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Published in:
Pavilion

2007

Citation for published version (APA):

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Denationalized States and Global Assemblages

Magnus Wennerhag in dialogue with Saskia Sassen

Magnus Wennerhag: Today, there is an obvious difference between the rhetoric of liberalism — that is, liberalism as political ideology — and the actual workings of the state in liberal-democratic polities. From an historical perspective, how should we understand this difference?

Saskia Sassen: I would distinguish two issues. One is that historically, liberalism is deeply grounded in a particular combination of circumstances. Most important is the struggle by merchants and manufacturers to gain liberties vis-à-vis the Crown and the aristocracy, and the use of the market as the institutional setting that both gave force and legitimacy to that claim. Seen this way, why should liberalism not have decayed? What rescued liberalism was Keynesianism, the extension of a socially empowering project to the whole of society. This is the crisis today: Keynesianism has been attacked by new types of actors, including segments of the political elite. What is happening today is on the one hand a decay (objectively speaking) of liberalism even as an ideology — being replaced with neoliberalism, attacks on the welfare state, etc — and, on the other hand, a decay of the structural conditions within which Keynesian liberalism could function. So the struggle today has been renamed: one key term is democratic participation and representation, and those who use this language will rarely invoke liberalism. When we praise liberalism, it is often a situated defense: against neoliberalism, as against fundamentalisms and despotisms — this is not necessarily invoking historical liberalism, which at its origins was defending the rights of an emerging class of property owners, but the best aspects of a doctrine that had to do with the fight against the despotism of Crown and nobility.

MW: In your new book, you call the development of the US state “illiberal”. Is this a more general development that can be seen in other countries as well?

SS: Theoretically speaking, I would say that we will see similar trends in other liberal democratic regimes that are neoliberalizing their social policies, hollowing out their legislatures/parliaments, and augmenting as well as privatizing or protecting the power of their executive or prime ministerial branch of government. That is to say, we will see these trends wherever we see the conditions I identify for the US, even though they will assume their own specific forms and contents. I would say that Blair’s reign in the UK especially since the war on Iraq has clearly moved in this direction. Instead of being guided (and disciplined) by the Cabinet, which is parliament based, Blair set up a parallel “cabinet” at Downing Street from which he got much of his advice and confirmations of the correctness of his decisions. This had the effect of hollowing out the real Cabinet. This may also explain why some of the leading figures of the real Cabinet resigned: Robin Cook, Clare Short. All of this is well known and much commented on in the UK. At the same time, I would argue that even though Berlusconi’s regime had some of these features, it was more a consequence of corruption and manipulation of the political apparatus than the type of systemic development I am alluding to. The answer to your question is also empirical: we need research to understand where this systemic trend is emerging and becoming visible/operational.

MW: Many European countries are currently contemplating introducing some type of “citizenship tests”. In Sweden, the traditionally social liberal Folkpartiet has pursued this issue and proposed that immigrants have to pass a language test to become Swedish citizens. Generally, the party wants to apply more paternalistic political measures — “bough on crime”, more discipline in schools — especially regarding immigrants. The corresponding political party in Denmark has, during its time in office, brought this development even further. Speaking of liberalism as a political ideology, do you see it as being in the midst of a crisis, or is it simply adapting to the conditions of the prevailing (economic, political, legal, etc) order?

SS: I would say traditional liberalism is in crisis, or at least being attacked by the governments themselves as well as by powerful economic actors and certain traditional society sectors, such as fundamentalist evangelical groups in the US. Why should it last forever? Nothing has — except the Catholic Church, I guess. But to do so it has had to reinvent itself regul-
larly. This does not mean that the aspiration of democratic participatory political systems is going under. On the contrary. But its historical liberal form is certainly in crisis. And this has been furthered by the anti-immigrant policies that have been put in place in a number of European countries, particularly in the US, where there was even a proposal to make undocumented immigration into a criminal act and status. This is new.

MW: Around the turn of the last century, the discovery of the "social question" (and the rise of the workers' movement) transformed the liberal notion of citizenship, such as it was, into something more inclusive, more individualistic, and more to the advantage of citizens and the state. There is no ready-made solution lying on a shelf, there must be no solution. We have lost the historical sense of making.

This was hard work. In my work I emphasize that these types of struggles for recognition and inclusion are the result of what I call the "social question". The struggles for the right to political participation and for citizenship rights are the result of these struggles. They have been fought by the workers' movement in the US with its laissez-faire stance, the notion was more: You want to come in? Fine. But you are on your own. This is clearly a simplification, given the racism that has proliferated in the US, starting with the racialization of the Irish. But in Europe, including minority groups who fought for the right to protect their property from the abuse of the crown, nobility, and Church. And in the US, with its laissez-faire stance, the notion was more: You want to come in? Fine. But you are on your own.

SS: This brings up an important point about the role of space. There are kinds of spaces that are particularly enabling, and I think large messy cities, especially global cities, are such spaces. And I argue that today the multinational corporation, which is a private legal persona, also functions as an informal political actor at a time when the globalizing of the economy requires that national states change some of their key laws and regulations so that there is a global space for the operations of these firms. They do not mean that the aspiration of democratic participatory political systems is going under. On the contrary. But its historical liberal form is certainly in crisis. And this has been furthered by the anti-immigrant policies that have been put in place in a number of European countries, particularly in the US, where there was even a proposal to make undocumented immigration into a criminal act and status. This is new.
have been. I like to emphasize that these struggles contained the work of making rights — in fact, often making new rights. This was not only about asking for permission or asking for recognition of pre-existing rights. It was about constructing new rights, especially civic and social. This is a long history in what was largely a Europe of cities.

Today the landscape is confusing — confusing in the sense that it does not make visible all the elements, and in that sense, hermetic. We need to detect — to reframe the question. Systems predicated on privatizing "legal" processes, this comes from the perspective of fundamental liberal democracies and regarding the politics of denationalization, but also with a view to the institutional decay of democratic, liberal states. The executive branch of states — really the executive branch of nations — is being reoriented, away from historically defined national aims towards denationalized global aims. And the latter holds, particularly for the executive branch. There are several European countries that are constructing an executive branch, the power of which is not limited by the law or by the constitution, but by the way it is exercised. This is one reason why the US is described as a "liberal democracy." Again, you do see an extreme case of this decay. You do many of the democratic innovations that I speak of, which have been in the European division that I speak of.

MW: What are the implications of a more widespread use of private "legal" techniques, private institutions (private arbitration courts, etc), and private creation of rights? SS: Two outcomes. One is that the current institutional change at the heart of the private sphere, which is the making of new rights, contesting absolutist powers of the Crown, and so on. What is different, or specific to the current transformation? My question is: what is the logic that underlies today's changes. It is impossible to do justice to the subject, but here are some elements of my answer. The first is that we have moved from the perspective of fundamental liberal democracies to the perspective of a more diffuse, more decentralized, more fragmented society. The fact that political participation is now more diffuse, more fragmented, and that we have the possibility of doing things that were not possible before, gives rise to the question of what is the logic that underlies today's changes.

Third, a great strengthening of the market sector, but with an ironic twist: a greater autonomy, that allows powerful private and collective actors to act as informal political agents. This then is the idea of the privatization of public services, of privatization of public goods. I also mean that the privatization of public goods is not the only thing that is happening. We have privatization of private goods, as well. We have privatization of private systems of justice and private systems of authority. These are mostly very partial rather than holistic and mostly private systems of justice and private systems of authority.

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cism of the global justice movement, of institutions like the WTO and the IMF, and its demands for more global institutions, can play a positive role in this?

SS: Yes, definitely. I think one critical element is the notion of repossessing the state apparatus for genuine liberal democracy. The liberal state has been hijacked... despotisms. By this I mean despotisms that are less heavy-handed, more intermediated through propaganda machineries, etc.

My preferred version is a denationalized state. I am not keen on nationalisms. Another critical element is the notion I talked about earlier: that the formal political apparatus accommodates less and less of the political and hence the growing importance of informal political actors and political struggles. I see a lot of this emerging.

Besides what I said earlier, these politics also include a sort of denationalizing of the claim to the right to have rights. And, at the other end, a politics of the denationalizing politics – this is not about exclusive allegiance to the state, this is about a denationalized approach.

MW: The title of your new book indicates that the concept of “assemblages” is central to your analysis. What role does this concept have for the description of the hierarchies of power in today’s world? And how does it relate to your earlier research on the global city?

SS: A key yet much overlooked feature of the current period is the multiplication of a broad range of partial, often highly specialized, cross-border systems governing a variety of processes both inside and across nation-states. These systems include some that are national, some that are supranational, and others that are hybrid. They are often operationalized at one end by private entities, at the other end by states and their agencies, but they operate in the gray zone of international law, outside the boundaries of the nation-state. In other words, these global systems include negative and positive networks from my perspective.

But this also begins to eat away at some of the foundational architecture of liberal participatory democracies. Clearly these trends are far more developed in some countries than in others.

SS: There is a revolutionary clause in all the new constitutions framed in the 1990s — Argentina, Brazil, Uruguay, South Africa, and others. It says that the elected cannot presume to be the exclusive representative of its people in international fora. What lies behind this clause is the claim making (back to my informal politics) by a variety of groups that do not want to be part of the nation-state. It is about the reclamation of the nation-state, in this new landscape of the post-liberal, post-colonial, post-imperial, post-modern era, that is, a critical identity represented by some of the state’s major institutions. The idea of an autonomous citizen, a collective identity, is now in the making, as we speak.

This clause is revolutionary in that it goes beyond, indeed contests, the major achievements of the French and American revolutions. It was to posit that the sovereign is the people, while the sovereignty is the state. The achievement of the earlier revolutions was to eliminate the putatively divine sovereignty (state).

But with the notion of denationalization by state authority, collective identities are now in the making. The idea that is also along the ground here is the notion of the “global state,” which is the idea of a global polity that is not represented in the nation-state, but that is now oriented towards building global systems inside the national state. From there, then, the notion of “denationalization.”

MW: Is it possible to discern any counter-powers on the global level, working to reinstate the fundamental principles of the liberal-democratic (nation) state on a global level? Do you think that the criticism of the global justice movement and its demands for more global institutions can play a positive role in this?
national capital. Strictly speaking, there is no legal persona for the global firm. But there is a global space for their operations, a global space that is the result of the proliferation of national courts. The new legal order is a global one in which national courts, no matter what the jurisdiction, are more and more peppered with human rights case law. When you hire a global firm to do work for you, you're hiring them not for their local expertise, but for their global one. The global firm does not have a legal persona, but it can be held responsible. By the way, this again points to the multivalence of many of the key categories I have developed to do my type of research. The denationalizing that happens through the use of human rights in national courts is very interesting, and mostly positive.

These are just two examples of how I work — focusing on the global per se. From my interviews with the global firm itself, I have seen a much more specialized, localized, and even a national court that partakes in global politics. I know this for a fact. In fact, I have a national court in my own right.

This interview was first published in Fronesis.

Notes