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Introduction

A maelstrom is shattering the world's partly separated pasts, sweeping all of its regions into a jarring present, and threatening to hurtle the privileged, the ordinary, and the wretched of the earth towards a future that is ecologically and politically distressed. This maelstrom often goes by the name of "globalization" or is referred to in terms of one or other of globalization's aspects, such as climate change, the digital revolution, identity fracture, the age of terror, the total surveillance society, global empire. Walter Benjamin once alluded to the shocks of modernity through his now-famous image of an angel of history who looks backwards at wreckage piled upon wreckage while being catapulted forwards by the storm "we call progress."¹ Three-quarters of a century later, the shocks have been so ratcheted up that the term "post-modern" was coined to convey our fraught situation. In one way, however, we face the same dilemma that Hannah Arendt described in her biographical sketch of Benjamin and much of the rest of her work. Concepts, values, and ideals that for so long had seemed reliable and attractive have become inadequate or irrelevant. Yet, those habits of thought are all we have to begin to grasp our predicament—or rather, predicaments, since there are many different hurricanes in our great storm, and many different degrees of insulation from their impact at least in the short run.

The political ideas the world has inherited, whether willingly or not, from the Western tradition are deeply implicated in the current breakdown in the relationship between conventional thought and the new realities that human practice is bringing into being. A few concepts, such as "direct democracy" or "the industrial proletariat," soon may be so out of synch with those realities, dovetailing with conditions that no longer prevail, that except as historical descriptors or metaphors they might as well be permanently shelved.² Many others,

such as “citizenship” or “security,” need to be radically overhauled. Some concepts, such as “privacy” or “the commons,” point to experiential losses that we can try to recover in a modified form once we are aware that they *are* losses, identifying half-buried but appealing and still distantly viable alternatives to the range of possibilities we see now. That range might be widened by exposing the Western tradition to inherited ideas from the rest of the world—as, for example, the possibilities for pluralism might be widened by the Ottoman idea of the millet system. Finally, some concepts will turn out to have helped precipitate many of our current crises in the first place, even as those crises are now undermining the allusive power of those concepts. In these last cases, a conceptual loss that at first glance is unthinkable and at second glance is regrettable may in fact be an opening to a more promising way of imagining and acting in the world. It will be the argument of this meditation, which mostly looks backwards to prepare for a different way of imagining forwards, that “sovereignty” is one such promising loss.

While we differ over whether the idea of sovereignty deserves the treatment he more generally prescribes, my efforts dovetail with James Tully’s call for political theory to become “a critical activity” that “starts from the practices and problems of political life, but ... begins by questioning whether the inherited languages of description and reflection are adequate to the task.” Political theory, as Tully sees it, should seek not only to understand the “repertoire of problems and solutions in question, and the correlative field of relations of power in contestation” but also to release the grip of restricting “patterns of thought and reflection” and horizons of practice that have “come to be experienced as necessary rather than contingent, constitutive rather than regulative, universal rather than partial.”³ A release of thought and practice from the dream of sovereign power is the hope that animates this book.

Although, as we shall see later, the concept is highly complex, sovereignty can be summed up here as the power to command and control everything inside a physical space. The conventional associations of the term oscillate, as William E. Connolly notes, between

“acting with final authority” and “acting with irresistible power,”⁴ but the term also connotes exclusivity in the sense of acting over against or as opposed to another, for without an actual, potential, or imagined competitor, no assertion of sovereignty would ever have to be made. The core argument I advance about such assertions is two-pronged. First, sovereign power is an end that it is possible to strive for but impossible to arrive at, and never more impossible than now. Second, the struggle to gain freedom through sovereign power is not only more delusional but also potentially more dangerous than the attempt to attain sovereign power *per se*. It will take the rest of these pages to probe the delusional aspects of sovereign freedom, but its dangers can be hinted at here. Classical monarchical sovereign power even in its idealized form was frank about the need for domination, although its sometimes partial and sometimes absolute refusal of political agency to underlings was touted as serving not only the majesty of the monarch but also the needs of its subjects for order, security, and the continued enjoyment of whatever liberties were accorded to them. Modern popular sovereign power sought to free itself from dominating higher authorities to determine the conditions of life for itself. However, by cutting potential bonds of identification with those outside the sovereign body and elevating a particular people and its mode of life above those marked as alien, it opened new possibilities for domination both inside and outside the territorial boundaries of the sovereign state.

Many democratic theorists have focused on the domestic organization of sovereign power, typically at the level of the modern nation-state. They have argued with one another over the extent to which authoritative power in democratic nation-states is monolithic or pluralist, resides in a system of laws or a people with its own disruptive tendencies and alternative traditions, is concentrated in a single executive or “monarch” or shared among various governmental institutions, social groups, individual citizens, and ebullient if ephemeral multitudes. While these arguments have influenced my thinking, my meditations more centrally concern the relationship

between even the most democratically organized sovereign states and the life worlds that had to be vanquished for them to *become* sovereign. The target of my critique is not political societies on the scale of the large territorial modern state but the sovereign conceit and ambition of modern states large or small, as well as the same conceit and ambition on the part of the individual, the ethnos, the demos, and the human race as a single entity.

Although it has earlier variants, the idea of *sovereign freedom* examined here is quintessentially modern, along with the idea of the sovereign individual, ethnonational sovereignty, popular sovereignty, and the dream that the human race might rule the earth and eventually even the universe.⁵ Yet the realists among my readers might wonder whether the will to *sovereign power* is historically specific or instead is rooted in what is conventionally called human nature. My intuition, which is realist in a different way, is that such a will is a highly mediated form of an elemental desire of human beings to survive and thrive in an environment not initially made *by* them, but waiting *for* them. So—a response to the world outside the self, worked up into a socially and historically contingent impulse to obliterate, expel, or rule other inhabitants of that world instead of being at their mercy, but also instead of reveling in them for what they are, merging with them, mixing with them as equals, or simply letting them be.

Chapter 1 examines the contested character of political concepts in general and the concept of sovereignty in particular, as well as other keywords with which the idea of sovereign power has been entangled. The next two chapters are a pair of case studies of the interplay of freedom and domination in attempts to attain sovereign power, to display both its seductions and its oppressive effects. Chapter 2 probes the American Indian Treaty System to illustrate the violent foundations of sovereign power even in the instance of republican or liberal democratic sovereign states, and even when “peaceable” deliberation, negotiation, consent, and rule by law are key mechanisms of those states’ birth and the expansion of their authority. Chapter 3 probes the struggle for Jewish sovereignty to solve the problem of the minority

status of a diasporic group in the age of the modern nation-state, which, in its consequences for both Israeli Jews and Palestinian Arabs, illustrates the delusion of sovereign freedom. Between them, these twin cases cover civic national and ethnonational avenues to popular sovereign statehood, casting a shadow on the endeavors of either building a house where, as Arendt would put it, freedom can live or building a safe house from ethnic persecution.

While some might object that the dominative elements in the American founding and the Jewish search for sovereign freedom can be traced to their being settler colonial projects, it would take very little effort to export the critique of sovereign freedom from settler to non-settler contexts. Another way to put the point is that even on “home territories,” attempts to gain freedom through sovereign power via, for example, ethnonational movements, political partitions, revolutionary regime changes, or modern state-building also are settler projects of a sort, as each of these new political orders must “settle” the society it “colonizes,” by [re-]establishing the territorial boundaries within which it is to be authoritative, [re-]wiring laws within those bounds, [re-]configuring identities and habits of life for the people it declares to be “its” people, and determining who will be counted as that people’s new enemies. Thus settler states in the literal sense of that term, rather than being exceptions to the rule, can be seen as extreme exemplars of sovereign power entrenchment. Their foreignness to the societies they penetrate is more exaggerated than the foreignness of partitions, revolutions, and modernizations that radically disrupt and remake societies from within. The refusal of settler colonists to identify with the people whose lives they are steamrolling over is more absolute, and the experience of those at the receiving end of that refusal is consequently more devastating, humiliating, and abject. Nevertheless, the drive to conquer and supplant already existing modes of existence, and the disregard for those attached to that existence, characterize colonial settlers, ethnonationalists, secessionists, revolutionaries, and modernizers alike.

The decision to highlight the cases of the American founding and Jewish nationalism flows partly from the fact that these two cases helped

convince me that sovereign freedom and domination are inextricably intertwined. But that decision also is rooted in my belief that political theory must take its substantive problems from and ground its conclusions in actual political affairs instead of floating about those affairs in a heavenly realm of pure thought, where categories may interact with one another in captivating ways without having any relation to the ends that are pursued in the political world, the means used to pursue them, and the passions of those who, in addition to using means to pursue ends, react often viscerally, impulsively, or self-subversively to circumstances and events. Here I strongly endorse Karuna Mantena's critique of neo-Kantian political theory and her call for "another realism" that begins "from an understanding of the existing conditions and constraints of political life" but "neither forsakes an agenda of reform nor sacrifices ethics at the altar of power politics."⁶ However, in contrast with Mantena, who emphasizes the political primacy of means over ends and endorses means that are non-violent, my two cases illustrate problems with specific political ends that become apparent when one studies their practical implications, and that are problematic regardless of whether or not direct violence is used to pursue them.

Given that political theory's expertise is in concepts, principles, ideas, and norms, the political theorist who looks backwards in time to assess political ideals in light of what happens when political actors try to actualize them almost inevitably will find herself leaning on the work of professional historians. This political theorist is greatly indebted to the meticulous research of the many historians drawn on here. Nonetheless, the difficulties I encountered while trespassing on the historian's terrain should be acknowledged up front. With respect to the American case, the eradication of indigenous life worlds that paved the way for the birth and continental expansion of the United States was absent from many of the stories told by the American founding's most admiring chroniclers, an absence that the very phrase "the American founding" emblemizes. But the more daunting problems are the obstacles to discovering how indigenous peoples of North America understood the world before the arrival of

European settlers, and, more specifically, whether there had been a conceptual analogue of “sovereignty” in pre-Columbian indigenous languages, or whether the counter-sovereignty struggles of native Americans were struggles for something introduced as a good by their European antagonists. Answers to these questions are typically filtered through European settler perspectives in the past that either dismissed the value of pre-Columbian perspectives altogether or read back into them settler presumptions about how the world is conceptually divided up. Alternatively, those answers are filtered through indigenous perspectives in the present that have long since been transformed by the indigenous-settler encounter and that in any event clash on the cultural origins of the sovereignty concept.

The case of Zionism presents its own problems of inaccessibility, if only because some of the writings of the Zionists I examine have yet to be translated into English or are translated in widely varying ways. But multiplying the hazards of this case study one hundredfold is the fact that the history of Zionism is so vituperatively contested. To read Zionist and Palestinian accounts of that history is like peering through a telescope at two planets at opposite ends of the universe. Beyond the almost total discrepancy between “pro-Israel” and “pro-Palestinian” interpretations of the struggle for a Jewish state, and between those who locate the original impetus of Zionism in settler colonialism and those who locate it in the struggle for national liberation, there are large discrepancies between left- and right-wing Zionist versions of that struggle, between the claims of adulatory and revisionist Israeli historians, and between Zionist, post-Zionist, and anti-Zionist postures toward the same past. This hornets’ nest of warring perspectives is only aggravated by the shifting political positions and self-interpretations on the part of Zionists at different stages of their lives, and, at any given stage, by incongruities in what they say to different audiences. Especially Theodor Herzl and Vladimir Jabotinsky, who were writing and speaking not to muse but to persuade, knew full well that one does not say the same thing, in the same tone, to the Ottoman Sultan, members of the British Parliament, skeptical Jewish philanthropists,

and young Palestinian (as Jewish settlers were called before 1948) pioneers. Finally, in the case of Jabotinsky, one is also dealing with an esthete who for that reason would be judged by strict empiricists as an unreliable narrator. Even political theorists who do not believe that “pure facts” can be precipitated out from all rhetorical forms in which facts are articulated must tread carefully while reading lines from this Zionist’s riveting pen. For, as he declares in the conclusion of his micro-historical memoir, *The Story of the Jewish Legion*, Jabotinsky sees truth as in important ways a function of beauty.

Without any bias, I have omitted a number of facts; for I do not believe that every fact is true in the fundamental sense. A great thing has a character—“features”; whatever is expressive of those features is part of the truth; whatever is in contradiction of that character is an accident, a scar, a rash ... when one wishes to relate the essence of an episode, the beauty of which must today be universally affirmed, it is puerile to examine the mud—even though mud gathers where people gather ... The memory is an autonomous mechanism, and a petty one. It attracts tiny details, especially unpleasant ones, and does not like to detach itself from them. That is why we have been vouchsafed a controlling apparatus which we call “taste.”⁷

One other, different point is worth making about political theory’s interpretation of the tie between the present and the past. I concur with Hannah Arendt that human beings are capable of breaking with ossified practices or pernicious patterns of social life to begin something new, sometimes something astoundingly new. I also concur with what I take to be Patchen Markell’s insistence that “beginning something new” takes place in response to an established context, itself the outcome of actions taken by others in the past against the backdrop of their own established contexts. That is, the “miracle of action” does not signify total rupture with the past or a human capacity to wipe clean the slate of history to start afresh, however assiduously some people may try to do that, but rather a new orientation of the self with respect to an always already given world.⁸ Still, it would be an error to underestimate the forces arrayed against even context-bound

reorientations. One of the patterns this book explores is the tendency of those oppressed by sovereign power to make counter-sovereignty bids to save themselves. While any whiff of inevitability that the reader might sense in the case studies should not be taken as signaling the inescapable role of sovereign power in human affairs, it does reflect a dynamic by which, once power is organized along sovereign lines, collective movements for freedom are propelled to reach their goal by mobilizing the resources of sovereign power for themselves. Strategic thinking is not the only compelling factor here. Resentment of the privileges of sovereignty incites desires to possess as readily as it incites desires to dispel those privileges, and perhaps more readily. If breaking with the self-replicating logic of sovereign power and the investments in sovereign freedom it triggers is the kind of miracle of action for which Arendt would and did hope, calculation and sentiment conspire to ensure that this particular miracle will not be easy to pull off.

After pursuing intimations of non-sovereign freedom in the contemporary Israeli–Palestinian conflict, my Conclusion extrapolates a critical-analytical, a political, and an ecological lesson from both case studies. While these lessons are hardly original, they have yet to be memorized by the relevant “us.”

The critical-analytical lesson flows from the fact that the erasures that typify sovereign political foundings also typify capitalism as it re-settles the globe to suit its imperatives (and, indeed, political and economic processes of erasure often have gone hand in hand). It follows that critics of capitalism should attend to the obliteration of non-capitalist identities and practices no less avidly than they do to the new identities and practices that capitalism generates. This is not only because obliteration is capital’s “first” (if often-repeated) violent act; it is also because sensibilities buried by capital may be worth reactivating once they are unearthed.

The political lesson is that, to reduce the tribulations while enhancing the agency of people around the world who have become “wandering Jews,” our century must find ways to de-link the right of individuals to participate in the making of common arrangements

from membership in a people with exclusive power in and control over a specific territory. The ecological lesson is that, for the sake of all the life species, including our own, a concern for place and a love of what I will call “natural freedom” must supplant the self-defeating quest to make human beings sovereign masters of the planet.

Two notes on what I am *not* arguing in this book. While I will be emphasizing the link between sovereign freedom and domination, my point is not to woo readers to the side of established sovereign powers against people struggling for sovereign freedom from those powers. To the contrary, my point is to extend a sympathetic warning to the strugglers that they are likely to re-create for others the political injuries they are trying to escape for themselves unless they find a way to transcend the sovereign power ideal. And, while some may detect a pessimistic slant to my musings, it is not because I think that every feature of the past is preferable to the present or that all hope for the future is now lost. With respect to human–human relations, I mean to be warily upbeat, not only because even in its darkest hours history has pleasantly surprised us before (although it has unpleasantly surprised us, too), but also because promising new varieties of thought and action always can be found in the cracks and crevices of any political status quo. With respect to human–earth relations, however, the prospects are a great deal grimmer because of the global expansion of an unsustainable mode of production, consumption, and culture. I hope to show that the quest for sovereign freedom is one element in an admittedly far more complex array of forces pushing the earthly home of living things to the edge of its precipice.

As the next chapter should prime us to expect, every argument about political concepts, to the extent that it enters into the general discourse, is likely to provoke further intellectual debate and political controversy. Attacks on the concept of sovereign freedom are no exception to this rule. But this is the destiny of all political ideas—to be perpetually provocative, until the day that some inconceivable metamorphosis in the human condition, perhaps the unintended result of human action, makes them irrelevant for good.