

**The “Dual Identity” of the Sovereign State and the Problem of  
Foundation in Global Politics**

**by  
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## **Abstract**

Recently, many authors from various theoretical backgrounds have written books or articles trying to clarify what the role of the sovereign state is within the wider political context of “global politics.” This thesis seeks to critically engage with the way in which this debate has been framed by the vast majority of these authors. Indeed, while most authors frame this debate as an essentially empirical disagreement concerning the objective composition of global politics, we will be arguing that it is really a debate that concerns the problem of political foundation and the possibly changing nature of the dominant ways of answering this problem in contemporary “global politics.” From this perspective, the vast majority of those involved in this debate simply pass over - as somehow analytically uninteresting - most of the questions that would really need to be explained and understood. This thesis seeks to address this crucial oversight.

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## Preface

**Problematic:** The ongoing academic debate surrounding the possible changing nature of contemporary global politics can be read as a continuation of the third or ‘interparadigm’ debate of the 1970s and 1980s which, taking place within or around the discipline of International Relations (IR), was concerned with the ontological makeup of the international system and opposed primarily neo-realist and neo-liberal institutionalists which, though both state-centric, had differing views about the role of social or economic forces in international relations and the importance of international “regimes” on state behaviour. Starting in the 1990s, however, some who were unsatisfied with the state-centric bias of international relations began to speak in terms of *global governance* to highlight the multipolar configuration of power in global politics - following the end of the Cold War - prediction of the “end of history” and the advent of neoliberal globalization and insisted that a purely state-centric analytical framework for understanding and explaining the events traditionally subsumed under the study of international relations (war and peace, for example) was now utterly insufficient. While many of these authors did make epistemological critiques of the traditional positivist theories of IR, the change of lexicon reflected a fundamentally ontological disagreement with the basic state-centric makeup of the discipline itself. In other words, the central problem concerned a disagreement over what things existed in the international realm and, thus, what the discipline of IR should really be studying.

The idea being that while sovereign states were perhaps still important (and this was often not thought to be the case), they were far from being the only important ‘actors’ of global politics or even the most important site of political authority. The broad lines of this perspective have been succinctly presented by Anthony Burke (2005) who recalls that the “familiar story” of globalizers goes something like this:

the withering away of the state under globalisation, or if not so much the state, the withering away of a certain idea and formation of sovereignty. A sovereignty that no longer possesses the fullness and power of its Westphalian ideal: a bounded territorial realm in which national authority is absolute, and that provides a representative and political principle through which states and their people can manage and control the forces that affect their lives. With the increasing globalisation of capital and trade, the growth of supranational regimes of economic governance such as the WTO, the interventionist zeal of the World Bank and the IMF, and the might and influence of the transnational corporation, sovereignty appears to be a thing of the past - the nostalgic ghost of a world transformed. (p. 120)

More recently, under the influence of Foucauldian insights into the nature of power, there has been speculation as to the possibility of seeing the emergence of a ‘borderless world.’ while some have begun to speak of an emerging “global ‘biopolitical’ order.” In both cases states would be but simple managers in the service of either the all-powerful ‘electronic herd’ or decentralized and

deterritorialized global biopolitical logic of rule that some have called *Empire*. Within the context of this very wide-ranging debate (which we will henceforth call the international relations/global governance debate, or ir/gg), much attention has been given to the problem of identifying the central ontological components of politics on a global scale (usually either states, NGOs, transnational corporations, the electronic herd of global financial flows, international institutions, ethnic or class based organizations).

However, while both the apparent centrality of the sovereign state in politics on a global scale and the idea of the sovereign state as a territorially unified actor have been quite rightly problematized<sup>1</sup>, much less attention has been given to the possible significance for this debate of the ontologically ambiguous status of the sovereign state as such. For all its apparent centrality, past or present, there is relatively little consensus as to what the state is or if it even exists at all (even, perhaps surprisingly, among many state-centric scholars<sup>2</sup>). While for some this is all the more reason to discard the concept of the state altogether, this has proven to be a lot easier said than done. For all its well documented flaws, the concept of the sovereign state seems irritatingly resistant to being cast out into the dustbin of history as irrelevant for the understanding of contemporary global politics. The question we will be asking then is why is the concept of the sovereign state so hard to clearly define while at the same time being central to any account of contemporary global political life and what, if anything, does this mean for those who are interested in the apparent transformations in the nature and exercise of contemporary world politics?

**Research question:** More to the point, the question that will guide our study of the IR/GG debate is: what is it about the figure of the sovereign state that makes it seemingly so central and irreplaceable for the analysis of modern politics while at the same time having such a contested and fundamentally ambiguous ontological status? Furthermore, what, if anything, can be gained from a renewed attention to the ambiguous ontological status of the state for those interested in the IR/GG debate? The central question of this thesis could then be understood as: what is the significance of the central and ambiguous figure of the sovereign state within the discourses *on* and *of* politics for those interested in the IR/GG debate?

**Central argument:** This line of questioning will lead us to argue that there is something more at stake in the debate over the fate of the state in global politics than a simple ontological debate as to whom the main ‘actors, units, assemblages or agents’ of global politics are, and that this ‘more’ is

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<sup>1</sup> Often by the recent wave of Foucauldian inspired literature which we will be discussing below. See for example Hardt and Negri 2000; Agnew 2009; Reid 2009; Shimizu 2009.

<sup>2</sup> For a critical overview of this topic, see Gunnell 2010.

intimately related to the centrality-ambiguity of the concept of the sovereign state. In fact, we will argue that the concept of the sovereign state is not simply a neutral analytical tool that is to be judged purely in terms of its usefulness in explaining and predicting political events on a global scale. Nor is it simply another actor within the apparently 'neutral' realm of global politics.

The figure of the sovereign state, it will be argued, is both "the transcendental condition" of possibility (Bartelson 2001) for modern politics as such at the same time as fundamentally a kind of 'product' or "structural effect" (Mitchell...) of a very specific way of organizing political life. On the one hand, sovereignty as a "parergon" frames reality, and on the other hand, the state is also the "ghost like effect" or impression that we get that there is an entity of some kind, a pure transcendental presence behind the appearances of politics that it supposedly determines. Hence, there is much more to the figure of the sovereign state than simply an object of study of some kind, whether it is understood as an actor, an agent, a unit, an assemblage, or even "a ghost in the machine" of politics.

As such, whether one is arguing that the sovereign state is the lone source of all political authority and the central actors in world politics; one site among others in the global networks of "effective sovereignty"; an "analytical fiction" useful for social inquiry; or merely a "ghost in the machine" which should be abandoned in the name of science; the central/ambiguous dual identity of the sovereign state is simply not being addressed seriously. Thus, we will demonstrate that the state is better understood as the "structural effect" of a very particular way of establishing the foundations of political order. It is the impression we get that seems to indicate the 'existence' of a transcendental presence behind the appearances (events, things, peoples) of a political life that is grounded, at least partially, by the domestic/international boundary. Hence, questions about the ontological status of the sovereign state are really questions about the status of the modern solution to the problem political foundation.

What all of this means is that the ir/gg debate does not really concern the status or relative importance of the sovereign state within the overall ontological composition of global politics. Rather, the central issue that emerges from a careful consideration of the central/ambiguous dual identity of the sovereign state is that a reflection on the fate of the state in global politics concerns the possibly changing Western (or global?) solution to the problem of political foundation. Hence, the debate around the fate sovereign state in "global politics" is not primarily ontological, but rather onto-political, concerning the political determination of the content of politics. Therefore, we will argue that if scholars want to understand the contemporary changes in 'global politics', they must start not by asking what entities make up the ontology of global politics but, rather, by asking much different questions about the possibly changing ground or foundation for the 'content' of politics as such. This

is the first part of our two part answer to the research question: closer attention to the dual identity of the figure of the sovereign state illustrates that the ir/gg debate is really a debate about the status of the dominant answer to the problem of political foundation on a global scale.

Perhaps the easiest way to clarify exactly what this means is to use the example of ‘war.’ Indeed, while you can talk about war being a belligerent relationship between “states” all you want but, at the end of the day, the actual fighting, dying, and suffering associated with warfare it is still left up to human individuals who live, plan, and judge their activities according to their understanding of the specific political context within which they are situated. More broadly, this means that by treating the organized activities of a plurality of individuals in a specific intersubjective context - one that has been partially built or founded by the establishment of a variety of boundaries - as simply the activities of a transcendental state acting in the pursuit of its own interests (no matter how this last concept is defined or calculated), most of what would need to be explained and understood is simply occluded from the research agenda. This is the major problem with the vast majority of the literature we have regrouped under the rubric of the ir/gg debate.

The second part of our answer could perhaps be read as a pre-emptive discussion of the problem associated with the study of the problem of political foundation. More to the point, it is about trying to demonstrate how we might go about framing the discussion of the figure of the state in global politics in such a way as to include a serious discussion about the problem of political foundation. This exercise is necessary because, as, as we will demonstrate, the problem of political foundation is inherently, and notoriously, difficult to theorize. Indeed, since it is involved in determining the ground that political knowledge, it could not very well appear as an ordinary and fully intelligible object for this same knowledge. As such, one might argue that our thesis is just pointing out something that cannot be verified nor in any included into a conventional research program. What is the point of saying that the ir/gg debate is really a debate about the status of political foundation, one might ask, if we cannot hope to include a discussion of it (of political foundation) in a concrete analysis of the everyday events, activities, and things that make up global politics? The second part of our central argument is concerned with this issue. While there are undoubtedly other ways to go about studying the problem of political foundation, one path that appears particularly interesting for this author comes out of a critical engagement with Jean-François Thibault’s (2009) work on the “constitutive aporia” of modern political life and Judith Butler’s (2006) work on “petty sovereignty.”

Stated simply, Thibault’s work is interesting for the topic of this thesis because it demonstrates that the process by which the ground of modern political life is established does leave behind some

analytically salient “traces,” in the form of the “aporia” that constitutes the boundary between the opposing and antinomically constitutive discursive realms of the domestic and the international. If we cannot study the problem of political foundation directly, then we can at least take seriously the “traces” of political foundation that confronts us in everyday life. Indeed, we will argue that it is by studying the “traces” of the processes of political foundation that we can best acquire some valuable insights into the possibly changing nature of contemporary global politics since such a change would result from a change in the dominant way of resolving the problem of political foundation on a global scale.

It is to highlight what such an understanding of the domestic/international boundary (as an “aporia”) might mean for those engaged in the ir/gg debate that we have seen fit to discuss Butler’s insights into the practices of “petty sovereignty” in Guantanamo Bay, Cuba. More to the point, Butler’s work is interesting because it demonstrates that the prerogative to authoritatively fix people into specific narrative realms - “enemy combatant” and not “prisoner of war” – and thus to decide on the “exception,” is no longer reserved, if it ever was, to the more traditional figures of the king, queen, emperor, or president; it now includes bureaucrats situated at the margins of political order.

In any case, when it is combined with the first part of our argument concerning the relationship between the dual identity of the sovereign state and the problem of political foundation, this engagement with Thibault and Butler leads us to argue that sovereign foundational violence is always already carried into the world by the narratives that we use to talk about the events, things, and people that make up global political life. Seen from this perspective, we will argue that the state is best understood as a “structural effect” of the political order that is created *by* and *through* the use of political narratives that are grounded on the “structure de renvois généralisée” between the domestic and the international. Furthermore, as our discussion of Thibault’s work will demonstrate, the foundational violence which sets up the “structure de renvois généralisée” that serves to ground modern political narratives, while almost invisible to the casual observer and much of the ir/gg debate, does leave behind some “traces,” in the form of the “aporias” that form the “boundaries, borders, and limits” of contemporary global political life.

Hence, if the goal is to understand what is happening to the figure of the state in contemporary global politics, it is imperative that we pay closer attention to the barely visible “traces” (as “aporias”) of the foundational violence that continues to ground our political narratives. This is because a change in the spatio-temporal coordinates of these “aporias” would signify a transformation in the “thingness” of political things, events and peoples. As such, it would necessarily affect our impression of the “structural effect(s)” of global political life. In this sense, our

thesis represents an effort to illustrate how and why these “traces” are crucial to the ir/gg debate and how they might be studied by those who seek to understand the apparent transformations in our impressions of the figure of the state.

Another way to frame this argument would be to note that the political places and locations that humans inhabit - and which furnish their activities with a coherent and meaningful context - are themselves always in need of construction and that this construction is fundamentally violent, if not always in the physical sense of the word, and very often covered in blood. However, as Marc Neocleous (2003) has noted, “this blood never appears on the page” (p. 422) of political geography’s world of bounded and homogenous territorial spaces. The same goes for the ir/gg debate. In this sense, the thesis can be read as an effort to make the ‘blood’ that results from the “~~original~~” foundational violence of modern political life appear on the “page” of the ir/gg debate as something that needs to be discussed seriously if we are to think and talk responsibly about the fate of the figure of the state in contemporary global political life.

## Introduction: What to do about the State?

*- Writers are really people who write books not because they are poor, but because they are dissatisfied with the books which they could buy but do not like. – (Walter Benjamin, 1931, p. 60.)*

*- A critique is not a matter of saying that things are not right. It is a matter of pointing out on what kinds of assumptions, what kinds of unfamiliar, unchallenged, unconsidered modes of thought the practices that we accept rest.... Practicing criticism is a matter of making facile gestures difficult. – (Michel Foucault 1988; qtd in Campbell, p. 215.)*

In some ways, this thesis could be read as an expression of our dissatisfaction with the great majority of the recent books that have contributed to the ever-growing literature that concerns the relative importance of the sovereign state in the overall ontological composition of ‘global politics.’ Even if we are writing a thesis and not a book, the idea is the same. In any case, while the breadth of the argument has grown substantially since the initial stages of research, much of it still derives from our initial dissatisfaction with the state-centric accounts of contemporary global political events and in particular of the phenomenon ‘globalization.’ Our dissatisfaction was caused, not by the empirical errors on the part of scholars as to the relative importance of the figure of the sovereign state within “global politics,” but rather by the often implicit ontological status accorded to the sovereign state in almost all of the contributions to this ever growing body of literature. While this implicit ontological status was more evident in the explicitly state-centric accounts of ‘global politics that are framed in terms of “international relations,” it was also present, as we would soon find out, in much of the competing literature that sought to depict politics on a global scale not primarily in terms of relations between sovereign states but in terms of either transnational economic forces or wider processes of something called “globalization.”

What initially caught our attention is the incommensurability of the taken for granted definition of the state within IR literature and the epistemological starting point of this same literature. How could an essentially epistemic realist discipline (based on a representational meta-theory) still talk about the state as if it were something that really existed since it could never be observed as a totality? How was it that these seemingly reasonable and serious scholars could not understand that there was an insurmountable incommensurability between their explicit meta-theoretical position (representational philosophy in general) and their central object of study, the sovereign state?

While ad-hoc modifications of their (scholars of the ir/gg debate) overall epistemological position - like the espousal of a purely instrumental understanding of analytical concepts that would postulate that it does not matter if the state really existed if it enabled us to explain reality, or that of

scientific realism, which accepts the existence of things that are not perceptible - have been sought to preserve the state as an analytical tool, none of these has been very convincing.

In any case, while not coming at this from a positivist or epistemic realist point of view, our initial reaction was to reject the validity of the concept of the sovereign state completely. If the state appear to be a kind of metaphysical presumed presence behind the appearances of political life, would it not be better to just stop using it as an analytical concept. However, as we would soon realize, getting rid of the figure of the sovereign state was easier said than done. For all its well documented flaws, the concept of the sovereign state appears to be somehow irreplaceable. Indeed, as Jens Bartelson (2001) has shown

[e]ven if the state had been broken down into its component parts of group interests and government, it was increasingly difficult to explain the relatively harmonious interaction of these groups without reference to some principle of order or source of authority capable of moderating what would otherwise have been irreconcilable differences in the social body. (p. 103)

While we will be developing this more in chapters two and three, for now we would say that there is simply more to the sovereign state than a more or less useful analytical tool which can simply be rejected in favour of an analytics of power understood as a decentralized and diffused exercise of ‘effective sovereignty’. On the one hand, the figure of the sovereign state plays a fundamental role as the ‘transcendental condition of possibility’ (Bartelson, 2001, p. 5) for discourses *on* and *of* politics. On the other hand, the sovereign state can also be read as an ambiguous object or “structural effect” of modern political life, as Timothy Mitchell (1991) has noted.

It is this central and ambiguous nature of the sovereign state, what Bartelson calls its “dual identity,” that is of interest in this thesis. Indeed, we will demonstrate that Bartelson’s insights into the “dual identity” of the figure of the sovereign state are also informative for those who seek to study some of the apparent transformations in contemporary global politics. More specifically, the objective of this thesis is to critically engage in a dialogue with some of the various accounts of the ontological composition of contemporary ‘global politics’ by looking at the ambiguous/central “dual identity” figure of the sovereign state as something that is theoretically significant in of itself, and not merely as an empirical problem destined to be solved by continuous and progressive empirical research

This is because closer attention to the dual identity of the sovereign state reveals that its fate is essentially determined by the dominant way of resolving the problem of political foundation on a global scale. The creation of bounded homogeneous spaces defined by the presence of “sovereignty-as-rulership,” a situation often described as the international system of sovereign states, is one way of provisionally resolving the problem of political foundation. Therefore, the fate of the state in

contemporary global politics will be determined by whether or not the dominant way of resolving the problem of political foundation changes or not.

Stated simply, the central/ambiguous dual identity of the sovereign state matters for the ir/gg debate because it highlights the degree to which it is in reality a debate about the foundation of modern political order on an increasingly ‘global’ scale. Rather than seeing this debate as essentially about the empirical verifiable role of the state in modern “global politics,” this thesis shows that what is really at stake in this debate around the relative importance of the state in global politics is the status of the process of political foundation. Whether or not this foundation is currently being radically transformed, slightly altered or remaining essentially unchanged, is outside the scope of this thesis. Our aim is much more modest; it is basically an attempt to point out what is really at stake in the ir/gg debate and how we might go about formulating research questions and programs that do not occlude the problem of political foundation.

Hence, the dialogue we will be fomenting within this thesis essentially concerns the relationship between the ambiguous and central dual identity of the sovereign state on the one hand, and the theoretical investigation of the problem of political foundation on the other. The underlying goal was to clarify how it might be possible to talk about the state in contemporary global politics without at the same time turning a blind eye to the problem of political foundation. This is why the research questions<sup>3</sup> were framed in such a way as to allow for an investigation into the nature of the ambiguous/central dual identity of the state and its significance for those wishing to study contemporary transformations in global politics. In this sense, the development we propose below should be read as a theorization rather than a theory *per se*; that is to say, as an examination of the relationship between the ambiguous/central dual identity of the sovereign state and the problem of political foundation, and not as a claim to have discovered the best description of the ontology of politics on a global scale.

While at times the dialogue could seem to be excessively broad, we believe that this exercise is needed to clarify the meta-theoretical relationship between the fundamentally ambiguous figure of the sovereign state and recent insights into the continuing salience of the problem of political foundation in contemporary global politics. By positing the state as an ontologically given part of reality, much of the recent ir/gg literature ends up asking questions that occlude many of the important problems of modern political life. In this sense, this thesis seeks to open up ways of accounting for the state that do not at the same time occlude all considerations of the problem of

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<sup>3</sup>If we recall that central research question was: “what is the significance of the central and ambiguous position of the sovereign state within the discourses on and of politics for those interested in the ir/gg debate?”

political foundation. Therefore, while this enterprise is not meant to be conclusive or exhaustive, we believe that it does touch on some of the central philosophical problems of contemporary International Relations theory in general and of the ir/gg debate in particular. Indeed, from this perspective, a research program that occludes a consideration of the problem of political foundation, neglects to discuss most of what would really need to be understood and explained about the nature of “global politics.” In this sense, this thesis could be read as a sustained attempt to figure out a way to formulate research questions about the nature of contemporary global politics that do not ignore the problem of political foundation.

At this point it would also be important to note that while much of our discussion will center on the academic discourses on international relations (henceforth IR), we would not consider this thesis to be a contribution *to* these discourses as such. Rather, following Campbell and Dillon (1993), we will be approaching the discourses of

international relations as a feature and a function of modern political thought, (which) is also a feature and a function of the crisis of that thought. Here international relations as a discipline is regarded as an element of a much more extensive and involved issue. It then becomes a part of that which has to be re-explored rather than itself providing an acceptable account of both the limits and the dynamics of its claimed subject domain. The object is then not to add to international relations, but to re-disclose some of the framework within which the discipline itself along with the issues it has tried to make its own, may be re-addressed as part of a much wider historical and global problematic. It is a contribution, then, to a re-engagement *with* the conditions which enable the production and reproduction of international relations rather than an engagement *in* international relations. (p. 30)

Furthermore, while we do consider this thesis as an engagement *with* IR - in the sense that we do seek to engage critically with the “conditions which enable the production and reproduction of international relations” in our discussion of the sovereign state - it is also in many ways an engagement *for* IR because it argues against those who claim that the “world is flat” or in any way “borderless” and insists on the continuing importance of the domestic/international boundary as a fundamental “trace” of the foundational violence that necessarily precedes the establishment of political order.

With this in mind, this thesis will be divided into four chapters. Chapter 1 will contain an overview of the main competing approaches to the ir/gg debate, concentrating on the relationship between the figure of the sovereign state and the wider problematization of the object of “global politics” in each perspective. Chapter 2 will be devoted to a discussion of the definition of the sovereign state and some of the controversy surrounding the importance of this concept for modern discourses *on* and *of* politics. Here, as we have noted, it will be argued that since the state is both an object of study and the condition of possibly for politics, it cannot be treated only simply as one actor among many others competing for power in domestic politics.

In chapter 3, we will be discussing the equivocal concept of sovereignty, which has had many different definitions and been used to refer to a litany of different phenomenon. In this chapter, we will be making the case for analytically distinguishing between two distinct moments or components of sovereignty. 1: sovereignty-as-rulership: which refers to the presence of an organized hierarchical political rule which is present in domestic politics but which is absent in the international. 2: sovereign power: this refers to the Schmittean authority to decide on the exception to the normal political order.

Chapter 4 we will be devoted to an extended reflection on the political significance of the domestic/international boundary in relationship to the previous discussion of the ontological status of the state and the multiple meanings of the concept of sovereignty. Here, the argument will be that ‘borders’ are the residual “aporias” which separate the grounded political realm inside from its supplement (that which cannot be included into the presence of political order) outside in what we moderns have called the international and that, as such, they are unlikely to disappear until such a time as the ‘grounding’ or establishment of foundational through discrimination ceases altogether.

We will conclude with a discussion of how an examination of these liminal sites, i.e. political “borders, boundaries, and limits”- and most particularly the domestic/international boundary - can help shed light on some of the most pressing political problems of the contemporary period. While our own investigation could never hope to discuss all the relevant literature, nor would seek to impose some kind of ‘conclusion’ in order to end the debate or discussion, we do believe that the problem we are discussing thesis - the problem of political foundation and its relationship to the figure of the sovereign state - is crucial to any attempt to think seriously about the most important political questions of the age; be it the ‘War on Terror’, globalization, climate change, immigration, imperialism, or even *Empire*.

## Chapter 1: The (problematic?) problematization of “global politics”

*-The starting point of international relations is the existence of states, or independent political communities, each of which possesses a government and asserts sovereignty in relation to a particular portion of the earth's surface and a particular segment of the human population. On the one hand, states assert, in relation to the territory and population, what may be called internal sovereignty, which means supremacy over all other authorities within that territory and population. On the other hand, they assert what may be called external sovereignty, by which is meant not supremacy but independence of outside authorities. – (Hedley Bull, 1977, p. 8.)*

*-What we are witnessing is the cumulative effect of fundamental changes in the currents of economic activity around the globe. So powerful have these currents become that they have carved out entirely new channels for themselves- channels that owe nothing to the lines of demarcation on traditional political maps. Put simply, in terms of real flows of economic activity, nation state have already lost their role as meaningful units of participation in the global economy of today's borderless world.(...) The uncomfortable truth is that, in terms of the global economy, nation states have become little more than bit actors. – (Kenichi Ohmae,1996, p. 11- 12).*

*-Our basic hypothesis is that sovereignty has taken a new form, composed of a series of national and supranational organisms united a single global logic of rule. This new global form of sovereignty is what we call Empire. – (Michael Hardt and Antonio Negri, 2000, p. xii.)*

The above epigraphs are meant to illustrate that there has been, at least among some authors (obviously not everyone addressed this question directly or explicitly), an ongoing debate/disagreement concerning the ontological composition of politics conceived on a global scale. Some have preferred to speak of ‘International Relations’, some of ‘World Politics’, while others have chosen the term ‘Global Governance’ or ‘Empire.’ As the first epigraph shows, the discipline of IR begins with the state and, as we will show, tends to treat transnational economic forces as an expression of a project of sovereign states. With the second epigraph, we see that for many, such a reading of contemporary transnational economic flows misses the more general point that states are in many ways incapable of completely controlling what happens on its territory. Finally, with the third epigraph we can see another way of reading the contemporary situation in terms of the changing nature of ‘sovereignty,’ passing from a situation defined by the primacy of the nation-state to the new global *Empire*. These epigraphs represent the three central ways of understanding the basic ontological composition of “global politics” that have been put forth. As such, they aptly illustrate the contradictory ontological claims being made by the various perspectives which we will be discussing.

In many ways, this contemporary debate surrounding the ontological configuration of “global politics” can be read as a continuation of the so-called third or inter-paradigm debate of the 1970s and 1980s in, or centred on, the discipline of International Relations<sup>4</sup>. As Biersteker and Weber (1996: 6)

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<sup>4</sup>For general discussions of this debate, See, *inter alia*, Macleod and O’Meara 2007; Dunne, Kurki, and Smith 2007; Barnett. and Finnemore 1999. For a discussion of the conceptions of the state within this debate, see Hobson 2000: 2.

have observed, “(d)uring the early 1970s, a number of scholars began to challenge what they characterized as the state-centric bias prevailing in international relations theory and to stress the need to incorporate important non-state actors like multinational corporations and international organizations into the analysis of international phenomena.” In fact, according to John Hobson (2000), this debate, which he calls the “first state debate,”

emerged in its clearest form with the rise of interdependence theory in the 1970s – a debate that was a proxy for, or means through which non-realists (especially radical pluralists) and realists fought each other for supremacy. The first debate is concerned with the fundamental question as to whether ‘states’ predominate over ‘social forces’ and ‘non-state actors’. (p. 2)

This debate, he continues, “revolves around the degree of autonomy that states have from non-state actors and social processes” and opposes, on the one hand, “neorealists, who argue that the state, imbued with high autonomy, is the central actor in international politics” and, on the other hand, “liberals and radical pluralists, who insist that state autonomy is declining as states are being increasingly outflanked by economic processes (interdependence) and non-state actors (especially, though not exclusively, multinational corporations).” (Hobson, p.2) The latter (liberals and radicals), Hobson (2000) observes, “argue against the neorealist assumption that the state is a rational, coherent and autonomous actor that is primarily interested in the ‘high politics’ of security” and propose, in contrast,

that international interdependence is leading to the breakdown of the state into incoherent entities, and that states are increasingly prioritising the ‘low politics’ of economics, distribution and welfare and ecological issues over military security.(p. 2).

While in the ‘beginning’ (at least within IR) the central protagonists remained state-centric partisans of IR – in the sense that people mostly started talking about “international regimes” and their relative importance vis-à-vis the interests of sovereign states while others talked of “hegemony” in the neorealist sense of the word – eventually, many authors (often economists) began seriously questioning the validity of defining the global political economy in terms of the interests and control of sovereign states within a system of sovereign states<sup>5</sup>. This is perhaps unsurprising given the difficulty or reluctance of traditional economic theory to analytically deal with the problem of power.<sup>6</sup> In the words of one observer, the concern with ‘global governance,’ (as opposed to international relations)

can be traced to a growing dissatisfaction among students of international relations with the realist and liberal-institutionalist theories that dominated the study of international organization in the 1970s and 1980s. In particular, these failed to capture adequately the vast increase, in both numbers and influence, of non-state actors and the implications of technology in an age of globalization (Weiss, qtd in Dingwerth & Pattberg, p. 191).

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<sup>5</sup> For a general discussion of the economist critique of state centric global political economic analysis, see Trouillot 2001.

<sup>6</sup> This is discussed by Susan Strange, 1996, 20

In general, as Biersteker and Weber (1996) have noted, these critiques of IR

suggested that the state was not the only significant actor in the international arena (or the most appropriate level for analysis of important issues); that states coexisted with transnational actors in situations of complex interdependence; and that state sovereignty was eroded by transnational phenomena. (p. 6)

Indeed, in referring to the global assemblage of the socio-economic-political order; some have begun to speak of a 'borderless world' (Ohmea 1996) or of a 'flat world' ruled by a new actor called the 'electronic herd' of capital investors (Freidman 2000), while some others have preferred the term 'World Politics' to underscore the decentralization of power away from states and concentrating on the various control mechanism of 'global governance'(Rosenau 1996); others still have preferred to use the concept of the 'World Capitalist System' (Wallerstein 1999), of global "Hegemony", as with neo-Gramscian IR(Cox 1981,1985; Gill, 1991) which draws attention to the importance of the structure of the global capitalist economy, while some have opted for the term 'neo-imperialism' to highlight the unilateral imperial ambitions of the United States. Others still have opted for the term *Empire* (Hardt and Negri 2000) as an expression of the decentered and delocalizing global system of biopolitical rule (see also Reid 2009; and Butler 2004 for two alternative accounts of the global assemblage of biopower) . Finally, many have opted to retain the now polemical appellation of the 'international system of sovereign states' and in so doing insist on the continued centrality of sovereign states in contemporary politics (this includes most traditional IR approaches, see for example: Waltz 1999; Krasner 1999, 2009; Hirst and Thompson 1999 and for an overview see Smith 2001; and Held et al. 1999, Walker 2010, Bartleson 2001). In this sense, these debates have in large part consisted of disagreements about the nature and composition of politics on a global scale (henceforth "global politics)."

Within this larger debate, as we have tried to show with the epigraphs to this chapter, the relative importance of sovereign states as sites of authority and power and/or actors in the contemporary global politics has been at the center of the disagreement. Indeed, one of the, if not *the*, most important source of disagreement among the different approaches has centred around the relative importance of the sovereign state in the exercise of power or control over the socio-economic processes occurring on its territories. Some have called this 'effective sovereignty' to differentiate themselves from the traditional juridical theory of sovereignty but, for most, it implicitly refers to the capacity of governments to control what goes on within their territories.

In this sense, questions concerning the nature of the socio-economic processes we associate with the phenomenon of 'globalization' were, and still are, concerned with the relative importance of the state apparatus in relation to the socio-economic forces of politics. Typical questions would thus

be something along the lines formulated by Linda Weiss (2003): “(w)hat do the pressures of global capitalism imply for the state’s ability to govern the domestic economy? How does increasing economic openness affect the institutional capacities and policies of the world’s governing authorities?” (p. 293) While the questions could be asked differently, what most (if not all) of the literature which concerns the contemporary nature or configuration of global politics seeks to clarify is the relative importance of the sovereign state (conceived as an entity-actor) in relation to non-state actors, transnational economic flows, the global financial market and, more recently, the global biopolitical apparatus of governmentality (which can take various forms according to the individual author). It is in order to reflect this characterization of the central point of contestation that we will be referring to this debate as the international relations/global governance debate (ir/gg).

This being said, in order to clearly set up the broad backdrop against which our critique/problematization is directed, we will be following, and slightly modifying, Held *et al* (1999)’ division of the relevant literature into three broad ‘perspectives’; the economic “hyperglobalizers”, the state-centric “sceptics” and (3) the “transformationalists.” (p. 211-4) The above epigraphs provide examples of the broad strokes of each category. A brief presentation of these approaches and their partisans will allow us to more precisely define the ‘object’ that we are trying to problematize by pointing to the occlusion of the question of foundation that accompanies the traditionally competing definitions of global politics in terms of the relative “power” or “authority” of the sovereign state.

In any case, for us, the concerns that make up the contemporary ir/gg debate have their roots in the 1970s and 1980s, from authors in and around the relatively young discipline of IR. Indeed, during this period, many scholars of international politics grew disenchanted with the dominant, and (purely) state-centric, understanding of the ontological composition of international relations that had so far underwritten the discipline of IR as such. As Ole Weaver (1996) has noted, starting

in the late 1960s and throughout the 1970s, there was increasing criticism of the dominant realist paradigm, not primarily its methodology, but its image of the world, its alleged state-centrism, preoccupation with power and its blindness to various kinds of processes domestically, transnationally and beyond the political-military sphere. (p. 150)

For these scholars, many of whom were economists, increasingly transnational socio-economic flows had largely escaped the ability of the states to control them and were in some cases even replacing particular states as the key site of command and control in many central areas of human affairs. For many, this meant that the state was somehow losing part of its sovereignty under the pressures of transnational economic forces. The debate around the political significance of globalization for political life which used a lot of ink in the 1990s and early 2000s is, in many ways, an extension of this kind of thinking, i.e. neoliberal pluralist theorizing of politics.

The traditional reading of globalization within IR has been succinctly presented by Ian Clack (1999). He observes that,

(a)ccording to the conventional wisdom, it is sovereignty that is most at risk from globalization: the diminution of sovereignty – generically, the quantum of state capacity – indicates the intensification of globalization since the one, of necessity, is inversely proportional to the other. What globalization principally signifies for International Relations is the reduced ability of the state to monitor and control a wide range of global flows and activities that impinges upon its territory, while not falling within its jurisdiction, or competence to exercise its jurisdiction (p. 70)

Indeed, as Steve Smith has noted “(h)yperglobalizers argue that economic globalization is bringing about a ‘denationalization’ of economies through the establishment of transnational networks of production, trade and finance. In this ‘borderless’ economy, national governments are relegated to little more than transmission belts for global capital or, ultimately, simple intermediate institutions sandwiched between increasingly powerful local, regional and global mechanisms of governance” (Held *et al.*, 1999, p. 3; qtd. in Smith, 2001, p. 212).

Such an understanding of globalization had been gaining strength since the end of the Cold War and the apparently progressive inclusion of much of the globe in the capitalist global economy. Kenichi Ohmae’s (1996) quote in the second epigraph is an example of this understanding of the state/globalization debate. For him, the state is simply no longer very important in the “real flows of economic activity” and is progressively being reduced to practical importance in the realm of economic control and coordination. This represents the apparent decline or progressive disappearance of state sovereignty as the effective exercise of control within its territory.

In a very similar fashion, Susan Strange (1996) has argued, in *The Retreat of the State*, that due essentially to globalisation the “... impersonal forces of world markets, integrated over the post war period more by private enterprise in finance, industry and trade than by the cooperative decision of governments, are now more powerful than the states to whom ultimate political authority over society and economy is supposed to belong.” (p. 4) She explains that (1996) the ‘retreat of the state’ refers

not to the quantity of authority exercised by the governments of most territorial states, but to the quality of that authority. It rests on the failure of most governments to discharge those very basic functions for which the state as an institution was created – the maintenance of civil law and order, the defence of territory from the depredation of foreign invaders.... (p. xii)

Continuing in this direction, Strange observes that

where states were once the masters of markets, now it is the markets which, on many crucial issues, are the masters over the governments of state. And the declining authority of states is reflected in a growing diffusion of authority to other institutions and associations, and to local and regional bodies. (p. 4)

It should be noted that Strange did subsequently nuance her views substantially and started arguing that the sovereign state is disappearing completely, but rather, that the contemporary era is witnessing a "... metamorphosis brought on by structural change in world society and economy..." and that in the wake of this transformation, the state "...is becoming just one source of authority among several, with limited power or resources." (Strange, 2000) While this latter view would qualify as "transformationalist", her earlier work is a perfect example of a 'hyperglobalist' perspective on global politics.

Another author who we would classify in the 'hyperglobalist' camp is Thomas Friedman. As Kenneth Waltz (1999) has noted, Friedman is essentially proposing that governments are now secondary actors compared to the unstoppable power of capital flows which are not centrally controlled but driven by its own logic: the quest for profit. In this sense, Friedman proposes that "(t)he electronic herd... turns the whole world into a parliamentary system, in which every government lives under fear of a no-confidence vote from the herd" (Friedman, 1999, p. 62, 115; qtd. in Waltz, 1999 p. 696).

While there are many superficial and empirical differences between specific authors within the 'globalizers' camp, the main argument remains essentially the same: transnational economic forces are beyond the states capacity to regulate and are increasingly determining the actions of states if not rendering them essentially obsolete<sup>7</sup>. This trend is well presented by Stephen Krasner (2009) who has noted, somewhat accusingly, that

"(i)n recent years, students of international relations have multinationalized, transnationalized, bureaucratized, and transgovernmentalized the state until it has virtually ceased to exist as an analytic construct. Nowhere is that trend more apparent than in the study of the politics of international economic relations. The basic conventional assumptions have been undermined by assertions that the state is trapped by a transnational society created not by sovereigns, but by nonstate actors. Interdependence is not seen as a reflection of state policies and state choices (the perspective of balance-of-power theory), but as the result of elements beyond the control of any state or a system created by states. (p. 128)

In contrast to the former 'globalizers,' the second broad approach that has developed in regards to the mainly economic pressures of 'globalization' (and more recently of the 'war on terror' and petty sovereignty) are called the 'sceptics.' According to Held *et al* (1999. qtd. in Smith, 2001), the common element to the sceptic camp is a belief that the hyperglobalizers underestimate

the enduring power of national governments to regulate international economic activity. Rather than being out of control, the forces of internationalization themselves depend on the regulatory power of national governments to ensure continuing economic liberalization... Governments are not the passive victims of internationalisation but, on the contrary, its primary architects. (Smith, p. 214).

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<sup>7</sup> See Held *et al.* 1999; Smith 2000; Clark 1999; Agnew 2009; Krasner 1999, 2009; Walker 2010.

In contrast to the previous approach's view according to which the state is either slowly declining in importance or has already ceased to be important, we find more than one example of scholars arguing the exact opposite. For example, Kenneth Waltz, whom we quoted in the third epigraph, is one of the most influential examples of just such a theoretical position. Contra Friedman (whom he addresses directly), Waltz (1999) argues that:

(s)tates perform essential political social-economic functions, and no other organization appears as a possible competitor to them. They foster the institutions that make internal peace and prosperity possible. In the state of nature, as Kant put it, there is "no mine and thine." States turn possession into property and thus make saving, production, and prosperity possible. The sovereign state, with fixed borders has proved to be the best organization for keeping peace and fostering the conditions for economic well-being. (p. 697)

Thus, for Waltz (1999), Friedman's proposition that the "most basic truth about globalization is (that) no one is in charge" (p. 694), is no more than an expression of a theoretical 'fad' based on a faulty understanding of global politics (which for Waltz is synonymous with international relations). He explains that while "(m)any globalizers believe that the world is increasingly ruled by markets"... "looking at the state among states leads to a different conclusion." Indeed, for Waltz, globalization theorists fundamentally underestimate the fact that "(r)ather than elevating economic forces and depressing political ones, the inequalities of international politics enhance the political role of one country. Politics, as usual, prevails over economics." (p. 700)

In another example of the sceptical perspective, Hirst and Thompson (1995) have argued that "despite the rhetoric of globalization, most of the world's people live in closed worlds, 'trapped by the lottery of their birth'." (qtd. in Newman and Paasi, 1998, p. 193). Thus, for them, as Murphy has noted,

the state is not withering away, but will remain strong in international governance. Even if the meanings of sovereignty are continually changing, states will maintain their position because of their relationship to territory and population. Territorial borders are patrolled in the name of the state, which continues to represent the citizens within those borders (Murphy, 1996. qtd. in Newman and Paasi, p. 193).

In fact, despite some minor empirical differences, there is a common element that unites the so-called 'sceptics;' the belief in the continuing centrality of the sovereign state in global politics. Perhaps not surprisingly, many of these so-called 'sceptics' have been scholars of international relations for whom the question of the identity of the central actors of global politics is simply assumed. As Stephen Krasner (1999) has noted, situating in the process some of the key figures of the debate, for the dominant

(r)ationalist theories of international relations, such as realism and liberal institutionalism, simply assume that sovereign states (unitary, rational, autonomous) are the ontological building blocks of the international system (Waltz, 1979; Keohane, 1984). Constructivist approaches see the sovereign state

system as a product of an intersubjective shared understanding (Ruggie, 1998). There is, however, little debate about the nature of the system or the character of its basic units. (p. 230)

For these IR scholars, understanding global politics in terms of global governance would be akin to the ‘dangerous’ (because unrealistic) idealism that is often said to have dominated IR during the interwar period since it mistakes the international for merely a more geographically diffuse version of domestic politics. Thus, for the ‘sceptics,’ ‘globalizers’ are representatives of a fad that has mistaken structural interdependence between sovereign states for the signs of an all-powerful deterritorialized transnational flow of economic forces. Arguing in a similar direction, Ethan Kapstein (1991/92 qtd. in Ruggie, 1993), has argued that

(i)f the existence of the state is in doubt, just ask the depositors of BCCI in some fifty countries who woke up one morning in July to find their accounts frozen... If the United States wanted to prevent the gathering or transmission of information by satellite, it could easily do so by shooting the satellite down. (p. 143)

Hence, for authors within this broad category, there was a general belief that while globalization might appear to be totally deterritorialised, this ends up being a trick of the mind that ignores the fact that the apparently non-material processes of economic forces need an infrastructure and juridico-legal framework that are very much located ‘somewhere’. For example, even with the internet, the physical existence of the miles of fibre optics, which are always situated in the territory of one state or another, cannot simply be ignored.

While many would agree that such arguments are valid, it does not necessarily follow that the state is still always and everywhere the central unit of analysis for contemporary global politics. Indeed, such a sceptical view has hardly been satisfactory for many commentators who insist that much (or most) of the actual or ‘effective’ exercise of power (usually used interchangeably with sovereignty) is not bound up in the official and centralized ‘apparatus of the state.’ Furthermore, there seems to have been a realization on the part of many authors that one does not need to completely discount the figure of the sovereign state as an important actor for global politics in order to recognize the political importance a wide variety of non-state phenomenon or actors, including the transnational economic processes associated with ‘globalization.’ Indeed, as Linda Weiss (2003) has observed

the debate about globalization’s impact on governance has clearly moved forward since radical globalists first began to proclaim the end or decline of the nation-state. In recent years... mainstream or moderate globalists have distanced themselves from the ‘endist’ claims of the radicals. Instead they contend that the state remains firmly in place, but that it is rather undergoing a ‘hollowing out’ or ‘profound transformation’ of its powers as its policy making capacities steadily shrink in the domestic arena, and as they get distributed to other power actors at home and abroad. (p. 308)

In fact, starting in the 1990s, many scholars were taking their distance both from the ‘familiar story’ of the early ‘globalizers’ (to borrow Waltz’s term for Freidmanians) and the reductionism inherent in ‘sceptics’ account of global politics in purely inter-state centric terms. Some of these authors began speaking of ‘transformations’ in the relationship between the state and sovereignty or the exercise of power in response to pressures from diverse sources like transnational economic forces, NGOs, IOs, etc. These authors are, unsurprisingly, what we have called, again following Held *et al.* the transformationalist. In contrast to the previous two opposing approaches (hyperglobalizers and sceptics), the so-called transformationalist approach to global politics has in large part emerged out of a rejection of the zero-sum framework of the two previous approaches that made it seem like a gain for one (the state) is a loss for the other (transnational forces). The ‘transformationalist’ approach can be read as a reaction against this zero-sum formulation, as an attempt to set up a kind of ‘middle ground’ in which one could accept both the importance of things like transnational economic flows as well as the continuing importance of the sovereign state.

We would, however, add a further subdivision here between the state-centered transformationalists and the sovereignty - or ‘governance - centered transformationalists. The importance of this subdivision for the purposes of our research will become clearer as we go along but, in general, these categories are mainly for illustrative purposes. The different focus of these authors further illustrates the inherently intertwined and paradoxical relationship between the concept of the state and the concept of sovereignty since most authors will simply choose to begin with one (either the state-as-actor or the ‘condition’ of sovereignty) and then redefine the other to suit the modifications attributed to the prioritized element. These different starting points for theory are also inferred by the ‘sphere’ of inquiry that is understood to delineate the boundaries of the object of study (something like international relations or ‘global governance’) for each particular authors. Those concerned with the international will tend to begin with the state and define sovereignty (or its transformation) accordingly while those authors who take the domestic as their object of study tend to start with sovereignty or governance and then proceed to define the role of the state in the ‘effective exercise’ of power within a given territory. This is by no means universal but more of a general tendency that usefully illustrates the very complex, ambiguous but nonetheless central importance of the state-sovereignty conceptual imbroglio.

This being said, one example of the state-centric version of the transformationalist position is developed by Hobson and Ramesh (1999). In the presentation of their approach, which they call ‘structurationism’, the authors explain that in contrast to most of the literature on globalization, which the authors classify as being defined by “either a ‘strong globalisation/decline of the state’ or ‘weak

globalisation/strong state' thesis" (p. 5), they "seek to occupy a middle ground between those theories that tend to emphasise or privilege social forces over states (e.g. Marxism and liberalism) and those that reify state power of social forces (e.g. statism and neorealism)" (p. 9). Thus, the authors, drawing heavily on Wendt's 'constructivist' approach in IR (1999), try to bridge the gap as a middle approach by arguing that globalization - conceived implicitly as an 'external' structure of international politics (implicitly, if not explicitly) - is co-constitutive with the interactions and the identities of states and, that, as such, globalization is both a product of state activities as well as a constraining factor on the activities of states. They explain that

states both shape, and are shaped by, domestic and global structures; that they cannot be sociologically reduced to any one of these structures; and that none of these structures can be reduced to state power. ... States therefore play an important enabling or constitutive role in the globalization process and one that is not entirely at states' expense, but is rather bound within a positive-sum relationship in which global and domestic forces and states enable each other's reproduction (Hobson & Ramesh, p. 11-12).

In sum, borrowing Wendt's classical formulation, they conclude that "globalisation makes of states what states make of it" (Hobson & Ramesh, p. 19). The apparent weakness of this approach is related to the way that globalization is presented as external to the state, as the interactive and constraining structure within which states interact. While this structure has an impact on the identity of the state, it remains ontologically separate by definition. The importance of this observation can be illustrated if we now turn to the critique of the broad understanding of the state and globalization which underlies the structurationist approach which has been developed by one of the proponents of what Held, *et al.* have dubbed the 'transformationalist' perspective: Ian Clark (1999).

The theoretical position developed by Clark is in large part determined by the nature of his critique of the structurationists understanding 'globalization' as an external structure within which the state is placed (even if the structure is both shaped by, and shapes, the state). Clark (1999) explains that the problem with this framing of the state/globalization question, as with IR theories in general, is that "(r)ather than explore the dynamic symbiosis between the 'internal' and 'external' dimensions of globalization", it has understood "globalization (as) a change of external circumstance that impinges upon state capacity" (p. 44). This is linked with the dominance of an understanding of the state in terms of what he calls the 'Great Divide' which postulates a strict division between the domestic and the international realms (p. 56). It is this adherence to the 'Great Divide' that precludes, according to Clark, an understanding of the constitutive nature of the domestic and the international. He proposes that the domestic (defined in terms 'of the 'presence of the state') and the international (defined in terms of the absence of the state) "...cannot be so separated (because) they are essential parts of each other and it is the state that, politically brings them together" (p. 56).

Thus, after noting that “traditional IR theory puts *all* of the state on one side of the Great Divide (for domestic purposes) and equally places *all* of it on the other side (for international purposes)”, Clark explains that this creates the “illusion of two separate states, acting within separate fields of forces, when actually there is only one state acting within a single field” (p. 56). In order to escape the analytical limitations of the ‘Great Divide’, Clark develops a modified version of Wendtian constructivism, which he calls “bimodal”, drawing attention to the dual influence of both domestic and international ‘forces’ on the formation of the state existing as a kind of go between the two realms (p. 57). He therefore argues that “(g)lobalization must not be seen as a shift in relation between states, but must at the same time be recognized as a transformation in the nature of the state itself”(Clark, p. 65). Thus, for Clark, globalization can be read as a process of transformation of one particular aspect of the state, sovereignty; and not as an external modification of the structure within which states interact.

In a slightly different vein, Jan Aart Scholte (2000) has suggested that we are seeing the rise of ‘post-sovereign states.’ He proposes that “... states can no longer be sovereign in the traditional sense of the word... a state cannot in contemporary globalizing circumstances exercise ultimate, comprehensive, absolute and singular rule over a country and its foreign relations. State sovereignty depends on territorialism ... the end of territorialism has therefore brought the end of sovereignty,” (Scholte, 2000, p. 136; qtd. in Smith 2001, p. 222) but apparently not the end of the state as such.

In any case, the most general observation about the state-centric transformationalist perspective is the conviction that “globalization (is not) bringing about the ‘end of the state’ (but rather), ... has encouraged a spectrum of adjustment strategies and, in certain respects, a more activist state ... (Thus), the power of national governments is not necessarily diminished by globalization but on the contrary is being reconstituted and restructured in response to the growing complexity of processes of governance in a more interconnected world” (Held *et al*, 1999, p. 9; qtd. in Smith 2000, p. 216). For authors like Hobson and Ramesh (1999), Clark (1999), Scholte, (2000) and Strange (see also Weiss 2003, Shaw 1997; Spruyt 1994; Spruyt and Cooley 2009) contemporary global politics is defined by the changing nature of the state in response to pressures emanating from a wide variety of actors like NGOs, TNCs, IOs, global capital, international terrorism, and environmental migration, etc. The state remains the central actor but its ‘identity’ is changing in step with changes in the structure of international globalization. In this sense, the most general observation about the state-centric transformationalist perspective is the conviction that “globalization” [is not] bringing about the ‘end of the state’ [but rather], ... has encouraged a spectrum of adjustment strategies and, in certain respects, a more activist state ... [Thus], the power of national governments is not necessarily

diminished by globalization but on the contrary is being reconstituted and restructured in response to the growing complexity of processes of governance in a more interconnected world” (Held et al, p. 9; qtd. in Smith, 216).

In contrast to these state-centric transformationalist approaches, James Rosenau (1996, 2000) is a key figure in the development of what has been called governance theory. His central ideas have had a considerable influence on the development of what we have called the Global Governance (GG) literature. Accordingly Rosenau has noted (1996),

while the state continues to be relevant, that relevance is not encapsulated entirely— if indeed it ever was—by national governments. Further, other institutions are now acting in a statelike manner and producing statelike effects. We cannot simply say that the state is an ideal type and proceed as if national governments were mere historical manifestations of that type—not with NGOs fulfilling many functions once in the purview of government ministries, not with drug cartels or private armies harnessing more enforcement power than the national police. The extraordinary power that the IMF has assumed over the lives of millions of human beings in the past 20 years cannot be forced into a residual category such as the “international. (p. 36)

Such arguments have led many subsequent authors to speak, not of international relations, but of ‘global governance’ to denote the multiplicity of sites or agents of control that have a share in the exercise of ‘governance.’ According to James Rosenau (1996), this novel object of study “... encompasses the activities of governments, but it also includes the many other channels through which "commands" flow in the form of goals framed, directives issued, and policies pursued.” (p. 13-14)

In another example of governance centric literature on the ontological status of global politics, Saskia Sassen (1997), for her part, had proposed that “(s)overeignty remains a feature of the system, but it is now located in a multiplicity of institutional arenas: the new emergent transnational legal regimes, new supranational organizations... and the various international human rights codes. All these institutions constrain the autonomy of national states; states operating under the rule of law are caught in a web of obligations they cannot disregard easily.” (Sassen, p. 29; qtd in Smith, 2000, p. 217) Elsewhere, she has argued that due to the effects of the ‘denationalisation of the state’, even if “...on ne peut déduire que l’État-nation en tant que forme majeure va disparaître mais que, en plus d’être le site de transformations cruciales, il va lui-même devenir une entité profondément différente” (Sassen 2003, p. 373). In sum, Sassen argues that “...rather than sovereignty eroding as a consequence of globalization ... it is being transformed. There is plenty of it around, but the sites for its concentration have changed over the last two decades.” (Sassen 1996, p. 30; qtd in Clark, 1999, p. 83)

This general view is representative of a much broader tendency within a growing trend that has been succinctly summed up by Julian Reid (2009). He observes that

(b)y the end of the last decade of the twentieth-century, there was a prevailing assertion within areas of thought concerned with the international that the world we were living in was defined by either a softening or a complexification of power relations in virtually every area of politics, and that this was challenging the rigidity with which power was theorized in more traditional IR accounts. (Reid, p. 126)

Within this perspective the state is but one site among many others in the complex processes of governance (be it on a national or global level) and, as such, deserves no ontological priority when trying to establish what politics is and how to explain or judge what appears in the political realm. Thus, the object of study shifts from the actions of states (manifested in activities of the state apparatus) to the decentralized networks of power and coercion which make up the day to day exercise of control and coercion that establish and/or maintain particular, and spatio-temporally bounded, socio-political orders.

More recently, this general insight into the decentralized nature of the actual exercise of command and control (usually simply defined as ‘power’ by traditional political science) within global flows of governance has been influenced by Foucauldian insights into biopower and the nature of sovereign power. Without wanting to go into the details of Foucault’s insights on power and sovereignty, something we will be doing in chapter 3, we would say that Foucauldian inspired GG literature can be read as a critical response against the more traditional governance centred analysis of global politics (like Rosenau, 1995) on the basis that the latter evacuates the question of ‘power’ from the analysis of socio-political events in favour of a more neutral and functionalist understanding of governance. However, in contrast to statist (i.e. neo-realists, neo-institutionalists, constructivists) critiques of governance theory, the Foucauldians do not defend a centralized and unitary sovereign state that is said to possess absolute power over the totality of a bounded territory. Rather, following Foucault’s influential insights into the nature of power, these scholars have insisted that power is not a possession of some sovereign subject but rather exists only in the complex networks of force relations. In his words, “power is neither given, nor exchanged, nor recovered, but rather, exercised, and that it only exists in action.” (Foucault, 1977, p. 89) Further, he continues, power is thus “not primarily the maintenance and reproduction of economic relations, but is above all a relation of force.” (p. 89)

An example of this (relatively) new development within governance theory - although one still much indebted to conventional IR’s influence, in the form of Krasner’s institutionalist theory of sovereignty - is to be found in John Agnew’s recent work, *Sovereignty and Globalization* (2009), which the author situates as an explicit attempt to disentangle the debate about sovereignty from the

unproductive dichotomies which have so far dominated the debate, structuralist/globalizers versus agential/statists. In this task, Agnew's starting point is that these apparently opposite readings of sovereignty, going from the (neo)realist tradition in the discipline of international relations to the so-called 'globalizers' (such as Ohmea, 1996; and Friedman 2000) both fail to grasp the complexity of sovereignty and instead focus on the 'mythic ideal of sovereignty' which, for Agnew, following Krasner, is very "different (than) the actual practice of sovereignty." (p. 29) For Agnew, the problem is that "[m]ost discussion[s] of sovereignty ha[ve] involved seeing 'it' as an entity or claim associated with a state in a given territory rather than as a set of effects involving differential impacts of combinations of authority and control" (p. 90). It is this second position which Agnew seeks to develop. More precisely, for Agnew, "(s)overeignty is made out of the circulation of power among a range of actors at dispersed sites rather than simply emanating outward, from an original and commanding central point such as an abstract state"(p. 9). To denote this particular way of understanding sovereignty, Agnew uses the term 'effective sovereignty' which refers to the actual exercise of 'legitimate power' as it is experienced in any given polity. Further, as Agnew explains, the observable variations in the authoritative configuration of this 'effective sovereignty' within particular states can be understood in terms of what Agnew calls "regimes" of sovereignty<sup>8</sup>, by which he means the "dominant calculus of rule relative to a given state or set of states" (p. 129). Thus, for Agnew, the problem of both globalizers and sceptics has been in large part linked to the 'myth' of the unitary state possessing the monopoly on sovereignty over a bounded territory. Thus, he concentrates his efforts on categorizing the different configurations of effective sovereignty within particular territorial political orders.

In another example of Foucauldian inspired theorizing of global politics, and probably the most widely read contribution to the ir/gg debate, Michael Hardt and Antonio Negri (2000) - whom we quoted in the epigraph - have argued that "(i)n step with the processes of globalization, the sovereignty of nation-states, while still effective, has progressively declined." (p. xi). As Barkawi and Laffey (2002) have noted; "*Empire's* thesis is a familiar one: sovereignty is not what it used to be. Under the pressure of capitalist globalisation, sovereignty's very nature is being transformed, from a modern to a postmodern form. In the process, a new global form of rule is emerging...., *Empire*." (p. 116) Such an understanding is a result of the influence of Foucault's thought on the two authors. Indeed, in the words of Julian Reid (2009), Hardt and Negri have "argued that the foundational

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<sup>8</sup> Agnew's use of regime should not be confused with the notion of 'regimes' in neo-liberal theories of international relations where they refer to "explicit agreements between states" but rather is a modified use of the institutionalist approach to sovereignty which has recently been popularized by Stephen Krasner. (Agnew, 2010, p. 129)

dependence of the modern state on a sovereign capacity to take life gradually had been displaced by an investment in a power to protect and promote life.” (p. 127).

Now, while Hardt and Negri (2000) have been careful to note that “(t)he decline in sovereignty of nation-states... does not mean that sovereignty as such has declined”(p. xi), which is not an insignificant insight, they quickly assert the more conventional argument that “...sovereignty has taken a new form, composed of a series of national and supranational organisms united a single global logic of rule. This new global form of sovereignty is what we call *Empire*” (Ibid. xii). For our purpose, what is important to retain at this stage is that Hardt and Negri essentially defend the idea that, as an actor in ‘world politics’, the state is increasingly marginalised in the wake of the emergence of a newly constituted global- and profoundly decentralised- articulation of power relations, or ‘logic of rule’, which they have dubbed *Empire*. Indeed, Hardt and Negri propose that contemporary global politics is defined by the

emergence of a new global order mediated by a new logic and structure of rule. The global order of the post-Cold War world was... no longer defined by the powers of nation-states, but by supranational organisms.... this global order was now characterized by no established power center and no reliance of fixed boundaries, but, instead, by a “decentered and deterritorializing apparatus of rule” that operated within expanding and open frontiers” (Hardt and Negri, 2000, qtd. in Reid 2009, p. 126)

In this regard, they are very similar to the understandings of sovereignty and its relationship to the figure of the state as many of the transformationalist authors we have briefly discussed. Indeed, the common central element in this (governance centred) approach to the study of global politics is a rejection of the state-centricity of traditional IR when it comes to the understanding the relationship between ‘power’ and ‘sovereignty’ (mostly, but not always, used interchangeably) and the centralized and unitary figure of the State. The state is simply not the only ‘actor’ which is important in the effective exercise of sovereign power. This much is clear by the way they frame their general evaluation of the contemporary situation:

in step with globalization, the sovereignty of nation-states, while still effective, has progressively declined. The primary factors of production and exchange – money, technology, people, and goods – move with increasing ease across national boundaries; hence the nation-state has less and less power to regulate these flows and impose its authority over the economy. Even the most dominant nation-states should no longer be thought of as supreme and sovereign authorities, either outside or even within their own borders (Hardt and Negri, 2000, p. xii).

Thus, for many authors within this broad perspective, contemporary global politics is defined by the tangible transformations in the overall configuration of power relations within and across particular polities. These accounts can vary according to the specific conception of power defended by each other but, for the most part, they take the ‘effective’ exercise of power or sovereignty as the legitimate object of study of politics then proceed to situate the state within a broader network of

power in which it is but one actor among others. A general outline of the understanding of sovereignty in governance-centered transformationalist literature is proposed by Held *et al.*, (1999):

(t)he sovereign state is no longer the focus for political power or governance, and instead 'effective power is shared, bartered and struggled over by diverse forces and agencies at national, regional and global levels .... Political power is now sandwiched in more complex power systems that have become more salient over time relative to state power (p. 447.; qtd. in Smith, 2000, p. 223)

Here, it is the figure of the all-powerful state wielding sovereignty instrumentally that is undermined with a decentralization of the object of study from the actions of the 'state apparatus' to all the sites of command and control that structure (the always particular) socio-political orders. What is studied is the effective exercise of power (or sovereignty), an object that is no longer (if it ever really was<sup>9</sup>) defined primarily in terms of the interactions of sovereign states but includes a variety of other actors.

In general, both varieties of transformationalists (state – and governance- centric) propose to take the middle ground in order to escape the fruitless zero-sum debates of conventional explanations of the 'state of the state in conditions of globalizations (even if the formulation of what is to be explained is itself part of the conceptual problem. The first approach (often influenced by Wendtian constructivism), which one scholar has dubbed the structurationist approach, concentrates on the constructedness of the state's identity and its mutually constitutive relationship with the structure (which in this case is often presumed to be 'globalization') or social forces and terrorism. The second approach, which we call the governance-centred transformationalists, have generally sought to problematize the idea that sovereignty is somehow 'possessed' by the state and favoured a definition of sovereignty which includes the many levels and sites where authority and power are exercised in practice which are not under the direct control of the state apparatus.

Both of the transformationalist approaches, not to mention the more radical globalizers, appear in stark contrast to the central focus of traditional IR, which is, as the first epigraph shows, premised upon the idea of states possessing something called 'sovereignty' over a 'bounded' territory which covers an exclusive part of the earth's geographical surface. In this sense, IR appears at first to be incommensurable with much of the literature on global governance since its explicit 'object' of study is thought to "...include systems of rule at all levels of human activity - from the family to the international organization - in which the pursuit of goals through the exercise of control has transnational repercussions." (Rosenau, 1996, p. 13-4) Indeed, as Dingwerth and Pattberg (2006) have noted,

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<sup>9</sup> For a critique of the 'globalizers' which highlights the fictitious totality of the sovereign state as in large part an invention of the scholar, see especially Krasner 1999; see Agnew 2009 for a critical reinterpretation of this general argument, and Smith 2001 for a critique of Krasner's theory of sovereignty.

while the very idea of “inter-national” relations is conceptually based on an “often unquestioned preference for the nation state as the basic unit of analysis”, the study of global governance acknowledges that a plethora of forms of social organization and political decisionmaking exist that are neither directed toward the state nor emanate from it. (p. 191)

It is in large part this fundamental ontological opposition which underwrites our use the ir/gg moniker to describe the ongoing debate over the nature of “global politics.” While there are many varieties of these broad approaches, most can be situated somewhere along continuum between neo-realist IR and theories of global governance.

Here, we can also see the difference between the state-centric transformationalist (which in our reading includes authors such as Clark (1998, 1999), Hobson and Ramesh (2000), (Krasner 1999, 2009) who concentrate mainly on the transformations of the state within the context of a wider realm (be it the international or the global), and the governance-centred transformationalists (like Agnew 2009; Sassen 2003; Rosenau 1996, 2000; Hardt and Negri 2000) which proceed by decentralizing the object of study to something called ‘governance’ and treat the state as just another actor or site within the ‘networks’ of power. In the first reading, transformations in global politics reflect transformations in the nature of the ‘statehood’ of states whereas in the second reading, transformations in global politics reflect the changing nature of the ‘effective’ exercise of power or sovereignty within which the state is but one actor, and one of seemingly diminishing importance.

Indeed, according to Dingwerth and Pattberg (2006), “(u)ltimately, a theory of global governance would thus differ from a theory of international politics. Its central unit of analysis would be the conditions for social activity (e.g., norms and rules) rather than actors and relations between them.” (p. 199) It is precisely the manifestation of the ongoing debate between state-centric accounts of IR and governance accounts of ‘world politics’ or ‘global governance’ that forms the central object of study for this thesis.

While the particular narrative we trace is obviously contestable, it does not seem to us very radical to claim that a central concern today for many in the academic discipline of IR is whether or not we should still really be talking about unitary and rational states in a system of sovereign states or if there is possibly a better way to present the ontology of ‘global politics.’ Indeed, as Julian Reid (2009) has noted, “currently, in IR theory, ... the debate is between conditions of possibility for a global biopolitical order (in which a universalized humanity is supposedly enfranchised) and more traditional structures built around the sovereign power of nation-states” (p. 136) In other words, today the debate is about whether we should still be speaking in terms of individual sovereign states (negotiating treaties, going to war, establishing peace, etc.) in an increasingly global system of territorially bounded sovereign states (i.e. of international relations) or of an increasingly global

biopolitical order in which national government agencies are increasingly working in collaboration with an expanding array of “actors,” “agents,” or “assemblages” including, but not exclusive to, NGOs, TNCs, IOs, global capital market demands, subnational ethnic, linguistic or nationalist groups, civil rights groups, organized workers syndicates as well as terrorist organization and a vast variety of special interests groups. This wide debate and the varying positions concerning the ontological nature or configuration of contemporary global politics we have been discussing so far in this chapter is what we have called the ir/gg debate.

To put this debate in context, it would perhaps be useful to point out that while the Cold War was still simmering, nobody really thought it was necessary to modify the overall ontological framework of global politics in terms of the study of international relations. With the end of the Cold War and predictions of the ‘end of history,’ followed by (mostly in the 1990s) talk of globalizations’ possible dismemberment of the command and control function of the state apparatus as a result of the unstoppable force of global capital and/or transnational economic flow, the nature of global politics came under closer scrutiny. More to the point, the self-evident postulation of IR scholars that the global political life was organized into an international system of sovereign states no longer seemed so obvious, at least not to everyone (since IR scholars by and large still continued to begin by positing the sovereign state and then going from there). In the meantime, some people began speaking of the possibility of seeing the emergence of a ‘borderless’ global *Empire* (especially in Hardt and Negri’s highly influential account), then, after 9/11, of an American empire, at east before the costly debacles in Iraq and Afghanistan.

At this point, it would, be important to note that the narrative we are drawing is in no way meant to be conclusive or reflective of a conscious debate on the part of each author. Rather, the point is that particular solutions to this debate are always already present in competing explanations of global political events in the very specific way of understanding what global politics is made out of in the first place. If someone wants to explain a particular so-called humanitarian intervention as a policing mission of the global *Empire*, they must first define the ontological nature of the global politics within which such interventions take place. Now, while it may be true that some (possibly many?) of the contemporary authors contributing to the ever-growing GG literature would not see themselves in terms of a continuation of a debate around the ontological composition of international relations, the underlying themes and central problems nevertheless remain in large part the same and have informed, in many ways, the various ways of problematizing state-centric IR which makes up the current critical thrust of most of what can be considered GG literature. Moreover, in every account thus far reviewed, the state is taken to be some kind of entity in the world albeit for some an

actor in a state of declining importance and it is the exercise of 'sovereignty' or power which has been decentralized away from the state-as-actor. Once the state-entity is posited, scholars go about trying to find and document empirical evidence which would give us an indication of the long term patterns of political power configurations of global politics. In sum, this means that the ir/gg debate concerns, in large part, a disagreement on the nature of the ontological configuration of global politics.

More precisely, in much of the ir/gg literature – with the notable exception of some Foucauldian work on global assemblages of biopower that we will address directly in chapter 3- what happens is that the state is taken to be synonymous with national governmental agencies and state apparatus and then the author proceeds to describe events on the ground (of global politics) in terms of the primacy of either socio-economic 'forces', governmental state apparatus activity, NGOs, TNCs and IOs, or a globally networked biopolitical apparatus. The objective being to prove that one actor or set of forces (like global stock markets) is in reality the driving factor behind the socio-political transformations of contemporary global politics, almost always understood as the sum of the world domestic political orders. This has led most of the recent GG literature to deal almost exclusively with the internal component of 'sovereignty' and problematize the assumption that it can be possessed by a single actor, entity or centralized point. In this sense, the originality of Hardt and Negri was to take this critique of state sovereignty to its logical conclusion; if the state is no longer sovereign, then the difference between the domestic and the international no longer matters and that we were witnessing the emergence of a global biopolitical order (Empire) in which the outside (in its entirety) was in the process of being brought in. However, the important point, at least for this thesis, is not whether or not the state was ever sovereign but that the state is still understood as an ontologically given entity within a larger empirical realm that we usually, but not always, call the international. This is also the taken for granted understanding of the terms of the debate that seems to underlie the wide variety of literature that makes up what we have called the ir/gg debate, i.e. as a debate around the ontological composition of global politics. While all of the approaches have a very different understanding of the ontology of the state (depending on the ontological composition of 'global politics,' which is taken to be the object of study) they all assume that the state is an actually existing entity within the larger field or realm of global politics.

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various ways of problematizing state-centric IR which makes up the current critical thrust of most of what can be considered GG literature. Moreover, in every account thus far reviewed, the state is taken to be some kind of entity, albeit for some an entity of declining importance and it is the exercise of 'sovereignty' or power which has been decentralized away from the state. Once the state-entity is posited, scholars go about trying to find and document empirical evidence which would give us an indication of the long term patterns of political power configurations of global politics. In sum, this means that the ir/gg debate concerns, in large part, a disagreement on the nature of the ontological configuration of global politics.

While many would claim that this research method is not problematic, at the very least it appears that much depends on the definition of the modern sovereign state since, if we are to judge if it is or not, declining in terms of its relative share of power, it would be necessary to know exactly what the state is in the first place. Thus, if there has been a tendency, within the recent literature of 'global governance', to depict the state as one actor among others in the global assemblage of sovereign power or control to which the term global governance refers, one might very well ask if it is as simply as it first seems to conceptually separate the state from sovereignty and vice-versa? While the state centric and governance centric transformationalists do provide some valuable insights, one might ask if it is possible to have a state without sovereignty. Are we to take the terms 'state' and 'national governments' as synonymous? Is the state simply another word for national government or is there something more to it than that? And how does the government relate to sovereignty? Furthermore, since all the approaches do not share the same understanding of the concept of the sovereign state, how is it possible to get one's bearings and judge, as it were, between the 'competing' account of contemporary world or international politics? If one proposes that the state is not sovereign, how does one account for the continued significance of the boundaries within which effective sovereignty is seemingly exercise by a complex network of sites of authority? If the state is simply one actor in the networked dynamic of 'effective sovereignty', how does one then account for the "difference of nature" (Raymon Aron, qtd in Thibault, 2009, p.1) between the international and the domestic which is at the heart of modern political life? If the state is not sovereign, what exactly does the concept of the state mean and what difference does the boundary between domestic and international denote? Can one simply assert that the state is no longer 'sovereign' and still presuppose the 'givenness' of the boundaries which are said to distinguish between the domestic from the international?

Whatever the answer one gives to these questions, it appears that for all the centrality of this concept, it is very difficult to fix, once and for all, an essence to the state or clearly define its

relationship with sovereignty. But what is it about the figure of the sovereign state which makes it so central to all considerations of politics while at the same time so notoriously hard to pin down into a comprehensive definition, and, more importantly for the topic of our thesis, how does this relate to the debate surrounding the ontology of contemporary (late 20<sup>th</sup> and early 21<sup>st</sup> centuries) global politics?

The first step to a critical reflection on these questions, as well as what they might mean for the ir/gg debate, will have to begin with a discussion of the competing definition of the concept of the sovereign state which underlie contemporary accounts of “global politics” and the nature of some of the central critiques of the analytical validity of this concept. Following Bartelson (2001), we will argue that the ambiguous and central character of the figure of the sovereign state is itself interesting and that, further, careful attention to the ambiguity/centrality yields some potentially constructive insights for those seeking to understand contemporary transformations in global politics.

At the very least, the ambiguity of the definition of the state in of much of the recent ir/gg literature indicates that we need to look closer at what the state is and how it is what it apparently is. In this sense, it appears that the first step in our *démarche* will be to briefly discuss the often taken for granted definition of the state as the one that has the monopoly possession of ‘sovereignty’ over a bounded territory. This will be followed by an overview of the various attempts, by competing theoretical perspectives, to establish a fixed definition of the state and the apparently undefinable nature of the state. This is an activity that quickly leads to theoretical contradiction and/or ontological paradox with every attempt to finally dust off or illuminate the true essence of the state. Finally, we will be discussing the meta-theoretical starting points which inform the various definitions of the state and reflecting on the relationship between the object of study (global politics), and the inclusion of the figure of the state within this object on the one hand, and the ontological commitments which accompany or underwrite these meta-theories on the other hand.

Following this line of thought will bring us face to face with the problem of political foundation. And it is precisely this question/problem which simply cannot be addressed by someone who, either by positing the sovereign state entity or the “difference of nature” between the domestic and the international, presumes the ultimate givenness of political order, thereby concealing the very real presence of moments and acts of foundation violence which serve as the “almost invisible” ground of global politics.

## Chapter 2: The “Dual Identity” of the Sovereign State and International Relations: The Outline of a Paradoxical Discipline

*- The state as a person of international law should possess the following qualifications: a ) a permanent population; b ) a defined territory; c ) government; and d) capacity to enter into relations with the other states. – (Montevideo Convention, December 26, 1933: Article 1.)*

*- In political theory definitions of the state have two main aspects. One involves the exercise of power through a set of central political institutions. The other entails the clear spatial demarcation of the territory within which the state exercises its power. – (J. Agnew and S. Corbridge, 1993, p. 78.)*

As we have previously stated, the aim of this chapter is to briefly talk about and clarify the often taken for granted understandings of the central political concept of modern political life (the State) and its relation to the discipline of IR. In this sense, the preceding epigraphs aptly sum up the central thrust of this chapter, which is essentially to set up the conventional definitional links between the state, sovereignty and the territory/boundary relationship which lies at the heart of modern discourses *of* and *on* politics. This section will focus primarily on setting up the terms of the debate and the most common theoretical definitions of the state within political science in general and IR in particular. The reason we choose to focus on the discipline of IR is twofold. First, because IR as a discipline is perhaps the best demonstration of the conceptual and analytical consequences of adopting the sovereign state as an ontological starting point for socio-political inquiry, which is essentially what we are trying to illustrate in regards to the problematization of ‘global politics’ that serves as a starting point for most of the literature in the of the ir/gg debate. Further, since some of the recent calls for a study of global governance undermine the separation of politics into domestic and international realms, it undermines the ‘ground’ of the discipline of IR. *To ask if territorial boundaries are important is to inquire as to the existence of the international as such.*

We begin by noting the formal-legal definition of the state that has been summed up by Ersun Kurtulus’ (2004) who explains that “... since the conclusion of the Montevideo Convention on Rights and Duties of States in 1933, the legal criteria of statehood are usually specified with reference to the empirical indicators encapsulated in Article 1 of this accord as “a permanent population, “ a defined territory,” “government,” and “capacity to enter into relations with other states.” (p. 359) This is a useful first step for illustrating the basic outlines of the concept of the state but since it is more about establishing the criteria by which it is possible to differentiate a state from what is not a state, it does not exactly tell us what a state is, just what a state has to be in order to be a state. Therefore, it is perhaps useful to look at the classic definition of the state provided by Max Weber as: “(a) compulsory political organization with the continuous operations will be called a “state” insofar as its

administrative staff successfully upholds the claim to the monopoly of the legitimate use of physical force in the enforcement of its order.” (Weber 1921, in Shaw, 1997, p. 499-500) While this seems to be a better starting point than the strictly legal definition of the state, it does not provide a completely satisfactory answer to the problem of identifying the ontological status of the sovereign state. Once again, Weber’s definition concerns the possibility of distinguishing between what is, and what is not a State. In any case, for our concerns, this definition does not help us very much since it does not specify the exact relationship between the State, sovereignty, and territory.

In order to clarify this fundamental triptych, then, we might begin by looking at what the concept of sovereignty means since, as Cynthia Weber (1996) has succinctly stated, it is very difficult to say ‘anything about statehood without beginning by deciding what sovereignty means’ even if in most cases “... the meaning of sovereignty is not clearly defined” (p. 1). Again, it might be useful to briefly mention Jean Bodin’s definition which is widely held to be the standard source for the modern concept of sovereignty. For Bodin, “(s)overeignty is the absolute and perpetual power of a commonwealth.” (Bodin 1992, p. 1, qtd in Joyce, 2009, p. 39). Commenting on Bodin’s understanding of sovereignty and its reception by Jens Bartelson<sup>10</sup>, Richard Joyce (2009) has noted that here:

the existence of a commonwealth that the sovereign would be sovereign over is taken as a pre-existing form – the form of the state. Bartelson views Bodin as among the first to place sovereignty as a ‘mark of the individuality of the state’ (Bartelson 1995:141). For Bartelson, Bodin’s sovereignty ‘stands in a relation of mutual implication to the state; to be sovereign means to be sovereign over a state (ibid.; emphasis in original). Sovereign power is thus defined by its exclusive relation to a commonwealth defined in terms of a community inhabiting a certain territorial space. (p. 39)

Here, if we take commonwealth to refer essentially to the concept of the body politic or the ‘state’<sup>11</sup>, then, sovereignty would refer to its absolute and perpetual power over its ‘jurisdiction’. This is, at least, precisely the definition that has, explicitly or implicitly, dominated modern discourses on politics, especially the discipline of IR (for reasons which will become clear as we go along). Indeed, remarking on Alan James classic definition of sovereignty, Nicholas Onuf (1991), has observed that

James and most other writers see sovereignty as a protective shell for the state. This is the standard, ‘modern’ view. It supports as much as it follows from the practice, already evident with Hinsley, of conceptualizing sovereignty on two dimensions, the internal and the external, which effectively demarcates the world within the state from the world of states. (p. 432)

In light of Onuf’s synthesis, it appears reasonable to conclude that the state is essentially defined by the ‘presence’ of sovereignty over given territory. In this sense, the sovereign state

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<sup>10</sup> Bartelson is a prominent scholar of the concept of sovereignty and will be a central source of inspiration for this thesis and will be discussed in much more detail in later chapters.

<sup>11</sup> As is usually the case, see Bartelson 2001

appears for most scholars to form a coherent totality or entity that has absolute and perpetual ‘power’ over its own domain. As, Rob Walker (2010) has noted, “(a)s far as most contemporary forms of political analysis are concerned, sovereignty is quite obviously shorthand for state sovereignty.” (p. 100) This broad understanding of the concept of the state is well captured by the anthropologist A. R. Radcliffe-Brown (1995[1940]) who explains that

In writings on political institutions there is a good deal of discussion about the nature and origin of the State, which is usually represented as being an entity over and above the human individuals who make up a society, having as one of its attributes something called “sovereignty,” and sometimes spoken of as having a will (law being defined as the will of the State) or as issuing commands. (p. xxiii)

The careful reader might note that this citation continues on to deny that there is even “such (a) thing as the power of the State”. However, for our purposes what matters for the moment is the presentation of dominant understanding of the state presented by Radcliffe-Brown since it is this which forms the background, whether explicit or implicit, against or within which the literature on global governance has so far situated itself. While this aspect of the concept of the sovereign state will be the object of sustained criticism throughout this thesis, for the moment what is important to retain is that the sovereign state appears for most scholars to form a coherent totality or entity which has absolute and perpetual ‘power’ over its own domain.

In this vein, Nicholas Onuf (1991) has proposed that “...most definitions of sovereignty refer not to a political community as such, but to the territory over which that community exercises control. They do so because states – again speaking empirically – are territorial configurations.” (p. 430) What this means is that without the basic territorial substrata, states cannot ‘exist’. A state, before it is anything else, is territorial (which is to say ‘bounded’, possessing boundaries). As we have mentioned before, “the premise of much International Relations writing is that the state is sovereign, in controlling effectively the territory and population over which it rules.”(Halliday, 1987, p. 221) This brings us face to face with the last component of the sovereign state conceptual imbroglio that we want to discuss, the notion of ‘territory’ and its necessary corollary, the modern political border. The centrality of the notion of territory for the internal coherence of the figure of the sovereign state is often undertheorized but, as Jean Gottmann (1975) remarked almost thirty years ago,

to presume that territory is a feature of the modern state’s sovereignty is as prosaic an assumption as it is perfunctory. As one commentator puts it, “(a)ll other elements (of the state) are dependent on, and inconceivable without, ... a basic territorial substratum. (Verzijl qtd. by Gottmann, p. 30)

As we have seen in relation to Bodin’s definition of sovereignty, the territory of the ‘state’ that is to possess or exercise sovereignty is always assumed. We simply cannot even think of state sovereignty without the concept of a geographically bounded ‘area of operation’ or jurisdiction over

which power can be exercised. In the classic definition, John Gottmann (1975) has described 'territory' as

a portion of geographical space that coincides with the spatial extent of a government's jurisdiction. It is the physical container and support of the body politic organized under a government structure. It describes the spatial arena of the political system developed within a national state or a part thereof endowed with some autonomy. It also serves to describe the positions in space of the various units participating in any system of international relations (p. 29).

This reflects Agnew and Cordbridge's (1995) claim that IR as a discipline has been interested only in the relationship between territorial states in which "... the state's essential territoriality has been taken for granted." (p. 79) Now, as we have alluded to earlier, our argument will focus less on the question of the territory of 'states' than the sites which act as spatial boundaries for these territories, and thus form the 'boundary' separating the 'world within the state from the world of states.

Within the framework we have developed thus far, borders would appear to be essentially the limits of a state's sovereignty. Nowhere is such a taken-for-granted understanding of borders, which also informs traditional IR, more evident than in the discipline of human geography in which, as Newman and Paasi (1998) have noted, most of "(t)he discussion of the role of boundaries has been closely connected with the ideas of territory, territoriality and sovereignty. Geographers in particular seem to understand boundaries as expressions or manifestations of the territoriality of states...." (p. 187) Thus, to the extent that they are discussed, boundaries are mostly considered to be simply objective places of contact between territorially given 'body-politic'. As Newman (2006) notes, "(e)ssentially, the border scholars of the first half of the twentieth century saw borders as constituting no more than the physical and static outcome of a political decision-making process." (p. 175) The fundamental importance of the boundary between the domestic and the international will become clearer as we develop our argument further, but for the moment it will be sufficient to remember that this distinction springs from the conceptual imbroglio of the sovereign state and its assumed bounded territorial 'substratum.' For the vast majority of the authors within ir/gg literature, the territorial boundary which differentiates the domestic from the international is simply an expression of the spatial extent of sovereignty. While this taken-for-granted understanding of borders is taken from geographers commenting on political geography, the central point applies just as well to the discipline of IR which, by and large, begins by positing that a plurality of states exist and interact within a realm defined by its difference from the domestic sphere. A similar observation has been noted by William Walters (2006) who explains that, in general, the modern idea of the border refers to "a continuous line demarcating the territory and sovereign authority of the state, enclosing its domain." (p. 193) In sum, the picture that emerges from a review of the dominant literature depicts

the sovereign state as an actor or entity that possesses sovereign authority over a given bounded territory. Sovereignty, in turn is understood as a kind of ‘possession’ or fundamental characteristic of statehood that refers to ultimate authority over a defined territory. Finally, territory, which is perhaps the seemingly most obvious and uncontestedly given component of this nexus, is usually, defined, as the self-evident, and fundamentally unproblematic, spatial extent of the sovereignty of particular states, outside of which lay the international. Thus, in this dominant reading of the sovereign state, politics is always already divided into two distinct and apparently independent spheres of activity, the domestic and the international. A very succinct presentation of this general observation has been provided by Richard Ashley (1989) who suggests that we

(c)onsider ... what is entailed in representing the state as a sovereign presence, a rational unity. At a bare minimum, the state must be represented as an entity having a coherent set of interests and possessing some set of means that it is able to deploy in the service of these interests. This in turn requires that the state be represented as an entity having absolute boundaries unambiguously demarcating a domestic ‘inside’ and setting it off from an international ‘outside’.... What defines the boundary is precisely the point of difference between these two domains: those domains of interpretation and practice that are subordinated to a singular hegemonic centre (the domains of the domestic) and those that are not (the international). (p. 248-9)

This is in large part the understanding of the sovereign state that has dominated the discipline of IR since its institutionalization in the early 20<sup>th</sup> century following WWI. A discipline in which, as we have mentioned before, the identity of the basic unit of analysis is rarely if ever questioned but simply taken as the given starting point of social inquiry. While neorealism is perhaps the clearest formulation, mainstream IR theories all start from this basic framework. As Alexander Murphy (1996) has noted “(t)he most widely discussed theories of international relations, whether realist, neorealist, or idealist, start with states as a given and work forward from that point.” (p. 103) This much is clear in all forms of realism (the dominant paradigm for much of the intellectual history of IR, and debatably even today) that has been well defined by Barry Buzan in a dialogue with David Held on the continuing importance or relative decline of the state that clearly demonstrates the pervasiveness of the sovereign state totality within IR in general. Thus, according to Buzan (in Buzan *et al.*, 1998),

(s)overeignty is central (to the realist view of the world) because it defines what the state is. The idea of sovereignty, as I understand it, is the claim to exclusive self-government, which means that the state is defined in terms of its ability to exert absolute political authority over a given territory and people” [...], “sovereignty is what makes a very hard and sharp distinction between the domestic domain inside states, and the domain of relations between states.”(p.388)

Perhaps a more telling and theoretically developed presentation of the dominant account of the sovereign state within IR has been elaborated by Biersteker and Weber (1996) who notes that neorealism

tend(s) to combine population, territory, authority and recognition – the principle constitutive elements of sovereignty – into a single, unproblematic actor: the sovereign state. This conflation of state and sovereignty enables them to abstract from, or simply ignore, problems in the domestic domain and to leave the assessment of problems of internal sovereignty to others. (p. 5)

This is perhaps not very surprising for IR scholars but it is more so when we see that it also informs most of the emerging body of GG literature. Indeed, one does find that the same basic theoretical understanding of the sovereign state also underlies most, if not all, of the relatively recent GG literature. Indeed, even authors as diverse as Sassen, Agnew, Hardt and Negri, or Rosenau - who posit either the complete unimportance of the sovereign state or at least its relative decline in terms of the actual exercise of political control - still invariably begin with the traditional definition of the sovereign state and proceed to engage in empirical research to clarify the relative importance of the sovereign state or its changing nature.<sup>12</sup> Even if the relationship between the state and sovereignty is problematized, there still remains a ‘state’ understood as an (essentially territorial) entity that can ‘possess’ a relative portion of sovereign power or economic control. In large part, the presence of the sovereign state, which demarcates the ‘world within the state from the world of states’ is the presumed starting point for modern politics as such, divided as it is between the domestic and the international realms.<sup>13</sup> If the state is disappearing, then it must have at some time existed.

In any case, despite its centrality in modern political discourse, the exact definition and ontological status of the sovereign state has been the subject of an ongoing debate within the social sciences. Much ink has been spilled by authors of diverse epistemological perspectives who would contest (and in some cases defend) the dominant understanding of the state. Such enterprises, however, have met with mixed results. Indeed, while the dominant understanding of the sovereign state (best represented in neorealism) has been quite rightly criticized, it has proven to be relatively difficult to discard all together without sinking into analytical incoherence and ontological paradox. The state seems to be almost common-sensically fundamental for understanding modern political life and it appears counter intuitive as well as ontologically paradoxical to simply discard. Thus, while some have proposed the abandonment of the concept of the state, others have taken to defending it on a purely instrumental basis (i.e. neorealists) as an “analytical fiction” which is not held to represent a really existing entity called the state. Many others - those who were not so easily satisfied with the instrumental notion of the state but still insisted on the centrality of the concept of the state - have sought to identify the really real nature of the sovereign state that the other approaches would seem to have missed. Once again, these efforts have had mixed results and there still does not seem to be a

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<sup>12</sup> In this, the most notable exception is probably to be found in the thought of Michel Foucault and much of the Foucauldian inspired GG literature which we will be addressing individually in chapter 4.

<sup>13</sup> For discussions of the centrality of the concept of the sovereign state for modern discourse *of* and *on* politics, see Bartelson 1996, 2001; Walker 1993, 2010; Ashley 1988; Onuf 1991, Wight 1966; Thibault 2009; Prokhovnik 2007.

clear and widely accepted definition of the state. It remains unquestionably central to any analysis of politics, even if no one really knows why, while at the same time being completely resistant to the ontological delineation of its essence. The next chapter can be read as an extended discussion of this (apparently endless) debate. The goal is not to produce an answer or decide on the correct definition of what the state is in reality but rather to reflect on the relationship between meta-theoretical commitments of some of the dominant accounts of the state and the nature of the elusive character of the state's 'essence' or 'nature.' This relationship is interesting because it hints at the interconnectedness of the object of study for the ir/gg debate, global politics, and the meta-theoretical framework for social inquiry. In other words, it allows us to see that there is much more to the state than one actor among others within an abstract political sphere called the 'global.' It is to this task that we now turn.

## **2.1- Oh Science! Save Us from “the Ghost in the Machine! On the Central and Ambiguous “Dual Identity” of the Sovereign State**

To say that the concept of the state is central to discourses *on* and *of* politics is to point out the blatantly obvious, most would argue<sup>14</sup>. Indeed, as Bartelson has noted, (2001), it has even

been common to regard modern political science as a discourse on the state, since politics and the state have frequently been defined in terms of each other. When Max Weber famously defined the state as a “human community that... claims the monopoly of the legitimate use of physical force within given territory”, he simultaneously defined politics as a striving to share power or a striving to influence the distribution of power either among states or among groups within the state. (p. 30)

In a similar sense, Schmidt (1998) notes that for Stephen Leacock, - one of the most influential figures in the emergence of political science as such - political science "deals with the state; it is, in short, as it is often termed, the 'theory of the state.'" (p. 84)

However, as we have just noted, despite this apparent centrality, the concept of the (sovereign) state has proved notoriously difficult to define and has led to some rather paradoxical problems and inconsistencies on the part of the various approaches that have tried to establish a clear definition of the State. In this sense, this section can be read as a story about the ongoing debate surrounding the ontological status of the concept of the state, both within political science in general and IR in particular. It aims to highlight the nature and analytical meaning of some of the most

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<sup>14</sup> For a general discussion of the relationship between the state and politics, see Bartelson 2001 and particularly Schmidt 1998.

serious and fundamentally interesting problems and paradoxes which seem to haunt all attempts to nail down the essence of the state once and for all.

Before continuing on to explore these questions, however, it would be important to note that the discussion of the debate surrounding the ontological status of the state that follows is not meant to be in the least bit exhaustive. The literature that discusses the ontological status of the state and the critique thereof is massive. Such an exhaustive review would require much more time and space than we have at our disposal. Nor does the ‘timeline’ we have drawn represent a linear or progressive dialectic of some kind. Rather, the debate narrative we will be discussing aims to highlight the wide divergence that exists between the various theoretical perspectives (or paradigms) as to the ‘essence’ of the state both in political science and sociology. All of these approaches are still very much alive in the sense that no one has really won the argument, even if almost everyone has claimed as much. In this sense, the objective of this discussion is to identify some, but not all, of the central and recurring arguments that have shaped the evolution of this debate in and around the discipline of IR.

The discipline of IR is particularly interesting here because theoretical tools of the discipline have developed in conjunction with the many various attempts to define the central concepts of the nascent discipline of political science in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries: in particular the dual concepts of sovereignty and the state. Indeed, as Schmidt (1998) has noted, IR as a discipline owes much to the juridical understanding of political authority and of the sovereign state and the critiques that were subsequently addressed to it. Simply stated, as Schmidt notes, the juridical theory of the state referred to the understanding of the state as “an expression of supreme authority over a territorially defined political community.” (p. 79) These are the broad lines of the definition of the state that we have just established in the previous section of this chapter. Within this concept, the state is held to be the owner of sovereignty or ultimate political authority within a bounded territorial space.

It is this understanding of the state and sovereignty that dominated much of the early literature focused on issues concerning the external sovereignty of states, like international law and war. More specifically, as Schmidt has noted, when the juridical view of state sovereignty was

was logically extended to the international realm, the picture that emerged was one of equal, independent, and isolated states existing in an environment where there was no overarching central authority present. In describing the international milieu as characterized by anarchy, in the sense of no supreme authority, proponents of juristic theory were pessimistic about the prospect of international law as well as a variety of other schemes of international organization to remedy the existing structure of international politics. From the perspective of juristic theory, states occupied a position similar to that of individuals living in a state of nature. It was partly upon this presumption that adherents of the juristic theory of the state denied that international law embodied the true characteristics of law. (p. 79)

In this sense, it is not surprising that the debate around the ontological status of the state would take place in and around political science and IR in general, since the disciplines themselves seem to be developed around the central concepts of the state and sovereignty.

Before addressing continuing with this discussion, it would be important to note that while there has been considerable disagreement as to the question of whether or not the international actually is anarchical, this debate is premised upon the acceptance of positing the state as the (often) central entity of global or international politics. Whether it is thought up in neo-realist, neo-institutionalist, constructivist or even Marxist, terms, the debate essentially concerns the nature of the world or space within which states or social blocs interacted. Indeed, in most cases, when people talk of hierarchy in the international realm, they are most often referring to the inequality in the power relations of sovereign states, at least in our reading (on this subject, see Lake 2007; Hutchings 2006; Hobson and Sharman 2005) While this is not always the case, the debate mostly turns on the question of what the place of the figure of the state is within the wider ontological composition the international or global political realm.

However, since the objective of our meta-theoretical exercise is precisely to problematize the centrality/ambiguity of this understanding of the state-entity, our usage of the term anarchy will not refer to the nature of the relationships within a given realm but, rather, to the role that anarchy - as one side of the foundational “structure de renvois généralisée” (Thibault 2009) between the spatio-temporally differentiated presence and absence of sovereignty-as-rulership - plays in the perpetual grounding of modern political life. What this means is that the empirical debate surrounding the nature of the international as a test for the juridical theory of state sovereignty falls outside the scope of this thesis. In contrast, what is of interest here is the debate around ontological status of the sovereign state and its significance for the ir/gg debate.

This being said, as Schmidt (1998) has argued, the critiques of the juridical understanding of state sovereignty were bound to interest the scholars of IR that were growing disillusioned with the contradiction between the theoretical definitions of state sovereignty, and of the anarchical nature of the international, and the empirical evidence which seemed to indicate otherwise. (p. 188) In his words, “the theory of pluralism offered an account of sovereignty and law that not only was deemed more consistent with the political experiences being observed by political scientists but allowed new possibilities to be considered that juristic theory had prohibited.” (Schmidt, p. 188) Hence, the early pluralist critique of the juridical theory of the state argued, Schmidt (1998) notes,

that the state was not, in any meaningful or legitimate sense, superior or prior to the various groups and associations present in society. The state, according to Laski and the other adherents of the pluralist paradigm, was only one of many forms of human association to which the individual belonged. Moreover, the pluralists insisted that the different associations found in modern society, such as trade unions, civic associations, and religious groups, each, in its own distinct way, possessed sovereignty on a parity with the state. Each of these associations, the pluralists maintained, represented a distinct "group-life" and manifested a specific "will." By a logical inference, this meant that the state could not be the sole possessor of sovereignty. In short, Laski argued that state sovereignty was neither indivisible nor supreme. (p. 166)

Here we can see an example of an early attempt to separate the concepts of 'sovereignty' and the 'state' in the wake of evidence that contradicted the idea that there was an actually existing entity called the state that possessed, in one form or another, sovereignty, conceived in terms of the existence of an ultimate political authority over a bounded territory.

Now, fast-forward 40 years to the post war American behavioralist revolution - a movement that Schmidt traces back to the early pluralist critique of the juridical theory of the state in the social sciences – and you have many of the same problems being raised concerning the validity of the traditional juridical theory of state sovereignty. The claims that the juridical idea of the sovereign state is either antiquated or theoretically fallacious are just as vocal now, as they were during the behavioralist revolution as well as in the beginning of political science and international relations as disciplines.

For example, within the context of the behavioralist revolution in the social sciences, <sup>15</sup>much attention was given to the problem of adopting an empiricist epistemology for the study of the state without falling into the idealism or metaphysical element of the statist approaches to politics<sup>16</sup>. As a consequence, many scholars abandoned the concept of the state on the basis of its utter incommensurability with anything resembling an empiricist epistemology, which of course, was a staple of behavioralism specifically but also all other forms of positivism.<sup>17</sup> For example, authors such as Ralph Milliband, David Easton and Gabriel Almond stopped talking in terms of 'states' in favour of systems, functions and governments<sup>18</sup>. As Colin Wight (2004) has noted, "(a)ccording to Easton the 'metaphysical' connotations of the concept of the state must be rejected. Either the state is the empirical behaviours of government officials or it is some kind of undefined and undefinable essence, a 'ghost in the machine', knowable only through its variable manifestations." (p. 276)

Thus, for most positivist inspired scholarship of the 1950s and 1960s, the concept of the state was seen with suspicion since it appeared to be superfluous for a scientific explanation that could

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<sup>15</sup> See Winch 2008 (1958)

<sup>16</sup> See Bartelson 2001, Abrams 1988, Mitchell 1991,

<sup>17</sup> See in particular Bartelson 2001; Abrams 1988; Wight 2004, 2007.

<sup>18</sup> For an overview of this see, Wight 2004; Bartelson 2001; Mitchell 1991; Krasner 1999, 2009

function just as well, or better, if it discarded the concept of the state in favour of the apparently more neutral/scientific concept of the government. This was perhaps not surprising given the interdependent nature of the two concept's definitions. Indeed, according to Ralph Miliband, "... it is the government which speaks on the state's behalf.... It is these (governmental) institutions in which state power lies and it is through them that this power is wielded in its different manifestations by the people who occupy the leading positions in each of these institutions." (Miliband, qtd. in Wight, 2004, p. 276)

For these authors, the central point was that since we could not see or perceive the state in any way, it was as superfluous to the explanation as God was to physics. Within this perspective, scholars had to focus on what they could see if they wanted to develop scientific theories of politics that were on par with the natural sciences and, what they could see were the activities of governmental agencies and the state's instruments of coercion and repression. In this sense, the concept of the state was to be treated in the same way as we now treat references to God or divine revelation in the explicit formulation of academic discourses *on* politics. Indeed, as Stephen Krasner (2009) has noted, "(f)rom the late 1950s until the mid-1970s the term "state" virtually disappeared from the professional academic lexicon. Political scientists wrote about government, political development, interest groups, voting, legislative behavior, leadership, and bureaucratic politics, almost everything but "the state." (p. 66)

However, this attempted conceptual house cleaning did not convince everyone, especially not the Marxist or Marxian scholars for whom the figure of the state still represented an apparatus of class domination that could hardly be dismissed as irrelevant. Further, the rejection of the concept of the state created just as many problems as it solved. Indeed, as Timothy Mitchell has noted (1991), the positivist/behavioralist dismissal of the state concept and the corollary

change in vocabulary (have) failed to solve the problem. The boundaries of the political system, where its edges meet those of the social or other systems, proved, if anything, even more elusive than the boundary of the state. In addition, the state itself refused to disappear. It seemed to retain what Nettl (1968, 565-66) called a "conceptual existence" as a "sociocultural phenomenon" whose salience could not be ignored. (p. 77)

While the concept of the state may have been very difficult to distinguish from society, its boundary from the 'political system' was no easier to draw, so the scholars were left with essentially the same problem as the state centric theorists they were criticizing.<sup>19</sup> Moreover, there was the additional problem of explaining 'order' as such if the sovereign state was dismissed as a 'ghost in the machine.' If we reject the analytical validity of the concept of the state, how do we then account

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<sup>19</sup> For a discussion of this problem, see in particular, Bartelson 2001; Jessop 2000; and Mitchell 1991.

for the presence of 'order,' which the authority of the state appears to ground and explain? Indeed, as Jens Bartelson (2001) has shown,

(e)ven if the state had been broken down into its component parts of group interests and government, it was increasingly difficult to explain the relatively harmonious interaction of these groups without reference to some principle of order or source of authority capable of moderating what would otherwise have been irreconcilable differences in the social body. (p. 103)

This problem is not limited to the positivist/behavioralist critique of the state but is a recurring theme for a great majority of the literature both on the ontological status of the state specifically and also concerning the ir/gg debate more broadly. Indeed, as Bartelson has noted, "(t)heir way of doubting the reality of the state", speaking of the positivists, "without doubting the inherited way to phrase the problem of political order seems to be an important condition of all later tendencies to doubt the analytic value of the state concept." (p. 88)

While we will be coming back to this problem repeatedly over the remainder of the thesis, what matters for now is that this conceptual house cleaning - through the decommissioning of the concept of the state in favor of the "political system" - did not succeed in convincing everyone. In fact, by the 1970s, a statist revival of sorts was taking place within the social sciences in which much of the impetus was provided by Marxist or Marxian scholars who saw the 'neutralizing' language of 'political system' as another ideological mask to hide the oppressive nature of the 'state apparatus' and the domination of the proletariat by the bourgeoisie. It is perhaps strange to refer to Marxism as a statist approach since classical or orthodox Marxist visions of the state tend to have a somewhat derivative account of the State as essentially a tool of the dominant class (bourgeoisie) and possessing limited autonomy or any independent agential power<sup>20</sup>. The idea of a repressive state as a tool could not easily be replaced by a 'political system' or even 'government' without undermining the Marxian critical thrust, i.e. that society is not simply an assemblage of atomized rational individuals but rather composed of complex, and often conflictual, relations of forces between the different classes of a particular mode of production. Concepts like 'political system' have a tendency to neutralize those power relations into a contractualist understanding of politics as guided by the 'general will.' As John Hobson (2000) has noted, in Marx's general theory "... the laws of motion of capitalism and of history are determined by what goes on exclusively within the MOP (mode of production). The state is not directly implicated in historical development: it is a second-order or derivative 'entity'." (p. 115) This does not really change with Lenin's theory of imperialism in where state activities and imperialist practices are still motivated by the interests of capital and the state is given very little autonomy from the social forces of production.

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<sup>20</sup> For a discussion of Marxist and Marxian theories of the State see Cox 1986; Gill 1991; Hobson 2000; Bartelson 2001.

While this orthodox economic determinist version the Marxist theory of the state was nuanced, expanded, and given some relative autonomy under the influence of neo-Gramscian scholars of IR and elements of Althusser's "work on the Ideological State Apparatus", for all intents and purposes, the state remains an entity-actor, even if only a derivative actor, having varying amounts of autonomy from the productive social forces. As Robert Cox (1983) has noted, "Gramsci did not in any way bypass the state or diminish its importance. The state remained for him the basic entity in international relations and the place where social conflicts take place- the place also, therefore, where hegemonies of social classes can be built." (p. 169) In a passage worth quoting in length, both for its succinct presentation of the narrative we were trying to draw, but also because in it he positions himself very clearly vis-à-vis the traditional critique of the state, Cox (1986) explains that within IR,

One recent trend in theory has undermined the conceptual unity of the state by perceiving it as the arena of competing bureaucratic entities, while another has reduced the relative importance of the state by introducing a range of private transnational activity and transgovernmental networks of relationships among fragments of state bureaucracies. The state, which remained as the focus of international relations thinking, was still a singular concept: a state was a state was a state. There has been little attempt within the bounds of international relations theory to consider the state/society complex as the basic entity of international relations. As a consequence, the prospect that there exist a plurality of forms of state, expressing different configurations of state society complexes, remains very largely unexplored, at least in connection with the study of international relations. (p. 205)

As his comment shows, Cox rejects the conventional (pre)separation of the state from society which has dominated, most often as an assumption, much of what could be called IR literature. Thus, the international is still conceived as a space within which entities of some kind - be they state actors or state-society complexes - the entity at the heart of IR is still the state, but it is understood here as an expression of a complex socio-political system in which the state does not have complete independence to pursue "interests defined in terms of power" (as Morgenthau's old adage goes). Indeed, while many have seen this bringing together of the state and society as a coherent entity of analysis for IR as an improvement over the usual state-society divide postulate of IR theorizing, it still does not address the problem of the 'materiality' of the sovereign state-society totality which is to be the new unit of analysis because it simply replaces the neorealism totality with the idea of "the state/society complex as the basic entity of international relations." (Cox, 1986, p. 205) In this way, the Marxist account of the state is similar to neorealism, in the sense of being a 'totality' encompassing 'all of what is represented on the map.' The crucial difference, of course, is that it depicts the state, not as an autonomous and independent entity (like in neorealism), nor as a neutral 'arbiter' (i.e. traditional contractual liberalism), but rather as repressive tool more or less concerned with protecting the private property (accumulated capital and privatized means of productions) of the dominant class of the modern system of production, the bourgeoisie.

Within this perspective, one accepts the givenness of the figure of the sovereign state while claiming that its actions are either heavily constrained, or downright determined, by socio-economic forces of the dominant mode of production. The major debate, as Jessop and Bartelson have noted, concerns the relative autonomy of the state in regards to societal factors. On the opposite side of the spectrum from the society centred Marxian approaches and necessarily 'derivative' theory of the state, there has also been, starting in the 1980s, the emergence of a broad movement committed to bring the state back into the analysis of politics (what has been called the "bring the state back" movement (Jessop 2001). The common factor uniting this movement, often associated with authors like Krasner (1978); Skocpol (1979); Nordlinger (1981); and Stephan (1985); was that while they were not entirely convinced about the more traditional figure of the state as a kind of 'ghost' in the machine, they also rejected the subordination of the political system to social or economic forces which was the main thrust not only of Marxian approaches but also of the positivist/pluralist writings of people like Easton and Almond. Indeed, as Bob Jessop (2000) has noted, these authors - those associated with the 'bring the state back in' movement - "claimed that the dominant post-war approach to the state were too 'society-centred'" and argued that

(t)hese approaches allegedly tried to explain the form, functions, and impact of the state in terms of factors rooted in the organization, needs, or interests of society. Thus Marxism was accused of economic reductionism for its emphasis on base-superstructure relations and the class struggle; pluralism was charged with limiting its account of competition for state power to interest groups and movements rooted in civil society and thus ignoring the distinctive role and interests of state managers; and structural-functionalism was criticized for assuming that the development and subsequent operations of the state or political system were determined by the functional requirements of society as a whole. (p. 152)

It is in reaction to this perceived domination of society centric approaches that the new wave of 'state-centric theorists' emerged. As Jessop (2000) has noted, these authors complained that the society-centric theorists essentially "put the cart before the horse" and argued

that state activities and impacts are easily explained in terms of its own distinctive properties as an administrative or repressive organ and/or the equality distinctive properties of the broader political system encompassing the state. Societal factors, when not actually deemed wholly irrelevant, were certainly secondary; and their impact on state affairs was always filtered through the political system and the state itself. (p. 152)

In the wake of this critique, their point was that while the positivist/pluralist were right to problematize the centralized and unitary figure of the modern sovereign nation-state, the pluralist/positivist and Marxian focus on functionality and social forces had ended up obscuring the very important command and control functions assumed by the 'political system' and/or the "state apparatus." In sum, as Jessop neatly summarizes, while

different state-centred' theorists have emphasized different factors or combinations thereof..., the main conclusions persist: there are distinctive political pressures and processes that shape the state's form and

functions; that give it real and important autonomy when faced with pressures and forces emerging from the wider society; and that thereby give it a unique and irreplaceable centrality both in national life and the international order. In short, the state is a force in its own right and does not just serve the economy or civil society. (p. 153)

However, this effort does not come without its own problems and inconsistencies. Just as much as the “political system” theorists before them, these new statisticians were faced with the apparent impossibility of clearly and meaningfully distinguishing the state from society. While their rejection of the society-centric post-war approaches to the study of politics might be welcomed, the problem which initially pushed people towards these society-centric approaches still remained. The ‘identity’ or ‘essence’ of the state is particularly difficult to define because there is simply no way to clearly distinguish between the state, or political system, and society, whether it is understood as primary or secondary. Here, as Mitchell (1991) has observed, “(t)he customary Weberian definition of the state, as an organization that claims a monopoly within a fixed territory over the legitimate use of violence, is only a residual characterization it does not tell us how the actual contours of this amorphous organization are to be drawn.” (p. 82) This broad reading of state-centric approaches is echoed by Jessop (2000) who has noted that these new

statist approach(es) always begins from the assumption that the state is a distinct entity, opposed to and set apart from a larger entity called society. Arguments are confined to assessing how much independence one object enjoys from the other. Yet we have seen that in fact the line between the two is often uncertain. Like the systems theorists before them, advocates of a statist approach have been unable to fix the elusive boundary between the political system or state and society. (p. 89)

Thus, while the state remains fundamentally problematic for anyone who starts from a positivist epistemology (or representational philosophy in general), it is in no way clear how, or even if, it is possible to replace or otherwise modify our use of such a problematic concept. Even if identifying the boundaries of either the sovereign state or the political system appears to be impossible to clearly identify once and for all, rejecting the concept of the state *tout court* leaves one unable to explain the presence of ‘order’ and relative cohesion of political communities.

This apparent impasse has been succinctly presented by Mitchell (1991) in a comment on the continued insistence of some of the positivist critiques of the state in which he explains that

even if the boundaries of the political system proved as elusive as those of the state, the latter concept suffered from one more weakness in the opinion of systems theorists. The state seemed to Easton (1953, 111-12) “less an analytic tool than a symbol for unity,... a myth.” It represented something “transcendental” that “symbolizes the inescapable unity of one people on one soil. The imprecision that made the term unsuitable as an analytic tool was the source of its political strength as a mythic or ideological construct. (p. 81)

With this, we seem to be back at square one. So what exactly, then, is the state? And why is it so difficult to clearly define this fundamental concept of modern political life while at the same time

being impossible to simply reject or dismiss. Some might even ask why any of this matters for the study of global politics?

Before addressing these questions directly, a brief synthesis of the ground covered so far might be useful. Stated simply the objective of this section was to demonstrate that it is exceedingly difficult to clearly define what the state is and while some might take this as reason enough to discard its use altogether, this creates as many analytical problems as it solves. Indeed, if one takes the sovereign state to be an actually existing object of study, one is confronted, one way of another, with the impossibility of clearly identifying its boundaries, both in terms of its distinction from society and also, as we will argue below, from the international realm. If, on the other hand, the concept of the sovereign state is rejected in favour of concepts like political system and units of analysis like governments and interest groups, it becomes increasingly difficult to account for the existence of order in the first place and of a minimal amount of social cohesion. This same problem is not evacuated if one follows some Marxian authors like Abrams who proposed that we treat the state as an ideological tool of hegemonic domination.

There is just no agreed definition of what the state 'is,' even if nearly everyone agrees that the concept of the state is, or at least was at one point, fundamental for our understanding of contemporary politics in general and international politics in particular. While we will be coming back to this centrality/ambiguity of the concept of the sovereign state for the rest of this thesis, it would be important to note that, for the most part, mainstream IR has been strangely silent about the fundamental implications of the ontological ambiguity of the sovereign state.

## **2.2: The State, International Relations, and Representational Philosophy**

It is perhaps not all that surprising that the fundamental ambiguity/centrality of the State has gone relatively unnoticed or unexplored by mainstream IR since, as Bartelson (2001) has pointed out in regards to academic IR, the presence of the sovereign state "has been its unquestioned point of departure" of the discipline itself. (p. 157) Indeed, as Halliday (1987) reported over two decades ago (1987), "(t)he premise of much International Relations writing is that the state *is* sovereign, in controlling effectively the territory and population over which it rules."(p. 221) The presence of the state is simply the presumed condition of possibility of the discipline of IR as such. Hence, Halliday

explains, “(i)t is not at first obvious that there is a problem about the definition of the state in International Relations... (since we, as IR scholars,)... assume we know what it is...” and that for the most part IR “as a whole takes as a given one specific definition..., what one may term the national-territorial totality”, in which the state “comprises in conceptual form what is denoted visually on a map – viz. the country as a whole and all that is within it: territory, government, people, society.” (p. 217-218) In this sense, the concept of the sovereign state would seem to be almost too obvious to merit any kind of scholarly attention or discussion, at least within the discipline IR (as well as many critics of IR’s state centrality which still assume they know what the state is).

However, the assumption as to the givenness of the state within IR is confusing if we recall that it is a field traditionally dominated by empiricist and positivist perspectives which cannot, at their core, accept that a non-corporeal transcendental entity (or a ‘ghost in the machine’) could exist behind perceptible reality. Indeed, according to David Campbell (2007):

International Relations has been shaped by the influence of science and technology in the development of the modern world. The potential for control and predictive capacity that the natural science seemed to offer provided a model that social scientists sought to emulate. This mode, positivism, was founded on the empiricist theory of knowledge, which argued that sensory experience provides the only legitimate source of knowledge. ‘Experience’ refers to direct sensory access to an external reality comprising material things. As an epistemology (a meta-theory concerning how we know), the empiricist conception of knowledge understands knowledge as deriving from a relationship between a given subject (the person that knows) and a given object (that which is known). (p. 208)

This is problematic because, for a positivist, for something to exist, it must be empirically observable (as in, look there, a state)<sup>21</sup>. The ‘sovereign state’ is not such an entity. It cannot be observed as such, as authors like Easton and Almond were quick to point out. In IR, this problem has been dealt with in a way that would confound most common sense notions about what a science does and how it understands its basic concepts. Indeed, the dominant approaches of IR, faced with the impossibility of ever observing a state which had convinced many other positivists to reject the use of the concept of the sovereign state altogether, have responded by putting forth a purely “instrumental” definition of the state, where it is understood only as an analytical tool to be judged on the basis of its usefulness for predicting and explaining political events. While it might seem absurd to outside observers, Halliday (1987) has noted that for the most part,

*(i)t is not argued by those who use this concept favourably, especially realists, that such a state exists empirically, but only that an abstraction of this kind, derived from political theory and international law, is heuristically the most appropriate for International Relations. In other words, theory based on this concept explains more about international relations and should, therefore, be maintained. (p. 218)*

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<sup>21</sup> See Campbell 2007 for an extended discussion of the central meta-theoretical positions of positivism and epistemic realism. It will also be discussed in much more detail in the next section of this chapter.

This observation is mirrored by Alexander Wendt who, almost two decades after Halliday's article, proposes that most IR scholars, when pushed, will explain that "state personhood is a useful fiction, analogy, metaphor, or shorthand for something else. That something else, what state persons really are, is the behaviour and discourse of the individual human beings who make them up." Thus, he explains, for the vast majority of IR scholars "...states are nothing but the structured interaction of their members" (Wendt, 2004, p. 289). In a similar contribution, Colin Wight (2004), glossing Robert Gilpin's oft quoted response to Richard Ashley, expresses the dominant and almost self-evident understanding of the state in mainstream IR which explains that

when we talk of the state acting we all engage in a collective illusion. We all know that the state does not really act. We also all know that in reality there is no such thing as the state; 'the state does not really exist' (Gilpin, 1986, 318). However, we continue to talk in this manner because it seems 'as if' the state acts. (p. 270)

Wight follows up this (problematic?) assertion by saying that "(m)ainstream International Relations (IR), in general, simply does not believe its main unit of analysis exists" (p.270).

However, this manoeuvre is far from being as easy and unproblematic as the partisans of the useful fiction theory of the state would have us believe. It is particularly problematic that one should argue that the state is an analytical fiction that is to be judged on the basis of its predictive capability while at the same time assuming the 'givenness' of the political order which the concept of the state supposedly explains and ensures. Indeed, commenting on the generalised critique or rejection of the analytical validity of the concept of the state, Bartelson (2001) notes that it became "... difficult to explain and justify the presence of political order, since one of the main functions of the state concept had been to render such an order intelligible in terms of itself." (p. 103) Furthermore, if no one actually believes the sovereign state exists, what then explains the separation between the domestic and the international which most scholars simply take to be the given starting point for social inquiry? How does one account for the existence of the international in the first place? And why is the state so consistently impossible to clearly define while at the same time being so central to the analysis of politics that we are unable to simply cast it aside? At the very least, if the state is an analytical fiction, it means that one cannot simply posit it as a given part of the ontology of global politics and attempt to wrest the truth of politics out from the tricky appearances of everyday life. If the state never existed, it can't really disappear. Nor can it tell us much about the transformations in contemporary global political life.

For our purposes, this tendency, to discount the state as simply a useful analytical tool will be crucial since it handily illustrates the annoyingly elusive and ambiguous nature of the sovereign state as well as its apparent irreplaceability within the dominant discourses *on* and *of* politics. It is both too

apparently ambiguous to be scientifically defined while being so central for understanding modern political life that discarding it leaves one unable to coherently account for the existence of ‘order’ and social cohesion. Furthermore, if IR is to have a somewhat convincing account of contemporary global politics, the central unit of analysis of the field of international relations cannot simply be a useful fiction, especially if one purports to responsibly discuss the current state of global politics. As we have stated before, it is our belief that a more careful consideration of the political significance of the ambiguity/centrality of the figure of the sovereign state is fundamental for those seeking to understand the transformations in contemporary global politics.

While we in no way claim to resolve this problem once and for all, we do contest that much can be gained from studying the paradoxes associated with the ontological status of the state, particularly if one wants to understand the possibly changing nature of contemporary global politics. The first step of this study must, in our view, begin with a meta-theoretical discussion of the radical ontological and epistemological differences between dominant definitions of the state we have been discussing in this section. This will also enable us to illustrate the political importance of the question of foundation, which, we will argue, the traditional problematizations of the ir/gg debate leaves out of the analytical picture completely as well as further illustrate the paradoxical nature of the positivist claims about the ontological nature of the state and the reasons why treating it as an analytical fiction doesn’t really help matters.

This being said, one relatively novel and prominent avenue of critique of traditional positivism, and the instrumentalist understanding of theory it entails, has been formulated by authors influenced by “scientific realism.” Within IR, this approach and has been advocated by figures such as Alexander Wendt (1999, 2000) and Colin Wight (2004, 2007). Indeed, according to John Gunnell (2010), the “principal purpose” of the scientific realist critique of positivism elaborated by Alexander Wendt (1999, 2004) “was to attack the hold of positivism as a meta-theory in the study of International Relations, and particularly the instrumental account of theory which dominated the social sciences.” (p. 12) Without delving too deeply into this critique of positivism, Colin Wight (2007), a proponent of scientific realism, has noted that instrumentalism as a meta-theoretical position on the relation between theory/language and reality can be understood as the approach within which the “treatment of theoretical assumptions is said to be valid if it facilitates prediction and control” and that... “(i)n International Relations (IR) theory instrumentalism is at the core of Kenneth Waltz’s version of structural realism, but it also underpins the rationalist mainstream and is at the heart of most post-positivist approaches.” (p. 380) Commenting on this understanding of the validity of theoretical assumptions, Wight (2007) notes that

(f)or the instrumentalist, being able to do X on the basis of Y provides sufficient justification for Y. The realist, on the other hand, wants to know why Y allows us to do X and engages in further examination of Y. The instrumentalist stops when Y works. This might be good advice for the technologist, but surely not for the scientist. (p. 384)

It is this consideration of the limits of positivism reliance on instrumentalism that motivates Wendt, Wight and others to adopt scientific or critical realism as a meta-theoretical starting point for international relations theorizing. This meta-theoretical position, as Gunnell (2010) has noted, is associated with the work of Roy Wood Sellars “whose naturalistic image of science was formulated in opposition to nineteenth century idealism” and that, “... in social theory, ‘critical realism’, in its various incarnations, involves the search for a meta-theory devoted to sustaining the idea of explaining and evaluating social phenomena in terms of the existence of unobservable structures, generative mechanisms, and underlying causal relations” (p. 9).

While on the surface this seems to represent an important break with traditional positivist meta-theoretical position, upon further review it ends up being a mostly a superficial critique which does not break with the much more important ontological project(ion) of representational philosophy. Indeed, as Gunnell (2010) has noted, the recent emergence of IR work inscribed within scientific realism - a meta-theoretical position which is quickly emerging (at least in IR) as the main contender to positivism in the race to serve as the ground for the epistemic authority of the discipline of IR - “remain(s) tied to the basic problematic of representational philosophy and the correspondence theory of truth, which pivot on the epistemological problem, that emerged with Locke and modern empiricism, of how thought and language make contact with an external world.” (p.7) An illustration of what this means is provided by Dingwerth and Pattberg (2006) in their discussion of concepts, which they describe as

the most basic tool science has at its disposal. If we understand science as being, at least to a certain extent, charged with the task of organizing the information we obtain from observing and experiencing the world, then the role of concepts is pivotal. By relating certain phenomena to each other and keeping others apart, concepts fulfill the central function of ordering and structuring our perception of the world. (p. 186)

While it is not explicitly stated, this understanding of concepts is situated squarely within a representational meta-theoretical perspective in the sense that the central problematic of theoretical analysis still concerns the way in which, in Gunnell’s words, “thought and language make contact with an external world.” (p. 7)

At this point we should note that we are of course aware that the problems with the Cartesian dichotomy are not a new discovery, and have been the subject of sustained criticism from Marxist and Marxian scholarship for well over a century. While there is no possible way we could do

sufficient justice to all the different variances and theoretical divergences which are regrouped under the heading ‘Marxist or Marxian,’ we would like to comment briefly on the materialist ontology which is one of the most important common denominators of much of what can be usefully denoted by ‘Marxism.’ A useful way to approach this aspect of Marxism is provided by Esteva Morera (1990) who sets up, following Ted Benton, the four conditions of a materialist theory. In his reproduction of this schema, Stephen Gill (1991) presents them as follows:

1. Materialism acknowledges the existence of an object of knowledge, independent of the knowing subject, the process of knowledge production, and the system of knowledge itself.
2. The adequacy of the object of knowledge provides the ultimate standard by which the cognitive status of thought is to be assessed.
3. Thought and ideas are recognized as realities in their own right and thus are an object of knowledge.
4. Those realities are theorized as not sui generis but as the result of causal mechanisms. (p. 58)

A brief discussion of the presuppositions of these conditions illustrates some of the fundamental similarities between positivism, scientific realism, and materialist theories in general, including Marxism. In the first and second conditions, we see that the purpose of social research is to be measured against the ‘adequacy’ of the ‘object of knowledge’ which is ‘independent of the knowing subject’ and thus the basic problem is still epistemological, the possibility of correspondence between thoughts - which are always discursive<sup>22</sup>- and a given reality. Ultimately, then, these conditions of materialism concern the right way to understand what ‘theories’ and ‘concepts’ are and how they relate to the reality they are used to describe. This dichotomy, between ideas and reality (which ends up being the same thing as the subject/object dichotomy) is reinforced by saying that ideas are “realities in their own right” rather than, for example, accepting that ideas are literally a part of ‘reality’. The issue here is that the postulation of an ‘object’ independent of the knowing subject, while it is explained as being motivated by a materialist ontology, is fundamentally rooted in a particular epistemological position.

It is this meta-theoretical position that is of primary importance for this thesis because of what it means for the scholars understanding of language and its relationship with the reality of the world. This is particularly relevant here in relation to the figure of the sovereign. According to this position, language is merely a transparent tool of the inquiring subject and that, as such, the “external world can be described in a language that does not presuppose anything” (Gunnell, 2010, p. 208). Within such a framework, an ‘ontological debate’ can only take the form of an attempt to make language

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<sup>22</sup> See Foucault , *Archeology of Knowledge*, or Terry Eagleton. 2007. *Ideology: An Introduction*. Verson, London, ch. 7.

better reflect the objectively given truths of reality. Here, truth is thought to reside in the world and language's only role is to permit the transparent transmission of the objective truths which can be produced by representationally informed experimentation or theorization. Within IR, while the dominance of positivism has been rightly criticized, this has been done overwhelmingly from within the framework of representational philosophy (positivism and scientific realism) or at least predominantly from an epistemological starting position (Marxism). This means that, since the starting point for theory is predicated upon a clear image of how scientific language (or theories) relate to the objectively given 'world,' questions as to the conditions by which what is 'is' simply cannot be included in the analysis itself. The completely immanent presence or radical objectivity of reality means that things are what they are, independently of what humans may have to say about them. Calling an apple an orange will not make it so, we are told, as if this solved anything. The adoption of such a metatheoretical epistemology is, of course, that any discussion of ontology comes to be seen in a pejorative light, as either metaphysical speculation or theology in the sense that things in their entirety are believed to exist, as pure presence, in an independent objective reality, no matter what mere humans might have to say about it. In this sense, one could say, as William Connolly (1995) has done, that

(t)he primacy of epistemology short circuits ontological issues by assuming that once the right procedure for attaining truth as correspondence or coherence or consensus is reached, any remaining issues will either be resolved through that method or shown to be irrelevant. The primacy of epistemology thereby treats the ideas of subject, object, representation, knowledge as if they were already fixed in their range of application. (p. 6)

In less eclectic words, this means that such theories, by beginning with epistemology, presuppose a very specific understanding of what 'reality' is. The implications of this line of argumentation for the 'object' of our research is fundamental since, as Miguel De Larrinaga (2006) explains, "(t)hrough the epistemological privilege and the ontological ground(ing) upon and through the state enabled via the sovereignty/anarchy opposition, epistemic Realism can thus engender an unquestioned foundation upon which to interpret and act upon world order." (p. 81) Thus, for epistemic realist approaches, the question of the foundation of ontology (what we would call the onto-political question) is simply evacuated from what needs to be explained and understood. Indeed, as De Larrinaga (2006) has noted, following Ashley's critique of the sovereignty problematic, that

(t)he question of the 'whatness' of world order, the profoundly gendered answer given by epistemic Realism is the presence of sovereign states operating under conditions of its absence in the form of anarchy or, in terms of the problem-solving horizon that this opposition discursively circumscribes, the anarchy problematic. (p. 80)

Indeed, as Gunnell (2010) has noted, in a comment on the emerging "scientific realist" position in IR, that the "scientific ontologies" of 'realist' meta-theoretical positions are fundamentally "... claims

about the constitution of reality – not simply the philosophical claim that there is a mind/world dichotomy or that theories are one thing and that reality is another. The fundamental issue posed is the epistemological one of how theory and reality make contact.” (p. 13) Here, any question as to the process by which things that are ‘are’ simply cannot be posed.

Stated differently, what this means is that to talk about the primacy of either the material or the ideal is to assume that these two realms are ontologically distinct from the start and thus that the ‘materiality’ of the material is not something that needs to be explained in itself. This is also the principal problem of materialism in general - and Marxism in particular - even if their solutions or explanations are very different from traditional liberal philosophy. Simply put, to postulate the ontological separation of the objective realm (the concrete real) from the subjective realm (the ideal) means at least two things: first, reality is distinctly non-subjective and, second, subjectivity is fundamentally not ‘real.’ For the purposes of this thesis, it is the former consequence (the non-subjectivity or non-ideality of reality) which is of primary importance, even if the two are of course related and much more could be said about their relationship.

In contrast to this traditional short-circuiting of ontological questions, Gunnell argues that in order to develop meaningful theories - whether they aim at explanation or comprehension - of socio-political events, it is necessary to begin with a coherent account of ‘what’ we understand these events to ‘be’ and what makes these things what they are instead of something else. In other words, we have to look at what gives certain things their “thing-ness.” Thus, Gunnell (2010) has argued that

(a) meaningful epistemology of social science and relevant methods and forms of inquiry can only emerge as the entailment of a substantive theory of social phenomena, but as much as the turn to realism invokes a wish to push the slogan of ‘ontology first’, what it is really doing is once again searching for an a priori meta-theoretical form to guide inquiry. (p. 23)

Hence, instead of starting with the epistemological problem of how theories relate to reality, which is the staple of the representative philosophy so dominant in IR theorizing, we will be focusing on the ontological component of social phenomenon. However, this will not be done in the traditional fashion, i.e. through a reflection on what ‘is’. This is because we will not be proposing an alternative account of what is but rather reflecting on the way by which what is ‘is’<sup>23</sup>. That is to say, reflecting on what it means to be some-thing that ‘exists.’ In a relevant passage, Gunnell has stated that

(r)ecting the allure of representationalism in philosophy entails, first of all, recognition of the need of social science to confront substantive theoretical issues regarding the nature of social phenomena. What is somewhat ironic about the popularity of realism is that despite all the emphasis on ontology and on the

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<sup>23</sup> The difference between the two forms of understanding philosophical accounts of ontology is discussed in de Larrinaga 2006: 61-65.

priority of ontology vis-à-vis epistemology, little attention has been given to these theoretical or ontological questions. (p 21)

In this sense, it appears that in order to get beyond the unreflexive short-circuiting of ontological questioning which accompanies the epistemological fixation of a meta-theory about how language makes contact with reality, it would be necessary to consider the possibility that language and discourse are a constitutive part of that reality. Such a position has perhaps been best vulgarized by Peter Winch (1958) who noted that

in discussing language philosophically we are in fact discussing what counts as belonging to the world. Our idea of what belongs to the realm of reality is given for us in the language that we use. The concepts we have settle for us the form of the experience we have of the world. It may be worth reminding ourselves of the truism that when we speak of the world we are speaking of what we in fact mean by the expression 'the world': there is no way of getting outside the concept in terms of which we think of the world.... The world is for us what is presented through those concepts. That is not to say that our concepts may not change; but when they do, that means that our concept of the world has changed too. (p. 15)

Similar general positions have also been defended by a wide variety of authors, from Wittgenstein, to Heidegger and Derrida, and even Wendt's main source for the development of scientific realism, Hilary Putnam, who eventually rejected the meta-theoretical version of scientific realism that he had at first developed. Putnam's change of heart is related to his eventual conclusion that it is not analytically 'useful' to ontologically separate language from the 'world' (Gunnell, 2010, p. 20). Rather, he came to defend a similar positions as "Wittgenstein's later philosophy in claiming that the relationship between thought and reality is to be found in the grammar of our language, that is, that representing nature takes places through the application of language in particular contexts such as science and everyday life" (Gunnell, p.14).

Following this general assertion (at which point much of the similarities between these authors cease), our own theoretical framework is in large part inspired by a Derridian 'textual' or discursive understanding of ontology which does not accept the analytical priority of epistemological concerns (see meta-theory) that are endemic to the dominant epistemic Realist accounts of international relations. This is done through an understanding of language and discourse as the condition of emergence for the subject/object divide in the first place (not to mention the domestic/international divide). Following Jacques Derrida, we will be taking language as "... a system of differential signs, and meaning is established not by the essence of a thing itself but through a series of juxtapositions, where one element is valued over its opposite." (Derrida, 1976, 1978; qtd. in Hansen, 2006, p. 19)

In adopting this perspective (which is the condition of possibility for even asking the questions addressed in this thesis), we are explicitly rejecting Keohane's influential distinction between

'rationalist' and 'reflectivist' approaches whose underlying principles have, as Lene Hansen (2006) has recently noted, "...successfully privileged epistemology over ontology as the area where the importance of non-material factors should be assessed, and epistemological differences continued to be key to the construction of separate positions within the fracturing reflectivist camp." (p. 4)

Thus, when one claims, following Derrida's classic phrase according to which "there is no outside of the text" ("il n'y a pas de hors texte", Jacques Derrida, in Thibault 2009), one does not mean that reality does not exist outside of 'texts' or 'discourse' but rather that

*cette réalité extra-textuelle et apparemment non-discursive... ne se découvrira et n'acquerra sa qualité de réalité (son signifié observable) que dans le cadre d'un sens (son signifiant interprétable) qui émerge, qui s'institue, et qui est donc pour ainsi dire littéralement produit en tant qu'effet par son « mode d'inscription » dans un élément discursif, texte ou discours (p. 18- 9)*

In this sense, as Thibault points out, 'reality is written.' (p. 19) Thus, as Lene Hansen (2006) has shown, the "concept of 'discourse' is not equivalent to 'ideas'; discourse incorporates material as well as ideational factors" (p. 17). Rather, she points out, "as Ernesto Laclau and Chantal Mouffe, have stated, that poststructuralists "affirm the material character of every discursive structure. To argue the opposite is to accept the very classical dichotomy between an objective field constituted outside of any discursive intervention, and a discourse consisting of the pure expression of thought" (Laclau and Mouffe, 1985: 108; in Hansen, p. 21). A succinct presentation of roughly the same idea has been expressed by David Campbell (1998) who explains, also glossing Laclau and Mouffe's seminal work (1985), that

*a concern with discourse does not involve a denial of the world's existence or the significance of materiality... (T)he fact that every object is constituted as an object of discourse has nothing do to with whether there is a world external to thought, or with the realism/idealism opposition. What is denied is not that objects exists externally to thought, but the rather different assertion that they could constitute themselves as objects outside of any discursive condition of emergence. (p. 216)*

What this means is that, for better or for worse, we are stuck in discourse if we are to think and talk about 'reality.' This implies, as Hansen (2006) has noted, recalling Shapiro's comment, that for poststructuralism, in contrast with epistemic Realism (and, according to us, of representational philosophy in general)

*language is ontologically significant; it is only through the construction in language that things - objects, subjects, states, living beings, and material structures- are given meaning and endowed with a particular identity. Language is not a transparent tool functioning as a medium for the registration of data as (implicitly) assumed by positivist, empiricist practice, and hence there is no objective or true 'meaning' beyond the linguistic representation to which one can refer. (p. 18)*

What this means is that language itself can be seen as worthy of analysis in itself rather than simply being conceived as a neutral instrument for the transmission of objective knowledge.

Here, in contrast to representational philosophy (which includes positivism, scientific realism, and most forms of materialism), words and concepts are essential components of the materiality of the social forces which form the objective reality which is to be studied. Thus, the materiality of the social forces driving ‘history’ is determined by the categories and the narratives in which and by which they (the social forces) can be made intelligible as the context within which humans act, judge, and plan their activities. Here, the point is that before material or social forces/interest can determine the political superstructure, they have to be ‘materialized’ in discourse. From this perspective, the very materiality or objectivity of the material or social forces which liberalism, just as much as Marxism, takes to be the real cause of the merely visible ‘world of appearances comes to be seen as a particular ways in which things have materialized *by* and *through* their inclusion into political narratives. A thing becomes a thing by and through its inclusion in a narrative in a process which Judith Butler has called “materialization, referring to the “performative process that stabilizes over time to produce the effect of boundary, fixity, and surface,” (Butler 1992, in Campbell 1998, p. 25)

To clarify further what exactly is implied in talking about discourse being ontologically significant, it might be useful to recall Colin Wight’s (2007) argument, in response to Friedrich Kratochwil’s (1995) claim that we “... we cannot talk about ‘things in themselves’, but need descriptions; these descriptions are not neutral and somehow objective but embrace all types of social practices and interest that then make the things into what they are called or referred to.” (p. 391) In response to this, Wight rhetorically asked if, therefore, “our descriptions make things into what they are called or referred to?” (p.391) He adds that, if so, one would have to accept the argument that discourse could transform water into petroleum? Such an argument, however, represents a misinterpretation of the claims being made by post-structural scholars who advocate the ontological significance of discourse (at least an important part of the people making such claims). Faced with a similar argument regarding the possibility of someone essentially ‘deconstructing’ a bullet to the brain, David Campbell (2007) has presented one of the most accessible and forceful cases for taking narratives seriously in political analysis. Thus, while the following argument is perhaps a bit too long, this author could simply not hope to duplicate its succinct and eminently accessible rebuttal to this realist/materialist critique of poststructuralism which holds that “no discursive understanding can help you when faced with something as material as a bullet in the head.” To this, Campbell responds by noting that a poststructuralist might well argue, firstly,

that the issue is not one of the materiality of the bullet or the reality of death for the individual when struck by the bullet in a particular way. The undeniable existence of that world external to thought is not the issue. Second they would say that such a world – the body lying on the ground, the bullet in the head, and the shell casing lying not far away – tells us nothing itself about the meaning and significance of those elements. They would say that the constitution of the event and its elements is a product of its

discursive condition, something that occurs via the contestation of competing narratives. Did the body and the bullet get to be as they are because of suicide, manslaughter, murder, ethnic cleansing, tribal war, genocide, a war of inter-state rivalry, or? Each of those terms signifies a larger discursive formation through which a whole set of identities social relations, political possibilities, and ethical outcomes are made more or less possible. Whichever figuration emerges as the accepted or dominant one has little to do with the materiality of specific elements and much to do with power of particular discourses materializing elements into comprehensible forms with political effects. Therefore, focusing specifically on the bullets that riddled their bodies tells us very little about those circumstances beyond the fact that people died, something that occurs in many other dissimilar circumstances. Not least it fails to tell us, how people, knowing full well the likely futility of their actions in the face of overwhelming force, nonetheless sacrifice themselves. (p. 217)

In this sense, a bullet to the brain is in no way extra-textual since what matters for us is not the purely physical path of a spherical metal object through space, a path which takes it through, among other things, some organs of a member of the biological species *homo sapiens*. While a purely physical description of the events is a fundamental tool, what really matters for understanding the scene of an ethnic cleansing is not to be found in the ‘materiality of the event itself. What matters for us concerns the ways by which such events come to be possible in the first place, how they are justified by specific ways of telling stories about them, and what activities make them seem normal.

These are question which both empiricist and realist epistemologies, as well as materialism writ large, miss completely, since, as with all forms of representational philosophy, they start by positing the radical separation of the ‘subject’ from the objective realm out there, ideas from reality, language from the world. Since politics is exterior to the thinking subject, it is assumed to possess an objective ‘essence’ or reality which is independent of the ideas of the subject. It is thus apparently possible to take the inside/outside boundary as a naturally given part of social reality. This means is that by starting from the perspective of a representational meta-theory, one is also occluding any discussion of the way by which things are what they are, i.e. of the discursive narratives by and through which “things” can “materialize” (Butler 1992; qtd. in Campbell, 1998, p. 25) as such. In any case, the previous critique of ontological dualism draws attention to how the state appears to be what it is rather than engaging in an endless debate as to what ‘exactly’ the nature or essence of the state is underneath all the ‘unreliable’ appearances, which all seem to which hint at its ‘ghost like presence’. There need not be an essence to the state outside of the political discourse in which it is implied or presumed as a presence for the state to be an important object of study. In other words, the previous critique of representational philosophy’s relegation of language opens up the possibility of looking at the structural role of the concept of the state within modern political discourses. It is to this kind of study that we now turn.

## 2.3: The Sovereign State and the Foundation of Modern Political Life

In our estimation, one of the most interesting attempts to investigate the sovereign state's function in political discourse has been undertaken by Jens Bartelson in two of his primary works, *The Genealogy of Sovereignty* (1996) and *The Critique of the State* (2001). The importance of Bartelson's work (2001) lies in the fact that he was one the first to point out that an "... important source of the confusion that today surrounds the question of the future fate of the 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." (p. 5) Thus, on the one hand, the sovereign state is central because modern discourses *on* and *of* politics owe their internal coherence to the 'difference of nature'(Raymond Aron) between the domestic presence of sovereignty and the international system of states which is defined by the absence of sovereignty. On the other hand, it is also, a fundamentally ambiguous 'object' of knowledge for these same discourses. This is a radical change of horizon from the other authors we have reviewed in this section who were concerned with identifying the 'essence' or nature of the sovereign state.

Such an understanding of the state is premised upon a rejection of representational philosophy as a meta-theoretical grounding of social theorizing and an engagement with statist political discourses as ontologically significant. Looking at it from this perspective, Bartelson (2001) has argued, it is better understood as a presumed presence inside of "modern political discourse" which "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." (p. 111) This, means, he continues, that concepts like the state,

may structure discourse but they do not enjoy any existence outside the texts in which they figure any more than the rules of grammar exist outside language; they are ideal without being abstract. In practical terms, this means that concepts - in order to qualify as autonomous objects of investigation – must be present on the surface of the texts brought under investigation, and have their meaning and function enabled and circumscribed by the definitions and their usage in those texts. (Bartelson, p. 25)

It is to this meta-structural role of the concept of the state for political discourse that Bartelson is referring to when he identifies the hidden side of the state concept as the "transcendental condition of possibility' for political discourses. This is because, as he explains

the subject matter of politics is ultimately defined and rendered accessible to scientific inquiry by the concept of authority, a concept which is thereby turned into an unquestionable foundation of political science. In the absence of this concept, the subject matter of politics would evaporate into thin air, and become analytically indistinct from other modes of human intercourse (Bartelson, p. 111).

In other words, the presence of the State, as the possessor of ultimate authority (or sovereignty), is the presumed ground of modern political life as such. The concepts and notions that we use in daily political life only make sense within the context of a common order defined by the presence of the authority (sovereignty) of the state. It is precisely the role of the concept of the sovereign state as “a transcendental condition of... knowledge,” and its importance for the IR/GG debate that we seek to address. This observation is fundamental since, while all of the authors we have discussed in this section have been concerned to define what the state ‘is’, Bartelson’s critical insight is that the state is never only something which exists and which could thus be authoritatively ‘defined’. Rather, it also plays a kind of metaphysical role as the presence which grounds the content of modern discourses *on* and *of* politics, i.e. that which insures the coherence of these discourses. The importance of this observation for our thesis cannot be overstated. Indeed, it is precisely this - usually concealed- face of the sovereign state that we take to be fundamental for the ir/ggdebate. The continued occlusion of the hidden face of the sovereign state from the scholars gaze represents a major oversight of the dominant approaches within this debate.

It is important to insist once again that what is being argued here is not that such and such definitions of the state are empirically or objectively wrong, in the sense that they do not correspond to what the state is in reality (this would be an argument based on a representational account of social inquiry). Rather, the point is that since the sovereign state is not only an ontological entity or unit of analysis but also constitutes the “transcendental condition” of possibility of modern discourses of and on politics (that which ensures their coherence), then a discussion of transformations in ‘global politics’ cannot limit itself to an ontological debate that is understood to be a temporary theoretical inconvenience which can (and for those who believe in scientific progress, must) be settled or surpassed after sufficient empirical evidence has been compiled. This line of questioning is, in Bartelson’s words, missing the point since there is much more to the sovereign state than simply an object of study for political discourse, it also forms, in his words, the “transcendental condition of this knowledge.” (p. 5) The sovereign state cannot appear within the epistemic realist field of study since it is also the condition of possibility for this field.

Moreover, as we have seen, the common element which encompasses the statist in all their forms, the global governance theorists, and/or the global biopolitical theorists, is that the debate is seen to be essentially ontological, concerning that which is (i.e. what makes up world politics). . Whether it is understood as the central actor or agent in international relations, as one an agent or actor among others within ‘global governance’ or as one site or assemblages within a larger biopolitical and global Empire or hegemony, or imperialism, the state is almost always, to our

knowledge, considered to be an actually existing 'entity' within a larger 'reality' or political order. The problem with this understanding of the debate is that it leaves out the most fundamental part(s) of the figure of the sovereign state: that of the 'metaphysical' role that the concept of the sovereign state plays in determining the content of modern discourses *on* and *of* politics. In Bartelson's (2001) words, "... to criticize the state for not corresponding to or representing something really real 'out there' is to miss the point entirely, simply because the reality of the state consists precisely in being already symbolically present before the conceptualization of the out there of the political scientist." (p. 186) For Bartelson, this explains why the concept of the sovereign state has been so notoriously difficult to define with any measure of accuracy: most of the scholarship only considers the state as an empirical object of knowledge and totally neglects the fundamental role it plays within political discourses. In his words, insofar as the state is an "unquestioned foundation of political discourse", it "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." (p. 25) Stated differently, the point we are trying to make is not that the state is not really real but rather that there is much more to the concept of the state than a simple 'object' of study. It also plays a fundamental role as a metaphysical or onto-political ground for discourses *on* and *of* politics and, as we shall see in the next section, is fundamentally grounded in, potentially very violent human practices.

Thus, to debate about the thingness of the state is to forget that the state is also fundamentally the condition of possibility for political thingness as such, i.e. it is the condition of possibility for the concepts which make up modern political narratives. Any talk of 'citizen,' 'rights,' 'justice,' 'equality,' etc. is ultimately grounded in the presumed presence of a political 'order' defined by "sovereignty-as-rulership." This 'totality' is usually called the sovereign state. Rejecting the validity of this concept on meta-theoretical grounds (positivists) does not reduce the fundamental importance of the presence of "sovereignty-as-rulership" as the ground or foundation for all modern political concepts and narratives as such.

Perhaps unsurprisingly, this line of questioning has not been much discussed within IR, since, within the framework of representational philosophy (which underlies both traditional positivism and the emerging orthodoxy of scientific realism), these kinds of question cannot, by definition, be asked. Since the state is taken as an ontologically given part of objective, the practices by which the state is made to appear as such, as well as the crucial importance of these practices for the coherence of modern political discourses in general, are simply not addressed. But now the question remains, what does this understanding of the metaphysical component of the concept of the sovereign state in

modern political discourses mean for someone concerned with transformation of “global politics,” i.e. those implicated in the ir/gg debate? In other words, how does it help us to know that the state plays an onto-political or metaphysical role for modern discourses *on* and *of* politics? In other words, why is this important for those engaged in the ir/gg debate?

In an original, and in our view still pertinent, examination of this general problem – i.e. the problem of the fundamental ambiguity/centrality of the concept of the state - Timothy Mitchell (1991) argued that “(i)t is not sufficient simply to criticize the abstract, idealist appearance the state assumes in the writings of the statist approach” as in the work of authors like Almond (1987) and Easton (1981) because, as Mitchell is quick to point out, “(s)uch criticism ignores the fact that this is how the state very often appears in practice.”(p. 92) He continues by saying that it is in the “mundane arrangements” of everyday life, such as “setting up and policing a frontier” through activities like the laying of “continuous barbed-wire fencing, passports, immigration laws, inspections, currency control, and so on”, that we find the practices that “manufacture (of) an almost transcendental entity, the nation state.” (Mitchell, p. 92) Further, Mitchell argues that, in time, “(t)his entity comes to seem something much more than the sum of everyday activities that constitute it, appearing as a structure containing and giving order and meaning to people’s lives.” This leads people to forget that “(w)hat we call the state, and think of as an intrinsic object existing apart from society, is the sum of these structural effects” (p. 92)

This means that for Mitchell (1991), and for us, “the task of a critique of the state is not just to reject such metaphysics, but to explain how it has been possible to produce this practical ghost-like effect.” (p. 92) Thus, the point is not to reject the concept of the state on the grounds that it is metaphysical but rather, of examining the political significance of the metaphysical nature of this same concept. Of course, this is easier said than done, but it’s a start. Rather than engaging in a fruitless debate about what the state really ‘is’ in essence, the remainder of this thesis will be devoted to a reflection on how it is that the state comes to appear as something which ‘is’ in the first place. What are the conditions of appearance for the, some would say, ghost-like effect of the state within modern politics. How is it exactly that politics comes to be organized and understood in such a way as to make the ‘ghost-like’ figure of the sovereign state appear to be something which ‘is’ in the first place. In Mitchell’s words, “(t)he state needs to be analyzed as such a structural effect. That is to say, it should be examined not as an actual structure, but as the powerful, metaphysical effect of practices that make such structures appear to exist.” (p. 94)

The best way to express what understanding the state as a “structural effect” is to contrast it with the figure of the “black hole” in contemporary astrophysics.<sup>24</sup> Indeed, we can only tell that the “black hole” is there by looking at the disposition of the matter that surrounds ‘it’ because everything around it is moving as if it was there. In much the same way, scholars interested in the ir/gg debate often end up positing the state because it seems obvious that the disposition of things and events could not be accounted for without the transcendent presence of the sovereign state behind the appearances of the immanent world. But, of course, politics is not astrophysics. In politics, it is impossible to explain events and specific behaviours without taking into consideration the intersubjective context within which humans are always situated. Unlike the matter that we can observe spinning around the black hole - the events, things and activities that make up politics are the product of conscious human decisions within a meaningful inter-subjective context that is constructed by and through the use of narratives. This being said, the metaphor of the “black hole” does help to clarify to what we are referring when we assert that the state is best understood as a “structural effect” of a particular way of organizing political life.

At this juncture, it would be important to note at this point that even though Mitchell and Bartelson are not arguing the same thing, and do not see the state in the same way, their individual contributions allows one to see part of the really paradoxical nature of the concept of the state. While the presence of the state is the condition of possibility of political discourse, as Bartelson argues, it is also very much the ‘product’ of a certain kind of activity which make it seem, through the apparently unified front of the activities of the state apparatus, that there is in fact ‘something’ like the state ‘there’, as Mitchell has observed. From our perspective, these two insights are not incommensurable but rather, are fundamentally intertwined. Our discussion of the concept of sovereignty in the next chapter is meant to clarify the relationship between taking the presence of the state to be the ‘transcendental condition of possibility’ of politics and seeing it as the product of the structures of the political. It is this intertwining which is of interest for the ir/gg debate and it is, in our view, best approached or illuminated by looking more closely to the multiple and fundamental meanings of the concept(s) of sovereignty and the ambiguous relationship between these two ‘faces.’” Thus, after discussing the particular way in which Bartelson proceeds in his analysis of sovereignty as a *parergon*, we will be placing it into a dialogue with two influential critiques of the juridical theory of sovereignty – one from Carl Schmitt and the other from Michel Foucault – in the hope of sheading

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<sup>24</sup> We first heard someone using the metaphor of the “black hole” used to describe the ambiguous ontology or nature of the figure of the state was in 2008 during a course on International Relations Theory given at the University of Moncton by Jean-François Thibault. While we did not know it at the time, this is perhaps the best way to illustrate what it means to understand the state as a “structural effect” of political life.

some light as to the importance of the “dual identities” of the sovereign state for the study of global politics.

### Chapter 3: The Multiple Faces of Sovereignty: Princes, Parergons, and Aporias.

*- Most writers see sovereignty as a protective shell for the state (which)... supports as much as it follows from the practice, already evident with Hinsley, of conceptualizing sovereignty on two dimensions, the internal and the external, which effectively demarcates the world within the state from the world of states. In this view, 'internal sovereignty enables modernity to fulfil its many possibilities within states. Meanwhile, 'external sovereignty' denies the possibility of any such change in the relations of states. Anarchy prevails, with its ugly and deadly potential. - (Nicholas Onuf, 1991, p. 432)*

*- What we need, however, is a political philosophy that isn't erected around the problem of sovereignty, nor therefore around the problems of law and prohibition. We need to cut off the King's head: in political theory that has still to be done. - (Michel Foucault 1990, p. 121)*

*- Whether the location of the sovereign is a prince, a queen, a parliament, an expression of the general will, the state, a constitution, a set of powers distributed to different institutions which check and balance each other, Stalin or Leviathan, what they all do, behind the particulars of what they do, is establish (by word or deed or both) the content, character and limits of politics, and in doing so they are both unpolitical and political. - (Raia Prokhovnik, 2007, p. 155)*

So, to recap what has been said to far, what we are saying is that narratives are what makes things 'appear' in the 'world' in a certain way and not in another. There is no way to get behind these narratives to something more real underneath. However, it should not be assumed that these are somehow 'not real' (narratives) or in some sense idealism. Someone getting massacred is very much a consequence of a specific way of narrating self/other identities and of setting up the ethical limits to the treatment of other human beings.

Following this, we have discussed, with the help of Bartelson (2001) and Mitchell (1991), the fundamental ambiguity/centrality of the figure of the state, and argued that the state is perhaps best understood as both the "transcendental condition of possibility of modern political discourses" as such and the produced 'effect' of the exercise of politics. The state is best understood as the 'transcendental condition of possibility' of modern discourses of politics because the political authority of the state is presumed by all specifically modern political concepts. Conversely, the state is the produced "effect" of the exercise of politics as the outline of the presence of the state appears to be there, as a kind of unshakeable "ghost in the machine." For our purposes, this means two things. First, it means that the state could not very well appear as such within the discourses of modern politics since these discourses always presuppose the 'presence' of the sovereign state as their "transcendental condition of possibility." Second, it means that the ground of politics (i.e. the presence of the sovereign state) is always itself ungrounded, ultimately coming about only as an effect within politics.

However, as we pointed out at the end of the last chapter, there is a 'gap' between the two understandings of the concept of the state that we believe to be of significant importance for those

who are concerned with the contemporary transformations in global politics. How can it be the condition of possibility for modern political discourse if it is constantly produced as an effect of politics? We believe that the “answer” to this question, or at least an initial point of departure for serious reflection, is to be found in the two faces of the concept of sovereignty which are highlighted when we pursue each path (Mitchell’s and Bartelson’s) of questioning separately. The purpose of this discussion, once again, is not to produce certainty but to problematize the apparently the dominant way of framing the ontology of contemporary global politics, or at least of framing the debate around the ontology of global politics - i.e., of proposing competing accounts of what exists within this realm in the majority of the ir/gg literature. In order to clarify what this might mean we will begin by looking at the multiple meanings of the concept of sovereignty.

To this end, let us begin by discussing the understanding of sovereignty that underlies Bartleson’s depiction of the state as the “transcendental condition of possibility” for modern political discourses. While we have not discussed this so far, Bartelson’s insights into the state builds upon his prior genealogical work on the concept of sovereignty (1996) in which he develops an understanding of sovereignty as a *parergon*.<sup>25</sup> Within this framework, the concept of sovereignty is understood as the always-invisible frame of politics in the sense that it is what permits the differentiation of the domestic from the international which is crucial to modern political life. This difference (between domestic and international), as we have noted, is the apparently self-evident starting point for both political theory and IR. Without this distinction, modern political life as we know it would not be possible. In Ashley’s (1988) succinct formulation,

modern political discourse largely turns on a simple dichotomy: sovereignty versus anarchy. Sovereignty signifies a homogenous and well-bounded rational order of politics finding its focus in a hierarchical centre of decision to which all questions of interpretation can be referred; and anarchy is then defined residually, as an opposed domain of practice which, for lack of a centre, involves the undecidable interaction of plural interpretations and practices. (p.238)

This is what the first epigraph represents, i.e. the conventional wisdom according to which there is simply a given “difference of nature” (Raymond Aron, in Thibault 1) between the domestic and international realms in terms of the presence of sovereignty inside the state and its corresponding absence outside in the anarchical system of states. However, as Bartelson (1996) has shown, the apparently self-evident assertion that the difference between the domestic and international is given begins to fall apart once we start to look closer; an exercise which we began with the (de)construction of the state. While the difference between inside and outside is premised on the presence (inside) and absence (outside) of sovereignty, this concept already presupposes the same difference that it

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<sup>25</sup> Here Bartelson is borrowing Derrida’s reformulation of the originally Kantian concept.

supposedly explains. Stated differently, while it is sovereignty (as absence or presence) which allows us to distinguish between domestic and international politics, inside from outside, the concept of sovereignty also always depends on the prior separation of these two domains; it cannot be thought outside of the 'givenness' of this distinction.

This is paradoxical because it means that the boundary separating the domestic and international realms can only be explained by the presence/absence of a concept that must always presuppose this same boundary. While you cannot have sovereignty without prior boundaries, boundaries cannot be explained except by making them indicative of prior differences (i.e. the presence/absence of sovereignty). This is the paradox of sovereignty: while it is its presumed presence that explains the separation between the domestic and the international at the same time as necessarily presupposing this same distinction, we seem to be caught in a paradox whereby, as Jean-François Thibault has noted, we fall into "a kind of positivist fiction in which sovereignty is placed before sovereignty. (Thibault, trans. p. 16) In an extended comment on this paradox, Thibault (2009) has observed that:

que ce soit du point de vue de la théorie politique ou de la théorie internationale, l'analyse présuppose trop souvent que la frontière géopolitique séparant l'interne de l'externe a d'ores et déjà été tracée de facto avant même que le théoricien ne puisse de jure s'en emparer comme s'il s'agissait d'une différence déterminée dont il lui suffirait simplement de rendre compte au moyen de l'observation empirique. Or, dans l'un et l'autre cas, c'est-à-dire tant du point de vue de la théorie politique que la théorie internationale, bien peu semble pouvoir être dit sur l'origine du découpage entre intériorité et extériorité en tant qu'il aurait en quelque sorte lui-même préalablement présidé à la séparation entre l'interne et l'externe. (p. 15)

This characteristic of sovereignty has led Bartelson (1998) to develop an interpretation of sovereignty inspired by a reading of Jacques Derrida's *La vérité dans la peinture* by which sovereignty can be seen as a *parergon*. Thus, for Bartelson, in regards to the constitutive distinction of modern political discourse (inside/outside) sovereignty is, *qua parergon*,

a frame, a line of demarcation, and ontological divide, or a geographical or chronological boundary all assert and manifest class membership of phenomena, but the frame or line itself cannot be a member of either class. It is neither inside, nor outside, yet it is the condition of possibility of both. A parergon does not exist in the same sense as that which it helps to constitute; there is a ceaseless activity of framing, but the frame itself is never present, since it is itself unframed. (p. 51)

From this, as Bartelson has shown, it follows that,

as such, sovereignty has no essence, since it is what makes different spheres of politics empirically representable and intelligible; as soon as we start to demand that the concept of sovereignty should refer to something present in the world of empirical beings, our understanding of the concept itself must presuppose the same line in water which is drawn in and through its meaningful use in political discourse. (p., 51)

This ‘cataparadoxical’ characteristic of sovereignty (a paradox which is also fundamentally significant)<sup>26</sup> has led one commentator to argue that “sovereignty can be apprehended as *atopic* – i.e. a discourse which produces ontological presence rather than embodying ontological content itself” (de Larrinaga, 87). What is important to retain is that sovereignty, as a *parergon*, is understood here not so much as a part of reality, but rather its condition of possibility, seeing as our modern conception of (at least political) reality is predicated upon a strict separation between the internal and external boundaries of the state which must presume the ‘difference of nature’ between the domestic and the international. (Aron 1965; in Thibault, p. 1)

What this means, in slightly less technical terms, is that the political meaning of events or things depends on their discursive context of emergence, that is to say, on the narratives by and within which events can ‘materialize,’ into intelligible reality. In turn, these narratives rely on the distinction between the domestic and the international, a distinction which, as we have shown, relies on the presumed presence of ‘sovereignty-as-rulership’ inside and its absence outside. In order for ‘modern discourses of politics’ to make sense of events, to give them meaning, they must be placed inside of narratives whose ‘deep structure’ is based on the presumed prior existence of the distinction between sovereignty and anarchy. Thus, as Ashley (1989) explains, scholars investigating ‘political phenomenon’

are disposed..., upon encountering ambiguous and indeterminate circumstances..., to invoke sovereign presence as a principle of interpretation that makes it possible to discipline the understanding of ambiguous events.... (I)n modern discourses of politics, ... only those contributions that replicate this interpretive attitude and invoke a sovereign voice as an absolute ground can be taken seriously. (p. 230)

Here, what is important to remember is that the distinction between the domestic and the international is the condition of possibility for the intelligibility of modern discourses *on* and *of* politics. This means that without the concept of political authority or sovereignty-as-rulership, modern discourses of politics become incoherent jumbles of apparently unrelated words or, in any case, a very different configuration. This is, as we will be arguing, what a great majority of the global governance literature misses; that the very possibility a normalized political order which forms the condition of possibility for governance as such is ‘founded’ by the presumed presence of sovereignty or authority. In contrast to traditional accounts of sovereignty as “ a shell of state,” (1<sup>st</sup> epigraph), the conception of sovereignty we are defending here follows from our understanding of the state in light of the insights of post-structuralism into the textual or discursive character of reality. With this, we arrive back at the metaphysical component of the state (identified most clearly by Bartelson) that we discussed in chapter 2. In this sense, Bartelson’s work leads us to argue that the state, as the constant presumed presence of

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<sup>26</sup> See Thibault (2009) for a discussion of this concept.

sovereignty-as-rulership over a bounded territory, is the “transcendental condition” of possibility of modern discourses *on* and *of* politics because sovereignty-as-rulership acts as a *parergon* which frames political reality into two distinct and opposing realms, the domestic, defined by the presence of sovereignty-as-rulership, and the international defined by its absence..

In this sense, the presence-absence of sovereignty or political authority still matters simply because it continues to ground the majority of Western political narratives in the contemporary period. For better or worse, the difference between an illegal immigrant, a citizen, a criminal and an enemy combatant is a difference between competing, and potentially opposing, narratives that form very real boundaries (between the citizen and the illegal immigrant for example) with often life and death consequences. For example, the ‘difference’ between the citizen and the illegal immigrant, which obviously has very real consequences – especially if, for example, you are about to get deported - relies on the possibility of differentiating the narrative structure inside the domestic order from the narrative structure outside in the international.

However, it goes further than that since, as Mitchell (1991) has observed, the state can also be understood as the “structural effect” of modern political order. Thus, while the sovereign state is the transcendental condition of possibility for modern discourses on and of politics, it also appears to be the product or ‘structural effect’ of a very specific way of organizing human affairs. This being said, the relationship between these two aspects of the state is in no way self-evident. How exactly are we to understand something that is both the “transcendental condition” of possibility for modern politics while at the same time being a structural effect of a specific way of organizing politics? The following section seeks to address this problem.

### **3.1: Sovereign Power and the Problem of Political Foundation**

Thus, the explicit objective of this section is to seriously consider at least one major way by which the effect of the state is produced in ‘practice.’ In this, Mitchell’s initial observation was of invaluable assistance in the sense that he turns our attention to the importance of the practices which make it seem like there is a state. In order to pursue this line of questioning, we will begin by looking at the relationship between Carl Schmitt’s definition of “sovereign” as “he who decides on the exception” (2005(1922), p.1) and Michel Foucault’s call to ‘cut the king’s head off. This will be done in view of relating the terms of this debate (between Schmitt and Foucault) to Bartelson’s theorization of sovereignty as a *parergon*. The relationship between these two ‘faces’ of sovereignty -

i.e. sovereignty-as-rulership/*parergon* and the sovereign's prerogative to decide on the exception – is crucial for the argument being defended herein since they relate to the two different aspects of the state's dual identities (see chapter 2). As such, a clearer understanding of the relationship between these faces of sovereignty will thus both clarify the argument being made as well as situate ourselves in relation to the recently influential Foucauldian inspired literature on both sovereignty and global governance. Foucault is interesting both because of his considerable influence on the certain elements of the ir/gg literature but also because, like Schmitt, much of his work is aimed at developing an alternative to the liberal-juridical theory of state sovereignty. Thus, a discussion of Foucault will both help to highlight the weaknesses of the traditional juridical-liberal understanding of the state as well set the basis of the debate we would like to foster between his critique of and Schmitt's insights into the importance of the 'exception.'

This being said, we begin with Carl Schmitt, the German jurist and political theorist<sup>27</sup> who famously defined the sovereign as "he who decides on the exception" (Schmitt, 1922, p. 1). The meaning of this definition is immediately clear if we now contrast it with Bodin's conception of sovereignty as "absolute and perpetual power" of a republic - an absolute and perpetual power which, as we have seen, can be read as a *parergon* which frames reality while not itself ever being truly present. This is because for Schmitt, contra Bodin, as one commentator has recently noted, this 'absolute and perpetual power' of a republic

does not have much practical meaning, since in political reality there is no irresistible highest or greatest power. What is decisive is who has this power in a concrete situation: in the state of emergency and, above all, in the state of exception. (Ojakangas, 2001, p. 37)

Indeed, in his much discussed debate with Hans Kelsen on the source and location of 'sovereignty' or ultimate authority (which is not the same as the presence of 'rulership' as such) or essentially what comes down to a kind of chicken and egg debate over what comes first, the norm (Kelsen's *Grund Norm*), or the exception (Schmitt's sovereign decisionism).

Thus, as Ronald Jennings (2011) has recently noted "(i)n response to Kelsen's argument about the 'grund norm (basic norm - a higher, unwritten norm of general legality)' being able to "simultaneously legitimate the constitution and the law in legal terms (2000(1945), p. 110), "Schmitt argued that "political life was defined in its essence not by laws, but rather by the categorical fact that the possibility of violence could never be removed from life." (p. 36) In other words, Kelsen believed in the possibility of an essentially self-immanent form of political order that rested on nothing but its own authority while Schmitt noted the impossibility of this kind of order and insisted on the

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<sup>27</sup> Or, as Naomi Klein (2008) has presented him, the "Nazi Lawyer."

primordial importance of the authority to decide on the exception to the rule. What this means, in no uncertain words, is that for Schmitt all forms of order ultimately rely on the possibility of someone deciding on the exception, that is, on what constitutes an event/thing/person which falls outside of the limits of political order. This is because, the exception is just that, exceptional, and therefore cannot be determined beforehand. This characteristic of the sovereign has led Mika Okanjangas (2001) to argue that, for Schmitt, “(t)he sovereign is he who has the... monopoly over order” and that “this order does not “establish itself,” and the machine does not “run by itself,” (p. 37) since every order and every machine is based on some decision. Yet, the decision itself “emanates from nothingness.” It is this necessity of the exceptional foundation of order which underlies his definition of the conception of the political as that which can motivate the differentiation between friend and enemy (2007 (1932). As Ronald Jennings (2011) has noted in regards to this question, “sovereignty is the name that Schmitt gives to the necessity of the distinction of friend-enemy in the face of the ever present possibility of violence.” (p. 36)

Thus, for Schmitt, contra Kelsen, any stabilized political order (normalized constitutive-constituted patterns) is always ultimately dependent on the sovereign decision on the state of exception. While we will be developing this further below, for now it might be useful to contrast Schmitt’s conception of the relationship between political order and the sovereign exception with Michel Foucault’s treatment of the nature of power and sovereignty. This is useful both in the sense of being intellectually fruitful but also since it clarifies the theoretical framework that underlies much of the recent Global Governance literature on “global politics.”

Thus, in contrast to the Schmittian focus on the person of the sovereign who is authorized (in the very act of deciding) to decide on the exception, Foucault has argued that we should not focus so much on the individual decision or on the ‘who’ which is doing the deciding. The reason for Foucault’s rejection of the analytical centrality of the person of the sovereign is to be found in his very influential theorization of power that departs considerably from the liberal-juridical or Marxist understandings of power which had dominated modern discourses on politics up to that point. What Foucault rejected is the common “economism” in theories of power which either thought of it in terms of a “right, which one is able to possess like a commodity, and which one can in consequence transfer or alienate, either wholly or partially, through a legal act or through some act that establishes a right, such as takes place through cession and contract” (liberal-juridical) or in terms of the “economic functionality of power” within which “power is conceived primarily in terms of the role it plays in the maintenance simultaneously of the relations of production and of class domination.” (Foucault, 1977, p. 88-89) In contrast to these ways of conceiving power, Foucault insists that power

is not simply a kind of possession or a management of the forces of production but rather should be understood as the “multiplicity of force relations immanent in the sphere in which they operate and which constitute their own organization.”(p. 93) In a passage that is worth quoting in its length, Foucault (1977) insists that, contra the liberal-juridical, Marxist and/or Schmittean, understandings of power:

Power’s condition of possibility, or in any case the viewpoint which permits one to understand its exercise, even in its more “peripheral” effect, and which also makes it possible to use its mechanisms as a grid of intelligibility of the social order, must not be sought in the primary existence of a central point, in a unique source of sovereignty from which secondary and descendent forms would emanate; it is the moving substrate of force relations which, by virtue of their inequality, constantly engender states of power, but the latter are always local and unstable. The omnipresence of power: not because it has the privilege of consolidating everything under its invincible unity, but because it is produced from one moment to the next, at every point, or rather in every relation from one point to another. Power is everywhere; not because it embraces everything, but because it comes from everywhere. (p. 89)

This quote illustrates that Foucault considers that the “invisible unity” of liberal-juridical and Marxist traditions is essentially a harmful fiction which hides the fact that, in reality, power is “produced from one moment to the next... in every relation from one point to another”. This means, in so many words, that we should not so much be concerned with what the apparently unitary ‘source’ of ‘sovereign’ power is doing with the power is it said to possess but rather looking at the much more important complex of ‘assemblages’ which are formed by the “multiplicity of force relations” which make up socio-political life, i.e. the micro-physics of power. For example, the point is not to study why the president declares war but why so many people in such different circumstances acted in such a way as to make something called a ‘war’ happen. Here, the ‘sovereign’ himself is simply not that important since within his understanding of the “micro physics of power”, it follows “...that the individual is not a pre-given entity which is seized on by the exercise of power. The individual, with his identity and characteristics, is the product of a relation of power exercised over bodies, multiplicities, movement, desires, and forces.” (Foucault, 1977, p. 74) It is precisely this consideration of the primordial nature of the micro-physics of political power which underlies Foucault’s (1990(1978)) call to do away with “the persona of the Prince, and decipher power mechanisms on the basis of a strategy that is immanent in force relationships.” (p. 97) As he further argues:

In order to make a concrete analysis of power relations, we must abandon the juridical model of sovereignty. . . . [Rather than looking for the single point from which all forms of power derive, either by way of consequence or development, we must begin to let them operate in their multiplicity, their differences, their specificity, and their reversibility; we must therefore study them as relations of force that intersect, refer to one another, converge, or, on the contrary, come into conflict and strive to negate one another. ... If we have to avoid reducing the analysis of power to the schema proposed by the juridical constitution of sovereignty, and if we have to think of power in terms of relations of force, do

we therefore have to interpret it in terms of the general form of war? Can war serve as an analyzer of power relations? (16 Foucault, note 9, pp. 265-267; qtd in Neal, p. 377).

It is possible that some would object that this is a somewhat superficial reading of Foucault's considerable body of work on the concept of power since it neglects to discuss its relationship with truth, the modern configuration of biopolitics as the form of politics which takes life as its referent object and thus essentially aims to "make life live" better, and the accompanying development of governmentality as a way of governing *by* and *through* the population. While this is undoubtedly true, we would answer in two ways. Firstly, we will be discussing governmentality and biopolitics in the next chapter through a discussion of Judith Butler's recent work on Guantanamo Bay; and, secondly, and more importantly, the treatment of the additional elements of power we have just mentioned are ontologically dependent on Foucault postulation underlying understanding of power as being present in all human relationship. Indeed, for Foucault, power is "something that is "everywhere, not because it embraces everything, but because it comes from everywhere" and further, that "power *is* 'always already there' and, thus, that "one is never 'outside' it" (Foucault, 1990, p. 141). It is this understanding of power which appears to underlie his many and varied forays into socio-political critique, archeology and/or genealogy

This being said, we are aware that the parts of Foucault that have been recovered within the ir/gg literature have been limited, in large part, to his reflection on discipline, biopolitics, governmentality, sovereignty as well as his work on genealogy. This has meant that much of his 'archaeological' work on the 'episteme' of Western thought remains unexplored in relation to the ir/gg literature, at least as far as this author has been able to ascertain. While such an exploration would be interesting, it is well outside the purview of this thesis. Therefore, while there is much more to Foucault than his critique of juridical-liberal notions of sovereignty and the development of concepts like biopolitics and governmentality, our treatment of his thought will be limited to these aspects since they are the most central to our object of study. Thus, it is primarily Foucault's understanding of power which will be of interest here because it directly relates to the problem of taking 'order' to be the given starting point of social inquiry. From this perspective, instead of being something which can be possessed as a commodity (as in the realist notion of the sovereign state), power is taken to be constitutive of subjects and objects as such.

However, while Foucault's critique of the dominant liberal-Marxian understanding of sovereignty does much to destabilize the idea that power is somehow possessed by something called the state, a much needed first step, it does not go far enough into the critique of the figure of the sovereign state. What is missing is a more direct engagement with the question of the foundational

role of the sovereign state in modern discourses *on* and *of* politics. By reading sovereignty through the lens of his understanding of ‘power’ - as web of force relations immanent in all human relationships - Foucault ends up occluding a discussion of the foundational importance of the sovereign declaration of exception. In this sense, we would argue, following Hansen and Stepputat (2006) - even if for slightly different reasons- that

the triumph of a Foucauldian view of power has in many ways created an impasse of its own. If power is dispersed throughout society, in institutions, disciplines, and rituals of self-making, how do we, for instance, account for the proliferation of legal discourse premised on the widespread popular idea of the state as a center of society, a central legislator, and an adjudicator? (p. 296)

Thus, removing the notion of a centralized unitary entity from the equation does not remove the discriminations and declaration of spatio-temporal exceptions that work to secure the pure presence of sovereignty-as-rulership as the ground for modern politics. It simply removes these from the scholars’ list of what needs to be addressed critically. This is because while it is true that the ‘sovereign’ has traditionally held the power over death it has also been about more than that, at least this is the interpretation that we are defending in this thesis. This ‘more,’ as Raia Prokhovnik 2007) has noted, concerns the fact that

(w)hether the location of the sovereign is a prince, a queen, a parliament, an expression of the general will, the state, a constitution, a set of powers distributed to different institutions which check and balance each other, Stalin or Leviathan, what they all do, behind the particulars of what they do, is establish (by word or deed or both) the content, character and limits of politics, and in doing so they are both unpolitical and political. (p. 155)

In this sense what Schmitt’s insight into the sovereign exception demonstrates is the necessity of ‘establishing’ boundaries in order to ground or establish the foundation for the content of politics. There are literally “limits” to “order” defined as the presence of ‘sovereignty-as-rulership’ (i.e. of absolute and perpetual power of a republic in Bodin’s sense).

This means that the exception is always there in that it is what permits the intelligible bringing to presence of ‘order’ in the domestic realm by distinguishing it from its spatio-temporal ‘Other’ in the form of the anarchic international realm. The exception ends up being the condition of possibility of order inside, but at the same time also of the ‘disorder’ outside. What one is doing when declaring the exception is deciding on the site of the spatio-temporal boundary (violently and ultimately arbitrary) that underlies, as an archi- or onto- architecture, the dominant political narratives of the age. Thus, someone goes from being a citizen to an enemy combatant (a clearly discursive differentiation) and, instantly, reality shifts for everyone involved when, just like that, someone is

included or excluded from (an always particular) constituted human world in which it is not acceptable, for example to torture people who are imprisoned or otherwise ‘detained’.

A potentially illuminating illustration of this understanding of the role of sovereign power and boundaries, and their relation to the modern political life, can be found in a passage where Walker (2010) explains that while some contemporary political theorists “... may be concerned to get us to look at, and think critically about, the almost invisible conceptual waters in which we swim, ... even they are not keen to look for long at the even less visible bowls that keep those waters in place.” (p. 84) Here, the ‘almost invisible conceptual waters’ represent politics and what we think political life is, while the ‘even less visible bowls that keep those waters in place’ represent the “boundaries, lines or borders” whose existence forms the condition of possibility for the existence of modern political life. His point is that it is futile to attempt to understand what ‘is’ politics in the modern age without first reflecting on the *a priori* discriminations (in the form of boundaries) that form the almost always presupposed conditions of possibility for modern accounts of ‘politics’. As Walker (2010) succinctly points out, “(t)here is always politics to the authorization for politics, an ultimately groundless ground, a resort to theology or onto-theology, a demand for justification that cannot be finally justified.” (p. 197) This means that politics does not begin only when the foundational boundaries which keep the ‘barely visible conceptual waters’ of political life ‘in place’ have been established, as many contemporary political theorists would have it<sup>28</sup>, but rather, it begins at the very moment when the ‘starting points’, be they Hobbesian or Lockian<sup>29</sup> - which define the ground upon which the source of ultimate authority is to be ‘located’- are drawn up in what can be very significant ‘thought experiments’; in the sense that they set up the constitutive categorical dichotomies which ground modern political narratives.

In this sense, our reading of Schmitt builds upon Claude Lefort’s (1989) initial distinction between the political (*le politique*) and politics (*la politique*). Commenting on these categories, Marc Doucet (1999) has noted that, for Lefort, politics (*la politique*) is “...predicated upon the possibility of establishing the distinction between internal and external politics as well as the distinction between the place of politics from the place of other human activity. Without these distinctions, the commonly understood practice of politics would be without meaning.” (p. 305) In contrast to politics, Doucet notes, the political (*le politique*) “... is not located at a determinate level of the social, it is not

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<sup>28</sup> Walker discusses this tendency when, in speaking about John Rawls, he says that “Rawls has come to name a broad understanding of what it means to do political theory in which many of the most basic questions about politics have been more or less evacuated, leading only an abstract field of reason to be occupied by claimants to a philosophy or an ethics innocent of all notions of power, authority, social forces or legitimate violence...”(Walker, 2010, p. 91)

<sup>29</sup> These ‘starting points’ are the assumptions about the relationship between subject and object that are expressed in the ‘state of nature’ of both philosopher’s accounts of the ultimate source of authority. Discussed in Walker 2010, p. 199, 220.)

circumscribed by space. Rather, it concerns the process of establishing foundation by which such distinctions, i.e., rational/irrational, legitimate/illegitimate, inside/outside, self/other, friend/enemy, public/private, politics/economics, can be generated and imbued with meaning” (Ibid.). This distinction is important because it illustrates the necessity of establishing a foundation or ground for politics since, as such, politics has no essence or given content. As Doucet (1999) notes, in a passage worth quoting at length,

(t)he crucial point is that the practice of politics (‘la politique’) is penetrated by ‘le politique’ insofar as the latter contributes to continuously reinstituting the political ground (public/private, inside/outside, friend/enemy and so forth) by which the practice known as politics is enabled while simultaneously occulting the fact that it is regenerating its own ground. What appears as determined structures from which the practice of politics would be delineated is partially instituted through the latter’s own political move. In this sense, the structures of politics are not prior to the practice of politics, the same way that the distinction between economics and politics is not prior to the practice of economics. Rather, these practices institute politically (in the sense of ‘le politique’) their own foundations while occulting the fact that they are doing so. (p. 305)

For this thesis, the quote is important primarily in that it makes clear that that the content of what is to be studied by political theory (politics) has no given nature or essence. Rather, it depends on violent acts of exception/discrimination that serve to establish the ground or foundation for this content. The problem of sovereignty is thus ultimately always concerned with how to justify the authoritative foundations of a ‘political’ community through spatio-temporal authoritative declarations of exception.

Indeed, as Raia Prokhovnik (2007) has explained, “(b)ecause politics has no natural bedrock, foundational content that can be relied upon, the meaning, scope and limits of politics are unstable, constructed and volatile...” (p. 174) Thus, for Prokhovnik, the establishment of a foundation for politics is always problematic since it requires the delineation of the content of politics that cannot be justified an underlying essence, since politics ‘has no natural bedrock. Stated differently, this means that the role of ultimate authority has always been to establish a ‘ground’ or ‘foundation’ by which the content of politics can be fixed, thereby making politics amenable to being intelligibly judged and planned. As Bartelson (2001) has succinctly noted,

(i)n theory and practice alike, what politics is and what the concept of politics ought to signify and refer to are ultimately themselves political questions: politics is boundless to the extent that the drawing of boundaries separating the political domain from other domains is itself a political activity, performed in and mediated by a discourse that is political by virtue of being self-demarcating. (p. 59)

Thus, the content of politics is never independent from what is said to authorize the ‘foundation’ or grounding of what is to be the empirical content of politics From this perspective,

sovereignty concerns the problem (and it is, always, a problem<sup>30</sup>) of authorizing the authority to declare spatio-temporal exceptions and thus carve out a ‘location’ in which politics can take place. Thus, the authorization of ultimate authority (usually denoted by the term sovereignty) concerns the way in which the foundation of the authority to designate what is and what is not political is itself established. However, as Walker points out, this establishment of a foundation for deciding what politics is by carving out where and when it is to be located is itself always also a political act.

This comes to be important in light of the fact that from the perspective of a representational meta-theory, the reality or essence of things is given. This is a particularly problematic assertion for scholars who propose to engage in research which takes politics as its object of study. As we have discussed above, the priority of epistemology effectively conceals the necessity of having extra-political justifications for the establishment of the ‘foundation’ or ‘ground’ of politics. Since the content of politics is not given (i.e. self-contained) but rather open to contingent grounding on the basis of a necessarily exterior justification, academic inquiry into politics which is constructed on the basis of a representational meta-theory misses the fundamentally political fact that the content of politics (i.e. the empirically observable exercise of politics which forms the raw ‘data’ of such research) is not given in any sense of the word but relies on the always problematic establishment of foundations.’ What this perspective is unable to see is that, as Walker (2010) has recently noted, “(t)here is always politics to the authorization for politics, an ultimately groundless ground, a resort to theology or onto-theology, a demand for justification that cannot be finally justified.” (p. 197)

This is also what a Foucauldian critique of the “economism” of both liberal-judicial and Marxist accounts of power misses. It does not seriously consider the foundational importance of this notion of sovereignty for modern politics as such. Thus, while Foucault, keeps insisting that we need to cut off the King’s head, he gives little attention to the much different question regarding the foundation of the content of politics (assuming for the moment that this is necessary) nor to the political significance of the spatio-temporal by-product or supplement of the acts of foundation which continue to haunt the constituted order from before and outside. The problem here is that the centralized power that Foucault is critiquing is intimately tied to the modern foundation of political order as such and treating it as simply an erroneous account of power partly misses the point. Stated differently, by problematizing only the idea of the sovereign state as centralized and unified actor or original source of power and taking the domestic-international divide for granted, his cutting of the king’s head leaves the question of the very concrete manifestation of the perpetual securing or grounding of the foundation of politics largely unexplored. The point is not that power emanates from

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<sup>30</sup> See Walker 2010, p. 128.

this central spot, but rather that power relations do not occur in an abstract space-time but within a meaningful context which, in the modern world, is in large part grounded on the domestic/international boundary.

Before going any further, it would be important to note that there is not necessarily an opposition between Foucault's insights into modern forms of power and sovereignty, i.e. with notions like discipline, governmentality and biopolitics - and our concern with the problem of political foundation. However, there does seem to be some important 'blind spots' that make the theoretical articulation of the specific relationship between these approaches very difficult to clarify. Thus, while the relationship between the line of thought presented in this thesis, around the onto-political significance of the dual identities of the sovereign state, and the broad range of literature inspired by a Foucaultian reading of power and sovereignty would be worth pursuing in much more detail, it would also require much more time and space than we have at our disposal. Therefore, we would limit ourselves to proposing that the onto-political significance of the dual identities of the sovereign state for modern political life is not exhausted by the Foucaultian framework of biopolitical governmentality.

At this point, an obvious question emerges: what exactly is the relationship between sovereignty-as-rulership - understood as the atopic or parergonal ground of modern discourses *on* and *of* politics - and the understanding of "boundaries, borders, and limits" as expression of sovereign power's foundational declaration of spatio-temporal points of exception to the otherwise universal and universalising political order. They would seem to be interconnected since, as we have seen, it is the presence/absence of sovereignty-as-rulership that serves as the ground for modern discourses *on* and *of* politics and that this grounding effect of sovereignty-as-rulership only works because of the domestic/international boundary. However, the exact nature of this relationship appears to be very ambiguous.

Indeed, at first glance it is far from obvious how one should go about studying the violent acts of foundation for political order since, as they are the ground of the metaphysics of political 'reality' (i.e. the presence of "sovereignty-as-rulership") they do not immediately appear to us as something which can be interrogated. How exactly does one study something that is the condition of possibility for (specifically political) knowledge as we know it? There is no easy answer since these ontologically significant boundaries are, by definition, outside of 'reality,' as that which frames this very reality, they cannot be included, as such, into the modern representational philosophy's 'World

Picture.<sup>31</sup> Indeed, as that which frames reality, ‘boundaries, borders, and limits’ will have to be studied indirectly since they cannot themselves become intelligible within the discursive realms which they frame.

Before moving on to discuss these questions more thoroughly, a brief synthesis of the ground we have covered and what this means for our topic would seem to be in order. Hence, in chapter 1, the objective was to present the broad strokes of the dominant accounts of contemporary transformations in global politics and to assert that despite many differences, the vast majority of this literature – which we have decided to denote by the IR/GG moniker – has tended to understand the debate in terms a disagreement about the ontological composition of global politics *within* which the state, as some kind of ‘entity’, actually exists.

However, recent insights by post-structuralist writers into the fundamental ontological significance of language – which we discussed in length in chapter 2 - have enabled us to inquire as to the discursive significance of the figure of the sovereign state. This investigation led us, following Bartelson, to propose an understanding of the dual identity of the state: both a paradoxically ambiguous or ghost like object of knowledge for political theory as well as the transcendental condition of possibility for modern politics as such. Simply stated, the significance of Bartelson’s work is that it illustrates that it is useless to criticise the sovereign state for not corresponding to an outside - ‘signified’ - thing since the state is always already present as the transcendental condition of possibility for political knowledge as such. This line of argumentation can be read as an extension of his earlier work on the concept of sovereignty (1995) in which he argued that it could best be grasped as a *parergon*, something that frames reality without itself being a part of that reality.

This reflection was continued in chapter 3 with a discussion of the relationship between the dual identity of the figure of the state and the also ambiguous, and no less central, concept of sovereignty. Indeed, as we had briefly noted in the conclusion to chapter 2, these two forms of sovereignty – ‘sovereignty-as-rulership’ and sovereign power - are expressed in what Bartelson referred to as the dual identity of the ‘sovereign state’: an object of knowledge, albeit an apparently ‘ghostly’ one, as well as the transcendental condition of possibility for politics as we know it. It is an object of knowledge insofar as it appears, to borrow Mitchell’s expression, as a “structural effect” of concerted human activities; and, it is the “transcendental condition of possibility” for modern politics as we currently understand it in the sense that the perpetual presence of the ultimate authority of the

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<sup>31</sup> The term ‘World Picture’ is taken from Heidegger and refers, essentially to the coherent totality of the objective perpetual processes taken to lie underneath or behind visible appearances by the representation of the radically subjective cogito. For a discussion see Martin Heidegger 1977.

state over a territory underwrites all of our specifically modern conceptions politics; i.e. notions like citizenship, political rights, liberty, equality, justice, etc.

More precisely, what ties these two lines of inquiry together is the question of political foundation and the problem of identifying its origin or source. In other words, they share a concern of trying to reflect on the question of the nature and origin of the meaningful location of political life, that which frames individual activities within a coherent context and, of accounting for the presence of this ‘ground’ of politics, that is to say, of analytically identifying its origin or cause. Thus, Bartelson’s theoretical forays give us some indications of the intimate relationship between the figure of the sovereign state and the foundation for modern political life. In contrast, but not unrelatedly, Walker’s work on the inside-outside problem and on the fundamental importance of political boundaries as expressions of sovereign spatio-temporal declarations of exception highlights the intimately political nature of the ‘transcendental’ ground of order in contemporary political life. In other words, his work brings to the fore the question of the violent. and profoundly political, origins of the constitutive boundary between the domestic and international realms.

It is at this point that our previous discussions of Bartelson and Mitchell’s work on the state come be seen as fundamentally intertwined. The *parergonal* nature of sovereignty-as-rulership that makes the state appear as a “structural effect” is not a given part of the world but an artificially and violently carved out spatio-temporal “location “for politics. Indeed, from the perspective we have been developing, the figure of the ‘state’ is best understood as the ‘ghost-like’ effect that is produced by the organization of political life on the ground provided by the spatio-temporal declarations of exception that work to carve out the boundaries of the pure presence of ‘sovereignty-as-rulership.’ In this sense, much of what can be said to ‘explain’ the nature or character of – domestic, international or global politics -politics resides in the almost invisible ‘boundaries, borders, and limits’ which continuously frames politics and assure its coherence and intelligibility. Hence, a critical re-appraisal of contemporary global politics would do well not to overlook, to borrow Walker’s terminology, the invisible sides of the bowl(s) which keep the waters of politics ‘contained.

Thus, to investigate the state is to investigate the foundational declarations of exception (expressions of sovereign power) that carve out or “secure” the purely immanent location of modern political order, defined by the constant presence of sovereignty-as-rulership. Stated differently, what this means is that since the State was, as the metaphysical effect of the constant presence of ‘rulership’ over a bounded territory, always the “structural effect” of a very specific way of carving out the location of politics through the declaration of spatio-temporal exceptions that delineate the pure presence of “rulership” inside (here and now) from its pure absence outside (there and then); the

possibly changing impression or metaphysical outline of the State would thus be the consequence of transformations in the dominant ways of resolving the problem of modern political foundation.

More explicitly, all of this means that the debate around the fate sovereign state is not primarily ontological, as it would appear to be the case within most of the ir/gg literature we have reviewed. The important question does not really concern the status or relative importance of the sovereign state within the overall ontological composition of global politics. Rather, the central issue that emerges for the study of global politics from a careful consideration of the dual identity of the sovereign state concerns the possibly changing nature of the foundations of political life on a global scale.

From this perspective, if one talks of the decline of the state, one is talking not about a transformation *in* global politics but rather of a transformation *of* politics itself; a transformation of what makes politics what it is. In this sense, a transformation of the ‘sovereign state’ would seem to indicate, to use a Heideggerian turn of phrase, a transformation in the very “thing-ness” of politics.

This is essentially our ‘answer’ to the first research question of this thesis, i.e. what is it about the sovereign state that is at the same time so central but nonetheless fundamentally ambiguous. However, in order to answer the second question - what does all of this mean for the study of global politics - we will be looking more closely at how exactly the domestic/international boundary relates to the establishment of the foundations of modern political order and how we might go about incorporating the study of political borders in a wider reflection on the changing nature of contemporary global politics.

While we do not claim to possess the unequivocal answer to this dilemma, there does appear to be promising avenues which might help us take ‘boundaries, borders, and limits’ into account, even if they can never be thought of as such within the limits of modern political concepts and narratives. One such path has recently been provided by Jean-François Thibault’s (2009) ‘deconstruction’ of the “constitutive aporia” of modern political life”: the domestic/international boundary. Following a general discussion of this work, we will be placing it into a dialogue with Judith Butler recent insights into the emergence of what she calls ‘petty sovereignty’ in order to both highlight the continuing importance of ‘borders, boundaries, and limits’ for modern political life as well as clarify what reading borders are “aporias” allow us to argue in relation to the previous discussion of the ambiguous/central position of the figure of the sovereign state.

## Chapter 4: Taking off the blinders: The IR/GG Debate and the Problem of Political Foundation

- *(W)hat is nowhere does not exist.* - (Aristotle)

- *No serious analysis of political life can afford to forget that founding is a problem, even if much of political life, and political analysis, can be understood as the deployment of practices that enable us to forget that founding is always a problem.* - (Rob Walker, 2010, p. 128)

The best way to highlight the significance of Thibault's work (2009) for this thesis is to contrast it with Walker's recent insights into the problem of sovereignty and the onto-political significance of borders. What we retain from Walker (2010) concerns his rejection of the traditional comprehension of the "borders, boundaries, and limits" of the international system as "sites at which very little happens except the separation of one political community, or state, or condition, from another" (p. 32) and his insistence that they were, on the contrary, "very active sites, moments and practices that work to produce the very specific political possibilities of necessity and possibility on either side" (p. 32).

In contrast, Thibault's object of study is the "constitutive aporia" of modern political thought, what he illustratively calls its 'blind spot,' that is to say, the domestic/international boundary. His point is that far from being merely a product of some previously existing 'difference of nature' (between the internal and external dimension of states), has in fact been constitutive of the project of modern politics as such and is essentially what permits sovereignty to appear as *the* instance of separation between the antinomically constituted discourses of modern political thought, political theory and international theory (see Thibault, p. 28).

Furthermore, Thibault demonstrates that this boundary, which we most often take to be an ontologically given dimension of global politics, has its 'origins' only in a purely textual thought-experiment that sought to make the condition of political rulership completely immanent to itself after the 'Death of God.' Further, as we shall see, his work shows that, from being simply given, the domestic/international boundary represents the "constitutive aporia" of modern political life and that it represents what he calls the "archi-trace" of a purely textual thought-experimental act of "différance" by which the pure presence of sovereignty is dissolved into its pure absence as well as simultaneously projected before and outside of itself in order to retroactively furnish its own ground, i.e. a ground that was purely self-immanent and which, as such, did not refer to some kind of metaphysical being or transcendental force. This might seem to be a bit obscure and technical, and it is. However, through a more detailed discussion of Thibault's work, we hope that it will also become

clear that his insights into the “constitutive aporia” of modern political life draw attention to a crucial dimension of the debate we have been discussing. While not wanting to get lost into the rather dense and technical details of his deconstructive exercise, we would note that the research Thibault proposes entails, in general terms, a reading of texts<sup>32</sup> with an added ‘sensibilité’ towards the linguistic game of presence/absence that informs the “fundamental concepts and the original problematic” that they contain (p. 24). In his words, such an approach (a deconstruction) is necessary in the case of the domestic/international boundary since,

à défaut de pouvoir identifier cette différence originaire sous la forme d’une présence, est-ce donc à partir de la contradiction de la théorie politique et de l’impasse de la théorie internationale que se laissera deviner, au-delà des différences que révèlent les dichotomies, cette nécessité de l’antinomie qui les lie l’une à l’autre dans un point aveugle qu’elles partagent en commun. (Thibault, p. 153)

In this respect, therefore, it might be said that what his deconstruction entails is an attention to the built in contradictions and ‘limits’ of the ‘texts’ studied so as to determine the nature of the “structure de renvois généralisée” that permits the elaboration of antinomically constitutive discourses whose only origin lies in the constant “movement of difference” enacted initially in the Hobbesian ‘thought experiment’ (Thibault , p. 24-27). In order to demonstrate the ‘effects’ of this ‘structure de renvois généralisée’ which constitutes the infrastructural organization of the antinomically constitutive discourses of political theory and international theory, Thibault refers to Bartelson’s recent theorization of sovereignty as a ‘parergon’ which is based on a reading of Derrida’s ‘*La vérité dans la peinture*’. Following Bartelson, Thibault proposes that, as a ‘parergon’, “sovereignty has no essence” (Bartelson, in Thibault, p. 16), and thus cannot be re-presented as a ‘presence’ to be studied empirically outside of the general movement of differences since, although it is supposed to be an “instance of the separation” (p. 15) between the inside and the outside, finds itself needing to *assume* the prior existence of this separation in order to be coherent. It is precisely this nature, or the source if you will, of this profound ontological ambiguity of sovereignty, that Thibault aims to illuminate through an investigation of the ‘traces’ of the “structure de renvoi généralisée” that form the ‘infrastructure’ of the ‘movement de difference’ by which “un discours « produit » les effets qu’il nomme » plutôt qu’il ne les découvre”(Butler, in Thibault, p. 25). It is the ‘origin’ of the ‘movement of differences’, the original difference, whose ‘performative’ ‘excess’, in the sense of being at the origin of a “structure de renvoi généralisée”( p. 27) that constitutes the antinomic discourses of political theory and international theory, which is represented by the use of the ‘*differance*’. Moreover, this ‘*differance*’ is understood as the “performative starting point” of the antinomically constitutive discourses of political theory and international theory. (p. 27) It is precisely this

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<sup>32</sup> In this case, the ‘texts’ of Hobbes, Rousseau, Morgenthau and Wight.

*'differance'* that Thibault seeks to investigate through an analysis of the infrastructural 'traces' of this *'différance originaire'* that are present, as differed absence, in the texts of political theory and international theory.

This being said, it is in the Hobbesian 'thought experiment' and its subsequent interpretations in political and international theory that Thibault looks for these 'traces'. In this context, in the hobbesian 'though experiment', which is understood or 'read' as a 'text', appears as an attempt (and a successful one at that) to replace the lost origin of the presence of political order as a 'natural' part of reality<sup>33</sup>. In other words, the Hobbesian 'state of nature', "répond... à la nécessité d'ajouter un Autre qui vient combler un manque d'origine qui aurait permis à l'État d'exister par et pour lui-même" (Thibault, p. 53). Thus, in order to think of the presence of the State in the absence of a natural foundation, Hobbes engages in an experiment by which the presence of the State is made to appear as the 'Other' of the textually present 'state of nature' which is the product of the 'hypothetical dissolution'<sup>34</sup> of the State. Here lies the heart of the problem, as well as the 'nature' of the "constitutive aporia" of modern political thought that is the object of Thibault's reflection. The problem simply put, is that in order to make the State appear as 'presence' in a text, Hobbes is led into setting up a scientific 'thought experiment' whereby the presence of this State is dissolved, giving rise to its Other (the state of nature). However, the State, in being present as an absence in its Other, ends up being placed literally before and inside of (as an absence) its hypothetical 'origin' in 'the state of nature'.

It is in this sense that the 'difference of nature' between the internal and domestic, a difference which is fundamental to the articulation of modern political life, derives from a discursive 'coup de force' initially 'inscribed' in a text (Hobbes's) whose purpose was, through the 'hypothetical dissolution' of the State in the form of the 'state of nature', to make the State appear as a presence in its own right, without the recourse to nature or divine will. It is with this performative '*coup de force*', represented as that the '*différance d'origine*' that the "*structure de renvois généralisée*" is inscribed into the productive 'movement of differences' that characterize the antinomically constituted discourses of political theory and international theory. It is only through this inscription, in setting up a specific structure of the 'movement of difference', that endless game of presence and absence, that 'sovereignty' can appear as an "instance of separation" between the internal and the external (Thibault, p. 15). If there is one thing that is important to retain from Thibault's (2009)

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<sup>33</sup> A loss which is associated with the need to account scientifically for the existence of the State in the wake of the loss of legitimacy of traditional theological or onto-theological narratives pertaining to the given-ness of the State.

<sup>34</sup> For further discussion of this 'experiment, see Thibault, p. 48-53.

deconstruction of the “constitutive *aporia*” at the heart of modern political thought (at least in the context of this thesis), it is that

la différence entre la théorie politique et la théorie internationale, c’est-à-dire cela même qui donnera finalement sa « réalité » objective et empirique à la vie politique moderne qui s’articule autour de la présence d’une dichotomie entre l’interne et l’externe, aurait d’abord et avant tout été inscrite dans un texte. (p. 20)

What this means is that the “différence de nature” between the domestic and the international, between the inside and the outside, far from referring to an objectively given ontological difference, is the product of the performative nature of the discourse(s) of modern political thought, organized as they are around a “structure de renvois généralisée” made possible by the “différance d’origine” which has no ‘presence’ outside or prior to the texts in which it is inscribed. Thibault’s point, at least in our reading, is that these lines, essentially distinguishing internal from external, represent the points of contact of ‘differences’ in antinomic discourses whose “contradictory conditions of possibility” are established by and in the constitution of a “structure de renvois généralisée” between the presence (inside) and absence (outside) of the condition of ‘rulership.’

This means that these antinomically constitutive spheres of empirical differences (domestic/international) have their ‘origins’<sup>35</sup> in the textual inscription of a “différance originaire” which starts the discursive “movement of differences” that ends up “...producing the effects it names rather than discovering them.” (translated, Thibault, p. 25) This means, quite literally that what we, as students of IR, often take to be the “difference of nature” between the domestic and the international has no origin outside of the textual thought-experimental “bringing to presence,” (to use a Heideggerian formulation once again) through hypothetical dissolution of itself, of the condition of purely immanent ‘rulership’ (with its accompanying supplement outside, anarchy) and the subsequent deployment of political narratives whose arch-architecture is grounded by and through this dichotomous opposition.

This is because, as we have noted before, in order to justify the presence of the foundation for ultimate authority - i.e. the pre-condition for the existence of the historical-political order deemed necessary to give meaning to human life - without referring to God or natural right, Hobbes used what we would call a kind of “spatial-temporally differed retroactive causation” by which the presence of the foundation for ultimate authority ‘here’ is ‘justified’ or explained by its absence then (temporally prior to) and there (spatially outside of). Thus, the presence of a grounded political order inside rests on its differed dissolution both before and outside of the ‘order’ thus ‘founded. In this

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<sup>35</sup> Referring to the *différance originaire*’ which is never really present as an origin but rather always perpetually erasing its own authorship in the process of differentiation itself, thus an ~~origin~~. Discussed in Thibault, 2009, p. 23.

sense, the problem to which Thibault draws our attention can perhaps best be described as concerning the ~~origin~~ of the nature of the dichotomous archi-architecture of modern political narratives and their particular ways of grounding or ‘geo-graphing’ (understood here as a ‘writing’ of a meaningful ‘earth’<sup>36</sup>) the location in and by which the events, peoples and actions of human affairs attain intelligibility through discursive materializations.

This is not a traditional understanding of borders. Indeed, in most cases, this boundary, which is in fact the product of a constant grounding or “framing effect” of the play between the presence/absence of sovereignty-as-rulership, comes to be understood as a given part of objective reality. This means that by taking these realms to be ontologically given, the constant framing effect of the presence/absence of sovereignty-as-rulership, in what Bartelson has called a ‘parergon’, is removed from what needs to be explained and accounted for and taken to be a part of the unproblematic starting points for social inquiry. This is perhaps not surprising since the grounding action of sovereignty-as-rulership is almost always imperceptible when looked at from representational philosophy’s perspective because it erases itself in the ceaseless “structure de renvois généralisée” between the antinomically constituted discursive ‘fields’ or ‘realms’ of modern political life; the domestic and the international. However, the process of discursive materialization by which things become what they are leaves behind ‘traces’ or ‘supplements’ which appear to us, in the form of an “*aporia*” between the different realms of modern political life: the domestic and the international. This being said, our concern with borders is meant to open up possibilities for thinking, if not about borders as such (since we are just as trapped within our vocabulary as the authors I am criticizing), at least about the role or function of borders in the construction of an intelligible world and thus, to the importance of not simply passing over as expressions of the sovereignty of pre-given entities called states. In sum, what this means is that rather than being understood simply as the expression of the spatial limits of the sovereignty of a state, borders are understood here as a productive site which ‘appears’, as an “*aporia*,” at the contact point between the antinomically constituted discourses of modern political life (domestic/international). In this sense, at least, borders, boundaries, and limits could perhaps be said to occupy the onto-political ‘place’ that was vacated by God (after having been struck down by Man) starting at the end of the eighteenth century: the location of the unthinkable source of the authority to establish the foundation for politics.

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<sup>36</sup>Here, geo-graphy is understood as the study of the diverse ways humans literally write the earth into existence as a coherent spatio-temporal location within the universe which is divided among geographically bounded political communities which we now call sovereign states.

<sup>36</sup> For a discussion of the reading of geography see Matthew Sparke. 2005.

This is important because while we have seen that the political meaning of events or things depends on their discursive context of emergence, that is to say, on the narratives by and within which events can ‘materialize’ into intelligible reality; modern political narratives themselves, in turn, rely on the prior distinction between the domestic and the international whose ~~origin~~ is to be found nowhere else than the authoritative differentiation of the two in a thought-experiment which hides itself in the *va et vient* of the constitutive “structure de renvois généralisée” of modern political life. However, this act of self-concealment leaves behind traces which, following Thibault (2009), we perceive as “aporias” - literally points of “non-passage” - which confront and menace our carefully built rational artifice from both without and before and thus always haunts, as an absent presence, the presence of modern order. It is to these discursive practices of discrimination – by which certain events and things are considered to be paradoxically outside the rational, and therefore, it is claimed, ethical, boundaries of politics - that our deconstruction of the sovereign state seeks to direct attention.

The supplemental presence of the grounding of ‘sovereignty-as-rulership’, the ‘state of nature’, always already haunts, or rather, threatens the ‘founded’ political order with dissolution from outside and before the “borders, boundaries and limits” of modern polities. The events which have taken place at these boundaries - massacres, wars, repression, etc. – have been described as the history of ‘international relations’ and should deter anyone from thinking that the problem of political foundation is not important in some abstract ‘real world’ about which we are always told. In this sense, International relations, as a discipline, consists in the institutionalized study of the events that take place in the field constituted by the spatio-temporal declarations of exception or acts of appropriation which attempt to secure the ‘ground’ for modern political narratives, for politics as such.

In this sense, if Walker’s crucial insights concerns the realization that foundation is always a problem, and that borders represent active moments of spatio-temporal foundation for modern political life as such, Thibault’s insight into the aporetic nature of the domestic/international boundary illustrates the fundamentally textual ~~origin~~ of this boundary as well as the spatio-temporal supplement - the international - which accompanies the modern attempt to think through the pure immanent presence of political order or politics as such, i.e. in Hobbes’ thought-experiment. This opens up the possibility of bringing together the two sides of the dual identity of the figure of the sovereign of the state more clearly within the scope of an analysis. This would have been difficult without Thibault’s insight since the possibility of really looking at what ‘borders’ are, is not clarified in either Walker’s or Bartelson’s work.

Indeed, while we in no way pretend that what follows is the only way to proceed, we would argue that an analysis of the practices which carve out the location for the appearance of the state as a

“structural effect” (or apparent “ghost in the machine”) can be undertaken at the same time as the study of parergonal nature of ‘sovereignty-as-rulership’ if we understand that the domestic/international boundary represents the “constitutive aporia” of modern political life as the “trace” of the politically foundational “*structure de renvois généralisée*” between the antinomically constitutive discursive ‘realms ‘ of modern political life; the domestic and the international.

In order to illustrate more clearly what this reflection on the “constitutive aporia” of modern political life (inside/outside boundary) means for our understanding of the contemporary ‘global politics’ - what it opens up for those who would take the problem of political foundation seriously - we will examine the wider theoretical implications of Judith Butler’s recent work on a particularly interesting and ambiguous place which has been the subject of much scholarly attention in relation to the question of the ‘War on Terror’ and the apparent normalization of the exception which it entails (since, as many have noted, the ‘war on terror’ is by definition endless) : Guantanamo Bay, Cuba.

#### **4.1: Sovereign Power, Governmentality and the Domestic/International Boundary**

*- The denizens of Guantanamo are subjected to a regime of indefinite detention as 'noncitizens' suspected of collaboration with terrorist activities: they are neither prisoners nor accused, only 'detainees'; subjected [ . . . ] to a detention that is indefinite not only in time, but also in its very nature as removed from the law and judicial process. - (Giorgio Agamben, 2003, p.12)*

*- The human cages of Guantanamo are a black hole in the geography of American – and western values, but they are also an extraordinarily potent space of exception. It is difficult to begin to explore the nature of the new geopolitical ordering- and its associated biopolitical strategies - without understanding something more about the geographical implications of that disquieting enclave in Cuban territory. - (Claudio Minca 2005, p. 406)*

*- In the name of a security alert and national emergency, the law is effectively suspended in both its national and international forms. And with the suspension of the law comes a new exercise of state sovereignty, one that not only takes place outside the law, but through an elaboration of administrative bureaucracies in which officials now not only decide who will be tried, (but) who will be detained indefinitely or not. - (Judith Butler, 2006, p. 51)*

Of late, much ink has been spilled in reference to a tiny part of an already small island (Cuba) which has come to represent the most visible dark side of the ‘War on Terror’ as the place where brand new political categories are used to justify torture and ‘indefinite detention.’ (for example see Agamben 2003; Butler 2005; Minca 2005; etc.) Discovered in 1494 by Christopher Columbus, Guantanamo Bay has been on lease to the U.S. from Cuba since 1903 for use as a “naval and coaling station” and that the lease was extended (indefinitely) in 1934 (Clive Smith, 2008). Then, 67 years

later, on September 11<sup>th</sup> 2001, planes hit the World Trade Center towers and the Pentagon in what was the biggest single terrorist attack in U.S. history. This was followed shortly by the so-called ‘War on Terror’ (beginning in Afghanistan in 2001). On 11 January 2002, Guantanamo Bay is identified as a detention centre for prisoners captured from operations in Afghanistan and, on 22 January, the first detainees land in Guantanamo bay (Smith, 2008).

Butler’s reading of the political significance of Guantanamo in her *Precarious Life: The Powers of Mourning and Violence* (2005) and especially the chapter on “Indefinite Detention” are particularly pertinent within this thesis insofar as she argues that the authority by which exceptions are declared has changed location, or at least is not where we expect it to be (i.e. kings or presidents) and is now delegated, in many cases to unelected bureaucrats – “petty sovereigns” - who, in never fully intelligible ‘wild zones’ outside of the normal order of politics, have the (sovereign) power to decide if someone is, or is not, an “enemy combatant”. Such a reading by Butler appears to be fundamental because while the incommensurability of our understanding of the significance of the sovereign state imbroglio with traditional state centric or representational accounts of world politics would seem clear, how such a critique of the ‘givenness’ of the domestic/international boundary might relate to Foucauldian insights into the nature of power and sovereignty is far from obvious. In this sense, our critique of both Foucault and Butler’s reading of sovereign power in such places as Guantanamo Bay should not be read as an outright dismissal of the validity of their insights into concepts such as sovereign power and governmentality but rather as a nuance and a call for further research into the complex imbroglio within which concepts such as sovereign power and governmentality acquire their equivocal meaning. It is for this reason that we choose to discuss the political implications of discursive moments of foundations in places like Guantanamo Bay and more specifically the question of the status of what Judith Butler has called “petty sovereignty”. A brief look at the theoretical framework within which Butler articulates her argument concerning petty ‘sovereigns’ will help clarify its relationship with the subject matter of this thesis, i.e. the relationship between the figure of the sovereign state, the problem of the foundation for politics, and the analytical significance of the domestic/international boundary.

To start with the concept of ‘petty sovereignty’ refers, in Butler’s formulation, to the apparently novel structural position that some of the unelected bureaucrats of Guantanamo Bay occupy in relation to the exercise of sovereign power, a prerogative which is usually associated with the prerogatives of the heads of state of particular polities (i.e. kings, queens, emperors, or presidents). For Butler, these “petty sovereigns” are figures’ who “are delegated with the power to render unilateral decisions, accountable to no law and without any legitimate authority” but who are

not really “true sovereigns” in the traditional sense of the word since “...their power is delegated, and they do not fully control the aims that animates their actions.” (p. 56,62)

While the consequences of such decisions for the “detainees” (euphemism for political prisoners outside the reach of the normalized systems of law) are relatively well documented (particularly by Agamben 2005 and Butler 2006; see also; Smith 2008; Minca 2005; Neal 2008, etc.) what is particularly interesting with regards to Butler’s perspective is the theoretical account of the relationship between sovereign power and the techniques of governmentality which is apparent in the figure of the “petty sovereign” which in many ways can be read as a creative combination and critique of the Agambenian, Foucaultian and Schmittean notions of sovereignty from which she draws her inspiration.

Commenting on Foucault, Butler (2006) asserts that for him, there is a difference “between the art of government, which has as its task, the management and cultivation, of populations, goods, and economic matters, and the problem of sovereignty, which, he maintains, is traditionally separated from the management of goods and persons, and is concerned above all with preserving principality and territory” (p. 91) with this being assumed to be a necessary good in itself which thus authorizes the power over life which the sovereign enjoys. Hence, as Butler has noted, what seemingly “characterizes the end of sovereignty, this common and general good, is in sum nothing other than the submission to sovereignty. This means that the end of sovereignty is circular: this means that the end of sovereignty is the exercise of sovereignty” (Butler, 2006, p. 91). While for Foucault, (1990 (1978)) the importance of this kind of power over death to preserve the territory of the principality has progressively been overshadowed by the biopolitical imperatives to make life live until “the old power of death that symbolized sovereign power was now carefully supplanted by the administration of bodies and the calculated management of life.” (p. 139-140)

However, Butler (2006) has objected, we think quite rightly, to this rather narrow reading of sovereign power. She insists that while “(o)ne might claim that sovereignty is concerned exclusively with a self-grounding exercise and had no instrumental aims,” this “would be to underestimate the way that its self-grounding power might be instrumentalized within a broader set of tactics.” (p. 98) She continues by saying that while it very well might be true that sovereignty’s primary “aim is to continue to exercise and augment its power to exercise itself; in the present circumstance, however, it can only achieve this aim through managing populations outside the law.” Thus, she continues, “even as governmental tactics give rise to this sovereignty, sovereignty comes to operate on the very field of governmentality: the management of populations.” (p. 98)

Stated simply, for Butler, Guantanamo Bay is characterized by the emergence of bureaucrats who wield the power of the exceptional decision (much like the traditional sovereign) but who are always already situated within a biopolitical order that determines their acts and is the source of their authority. This is why Butler is careful to specify that ‘petty sovereigns’ are not ‘truly’ sovereign in the self of being truly self-grounding, since their activities are always underwritten to wider biopolitical imperatives they do not control. Situating herself in contrast to Agamben’s view of sovereignty in which “sovereign power comes into being in an inverse relation to the suspension of law”, a position which means that “as law is suspended, sovereignty is exercised”; Butler insists that Guantanamo’s “contemporary version of sovereignty, animated by an aggressive nostalgia that seeks to do away with the separation of powers, is produced at the moment of this withdrawal, and that we have to consider the act of suspending the law as a performative one which brings a contemporary configuration of sovereignty into being or, more precisely, reanimates a spectral sovereignty within the field of governmentality” (p. 61). In other words, for Butler, ‘petty sovereignty’ essentially represents an instance of the instrumentalization of sovereign power as a technique of contemporary biopolitical governmentality.

This, however, misses the point, at least partly. This is because, as we have shown, sovereign power was never just about protecting the territory of the state or deciding on life or death. , Rather, it fundamentally concerns the authoritative establishment of the foundational “borders, boundaries, and limits” of modern political order. Hence, it is not the centralized, overt, or arbitrary nature of sovereign power that is important but rather the continued importance of the boundaries and limits that constitute the “traces” of foundational violence that is of interest to us within this thesis.

Indeed, from the perspective being defended herein, power is always somewhere, and this somewhere has to be – violently - carved out. This is because humans do not act in an abstract space-time realm, but rather within meaningful ‘locations’ that fit into the wider modern “world picture.” The violent acts of discriminations that carve out these locations, i.e. that ground the content of politics and make something like governmentality possible, cannot simply be subsumed to pure functionality in the service of the techniques of governance for which they serve as the condition of possibility.

Ultimately, then, what is not included in the immanent critique of sovereign power is the problem of origin or nature of ‘order’ and of the very specific way Western modernity has sought to resolve this problem through a purely textual thought-experiment in which the pure presence of sovereignty-as-rulership is hypothetically dissolved in order to spatio-temporally locate its own cause or explanation both outside and before the pure presence which is being sought. This omission is

crucial because it is precisely this particular solution to the problem of political foundation that produces a state of affairs, a kind of political life, in which the sovereign state appears as a kind of “structural effect” or ‘ghost in the machine’.

However, Butler’s (2006) work on “petty sovereignty” is interesting whether or not one agrees with her wider theoretical framework. For the topic that concerns us here, her work is particularly interesting because it highlights how the use of the terrorist/enemy combatant narrative projects or fixes an individual within a distinct ethical-political location that determines the political ‘nature’ of the things and people that exist there. As such, it also represents a crucial site for those interested in the changing nature of global politics because it highlights a potential transformation in both the process by which sovereign power is justified and enacted (i.e. as petty sovereignty), as well as indicating possible changes in the location of the aporetic boundary between the domestic and the international.

From this perspective, the central characteristic of the “enemy combatant” lies in his exclusion from the bounded realm of normal political life. The nature of an “enemy combatant” is defined by the place or location into which he is projected by his materialization *by* and *through* the authoritative use of the political narrative of terrorism. Stated differently, what this means is that by saying that someone is a “terrorist” one is creating a very real boundary between this almost non-human walking corpse (the “enemy combatant”) and properly human beings which are entitled to rights for no other reason than being human. In this sense, someone could be physically standing next to an “enemy combatant” while at the same time residing in a very different political location. The difference being that one is considered to be inside the realm of modern political (and ethical) life while the other is excluded from it.

In sum, Butler’s work helps both to contrast the specificity of our own understanding of sovereign power as well as open up some interesting avenues of research into the changing nature of contemporary global politics. It does so by highlighting - at least when read from the perspective being defended in this thesis - the fact that sovereign foundational violence is no longer, if it ever was, limited to the activities of kings, presidents, and emperors but also extends to the authoritative use of political narratives (like terrorism), by unelected bureaucrats, to ontologically “fix” or “secure” the political identities of particular individuals. The following section is devoted to an exploration of what our engagement with Thibault and Butler means for the subject of this thesis.

## 4.2: The IR/GG debate and the Domestic/International boundary: Looking for the “Traces” of Foundational Violence

- *(I)t takes much more power to construct and perpetuate international... relations than we have been led to believe.* - (Cynthia Enloe. 1990, p. 197)

As we have shown in chapter 1, the IR/GG debate concerns, in large part, a disagreement as to the nature of the ontological configuration of global politics and, of the relative importance accorded to the figure of the sovereign state in the overall configuration of power relations within this reality. What almost all of the various and opposing authors seem to assume is that the state ‘is’ an entity which acts on individuals, nations or social forces and then proceed to identify empirical evidence which could conclusively establish the relative importance or influence of this entity in contemporary global politics. The differing results of each approaches’ investigations (and this difference should not be surprising since they all start with differing epistemological assumptions, even before discussing the nature of what they are studying) is then denoted by the notions of international relations, world politics, world capitalist system, *Empire*, or global governance. However, in every account thus far reviewed, the state is taken to be some kind of entity - albeit for some an entity of declining importance - and it is the exercise of ‘sovereignty’ - or power - which has been decentralized away from the state-as-entity. Once the state (as agent, actor, site or any other kind of entity) is posited, scholars go about trying to find and document empirical evidence that would give us an indication of the long-term patterns of political power configurations of global politics. We have called the competing claims to authoritatively describing the nature of contemporary global politics the ir/gg debate. Even in Hardt and Negri’s influential *Empire (2000)*, despite its many innovative arguments - such as the importance of the impact of the discovery of immanence on the problem of sovereignty and its relationship with the spatialization of modern politics into two distinct and apparently autonomous spheres of activity, an inside (the domestic) and an outside (the international) – the authors end up falling into the same ontological trap as the traditional state-centric approaches by positing the state as an ontologically given entity, albeit one of declining relative importance. In other words, what is important for the subject being discussed here is that for Hardt and Negri the state as an actor is still taken to have been an ontologically given entity that at some point did possess something called sovereignty, even if it is in relative decline. Thus, while still in considerable disagreement among the different positions in the IR/GG debate - not only about what should be studied (states in anarchy, NGOs and international organizations, TNCs and global capital, or simply *Empire*) but also, and for our purposes more importantly, concerning what the things which

are being studied really ‘are’ – for the most part, those who are concerned with nature of contemporary global politics assume that there is, or was at some point, something called the state ‘out-there’ in the exogenously given world. Indeed, what the overwhelming majority of the IR/GG literature so far discussed, has assumed is that the state ‘is’ an entity of some kind, even if almost nobody agrees on what exactly this entity is, an actor, an agent, a site, or an ‘assemblage.’ While these disagreements are not insignificant, they are of secondary importance for the topic of this thesis. What is of primary importance, however, is that the authors explicitly or implicitly consider the debate to be primarily ontological, concerning that which ‘is’ and understand the state to be some kind of entity within the world.

In this sense, what all of these approaches neglect to address is that political reality as such is framed in terms of the presence/absence of the sovereign state. Thus, if one proposes that the state is not sovereign, how does one account for the continued significance of the boundaries within which effective sovereignty is seemingly exercised by a complex network of sites of authority? Not to mention the conceptual difficulty of maintaining that the state is still an entity of some kind, even if one among others, if the presumed essence of the state, sovereignty, is no longer considered to be the sole prerogative of the state. Is it possible to have a ‘state’ without sovereignty? If so, then what exactly is meant by the term ‘state’ and moreover, what can explain the radical separation between the “internal realm of the state and the external world of states” (Onuf, p. 432) if not the presence of sovereignty inside and its absence outside? Can one simply assert that the state is no longer ‘sovereign’ and still presuppose the ‘givenness’ of the boundaries that are said to distinguish between internal sovereignty and external anarchy or absence of sovereignty?

This analytical impasse, or paradox, hounds most of the global governance literature much in the same way as the statist are haunted by the fundamentally incommensurable gap between their own epistemological position (different varieties of representational philosophy) and the ontological status of the central objects of study: the sovereign state. If the state is simply one actor in the networked dynamic of ‘effective sovereignty’, how does one then account for the ‘difference of nature’ (Raymon Aron, in Thibault, 2009, p. 1) between the international and the domestic that is at the heart of modern political life? This analytical impasse, or paradox, hounds most of the global governance literature much in the same way as the statist’s are haunted by the fundamentally incommensurable gap between their own epistemological position (different varieties of representational philosophy) and the ontological status of the central objects of study: the sovereign state.

Such questions lead us back to our initial research questions concerning what a closer look at the ambiguous and central figure of the sovereign state might mean for those who are interested in

understanding or explaining contemporary transformations in global politics. Our necessarily partial answer to this potentially limitless question is that by taking the state as an existing entity and/or taking the domestic/international boundary for granted, something which the vast majority of the IR/GG literature does in one way or another, the problem/question of the foundation for politics is occluded. Closer attention to the ambiguous/central “dual identity” of the sovereign state illustrates that it is far from being simply a given component of reality but, rather, constitutes the ‘structural effect’ of a specific way of authorizing and enacting the ‘foundational acts of discrimination/declarations of exception’ by which the ground of modern politics – sovereignty-as-rulership – is secured by and through the constant differentiation of its presence from its absence outside of the bounded political order.

Thus, as we have noted before, our problem is not really with the competing empirical data that each author (of the ir/gg debate) puts forth to strengthen their claims. Rather, the problem is that the positing of the sovereign state as an entity within global politics occludes some of the most important and urgent political problems of the (late-)modern or contemporary period. The problem with the dominant ways of problematizing global politics that a reflection on the ambiguous/central character of the sovereign state reveals is that, as we have shown in chapter 2, the sovereign state was never simply an empirically existing unit of analysis that can be dismissed while retaining the foundational framework of the domestic/international divide as an ontologically given dimension of reality. This is because it is precisely the (presence/absence of the) concept of sovereignty-as-rulership that enables the differentiation of domestic and international politics. As we have repeatedly noted, there is more to the sovereign state than a more or less useful analytical tool that can simply be rejected in favour of an analytics of power as a decentralized and diffused exercise of ‘effective sovereignty’. On the one, hand, the figure of the sovereign state also plays a fundamental role as the “transcendental condition” (Bartelson 2001, p. 5) of possibility for discourses *on* and *of* politics. On the other hand, the sovereign state can also be read as a ‘structural effect’ of modern political life as Timothy Mitchell (1991) has noted. It is in this dual sense that the sovereign state is metaphysical or perhaps more specifically onto-political: it appears to be both the “transcendental condition of possibility” (Baterlson) for politics while at the same time being a “structural effect” (Mitchell) of politics itself, often appearing to scholars as a “ghost in the machine.”

Indeed, as we have seen in our earlier discussion of Bartelson (2001), that the state is the “transcendental condition” (p. 5) of possibility for political discourse insofar as modern political discourse is grounded on the constant presence of sovereignty-as-rulership over a bounded territory, and its absence outside. However, insofar as the presence of sovereignty-as-rulership over a bounded

territory is not an ontological given of human life, it must therefore always be grounded or established; an activity which is accomplished through the declaration of spatio-temporal exceptions to the otherwise universal and universalizing political order, at least in Western liberal democracies.

Thus, building upon some crucial insights from Bartelson (1996, 2001), (Walker 2010), and Mitchell (1991), we have sought to develop an understanding of the state that does not conceal the problem of political foundation when trying to understand the transformation in contemporary global politics. We have argued that the state was never just an actually existing entity, at least not in the conventional sense of understanding the notion of entity, as something which exists ‘out there’ within the objective world. Rather, it is an impression we get from the perpetual grounding of modern political life by and through sovereign and foundational moments of spatio-temporal discrimination that effectively conceal themselves in perpetual play of presence/absence of ‘sovereignty-as-rulership.’

Indeed, as we have argued, the state can best be understood as a “structural effect” of the use of political discourses whose status as logos - rational or meaningful speech - depends on the perpetual and self-effacing spatio-temporal differentiation of the pure presence of sovereignty-as-rulership from its pure absence. Stated somewhat differently, this means that it is the concerted effort of a political community to use certain narratives instead of others when talking *of* and in *the* world - i.e. those grounded on the pure presence of “sovereignty-as-rulership” and not those grounded on explicitly theological or religious principles (for example) - that produces the state as a “structural effect,” as an apparent pure ‘presence’ behind the meaningful events of modern political life, at least when viewed from the dominant meta-theoretical position of the social sciences in general but of the ir/gg debate in particular: representational philosophy.

By analysing global politics in terms of the relative power control of the state-as-entity, authors in the ir/gg debate simply do not address the possibly changing ground or foundation for modern political order. While empirical information - about the relative decline of national governments capacity to control its domestic economy at the same time as we see the phenomenon of the ‘security state’ in which specific governments are becoming ever more omnipresent in the ever increasing militarization or securitization of everyday domestic politics - may be very interesting in its own right (as well as disconcerting), it is not necessarily sufficient to explain or understand what the contemporary transformation in the nature or content of global politics is. This is because, for better or worse, the nature of global politics is reflective of the competing and various ways of establishing a (seemingly) solid ground or foundation for political life as such. Echoing Rob Walker’s (2010) recent criticism of liberal political theorists (most notably Rawls), we would argue that such

problematizations of global politics ends up simply assuming that which would most needs to be explained and understood: the presence of a 'ground' for political order as such.

From this perspective, it is simply not that important whether the state is taken by analysts to be a 'useful fiction' (Gilpin), a 'ghost in the machine' (Easton) or something 'really real' (Wendt) because simply by using the 'national-territorial totality' ideal of the state in discourse, scholars (especially those in IR) must presuppose, as Richard Ashley has noted, a sharp separation between the domestic and international realms (Ashley, 1989, p. 248). The crucial act in the problematization of "global politics" is the presupposition of the domestic/international boundary which seems normal only if one blindly posits the state as an actually existing entity or begins from a strictly representational epistemological position in which external reality (external from the subject that is thinking) is taken to be simply given. Either way, the problem of political foundation is simply occluded from the scholars gaze. In other words, what this means is that by taking either the sovereign state or the domestic/international boundary as the ontologically given starting point for socio-political inquiry, the question of the foundation of political order is, by definition, never asked. By taking the sovereign state as an ontologically given entity somehow "within" a larger space called the global, the violent practices which are actively engaged in - even if concealed by - the perpetual carving out the constant presence of "sovereignty-as-rulership" over a bounded territory is, quite incomprehensibly, occluded from what needs to be explained and understood by the scholars of contemporary "global politics."

This is also the problem with Agnew's idea of 'effective sovereignty.' Indeed while it can be read as an explicit attempt to escape the 'territorial trap' (which Agnew himself is credited with having 'discovered' or pointed out), by focusing on the fact that the state does not, and never really did, possess a 'monopoly' of the "legitimate exercise of power", it still presupposes the 'givenness' of the boundaries by which it becomes possible to think of the 'social body' or 'body politic' as a kind of totality through which the flows of 'effective sovereignty' are enacted. Stated in less obscure terms, while Agnew's Foucauldian treatment of sovereignty correctly problematize the ideal of the state having the 'monopoly' over the use legitimate power' (modifying Weber's definition slightly), he nevertheless accepted the 'givenness' of the boundaries which delineate one unified social body from another

Hence, whilst it is important to criticize the idea that the state somehow 'has' sovereignty, one cannot simply decentralize the sites of control of 'effective sovereignty' (as one commentator has dubbed it) from the 'state' to infra-, or supra-, national actors which, some would argue, are demonstrating increasing degrees of decision-making and direction setting capabilities. Moreover,

one can also not dismiss the concept of the sovereign state in favour of the concept of government, while at the same time maintain the ontological ‘givenness’ of the distinction between the domestic and the international as being part of the basic fabric of the political reality. This is because the domestic/international distinction can only be explained in terms of the presence (inside) and absence (outside) of what has traditionally been called sovereignty (which we argue can better be understood as the condition “rulership”). Thus, whether one is arguing that the sovereign state is the lone source of all political authority and the central actor in world politics, one site among others in the global networks of “effective sovereignty”, an “analytical fiction” useful for social inquiry, or merely a “ghost in the machine” which should be cleansed in the name of science, the metaphysical nature of the sovereign state is simply not being addressed seriously.

What is missing is a more careful assessment of central-ambiguous dual identity of the figure sovereign state in relation to the constitutive moments or acts of ‘sovereign violence’ that continue to ground modern political life. Since the state is a “structural effect” of a particular way of grounding politics, if one talks of the decline of the state, one is talking not about a transformation *in* global politics but rather of a transformation *of* politics as such; a transformation of what makes politics what it is. In this sense, a transformation of the ‘sovereign state’ would be a symptom of a transformation of the very “thing-ness” of politics, potentially on a global scale. Understood in this sense, questions concerning the changing nature of contemporary global politics do not concern ‘what is’ (as discussions of ontology are usually presented), but rather the much different question of how (political) things are said to be what they are in the first place; of what makes a political thing what it is. This is the problematic of political foundation.

However, as we have seen, the grounding process of modern political life – the “structure de renvois généralisée” that represents the modern answer to the problem of political foundation - is also inherently, and notoriously, difficult to analyse. Indeed, since it is involved in determining the ground that political knowledge, it could not very well appear as an ordinary and fully intelligible object for this same knowledge. This being said, recent scholarship (see Thibault, 2009) has shown that the process by which the ground of modern political life is established does leave behind some analytically salient “traces,” in the form of the “aporias” that constitute the boundaries of the rational modern political order.

The importance of Thibault’s insights into the textual ~~origin~~ of the domestic/international boundary is that it ties Bartelson’s work on the state and sovereignty to Walker’s work on sovereign

power and the onto-political importance of the ‘boundaries, borders and limits’ and in particular the domestic/international boundary. This is because, following Thibault’s intervention, we come to see the domestic/international boundary as an “aporia” that represents the “archi-trace” of an ~~original~~ act of violent political foundation.

As we have noted above, this means that the state is the “structural effect” of a particular way of grounding political, and that the “aporia” that constitutes the domestic/international boundary is one of the most important “(archi)-trace” of the original act of sovereign political foundation. As such, a transformation in the figure of the state would reflect a change in the dominant way of resolving the problem of political foundation and not an expression of exogenous economic forces somehow eroding the state’s sovereignty. Therefore, the relevant questions that confront those trying to understand the fate of the state in contemporary global politics do not concern the relative power of the sovereign state as actually existing entity within global politics, but rather the potentially changing locations of the aporias (in the sense that there are more aporias than the one located between the domestic and the international) that form the “boundaries, borders, and limits” of the various places and locations that frame contemporary global politics. Therefore, one of the best ways to study the fate of the state in contemporary global politics is to take a closer look at the possibly changing locations of the aporias that represent the “traces” of the violence which underlie ground (or grounding process) of modern political life.

A useful way to clarify what this means would be to recall Enloe’s (1990) assertion that “it takes much more power to construct and perpetuate international... relations than we have been led to believe.” We would, slightly modifying Enloe’s terms and meaning, propose that it indeed takes much more violence “to construct and perpetuate international relations... than we have been led to believe” and that, further, this foundational violence is carried with us in the language we use to talk about the things and events that appear in the world. While this violence is mostly invisible to modern political discourse, it does leave behind “traces” of the ~~original~~ foundational act of sovereign violence in the form of “aporias” that form the boundaries of the different locations of contemporary global political life.

Thus, if global politics is changing, signs of this change should not be sought in the relative power of the state but rather in the changing ways by which the authority to decide on the narratives that are to be used to materialize people and things into objects of knowledge. In this activity that produces “boundaries, borders, and limits” as aporetic archi-traces of the ~~original~~ act of violence that initiated the perpetual and self-effacing “structure de renvois généralisée” between the realms defined by the presence and absence of sovereignty-as-rulership, the domestic and the international.

By focusing on transformation in the spatio-temporal coordinates of the “constitutive aporia” of modern political life, as well as the discursive practices *by* and *through* which they are produced (the aporias), the possibly changing nature of contemporary global politics can be much more fruitfully studied than by simply positing the existence of the sovereign state - or assuming the ontological ‘given-ness’ of the domestic/international boundary - and then engaging in an endless effort to collect empirical data in order to resolve the debate around the ontological composition of global politics..

Thus, to the extent that our political narratives continue to be grounded on the presumed presence/absence of modern sovereignty-as-rulership, the state will continue to subsist as a “structural effect” of political life. If, on the contrary, the perpetual grounding of the dominant political narratives begins to change, the “structural effect” of politics will certainly change, at least partly. This is what an investigation of relationship between the problem of political foundation and the dual identity of the figure of the state highlights; that the foundational violence associated with the sovereign declaration of exception is already always present in the narratives we use to organize, judge, and plan the events and things of global political life

It is with these concerns in mind that we chose to devote the second section of chapter 4 to a discussion of the concept of ‘petty sovereignty’ that has been developed by Judith Butler in response to the particular discursive practices of inclusion/exclusion that occur in places like Guantanamo Bay. The idea here was to highlight the role of “petty sovereignty” in relation to the broader theoretical framework that she develops. The meta-theoretical examination of Butler’s use of “petty sovereignty” has shown that while it would at first appear that the boundary between inside and outside is of increasingly marginal importance in the face of a rapidly expanding reach of a totalizing global apparatus of biopolitical governmentality, closer attention reveals that this boundary is not exactly declining - since it is always already presupposed by the narratives *by* and *through* which things and events materialize - as much as it (the “constitutive aporia” between the domestic and the international) might be in the process of being spatio-temporally relocated.

Understood in this light, the seemingly novel practices associated with Butler’s concept of ‘petty sovereignty’ might very well be symptoms of a transformation in the way by which political narratives are authoritatively used to define the nature of the things, people, and events of modern political life. In this sense, such practices would clearly be altering certain elements of the foundational process that would inevitably alter the overall ghost-like impression we get of the ‘state’ and the spatio-temporal location of the “constitutive aporia” of modern political life.

In any case, sites like Guantanamo Bay – and Butler’s theorization of the practices of sovereign power that are to be found there - are particularly interesting for those interested in the changing nature of global politics because they highlight both an instance of the decentralization of sovereign power’s prerogative to authoritatively decide on the proper narratives to apply to the contingent events, things, and people of modern political life, as well as because it gives us an indication as to the possibly changing ground of the dominant political narratives of contemporary global politics.

## Conclusion: Towards an Archeology of Political Foundation

*-(Il) n'existe pas de pensée dangereuse pour la simple raison que le fait de penser est en lui-même une entreprise très dangereuse. Mais ne pas penser est encore plus dangereux. Ne pas réfléchir c'est plus dangereux encore. - ( Hannah Arendt, 1974)<sup>37</sup>*

As we have repeatedly noted, the central objective of this thesis was to examine the meaning of the central/ambiguous dual identity of the sovereign state for what we have called the ir/gg debate, i.e. the debate around the ontological status of the figure of the sovereign state in global politics. More specifically, the dialogue we have fomented herein essentially concerns the relationship between the ambiguous and central dual identity of the sovereign state on the one hand, and the theoretical investigation of the problem of political foundation on the other. This is why the research questions were framed in such a way as to allow for an investigation into the nature of the ambiguous/central dual identity of the state and its significance for those wishing to study contemporary transformations in global politics.

Closer attention to the central/ambiguous dual identity of the state highlights its crucial link to the problem of political foundation. This is because, as we have seen, on the one hand, the figure of the sovereign state constitutes the ground or foundation of political life in the sense that the narratives *by* and *through* which things and peoples are materialized find their condition of possibility in the perpetual spatio-temporal differentiation between the presence and absence of “sovereignty-as-rulership.” On the other hand, the state can be read as the “structural effect” that becomes visible when political life is constructed on these narratives.

Such an understanding of the figure of the sovereign state leads us to the first part of our central argument: that the ir/gg debate really concerns the possibly changing nature of political foundation on a global scale and that treating it like as a purely ontological debate within which the state is just another actor among others ends up concealing the most important philosophical issue of contemporary or late-modern global politics, the problem of political foundation.

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<sup>37</sup> The quote is taken from an interview Arendt to Roger Errera on “Un certain Regards,” in 1974. qtd in -Arendt, Hannah. 2002 (1951). *Les Origines du Totalitarisme/ Eichmann à Jérusalem*. Édition établie sous la direction de Pierre Bouretz, Quatro Gallimard,

Building on this, the second part of our central argument was about trying to illustrate what it might mean to discuss the fate of the state in contemporary global politics (the object ir/gg debate) without simultaneously occluding any consideration of the problem of political foundation. This (meta-theoretical) exercise was necessary because the dominant way of problematizing the object of study within the overwhelming majority of the ir/gg literature we have reviewed effectively concealed what would most need to be explained and understood about the fate of the state in global politics. Indeed, as we have noted in regards to the state centric account of wars, by treating the organized activities of a plurality of individuals in a specific inter-subjective context - one that has been partially built or founded by the establishment of a variety of boundaries - as simply the activities of a transcendental state acting in the pursuit of its own interests (no matter how this last concept is defined or calculated), most of what would need to be explained and understood is simply occluded from the research agenda. This is the major problem with the vast majority of the literature we have regrouped under the rubric of the ir/gg debate.

However, as we have noted above, at this point in our discussion, we came up against the problem of how to actually intellectually engage with the problem of political foundation, seeing as how our modern analytical concepts all presuppose the presence of this foundation as a condition of possibility. This being said, our engagement with Thibault's insights into the "constitutive aporia" of modern political life and Butler's discussion of "petty sovereignty" illustrates that while we may not be able to study the problem of political foundation directly, we can at least take seriously the "traces" of political foundation that confronts us in everyday life.

Indeed, reading the domestic/international as an "aporia" that is produced when the antinomically constitutive discourses of the foundational "structure de renvois généralisée" of modern political life (the domestic and the international) make contact with their differed condition of possibility, leads to the development of research programs that are very different from the vast majority of those we have reviewed under the rubric of the ir/gg debate.

It is to highlight what such an understanding of the domestic/international boundary (as an "aporia") might mean for those engaged in the ir/gg debate that we have seen fit to discuss Butler's insights into the practices of "petty sovereignty" in Guantanamo Bay, Cuba. In this sense, our brief discussion of "petty sovereignty" and Guantanamo Bay is meant to serve as an example of how it is possible to frame research questions and empirical study that pertain to the figure of the state in global politics in ways that do not also immediately exclude any consideration of the problem of political foundation.

In any case, two interrelated propositions emerge from this engagement with Thibault and Butler. The first is that sovereign foundational violence is always already carried into to the world by the narratives that we use to talk about the events, things, and people that make up global political life. The second is that, while almost invisible to the casual observed and much of the ir/gg debate, the ~~original~~ violence which sets up the “structure de renvois généralisée” that serves to ground modern political narratives, and whose presence continues to haunt modern political narratives, does leave behind some “traces” in the form of the aporias that form the “boundaries, borders, and limits” of contemporary global political life.

Seen from this perspective, this means that the state is best understood as a “structural effect” of the political order that is created *by* and *through* the use of political narratives that are grounded on the “structure de renvois généralisée” between the domestic and the international. Hence, if the goal is to understand what is happening to the figure of the state in contemporary global politics, it is imperative that we pay closer attention to the barely visible “traces” (as aporias) of the foundational violence that continues to ground these same political narratives. This is because a change in the spatio-temporal coordinates of these aporias would signify a transformation in the “thingness” of political things, events and peoples. As such, it would necessarily affect our impression of the “structural effect(s)” of global political life. Therefore, one of the best ways to study the fate of the state in contemporary global politics is to take a closer look at the possibly changing locations of the aporias that are left over, as “archi-traces,” from the ~~original~~ foundational violence that still grounds modern political life.

Here, it would be important to insist that the point of this exercise was not to insist the state is somehow not important and that it should be abandoned as an analytical concept. Rather, the point was to demonstrate that by treating the figure of the sovereign state as a “structural effect” of the concerted effort of a political community to use narratives that are grounded on the “structure de renvois généralisée” between the domestic and the international, we are able to formulate research questions that do not simultaneously occlude the problem of political foundation.

While not claiming that ours is the only possible way to go about trying to discuss the problem of political foundation, the kinds of research programs that emerge from our discussion of the relationship between the dual identity of the figure of the state and the problem of political foundation is could perhaps be characterized as a cross between a Foucauldian archeology and critical political geography because it seeks to reflect on the ~~origins~~ of the aporias that serve as the constitutive boundaries of the many and varied places or locations that provide the context which determines the meaning we attribute to the events, things, and peoples of global political life. However it is framed,

we believe that a serious discussion of the fate of the figure of the state in contemporary global politics must take into consideration its relationship to the problem of political foundation.

Indeed, from the perspective defended within this thesis, occluding the foundational violence that enables the physical violence at the “boundaries, borders, and limits” of modern political life from what needs to be explained amounts to effectively refusing to think seriously about the world in which we live. While not wishing to sensationalize the issue, we would note that Hannah Arendt’s work on the phenomenon of totalitarianism vividly illustrates what can happen when people stop thinking completely. At the very least, we would argue that by neglecting to engage in a dialogue about the potentially changing ground of contemporary global political life we might very well leave ourselves intellectually unprepared to deal with the very real challenges that confront humanity in the early 21<sup>st</sup> century.

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