1 The spirit of criticism

Today there is a widespread conviction that the sovereign state is unlikely to remain the main source of political authority in the future. It is challenged by new forms of authority and community which transcend the inherited divide between the domestic and the international, and it will therefore ultimately be replaced by new forms of political life which know nothing of this distinction and what once followed from it. As a result of the corrosive effects of globalization, the state will eventually enjoy a fate similar to that of the tribe, the city republic and the empire.[1]

To this contention an important qualification is sometimes added. Our ability to understand this ongoing transformation and its possible outcomes is limited since our basic concepts of political order are conditioned by the distinction between domestic and international political life, and these concepts make modern politics intelligible only in terms of the state. As Hedley Bull once remarked, 'one reason for the vitality of the states system is the tyranny of the concepts and normative principles associated with it'.[2] That is, we simply seem to lack the intellectual resources necessary to conceive of a political order beyond or without the state, since the state has been present for long enough for the concept

[1] For different versions of this argument see, for example, Stephen Gill, 'Reflections on Global Order and Sociohistorical Time', *Alternatives*, vol. 16, 1991, no. 3, pp. 275–314; Timothy W. Luke, 'Discourses of Disintegration, Texts of Transformation: Re-Reading Realism in the New World Order', *Alternatives*, vol. 18, 1993, no. 2, pp. 229–58; *The Contemporary Crisis of the Nation-State*, *Political Studies*, special issue, vol. 42, 1994; Bertrand Badie, *La Fin des Territoires* (Paris: Fayard, 1995); Jean Baudrillard, *The Illusion of the End* (Cambridge: Polity Press, 1992); Ian Clark, 'Beyond the Great Divide: Globalization and the Theory of International Relations', *Review of International Studies*, vol. 24, 1998, no. 4, pp. 479–98; Philip Cerny, 'Globalization and the Changing Logic of Collective Action', *International Organization*, vol. 49, 1995, no. 4, pp. 595–625; Hendrik Spruyt, *The Sovereign State and its Competitors: an Analysis of Systems Change* (Princeton, NJ: Princeton University Press, 1994), ch. 9; Yale H. Ferguson and Richard W. Mansbach, *Polities: Authority, Identities, and Change* (Columbia, SC: University of South Carolina Press, 1996), esp. pp. 3–31; Zygmunt Bauman, *Globalization: the Human Consequences* (Cambridge: Polity Press, 1998), pp. 55–76.

[2] Hedley Bull, *The Anarchical Society: a Study of Order in World Politics* (London: Macmillan, 1977), p. 275.

to confine our political imagination. Thus, what might lurk beyond it is not simply unknown to us, but also effectively hidden by our statist intellectual predispositions.[3]

There is something disturbingly familiar about this critique of the state and the ensuing proviso. The end of the state has been proclaimed many times during the twentieth century, and has usually been supported in the same way. By pointing to an apparent mismatch between political theory and political practice, political philosophers of different persuasions have decided that since the state is about to wither away, the problem of political order needs to be reconceptualized in order to better capture new realities; yet this problem has been very resistant to such reconceptualization. It is therefore fair to describe these efforts as both propelled and frustrated by the logic of the problem: the state has not only constituted a recurrent problem, but has also been perceived as an obstacle to its solution.

This book is not another attempt to declare the state obsolete or to celebrate its permanence. To write a good book on such a topic would require exactly what is lacking today: a fundamental agreement about what the state is. But as Agamben has pointed out, '[t]here is a moment in the life of concepts when they lose their immediate intelligibility and can then . . . be overburdened with contradictory meanings'.[4] I think this is a fair description of the status of the concept of the state today. In such a situation, another kind of analysis is called for: an analysis of the contradictory meanings of the state concept, and above all an analysis of its remarkable staying power within political discourse, despite its contradictory nature and the recurrent celebrations of its demise. This book is an attempt in this direction. It is less a book about the state proper than a book about the presupposed presence of the state within modern political discourse, as it is manifested in the function of the state concept within this discourse. In other words, it is a book about the phenomenon of statism and its implications for political theory. Consequently, it will have very little to say about whether we are about to see the end of the state or not, but all the more to say about the possibilities of conceptualizing political order beyond or without the state.

In the course of doing this, the book investigates the concept of the state historically as well as philosophically, and focuses on existing attempts to escape the intellectual limits posed by this concept. It is intended as

[3] Cf. R. B. J. Walker, 'From International Relations to World Politics', in J. A. Camilleri, A. P. Jarvis and A. J. Paolini (eds.), *The State in Transition: Reimagining Political Space* (Boulder, CO: Lynne Rienner, 1995), pp. 21–38.

[4] Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life* (Stanford, CA: Stanford University Press, 1998), p. 80.

a diagnosis of how we have got into our present and quite confusing predicament with respect to the state; that is, how it became possible and prima facie equally reasonable to argue both that we have reached the end of the state and that the theoretical means at our disposal for understanding this process and its possible outcomes are limited by the state concept and what goes with it.

The phenomenon of statism reflects a basic ambivalence concerning the question of authority which prevails in modern political discourse. On the one hand, modern political discourse ceaselessly questions the form and content of authority, its legitimacy and proper boundaries. On the other, modern political discourse makes questions about the ultimate foundations of authority difficult to ask, let alone answer. So while the state is usually thought to be *the* institutional expression of political authority, there is a strong tendency to take its presence for granted, while its actual manifestations in political theory and practice are criticized from a variety of ideological viewpoints.

The ultimate source of this ambivalent attitude to authority is to be found in modern political discourse itself, and in the critical spirit animating it. Above all, modern political discourse is critical in so far as it relentlessly questions authority; yet it poses an inner limit to this criticism. Since this limit also functions as a principle of identity of that discourse by defining it as political, it simultaneously conditions the terms of criticism. It is perhaps no coincidence that the philosopher who is commonly believed to have inaugurated critical thought was also eager to define its limits. As Kant stated in his *Metaphysik der Sitten* (1797),

> [t]he origin of supreme power . . . is *not discoverable* by the people who are subject to it. In other words, the subject *ought not* to indulge in *speculations* about its origin with a view to acting upon them . . . Whether in fact an actual contract originally preceded their submission to the state's authority, whether the power came first and the law only appeared after it, or whether they ought to have followed this order – these are completely futile arguments for a people which is already subject to civil law, and they constitute a menace to the state.[5]

But if the ultimate sources of authority cannot be discovered, why is it necessary to prohibit speculation about them? Why forbid something that is impossible? One obvious answer would be that since it is indeed fully possible to question the foundations of authority, it is necessary to make such questioning impossible by forbidding it, since if the ultimate sources of authority cannot be discovered, any such questioning cannot but lead to

[5] Immanuel Kant, 'The Metaphysics of Morals', in Hans Reiss (ed.), *Kant's Political Writings* (Cambridge: Cambridge University Press, 1991), p. 143. Quoted and discussed in Slavoj Zizek, *For They Do Not Know What They Do: Enjoyment as a Political Factor* (London: Verso, 1991), p. 204.

civil discord. But this answer merely invites a paradox, since it would then take authority to enforce the prohibition against questioning authority, an authority itself unquestionable. Thus, in order for authority to remain authoritative, it must be unquestionable, yet authority itself lacks the authority to impose such an unquestionability. Such an unquestionability has to be imposed from within political discourse, not from without. As I shall argue, such imposition has been one of the main functions of criticism within political discourse: it is precisely the recurrent discursive transgression of the prohibition against questioning the ultimate origins of authority that makes it impossible to question these.[6]

This book is about how this transgression has been mediated through critical gestures within political discourse, and how this mediation has been integral to the authority of the modern state.[7] According to the main argument of this book, the state concept has indeed been foundational to large parts of modern political discourse, and attempts to emancipate political reflection from its influence have largely been futile, at first glance testifying to the relative success of the discursive prohibition against questioning the ultimate origin of authority. Thus, in order to exist and remain operative as a source of authority, the state has to enforce a silence about its ultimate foundations by opening its surface up to ceaseless critique. It is this critique and its consequences that form the topic of this book.

As I shall argue in subsequent chapters, throughout the twentieth century the state concept has conditioned the ways in which the core problems of modern political science have been phrased, despite the numerous efforts to rid the discipline of what has frequently been perceived as an ambiguous, opaque or obsolete concept, thus eliciting what has been made to look like its absence. The presupposed presence of the state is thus a historically limited phenomenon, resulting from a specific function of the state concept within those parts of political discourse that have attained scientific status. What makes these different discourses in any recognizable sense political or relevant to the concerns of political science is precisely their – logical as well as historical – dependence on the state concept as their foundation.

Phrased differently, the state has been second nature to political scientists: if not inescapable, the concept has remained sufficiently powerful to set limits to the theoretical imagination – but only as long and in so far as we remain committed to existing disciplinary identities and existing divisions of intellectual labour. Consequently, one important source of the confusion that today surrounds the question of the future fate of the

[6] I owe this suggestion to Henrik Enroth.
[7] See Zizek, *For They Do Not Know What They Do*, pp. 204–5.

state is an underlying tension between the state conceived as an object of theoretical and empirical knowledge and the state conceived as a transcendental condition of that knowledge. Within large parts of our legacy of political theorizing, the state is both posited as an object of analysis *and* presupposed as the foundation of such analysis. This makes it inherently difficult to take political theorizing out of its statist predispositions.

The rest of this chapter is devoted to the question of how to go about this undeniably laborious task. First, I shall begin with a brief sketch of the philosophical argument of this book, arguing that the historical trajectory of the state concept must be understood against the backdrop of its ambiguity, and its ambiguity against the backdrop of its conceptual limits. Second, I shall continue by arguing that concepts that are foundational and constitutive necessitate a somewhat different analytical strategy from those in vogue within the study of political thought. Third, since the state concept is inextricably intertwined with modern political discourse and figures in the most diverse theoretical contexts, something has to be said about the possibility of comparison across these contexts.

Analysing the concept of the state

A crucial claim of this book is that the presence of the state is presupposed by the way the concept of the state functions within modern political discourse, and that this function makes important parts of modern political discourse statist. Since this is something that has to be investigated rather than merely taken for granted, we have to elaborate this claim more fully. What does it mean to say that the state is presupposed by the function of the state concept, and that this function renders this discourse statist?

I can think of three different answers, all of them equally valid. First, it means that there is an inferential connection between the concept of the state and other concepts within modern political discourse, and that the concept of the state is more basic in so far as we can make sense of the state concept without the other concepts, but not conversely. Second, it means that this inferential connection is sustained by the function of the state concept within political discourse, in so far as the state is rendered foundational and constitutive through the position of the state concept within that discourse. Third, it means that the state concept conditions the intelligibility of that discourse to such an extent that the conceptual structure of this discourse would suffer from a lack of coherence in the absence of such a concept.

Thus phrased, the question of statism is fully distinct from questions of the state proper and its ontological status, since the former concerns a series of logical relations within discourse while the latter concerns a series of relations between discourse and what might be outside or beneath it.

This distinguishes my way of proceeding from other attempts to make sense of the semantics of statehood, which tend to assume that discourse on the state is somehow necessarily expressive of something else in the social formation. According to Luhmann, for example, the state is nothing but the self-description of the political system, a point of reference for political action in a system whose complexity would otherwise effectively inhibit communication within and between different systems.[8]

As I will argue more fully below, my way of proceeding implies a strong commitment to a logical constructivism, but no commitment as to how the concepts under investigation relate to the domains to which they refer or to what they may happen to be expressive of. For reasons that will become plain later, the relationship between concepts and other things has to remain an open question, something to be investigated rather than assumed. My claim is therefore that an analysis of the presupposed presence of the state in political discourse can, and indeed must, be undertaken while remaining agnostic about the actual claims about the ontological status of the state advanced within a given discourse, since the question of statism concerns the logical relations that hold between concepts within a given discourse, not the relationship between these concepts and their possible referents or the identities underlying them.

Furthermore, if modern political discourse does indeed presuppose the presence of the state, this implies that an analysis of this phenomenon requires at least provisional access to a vocabulary that itself does not presuppose the presence of the state, since what is posited as a presupposition within one discourse cannot by definition be rendered transparent by means of the same discourse. An analysis of the state concept along those lines thus implies that we *can* do what Kant said was both impossible and forbidden, that is, question the foundations of authority. To my mind, this is best done by questioning the existing practices of questioning authority. This is another reason why we have to pay attention to criticism as such, and scrutinize its emancipatory claims.

This brings us to the problem of political order, and to the state as a specific solution to this problem. Phrasing the problem of political order is usually done in terms of the concepts of authority and community, and solving it has been very much a matter of explaining or justifying the presence of the one in terms of the other. Furthermore, such a justification or explanation will necessarily regard authority as either constituting or constituted. This distinction can help us make more sense of the difficulty of questioning authority within modern political discourse.

[8] Niklas Luhmann, 'The "State" of the Political System', in *Essays on Self-Reference* (New York: Columbia University Press, 1990), p. 166.

When authority is posited as constituting, authority is seen as without foundation outside itself: it is nothing but an unfounded act which has itself been rendered foundational by the imposition of a certain forgetfulness as to its divine or violent origin.[9] Constituting authority is thus prior to and constitutive of a political community correlated to it in time and space, and also of the specific legal and political expressions of authority within that community. When authority is viewed as constituted, however, its presence is explained and justified by showing how it is based on the imagined will and identity of a given political community, which effectively precedes and constitutes authority by virtue of being itself posited as a constituting force.

While most modern political thought explicitly affirms constituted authority by justifying the authority of the modern state in terms of popular sovereignty and national identity, this book tries to show that the actual place and function of the state concept within crucial parts of modern political discourse indicate that this discourse nevertheless implicitly embraces a notion of authority as being constituting. By presupposing the presence of the state, this discourse tacitly affirms a symbolic authority that structures questionability and conditions the terms of further criticism. Put somewhat differently, a fair share of modern political discourse tacitly implies that the exceptional moment of sovereignty is prior to the rule of law, while the opposite case is defended explicitly by most theories of the state.

As we shall see, the critique of the state amounts to a reproduction of that constituting authority. On the one hand, the fact that constituting authority has no foundation outside itself makes it both tempting and prima facie easy to criticize, since the act that founds it cannot be justified and appears mysterious or illegitimate to the modern and democratically disposed political philosopher. On the other hand, it is difficult, if not impossible, to criticize that same founding act without simultaneously invoking it oneself, since there is no other presumably constituted authority there to validate or justify those acts of criticism.[10]

But to what extent does modern political discourse presuppose the presence of the state, and to what extent is it dependent on this concept for its enunciation? Nothing would be easier than to brand large parts of modern political discourse as statist, yet nothing would be more

[9] Jacques Derrida, 'Force of Law: the "Mystical Foundation of Authority"', in D. Cornell, M. Rosenfeld and D. G. Carlson (eds.), *Deconstruction and the Possibility of Justice* (New York and London: Routledge, 1992), p. 14; Agamben, *Homo Sacer*, pp. 39–48. See also Pierre Saint-Amand, *The Laws of Hostility: Politics, Violence and the Enlightenment* (Minneapolis, MN: University of Minnesota Press, 1996), pp. 1–14.

[10] Derrida, 'Force of Law', p. 40.

unfair. Intellectual honesty demands that an analysis of the state concept is directed against those parts of political discourse that themselves have attempted to come to terms with this concept; rather than sampling freely from those parts of political discourse which could be suspected of being most uncritically statist, thus contributing to the paranoia of entrapment, we should analyse those discourses which have evolved in more or less explicit response to the problems of the state during the last century. Hence, we should deal less with those texts which for various reasons have taken the presence of the state for granted, but more with those which have sought to problematicize or even abolish the state concept. To do otherwise would be like putting the devil on trial for being evil.

The modern discourse on the state is above all a critical discourse in so far as it is held together by a common ambition to unmask the state and its authority according to the spirit of criticism referred to above; while being critical of the state in so far as it is invariably portrayed as concealing underlying realities, this discourse is simultaneously conditioned by the state concept in that this concept and its core connotations are both presupposed and reproduced by critical moves within political discourse. Investigating those parts of political discourse that have sought to problematicize the state from different perspectives, I shall focus less on explicit arguments about the state and its ontological status, and more on the modes of enunciation that sustain these arguments. In doing so, I shall pay attention not only to the subject of enunciation but also to the enunciated subject by carefully analysing not only the state concept itself, but also the entire structure of concepts brought into operation by different discourses on the state. Hence, rather than merely analysing statements about the state, I shall ask what makes these statements possible, in terms of what they presuppose or imply, what kind of relations exist between the state concept and other concepts and, finally, how the meaning of these concepts changes as a result of their changing positions across, as well as within, different theoretical contexts.

The claim that the state concept is foundational to and constitutive of modern political discourse is not new. One of the main points of Skinner's seminal *Foundations of Modern Political Thought* (1978) was to show how the discursive preconditions of this concept were established in early modern political discourse in Europe, and how such a modern view of the state gradually came to shape modern political discourse.[11]

[11] Quentin Skinner, *Foundations of Modern Political Thought* (Cambridge: Cambridge University Press, 1978), vol. I, pp. x, 349; Quentin Skinner, 'The State', in Terence Ball, Russell L. Hanson and James Farr (eds.), *Political Innovation and Conceptual Change* (Cambridge: Cambridge University Press, 1989), pp. 90–131; Maurizio Viroli, *From Politics to Reason of State: the Acquisition and Transformation of the Language of Politics, 1250–1600* (Cambridge: Cambridge University Press, 1992), pp. 238–80.

But whereas Skinner and other contextualist historians have accounted for the emergence of the modern state concept, they have had very little, if anything, to say about its changing place and function within modern political discourse. Indeed, it could be argued that their accounts of the state concept are themselves inherently statist, since they have posited a modern notion of the state as the end towards which early modern political reflection evolved through a delicate blend of necessity and accident. Given the logic of this account, however, it is difficult to imagine any profound change in the conception of the state beyond the point where political discourse became obsessed by the state and started to define itself in terms of it; it is as if all roads in the past led to Weber but none further beyond.

My perspective is different, as is the thrust of my argument. This book does not attempt to answer the question of how the state concept once emerged within Western political discourse. I have already tried to answer parts of that question in a previous book. What this book attempts to do, rather, is to analyse how the state concept came to fulfil a constitutive function within late modern scientific political discourse – that is, beyond Weber – and how this concept subsequently became an unquestioned part of political reflection despite – and sometimes because of – the numerous efforts to abolish and redefine it. Again, the focus is on its quite remarkable staying power within political discourse.

But before we can analyse the trajectory of the state concept in more detail, we must briefly hypothesize what has made this rather strange trajectory possible. To my mind, the seemingly endless theoretical disputes over the state originate in the ambiguity of the state concept, and this ambiguity is in turn made possible through initial interpretive gestures that have defined the limits of its intelligibility. This ambiguity has been much lamented, and it is common to blame the lack of scientific consensus about the state on the lack of clarity of the state concept.[12] As Hont has argued,

> it is hard to find a genuinely historical definition of the 'nation-state' which could be consistently applied in conceptual analysis. Most discussions of the 'nation-state', both in its domestic and international aspects . . . are riven by contradiction and inconsistency.[13]

[12] See, for example, David Held, 'Central Perspectives on the Modern State', in G. McLennan, David Held and S. Hall (eds.), *The Idea of the Modern State* (Milton Keynes: Open University Press, 1984), pp. 29–79; B. A. Rockman, 'Minding the State – or a State of Mind?', in J. A. Caporaso (ed.), *The Elusive State: International and Comparative Perspectives* (Newbury Park, CA: Sage, 1989), pp. 173–203; Gabriel A. Almond, 'The Return to the State', in Gabriel A. Almond, *A Discipline Divided: Schools and Sects in Political Science* (Newbury Park, CA: Sage, 1990), pp. 189–218.

[13] István Hont, 'The Permanent Crisis of a Divided Mankind: "Contemporary Crisis of the Nation State" in Historical Perspective', *Political Studies*, vol. 42, 1994, p. 177.

Many of those who have lamented this ambiguity have also suggested an antidote: conceptual analysis. Yet they have never questioned the sources of that ambiguity, or bothered to investigate its limits. Most political scientists simply want to get rid of ambiguity, since to them ambiguity is but an avatar of unreason. Yet it is possible that ambiguity, rather than being just an obstacle to rational inquiry, may possess a certain rationality of its own that could provide clues to how a given concept has become ambiguous and why it has stayed ambiguous despite numerous efforts to clarify it. According to one interpretation, it was the state that brought this quest for clarity, making 'a declaration of war on semantic ambiguity'.[14] Paradoxically, then, while presumably being the source of unequivocal meaning, the state itself is surrounded by the most total ambiguity.

It may therefore prove instructive to analyse the sources of ambiguity, in order to render visible the theoretical space within which the state concept has acquired its identity as an ambiguous concept. To my mind, conceptual ambiguity results both from practices of definition and from the actual position of a given concept within discourse. Standard practices of definition are rituals of purification and, like most such rituals, they help reproduce what they promise to abolish, lest they themselves should become superfluous. Defining a term means making stipulations about its meaning and reference within a given context of employment and according to given criteria; but since both contexts and criteria multiply across time and space, any concept is able to soak up a multitude of different connotations throughout its usage in different contexts and for different purposes, which in turn makes a clear-cut definition seem all the more urgent, provoking yet another attempt at definition that reproduces the initial ambiguity. Hence, ambiguity is an unintended and cumulated consequence of the quest for clarification that has been so dear to the social sciences.

The ambiguity of a concept is also the outcome of its position within discourse. The greater the number of other concepts that are defined in terms of a given concept, the more numerous the inferential and metaphorical connections, and the more numerous these connections between *definiendum* and *definiens* the more central the defining concept. And conversely, the more central a given concept, the easier it is to use as a primitive term when defining other concepts, and the easier it is to use the more ambiguous it will gradually become through frequent employment. Furthermore, the more central a concept becomes within a given discourse, the more likely it is to become implicit in and taken for granted within that very discourse. And the more implicit it is, the more likely

[14] Zygmunt Bauman, *Modernity and Ambivalence* (Cambridge: Polity Press, 1991), p. 105.