The Critique of the State

Jens Bartelson 2001

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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.

it is to become foundational to and constitutive of that discourse. Thus, ambiguity and centrality go hand in hand, and concepts which are both central and ambiguous tend to become constitutive and foundational, and conversely.

Taken together, this suggests that one important clue to the tendency to presuppose the presence of the state within political discourse is provided by the mutually reinforcing logic of centrality and ambiguity. In the historical chapters of this book we will see these mechanisms at work, since the state concept provides a good example of a concept which has remained ambiguous precisely by virtue of its centrality, and conversely.

But an analysis of ambiguity should not be confined to its sources and the discursive mechanisms that reproduce it. Behind the semantic disagreements that make ambiguity possible we find those agreements that make it possible to disagree about its meaning, and these agreements together constitute the limits of ambiguity. The best way to render such largely tacit agreements visible is by asking what the state is contrasted with in the standard definitions and most conventional applications. Hence, as a primary step, we should ask how the state concept has been individuated by being defined as categorically distinct from *other* concepts or categories. As a second step, it is necessary to show how these distinctions give rise to theoretical commitments that render the concept internally inconsistent.

If we accept that the state concept is foundational and constitutive of scientific political discourse, we should not be surprised to find that it cannot easily be subjected to the practices of definition referred to above, since the term state itself figures as a positive and primitive term in the definitions of other, equally central, concepts. This is what makes clarification both seem so urgent and yet so difficult to achieve. Hence, and as a consequence of its centrality, the concept of the state cannot be fully determined by the character of its semantic components or by its inferential connections to other concepts, since it is the concept of the state that draws these components together into a unity and gives theoretical significance to other concepts on the basis of their inferential and metaphorical connections to the concept of the state, rather than conversely.[15]

Still, the concept of the state does not organize political discourse from scratch or generate theoretical meaning out of nothing. At the most fundamental level, the modern state concept is individuated by a series of differences which together provide the baseline for further attempts at

[15] A similar point has been made about the concept of nation by Liah Greenfeld, *Nationalism: Five Roads to Modernity* (Cambridge, MA: Harvard University Press, 1992), p. 7.

definition and theorizing, resulting from previous acts of interpretation. These differences manifest themselves as boundaries that condition the possibility of the modern concept of the state in so far as they provide the necessary requirements for its meaningful employment within political discourse, and locate the state concept in a wider system of theoretical and ideological values. As such, these differences together constitute the limits of the modern formulation of the problem of political order, by premising the harmonious convergence between authority and community on two crucial distinctions.[16]

First, the conceptual identity of the state is conditioned by the largely implicit assumption that the political order represented by the state is distinct from the kind of relations that exist between states in an international context. This differentiation affirms the state as a source of authority and community among a multitude of similar units, and construes the state and the international context in which it finds itself as mutually constitutive yet opposed spheres of politics. Whereas the domestic sphere is conventionally associated with the presence of order and peaceful progress, the international sphere is characterized by the absence of these conditions, and instead carries the stigma of war and moral stagnation. Hence, when viewed from the international outside, the state appears as a unified whole, marked by its sovereignty and individuated through reciprocal recognition by other similar entities. Hence state identity appears to be conditioned by the absence of authority and community in the international sphere.[17]

At the heart of this distinction between inside and outside we find the concept of sovereignty. Rather than simply being an attribute of individual states or a rule constitutive of the international sphere, sovereignty is what separates these spheres while simultaneously binding them together. As Agamben has noted, the state of nature thought to prevail in the international realm and the state of exception on which state authority is ultimately based are but two aspects of the same process, 'in which what was presupposed as external . . . now reappears . . . in the inside, and sovereign power is this very possibility of distinguishing between inside and outside'.[18]

Second, state identity is conditioned by the likewise implicit assumption that the state is distinct from the domestic society over which it

[16] Gaston Bachelard, *The Poetics of Space* (Boston, MA: Beacon Press, 1994).

[17] Cf. Richard K. Ashley, 'The Powers of Anarchy: Theory, Sovereignty, and the Domestication of Global Life', in James Der Derian (ed.), *International Theory: Critical Investigations* (London: Macmillan, 1995), p. 110; R. B. J. Walker, *Inside/Outside: International Relations as Political Theory* (Cambridge: Cambridge University Press, 1993), ch. 1.

[18] Agamben, *Homo Sacer*, p. 37.

supposedly holds sway.[19] This differentiation inscribes the state as the sole locus of authority within a polity composed of a multitude of other agents, individual or collective, and makes it possible to describe relations between state and society in terms of conflict and harmony. Whereas the state is conventionally associated with the political, society is frequently characterized as either non-political or prepolitical. Hence, when viewed from the domestic inside, the state appears as a locus of authority, individuated through the subjugation or consent of other agents. Thus, state identity appears to be conditioned by the *presence* of authority within a society from which it is thereby rendered distinct.[20]

Today both these distinctions are being questioned with increasing intensity, and with them, the permanence of the modern state as a form of political life. But to those scholars who perform this questioning, the main difficulty arises from their own tendency to presuppose the same conceptual boundaries which they set out to question or dissolve.

In international relations theory it has been fashionable to point out that the boundary between the domestic and the international is becoming increasingly blurred thanks to processes of internationalization, and that this profoundly affects the identities and interests of states. But while the state and the international sphere have conventionally been defined in terms of each other, it is enigmatic how the one can really be profoundly transformed without equally profoundly affecting the identity of the other. This puzzle automatically spills over into the question of how a discipline devoted to its solution can preserve its identity, since its intellectual coherence seems to depend on the givenness of both the state and the international system.[21]

In historical sociology it has been equally fashionable to point out that the boundary between state and society has become blurred thanks to an increasing diffusion of power within societies. Yet it is unclear why the state should be conceptualized as distinct from society within theories that attempt to account for the dissolution of the boundary between

[19] Luhmann, 'The "State" of the Political System', p. 165.

[20] Cf. John Keane, 'Despotism and Democracy: the Origins and Development of the Distinction between Civil Society and the State 1750–1850', in John Keane (ed.), *Civil Society and the State: New European Perspectives* (London: Verso, 1988), pp. 35–71; Reinhart Koselleck, *Critique and Crisis: Enlightenment and the Pathogenesis of Modern Society* (Oxford: Berg, 1988).

[21] Cf. James N. Rosenau, 'The State in an Era of Cascading Politics: Wavering Concept, Widening Competence, Withering Colossus, or Weathering Change?', in Caporaso, *The Elusive State*, pp. 17–48; David Held, *Political Theory and the Modern State: Essays on State, Power, and Democracy* (Oxford: Polity Press, 1989), pp. 214–42; David Held, 'Democracy, the Nation-State and the Global System', *Economy and Society*, vol. 20, 1991, no. 2, pp. 138–72; Alexander Wendt, *Social Theory of International Politics* (Cambridge: Cambridge University Press, 1999), pp. 193–245.

them empirically. It seems difficult to uphold an analytical divide between state and society while opening the same divide up to empirical investigation, since what is assumed to be theoretically necessary cannot easily be treated as empirically contingent.[22]

Thus, and as a condition of its identity and as a means of limiting its ambiguity, the modern state has to be conceptualized as essentially distinct from its international and societal contexts, and the only way to make sense of these concepts of the international and the social seems to have been by contrasting them with that of the state. Yet in each of the above cases the concept of the state acquires its theoretical meaning by being placed in an unstable and fluid relation to the concepts from which it has been marked off. The result is that it is difficult to use the state concept without inviting inconsistencies which result when one attempts to problematicize the empirical existence of the state while simultaneously retaining the above distinctions, since they together condition the intelligibility of the state as a distinct species of political life.

But being limits to ambiguity, these distinctions are also the limits of political imagination in the sense that political order would become difficult to make sense of in their absence. The above master distinctions thus condition state discourse in so far as they constitute the very ground for phrasing and answering questions of authority and community within modern political discourse. These distinctions also define the boundaries of political modernity, and condition the interplay of ambiguity and centrality that makes this concept look both foundational to and constitutive of large parts of modern political discourse.

In this section I have hypothesized that crucial parts of modern political discourse indeed presuppose the presence of the state, and that even those parts of political discourse that explicitly problematicize the state are premised upon its presence. Furthermore, I have argued that this phenomenon should be treated as a genuine philosophical and historical problem rather than as a source of political paranoia, and that it should be carefully investigated both philosophically as well as historically. I have also suggested that the discursive habit of presupposing the presence of the state is partly conditioned by the ambiguity of the state concept, and

[22] Cf. Held, 'Central Perspectives on the Modern State'; Michael Mann, 'The Autonomous Power of the State: its Origins, Mechanisms and Results', in J. A. Hall (ed.), *States in History* (Oxford: Basil Blackwell, 1986), p. 136; Clyde W. Barrow, *Critical Theories of the State: Marxist, Neo-Marxist, Post-Marxist* (Madison, WI: University of Wisconsin Press, 1993), pp. 109–36; Charles Tilly, *Coercion, Capital and European States AD 990–1992* (Oxford: Basil Blackwell, 1992), pp. 1–37; Bo Stråth and Rolf Torstendahl, 'State Theory and State Development: States as Network Structures in Change in Modern European History', in Rolf Torstendahl (ed.), *State Theory and State History* (London: Sage, 1992), pp. 12–37.

that this ambiguity itself is reproduced through the critical practices that prevail within different theoretical contexts. All this now remains to be substantiated by textual evidence, but before this can be done, we have to make a methodological detour in order to justify the view of political concepts that informs the present study.

Analysing political concepts

The following chapters are intended as a history of the present, both in the sense that they aim to be diagnostic rather than empirically exhaustive, and in the sense that they deal with concepts and theories which are still accepted as viable guides to political reality by a large part of the scholarly community. The historical narrative is also episodic, since the main task is to explain how we got into our current predicament with respect to the state rather than to provide the reader with a full account of the state concept and its historical trajectory within modern political discourse.

This fusion of diagnostic ambition with an attention to concepts not yet perceived as parts of the past gives rise to a peculiar historiographical problem. It is inherently difficult to write histories of twentieth-century discourse simply because the way in which we write such histories is indebted to the historiographical possibilities inherent in that very discourse. Since the twentieth century has not yet been turned into an effective past, but rather constitutes very much of a present, there is a constant risk of short-circuiting topic and resource.[23]

The following account of the state concept also tries to be philosophical, by posing critical questions about its place and function within contemporary political discourse. Subsequent chapters deal with contemporary state theories as if they were addressing different, but commensurable, versions of the problem of political order, and as if their solutions to these problems were commensurate enough to make critical commentary across different theoretical contexts possible, and indeed fruitful. This assumption is crucial, since any analysis of the state concept would be pointless if we did not assume that the problem of political order could at least potentially be reconceptualized in terms that transcended the options structured by the presupposed presence of the state.

If the historical questions of this book have to do with the sources of statism within political discourse, the philosophical questions have more

[23] For different versions of histories of the present and their rationale, see Donald R. Kelley, 'What is Happening to the History of Ideas?', *Journal of the History of Ideas*, vol. 51, 1990, no. 1, p. 23. For a classical statement, see Michel Foucault, 'Nietzsche, Genealogy, History', in Donald F. Bouchard (ed.), *Language, Counter-memory, Practice: Selected Essays and Interviews by Michel Foucault* (Ithaca, NY: Cornell University Press, 1977), pp. 139–64.

to do with the limits of statism within the same discourse. Historically, our problem is to describe how modern political discourse has remained statist despite the various efforts to reconceptualize the state. Philosophically, our problem is to explain why these efforts have failed, and how we might possibly reconceptualize the problem of political authority in terms that do not presuppose the presence of the state but instead expose its proper conceptual identity.

But is it reasonable to try to fuse these questions together this way? I imagine that most historians of political concepts and most political philosophers would be sceptical of this suggestion, since the concerns of conceptual history and political philosophy seem far apart: whereas the history of political concepts requires a thorough contextualization of their meaning and function, political philosophy is thought to require a prior stabilization of their meaning by means of stipulative definitions. It is thus common to regard these concerns as mutually exclusive, if not contradictory, since they seem to cancel each other out: while the token historian of political concepts charts conceptual change through time, the token political philosopher reaches out for the timeless by means of unchanging concepts.

To my mind, whether there exist timeless problems, or whether all problems are ultimately circumscribed by the particular context of enunciation, is more a matter of the ways these problems are formulated than a profound philosophical principle. It is always possible to historicize a prima facie perennial problem by demonstrating that it became possible to formulate only against the backdrop of a contingent set of discursive antecedents, as it is possible to reinscribe an already contextualized problem within the domain of philosophy by showing that its antecedents themselves derive from a more abstract philosophical problem. Within this view, the apparent tension between historical and philosophical perspectives results from clashes between questions phrased at different levels of abstraction, rather than from profound differences underlying the possibility of phrasing these questions.

If this is indeed the case, the by now quite tedious dispute between historical and philosophical perspectives in the study of political thought could perhaps be resolved by construing our basic units of inquiry in a way that would allow us to effect a nice compromise between these concerns. In this section, I shall try to justify this claim by arguing that the tension between historical and philosophical concerns is ultimately conditioned by a common understanding of what kind of entities concepts are, and then propose an alternative way of viewing concepts called conceptualism that may help us to handle that tension.

Let us begin by stating the obvious. If we want to understand the changing meaning and function of a given concept within political discourse, the foremost methodological virtue should be that of historical openness. This means that the less the semantic content of a concept is determined in advance through definitions, the more of its meaning is left to historical inquiry to unearth and the more left to inquiry to determine, the greater the openness of the historical field. The virtue of openness lies in keeping historiography as free as possible from anachronism and the projections of present concerns on to the past.[24] Consequently, historical openness necessitates philosophical minimalism, and being minimalist in turn requires an agnostic attitude towards those philosophical problems whose solutions threaten to contaminate our understanding of the past with untimely content.

But how is such openness best safeguarded? My tentative suggestion is that historical openness is best served by treating political concepts as *autonomous* in relation to other entities – discursive or not – but not necessarily in relation to each other. Yet any talk of conceptual autonomy is bound to arouse suspicion among those trained to identify conceptual autonomy as the main source of presentism and finalism within historiography, so such talk has to be carefully distinguished from earlier ways of defending conceptual autonomy which tended to buy this autonomy either through reification of concepts into abstract things, or through a transcendentalist view of concepts as conditions of human subjectivity.[25] Below I will refer to these views as conceptual realism and conceptual idealism respectively.

By contrast, a philosophical analysis of political concepts is conventionally thought to require conceptual autonomy of either of the above kinds, if by philosophical analysis we mean spelling out the conditions of meaningful and valid usage of concepts. Within this view, by analysing the semantic content of concepts, we may hope to pass philosophical judgements on the validity of the theories in which they are used. Yet these requirements are clearly at odds with the historicist ambition to regard the semantic content of concepts as historically variable, thus precluding the kind of stable connotations and inferential connections between

[24] Dominick La Capra, 'History, Language, and Reading: Waiting for Crillon', *American Historical Review*, vol. 100, 1995, no. 3, pp. 799–828.

[25] The history of the concept of concept remains to be written, but some clues to what such a story would look like can be derived from Steven Collins, 'Categories, Concepts or Predicaments? Remarks on Mauss's use of Philosophical Terminology', in M. Carrithers, Steven Collins and S. Lukes (eds.), *The Category of the Person: Anthropology, Philosophy, History* (Cambridge: Cambridge University Press, 1985), pp. 46–82.

concepts that would make any conventional philosophical analysis possible. Philosophical analysis requires some basic criteria of consistency and coherence, and presupposes that these criteria are sufficiently clear and unchanging to make comparison between different conceptual frameworks possible.[26]

Phrased in this way, the difference between historical and philosophical approaches to the study of political thought becomes a matter of principle. But I believe that the conflict between history and philosophy in the study of political thought has been kept alive by a mutual tendency to ontologize the objects of investigation rather than by any disagreement over the criteria of validity. If concepts are thought of either as abstract things or transcendental ideas with invariable content, this view is, of course, not readily compatible with a view of concepts and their meaning as essentially relative, historically variable, and contextual. When pushed to extremes, these standpoints could well be seen as incommensurable, since they are based upon different views of what kind of stuff concepts are made of, and what shapes their meaning.[27]

Bevir's recent attempt to reconcile historical and philosophical perspectives is a case in point, because it is premised on an irreconcilable tension between the historical and philosophical approaches. Criticizing contextualist historians for neglecting the coherence and consistency of the utterances they investigate, Bevir goes on to assimilate what he takes to be an indispensable presumption of coherence among utterances to a theory of the mind implying coherence among beliefs as a condition of personal identity of the interlocutors.[28] Far from dissolving the tension between historical and philosophical perspectives, the net result of this move is to subject historiography to the kind of universalist concepts of rationality and subjectivity from which it has struggled to escape by taking a linguistic turn. Even a weak commitment to belief coherence as a principle guiding historical reconstruction would impose undesirable

[26] This view of philosophical analysis roughly corresponds to that of Wittgenstein, see his *Philosophical Grammar* (Oxford: Basil Blackwell, 1974), and to that held by some analytical philosophers such as Hilary Putnam, *Reason, Truth, and History* (Cambridge: Cambridge University Press, 1981), pp. 18–21; Richard Rorty, *Philosophy and the Mirror of Nature* (Oxford: Basil Blackwell, 1980), pp. 265–73.

[27] For an analysis of the relationship between philosophy and history in more general terms, see Jorge J. E. Gracia, *Philosophy and its History: Issues in Philosophical Historiography* (New York: SUNY, 1992). For important statements of these positions, see J. G. A. Pocock, 'The History of Political Thought: a Methodological Enquiry', in P. Laslett and W. G. Runciman (eds.), *Philosophy, Politics and Society,* 2nd series (Oxford: Blackwell, 1962), pp. 183–202; Leo Strauss, *Natural Right and History* (Chicago, IL: The Free Press, 1953), pp. 3–5.

[28] Mark Bevir, *The Logic of the History of Ideas* (Cambridge: Cambridge University Press, 1999), chs. 2 and 4.

constraints upon our field of historical vision, since this would imply not only that coherent beliefs are indeed necessary to the identity of the interlocutors, but also that the existence of such self-identical subjects is a necessary condition of meaning.[29]

As I shall argue, however, the tension between philosophical and historical viewpoints can be handled better by arguing that conceptual autonomy does not necessitate any commitment to the ontological status of concepts outside the text in which they figure. I take this view to be latent in the way concepts are analysed within much contemporary philosophy, and I shall contend that consistency and coherence concern the relationship between linguistic entities such as concepts and propositions rather than between mentalist entities such as beliefs and, crucially, that the criteria of consistency and coherence do indeed vary across time and context by virtue of the simple fact that they themselves are conceptual in character.

Put differently, provided that we succeed in being consistently constructivist about concepts, it should be perfectly possible to treat them as wholly autonomous yet discursive entitities whose meaning can be seen as both relative and absolute depending on our perspective, that perspective in turn being relative to the questions we pose rather than to the worldviews we subscribe to. Aided by the right questions, it should therefore be possible to describe the historical trajectory of a given concept while analysing it in relation to other concepts, the totality of which composes the terms of the philosophical problem we have singled out for investigation in advance. This is exactly what this book attempts to do.

But apart from philosophical reasons, there are other more pragmatic reasons for arguing in favour of conceptual autonomy, and they also have to do with our topic. If indeed the state concept is an unquestioned foundation of political discourse, this could hardly be expected to be visible in the manifest content of that discourse, since being unquestioned implies being unspoken, and being unspoken means being a condition of speech rather than its object. A denial of conceptual autonomy would hence rule out the concepts being foundational and constitutive by definitional fiat. In this case, conceptual autonomy would allow for the possibility that some concepts might indeed be foundational to and constitutive of political discourse without this implying that they were timeless or necessary. Simply put, granting concepts a certain autonomy can help us to chase the ghosts out of political discourse without ourselves retreating back into the province of *Geistesgeschichte* while doing so.

[29] I have dealt with this problem in *A Genealogy of Sovereignty* (Cambridge: Cambridge University Press, 1995), ch. 3.

Unfortunately, today the history of political thought is torn between the methodological principles handed down to us by contextualist history, conceptual history and discourse analysis respectively, each either explicitly or implicitly denying this possibility. Apart from their obvious differences, these approaches share a strong suspicion of concepts as units of investigation: concepts are not autonomous and should not be studied as if they existed independently of other discursive or non-discursive entities.[30] This recommendation is thought of as an important safeguard against anachronism and outright whiggery in historical writing, and disobeying it is thought to lead straight back to the position that concepts indeed contain a hard core of timeless connotations – connotations signalling the presence of perennial problems, immutable institutions or transcendental subjects in history.

My contention is that while the suspicion against the realist or transcendentalist view of concepts as containers of timeless connotations is certainly justified because of the philosophical obligations these options bring with them, subsequent and reductionist attempts to understand conceptual change with reference to other entities themselves bring with them philosophical commitments uncongenial both to historical openness and to philosophical analysis. The existing linguistically oriented study of political thought not only precludes that concepts could or should be autonomous, but also that concepts and their change are best understood by reducing their meaning to changes among other, presumably more basic, entities; whereas contextualism takes conceptual meaning to be epiphenomenal to utterances, conceptual history insists on its dependence on human experience, while discourse analysis finally regards concepts as functions of statements. And whereas contextualism accounts for conceptual change with reference to the interplay between agency and context, conceptual history does so with reference to changing historical experiences, while discourse analysis explains conceptual change with reference to the changing rules of discourse.[31]

[30] For an analysis of the affinities between contextualism and conceptual history see Melvin Richter, *The History of Political and Social Concepts: a Critical Introduction* (New York: Oxford University Press, 1995), ch. 6.

[31] For these positions and their evolution, see John Dunn, 'The Identity of the History of Ideas', in P. Laslett, W. G. Runciman and Q. Skinner (eds.), *Philosophy, Politics and Society*, 4th series (Oxford: Blackwell, 1972), pp. 158–73; Quentin Skinner, 'Conventions and the Understanding of Speech-acts', *Philosophical Quarterly*, vol. 20, 1970, no. 79, pp. 118–38; Quentin Skinner, 'On Performing and Explaining Linguistic Actions', *Philosophical Quarterly*, vol. 21, 1971, no. 82, pp. 1–21; Quentin Skinner, 'Meaning and Understanding in the History of Ideas', in James Tully (ed.), *Meaning and Context: Quentin Skinner and his Critics* (Cambridge: Polity Press, 1988), pp. 29–67; Quentin Skinner, 'Some Problems in the Analysis of Political Thought and Action', in Tully, *Meaning and Context*, pp. 97–118; Quentin Skinner, 'Language and Social Change', in Tully, *Meaning*