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**Saskia Sassen: Territory, Authority, Rights**

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# 1 INTRODUCTION

WE ARE living through an epochal transformation, one as yet young but already showing its muscle. We have come to call this transformation globalization, and much attention has been paid to the emerging apparatus of global institutions and dynamics. Yet, if this transformation is indeed epochal, it has to engage the most complex institutional architecture we have ever produced: the national state. Global-level institutions and processes are currently relatively underdeveloped compared to the private and public domains of any reasonably functioning sovereign country. This engagement cannot be reduced, as is common, to the victimhood of national states at the hands of globalization. The national is still the realm where formalization and institutionalization have all reached their highest level of development, though they rarely reach the most enlightened forms we conceive of. Territory, law, economy, security, authority, and membership all have largely been constructed as national in most of the world, albeit rarely with the degree of autonomy posited in national law and international treaties. For today's globalizing dynamics to have the transformative capacities they evince entails far deeper imbrications with the national—whether governments, firms, legal systems, or citizens—than prevailing analyses allow us to recognize.

The epochal transformation we call globalization is taking place inside the national to a far larger extent than is usually recognized. It is here that the most complex meanings of the global are being constituted, and the national is also often one of the key enablers and enactors of the emergent global scale. A good part of globalization consists of an enormous variety of micro-processes that begin to denationalize what had been constructed as national—whether policies, capital, political subjectivities, urban spaces, temporal frames, or any other of a variety of dynamics and domains. Sometimes these processes of denationalization allow, enable, or push the construction of new types of global scalings of dynamics and institutions; other times they continue to inhabit the realm of what is still largely national.

These are charged processes, even though they are partial and often

highly specialized and obscure. They denationalize what had been constructed as national but do not necessarily make this evident. The institutional and subjective micro-transformations denationalization produces frequently continue to be experienced as national when they in fact entail a significant historical shift in the national. Such transformations often need to be decoded in order to become evident. These instantiations of the global, which are in good part structured inside the national, do not need to run through the supranational or international treaty system. Nor do they need to run through the new types of global domains that have emerged since the 1980s, such as electronic financial markets or global civil society. They include particular and specific components of a broad range of entities, such as the work of national legislatures and judiciaries, the worldwide operations of national firms and markets, political projects of nonstate actors, translocal processes that connect poor households across borders, diasporic networks, and changes in the relationship between citizens and the state. They are mostly particular and specific, not general. They reorient particular components of institutions and specific practices—both public and private—toward global logics and away from historically shaped national logics (including in the latter international operations, which are to be differentiated from current global ones). Understanding the epochal transformation we call globalization must include studying these processes of denationalization.

Much of the writing on globalization has failed to recognize these types of issues and has privileged outcomes that are self-evidently global. Global formations matter, and they are consequential. Yet even global regimes often only become operative, or performative, when they enter the national domain. This entry is predicated on—and in turn further strengthens—particular forms of denationalization. The encounter between national and denationalizing processes is not an innocent event; it has multiple and variable outcomes. There is a sort of invisible history of the many moments and ways in which denationalizing tendencies failed to materialize and succumbed to the powerful currents of the national, still alive and well. In other cases denationalizing processes feed nationalizing dynamics in separate though at times connected domains—for example, the denationalizing of certain components of our economy and the renationalizing in some components of our immigration policy. In brief, there is much more going on than meets the global eye—or than highly recognizable global scalings allow us to understand. The transformation we are living through is a complex architecture with many distinct working elements, only some of which can easily be coded as globalization.

Both self-evidently global and denationalizing dynamics destabilize existing meanings and systems. This raises questions about the future of crucial frameworks through which modern societies, economies, and polities

(under the rule of law) have operated: the social contract of liberal states, social democracy as we have come to understand it, modern citizenship, and the formal mechanisms that render some claims legitimate and others illegitimate in liberal democracies. The future of these and other familiar frameworks is rendered dubious by the unbundling, even if very partial, of the basic organizational and normative architectures through which we have operated, especially over the last century. These architectures have held together complex interdependencies between rights and obligations, power and the law, wealth and poverty, allegiance and exit. I will emphasize both negative and positive potentials associated with this destabilizing of existing arrangements.

*HISTORICIZING ASSEMBLAGES OF TERRITORY,  
AUTHORITY, AND RIGHTS*

In my reading of the evidence there are two distinct sets of dynamics driving globalization. One of these involves the formation of explicitly global institutions and processes, such as the World Trade Organization (WTO), global financial markets, the new cosmopolitanism, and the war crimes tribunals. The practices and organizational forms through which these dynamics operate are constitutive of what is typically thought of as global scales.

But there is a second set of processes that does not necessarily scale at the global level as such, yet, I argue, is part of globalization. These processes take place deep inside territories and institutional domains that have largely been constructed in national terms in much of the world. What makes these processes part of globalization even though they are localized in national, indeed subnational, settings is that they are oriented towards global agendas and systems. They are multisided, transboundary networks and formations which can include normative orders; they connect subnational or “national” processes, institutions and actors, but not necessarily through the formal interstate system. Examples are cross-border networks of activists engaged in specific localized struggles with an explicit or implicit global agenda, for example, human rights and environmental organizations; particular aspects of the work of states, for example, certain monetary and fiscal policies critical for the constitution of global markets now being implemented in a growing number of countries; the use of international human rights instruments in *national* courts; and noncosmopolitan forms of global politics that remain deeply attached to or focused on localized issues and struggles.

A particular challenge in the work of identifying these types of processes and actors as part of globalization is the need to decode at least some of

what continues to be experienced and represented as national. The practices and dynamics listed above are not usually seen within global scalings. When the social sciences focus on globalization it is typically not on these practices and dynamics but rather on the self-evidently global scale. These instances are too often absorbed into conceptual frameworks that equate their location in a national setting with their being national, which obscures their global dimensions.

A key proposition that has long guided my research is that we cannot understand the *x*—in this case globalization—by confining our study to the characteristics of the *x*—i.e., global processes and institutions. This type of confinement is a kind of endogeneity trap, one all too common in the social sciences and spectacularly so in the globalization literature. The basic position in that literature is to explain globalization as growing interdependence, the formation of global institutions, and the decline of the national state; the most persuasive organizing fact in these descriptions is the power of transnational corporations (TNCs) to override borders and national governments or of the new telecommunications technologies to compress time and space. These various features of the global amount to a description but not an explanation of globalization.

Avoiding this endogeneity trap is one of the organizing efforts in this book. There are consequences to a type of analytics that posits that an explanation of *x* needs to be configured in terms of the non-*x*. For one, it demands a focus on the work that produced the new condition—in this case, globalization. How do we get from non-*x* to *x*? But we cannot confine this effort to tracking how a new condition—in this case, globalization—gets constituted. The “new” in history is rarely simply *ex nihilo*. It is deeply imbricated with the past, notably through path dependence, and, I will argue, through a tipping dynamic that obscures such connections to the past. The new is messier, more conditioned, and with older lineages than the grand new global institutions and globalizing capabilities suggest.

To avoid endogeneity and to historicize both the national and the global as constructed conditions, I have taken three transhistorical components present in almost all societies and examined how they became assembled into different historical formations. These three components are territory, authority, and rights (TAR). They assume specific contents, shapes, and interdependencies in each historical formation. The choice of these three rests partly on their foundational character and partly on the contingency of my fields of knowledge. One could, and I hope someone will, choose additional components or replace one or another of these.

Territory, authority, and rights are complex institutionalizations constituted through specific processes and arising out of struggles and competing

interests. They are not simply attributes. They are interdependent, even as they maintain their specificity. Each can, thus, be identified. Specificity is partly conditioned by level of formalization and institutionalization. Across time and space, territory, authority, and rights have been assembled into distinct formations within which they have had variable levels of performance. Further, the types of instruments through which each gets constituted vary, as do the sites where each is in turn embedded—private or public, law or custom, metropolitan or colonial, national or supranational, and so on. Using these three foundational components as analytic pathways into the two distinct assemblages that concern me in this book, the national and the global, helps avoid the endogeneity trap that so affects the globalization literature. Scholars have generally looked at these two complex formations in toto and compared them to capture the differences. Rather than starting with these two complex wholes—the national and the global—I disaggregate each into these three foundational components. They are my starting point. I dislodge them from their particular historically constructed encasements—in this case, the national and the global—and examine their constitution in different historical configurations and their possible shifting across and/or insertions in various institutional domains. This also produces an analytics that can be used by others to examine different countries in the context of globalization or different types of assemblages across time and space.<sup>1</sup>

The dislodging of national capabilities that, I posit, is at work in constituting the global poses particular analytic difficulties. Critical here are the historical assemblage represented by the nation-state and the state-centric interpretation of history that has dominated the social sciences. In the modern

<sup>1</sup> I use the concept assemblage in its most descriptive sense. However, several scholars have developed theoretical constructs around this term. Most significant for the purposes of this book is the work of Deleuze and Guattari, for whom “assemblage” is a contingent ensemble of practices and things that can be differentiated (that is, they are not collections of similar practices and things) and that can be aligned along the axes of territoriality and deterritorialization. More specifically, they posit that particular mixes of technical and administrative practices “extract and give intelligibility to new spaces by decoding and encoding milieu” (1987: 504–5). Another significant contribution is that of Ong and Collier, for whom the proliferation of technologies across the world produces “systems that mix technology, politics, and actors in diverse configurations that do not follow given scalings or political mappings.” Their concern is not with the broad structural transformations or new configurations of society and culture, but rather with “a range of phenomena that articulate such shifts: technoscience, circuits of licit and illicit exchange, systems of administration or governance, and regimes of ethics or values” (2004: 4; 9–14). These global assemblages are sites for the formation and reformation of “anthropological problems.” There are many more elaborations around the concept assemblage, including not surprisingly, among architects and urbanists (vide the journal *Assemblages*). While I find many of these elaborations extremely important and illuminating, and while some of the assemblages I identify may evince some of these features, my usage is profoundly untheoretical compared to that of the above-cited authors. I simply want the dictionary term. I locate my theorization elsewhere, not on this term.

state, TAR evolve into what we now can recognize as a centripetal scaling where one scale, the national, aggregates most of what there is to be had in terms of TAR. Though never absolutely, each is constituted as a national domain and, further, exclusively so. Where in the past most territories were subject to multiple systems of rule, the national sovereign gains exclusive authority over a given territory and at the same time this territory is constructed as coterminous with that authority, in principle ensuring a similar dynamic in other nation-states. This in turn gives the sovereign the possibility of functioning as the exclusive grantor of rights. Clearly, then, globalization can be seen as destabilizing this particular scalar assemblage. Much attention has gone to the fact that the nation-state has lost some of its exclusive territorial authority to new global institutions. Now we need to examine in depth the specific, often specialized rearrangements inside this highly formalized and institutionalized national apparatus that enable that shift. It is not simply a question of policy-making. In overlooking such rearrangements it is also easy to overlook how critical components of the global are structured inside the national, producing multiple specialized denationalizations.

Today particular elements of TAR are becoming reassembled into novel global configurations. Therewith, their mutual interactions and interdependencies are altered as are their institutional encasements. These alterations take place both within the nation-state, for example, from public to private, and through shifts to the international and global level. What was bundled up and experienced as a unitary condition—the national assemblage of TAR—now increasingly reveals itself to be a set of distinct elements, with variable capacities for becoming denationalized. The disassembling, even if partial, denaturalizes what has often unwittingly become naturalized—the national constitution of territory, authority, and rights. These three building blocks are my navigators inside the two black boxes that are the national and the global. Each evinces the analytic capability for dissecting these two master categories.

#### FOUNDATIONAL TRANSFORMATIONS IN AND OF COMPLEX SYSTEMS

At its most abstract, my question is about how to study and theorize foundational transformations in and of complex systems. Complex systems are not made *ex nihilo*. Critical to the analysis in this book is the possibility that some capabilities can be shifted toward objectives other than the original ones for which they developed. Also critical is that for this shift to happen a

foundational reorientation in existing systems must occur. In part 1 of this book, that foundational shift is the constructing of the national in good measure through a repositioning of particular medieval capabilities. In part 2 this foundational reorientation is the construction of the global in good part through the repositioning of particular national capabilities. Part 3 then examines what assemblages might be forming though they may remain as yet barely legible, and what elements of the new organizational logic articulating territory, authority, and rights are getting locked in, thereby precluding other path dependencies.

When it comes to the analytics of historical transitions, knowledge about the dynamics shaping them can help raise the level of complexity through which we examine and understand current transformations. Rather than modeling the past or current periods to isolate a few causal variables, the effort here goes in the opposite direction. Recent scholarship has shown us the multifaceted rather than monocausal character of the earlier historical period that saw the emergence of territorial sovereign states. This is an important correction of the state-centric perspective that continues to dominate our understanding of the rise of territorial states and emerged partly as a function of the formation of national states. The effect has been a sort of capture by the nation-state frame of much of post-sixteenth-century history in the West.

This book uses particular historical conjunctures as a type of natural experiment. My analysis of such historical periods is not aimed at historical chronologies and evolutions. Though historical details are crucial and constitutive to my analysis, the effort is theoretical. Thus, going back to the earlier period of state formation is using history to illuminate possibilities and lock-ins rather than tracing an evolution. The fact that key dynamics of the current transformation tend toward disaggregation, in a reversal of the earlier period that saw the formation of the nation-state, is only one aspect of this inquiry. The main rationale is to use history as a natural experiment that has run its course and hence allows us to understand the character of discontinuities, to wit, that they can accommodate the transfer of old capabilities into new organizing logics. In developing this analytics of change, I specify three constitutive elements: capabilities, tipping points, and organizing logics. I introduce these briefly here; they recur throughout the book.

### *Capabilities*

Capabilities are collective productions whose development entails time, making, competition, and conflicts, and whose utilities are, in principle,



multivalent because they are conditioned on the character of the relational systems within which they function.<sup>2</sup> That is to say, a given capability can contribute to the formation of a very different relational system from the one it originates in. In using historical conjunctures as natural experiments to develop a more complex analytics of change, one can detect whether and how major transitions ushering novel arrangements, such as the shift from the feudal to the nation-state order, might depend on multiple capabilities of the older order. This “dependence” is not necessarily easy to recognize, as the new organizing logic can and will tend to alter the valence of a given capability.

This type of analysis makes legible the multivalence of capabilities and thereby helps explain some of the illegibility of major transformations in the making. It also signals that the capabilities needed to constitute complex structures are built over time, and that notions about major transformations entailing the destruction of the prior order are deeply problematic. But so are those who, accepting this proposition, then consider that there is nothing new in today’s global era. My interpretation of the historiographies and the evidence about current developments points to an in-between dynamic: some of the old capabilities are critical in the constituting of the new order, but that does not mean that their valence is the same; the relational systems or organizing logics within which they then come to function may be radically different. The critical issue is the intermediation that capabilities produce between the old and the new orders: as they jump tracks they are in part constitutive and at the same time can veil the switch by wearing some of the same old clothes. In much of the book I seek to decipher particular historical configurations to understand this process of switching.

Much discussion about the ongoing role of the national state in today’s global age evinces this type of confusion. First, it is not the national state as such, in its totality, but particular components that are undergoing denationalization; second, the valence of particular capabilities arises out of the organizing logics within which they are inserted.

This is made evident in, for instance, the rule of law and various components of the supranational system that were critical capabilities for the

<sup>2</sup> The concept of capabilities has been developed conceptually by a variety of scholars with different questions in mind. Most known and influential are probably the constructs developed by Sen (1999) and Nussbaum (2000). In both these elaborations there is a strong positive valence. My use of the term is simpler, more descriptive, and closer to the word as distinct from the construct. Further, in my use it is multivalent, in that I include what we might think of as negative capabilities normatively speaking: the capacity to destroy what ought not to be destroyed, such as human life or good cropland. Finally, I do not confine the term to individuals, but also include systems.

development of the nation-state and the interstate system but at a given confluence of dynamics can enable the formation of a global system. As they do, they begin to neutralize some (not all) of the critical features of the nation-state and interstate system. This illustrates one of the crucial dynamics I identify as part of foundational social changes. I mostly designated this dynamic for shorthand as the fact that capabilities can jump tracks and become part of new organizing logics.

### *Tipping Points*

A second feature, then, of the methodology and heuristics developed in this book is specifying the particular dynamics involved in capabilities switching relational systems and/or organizing logics. That is to say, this type of analysis can accommodate the fact of tipping, or the “event” in Sewell’s sense, rather than being confined to the outcome—a new whole or order.<sup>3</sup> A focus on the outcome rather than the tipping point is typical of much of the literature on globalization; this then leads to comparisons of the national and the global and easily falls into the trap of assuming that if the global exists it is in spite of the national. An analytics of capabilities and tipping points keeps us from having to posit that the ascendance of a new order necessarily means the end of the old order. And it keeps us from having to accept the proposition that the national state is still doing what it has long done and that not much has changed.

I specify three distinct features of an analytics of tipping points.

First, for the types of questions raised in this book, identifying the tipping point is a matter of extant historiographies and possibly novel interpretations. The central concern in this book is twofold: to develop an analytics that allows a more complex explanation of foundational change and to develop a better explanation of the foundational change we are living through today. The critical historical tipping point of concern in this book is the one that moves us from an era marked by the ascendance of the nation-state and its capture of all major components of social, economic, political, and subjective life to one marked by a proliferation of orders. Correspondingly this is also the most extensive analysis of a tipping point in the book, covering much

<sup>3</sup> The notion of tipping points first entered the public discourse in the United States in discussions about white flight from inner-city neighborhoods in the 1960s where black residents had crossed a certain threshold as a percentage of the population (e.g., Crane 1991). Sociologists developed several models capturing these and other trends (e.g., Granovetter 1978; Schelling 1971). Gladwell (2000) has once again brought the term into circulation.

of part 2. Detecting the transformations I am after, then, required moving inside the national state apparatus as it becomes the site for its own partial disassembling (chapters 4 and 5). Parts 2 and 3 address specialized instantiations of dynamics that construct the switch.

Second, because this analytics aims at capturing the transition from one order to another, it must accommodate the possibility of informal actors and practices as part of the pertinent processes, both of which may eventually become formalized. Among these dynamics informal practices are particularly important as they allow me to explore one of my hypotheses, to wit, that also the excluded make history. In terms of the analytics in this book, making history here can be identified as constructing capabilities. I explore this, among others, through the burghers of the Late Middle Ages—informal political subjects engaged in informal political practices—and their struggles to constitute themselves as carriers of formalized rights and obligations through the development of urban law (chapter 2). I also explore this through the case of minoritized citizens and unauthorized immigrants who through their informal practices can destabilize and blur formalized meanings of political membership as defined in today's modern nation-state (chapter 6).

Third, because it is about switching from one to another relational system and/or organizing logic, an analytics of tipping points needs to accommodate the distinction between that which is prevalent and that which is not yet is in the process of becoming dominant, that is, it is already producing systemic changes. What is already becoming dominant may as yet be incompletely formalized or basically informal.

### *Organizing Logics*

Insofar as I use history to detect and deduce the character of organizing logics, the three major such instances of concern in this book are, respectively, the centrifugal scalings of the Late Middle Ages held together by several encompassing normative orders, the centripetal scaling of the modern nation-state marked by one master normativity, and the centrifugal scalings of the global that disaggregate that master normativity into multiple partial normative orders, thereby leaving open the questions as to its sustainability if we take history as a guide. In this regard then, the global is novel—different from earlier centrifugal scalings in that it also disaggregates normativity into specialized subassemblages.

Two components of the organizing logics arising in Europe as of the sixteenth century are the national state and the world political economy. This

consideration entails a complicating element in that each needs to be positioned analytically both in the era of the formation of the national state and that of the global. Thus I posit that there are two critical components in the organizing logic of each the national and global era: the state and the empire—or, more analytically, a world scale for politico-economic operations. Central to the effort is, then, to distinguish the analytic positioning of the state and the world scale in, respectively, the national and global eras. Thus in examining the postwar Bretton Woods system I find that it is not part of the global era even though it developed capabilities that were to become crucial for the new global era. And I examine the national state today to argue that the executive needs to be distinguished as a strategic site for global operations.

Given the type of capabilities analysis developed in this book, foundational change need not entail the elimination of everything that constituted the preceding order. Hence, capabilities and tipping points are intermediations that allow me to capture, or deduce, this feature of foundational change because they disaggregate the whole into capabilities that die with the death of the old order and others that do not. In part 1 I examine how particular medieval capabilities fed the formation of a centralized state bureaucracy and the abstract notion of sovereign authority. A novel order is not an invention *ad novo*, and it does not necessarily announce itself as new, as radical strangeness—like science fiction or a futuristic account.

#### USING HISTORY TO DEVELOP AN ANALYTICS OF CHANGE

The scholarship on the earlier periods, with all its debates, produces a far more complex landscape than indicated by current models of social change, which are typically geared toward isolating key variables to create order where none is seen. Detailed historical accounts and debates open up the range of possibilities. Looking at this earlier phase is a way of raising the level of complexity in the inquiry about current transformations. Rather than a model, I am after a finely graded lens that allows me to disassemble what we have come to see as necessary aggregations and to track the formation of capabilities that actually have—whether in medieval times, the Bretton Woods era, or the global era—jumped tracks, that is to say, gotten relodged in novel assemblages. Thus, the divinity of the medieval sovereign represents the formation of an elusive capability whereby power is not just raw power but becomes legitimate authority; this capability in turn I interpret as becoming critical to the later formation of secular sovereignty, albeit with a switch in

vocabularies and a novel rhetoricization. The internationalism that states developed through the setting up and implementing of the Bretton Woods agreement is a radically different type of world scale from that of the global era that emerges in the 1980s; nonetheless, critical capabilities for international governance and operations were developed in that process, which eventually became relogged into novel global assemblages.

This interpretive stance brings with it a methodological concern about including informal, or not yet formalized, institutional arrangements and practices in the analysis of change. That which has not yet gained formal recognition can often be an indicator of change, of the constituting and inserting of new substantive logics in a particular domain of the social—economic, cultural, political, discursive, subjective—which is thereby altered even though its formal representation may remain unchanged, or, alternatively, altered even though it remains informal, or is not yet formalized. These informal logics and practices, I argue, can be shown to have contributed to historical change even though they are often difficult to recognize as such. The fact that informal logics and practices are one factor in historical change also contributes to the lack of legibility that is frequently a feature of major social changes in the making.

This illegibility of social change is an issue that runs through the book and one for which history is a fruitful guide. The scholarship on “mentalities” has shown us, for instance, how difficult it is to apprehend such change. One of my concerns here is deciphering deep structural shifts underlying surface continuities and, alternatively, deep structural continuities underlying surface discontinuities. This then also rests on my conceptualization of certain conditions and dynamics as capabilities that can jump tracks and wind up lodged in path dependencies that diverge from the original ones. For instance, at a time when industrial capitalism was the new dominant logic, most people in England were still employed in agriculture and much of the economy and politics were centered in older social forms; industrial capitalism was dominant but not prevalent. I argue in part 2 of the book that we can make a parallel observation about denationalization today. We still do not recognize the precise locus of the epochal transformation we are living through and as a result cannot see its significance—what prevails in interpretation is the ongoing weight of national states and/or the self-evident scale of the global and its powers, leaving no room for the possibility of this third dynamic.

Two critical categories the book focuses on are the national state and the world scale. I use particular states as emblematic of the major changes in each of the eras examined. They are the French Capetian state in the Late Middle Ages, the British state in the development of industrial capitalism,

and the United States in the post–World War II era. Focusing particularly on one state is a necessity given space constraints and the particular analytics I seek to develop in this book—that is, the need to understand major issues through detailed examinations of practices and discursive domains in ways that can accommodate both formal and informal processes and actors. This matters to the effort of capturing tipping points and the relocation of particular capabilities into a novel assemblage of territory, authority, and rights, one constituted through an organizing logic that differs from that of the preceding assemblage even as it captures some of its capabilities. Substantively, this is a way of specifying the character of the current transformation, to wit, my insistence that the national is one of its key locations. This type of interpretation of what is epochal about the transformation we are living through carries distinct policy implications when it comes to democratic participation and accountability.

The configuring of each of these states allows me to examine particular conjunctures when capabilities jump tracks. Specifically, in part 1 the focus is on the tipping points whereby capabilities shaped in the forging of de-centered political systems are relodged into a national scalar assemblage; and, in part 2, on today's tipping points that relodge capabilities of national political economies into assemblages that denationalize and globalize nationally oriented capabilities. These capabilities come from both the public and private domains as constituted in the national era. Getting relodged into denationalizing and global organizing logics not only reorients these capabilities toward objectives other than those to which they were oriented, it also reconstitutes the construction of the public and the private, and of the boundaries between these domains.

One of my theses is that today's most developed form of globalization, economic corporate globalization, could not have happened without the use of highly developed capabilities of national economies. Further, precisely because they are highly developed, these capabilities functioned in the immediate past in ways that strengthened the national state. Through their typically partial denationalization they get relodged into globalizing dynamics. My reading of history then makes problematic the prevalent notion in the globalization literature that the new phase entails the elimination, or weakening, of what made the national state strong. I posit that such capabilities are collective productions whose development requires time, constructing, and conflicts; they are constitutive of assemblages, even as the latter in turn produce organizing logics that reposition those capabilities. For instance, the “rule of law” is a capability that was critical to the strengthening of national state authority to institute national economic protectionism. But today it is

also critical to the global economy in order to open national economies. It is sufficiently developed that it can operate in a context of national protected economies and also become a key building block for the success of neoliberal deregulation and privatization—to some extent features that are the opposite of protectionism. But it can do so only by getting relodged in a new organizing logic.

In that sense, using history as a natural experiment can help illuminate some of these issues by providing the complexity of thick environments where multiple pressures and dissensions operate and by providing (rather than our having to forecast) the outcomes of these complex interactions. Game theoretic models would aim at simplifying, which can be a good thing, but they would do so at the cost of assuming we understand the organizing logic. The historical past can, ironically perhaps, provide us with a far more powerful analytic terrain than any model when we are confronting complex reconfigurations such as those we see today. Using particular historical configurations as a natural experiment also disciplines the researcher to avoid the risk of reifying crucial conditions, dynamics, and outcomes.

The second critical category in this book is the world scale. One of the theses I develop is that there are foundational differences between the world scale of several earlier phases of the world economy and today's global economy. The possibility of such foundational differences is critical to my thesis about the denationalizing of conditions historically constructed as national. I interpret these earlier world scales as constituted through the projection of emerging national territorial states onto the world for the purpose of developing national systems. This is an interpretation that corresponds to, and builds on, several strands in the scholarship about the emergence of capitalism, including Wallerstein's masterful contribution (1974) about the modern world system. However, in contrast to much of the current work that builds on historical studies, notably work with a world-system perspective, I interpret today's world scale as foundationally different in that it is constituted in good part through the insertion of global projects into a growing number of nation-states with the purpose of forming global systems. I include *de facto* as well as formalized projects that secure the development of global systems. Today it is, then, the foundational features of multiple global, rather than national, systems that get partly structured inside nation-states.

From this derives a second thesis about the world scale, one following up on the notion of capabilities. In earlier world scales we see considerable levels of development and institutionalization of capabilities, both administrative and economic, for what today we would consider global operations. Among these we can include already in the seventeenth century

institutions such as the Bank of Amsterdam, the Bank of England, and stock markets that operated internationally, and toward the late 1800s, firms with affiliates across the world. What matters here are not the institutional features of these various entities, since these corresponded to conditions of that time, but the fact that they entailed capabilities for global operations. The Bretton Woods era represents an even more developed world scale.

Emphasizing the existence and development of these capabilities in earlier periods raises the analytical ante when it comes to my first thesis about foundational differences between earlier eras and today's world scale. In emphasizing a difference in spite of the fact that many of the features of today's world scale (firms with affiliates, global markets, cross-border administrative facilities) were present in the earlier phase, I position myself between the two main trends in the scholarship. Simplifying brutally, one of these trends posits a novel development, that is, globalization, and the other contests this notion. In much of the scholarship the earlier world scale has either not been addressed or been used to argue that nothing has really changed and we are living through a further development of what started in the sixteenth century as a capitalist world system.

At some very general level of analysis we can argue that today's global era is more of the same—yet another phase in the history of capitalism and/or the world system. But that is not the level of generality that interests me. I do make room for continuities by emphasizing the development of capabilities, but I diverge from the main strands in the scholarship in that I interpret key historical moments as the dislodging of at least some capabilities from an existing organizational logic and their insertion in a novel one. A key effort is, then, to emphasize analytically the extent of the institutional and operational development of the earlier world scale; this means, for instance, emphasizing the capabilities developed for extracting resources from colonies and imperial domination, rather than emphasizing extraction and domination as such. Herein then lies one point of divergence from what are key interpretations in the scholarship about the current phase and its relation to the past, which tends to emphasize either continuities or discontinuities. I examine to what extent both are flawed interpretations insofar as key capabilities developed in the earlier phase can become foundational to a subsequent phase but only as part of a new organizational logic that in fact also foundationally repositions those capabilities. The flaw, so to speak, I detect in much of this scholarship is an assumption that the sum of a given set of parts inevitably produces the same assemblage.

There are, then, two analytic issues that emerge out of this and might be seen as contradictory: one of them is the fact that much has



changed, and the second is that the features of earlier periods need to be addressed for a deep and complex understanding of the current phase precisely because the earlier phase evinced some of the major capabilities that enable the current phase. One question that arises for me is why the current assemblage did not emerge at the earlier time since key capabilities for global operations were present then. Is it a matter of tipping points? That is to say, did those capabilities not reach the required thresholds in those earlier periods?

I argue that tipping points contributed to a far more foundational dynamic of sharp divergence between the organizing logics of the earlier and current phases. In earlier periods, including Bretton Woods, that logic was geared toward building national states; in today's phase, it is geared toward building global systems inside national states. One consequence (and an indicator) of that difference in the economic arena, perhaps still the most legible domain, is the fact that in the earlier period the development of the world scale and the growth of international rivalry were directly related while today they are inversely related. Today's formation of global systems has served to subject national differences to global economic logics insofar as the main actors are economic. One result is the formation of increasingly integrated systems both for the operational side of the emerging and expanding global economy and for its regulation and normative functions. These developments and tendencies depend on the collaboration, whether forced or willing, of "the community" of national states. The more the global economic system has expanded and developed in the 1980s, 1990s, and into the twenty-first century, the more these integrative features have strengthened and taken hold in other spheres as well. The opposite dynamic was at work in the development of the earlier world scale. Where today's global systems seek to override interstate military conflict, those of the late 1800s and early 1900s fed such conflicts. Further, as they grow stronger, today's global systems succeed more and more at diluting (or suppressing) rivalries among the major powers, while in the earlier period interstate rivalries became sharper as each of the major national powers grew stronger.

It is important to capture fully the extent to which states worked at developing the postwar international system and the extent to which the nature of this effort can be distinguished from the global era that began to take shape in the 1980s. For many the postwar period is one long phase building toward today's more extensive international economic system. I argue that it is indeed a phase where we see the development, building up, and formalizing of capabilities that allow states—at least some—to enter into a far broader range of formal international transactions and, in some cases, to assume international governing capacities. But the early Bretton Woods system aimed at

protecting national economies from external forces, not at opening them up. Through a combination of dynamics, a tipping point was reached in the 1980s where these capabilities jumped tracks and became part of a new emergent organizing logic leading toward the constituting of a novel assemblage of key components. Not all world scales or international systems are articulated through the same organizing logic. The issue for me is to understand the particular type of organizing logic at work in these different phases. In this context, then, I also diverge from the literature that sees the state as evolving. Rather than merely seeing an evolving transformation of the state as it adapts to new conditions, I see the particular combination of dynamics that produces a new organizing logic as constitutive of foundational realignments inside the state. This is not merely a process of state adaptation; it is also constitutive of the new organizing logic.

There are, then, two key issues I extricate analytically from this thick and complex history since World War II. One is the character of the internationalism of this era, and the other is the character of the transformations inside the national state. Again, I use history but do not presume to do historiography, and again, I use one state, in this case the United States, the dominant and emblematic national state of the post–World War II era. One of the two central theses in this analysis of the Bretton Woods era is that the elements for entering the global age were there after World War II and into the 1970s. But because this was a world scale that had as its project the governing of the international system in order to protect national economies from external forces, it actually had more in common with the earlier world scale in some of its major systemic features than with today's global scale, no matter how modern and even contemporary its capabilities. The tipping point that would take us into the global age required vast mixes of elements, and these did not come together until the 1980s.

Thus I argue for a constitutive difference between that early post–World War II system and today's global system. One of the indicators of this is the internal transformation of the national state beginning in the late 1970s and strengthening in the 1980s, a transformation that partly enacts a novel globalizing project. It was marked by a significant shift of power to the executive, a loss of lawmaking capacities and public oversight functions by Congress, and, partly as a result, a new critical role for the judiciary in both public scrutiny of executive action and lawmaking. The intermediate variables that constitute the outcome are privatization, deregulation, and marketization of public functions and the associated rise in the number and power of specialized regulatory agencies within the executive that took over what were once oversight functions in the legislature.

However (and this is the second central thesis on the Bretton Woods era), the capabilities for state action on international transactions were present from earlier decades and were being further developed in this period, as was the disposition toward formalizing many of these capacities. These capabilities were developed through the work done by government and technical experts on multinational regulation of finance and trade, the trans-governmental networks that were formed in this work, and state officials' learning to negotiate the standardization involved in international governing so as to intermedicate the enormous differences among participating governments and the political economy of their countries.

### *OUTLINE OF THE BOOK*

Part 1 recovers the nationalizing of fundamental spatial, temporal, organizational, and rhetorical structures. The object is to understand how territory, authority, and rights became assembled into the modern nation-state. It took work to make society national—from generals fighting for yards of territory, to lawyers inventing new juridical frameworks and instruments, to the work of merchants and capital owners that strengthened the national scale in economic operations, to the work of schools and other “disciplining” institutions in the forging of a national citizenry. There was nothing natural, easy, or predestined about the national. The chapters in part 1 identify specific institutions and processes, historicize their features, and show to what extent their nationalizing was a novel and a “produced” project. By “produced” I mean that it took making. Similarly it takes much work to implement globalizing dynamics and some of this work, and probably most of it, requires an often deep engagement with the national institutionalizations of key building blocks and processes in the political economy. Examining the complexities of the earlier period of nation-state formation should expand the register of variables conceivably at work in such foundational transitions.

The particular assemblage of TAR we call the nation-state emerged out of a configuration profoundly different: the Late Middle Ages. However, I argue in chapter 2 that key capabilities constitutive of the nation-state were shaped during that medieval period. The critical analytical issue becomes then to understand how these medieval capabilities get relogged into a radically different assemblage articulated through an organizational logic that bears little resemblance to that of medieval times. This raises both the issue of differentiating the parts from the whole and the issue of historical transitions.

For example, the monetization of the economy declined sharply in the Middle Ages with the fragmenting of the political order into multiple units, each often with its own coinage and seigneurial power to coin and to design measures and weights. Monetization may thus not have advanced much at this time. But the matter cannot be reduced only to the actual extent and efficiency of monetization. It was also a capability that involved the acceptance of the idea of monetization. When national states emerge, monetization gets repositioned away from city-states and seigneurial domains to national treasuries. Money as a medium does not need to be invented from scratch, nor does the idea of monetizing transactions that had been taking place in kind or through barter. Rather, as a capability it can be seen as facilitating and partly constituting the more mediated economic organization characterizing territorial states.

Along these lines, I argue that the divine grace the French monarchy begins to invoke at a certain point in history in order to command autonomy from the papacy can be conceptualized as feeding eventually into the abstract notion of secular sovereignty. A variety of conditions and decisions established France early as a distinct entity and stimulated a specifically French identity, which included loyalty and patriotism. These developments allowed the formation of an abstract notion of sovereignty, which eventually becomes popular sovereignty, even though divine kingship was precisely the specific capability the French Revolution aimed at destroying. The divinity of the French kings can be interpreted as feeding the mythical character of the nation in the later secular period. Nationalism and patriotism can then be seen as capabilities developed through territorial kingship and its claim to divine origins. A godly source of authority destroyed by the revolution re-emerges as a secularized capability—the founding myth of the nation.

Emblematic of what I am after is, for example, Strayer's (1970) interpretation that the papacy's declaration in the eleventh century of exclusive authority over ecclesiastical matters and autonomy from any secular authority in effect created a need for the forming of an entity such as the sovereign territorial state to give secular authority a base. Emblematic also is Berman's (1983) notion that our Western legal tradition originates partly in canon law even though it develops precisely as a contestation of the latter and has aimed at erasing that earlier form and the facts of that legacy.

This early history also offers us the possibility of seeing *ex post* the often considerable illegibility of foundational change. For example, there is scholarly consensus that at the end of the eleventh century it seemed incredible that feudalism, church, and empire would be challenged and come to be in many ways superseded by new logics of organization. By 1300 all three had

started to give way to city-states, city leagues, and sovereign territorial states, even though these were not yet fully developed and recognizable as the dominant type of organization in the making. Yet one can find emergent capabilities. Thus the concept of national territory was preceded in the medieval west by an acceptance of the concept of patria, or fatherland (Kantorowicz 1957; Gottmann 1952: 34).<sup>4</sup> We can see herein one version of the notion that to implement sovereign territorial authority required imagining something that did not quite exist as a material reality (Ruggie 1993), unlike what is the case in, say, conquering a gold mine.

The development of territorial authority is crucial to the question of how the world scale emerging in the sixteenth century was part of the building of national states and national capitalism. Chapter 3 examines the interaction of these two major processes. The state bureaucracy for extracting revenue, particularly the capacity to implement increasingly standardized taxation, helped make the state the most significant economic actor at the time and the key organizer of world-scale economic operations. This strengthening of the state took place even as national unity was often unrealized; the development of state capabilities and of a world scale emerged as critical to the consolidation of national territorial unity. In addition, the temporal and spatial reframing of economic activity, which in turn produced new notions of time and space among those involved in these practices, eventually projected itself onto the larger social order. The past offers us the chance to examine the many micro ways in which these new spatial and temporal orders were achieved, often over a span of time involving many generations and hence not easily apprehended as a transformation.

Similarly, today there are reorganizations of temporal and spatial issues that are incipient and not easy to apprehend as such. Space-time compression, the feature that has received most of the attention, is not only a partial dynamic but also one that produces a penumbra around other issues that hence become difficult to recognize as part of the transformation. In that regard, examining these earlier processes helps us appreciate the complexities and different velocities and hence variable legibility of various components in these kinds of transformations.

The world scale that gets constituted in the sixteenth century diverges from that which existed through the trading networks of city-states and city leagues captured so well by Braudel. There had been far more long-distance trade in the earlier period than there was in the sixteenth century, when pillaging became the dominant practice. In turn, as the formation of

<sup>4</sup> For a discussion of the evolution of this term, see Kantorowicz (1957: 232–72).

the national state and capitalism proceeded through the seventeenth century and onward through the twentieth century, the practices and projects that constituted the world scale evolved and reached considerable diversification of flows, institutionalization, and development of formidable administrative capacities. However, the organizing logics remained geared toward building national political economies.

Much of part 2 examines the partial, often specialized disassembling of the national that becomes constitutive of the global. In my interpretation the current phase of globalization consists at least partly of global systems evolving out of the capabilities that constituted territorial sovereign states and the interstate system. In other words, the territorial sovereign state, with its territorial fixity and exclusivity, represents a set of capabilities that eventually enable the formation or evolution of particular global systems—itsself a partial condition—that require neither territoriality nor exclusivity. This runs against the dominant interpretation which, whether explicitly or not, constructs the global and the national as mutually exclusive. Whether it is the electronic global market for capital or the changed relationship of citizens to their national states, we can begin to discern new alignments in the assembling of these constitutive elements. As already introduced above, chapter 4 concerns the international capabilities developed under the Bretton Woods regime, which I interpret as still part of an older foundational logic but also see them eventually feeding the formation of global systems. For this to happen, however, they need to get relogged into a new foundational logic marked by the denationalizing of what are historically national capabilities. The same, I argue, holds for other national capabilities.

The level of complexity and specialization is high in these processes and requires delving into distinct domains, each largely shaped and engaged by the national. The effort here is to detect foundational shifts that may still be functioning at the edges or be minor, albeit strategic, components within each of several routinized institutional sectors. I address this transition in chapter 5 through an examination of particular, highly specialized dynamics in the global political economy. First, I posit that the distinctive features of the new, mostly but not exclusively private institutional order in formation are its capacity to privatize what was heretofore public and to denationalize what were once national authorities and policy agendas. This capacity to privatize and denationalize entails specific transformations of some of the components of the national state. Second, I posit that this new institutional order also has normative authority—a new normativity not embedded in what has been and to some extent remains the master normativity of modern times: *raison d'état*. This new normativity comes from the world of private power

yet installs itself in the public realm and in so doing contributes to denationalize what had historically been constructed as national state agendas. Third, I posit that particular institutional components of the national state begin to function as the institutional home for the operation of powerful dynamics constitutive of what we could describe as “global capital” and “global capital markets.” In so doing, these state institutions reorient their particular policy work or, more broadly, state agendas toward the requirements of the global economy.

These three dynamics raise a question about what is “national” in these institutional components of states linked to the implementation and regulation of economic globalization. National territory and national state authority assume new meanings. The global, largely electronic market for capital instantiates these dynamics sharply. But far less noted in the literature is a feature I consider central to the foundational transformations afoot: it has to do with the circulation of this market’s operational logic through the public domain where it then emerges as state policy. In so doing, an examination of the global market for capital also allows us to understand particular shifts in the construction of the private and public domain.

Chapter 6, the final chapter in part 2, concerns changes in what remain the foundational subjects for membership in our societies: citizenship and alienage. Although highly formalized, both are incompletely theorized contracts with the state. Current foundational changes in the state and in its positioning in a broader field of forces invite an inquiry as to how incompleteness can become activated today. I argue that we are seeing a blurring in the distinctiveness of each subject in spite of the renationalizing of membership politics. This is perhaps most legible in specific formal transformations of particular features of the institution of citizenship. They are not predicated necessarily on deterritorialization or locations for the institution outside the national state, as is crucial to conceptions of postnational citizenship. These transformations are internal to the national state and hence to be distinguished from current notions of postnational citizenship. I will refer to them as denationalized forms of citizenship.

In the context of significant but not necessarily absolute transformations in the condition of the national generally and the national state in particular, addressing the question of citizenship requires a specific stance. It is possible to posit that at the most abstract or formal level not much has changed over the last century in the essential features of citizenship. The theoretical ground from which I address the issue is that of the historicity and the embeddedness of citizenship and the national state, rather than their purely formal features. Each—citizenship and the national state—has been constructed

in elaborate and formal ways. And each has evolved historically as a national bundle of what were often rather diverse elements, and with extreme correspondence between TAR, as in the national. Here I argue that some of the dynamics at work today are destabilizing these particular national bundlings and bringing to the fore the fact itself of that bundling and its particularity.

Part 3 examines dynamics and practices that constitute global digital assemblages which, I argue, are contributing to different meanings of territory, authority, and rights. To that end, chapters 7 and 8 examine a bundle of theoretical, methodological, and political issues that are part of the analytical effort to embed the digital in more complex conceptual and practical fields. Analytically this parallels the effort in part 2 aimed at the same type of embedding of the global—in that case, in the national. Doing this requires addressing how we as social scientists study these new technologies.

The chapters in part 3 are shaped by my particular theorization of globalization and digitization. When we consider globalization as partly endogenous to the national rather than as external (as is usually assumed or argued), the world scale is conceptualized as partly inhabiting the national. This has theoretical and political consequences. First, it implies that citizens can participate in global politics through the use of formal state instruments, not only global instruments. Second, denationalization is multivalent. It can function as a creative force rather than simply as a negative consequence of overwhelming external global power. Third, globalization is not simply growing interdependence—its typical definition—but the actual production of spatial and temporal frames that *simultaneously* inhabit national structures and are distinct from national spatial and temporal frames as these have been historically constructed. Out of this comes a highly dynamic and often combative interaction. Part 3 addresses each of these subjects through measures of time and space, of law and power, and of formalized versus nonformalized activity.

The transformations examined in parts 2 and 3 destabilize existing meanings and systems. We are seeing the formation of novel critical alignments in today's world scale. I examine some of these emergent, often informal, or not fully formalized dynamics in some detail. Specific and general transformations are denationalizing particular aspects of various domains arduously constructed as national. Globalization, digitization, the ascendance of human rights and environmental struggles, the unbundling of unitary normative frameworks, the transnationalizing of identities and experiences of membership—each of these is contributing to and enacting denationalizing outcomes. And each does so in particular and partial ways.



