Introduction

A *picture* held us captive. And we could not get outside of it, for it lay in our language and language seemed to repeat it to us inexorably.

Ludwig Wittgenstein[1]

A picture holds the study of politics captive. It is a picture of politics organized into sovereign states. Inside, the state's sovereign authority maintains order. Outside of the state the absence of sovereign authority produces anarchy. To be sure, this is a highly abstract and idealized picture. Virtually no political scientist would subscribe to this simplified picture. Many political scientists have argued that this picture of politics does not accurately reflect our political reality, or that the picture is unjust and should be replaced with a different type of political order. Yet, what is revealing about this picture is that despite numerous attempts to move beyond sovereignty or re-imagine political community, this picture of political order continues to set the terms of political discourse. It is the image of political order that detractors rail against. It is also the image of politics that its defenders insist is the universal, necessary, and obligatory way of organizing political life. So, when I say that a picture holds political science captive, what I mean is this: scholars of politics remain captivated by this picture of politics because it continues to set the terms according to which we debate our political ontology. Scholars have proposed hundreds of alternative ways of organizing political life. Yet these proposals are offered in opposition to this picture. So, even those who wish to think about political order in a different way continue to be held captive by this picture of politics.

In this book I propose to address two questions with respect to this picture of politics. The first is the diagnostic question of how is this

[1] L. Wittgenstein, *Philosophical Investigations*, trans. G. E. M. Anscombe (New York: Macmillan, 1953), §115. All references to *Philosophical Investigations* follow the convention of listing the remark number rather than the page number.

picture of politics produced and reproduced within our discourses of politics? The second is the prescriptive question of how can political theorists think and act in such a way that this picture of politics ceases to captivate us? In response to the first question I argue that this picture of politics is a result of how political scientists respond to the challenges of skepticism. Linking together the epistemological problem of skepticism and the political concept of sovereignty may seem counterintuitive, but I argue that in modern political theory the sovereign's primary purpose is to resolve skeptical problems that constantly creep into our political life. Skeptical problems enter our political life when there are disputes over how to apply criteria in our political judgments. These political judgments can range from how or when to enforce a traffic violation, to whether or not the state should go to war because of a perceived foreign threat. In many cases the criteria to be applied are clear, and there is little dispute about how the state imposes its judgment. However, in some cases individuals raise doubts about the applicability of the criteria to a particular case, or even the possibility of making a judgment. In these cases a skeptic might raise a challenge along the lines of "How do you know *x*?" (e.g. "How do you know I was speeding? Couldn't your radar gun be wrong?" Or, "How do we know there are WMDs in that country? Couldn't those aluminum tubes be used for something else?") In these cases, questioning the certainty of the knowledge claim upon which the judgment rests creates a political judgment. Now, there may be a back and forth exchange of reasons between the participants in this exchange. But, if the person is particularly skeptical and seeks to undermine the certainty of any claim to knowledge, then we either reach an impasse (if the debate is between two friends, we might simply "agree to disagree") or, in more important cases, the individual or entity with supreme authority makes a final judgment. In these cases finality replaces certainty. In a political system someone is the ultimate decider, and that person or institution is the supreme authority – i.e. the sovereign. In political theory Hobbes is most closely associated with this doctrine. His state of nature is an image of what would happen in the absence of a final authority to resolve disputes over political judgments. His sovereign is vested with many powers to impose final judgments on his subjects. The reason this picture of politics is so captivating is that much of our political life is about disputes over judgment. So many of these disputes can descend into skeptical arguments and attempts to refute them.

One response to skepticism is to take note of how the sovereign functions as the final authority in disputes, to accept that this is the only way to resolve these disputes, and to carry on as things are. Yet many in political science find sovereignty problematic, for a whole host of reasons. As we shall see in Chapter 1, numerous contemporary political developments, ranging from the economic, social, cultural and technological transformations often lumped together under the term "globalization," to fundamental transformations in the nature of political violence, challenge our picture of political community as organized in and through sovereign states. Yet, as many scholars have pointed out, if our political practices are undermining sovereignty, then what alternate theoretical and practical resources might exist through which to organize our political lives and exercise political authority?[2]

My prescription draws on twentieth-century responses to the challenge of skepticism. While skeptical arguments can be traced back to the ancient world, their prevalence in the sixteenth and seventeenth centuries led to a concerted effort by philosophers to develop an epistemology that could respond to these skeptical challenges. This modern epistemology – developed by Descartes, Hobbes, Locke, Spinoza and others – made the modern subject the foundation of knowledge claims. While these philosophers were developing an epistemology that could respond to the skeptical challenge, they were also (with the exception of Descartes) developing a political philosophy that accounted for the emergence of the state and responded to many of the political crises of their time – such as challenges to the legitimacy of monarchies, questions about religious toleration, and the political consequences of new scientific claims that challenged the truth claims of religious and secular authorities. As we shall see, the new epistemology in many ways failed to answer the full force of the skeptical challenge, and in many instances

[2] For this line of critique as well as some meditations on possible theoretical resources for formulating an alternative to sovereignty, see R. K. Ashley and R. B. J. Walker, "Introduction: Speaking the Language of Exile: Dissident Thought in International Studies" and "Conclusion: Reading Dissidence/Writing the Discipline: Crisis and the Question of Sovereignty in International Studies," *International Studies Quarterly*, 34 (1990); W. Magnusson and K. Shaw, *A Political Space: Reading the Global through Clayoquot Sound*, Globalization and Community vol. 11 (Minneapolis, MN: University of Minnesota Press, 2003); R. B. J. Walker, *Inside/Outside: International Relations as Political Theory* (Cambridge University Press, 1993); K. Shaw, *Indigeneity and Political Theory* (London: Routledge, 2008).

these political challenges to authority were often couched in skeptical terms. The modern political ontology of state sovereignty was developed out of this new epistemology.

In the twentieth century this modernist epistemology has been challenged on a number of fronts – two of the most prominent challenges came from Wittgenstein and Cavell. While both of their philosophies have been adapted in numerous ways in contemporary political philosophy, and many epistemologists have developed their work in interesting areas on questions of philosophy of knowledge, the work of Cavell and Wittgenstein has not been used to critique the decisive link between modern epistemology and sovereignty. In this book I use their responses[3] to skepticism to show how a constant appeal to a sovereign to resolve skeptical problems is not necessary.

For the philosophers of ordinary language,[4] skeptical problems resulted from the philosopher's tendency to abstract language from the background practices and uses in which it is normally embedded. Though Austin and the later Wittgenstein developed two different approaches to studying language, they shared a common critique of the positivism that dominated Anglo-American philosophy in the early part of the twentieth century. They both believed that many of the problems in philosophical positivism – in which skeptical philosophical problems were rampant – could be resolved by showing how a skeptical problem relied on a philosophical abstraction that ignored the background assumptions that made the meaning of words possible. They responded to skeptical arguments by reminding philosophers of the context in which a word is used, and the everyday meanings of that word.

[3] I realize that, in the case of Cavell, the phrase "responding to skepticism" is problematic as he sees the skeptical impulse as something that is inextricably bound up with modernity. In Chapter 5 I will clarify in what ways we can and cannot respond to skepticism, but for now I ask readers to be patient with this provisional sketch.

[4] Ludwig Wittgenstein uses the term "everyday language" and J. L. Austin uses "ordinary language." I will use the term "ordinary language philosophers" throughout the book to describe the general approach to philosophy of language developed by Austin, Wittgenstein and Stanley Cavell. Although they have very different approaches to philosophy, they share a common commitment to resolving philosophical problems by showing how they emerge out of abstractions from everyday and ordinary uses of language.

In this book, I take these procedures from ordinary language philosophy and use them to counter the skeptical tendencies in political philosophy that constitute sovereignty. In doing so, I arrest our tendency as political philosophers to invoke the sovereign and end our captivation with sovereign-centred political theorizing. The post-sovereign politics that would follow from this would not eliminate the state, or create a global anarchist utopia. While I recognize that a book that sets out to end sovereignty – a central concept in political philosophy for the last 350 years – may seem audacious, I believe that the consequences of my critique will not be a new global political order, as much as an increased attention to the everyday in political philosophy. Indeed, I would say that political philosophers such as James Tully, Bonaventura de Sousa Santos, David Owen, Stanley Cavell, Quentin Skinner and Charles Taylor (to name just a few) have all in different ways already developed approaches to political philosophy that focus on the everyday.[5] Many of them have also developed political philosophies that are explicitly post-sovereign. I see my contribution as explaining how, despite many attempts to think about politics without sovereignty, political theorists tend to reproduce sovereigntist thinking in their thought.

Wittgenstein famously described his approach to philosophy as the "assembling of reminders for a particular purpose."[6] I see the purpose of this book as the assembling of reminders of how skeptical tendencies in modern political philosophy lead political philosophers to believe that sovereignty is a necessary feature of political order. This captivation with sovereignty develops from our tendency as political philosophers to abstract our ideas from everyday political practices. By returning our philosophizing to our everyday political practices, political philosophers

[5] J. Tully, *Strange Multiplicity: Constitutionalism in an Age of Diversity*, The John Robert Seeley Lectures (Cambridge University Press, 1995); C. Taylor, "To Follow a Rule," in C. Taylor (ed.), *Philosophical Arguments* (Cambridge, MA: Harvard University Press, 1995); B. de Sousa Santos, *Toward a New Legal Common Sense* (Dayton, OH: Lexis-Nexis, 2002); S. Cavell, *Conditions Handsome and Unhandsome: The Constitution of Emersonian Perfectionism* (University of Chicago Press, 1990); Q. Skinner, *Visions of Politics: Regarding Method*, vol. 1 (Cambridge University Press, 2002); D. Owen, "Orientation and Enlightenment: An Essay on Critique and Genealogy," in S. Ashenden and D. Owen (eds.), *Foucault Contra Habermas* (London: Sage Publications, 1999).

[6] Wittgenstein, *Philosophical Investigations*, §127.

can free themselves from the captivity that sovereignty holds over their political imagination.

In Chapter 1, I explore two prominent critiques of sovereignty. The first critique grew out of arguments by Hannah Arendt and Michel Foucault who independently reached the conclusion that the modern concept of sovereignty limited individual freedom and promoted structures of domination. I call this the *normative critique* of sovereignty. A second critique of sovereignty – the *architectonic critique* – emerged in the early 1990s in response to post-cold war processes of globalization. Broadly stated, this critique argued that sovereignty was inadequate because it could not resolve – and in some instances it produced – many transnational problems such as environmental degradation, crises in global trade and finance, world hunger and poverty, humanitarian crises, and international security threats such as nuclear proliferation and transnational terrorism. These critiques of sovereignty tend to produce three different responses: a defense of the status quo order of sovereign states, a call for a global state, or a call for some type of neo-mediaeval global society. All three of these responses to sovereignty reproduce the logic of sovereignty in various ways. The first response asserts that the sovereign-state is the only viable political order for the foreseeable future. The second response reproduces the logic of state sovereignty at the global level. The third alternative implicitly relies upon a regulative norm – such as God in the Middle Ages or democracy in the contemporary era – to act as a *de facto* sovereign.

In order to understand the persistence of sovereignty in contemporary political science, Chapter 2 explores how Hobbes and Spinoza articulated their influential theories of sovereignty in response to the skeptical arguments about the external world that were prevalent in European philosophy in the late sixteenth and early seventeenth centuries. In the late sixteenth century, philosophers such as Michel de Montaigne and Justus Lipsius had revived the classical arguments of skeptics such as Carneades and Pyrrho. Hobbes and Spinoza were part of a generation of scholars who saw the refutation of skepticism as one of their principal tasks. Of critical importance was the "external world problem," a philosophical argument that found prominence in the seventeenth century. The external world problem is a skeptical argument that begins with the observation that our senses can often deceive us about the nature of the world that we observe. From this observation the skeptic argues that because our sensory impressions can be unreliable, we can

have no certain knowledge about the world outside our own mind. Therefore all knowledge claims about this external world should be treated with suspicion. Specifically, Hobbes and Spinoza felt that epistemic skepticism threatened social stability, as individuals would not be able to agree over who and what counted as threats to the state's security. Such disputes could lead to political paralysis or discord, as different factions would disagree over what did or did not pose an existential threat to the state. Hobbes's materialist philosophy and Spinoza's rationalism were developed as philosophical systems that could – contra the skeptics – demonstrate the existence of the external world. Yet both philosophers felt that philosophical arguments alone were not enough to refute the social and political dangers that might arise from this variety of skepticism. As such, both thinkers endowed the sovereign with the capacity to resolve epistemic disputes by being the final arbiters of any possible disputes that might arise over epistemological questions in the public sphere. In short, one of the chief functions of the sovereign is to provide a political means to resolve irresolvable epistemological debates.

Like Chapter 2, Chapter 3 demonstrates how sovereignty offers a political solution to a philosophical problem – in this case the problem of moral relativism. It considers how a second variety of skepticism – skepticism about moral truth claims – was also a central concern in both Hobbes's and Spinoza's respective theories of sovereignty. Skeptical ethical arguments consider variation in customs across cultures as proof of the impossibility of securing rational foundations with which to ground ethical truth claims. Skeptics made many arguments along these lines in the late sixteenth and early seventeenth century in Europe. Both Hobbes and Spinoza felt that one of the chief causes of the political upheavals that they lived through was the inability of people to achieve consensus on morally contentious issues. Hobbes and Spinoza incorporated these arguments into their political writings. Both authors argued that notions of good and evil were meaningless in the state of nature, and that one of the ultimate functions of the sovereign is to determine what is right and wrong through its law-making capacity. Therefore, one of the key functions of sovereignty is to provide a political resolution to the skeptical moral arguments.

Chapter 4 concludes the analysis of the early modern connection between sovereignty and skepticism. It argues that Hobbes and Spinoza also developed their concept of sovereignty to rebut skeptical

arguments about religious claims. In many ways, these arguments were of the greatest political concern for both Hobbes and Spinoza. Both had lived through religious upheaval in their societies, and both were concerned about the dangerous effects of religious enthusiasm on their communities. Skeptical arguments challenged religious authorities and thus the basis of political legitimacy and order. Reform-minded theologians made skeptical arguments to challenge traditional interpretations of God – a dangerous argument in the mid seventeenth century. Religious critics of Hobbes and Spinoza accused the philosophers of being atheists, because they deployed skeptical arguments with respect to religious claims. This chapter considers both the prevalence of skeptical arguments in theological debates in the seventeenth century and the ways in which skepticism influenced Hobbes's and Spinoza's critiques of religion. I analyze how these skeptical critiques of religion produce a set of social and political problems – particularly debates over what is a true religion and what counts as an acceptable religion – that can only be resolved by the sovereign. The chapter concludes by revisiting Leo Strauss's interpretations of Hobbes and Spinoza on religion and politics. Strauss insisted that the theologico-political problem was *the* problem of modern political philosophy. I will argue that at least in the case of Spinoza and Hobbes, they take up the theologico-political problem as a result of their concern over skepticism. As such they use the power of the sovereign to resolve this problem in a way that modern political philosophy – with its commitments to separation of the religious and the secular and respect for religious diversity – cannot.

Having explained how skeptical arguments are constitutive of sovereignty in the first half of the book, the second half of the book develops a critique of these skeptical arguments that will enable political philosophers to think about political order without sovereignty. The crux of my argument is that Hobbes's and Spinoza's highly influential response to the skeptics did not successfully refute skepticism. Instead, they designed social and political institutions – the most notable of which was the sovereign – that responded politically to this set of philosophical arguments. This picture of state sovereignty continues to hold scholars in general (and political theorists in particular) captive because they do not address the persistent forms of skepticism that produce the urge for a sovereign – even in their own arguments. These responses lack a language and way of thinking that can respond to skeptical arguments about knowledge, ethics, and religion. While I am not, however, claiming

that sovereignty is *only* a response to skepticism, I am arguing that inattention to the connection between sovereignty and skepticism has led many critics of sovereignty to misunderstand the object of their critique. Before these scholars can envision a political alternative to sovereignty, they need to provide a response to skepticism that does not rely upon a sovereign functioning as the ultimate arbiter in skeptical disputes.

This chapter turns to a different way of answering skeptical arguments that was developed in the middle of the twentieth century by philosophers of ordinary language such as Ludwig Wittgenstein, J. L. Austin, and Stanley Cavell. Their work responded to the skeptical arguments that then dominated modern philosophy by arguing that the force of skepticism resulted from the tendency of philosophers to abstract their concepts from their ordinary and everyday uses. Skeptical arguments often imagine situations that might arise in order to illustrate the uncertainty about a given truth claim. The ordinary language philosophers responded to skeptical arguments by assembling examples of everyday conversations where skeptical problems might arise. In these ordinary conversations people have recourse to a set of background assumptions that make a specific truth claim intelligible. For instance, a skeptic might argue that because our senses deceive us, we cannot use our senses to prove the existence of the world. The ordinary language philosophers reply that skeptical arguments such as these abstract a problem that might arise in a particular case – such as a mirage or an optical illusion – and then generalize the problem. However, if one considers actual cases where concerns about sensory perception might arise, then what is at stake in these situations is not whether or not the world exists, but our ability to trust our senses in a particular instance. Furthermore, we often have recourse to other resources – such as changing our perspective or touching the object in question – in order to overcome our doubt. In addition, ordinary language philosophers argue that linguistic criteria – the standards that we use for judging the appropriateness of using a specific word within a given context as determined by the community of competent users of a language – provides a second response to skepticism. When a skeptic raises a doubt about a particular knowledge claim, the ordinary language philosopher will look for the criteria that we use to determine the validity of that knowledge claim in order to show how such a truth claim is possible. This chapter uses these two insights – that skepticism results

from abstracting statements from their everyday linguistic contexts and linguistic criteria can respond to skeptical challenges – to develop a response to skepticism that does not require sovereignty. In particular, the chapter will focus on the role that criteria play in providing certainty. The linguistic community generates criteria through its linguistic practices. Criteria serve as a background that makes all intelligible human speech and action possible. Skepticism arises when one either forgets or ignores these criteria. Thus a recovery of these criteria – as opposed to an imposition of truth through sovereign fiat – provides a non-hierarchical, non-sovereign means for responding to the political challenges of skepticism.

In the early modern view that this book critiques, skepticism is a political problem because it renders all political judgments uncertain. Since the sovereign acts as the final arbiter in domestic disputes over judgment, sovereignty resolves this problem by substituting the finality of sovereign authority for the certainty that comes from confidence and consensus in judgments. While the types of skepticism that Hobbes and Spinoza confronted in the seventeenth century are different from the types of skepticism that inform contemporary politics, what these different skepticisms share is a concern over who is to justify the criteria with which one makes political judgments. Chapter 6 draws on Stanley Cavell's re-reading of the social contract in *The Claim of Reason* for a different way of seeing the world. What Cavell's understanding of language and knowledge (along with the insights of Austin and Wittgenstein) offers is a way of seeing the world that helps us avoid skepticism and the dangers inherent in it – particularly sovereignty. Politically it means that sovereignty is simply not necessary. Cavell, Austin, and Wittgenstein argue that if the ultimate authority is the community of language speakers, then sovereignty (understood as the final political authority within a polity) is an attempt to usurp this community's authority. The virtue of rethinking politics in line with the ordinary language philosophers is that it reorients the individual's relationship to the community. In the popular sovereignty tradition the two responses to an individual being at odds with the majority are submission to the will of the majority and the creation of rights. This chapter develops an ordinary language view of community that allows those in the minority to challenge the linguistic criteria and reintegrate themselves into the community without necessarily winning majority support or invoking rights claims.