

Counter-Sovereignty

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My presentation is moderately different than the others to be given today: unlike everyone else, I am not paired with a partner and, consequently, I find it difficult to speak in a way amenable to “dialogue”. I’ve been told that it’s fine to talk to yourself, but you should be worried when a voice replies. I’ll try to avoid schizophrenia. Another difference between my presentation and the others is that I’m speaking on a topic that is often highly ‘theoretical’ in its presentation. My presentation is no exception. However, I have done my best to purge my presentation of the often narcissistic and self-indulgent language of the theorist: while it is a valuable skill to be able to speak to a small group of specialists working on a narrow topic; it is also an equally valuable skill to relate that specialized discussion to a broader audience. In other words, if you find my presentation incomprehensible, it is likely because I am unable to communicate. So, in the interest of intelligibility and dialogue, please do interrupt!

In the spirit of purging unnecessarily dense language, I wish to change the title of my presentation from the advertised “Sovereignty, Subjectivity and Representation” to the much more simple and much more clear “Counter-Sovereignty”. In addition to being a much nicer title, it also rejects the strange tendency displayed by theorists to write three-word titles.

I

The call for presentations asked for comments on the topic “Post/Pre-Sovereignty and its Relation to Politics”. The call further suggested that comments under this heading might

consider “Should sovereignty be the end horizon of our politics?” and “What is the relationship between sovereignty and the state?”. While recognizing that these suggested topics are designed to engender discussion, I nonetheless wonder if these questions present a malformed problematic. My problem with the formulation of the question lays in the prefixes ‘post’ and ‘pre’: to the best of my knowledge there has never been a society that has not had something we want to call sovereignty. Consequently, an attempt to rearticulate politics either in relation to the death of sovereignty (“post”) or to a reconsideration of its birth (“pre”) is doomed to failure. To this effect, I’d indicate the work by the comparative mythologist Georges Dumézil and the political anthropologist Pierre Clastres as providing a basis for this claim. Rejecting the possibility of something before or after sovereignty does not imply, however, that sovereignty is a static or fixed object. My claim is both more trivial and more complex than this.

II

Both Dumézil and Clastres are loosely connected to the tradition in sociology and anthropology inaugurated by Emile Durkheim and Marcel Mauss. It is through the connection to Durkheim and Mauss that I would argue sovereignty is a universal feature of all societies. Via this tradition, we would want to locate sovereignty in the set of collective representations that constitute society and are, in turn, constituted by society. The claim of the universality of sovereignty and religion is not unique to the Durkheimian tradition: it can also be found in the tradition of political theology, exemplified by such thinkers as Carl Schmitt, Ernst Kantorowicz, and, more recently, Giorgio Agamben.

However, while it seems reasonable to me to suggest that religion and sovereignty are universal trans-historical features of all societies, one wonders about the circumstances of

modernity: that is, what about societies in which religion and sovereignty are separated? Hegel, in the *Encyclopedia*, characterized this movement as an attempt to ‘separate inseparables’. At this point in the *Encyclopedia*, Hegel is making the claim that the state rests upon an ‘ethical sentiment’ which in turn rests upon ‘religion’. Hegel continues; “It has been the monstrous blunder of our times to try to look upon these inseparables as separable from one another, and even as mutually indifferent.” Hegel, of course, is pointing to the event that began with the Wars of Religion through the Peace of Westphalia, which put into place the modern system of nation-states and diplomacy, and culminates in the French Revolution. The process indicated by Hegel begins with a split within Christianity in the relation between Man and God, moves to a problem of faith and state, and then to a problem between states with different dominant faiths, resulting in the distinction between, on the one hand, temporal and transcendent powers and, on the other hand, the inside and the outside of the state. Ultimately, with the French Revolution, this leads to a strict division between political and religious authority that maps onto the division between the public and private. Thus, with the French Revolution, the process of separating the inseparables is complete: religion and politics are distinct objects with distinct forms of authority operating in distinct spheres of life. Hegel’s argument is largely accepted – even if those accepting the argument aren’t aware of its origin – by mainstream history, political science and philosophy. For instance, James J. Sheehan, in his 2005 Presidential Address to the American Historical Association, entitled “The Problem of Sovereignty in European History”, begins his lecture as follows:

What is the problem of sovereignty? It is, first of all, a problem of definition. *Sovereignty* is obviously a political concept, but unlike political concepts such as *democracy* or *monarchy*, it is not about the location of power (the sovereign, Hobbes wrote, can be “the one or the many”); unlike *parliament* or *bureaucracy*, it does not describe institutions that exercise power; and unlike *order* or *justice*, it does not define the purposes of power. The concept of sovereignty has to do with the relationship of

political power to other forms of authority. Sovereignty assumes, first of all, that political power is distinct from other organizations in the community – religious, familial, economic. Second, sovereignty asserts that this public authority is preeminent and autonomous, that is, superior to institutions within the community and independent from those outside. In theory, the sovereign can be no one's vassal: at home, sovereigns are masters; abroad, they are the equals of other sovereigns.

The 'problem of sovereignty' – almost predictably – is that the 'theory' of sovereignty does not map onto the 'practice' of sovereignty; thus, "The problem of sovereignty is the enduring tension between the order and unity promised by sovereign theory and the compromises and negotiations imposed by political practice". I think I disagree with Sheehan almost point for point. Let me explain why I disagree with Sheehan via a detour through Claude Lefort, Cornelius Castoriadis, and Marcel Gauchet and then I'll return to the ostensible topic of my paper, counter-sovereignty.

III

The tradition running from Hegel to Sheehan is correct in at least one regard: the French Revolution is central to sovereignty in a way that extends beyond the mere destruction of the absolutist form of sovereignty and its replacement with the popular form of sovereignty. From this perspective, the French Revolution actualizes history and philosophy; that is, philosophy is historicized and history becomes the object of philosophy. Put another way, the French Revolution actualizes the 'discovery of society' and thus introduces a radical break into sovereignty. The break in sovereignty introduced by the discovery of society is also what allows for the discovery or invention of what I want to call 'counter-sovereignty'.

The idea that society was 'discovered' or that it 'had to be discovered' no doubt sounds strange to most sociologists because, to a large extent, we pretend to have an immediate and unreflexive relation to the object of our discipline; namely, society. The claim put forward by Castoriadis, Gauchet and Lefort is that at some point in the relatively recent past it became

possible to speak of an autonomous object called society. That is, it was discovered that the world in which we live is not given to us from a source that is radically external and other to ourselves. In other words, it was realized that humans and not God creates society. If society is created through human agency and action, this necessarily means that we can – at least – attempt to create the form of society that we want. Thus, the “discovery of society” coincides with “modernity”. From this perspective, the French Revolution becomes a collective endeavor to institute a form of society that is radically different from the form of society found under the Ancien Regime. With the recognition of the possibility of actively constructing society, politics takes on a new form; which is, in part, the struggle to realize a form of society and sovereignty.

IV

Michel Foucault long lamented that ‘we have yet to cut off the king’s head in political theory’. Foucault’s own inclination in response to this suggestion was to, on the one hand, reduce sovereignty to the juridical; that is, to equate sovereignty and absolutism, and, on the other hand, to suggest that biopolitics – that is, the politics of life and death – have come to replace sovereignty. Sitting outside of Foucault’s inclinations is the fact that sovereignty continues to operate in political strategy; his refusal to confront popular sovereignty and the French Revolution; and his fascination with the non-modern form of politics, revolution and sovereignty exemplified by the Iranian Revolution. The relation of these three to his disavowal of sovereignty on the model of the king remains unthought by Foucault himself and invisible to the majority of his disciples in the Anglo-American world. However, the persistence of the figure of the king in the political theory is understandable: our contemporary form of popular sovereignty developed in opposition to the then dominant form of absolutist sovereignty. Strategically,

theoretically and rhetorically, popular sovereignty was forced to adopt and adapt the language of absolutist sovereignty. Thus, we can identify parallels between the position of the People in popular sovereignty and the King in absolutist sovereignty. In other words, the reason that the king still has his head in political theory is that the language of absolutist sovereignty was transformed through various counter-sovereign projects.

By situating the discovery of society in the context of European absolutism, we can imagine the development and invention of a number of different forms of sovereignty. It is in the context of the discovery of society and the attempt to actively create society in opposition to absolutism that we can begin to theorize the history of sovereign forms: we, of course, have many names for the forms – the People, the Nation, the multitude, the race, and others. Such an analysis, however, would have to remain cognizant to changes in the structure and representation of sovereignty once the absolutist form has been replaced by the popular form and, once again, with the mutation of the popular form into the totalitarian form.

V

The project I am working seeks to theorize the relation between sovereignty and sovereign forms. That is to say, while sovereignty is seen as a universal, the form it takes is historical. What I want to do is trace the history of the movement of sovereignty from its oppositional or counter-sovereign forms *vis a vis* absolutism, through the transformation of the counter-sovereign form of the People into a sovereign form, and then those currents of counter-sovereignty that remain in the background: the multitude, the race, etc

Relevant Works

- Giorgio Agamben ([1995]2000) "What is a People?" in *Means Without End: Notes on Politics*. Minneapolis: University of Minnesota Press.
- Reinhard Bendix (1978) *Kings or People: Power and the Mandate to Rule*. Berkeley: University of California Press.
- Cornelius Castoriadis ([1988]1991) "Power, Politics, Autonomy" in *Philosophy, Politics, Autonomy: Essays in Political Philosophy*. Oxford UP.
- Pierre Clastres ([1974]1989) *Society Against the State: Essays in Political Anthropology*. New York: Zone Books.
- Pierre Clastres ([1980]1994) *Archeology of Violence*. New York: Semiotext(e).
- Gilles Deleuze and Felix Guattari ([1980]1987) *A Thousand Plateaus*. Minneapolis: University of Minnesota Press.
- Georges Dumézil ([1948]1988) *Mitra-Varuna: An Essay on Two Indo-European Representations of Sovereignty*. New York: Zone Books.
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- Michael Hardt and Antonio Negri (2004) *Multitude: War and Democracy in the Age of Empire*. New York: Penguin.
- Nannerl O. Keohane (1980) *Philosophy and the State in France: The Renaissance to the Enlightenment*. Princeton UP.
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- Antonio Negri ([1992]1999) *Insurgencies: Constituent Power and the Modern State*. Minneapolis: University of Minnesota Press.
- Carl Schmitt ([1922]2005) *Political Theology: Four Chapters on the Concept of Sovereignty*. University of Chicago Press.
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- Benedict de Spinoza ([1675-7]2002) *Political Treatise* in *Complete Works*. Indianapolis: Hackett.
- Paolo Virno (2004) *A Grammar of the Multitude: For an Analysis of Contemporary Forms of Life*. New York: Semiotext(e).