved over the nineteenth century and that supported the powers and prerogatives of those in office. An unprecedented concentration of environmental imperatives for a nationalization of governmental controls was met by a state whose working structure of political and institutional power presumed the absence of such controls. The arrangements established to facilitate the collective management of the state apparatus were now no longer appropriate for effective government. Providing the national institutional capacities commensurate with the demands of an industrial society required nothing less than building a different kind of state organization.

At this juncture, the political contingencies in the state-building process held sway. The reconstruction of institutional relationships and the establishment of a bureaucratic mode of governmental operations hinged on successful political challenges to the established foundations of official power. Reform efforts aimed at national administrative development became caught in an extended contest over the redefinition of power relationships and official prerogatives, the terms of the contest shifting with the changing shape of electoral politics. The leaders of America's administrative reform offensives held up European administrative models as their standard and argued the functional necessity of adopting them, but our governmental transformation followed a logic of its own. In the final analysis, the new American state was extorted from institutional struggles rooted in the peculiar structure of the old regime and mediated by shifts in electoral politics.

This perspective on the state-building process requires some further elaboration on two particulars. The first concerns the pressures for new state services and supports that were brought to bear on the government

by specific social and economic groups. These pressures obviously played an important part in the power calculations of governmental elites. Focusing on institutional politics will not exclude these private interests from consideration, but it will concentrate our attention on the special difficulties presented to an ongoing organization of state power as it is being pressed to service groups in qualitatively new ways. In a situation in which long-established relationships between a state and its society are being thrown into question, the challenge of institutional development goes far beyond the efforts of private groups working to exploit governmental power on their own behalf. It becomes a matter of changing the working structure of governmental power itself. Indeed, the pressures exerted on government officials through established channels may, in these circumstances, actually intensify the problems of making an effective response. In analyzing a period in which environmental conditions and the nature of interest demands are changing radically, concern for whose interests outside government are served must be balanced with a concern for the way in which the collective power calculations of government officials determine the quality of the new services the private groups actually receive.

A second and final note concerns the obvious fact that American institutional development did not stop in 1920. Indeed, the institutions that have been added to the state apparatus and the functions that have been assumed by the national government since 1920 may seem to dwarf the significance of the state-building episode chosen for study here. The expansion of national administration accelerated dramatically in the 1930s and again in the 1960s. Yet, the course of institutional development during these more recent decades and the governmental problems encountered in these developments are rooted in this turn-of-the-century departure. The internal governmental changes negotiated between the end of Reconstruction and the end of World War I established a new institutional politics at the national level that has proven remarkably resistant to fundamental change. They also raised questions of political authority and the capacity for direction within government that have yet to be firmly resolved.

The analysis of state building in America

State building is usually identified with the development of new governmental institutions; that is, individual institutional innovations, in themselves, may be considered evidence of state building. This study pre-

sents a slightly different view. It looks at American state building as the systemic transformation of an entire mode of governmental operations that had to be negotiated in the process of establishing new institutions.

The development of a central bureaucratic apparatus in America entailed disrupting established institutional and political relationships as they had evolved over the nineteenth century among parties, courts, the presidency, Congress, and the individual states.²² The great departure in American institutional development came between 1877 and 1920, when new national administrative institutions first emerged free from the clutches of party domination, direct court supervision, and localistic orientations. To comprehend this systemic change, an analysis had to be designed that would keep the centerpiece of American state building in the forefront without losing sight of the holistic nature of the developmental problem presented.

As noted above, this study focuses on three areas of national administrative innovation – the reform of civil administration, army reorganization, and the establishment of national railroad regulation. Scholars have already given considerable attention to innovations in each of these areas individually. Concern for the systemic changes that had to be negotiated in American government at this time suggested a different kind of treatment, that is, a comparison of concurrent developments across institutional realms. By identifying patterns of development over three distinct areas of administrative innovation, we can move beyond a history of each toward a cross-sectional view of a transformation in the integrated network of institutions, procedures, and human talents that constitutes the state as a working organization. In a comparative framework, the reform efforts complement each other in illuminating a single political process of reconstructing the American state around national administrative capacities in the industrial age.

The separate histories of reform in these three areas show governmental elites responding to very different kinds of problems presented by the crises, class conflicts, and complexity of the new industrial era. These histories also encompass the efforts of very different private groups as they pressed governmental elites for new institutional controls, and they address very different functions assumed by the state. A comparison of reform efforts in these three areas of state concern will bring to the fore the historical–structural problem of institutional development that they held in common. Attention will then be focused on the shared characteristics of the state-building politics that ensued to overcome this problem. Our approach will illuminate the politics of negotiating a fundamental change in the working structure of the early American state and allow