SOVEREIGNTY AND SOCIOLOGY: FROM STATE THEORY TO THEORIES OF EMPIRE ☆

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ABSTRACT

Imperial crisis is the analytical axis on which turn two national states of emergency: the Weimar Republic (1918−1933) and the United States on the so-called "Eve of Destruction" (1965−1975). But while Max Weber disagreed with Carl Schmitt with respect to the problem of sovereignty at the core of the German imperium, American sociologists − even those inspired by Weber − by and large did not register the gravity of the moment of political decision in their work, or the imperial crisis that their country faced during the Vietnam War and its aftermath. This essay offers ideas regarding why this was so, what the consequences have been for American sociology, and how, in the midst of the present-day imperial and domestic governmental crisis, we might adopt a more expansive view.

 Keywords: Crisis; state; Weber; empire; sovereignty; Schmitt

Sociologists have been crucial for the analysis of macro-political change, from the beginnings of the academic field in the United States, France, and imperial Germany to the heyday of "state-centric" and neo-institutionalist analysis of the latter 20th-early 21st centuries. In fact this has been one of the strong points of the sociological discipline. But there are also major differences between those intellectual moments. In Max Weber's Germany, first of all, the problem of stabilizing and developing the nation-state was deeply entangled with the question of empire, while that link was absent – and empire virtually missing – during the heyday of American state-centered analysis. In the latter era, even people who were studying empires or imperialism defined them as economic rather than political phenomena, and in the 1980s those who were actually working on empires did not thematize them as such. Second, and relatedly, is the very different treatment of the question of sovereignty – front and center in early social theory (and in Weber), absent in the later period.

But now things are changing. One of the effects of the current moment in world politics is that sociologists are beginning to think that states should be categorically subordinated to empires, as a species, as they have been in the course of history. Nation-states were and are a much more specific and temporally limited phenomenon than empires. How can sociology better integrate these seemingly disparate foci? Are there identifiable reasons why the language of empire was not front and center during the intervening period of the post-1960s resurgence of the study of state building? Are there useful resources in the discipline's own past that can be drawn on, and if so, how?

We are going to argue that reintroducing (and remodeling) the concept of sovereignty can help contextualize and embed the analysis of state formation into the idea of empire. We propose recovering the decisional moment that is at the core of the concept and indeed practice of sovereignty, as a substitute for a wavering and often vague fluctuation among terms that really never named their object properly. (There's a list of words that touched on this – state power, autonomy, authority, capacity, etc.) The fluctuation of these various vocabularies also seems to us to be intellectually significant, inasmuch as it is rooted in disciplinarily specific conceptual gaps and hesitations that become pronounced with respect to the concept of sovereignty. Because sociologists have generally avoided this concept, we will argue that there are important aspects of the relationship between contemporary states and empires that they have not yet been able to tackle.

Our approach is a culturalist one, with respect to both the politics of signification latent in the notion of legitimacy in domination, common to both states and empires, and in the cultural difference involved in imperial relationships between dominator and dominated minorities/ethnic peripheries in subject populations (a form of domination that is rarely legitimate, or one in which legitimation is usually only an affair among the dominators and does not extend to the dominated). Without reintroducing the cultural component into the conception of sovereignty, we cannot readily understand, for example, the checkerboard of nationalities that typically feature in empire.

Perhaps it sounds strange to say that "sovereignty" has been underplayed as a sociological concept, given that it was at the core of Max Weber's influential definition of the modern state. Weber defined the state as the "monopoly of the legitimate use of force within a given territory," one that was continually operating, etc. In this definition, it is the notion of monopoly that comes closest to sovereignty. And who deploys this force? In Weber's thinking, it is the collective ruler − that is, the ruler and his staff − and while this aspect is not explicit in the definition it is strewn throughout Weber's political writings on state formation. As a conceptual aspect of his decisionistic focus, too, it is closely allied with Weber's concept of charisma: his notion of prophetic leadership was condemned in the classroom in "Science as a Vocation" but approved in politics. Along with "legitimacy," however, which was excised in the 1970s' and 1980s' appropriations of Weber (e.g., Skocpol; Tilly; especially Przeworski & Teune, 1970), these were precisely the parts of Weber that were sidelined or repressed from the 1950s to the 1990s in American sociology.

Yet as a pointer to a direction of analysis, sovereignty has been largely ignored in modern political sociology. Remedying this is not as simple as it seems. We cannot simply appropriate available analyses of sovereignty − no matter how virtuosic − from political scientists or philosophers. The concept of sovereignty has lately become so broad and all-encompassing that it has lost significant analytic purchase, being extended to analyses of human subjectivity, etc. In addition, these approaches have been limited by the lack of conceptual equipment in those fields for the nitty-gritty institutional analysis of colonialism and variable forms of imperial control. So while in many ways brilliant, they are also limited, for social researchers, by their overwhelming grounding in textuality. Finally, these interpretations are also challenging inasmuch as they derive from contemporary appropriations of the work of Carl Schmitt, popularized for an academic public by

such "left-Schmittian" writers as Mouffe (1999), Hell (2009), Kalyvas (2008), and Agamben (2005). These approaches can capture the difference between "real" sovereignty and normal legal-juridical conditions. Thinking about social analysis more generally through the lens of sovereignty and the related topic of the "state of exception" also promises to shed light on troubling sociological questions of the unique event and epistemology, agency, and constraint. But Schmitt became, inter alia, a Nazi jurist, as we will discuss in the next section, and the pronounced "democratic deficit" in his writings leaves more than surface traces on the theory it enables. So we must tread carefully if we are to argue, in shorthand, that Schmitt and Skocpol have something to say to one another, and we to them.

WEBER MEETS SCHMITT

The brief time in which the lives of Max Weber and Carl Schmitt overlapped was comparable to the present moment: a state of global emergency and the general sense of culminating crisis, cultural, economic, social …, and political. Weber's sociology of the state was taking shape around the same time as Schmitt's first writings on the problem of sovereignty (1914 for Schmitt, 1918 for Weber). The collapse of the German Second Empire; the revolutionary crisis surrounding the founding of the Weimar Republic; the application of martial law both during the war and in the postwar revolutionary, and counterrevolutionary conjuncture − in that fraught context Schmitt went to hear Weber lecture on those topics and, in Munich in 1918, debate Oswald Spengler on "the decline of the West." In fact Weber was actually working hard on designing the new state (notably the Weimar constitution). Thus, both Weber and Schmitt were deeply concerned with this moment of perceived failure of the state and the looming problem of regulating potential chaos. Both were also connected at another level, scrutinized by Ulmen (1991) and Colliot-Thélène (1999) in their contending analyses of the Protestant roots of modern economic life (Weber) and the Catholic roots of modern political form (Schmitt).[1] Schmitt's relationship with Weber is therefore interesting on several levels, including the way in which it continues the confessional dispute in the register of contending arguments about the course of secularization. What is most interesting for us here, however, is that Schmitt is associated with an argument for the primacy of politics, as cultural − specifically, secularized theological categories − and the centrality of sovereignty.

In one of the key passages of his *Political Theology*, Schmitt writes: "the exception is more interesting than the rule …. In the exception the power of real life breaks through the crust of a mechanism that has become torpid by repetition … The exception … thinks the general with intense passion." This paraphrases Weber's metaphor of the iron cage, although as a cage with an escape hatch. Actually, though, the political enterprise in Weber's thinking is also oriented to a charismatic-plebiscitary Caesar, which has much in common with a so-called state of emergency (Baehr, 2008). Weber notes that charisma is guaranteed by what is seen as a miracle: "genuine charismatic domination … knows of no abstract legal codes and of no 'formal' way of adjudication" (Weber, 1946, p. 250). It is "specifically irrational in the sense of being foreign to all rules" (Weber, 1978, v. 1, p. 244). For Schmitt, the state of exception is the secularized or semi-secularized version of that miracle. In it the sovereign moves unconstrained in an anomic space akin to Hobbes' state of nature, conducting a war of one against all. This is the logic, and potential chaos, of decisional autonomy.

But in Weber's presentation of the problem there are several important, and consequential, differences from Schmitt. One is that charisma relies on … charisma: it is not a version of a more general loosening of politics from the normal and normatively guided operations of politics. Max Weber was a Protestant bourgeois confronting the potential break-up of his world − the perceived decline of the West − while Schmitt came of age as a Catholic in a Protestant *nomos*, a jurist administering martial law in World War One, and an observer of the revolutionary tumult and its dictatorial repression in the first years of the Weimar Republic. He later aspired to become the Crown Jurist of the Nazi Reich and became the most important theorist of Reich, or empire, as a specific political form. Schmitt saw the rationalism of Protestant asceticism as negating the fundamentally political ethos of Catholic decisionism, neutralizing politics, and reducing it to rational economics. So Schmitt roundly criticized Weber's likening of the modern state to an industrial bureaucratic firm, insisting that the state could and often did break away from those "mechanical foundations." Indeed, for Schmitt, the so-called state of emergency is a normal state of political affairs. Where Weber seeks to contain this disruptive force through a repeated micro-narrative of routinization (and argues that it is socially unstable as well), Schmitt leaves open the possibility of the state of exception as the permanent condition, extending into an indeterminate future.

Schmitt takes his analysis further starting in the 1930s, in his assessment of post-state forms of supra-sovereignty. This begins in 1932 with his

important (and still untranslated) essay on U.S. empire, "The Forms of Modern Imperialism in International Law," in which he proposes the American Monroe Doctrine as the template for modern non-colonial forms of rule − a hegemonic core of a *Grossraum*, or great geographic space − to which the core is linked by some cultural or ethnic legitimating principle. The connections between this new, global line of thinking and Schmitt's concerns with sovereignty in his "Political Theology" are made clear in the essay's final page. There he asks: "Who will create peace on earth?… The question is who decides what is peace, who decides what is order and security, who decides which conditions are tolerable and which are intolerable?" The answer for Schmitt was − surprisingly, at the time − the United States.

After his marginalization from the Nazi regime and at the beginning of the Nazi expansion into Eastern Europe, Schmitt begins to discuss the possibility of a new world order in which only a few empires or *Reiche* would remain − the American, British, Japanese, and perhaps a new German *Reich* in Europe. The concept of *Reich* is distinguished from empire in being more ethnically defined and in explicitly eschewing the kinds of assimilationism characteristic of the ancient Roman and contemporary U.S. empires. But the model for Schmitt was the Monroe Doctrine: the U.S. foreign policy regarding Latin American countries, articulated in 1823, in which President James Monroe said that further attempts by European nations to colonize land or otherwise interfere with states in the Americas would be construed as acts of political aggression, calling for U.S. intervention. The title of Schmitt's key text from this period is programmatic: "The Order of the Great Spaces in International Law with a Ban on Interventions by Powers Foreign to the Great Space" [Nomos of the Earth].

Weber himself was an analyst of empires. He dealt with the decline and fall of the Roman Empire in one of his two doctoral dissertations, taking the analysis in what now reads as a Marxian (even Poulantzian) direction in this early part of his career. Much later, he and his brother briefly involved themselves in a practical test of the continuing applicability of the Monroe Doctrine (Steinmetz, 2014a). But what should draw us back − however uneasily − to Schmitt's texts are his having preserved the moment of decision at the heart of the concept of sovereignty; his brilliant embedding of state formation in the larger conceptual and historical context of empire, and his identification of a constituent cultural core in modern empire, one that is just now arguably eroding. These ideas are worth retrieving and revising for our present use.

"STATE-CENTERED ANALYSIS": BACK TO WEBER BY WAY OF AMERICA

How autonomous is "the political instance"? Who decides? Who really rules? Tribes of so-called pluralists, instrumentalists, Marxists, and neo-Weberian or state-centered theorists in the U.S. academy contended over these questions from the 1970s to the 1990s. Especially influential during this series of engagements was Charles Tilly's edited volume *The Formation of National States in Western Europe* (1975); Theda Skocpol's *States and Social Revolutions* (1979), and the associated 1985 volume, edited by Peter Evans, Dietrich Rueschemeyer and Theda Skocpol, *Bringing the State Back In*. In that latter volume, often dubbed BSBI, the editors and contributors put forward what Skocpol called a "Weberian−Hintzean view" (*ibid.*, p. 9). This perspective underlined the problem of political autonomy, and emphasized, as the source, states' extra-national orientations and the unique organizational properties of groups of state officials. Extreme autonomy came about, it was argued, when strategic elites used force to seize the state apparatus and then used bureaucratic state machinery to enforce a reformist or revolutionary change "from above." Feingold and Skocpol (1995) extended this argument to policy arenas within states, arguing that, even within weak states, autonomous actions could take place in certain policy arenas. Their most influential example was agricultural policy in the 1930s American New Deal, but the argument was meant to apply to modern politics more generally.

"State capacity" was the other key architectural term for state-centered theory. Capacities − always less clearly defined than autonomy − came to mean something like the ability to achieve certain targeted goals. They were hinged to "policy instruments" like finances and officialdom, but also to sovereign integrity and military control (Amaeshi, Skocpol, 1985, pp. 15−20). Capacities were often enumerated as a roster of variables, but we prefer to think of them as the usable institutional legacies of actors' political projects. They are specifically political, rather than emanating from the characteristics of class actors or economic systems.

At the time, although it is hard to imagine today, political sociologists thought that the ideas of state autonomy and capacity were problematical, even heretical. The heritage of the Marxist paradigm and its insistence on class or the economic mode of production as the ultimate determining factor of politics had a lot of traction in the U.S. academy. Thus, while the late 1970s and 1980s were an exciting intellectual moment in

sociology − the crest of a wave in which, as Adams has argued along with Clemens and Orloff (2005), new Weberian answers were returned to Marxist questions about large-scale social transformation, it was also the moment when some of the radicalism of the state-centered approach began to dissipate. Its originality − and it was original − was leached away, in part in the search for the scientific imprimatur of mainstream sociology and in the repeated arguments with Marxists, who hammered on the issue of whether states were autonomous of domestic class forces or could act independently, on their own behalves. Nonetheless, this intellectual moment in American − indeed, Anglo-American − sociology definitely involved an autonomization of the political. We see this in many influential works. Besides the writers we have already mentioned, instance also Domhoff's (1978) study of New Haven, Connecticut politics under the rubric of "who really rules?"; Ellen Trimberger's (1978) book on statist "revolution from above" in Japan, Turkey, Egypt, and Peru; Anderson's (1979) lineages of the absolutist state; Tilly's (1985) analysis of war making and state making as organized crime; Michael Mann's analysis of "the autonomous power of the state" (1984) and the subsequent differentiation of the political and the military (1986) in his fourfold scheme of the sources of social power, and many others.

These social science historians were explicitly trying to distance themselves from a vision of functionalism as a sociological theory without an analytic place for conflict, domination, or resistance. They were also trying to redress the conceptual and theoretical weaknesses of Marxist analyses of politics − as were Marxists themselves, of course (see e.g., Laclau & Mouffe's 1980s'-era *Hegemony and Socialist Strategy*). In addition, however, they were responding to the world in which they lived, as were Weber and Schmitt, as they had experienced World War I and engaged with it in person and in print. The 1960s generation was reacting to a perceived political state of emergency, both the War at Home and the imperial ambitions of the Vietnam War and the associated worldwide upheavals. It may seem out of line to compare the concatenated social movements of "the Sixties" to the demise of the Weimar Republic. In fact the latter crisis, simultaneously politico/economic/social and cultural, seems more similar to our own present in its gravity. But these movements were certainly portrayed and perceived − both by supporters and antagonists − as poised on the edge of domestic and indeed global political destruction.

The idea of a cultural construction of a state of emergency may have been alien to state-centered theorists, because they evaluated emergency

pressures that led states and subjects/citizens to become revolutionary in fundamentally materialist realist fashion. (The fact that something can be culturally constructed and simultaneously as real as day would have been difficult for them to take on board – even though realist philosophers of science recognized at the time that ideas could be causal; see Bhaskar, 1979.) Nevertheless, in their own work, we can glimpse such things as the shadow of the Chinese Cultural Revolution in the choice of the three cases (China, Russia, and France) in *States and Social Revolutions* and the deep structuring thematic of politico-economic crisis in the two most popular comparative historical objects of analysis at that time, the French Revolution and the American New Deal. What the state-centered theorists took from "the Sixties" and the moment of imperial crisis was mediated and displaced, but it was there.

Nevertheless, the state-centered theorists were no avatars of Weber or Schmitt. Agency – the heart of Schmitt's analysis of "the decision," and of Heidegger's, under the rubric of "responsibility" – went by the boards. It was most systematically canvassed and rejected, as a possible explanation of the political distinctiveness of revolutionary dynamics, sovereignty-reshaping processes, and outcomes in *States and Social Revolutions*. Culture is also missing. The dual articulation of autonomy/capacity drew on Weber's core notion of sovereignty – the idea that there is a final and absolute legitimate authority within a given territory – but deleted the cultural property of legitimacy. And there is certainly no analysis of the semiotics of political struggle. Instead what comes to the fore is the importance of revolutionary and dictatorial violence – the possibility of a radical politicization correlated with political violence (which also descended from the pioneering work of Barrington Moore, 1993).[2]

So, no culture, no decisionistic openness of politics …, and no empire. This is even more telling because the Weberian–Hintzean tradition actually offered rich resources to think about this. Weber himself analyzed the Roman Empire, as we noted earlier. Hintze, in a 1907 essay, distinguished between the "ancient imperialism" of the Romans and "modern imperialism." The goal of this new version of imperialism (which many would now call colonialism) was not the creation of a single world empire but the coexistence of a number of smaller empires existing side-by-side, resulting in a balance of power similar to the European system of states but on a global scale. In our view, the absence of empire is the strangest gap, or repression, of all, because of the very nature of the analyses from which it disappeared. Charles Tilly worked on the classical imperial Western European states, and treated them as internalist cases, related to

one another to be sure, but not as contending land and sea-borne empires, which is what they very much were. Theda Skocpol selected empires as her three cases but theorized them as states. Jeffery Paige, who studied Vietnam and Angola in his book on peasant revolutions, thought of them as articulated modes of production rather than in terms of their colonial or post-colonial identities. Even Michael Mann, in the second volume of *The Sources of Social Power*, argued that the only empire in the 19th century was the Austro-Hungarian one; he corrected this in the third volume, but the lack of empire in the earlier volume is consistent with the era in which it was published.[3] It was as if the state-centered theorists' metabolization of the 1960s, and their route out of Weber (or Weber/Hintze), had been refracted by powerful forces.

What were those forces? We propose five possibilities for consideration and further exploration. First, as mentioned earlier, economism: a continuing emphasis on economic modes of production as determinative. Second, the persistent idea of the United States as non-imperial, and of European colonialism as irrelevant history. Third, methodological nationalism, thoroughly constitutive of American sociology at the time. Fourth, the disciplinary apparatus of normal science American sociology, a mixed blessing to be sure, lending state-centered work welcome rigor as well as undermining experimentation in thinking about doing politics and severing any connection to normative political theory. Fifth and finally, the continued utopian possibilities perceived in the nation-state form, still very much present in the 1960s and 1970s era of decolonization. These were, and to some extent still are, potent pressures, whether they operate on a conscious or unconscious level.

Carl Schmitt exemplifies a different transition out of Weber that which the state-centered theorists ultimately took. It goes without saying that in his case, the most salient refracting agent was the rise of Nazism, to which he sought to contribute, and what people refer to overly politely as Schmitt's "democratic deficit" means that there is no question of simple appropriation. Yet it makes sense to look back, carefully, while trying to preserve what we have gained (analytically and politically) in the interim, to the embattled Weber-Schmitt moment for a renewal of sociological approaches to politics. For it is beginning to seem as if we face analogous historical conditions, and that the current crisis − far more serious than "the Sixties" − recapitulates and extends the key moment of the invention of the state of emergency as a modern technique of rule, identified with 1914−1918 and World War I.

CONCLUSION

In closing, we would like to make three main points, concerning the *need to resist reducing empire to an economic or a political phenomenon*; *the heightened role of the sovereign in the present crisis*, and *the growing complexity of agency relations* as a challenge for popular sovereignty.

A spate of books on empire and imperial crisis has appeared since 2001. With some important exceptions, such as Michael Mann's now completed four-volume Sources of Social Power, many of the most influential books emphasize either the political or other − particularly economic − causes of the extension of empire. The problem is that empire throws into question the neatness of these distinctions, bringing to the fore the plasticity, even the artificiality of the boundary between "the political" and other structures, practices, or fields. Even if we limit ourselves to the modern period, this was obvious in the European chartered companies of the 16th−18th centuries that were gifted with sovereign rights, including rights to make war over claims to territory and resource flows (Adams, 2005). But even in the 19th century, in British India, the Belgian Congo, and German Southwest Africa, for example, colonial companies that mingled economic and political institutions and functions exercised a great deal of control. The first colonial army in German Southwest Africa was created by a chartered company (the German Colonial Society for Southwest Africa, working together with the first colonial Governor, Heinrich Goering, in the mid-1880s). Concession companies held political power in German New Guinea and the Marshall Islands from the 1880s until 1900. The Belgian state assumed full administrative power over the Congo only in 1908. The chartered *Société Nouvelle des Sultanats du Haut-Oubangui* exercised de facto control over the French colony of Oubangui-Chari before World War I (de Dampierre, 1967, pp. 494−505). Sovereignty over Southern Rhodesia passed from Cecil Rhodes's British South Africa Company to a semi-independent settler government in 1923. The last hold-out was Portuguese Mozambique, where private concession companies controlled almost half of the territory until 1942. In these cases, economic exploitation merges with political rule (Steinmetz, 2014b).

The forms of U.S. policy in today's Middle East seem in one sense continuous with those earlier formations. Manpower Solutions Inc., for example, that ran the interrogations at Abu Ghraib, can be seen as having delegated sovereign rights. (Halliburton in Kosovo by contrast may only have controlled employees in its military base and not the surrounding

territory.) In any case, these imperial sites cast a completely different light on the 1970s—1980s debates over the relative autonomy of the state and capital. For once we have granted real analytical autonomy to politics, via the lens of sovereignty, we can step back and better analyze when the boundaries between political and economic are breached, or when they are being eliminated or reconfigured.

Now in the current crisis, amidst all the fumbling around for a new mode of regulation, hybrid forms of sovereignty are emerging that absolutely escape the old "monopoly of power" terminology. This is a more open field than recent books on U.S. empire have allowed. In the early stages after the 2003 American invasion of Iraq, for example, we saw varied forms of politico-economic experimentation by the United States in, for example, the Green Zone, an Americanized hub in Iraq, formally resembling the European legation zones in 19th- and early 20th-century Beijing or Shanghai. One of us (Steinmetz, 2003) has argued elsewhere that the U.S. policies in Iraq and elsewhere overseas could be understood precisely in this experimental light, as strategies that were developed in the domestic space and now applied to foreign politics. Just as there are flexible strategies on the shop floor, for instance, we now have flexible specialization in the war zone, as well as a military ideology of "just in time" and "lean and mean" production now applied to "just in time" alliances and minimal, mobile and hi-tech armies (Steinmetz, 2003). This kind of corporate talk, however troubled these days, is the official language of U.S. overseas empire. And while this specific discourse is relatively new, there is a long tradition in imperial settings of these sorts of hybridizations.

Our second point emphasizes the role of the sovereign in the current crisis. Sovereignty is the medium of the political, analogous to capital in the economic sphere. Because the state-centric and neo-institutionalist sociologists (and social science historians) missed this point, they elided the practice of politics per se. We now see present possibilities for reconnection with the rich history of analyses of sovereignty descending from Jean Bodin and other early modern European political traditions, with the early 20th-century discussions of sovereignty and the state of exception (the Weber-Schmitt axis), and in the most recent literature, associated with Agamben and others.

On the one hand, this conceptual shift offers the possibility of better understanding *the heightened role of the sovereign in the present crisis*, even while harkening back to more venerable but also newly strengthened modes of sovereignty — including patrimonialism — in which the sovereign's individual sway has been less restricted and more to the fore. S/he was hemmed

in, as much as supported by, competing rulers and what was thought to be, or was defensible as, political tradition. In Weber and more broadly in comparative historical social science, the potential political importance of individual personhood in modern states and empires is often filed under the heading of charismatic leadership − leaving the monopoly of power identified too strongly and automatically with rational−legal perduring structures. But a flavor of the divine − which cannot be consigned to Weber's "dead husks" of religious belief − still hangs about the modern sovereign and modern political concepts, as Schmitt insisted (Schmitt, 2006). In the United States, the executive presidency theoretically if not actually consolidates power in a single individual. The American president can issue, and increasingly over the past decades has issued, Executive Orders: binding decisions reached independently of legislative intervention. The President also reserves the right to interpret laws passed by Congress via Signing Documents and invokes the doctrine of inherent powers by which presidents since Lincoln have claimed to act in the absence of law or even against law in a state or condition of emergency or immediate threat to national security.[4] If George W. Bush was not the first "decider," whether in Afghanistan, Iraq, or homeland security, or with respect to the financial crisis and Great Recession, nor Barack Obama the last, they have been exceptionally active chief executives in precisely this fashion.

Note that the heightened role of the sovereign is not antithetical to the erosion of global hegemony, whether bipolar or unipolar, but points to the inter-imperial and interstate rivalries and the greatly accentuated international tensions that are typical of periods lacking any such equilibrium. The so-called Islamic State (ISIS/ISIL/IS/Dahaesh) is emblematic of this erosion in its focus on issues of sovereignty and its disdain for existing state borders. Perhaps more telling is the new or rather the new old role of Russia, as the *de facto* merger of executive powers under Vladimir Putin's regime has dramatically rebooted a highly personalistic style of plebiscitarian patrimonialism (Hanson, 2011), in tandem with, we would argue, spasmodic efforts to reconstruct regional imperial sway.

Third, the concentration of executive power coexists with *the growing complexity of agency relations*, and this has an important and indeterminate impact on the location and the relative importance of different sites of sovereignty. Moments of real imperial crisis such as the one in which we presently find ourselves generally involve the shift upward, in sovereignty, to a higher level, and simultaneously a shift downward. These shifts are sometimes anticipated, in terms of delegation, and sometimes unanticipated, in that principal/agent problems take on new momentum and

urgency (Adams, 2011). This of course can radically undermine sovereign directives from above. When a leader atop an organization gives an order or makes an appeal that is effectively countermanded by key decision-makers at lower levels, or when that leader occupies a site that is putatively sovereign but systematically undercut by other organizational powers, then results range from gridlock to previously unanticipated alliances and tensions in a shifting field of play. Thus, sovereignty as a concept allows us to think across political levels and potentially contradictory (though often functionally interlaced) dynamics in a way that the more well-established concept "monopoly of power" simply does not.

This is not to say that states, especially the U.S. state, are collapsing or withering away. But in addition to the concentration of power within states favoring the executive, we can discern a simultaneous shift toward local signatures of rule, and a higher, supra-state level of sovereignty. Here the state is "sublated" or *aufgehoben*, to use Hegelian language, both preserved and overcome. Whether this proceeds all the way to a new global *nomos*, in Schmitt's sense, as he speculated after 1945 − something that seems very unlikely at the present moment − or instead gives rise to a plurality of Monroe-Doctrine-style empires, reducing some states' sovereignty while dramatically raising others' to a higher level, or simple chaos, is unclear. What is clear is that the analytical task now involves reintegrating theories of empire and imperial crisis in a more complex, historically grounded sense of empires as forms of political domination involving a core power ruling over ethnically or culturally differentiated peripheries, now coexisting with both an interstate system and transnational non-state political actors with tremendous leverage.

The simultaneous concentration and dispersion of sovereignty makes for heightened contingency in a world that is always-already ruled by contingency, at least in a basic ontological sense (Bhaskar, 1986; Vogt, 2011). Registering this systemic feature is a real break with Weber's views of modernity, since for Weber the emergent historical state of affairs of the state's monopoly of power is associated with an assumption of stability or reproduction. That sense of normal law is also rational−legal. For Schmitt, however, things are precisely the opposite. Power is correlated with a shift away from legality and the juridical into the state of exception and extra-legal legitimacy. The sovereign, singular or plural, may be unfettered. Agamben picks up on that using the word "anomic" to describe the sway of the sovereign as conducting a war of one against all − a frightening twist in which the state itself becomes the state of nature. In keeping with the strong point of the Schmittian approach, therefore, we are arguing for a

conceptual criterion for sovereignty that goes beyond Weber's "monopoly of force" to a more dynamic definition, better identifying "who really rules?" and emphasizing the distinction between the far more contingent strategic exercise of sovereign power and normal legal-juridical conditions. To recognize this decisional nub is actually to make it more normatively transparent and more accessible to popular and citizenly action as well as sociological analysis. The contemporary disorganization of sovereignty, and the post-2001 historical episode − now "history" − of the uneven attempts to extend U.S. executive power unilaterally both domestically and abroad, have clarified the high stakes involved as the location of sovereignty shifts, both nationally and globally. To the extent that they can be analyzed not as an historically unique set of events but through the lens of sovereignty and the closely related topic of "the state of exception/emergency," these decisional shifts should be a key object of analysis for political sociologists as well as a matter of concern for those of us who hope to one day make popular sovereignty a reality.

NOTES

1. See Schmitt's 1925 book *Romischer Katholizismus und politische Form*, translated as *The necessity of politics: An essay on the representative idea in the church and modern Europe* (Schmitt, 1931/1925).

2. As Hannah Arendt argued at the end of the 1960s, the "severe frustration of the faculty of action in the modern world" was partly responsible for the "glorification of violence" among the social movements of that time (Arendt, 1970, p. 83).

3. This reflex was not limited to Anglo-American analysts. By the time Pierre Bourdieu got around to digesting the Anglo-American discussions in his lectures on the state at the Collège de France in 1990, for example, he seemed to forget his own earliest work in French Algeria and to neglect or marginalize empire (Bourdieu, 2012; Steinmetz, 2014c).

4. Truman invoked the doctrine of inherent powers in 1952, seizing steel mills for the Korean War, but in the face of public disapproval switched to arguments that he was "merely putting into effect the defense programs [already] authorized by Congress."

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