

**The Making of the Westphalian State-System: Social Property
Relations, Geopolitics and the Myth of 1648**

Benno Gerhard Teschke

London School of Economics and Political Science

Submitted for the PhD Degree in International Relations

20th September 1999

UMI Number: U126793

All rights reserved

INFORMATION TO ALL USERS

The quality of this reproduction is dependent upon the quality of the copy submitted.

In the unlikely event that the author did not send a complete manuscript and there are missing pages, these will be noted. Also, if material had to be removed, a note will indicate the deletion.



UMI U126793

Published by ProQuest LLC 2014. Copyright in the Dissertation held by the Author.
Microform Edition © ProQuest LLC.

All rights reserved. This work is protected against
unauthorized copying under Title 17, United States Code.



ProQuest LLC
789 East Eisenhower Parkway
P.O. Box 1346
Ann Arbor, MI 48106-1346

THESES

F

7725

715095

Abstract

The dissertation presents a theoretically controlled and historically informed inquiry into the formation and dynamics of the European system of states between the 8th and the 18th Centuries. It combines two methods of research and exposition. First, it pursues a comparative-chronological approach by elaborating and contrasting historically diverse logics of territorial and international order - exemplified with reference to the medieval, the early modern, and, partially, the modern geopolitical systems. Second, it adopts a developmental perspective by supplementing the systematic-comparative but static account of geopolitical orders with a more narrative, yet theoretically hedged, exposition of their incommensurable conflictual dynamics and expansionist drives. This processual perspective allows us to address the crucial question of the causes behind the passage from one geopolitical order to another.

Contrary to conventional assumptions in the theory of international relations, the thesis is that the diversity of geopolitical systems and the reasons behind their transformations are bound up with different and changing social property relations in the domestic sphere. These social property relations govern the very identity of the constitutive actors of any geopolitical system and inform their modes of territorial order and foreign policy behaviour. Such a thesis has direct implications for a fundamental re-interpretation and re-periodisation of the origins of modern international relations, commonly associated with the Westphalian Peace settlements of 1648. By embedding the demystification of 1648's essential modernity in the wider continuum of European history, the dissertation shows to which degree early modern geopolitics remained tied to its medieval roots. The old pre-modern logic of geopolitical relations is only challenged with the advent of a new social property regime and the articulation of a new state/society complex in late 17th Century England, which starts in the 18th Century to transform the state system of the Old Regime into a modern system of sovereign states.

Table of Contents

Chapter One

The Myth of 1648: The Conventional Interpretation of the Westphalian System of States

Introduction

Research Problem

Research Context

The Core Theoretical Argument

Composition and Distribution of the Argument

The Myth of 1648: The Conventional Interpretation of the Westphalian System of States

Paradigmatic IR Perspectives

Neorealist and Realist Perspectives: 1648 as the Majestic Portal to
International Modernity

The ‘English School’: Antedating Westphalia

Constructivist Perspectives: 1648 as the ‘Usual Marker’

Giovanni Arrighi: Westphalia under Dutch Hegemony

Stephen Krasner’s Dissolution of Westphalia into Historical Contingency

Conclusion: Towards a Historical Sociology of the Making of the Westphalian System of States

Chapter Two

Geopolitical Relations in the European Middle Ages: Theory and History

Introduction

The IR Debate: The Middle Ages between Neorealism, “Critical Theory”, and Constructivism

**Theoretical Foundations: The Relation between the Economic and the Political
in Feudal Society**

Max Weber versus Karl Marx: Type of Domination versus Extra-Economic
Compulsion

From the Logic of Production to the Logic of Exploitation

**The Structure-Agent Problem in Feudal Terms: Lordship and Contradictory
Strategies of Reproduction**

Lordship as Conditional Property (Structure)

Contradictory Strategies of Reproduction (Agency)

A 'Culture of War' based upon Political Accumulation

A Phenomenology of Medieval 'International' Institutions

The 'Medieval State': Tensions between Localised Appropriation and
Centralised Authority

The Political Economy of Medieval Territory and Frontiers

War and Peace: Medieval Feuding as Legal Redress

War as Feud

The Many Peaces

Feudal 'International Systems': Beyond Anarchy and Hierarchy

Banal, Domestic, and Landlordship

Conditional Hierarchy, Personalised Anarchy, Territorial Anarchy

Conclusion: Geopolitical Systems as Social Systems

Chapter Three

From Hierarchy to Anarchy: The History of the Social Relations of Lordship

(c800-c1350)

Introduction: Theorising Systemic Change in IR

The Transition from Imperial Hierarchy to Royal Anarchy as a Problem for IR
Theory

Recapitulating the Explanatory Framework

Methodological Reorientation: From System to Process

The Carolingian Empire

The Patrimonial Nature of the Frankish State

Frankish Dual Social Property Relations

Frankish 'Political Accumulation'

Explaining the Transition from Hierarchy to Anarchy

The Demise of the Carolingian Empire

The 'Feudal Revolution' of the Year 1000 and the Rise of the Banal Regime

A New Mode of Exploitation as Precondition for Feudal Geopolitical Expansion

Predatory Lordship and the Rise of Serfdom

Military Innovations and the Origins of the Knightly Class

Changes in Noble Proprietary Consciousness, the Introduction of

Primogeniture, and the Making of Noble Excess Cadets

Conquest of Nature - Conquest of People

Summarising the Argument

Post-Crisis Feudal Expansion as Geopolitical Accumulation

Patterns of Expansion: Socially Combined and Geographically Uneven

Development

The Norman Conquest and Unitary English State Formation

The Spanish *Reconquista*

The German *Ostsiedlung*

The Papal Revolution and the Crusades

French State-Formation between the 11th and 14th Centuries: From Banal

Fragmentation to Royal Consolidation

The Capetian 'Domain State'

Capetian Political Accumulation

Changing Class Relations: The End of Serfdom, the End of the Castellan Class,
and the Ascent of Feudal Kingship

An Imperfect Feudal Kingdom

Conclusion: The Medieval Making of a Multi-Actor Europe

Chapter Four

Transitions and Non-Transitions to Modernity: A Critique of Rival Paradigms

Introduction

Defining Political Modernity, Defining Capitalism

The Commercialisation Model: The Example of Fernand Braudel

Le Monde Braudélien: Le Capitalisme Depuis Toujours

Implications for IR

Capitalism and the Modern State: An Alternative Conception

Capitalism as a Relation of Production

Capitalism, the Modern State, and the Modern States System

The Geopolitical Competition Model

The Military Logic of State Formation

Universal War - Variations in State Responses: A Critique

Chapter Five

L'Etat, c'est moi!: The Personal and Compromised Nature of Absolutist Sovereignty

Introduction

Modernity, Sovereignty, and IR

Chapter Structure

Debating Absolutism: Transition or Non-Transition?

The Traditional State-Centred Interpretation: The State as Rational Actor

The Revisionist 'Society-Centred' Critique

The Orthodox Marxist Interpretation: The 'Equilibrist-Transitional Paradigm'

Perry Anderson's Subterranean Transition to Capitalism

Political Marxists and the Critique of the 'Bourgeois Paradigm'

The Argument: The Involutionary Class Logic of French Absolutism

'L'Etat, c'est moi!': Absolutist Sovereignty as Proprietary Kingship

The Modernising Limits of Absolutism

Office Venality as Alienation of State Property

Political Institutions in Early Modern France: Competing Centers of Power

Legibus Solutus?

Growing Costs of Warfare, the King's Debts, and Bankruptcies

The Structure of the Military Constitution of the Old Regime

Conclusion: The Political Logic and Economic Illogic of French Absolutism

Chapter Six

Demystifying the Westphalian System of States: International Relations from

Absolutism to Capitalism

Introduction

(Neo-)Realism and Constructivism: Explanatory Divergences - Identical

Outcomes

Critique and Outline of an Alternative Approach

Theoretical Foundations: Explaining Variations in International Systems

Structure: Pre-Capitalist Social Property Relations, the Absolutist State, and

Economic Non-Development

Agency: Political and Geopolitical Strategies of Accumulation

Implications for IR: '*L'Etat, c'est moi!*' and Inter-Dynasticism

Westphalian Geopolitical Relations: Foreign Policy as Dynastic Family Business

Monachia Universalis and the Persistence of Dynastic Empire-Building: Parity

or Ranking?

'States' Marrying 'States': Dynastic Unions and Wars of Succession

Dynastic Rules of Succession as Public International Law

The Case of the 'Austrian Pragmatic Sanction'

Territoriality: Circulating Territories, Circulating Princes

Demystifying the Peace of Westphalia

Proprietary Dynasticism vs. Sovereignty

Restoration vs. Modernity

Dynastic Collective Security System vs. the Balance of Power

Principles of Geopolitical Order: Dynastic Equilibrium and the Balance of Power

Dynastic Equilibrium qua Territorial Compensations

The Case of the 'Polish Partitions': Balance of Power or Compensatory
Equilibrium ?

British Uniqueness: Capitalism, Parliamentary Sovereignty, and Active
Balancing

Conclusion

Bibliography

Chapter One

The Myth of 1648: The Conventional Interpretation of the Westphalian System of States

Introduction

Research Problem

The contemporary international order - the fragmentation of public political power in territorially demarcated sovereign states and the unity of private economic power in form of the world market - is neither timeless nor natural. It is a relatively recent phenomenon. It is a distinctly modern phenomenon. Its genesis stands in need of explanation.

This dissertation provides a new theoretically controlled and historically informed inquiry into the formation and dynamics of the European system of states between the 8th and 18th Centuries. It combines two methods of exposition. First, it pursues a comparative-chronological approach by elaborating and contrasting historically diverse logics of territorial and international order - exemplified with reference to the medieval, the early modern, and, partially, the modern geopolitical system. This comparative perspective allows us to clearly identify fundamental differences in their respective forms of co-operation and conflict. Second, it adopts a developmental perspective by supplementing the systematic-comparative but static account of geopolitical orders with a more narrative, yet theoretically hedged, exposition of their incommensurable domestically and internationally conflictual dynamics that drive systemic transformations. This processual perspective allows us to address the crucial question of the causes behind the passages from one geopolitical order to another. More specifically, it enables us to approach the wider macro-sociological problem of the making of the modern system of states.

Research Context

This twofold perspective - comparative and processual - responds to two objections raised by John Gerard Ruggie in his critique of Kenneth Waltz's neorealist theory of international politics.¹ First, Ruggie argued that while Neorealism might be able to theorise the mode of operation of the modern system of states, it fails to account for the specificity of pre-Westphalian geopolitical orders. He adduced the medieval case to illustrate these differences. Second, Ruggie objected that Neorealism contains only a 'reproductive', not a 'transformative logic', i.e. it fails to provide a theory of large-scale systemic change that was able to explain the 'medieval-to-modern shift'.

Ruggie's critique can be reformulated in the following way. First, given that anarchy is the defining feature of diverse geopolitical systems, it does not suffice to explain historically radically different outcomes in their respective patterns of conflict and co-operation. In other words, the diversity of geopolitical systems cannot be reduced to and explained by the universality of anarchy. However, if we accept the causal indeterminacy of anarchy, then we are forced to develop a non-systemic IR theory in order to explain these variations. This implies that the center of attention shifts away from a narrowly defined political science focus to a wider social science focus that identifies the social forces that constitute and reproduce political communities and geopolitical systems. Second, given the existence of profound geopolitical variations, we stand in need of a macro-theory of systemic change that does not hide massive transformations in the prevailing forms of political authority and territorial order, but that starts from the assumption that these domestic changes are bound up with those long-term and large-scale transitions from one system to another. This implies that attention shifts to the social sources of these political transformations. Consequently, we need a historical sociology of the formation of the modern system of states.

¹ Waltz 1979; Ruggie 1986, 1993, 1998.

Agreement with Ruggie's basic objections against neorealism does not mean acceptance of his suggested constructivist alternative. Four points of empirical and theoretical disagreement emerged which resulted in a wholesale dismissal of his constructivist account and to the adoption of an alternative theoretical framework. First, Ruggie argued that differences in geopolitical systems can be explained in terms of different property rights. While the medieval system was defined by conditional property generating heterogeneous forms of territoriality, the modern system is defined by exclusive and absolute private property rights generating homogeneous forms of territoriality. He went on to argue, second, that the shift from medieval conditional to modern private property titles, dated between the 15th and the 17th Centuries, can be explained in terms of a contingent confluence of three 'irreducible' dimensions of collective experience:

'These domains included material environments (ecodemographics, relations of production, relations of force); the matrix of constraints and opportunities within which social actors interacted (the structure of property rights, divergences between private and social rates of return, coalitional possibilities among major social actors); and social epistemes (political doctrines, political metaphysics, spatial constructs). Each was undergoing change in accordance with its own endogeneous logic.'²

However, since Ruggie proposed in essence an institutional account of property rights, he failed to identify those social agents that sustained, lived out, and changed property titles - not merely as formal institutions, but as politically-maintained and actively negotiated social relations. This de-socialisation of property rights translated into a non-recognition of their inherently conflictual character and a corresponding non-recognition of those class-related social conflicts that transformed social property regimes. Third, Ruggie identified only one major systemic shift: the medieval-to-modern shift. He thus failed to acknowledge that the medieval system was first succeeded by the early modern absolutist-dynastic system of states that was subsequently transformed into a genuinely modern international order. This reduction of two systemic transformations to one resulted in a non-recognition of the *sui generis* character of the early modern system of dynastic states, prompting a conflation of the Westphalian Order with the modern system of states, and engendering a failure to specify and explain the social processes that led to the emergence of the modern

system of states. Fourth, Ruggie also failed to challenge Waltz's thesis that the mode of operation of the modern system of states can be understood in terms of the pressures implied by anarchy. In other words, he failed to develop an alternative 'reproductive logic' for modern international relations.

Empirical misjudgements and theoretical failures cannot be dissociated from Ruggie's preferred constructivist approach. For does it suffice to conceive property rights or sovereignty exclusively in terms of institutions defined as intersubjective conventions that are, by definition, non-coercive and consensus-oriented, or should we not conceive them in terms of social relations involving also force and coercion, that is, conflict and imposition? Can we simply read off changes in system-structure, innovations in regime-formation, or the very formation of the sovereign modern state from a series of intersubjective negotiations and agreements among political elites, be these changes domestic in origin or the result of a chain of international peace congresses? In other words, is it possible to identify broader social forces with antagonistic interests that drive political and geopolitical change in domestically and internationally conflictual and violent processes? Constructivism's methodological grasp and explanatory scope do not exhaust the empirical and theoretical issues at stake.

The Core Theoretical Argument

These research questions prompted the mobilisation and a systematic perusal of extra-IR literatures on the identity of historical epochs and the logic behind epochal transitions. Here, the core research problem is defined by the long-standing debates on the rise of the modern state, including the body of thought on medieval and early modern state-building, and on the rise of modern economic relations, including the literature on pre-capitalist economic systems and the origins of capitalism. A further set of core questions emerged: How to theorise the historically specific relations between historically diverse political communities and their economic systems and the logic behind their transformations in their relevance for international relations? What is

² Ruggie 1993, 168-9.

the nexus between the development of the modern state and, *a fortiori*, of a plurality of states and capitalism? How can we identify the agents of these transformations? What are the wider implications for IR theory?

The core theoretical argument, developed in elaboration of the principles of Political Marxism and stated at its most abstract, is that the diversity of geopolitical systems and their variations in the patterns of conflict and co-operation are predicated on the specific identities of the systems' constitutive units.³ The identity of these political units is primarily defined by distinct social property relations, mediating the relations between the dominant classes. The time-bound balances of social forces find expression in politically-constituted institutions which set the parameters for class-specific and therefore antagonistic strategies of action. Political institutions fix social property regimes and provide rules and norms for the reproduction of historically specific class relations. While politically-constituted property regimes institutionalise social conflicts in time and space and set the time-bound absolute limits for strategies of actions, they may turn themselves into the object of contestation in times of general crisis. Yet, no transhistorical theory of general crisis is available that can be superimposed upon the historical evidence. On the contrary, the conditions, the general course, and the outcomes of these crises can only be established through concrete historical inquiry. Geopolitical transformations are governed by the variable, but not contingent, resolution of these social conflicts that generate new property regimes and authority relations that fix the new status quo while providing new rules and norms for its reproduction. Changes in property regimes re-structure the identity of political communities and their associated forms of conflict and co-operation. Rule-maintenance and rule-negotiation - violent or not - are actively played out processes.

This core theoretical argument will be referred to throughout the text as the theory of social property relations. It will be deployed as a heuristic device. This alternative theoretical point of departure generates a series of new substantive results that challenge central assumptions of mainstream IR theory.

³ Core texts of this tradition of thought include Brenner 1977, 1985a, 1985b, 1986, 1989, 1993; Wood 1991, 1995; Comninel 1987. Cf. also Anderson 1974a and 1974b and Rosenberg 1994.

Composition and Distribution of the Argument

The substantiation of the theory of social property relations in its implications for IR is distributed over six chapters. The remainder of Chapter 1 sets out critically the conventional IR understanding of Westphalia. It shows how different IR paradigms converge in dating and defining the advent of the modern system of states with the signing of the Westphalian Peace Treaties of 1648. It concludes by suggesting that a rectification of that disciplinary foundation myth requires an alternative theoretical framework and a broader reconceptualisation of both, the medieval-early modern-modern transitions and their respective geopolitical orders.

Chapter 2 presents the theory of social property relations in more detail and theorises the specific properties of medieval geopolitics on this basis. The historical-conceptual exposition is preceded by a theoretical discussion which examines the IR debate on the Middle Ages, demonstrates the insufficiency of existing IR approaches to medieval geopolitics, compares and contrasts Max Weber's and Karl Marx's notions of feudalism, and reformulates the Marxist theorem of the logic of production in terms of the logic of exploitation as the core analytical device for pre-capitalist societies. The argument is that prevailing social property relations are institutionalised in lordships that constitute the core political units of medieval order. Political and geopolitical inter-lordly relations are governed by the action-defining parameters set by these lordship-based property regimes. Lordships fix determinate class-related and antagonistic strategies of action that inform the specific nature of a series of medieval geopolitical phenomena: the medieval 'state', patterns of expansion, territory and frontiers, war and peace, and the structure of early, high, and late medieval geopolitical order are internally related to prevailing social property relations.

Chapter 3 offers an empirically informed explanation of the transition from the semi-hierarchically structured last pan-European Empire - the Carolingian Empire - to the personalised anarchy around the year 1000 and the subsequent emergence of an anarchical system of feudal kingdoms. This twofold transformation of medieval geopolitics is synonymous with the transition from the early to the high to the late Middle Ages. The narrative is theoretically organised in terms of the real history of the social relations of lordship. The purpose of this chapter is fivefold: First, it shows how structural differences in the constitution of early, high, and late medieval order are

internally related to differences in their respective property-regimes. Second, it demonstrates how class conflicts triggered system-wide crises which led to systemic breakdowns and qualitative systemic renewals. Third, it exemplifies how chronologically simultaneous, socially combined, yet geographically uneven patterns of expansion in the European periphery during the 11th Century were unleashed by a prior re-structuration of class relations in the core regions of Frankish Europe. Fourth, it argues that the post-millennial fourfold outward-movement, led by Frankish knights, established in the European periphery variations in the politically-constituted property regimes that had long-term consequences for diverging patterns of feudal state-formation in England, Spain, Eastern and Southern Europe, as well as in France itself. Fifth, it develops the wider argument that the very constitution of Europe as a political pluriverse - a long-term phenomenon which IR tends to take for granted - is linked to the crisis-ridden social processes that dissolved the last pan-European Empire around the millennium. This dissolution engendered the spread of feudal relations of domination and exploitation over the continent, establishing the geographical and territorial parameters of contemporary Europe. The implication of this thesis for the relation between capitalism and the territorially divided modern system of states will be re-examined at a later stage.

Chapter 4 turns to the problem of the origins of the modern state and, by extension, the modern system of states. It provides a critique of two dominant rival paradigms - the commercialisation model and the geopolitical competition model - on the transition to political modernity. The argument is that both macro-paradigms fail on theoretical and empirical grounds in their capitalism-driven or war-driven explanations of the formation of the modern state and are therefore of little help to theorise the origins of the modern system of states.

The commercialisation model suggests that modern state-formation is an outcome of the quantitative expansion of trade, the growth of towns, the increasing international division of labour, and the rise of the bourgeoisie. The development of commercial capitalism, understood in terms of production for and exchange on the market, is variously held to have taken place during the high Middle Ages, the Renaissance, or the 'long 16th Century'. However, since this definition of capitalism as market exchange is in essence transhistorical, it cannot be squared with the historically, chronologically, and regionally specific emergence of the first modern state in Max

Weber's sense, nor can it explain the historically specific and regionally confined onset of sustained economic growth, permanent technological innovations, and the overcoming of the Malthusian trap by steady demographic growth - processes that are conventionally associated with the onset of capitalism proper. The chapter thus dismisses the definition of capitalism as commercial exchange and develops an alternative conception of capitalism understood as a determinate relation of production, predicated on qualitatively new social property relations to which a specifically modern form of sovereignty is internally related. The genesis of this new property regime and state-form is located in and unique to early modern England.

The geopolitical competition model argues that intensified international rivalry mediated by war led to pressure for the public monopolisation and centralisation of the means of violence, engendering cost increases that prompted innovations in public income provisions. These led to new modes of taxation and fiscality and a general trend towards the rationalisation, juridification and consolidation of the state apparatus, generating eventually the sovereign modern state. Against this strand of reasoning, the argument is made that the model starts from, but has no theory of, the constitution of Europe as a geopolitical pluriverse, lacks a social theory of war, cannot square the universality of war with regional variations in state developments, remains confined to an institutional approach, and generally conflates the formation of the early modern absolutist state with the genesis of the modern state.

Conventional explanations of the rise of political modernity have focused on France as the archetypical case of successful state-formation during the age of absolutism. Since France was the major signatory of the Westphalian Peace Treaties and since it came, next to Sweden, to guarantee the Westphalian Settlement as a *Garantiemacht* (guaranteeing power), chapter 5 critically re-examines the dominant theories of absolutism and offers an alternative explanation of the nature of Old Regime France. The argument is that the French polity was neither a modern state, as the IR community conventionally assumes, nor a necessary precursor of the modern state, as the Neo-Weberian and classical historiographical literature declares. The chapter also shows that French absolutism cannot be regarded as a transitional stage towards capitalism as the Marxist orthodoxy maintains. Rather, existing pre-capitalist social property relations sustained a patrimonial-dynastic state whose developmental long-term trajectory was characterised by an economically involutory and politically

and geopolitically crisis-ridden logic that, instead of fundamentally changing, rather entrenched prevailing class relations. The structure of class relations generated social conflicts that threw French society into a downward cycle of recurring financial and military crisis that, far from re-structuring property relations in a modern and capitalist direction, exhausted the economic potential of the agrarian economy while promoting the hypertrophical growth of a non-productive pre-modern state apparatus. The chapter exemplifies the pre-modern logic and involutory dynamic of French absolutism with reference to the growth of the patrimonial 'bureaucracy' and the implications of office venality, the structure of political institutions, the question of legislative uniformity, the nexus between the costs of warfare and public finances, and the nature of the military constitution of the Old Regime. The general character of these institutions demonstrates the absolute limits to the modernising potentials of the absolutist state. The chapter ends by suggesting that the involutory politico-economic long-term pattern of development led eventually to the complete financial exhaustion and breakdown of French absolutism which, under the impact of international military competition and mediated by profound class conflicts, postponed *ex hypothesis* the transformation of the French state in a modern direction to the period between the French Revolution and the Third Republic. However, if these arguments hold, then we are in a position to fundamentally re-theorise the general character of the Westphalian system of states dominated by Old Regime France and to refute the IR consensus on Westphalia's modernity.

Chapter 6 challenges the core, repeatedly reproduced, constitutive IR myth claiming that the Westphalian Settlement inaugurated the era of modern international relations among sovereign states, and provides a new interpretation of the early modern system of dynastic states. It argues that neither (neo-)realism nor constructivism recognise nor that they are able to explain the distinctively pre-modern specificity of inter-dynastic relations exemplified by such core phenomena like the persistence of empire-building, political marriages, dynastic unions, wars of succession, dynastic 'international' law, circulating territories, inter-dynastic compensatory equilibrium, and bandwagoning. It shows how these core features of early modern conflict and co-operation are predicated on the persistence of pre-capitalist social property relations and dynastic-proprietary forms of sovereignty. The chapter also provides a content analysis of the Westphalian Peace Treaties, concluding that the

Treaty provisions, far from indicating a breakthrough towards modern principles of international relations, evinced restorative tendencies intended to legally codify a return to the *status quo ante bellum*.

However, if a pre-modern geopolitical order persisted well beyond 1648, how then can we explain the onset of specifically modern international relations? The answer points to the endogenous establishment of capitalist social property relations in late 16th Century England, its effect on the transformation of the English state during the 17th Century (the shift from dynastic to parliamentary sovereignty), and its wider impact on the continental system of pre-modern states during the course of the 18th Century. While this argument is not fully substantiated, the thesis is advanced that capitalist- parliamentary Britain adopted the practice of active continental balancing and territorial disengagement as new foreign policy techniques, imparting a new dynamic to the old system of dynastic states in a mixed case scenario. It is suggested that this partial manifestation of Britain's politico-economic modernity should form the point of departure for further research on the general rise and expansion of modern international relations among capitalist states.

What conclusions can be drawn from these theses for the general nexus between capitalism and the modern system of states? The historical exposition leads to the following hypothesis: capitalism and the modern system of states as a political pluriverse are not of a pair. They have to be conceptually dissociated. The territorially fragmented character of the contemporary system of states is a determinate, not a contingent, historical legacy of the pre-capitalist era, reaching back to the class-conflicts that dissolved the Carolingian Empire. While the territorial configuration of Europe changed over the course of the subsequent centuries, the basic principle of multiple territories did not. Capitalism was born into this system, yet its genesis was unique to early modern England. In other words, capitalism requires a state, but not necessarily many of it. While the subsequent crisis-ridden and geopolitically mediated expansion of capitalism altered during the 19th and early 20th Centuries the political regimes of the continental states - from dynastic-absolutist to modern-bureaucratic states -, it did not alter the territorially divided nature of the European system of states.

Counterfactually, it is thus possible to argue that if capitalism had emerged in the context of an empire, its development would not have required a multiplicity of states, though it would have transformed the imperial constitution. If capitalism and a

polycentric system of states are conceptually to be dissociated, yet historically combined, then we have arguably developed a new intellectual basis from which to re-examine the wider contemporary question of the relation between a capital-driven and universalising world-market and the tendency - real or not - towards the transcendence not of the state as such, but of a system of states.

The Myth of 1648: The Conventional Interpretation of the Westphalian System of States

The Peace Treaties of Westphalia that ended the Thirty Years' War have achieved over time the status of a foundation myth within the modern discipline of IR. Cross-paradigmatic convergence on 1648 as marking the origins of modern international relations has given the discipline a sense of theoretical direction, thematic unity, and historical legitimacy. A subterranean line of tacit acceptance is running through the literature, passed down unexamined from IR generation to IR generation. Dates cannot lie, and the more distant the dates, the lesser the willingness to uncover their social content, context, and meaning. However, chronological periodisation is no innocent exercise - a mere pedagogical and heuristic device to plant markers into the uncharted flow of history. It entails assumptions about the historical duration and, therewith, identity of specific epochs and geopolitical orders as it implicates IR theories on the adequacy of criteria adduced to theorise continuity or discontinuity of international orders. Consequently, agreement on 1648 as marking the origins of the modern system of states implies follow-up claims on the persistence of the Westphalian order spanning the period between the mid-17th Century and contemporary times. While few IR scholars would argue that 17th Century European politics can be directly compared with 20th Century international politics, most would agree that the fundamental principles of geopolitical order have not changed in the course of the last 350 years.

According to the conventional interpretation in IR, shared by realists and constructivists alike, the Westphalian Treaties constituted a decisive turning-point in the history of international relations. After 1648, formalised relations between modern

sovereign states superseded the criss-crossing relations between heterogeneous feudal conflict-units and the hierarchical claims of Empire and papacy.⁴ The consolidation of exclusive sovereignty resting on the internal monopolisation of the means of violence translated into exclusive control by central rulers of the instruments of foreign policy, viz. control of the army, diplomacy, and treaty-making. By the mid-17th Century, only central rulers in charge of these prerogatives became subjects of international law, based on mutual recognition to the exclusion of rival domestic centers of power. With the arrogation of the means of violence by multiple sovereigns and the concomitant establishment of bounded territoriality, the field of politics was formally differentiated into distinct domestic and international spheres, based on internal political hierarchy and external geopolitical anarchy. After the Westphalian Settlement, non-territorial political actors (city-states, city-leagues), feudal lords, and other corporate actors 'dropped out' of international politics. International relations came to be institutionalised in permanent embassies, co-ordinating international affairs through regular diplomatic intercourse, governed by codified and binding diplomatic protocols, culminating in the regular convocation of multilateral congresses. At the same time, political sovereignty and the discourse of *raison d'État* secularised international relations by undermining the power of religion as the dominant mode of legitimacy, curtailing the universalising ambitions of the Roman Catholic Church. The separation between politics and religion and the concomitant idea of self-determination entailed the recognition of the principle of peaceful coexistence among legally equal members of international society, embodied in a code of international law which acknowledged mutual recognition, non-interference, and religious toleration. Henceforth, universal conceptions of empire or *res publica christiana* gave way to the workings of the balance of power as the natural regulator of competitive international relations in a multipolar anarchical environment. In the period between the Peace of Westphalia (1648) and the Peace of Utrecht (1713), the international states system started to display modern forms of international relations.

⁴ Realist scholars include Gross 1948, 28-9; Morgenthau 1985, 293-4 and 328-9; Gilpin 1981, 111; Holsti 1991, 20-21 and 25-6. Constructivists include Ruggie 1986, 141-49, 1993, and 1998; Kratochwil 1986 and 1995; Krippendorff 1985, 272-81; Wendt 1992, 414; Spruyt 1994, 3ff.; Giddens 1985, 83-121. Cf. also Arrighi 1994, 36-47. English School authors include Butterfield 1966; Wight 1977 and 1978; Bull 1977; Armstrong 1993, 30-40.

Paradigmatic IR Perspectives

Neorealist and Realist Perspectives: 1648 as the Majestic Portal to International Modernity

In the neorealist tradition, the significance of the Westphalian settlement is played down on theoretical grounds. Its fundamental thesis of a basic invariance in the conduct of conflict-units, regardless of their identity and the nature of the international system provided that it is multipolar and thus anarchical, precludes a recognition of 1648 as a fundamental break in the logic of international relations. Markus Fischer's account of feudal Europe concludes with the assertion that the actual practice of feudal actors 'supports the neorealist view that conflict and power politics are a structural condition of the international realm - present even among individuals in a stateless condition.'⁵ If anarchy defines medieval geopolitics even in the presence of hierarchical, communal, and universal discourses, then Westphalia cannot, by definition, depart from this principle. On a spectrum of principles of geopolitical order defined by the absolute ends of anarchy and hierarchy, Westphalia constitutes only a reaffirmation of the timeless logic of anarchy, supporting the neorealist thesis of transhistorical structural continuity.

While the realist tradition also embraces the general theorem of the long-term logic of anarchy, it recognises 1648 as the decisive turning-point in the history of international relations, institutionalising anarchy under conditions of a modern system of sovereign states. While the basis of anarchy has changed, i.e. while we may discern a discontinuity in the constitutive actors of the system and thus a change in the form of anarchy, its logic remains unaltered. Within the classical Realist tradition, one of the earliest and most authoritative statements came from Hans Morgenthau.

'The modern system of international law is the result of the great political transformation that marked the transition from the Middle Ages to the modern period of history. It can be summed up as the transformation of the feudal system into the territorial state. The main characteristic of the latter, distinguishing it from its

⁵ Fischer 1992, 428.

predecessor, was the assumption by the government of the supreme authority within the territory of the state. The monarch no longer shared authority with the feudal lords within the state territory of which he had been in a large measure the nominal rather than the actual head. Nor did he share it with the Church, which throughout the Middle Ages had claimed in certain respects supreme authority within Christendom. When this transformation had been consummated in the sixteenth century, the political world consisted of a number of states that within their respective territories were, legally speaking, completely independent of each other, recognizing no secular authority above themselves. In one word, they were sovereign. (...).⁶

The constitution of modern territorial states translated, according to Morgenthau, directly into the formulation of rules for modern international relations. 'A core of rules of international law laying down the rights and duties of states in relation to each other developed in the fifteenth and sixteenth centuries. These rules of international law were securely established in 1648, when the Treaty of Westphalia brought the religious wars to an end and made the territorial state the cornerstone of the modern state system.'⁷ Morgenthau explicitly equates absolutist sovereignty with modern sovereignty. 'The modern conception of sovereignty was first formulated in the latter part of the sixteenth century with reference to the new phenomenon of the territorial state.'⁸

Leo Gross, equally regards 1648 as the decisive cesura which divided the medieval world characterised by universalism and hierarchy from the 'modern' world characterised by pluriversalism and anarchy.

'The Peace of Westphalia, for better or worse, marks the end of an epoch and the opening of another. It represents the majestic portal which leads from the old into the new world.'⁹

Subsequent international peace settlements - 1713, 1815/18, 1919, and 1948 - do not dislodge the underlying state-centric, positivistic, and voluntaristic logic of modern international law as originally laid down in Münster and Osnabrück, but merely refine and entrench its basic maxims in an evolutionary manner. The Peace of Westphalia, as Gross' title indicates, lasted at least three hundred years, that is, until the time of his publication in 1948. His evaluation of the Treaty under the impact of World War II as

⁶ Morgenthau 1985, 293-4.

⁷ Morgenthau 1985, 294.

⁸ Morgenthau 1985, 328.

⁹ Gross 1948, 28.

a 'disorganization of the public law of Europe'¹⁰ is followed by a call for a return to an organic conception of the international community of states, based on the objective natural law doctrines of *ius gentium* as formulated by Vittoria.¹¹

While the evaluative premises of these scholars may not concern us here, it may be argued that these two canonical interpretations of 1648 - Morgenthau's and Gross', often cited and re-cited - have set to a considerable degree the parameters for the contemporary IR discourse on Westphalia's essential modernity. Let us further reconstruct the transmission of the myth of 1648.

In Robert Gilpin's scheme, which divides world-history into a pre-modern cycle of empires and a modern system of power-balancing among nation-states characterised by a succession of hegemonies, the break to modernity is located, though somewhat ambiguously, in the 17th Century.

'(...) imperial orders constituted merely a system of states, not what Hedley Bull characterized as an international "society". International conflict was at once economic, social, political, religious, and civilizational. This was true until the Treaty of Westphalia (...).'¹²

Henceforth, international relations are institutionally insulated from non-political determinants of foreign affairs and regulated by a succession of hegemonies within a wider anarchical system of modern states.

For Kalevi Holsti 1648 marked equally a turning-point in the history of European international relations.

'The Peace of Westphalia organized Europe on the principle of particularism. It represented a new diplomatic arrangement - an order created by states, for states - and replaced most of the legal vestiges of hierarchy, at the pinnacle of which were the Pope and the Holy Roman Emperor.'¹³

His later qualifications concerning the terms and implications of the Treaty do not so much challenge its modern anarchical consequences based on mutually recognised legal

¹⁰ Gross 1948, 29.

¹¹ ' Instead of heralding the era of a genuine international community of nations subordinated to the rule of the law of nations, it led to the era of absolutist states, jealous of their territorial sovereignty to a point where the idea of an international community became an almost empty phrase and where international law came to depend upon the will of states more concerned with the preservation and expansion of their power than with the establishment of a rule of law.'
Gross 1948, 38.

¹² Gilpin 1981, 111.

sovereignty, than its failure to go beyond the mere establishment of a system of states - its failure to establish an effective system of peace. Westphalia '(...) did not provide a set of authoritative principles, effective system of governance, or conflict-resolving institutions upon and through which the aspiring dynasts of the postwar period could conduct their mutual relations on a pacific basis.'¹⁴

The 'English School': Antedating Westphalia

While the English School views the Westphalian settlement less as a sudden rupture, but rather as one moment in a series of transformative processes which characterised the period between the Council of Constance (1414-18) and the Treaty of Utrecht (1713) on the road from pre-modern to modern international relations, it retains a strong sense of the centrality of 1648.

For Martin Wight, Westphalia marks not so much the beginning of the modern system of states, than its perfection after a long period of gestation and maturation.

'If we say that the states-system becomes apparent in the later seventeenth century or early eighteenth century, we are left with the task of providing a description for the European system between the Council of Constance and the Congress of Westphalia. And however we describe it, this system has a greater resemblance to the states-system that succeeds it than it has to the medieval system that precedes it. The real break, prepared through the fourteenth century, becomes manifest in the fifteenth.'¹⁵

Thus, 'at Westphalia the states-system does not come into existence: it comes of age.'¹⁶ While Wight's chronology thus antedates the origins of the modern system of states to the late Renaissance period, we may note that even within his own interpretive framework an unresolved contradiction remains between his second (mutual recognition among states) and his third criterion (accepted hierarchy among them) of international modernity. While it remains unclear in which sense accepted hierarchy can be associated with the modern doctrine of formal legal inter-state equality - unless we commit a category error and introduce 'Great Powers' whose

¹³ Holsti 1991, 25.

¹⁴ Holsti 1991, 26.

¹⁵ Wight 1977b, 151.

ranking is based on political power and not on law -, the movement from a hierarchical to an egalitarian principle, inscribed into the reciprocal recognition of sovereignty, is by his own reasoning not achieved before the Congress of Vienna. 'From the fourteenth to the eighteenth centuries it was assumed that the states of Western Christendom fell into a hierarchy.'¹⁷ If this was the case, and we believe it was, would this not, at a minimum, qualify Westphalia's pretension to inter-state modernity?

Holzgrefe also leaves little doubt that the origins of modern international relations theory have to be sought in the shift from late medieval and early Renaissance notions of a community of mankind (*ius gentium*) to absolutist - meaning for Holzgrefe: modern - notions of international public law (*ius inter gentes*) - *gentes* organised in sovereign states. The main criterion, adduced to determine this medieval-to-modern shift, is seen in the state's monopoly of military force, from which exclusive international treaty-making powers and diplomatic representation are deduced. The decisive 'transformation of European political relations' occurred 'between 1450 and 1550'¹⁸ and finds international recognition in 1648.

'By the mid-seventeenth century both the states' *de facto* monopoly of military force and their exclusive right to exercise that force were widely established and accepted. Even the sovereign principalities of the historically anachronistic Holy Roman Empire had their right to wage war explicitly recognized in the *Peace of Westphalia*.'¹⁹

Constructivist Perspectives: 1648 as the 'Usual Marker'

While constructivist writers criticise Neorealism and Realism for failing to specify the determinants of fundamental geopolitical change, they nevertheless concur with them on the conventional chronology of the medieval-to-modern shift as they provide an identical description of the general properties of the Westphalian Order.

For John Gerard Ruggie, whose account revolves around the construction of modern exclusive territoriality, only one fundamental shift - disregarding for the moment his thoughts on a possible shift from a modern to a post-modern international

¹⁶ Wight 1977b, 152. Cf. also 1977a, 42-3. On Wight's conflation of absolutist sovereignty with modern sovereignty cf. Wight 1966b, 20-21.

¹⁷ Wight 1977b, 135

¹⁸ Holzgrefe 1989, 22.

¹⁹ Holzgrefe 1989, 16.

system - in the structure of the international system has occurred, namely 'the shift from the medieval to the modern international system'.²⁰ However, in Ruggie's case - setting him apart from the majority of historicising IR scholars -, the criteria adduced to account for this shift are not sought in the external properties of the system's constitutive units, but in their internal properties, that is, first and foremost, in their internal property rights.

'(...) The early modern redefinition of property rights and reorganization of political space unleashed both interstate political relations and capitalist property relations.'²¹

That this transformation was not brought about by 19th Century England, but rather by 17th Century France, is made clear by Ruggie's citation of Perry Anderson. 'The age in which "Absolutist" public authority was imposed was also simultaneously the age in which "absolute" private property was progressively consolidated.'²² Although the Peace of Westphalia is not elevated in Ruggie's account to the position of the cataclysmic denouement of outdated medieval international practices, it is acknowledged as 'the usual marker of the inception of modern international relations',²³ and remains as such unchallenged. In his theoretically informed narrative, the transformation in the organisation of political space is clearly situated in the Renaissance period,²⁴ sometimes even earlier, viz. after the end of the Hundred Years' War. The modern state, in Ruggie's words, 'was invented by the early modern Europeans. Indeed, it was invented by them twice, once in the leading cities of the Italian Renaissance and once again in the Kingdoms north of the Alps sometime thereafter.'²⁵

²⁰ Ruggie 1986, 141. Cf. also Kratochwil 1986. 'The historical interest [sc., in the problem of the function of boundaries in territorial and nonterritorial social orders, B.T.] is rooted in the need for a better understanding of those changes that led to the emergence of the European state system in the 17th century, after the demise of the medieval empire.' Kratochwil 1986, 51. 'The Treaty of the Pyrenees (...) inaugurated the first official boundary in the modern sense (1659).' Kratochwil 1986, 33.

²¹ Ruggie 1986, 148.

²² Ruggie 1986, 143. My own account of absolutism, developed in chapter 5, diverges therefore not only from Ruggie's but also from Anderson's.

²³ Ruggie 1993, 167.

²⁴ 'It is the last of these space-time frames [sc. the Renaissance, B.T.] that concerns me here, because it also marks the transformation that produced the modern mode of organising political space; the system of territorial states.' Ruggie 1993, 147.

²⁵ Ruggie 1993, 166.

Hendrik Spruyt's study does equally not diverge from the conventional dating of the origins of the modern system of states.

'At the end of the Middle Ages, the international system went through a dramatic transformation in which the crosscutting jurisdictions of feudal lords, emperors, kings, and popes started to give way to territorially defined authorities. The feudal order was gradually replaced by a system of sovereign states.'²⁶

Three theses set him apart from previous writers. First, the causes for systems change have to be identified in the causes behind unit changes. Second, the rise of the first modern state - France - antedated Westphalia by about two hundred years. Third, during the intervening period, once the non-territorial feudal organisation of political space as well as the hierarchic claims of Emperor and Pope had passed, institutional competition selected the sovereign state over and against synchronic rival political organisations (city-states, city-leagues, independent communes) as the most successful organiser of social life. Its success was finally internationally legally recognised in 1648. 'My discussion ends at about the time of the Peace of Westphalia (1648), which formally acknowledged a system of sovereign states.'²⁷ In this perspective, the rise of the Capetian monarchy exemplifies the development of the modern, territorial, and sovereign state. He concurs with Joseph Strayer that 'in France the basis of a sovereign, territorial state had been laid by the beginning of the fourteenth century',²⁸ that is, even before the outbreak of the Hundred Years' War. Thus, Spruyt agrees that 1648 saw the international codification of the European-wide victory of the sovereign state after a long period of competitive institutional selection. The emergence of the first modern state is thus not dated in the absolutist period, but between the 14th and the 15th Centuries - a period which most historians would describe as experiencing, after the state-threatening crisis of the Anglo-French war, the consolidation of the French feudal monarchy.

Anthony Giddens sets his discussion of the Westphalian system of states within the context of the nature of the absolutist state. While choosing to abstain from

²⁶ Spruyt 1994, 3.

²⁷ Spruyt 1994, 27. Cf. also p.29 and his remarks on 1648 in footnote 125 on p. 257.

²⁸ Spruyt 1994, 79. Cf also his qualification: 'It would be too much to suggest that we find modern France in the 1300s. There was still a protracted war with England to come, years of religious turmoil, and domestic opposition by cities, nobility, and clergy. Nevertheless, we do already find the essential traits of modern statehood.' Sic! Spruyt 1994, 79.

theorising the transition from feudalism to absolutism in order to highlight the generic properties of the absolutist state in Weberian typological-comparative fashion, he is evasive in his assessment of its nature.

‘In terms of the development of a novel type of reflexively monitored state system, then, absolutism began to prise open the discontinuities that separate the modern world from prior epochs. Absolutism still retained large elements of the feudal order that preceded it, and was more different from the nation-state system that was its heir than it is from feudalism.’²⁹

While absolutism is thus regarded as essentially ‘transitional’³⁰, modern sovereignty is held to be in place by the 17th Century and combined with the novel properties of a ‘reflexively monitored state system’, defined by standing diplomacy, a congress system, bounded territoriality, and the balance of power. While we see thus only an incipient transition towards modern international relations, Giddens leaves no doubt that the further evolution towards geopolitical modernity is bound up with the (gradualist?) development of the French state. ‘Absolutist France is the first example of a state that played a directive role in European politics without becoming a transnational entity of the old type, and thus genuinely ushered in the beginnings of the modern era.’³¹ However, without a processual theory of state formation which clearly sets out the criteria which allow us to define political and geopolitical modernity, Giddens’ account remains ambivalent.

Giovanni Arrighi: Westphalia under Dutch Hegemony

Arrighi’s account of the Peace of Westphalia is embedded in a wider Braudelian-Gramscian theory of the development of the modern capitalist world-economy. He starts from the assumption that the cycle of capital accumulation operative at the micro-level of the firm (MCM’) can be transposed to the macro-level of the international system in order to explain the dynamic behind a series of hegemonic cycles of capital accumulation on an international scale.³²

²⁹ Giddens, 1985, 93.

³⁰ Giddens 1985, 98.

³¹ Giddens 1985, 104.

³² Arrighi 1994, 6-9.

The basic logic of these succeeding cycles can be summarised as follows: The rise of a hegemon is bound up with internal technological and organisational innovations which prompt a phase of material expansion. Inter-capitalist competition and declining returns to these innovations coupled with catching-up processes by rivalling powers lead to a displacement of the center of accumulation to finance, prompting a phase of financial expansion. This constitutes a shift from fixed and inflexible productive capital into flexible financial capital. The exhaustion of this second phase of capital accumulation and the rise of a nascent rival hegemon leads to systemic crises which are resolved by hegemonic war in favour of the new hegemon, which has successfully re-structured its technological and organisational mode of production and administration. A new cycle of hegemonic expansion and capital accumulation sets in.

Four systemic cycles of accumulation spanning modern history can be distinguished, operated by a succession of hegemons, which each time define a 'long century', change the structure of international relations, and expand the geographical scale of the capitalist world-system.

'A Genoese cycle, from the fifteenth to the early seventeenth centuries; a Dutch cycle, from the late sixteenth century throughout most of the eighteenth century; a British cycle, from the latter half of the eighteenth century through the early twentieth century; and a US cycle, which began in the late nineteenth century and has continued into the current phase of financial expansion.'³³

This scheme rests on a very distinct Braudelian definition of capitalism. Capitalism does not refer to a specific economic relation of production between capital and wage-labour, but refers to the 'top layer of the hierarchy of the world of trade - a monopolistic 'anti-market' - from which a 'middle layer of the market economy' and the 'bottom layer of material life' are distinguished.³⁴ Capitalism proper denotes exclusively the former. This notion of capitalism is understood to require state power (a fusion of state and capital), so that the concentration, accumulation, and expansion of capital is inherently a political process mediated by inter-state competition for mobile capital. The expansion of capital is thus a distinctly political and geopolitical process, which implicates the structuring and restructuring of the system of states,

³³ Arrighi 1994, 6.

³⁴ Arrighi 1994, 24.

predicated on a capitalist hegemon, which constitutes a bloc of governmental and business organisations. In this perspective, 'the really important transition that needs to be elucidated is not that from feudalism to capitalism but from scattered to concentrated capitalist power.'³⁵ While this account evokes Weberian themes of the state as a 'power-container' which is the precondition for the successful expansion of capitalism, it introduces furthermore the Gramscian idea of hegemonic power.

Each international system is thus not simply structured by inter-state competition for mobile capital, but requires a 'world hegemon' which defines the rules of international conduct, order, and minimal co-operation. Thus, hegemonic systemic cycles of accumulation are not simply defined by the rise and decline of states within the framework of an invariant system of states, but imply that the very organisational structure, mode of operation, and geographical scope of the system is restructured under the aegis of each new hegemonic leader. Hegemony, in the Gramscian sense, implies thus not only coercion, but also leadership of 'the system of states in a desired direction', so as to pursue a perceived 'general interest', both among domestic subjects as well as among a group of states, as well.³⁶

While Arrighi's account is open to many fundamental criticisms - his definition of capitalism, his prioritisation of the logic of circulation in abstraction from the logic of production, his failure to theorise technological innovations in relation to the sphere of production, his failure to relate social change to class conflict, his failure to theorise the domestic causes underlying hegemonic rise and decline, and his bias towards theorising the nature of the pre-British international system predominantly with respect to the alleged hegemonic role played by oligarchic merchant republics rather than by the preponderance of dynastic-absolutist states -, his attempt to explain the Westphalian moment fails even on his own terms.

While the alleged hegemonic role of the Italian city-states, supervising a proto-capitalist world system, is already qualified by Arrighi's admission that it remained 'enmeshed' in a medieval feudal world and 'never attempted individually or collectively a purposive transformation of the medieval system of rule', the United Provinces are

³⁵ Arrighi 1994, 11.

³⁶ Arrighi 1994, 29.

assigned the task to 'transform the European system of rule to suit the requirements of the accumulation of capital on a world scale.'³⁷

"It was under these circumstances [sc. the intensification of the European power struggle between France and the Habsburg Imperial House, B.T.], that the United Provinces became hegemonic by leading a large and powerful coalition of dynastic states towards the liquidation of the medieval system of rule and the establishment of the modern inter-state system. (...) This reorganization of political space in the interest of capital accumulation marks the birth not just of the modern inter-state system, but also of capitalism as world system.'³⁸

This account is questionable. First of all, to what extent was the Thirty Years' War a hegemonic war? Its depiction as a hegemonic war which ushered in the decline of the preceding hegemon - the Italian city-states - and the rise of the new hegemon - the Dutch provinces - does not square with the real nature of the power struggle among two blocs of territorial-absolutist states, amongst which France emerged victorious. The story of Dutch independence was minor in relation to the conflicts which re-structured relations between the German Empire, France, the House of Habsburg, and Sweden.

Second, to which extent did Holland consciously manage the transition from 'systemic chaos' to 'ordered anarchy' so as to become world-hegemonic? While the Dutch provinces achieved, of course, independence, it does not follow that hegemony in Arrighi's interpretation of the Gramscian term, implying the adoption and imposition of a new mode of international organisation and governance, was achieved and enforced by Holland. Holland, by Arrighi's own admission, never reaped the fruits of its alleged world-hegemony. 'The Dutch never governed the system they had created. As soon as the Westphalia System was in place, the United Provinces began losing its recently acquired world-power status.'³⁹ The series of post-Westphalian Anglo-Dutch commercial wars and Louis XIV's repeated attempts to conquer Holland certainly minimise Arrighi's over-optimistic characterisation of 17th century Holland. If France and England failed to subjugate the Dutch, Holland certainly failed to impose its ascribed world-hegemony on them. The two dominant post-Westphalian powers

³⁷ Arrighi 1994, 39/40.

³⁸ Arrighi 1994, 43 and 44.

³⁹ Arrighi 1994, 47.

became, of course, France and Sweden which came to supervise the Treaty provisions in their quasi-hegemonic roles as guaranteeing powers (*Garantiemächte*).

Third, to which degree was Holland's rise bound up with innovations in the field of production and organisation - Arrighi's first phase of material expansion? Holland, as Arrighi explicates himself, emerged as a European power not so much because of innovations in productive technology, than because of its ability to monopolise the carrying-trade in the Atlantic and the Baltic, so as to establish itself as a major entrepôt.⁴⁰ In this sense, Holland's rise was not predicated on any internal productive innovations, than the result of commercial profit-taking. Those organisational advantages which Arrighi adduces - military reforms - testify not so much to Holland's rise as a capitalist power, than to its ability to turn its trading profits into military innovations, protecting and re-producing its monopolistic control over the circuits of seaborne long-distance trade. This political response was prompted by the persisting logic of political accumulation pursued by its dynastic-absolutist territorialising neighbours.

Holland's post-Westphalian hegemony, in short, is a myth. It neither re-structured international relations in the direction of a modern system of states, nor did it change the age-old commercial logic of unequal exchange sustained by military power.

Stephen Krasner's Dissolution of Westphalia into Historical Contingency

Curiously, for a discipline which traces its scientific pedigree back to 1648 and which celebrated its 350th anniversary at its annual convention in 1998, there is only one serious theoretical engagement and detailed historical interpretation of the Peace of Westphalia itself. It yields rather startling conclusions.

'The conventional view that the Peace of Westphalia of 1648 marks a turning point in history is wrong. The Peace of Westphalia was not a clear break with the past: political entities with exclusive control over a well-defined territory existed well before the Peace, and feudal and universal institutions, which were eventually extinguished, continued well after it.'⁴¹

⁴⁰ Arrighi 1994, 133ff.

⁴¹ Krasner 1993, 235.

One merit of Krasner's analysis lies in uncovering the essentially medieval, backward-looking character of the Treaties.

'The provisions of the Peace itself reflected medieval conceptualizations more than modern ones. [Sc. They, B.T.] dealt primarily with feudal issues such as hereditary succession in specific German principalities, the system by which the Holy Roman emperor was elected, representation in the diet and imperial courts of the empire, and fiefdoms in northern Germany for the victorious king of Sweden.'⁴²

Another merit lies in unsettling the conventional claim that the Treaties established internal sovereignty of the signatories. Rather, 1648 laid down the rules for a system of interstate as well as inner-state peace. 'The treaties did not sanction the right of rulers to do whatever they pleased with regard to the practice of religion within their own territories. The Peace dictated a set of internal practices for much of the Holy Roman Empire (...)'⁴³

However, Krasner fails to draw out the theoretical implications of his empirical corrections. First, Krasner tends to dissolve IR theory into history. His observation that 'modern' institutions of state sovereignty antedated and that feudal institutions of political domination outlasted the Westphalian settlement does not absolve him from theorising these regional differences in the domestic structure of pre- and post-Westphalian political communities. These differences are too easily ascribed to the 'untidiness' of history and the dyachronic temporalities of regionally diverse developmental trajectories in state-formations. Three questions impose themselves. First, what was the generative grammar of feudal forms of political authority? Second, what is the generative grammar of modern sovereignty? Third, how can we theorise the regionally diverging and dyachronic passages of European state-formation? As with pre-modern forms of political authority,⁴⁴ Krasner fails to identify the generative grammar of modern sovereignty. In the period of the transition to a modern system of states, 'heterogeneity and irregular change, rather than the working out of some deep generative grammar, have characterized institutional developments in Europe.'⁴⁵ This neglect goes hand in hand with a denial that regionally specific transitions from

⁴² Krasner 1993, 236. Cf. also 'In sum, the Peace of Westphalia was not a decisive break with the past. It codified existing practices more than it created new ones.' Krasner 1993, 246.

⁴³ Krasner 1993, 244.

⁴⁴ The medieval world did not possess 'a deep generative grammar'. Krasner 1993, 257.

medieval to early modern to modern forms of organising international political authority and geopolitical space can be theorised.

‘Chance and power, *fortuna* and *virtù*, launched local historical trajectories, especially in England and northern Italy, that led in practice to political entities that could assert practical control over a given territory.’⁴⁶

Although allusions are made to the two grand macro-sociological paradigms of the emergence of the modern state - the military technodeterminism thesis and the commercial development thesis -,⁴⁷ in Krasner’s perspective, we see four largely undifferentiated centuries of contestation and counter-contestation of sovereignty, so that the setting up of the European Community, for example, obeys virtually the same logic as earlier historical attempts of transcending the principle of state sovereignty. Consequently, the article ends thus with a call for abdicating large-scale theorisation of the sources of systems change and a methodological retreat into historical contingency. ‘No deep structure is evident in the heterogeneous and fluid character of political order from the Middle Ages to the present.’⁴⁸

Second, his concluding statement that the positive content of sovereignty was and is always a ‘contested’, and ‘contingent and pliant’⁴⁹ social practice, and his inference that the Peace settlement therefore is over-valued in its foundational significance, rests on a serious conceptual error. At Westphalia, so Krasner, there has been no agreement

‘on the scope of authority that could be exercised by sovereign states. The positive content of sovereignty, the areas over which the state can legitimately command, has always been contested. The claim to exclusive control over a given territory has been challenged both in theory and in practice by transborder flows and interference in the internal affairs of states.’⁵⁰

In a related article, Krasner classifies these transborder flows and interferences, compromising Westphalia, as conventions, contracting, coercion, and imposition.⁵¹ The historical examples adduced to compromise a strict conception of ‘Westphalian’

⁴⁵ Krasner 1993, 247.

⁴⁶ Krasner 1993, 257.

⁴⁷ Krasner 1993, 246 and 261.

⁴⁸ Krasner 1993, 261.

⁴⁹ Krasner 1993, 238.

⁵⁰ Krasner 1993, 236.

⁵¹ Krasner 1995, 116.

sovereignty as exclusive control over and autonomy within a territory mistake both, contraventions based on force (coercion and imposition) as well as consensual interstate practices (conventions and contracting), for fundamental challenges to the very principle of sovereignty. This is questionable.

Logically, with regard to contraventions (coercion, imposition), these only qualify as such on the basis of a prior multilateral agreement on the principle of sovereignty as a ground-rule in interstate relations. To draw an analogy, a criminal act is only recognised, penalised, and de-legitimated as such on the basis of a prior inter-subjective agreement on a positive code of penal law. An infringement of the penal code does not call it into question, but rather affirms it. Social practices need a prior politicisation or codification for a subsequent de-legitimation of deviant behaviour. That contraventions occur and re-occur, does not invalidate the general principle but rather activates it.

With regard to Krasner's second class of sovereignty-compromising social practices (conventions and contracting), the same logical exercise holds. The character and consequences of international conventions and contracting depends on a prior domestic definition of the scope of sovereignty. In other words, the effect of 'transborder flows' and 'interference in the internal affairs of the state' depends upon whether a state has agreed to allow for these practices. Again, their mere existence only acknowledges state policies in the form of controlled - and in principle revocable and reversible - delegation of political powers to international organisations or other bilateral or multilateral bodies. Conventions and contracting are outcomes of the practical domestic definition of state sovereignty, and do, as such, not undermine the basic constitutive principle, but are predicated upon it.

Sovereignty, then, does not mean and has never meant, as Krasner insinuates⁵², 'autonomy' nor does or did it imply an internationally recognised codification of its 'positive content'. If it was so, there could not be international politics. Krasner commits a classical category error which lies in conflating sovereignty as a practical category with sovereignty as a constitutive category, that is, failing to distinguish between sovereignty as public policy and sovereignty as a constitutive rule of international order.

Conclusion: Towards a Historical Sociology of the Making of the Westphalian System of States

To conclude, whether we look at neorealist, realist, 'English School', constructivist, or world-systemic approaches, or whether we look at writings of the first IR generation or at contemporary texts, we find recurring agreement on Westphalia's essentially modern character. The only notable exception - disregarding for a moment Rosenberg's objections - is provided by Krasner's interventions. However, by arguing for the essential simultaneity of modern and medieval political institutions before, during and after Westphalia, Krasner fails to advance both, coherent explanations of regional developmental diversity as well as 'generative grammars' of medieval, absolutist, and modern forms of geopolitical order and their respective 'international' relations. Indicatively, although in most of the preceding readings, strikingly pre-modern concepts abound - territorial monarchy, absolutism, mercantilism, dynasticism, wars of succession -, they did not prompt any of these eminent scholars to probe their time-bound historical meanings in their implications for IR, nor to uncover their social determinants. What unites the authors discussed is one common basic error, namely the conflation of absolutist sovereignty with modern sovereignty. Converging interpretations of the Westphalian Peace settlement as inaugurating the era of modern inter-state relations have led to the construction of a disciplinary foundation myth.

The reason for IR's misinterpretation of Westphalia's modern character lies in the application of misleading criteria. It is, as Justin Rosenberg has argued in his critique of Martin Wight,⁵³ the external marks of sovereignty, rather than the inner nature of Westphalia's constituent parties to the Treaty, which led to the discipline's failure of 1648's correct conceptualisation and periodisation. In Wight's case, it appears that this failure is bound up with an approach which puts social-scientific

⁵² 'The Westphalian state is a system of political authority based on territory and autonomy.'
Krasner 1995, 45.

⁵³ Rosenberg 1994, 43.

model-building before historical investigation, thereby reversing the logic of historical research. Wight first constructs six internal marks of 'our states-system' - 'sovereign states, their mutual recognition, their accepted hierarchy, their means of regular communication, their framework of law, and their means of defending their common interests'⁵⁴ - and then proceeds to 'scan' European history for their first appearance, dating it between the Council of Constance (1414-18) and the Congress of Utrecht (1712-13). It is not Wight's choice of events which should raise doubts here - indeed, they are plausible, yet not compelling, candidates for satisfying Wight's criteria -, rather it is the very historical indeterminacy which such approach invites. For, by Wight's definition, as Rosenberg noted, the internal marks of the modern system of states are equally discernible in 'ancient Greece, China in the period of the Warring States or India before the Moghul conquests'.⁵⁵ In order to avoid such indeterminacy, Rosenberg thus called for a fundamental shift in the mode of inquiry from the formal attributes of systems of states to the social nature of its constitutive actors and their international relations, thus allowing a clearer grasp of the unique identities of respective geopolitical orders.

The wider sources of this misinterpretation are twofold. On the one hand, IR readings of Westphalia and early modern politics in general rely on largely uncritical acceptance and adoption of the traditional historiographical literature on absolutism. This literature, as laid out in chapter 5, is today largely contested, if not altogether outdated. On the other hand, IR approaches - irrespective of whether we are looking at the Realist or at the post-Realist literature - tend to operate with a theory of the modern state deriving predominantly from Max Weber and a theory of the formation of the modern state deriving predominantly from Otto Hintze. These classical sociological interpretations had, however, already wrongly informed the older historiographical tradition.

In their readings of the historiographical literature on absolutism as seen through the lenses of Weber's and Hintze's writings on the modern state, IR scholars tend to focus exclusively on the external marks of sovereignty (state monopoly in the means of violence, exclusive territoriality, exclusive external representation (treaty-making powers)) to the neglect of its internal characteristics. Max Weber, however,

⁵⁴ Wight 1977b, 129.

did not only put forward an external definition of the state revolving around the public monopoly of the means of violence, he also developed an internal definition of it, revolving around the proprietary separation of state bureaucrats from the means of administration and violence. Whereas progress towards the former marks was made in the leading Western polities by the 17th Century, the latter marks (with the exception of England) were only achieved much later, usually in the 19th Century. It is precisely the abstraction from Weber's internal definition of the modern state which misled both, the older historiographical tradition on absolutism as well as the contemporary IR discourse on the absolutist epoch. The chronological disjunction in the determination of the emergence of the modern state in Europe, resulting from the non-distinction between external and internal sovereignty, has created an optical illusion. This is IR's illusion; this is its foundation myth. However, if we take Weber's internal definition seriously and re-interpret it on the basis of Karl Marx's focus on the relations of exploitation in the form of specific social property relations, we will be in a position to come to an adequate understanding of the radically pre-modern character of the absolutist state and the meaning of 1648 for a re-periodisation of state-systems.

This research program requires however a broader inquiry into the overall development of the Westphalian system of states. The real significance of 1648, while marking a qualitative breakthrough in the organisation of international relations over and against medieval geopolitics without constituting a turning-point towards international modernity, can only be disclosed when embedded in the wider historical continuum that spans the transformation from medieval to early modern international relations.

⁵⁵ Rosenberg 1994, 44.

Chapter Two

Geopolitical Relations in the European Middle Ages: History and Theory

'One thing is clear: the Middle Ages could not live on Catholicism, nor could the ancient world on politics. On the contrary, it is the manner in which they gained their livelihood which explains why in one case politics, in the other case catholicism, played the chief part.'⁵⁶

Introduction

After Ruggie's invocation of the 'medieval case', the European Middle Ages attracted closer attention by IR scholars as a 'testing-ground' for established IR theories. Two sets of questions emerged. On the one hand, a comparative approach sought to pass judgement on whether medieval geopolitical organisation followed the modern logic of international anarchy or whether it presented a geopolitical order sufficiently distinct to warrant theoretical innovation. On the other hand, a processual approach, interested in the origins of the modern system of states, came to inquire into the medieval roots of the modern state and the logic behind its post-medieval universalisation in form of a global system of states.

The following two chapters reflect this double problematique by setting out a coherent theoretical framework which is able to spell out the systemic logic of medieval geopolitical order (chapter 3) and to identify the patterns of agency which drove the medieval world beyond its own limits (chapter 4).

This chapter, elaborating on Robert Brenner's theory of social property relations,⁵⁷ offers a distinct approach on how to theorise changing geopolitical orders. The thesis is that the nature and dynamics of international systems are governed by the

⁵⁶ Marx [1867] 1976, 176.

character of their constitutive units, which, in turn, rests on specific property relations prevailing within them. Medieval 'international' relations and their alterations over the centuries preceding the rise of capitalism have to be interpreted on the basis of changing social property relations. The dynamics of medieval change, however, are bound up with contradictory strategies of reproduction between and within the two major classes, the lords and the peasantry.⁵⁸

The argument is that due to peasant possession in the means of subsistence, the feudal nobility enforced access to peasant produce by political and military means. Since every lord reproduced himself not only politically but also individually on his lordship, control over the means of violence was not monopolised by the state, but oligopolistically enjoyed by a landed nobility. Consequently, the medieval 'state' constituted a political community of lords with the right to armed resistance. Interlordly relations were therefore inherently non-pacified and competitive.⁵⁹ Forced redistribution of peasant surplus and competition over land occurred along three axes: (1) between peasants and lords, (2) among lords, and (3) between the collectivity of lords (the feudal 'state') and external polities. Consequently, the type of geopolitical system which emerged was one of constant military rivalry over territory and labour between lords, and within and between their 'states'. The geopolitical dynamic of medieval Europe followed the zero-sum logic of territorial conquests. The form and dynamic of the medieval 'international' system arise directly out of the generative structure of social property relations.

The theoretical implications of the social property approach for the discipline of IR go decisively beyond the case study of the Middle Ages. We suggest that its explanatory value and critical purchase is applicable to all geopolitical orders, be they tribal, feudal, absolutist, or capitalist in character. In each case, a definite set of property relations generates specific geopolitical authority relations governing and setting limits to inter-actor rationalities. By implication, we aspire not simply to trace the correspondence between property forms and international systems. We seek to uncover the dynamics of these systems in class-related strategies of reproduction, both

⁵⁷ Brenner 1977, 1985a and 1985b, 1986 and 1987. For a related argument in IR, see Rosenberg 1994.

⁵⁸ The term lord (nobility) refers generically to all members of the land-holding ruling class, secular and ecclesiastical.

⁵⁹ Brenner 1985b and 1986.

within polities and between polities. Property relations explain institutional structures that, in turn, condition conflictual relations of appropriation explaining the dynamics of change. 'Internal' changes in property relations, themselves subject to 'external' pressures, alter external behaviour. This perspective combines a substantive theory of social and international inter-action with a theory of sociopolitical structure. This, we suggest, should be achieved by a full historically-informed account of the subtle interplay between the constraining structures of property and authority relations and the consequences of goal-oriented, yet bounded and antagonistic, agency which animate and change these social relations.⁶⁰ Therewith, we offer a starting point for a theory of large-scale geopolitical transformation.

Such a notion of social change seeks to recast the debate on whether economics 'determines' politics or the domestic the international or vice versa.⁶¹ The problem is that reflection on the interrelation between these spheres or 'levels' only sets in after their historical constitution, that is, after they have become differentiated in capitalist societies. The common methodological temptation is to play out one reified sphere against another - archetypically either an economic Marxist or a Weberian politicist account - without asking how they emerged in the first place and how they flow back into the reproduction of society as a whole. Similarly, analyses of pre-capitalist geopolitical systems suffer from projecting the familiar vocabulary of states and markets, the domestic and the international, into differently structured pasts.⁶² Much of the following argument revolves around the non-distinction between these spheres under medieval property relations, suggesting the analytical obsolescence of contemporary state-centric IR concepts. We argue, in turn, that the modern differentiation of society into these spheres is intimately related to the genesis of capitalist private property - a process of social struggle which left the direct producer (the peasant) propertyless.

For if, as we suggest, conditional property defines medieval authority relations and geopolitics, then modern private property defines capitalist sovereignty and the

⁶⁰ For the epistemological issues involved see Teschke and Heine 1996.

⁶¹ Classically discussed in Gourevitch 1978; recently Thomson 1994, 17.

⁶² On the 'disembedding' of the capitalist market from socio-political 'normative' principles, see Polanyi 1944. From a conservative angle, see Brunner's critique of the modern 'disjunctive mode of thinking', Brunner 1992, chap. 2; for the correct interpretation, see Wood 1995.

contemporary international order.⁶³ Briefly, by separating peasants from their means of subsistence and establishing a free labour market, a 'free', contractual, and 'purely economic' labour relation was created for the first time in history between producer and employer. On the basis of absolute private property and 'free' wage labour, the labour relation can *in principle* dispense with direct political coercion. Economy and state become differentiated. Capitalist sovereignty - the pooling of political power in an 'abstract' state - marks the constitutive unit of contemporary international politics. The type of international system that emerges and its geopolitical logic exhibit a completely different pattern to its medieval and absolutist predecessors. After the violence-ridden historical constitution of the capitalist system of states, international accumulation among capitalist societies, because it occurs primarily between private economic actors, is logically no longer directly and necessarily tied to a state-led politico-military and territorial process.

On the basis of changing social property relations, we contest not only the explanatory relevance of ahistorical and systemically induced rational-actor assumptions of neorealist provenance, but also Realism's methodological individualism, be it of critical-Kantian lineage or of classical Machiavellian persuasion. We also seek to expose the limits of constructivist interpretations revolving around the inter-subjectively established meanings of social phenomena and the power of discourses. The theory of social property relations mounts furthermore a direct critique of Weberian and current Neo-Weberian historical sociology - which has made important inroads into IR -⁶⁴ and of some of the more determinist, economic and structuralist versions of Marxism. Finally, our outline of how medieval property and authority structures and dominant forms of agency are dynamically related presents a substantive alternative to Alexander Wendt's formal adaptation of structuration theory.⁶⁵

⁶³ Feudal conditional property is distinguished from absolute private property in that it requires the performance of specified political services.

⁶⁴ Discussed in Halliday 1994, 74-93 and 124-46; Jarvis 1989.

⁶⁵ Wendt 1987 and 1992.

The chapter is divided into five major sections. Section one assesses the more recent IR debate on the Middle Ages. Against the background of Max Weber and Karl Marx's theories of feudalism, section two provides a theoretical foundation for the constitutive nexus between the political and the economic in feudal society, mediated by relations of exploitation and institutionalised in property forms. Section three offers a positive account of how the agency-and-structure problem can be addressed in the framework of medieval society by demonstrating the dialectical nexus between medieval conditional property and resulting contradictory strategies of reproduction amongst the two major classes, characterising medieval 'international' society as a 'culture of war'. Section four proceeds to submit a phenomenology of medieval 'international' institutions (state and domination, territory and frontiers, war and peace) by systematically relating their *political form* to their *social content*. Section five seeks to clarify diverging structuring principles of geopolitical organisation in the early, high and late Middle Ages. The chapter concludes with a reflection on the theoretical relevance of social property relations for post-feudal international systems and the emergence of the European system of states.

The IR Debate: The Middle Ages between Neorealism, "Critical Theory", and Constructivism

Ruggie's critique of Neorealism provoked a neorealist reply by Markus Fischer, which incited a sharp constructivist critique by Rodney Bruce Hall and Friedrich Kratochwil. This was followed by a short rejoinder by Fischer, an almost simultaneous constructivist interpretation by Hendrik Spruyt, and a further constructivist substantiation in a separate article by Hall.⁶⁶

Let us first look at Fischer's attempt to validate the explanatory power of Neorealism in its application to the Middle Ages. His article intends to be an 'empirical contribution' to the debate between Neorealism and 'Critical Theory' in which the latter is held to sustain the view that a 'normative discourse of understandings and values

⁶⁶ Fischer 1992; Hall and Kratochwil 1993; Fischer 1993; Spruyt 1994a and 1994b, 34-57; Hall 1997.

entails corresponding practices'.⁶⁷ Medieval moral doctrine, cosmological conceptions of order, the code of chivalry, and the rites of vassalic homage are invariably taken to constitute such a normative discourse. They are construed as prescribing political unity, functional co-operation, communal relations and modes of just conflict resolution among feudal actors. Based on an analysis of relations among nobles in 11th Century Mâconnais - a region in southern Burgundy - Fischer concludes that violence, self-help, and power-balancing were endemic. The overriding structural logic of anarchy ensured that feudal conflict-units 'in essence behaved much like modern states'.⁶⁸ The claim was dismissed that differences in the constitutive units of a system and communal trans-actor discourses were consequential for alternative forms of geopolitical behaviour.

Fischer's article suffered from the start in that the author was not prepared to meet Ruggie's challenge of showing how the 'medieval-to-modern shift' was to be comprehended within the Neorealist grammar. Yet, even on its own terms, the piece has since been duly criticised,⁶⁹ and it seems that only Fischer's trivialised perception of Critical Theory allows for the possibility of simply confronting utopian 'medieval discourses' with more material 'actual practices'.⁷⁰ Hall and Kratochwil's critique, for example, exposes particularly well Fischer's methodological sleight of hand. Yet, their critique should be read with care for it relies on an overly pronounced constructivist reading of the self-perceptions of feudal actors. For example, it does not suffice to denounce, through the intermediation of such not undisputed authorities as Norman Cantor and Susan Reynolds, Marc Bloch's writings as 'structuralist' and crypto-Marxist, only to discard them in favour of the *mentalité*-paradigm. What is more, Hall and Kratochwil's reply is itself riddled with questionable assertions. In spite of their dismissal of the form of structuralism that is allegedly pursued by Bloch, they have no

⁶⁷ Fischer 1992, 427-28.

⁶⁸ Fischer 1992, 428.

⁶⁹ Hall and Kratochwil 1993, 479-91; Ruggie 1993, 150.

⁷⁰ In Habermas' work the very possibility for 'undistorted communication' as a logic of social action arises historically with the advent of a specifically bourgeois 'public sphere', which he traced to the experiences of 17th and 18th Century England and France. Even though the institutional parameters are then set for open discourses, their effect on politics, not to speak of international politics, is no foregone conclusion. Habermas explicitly denied the Middle Ages a public sphere in the sense of a pre-political locus of reasoned argumentation other than being a forum for noble ostentation. Habermas 1989, 5-9.

qualms in supporting the work of Georges Duby, who is approvingly cited for noting that

‘thirty or forty successive generations have imagined social perfection in the form of trifunctionality. This mental representation has withstood all the pressure of history. It is a structure.’⁷¹

However, if what IR scholars should really be interested in is ‘to explain variation,’⁷² then constants such as the mentality structures of thirty or forty successive generations will logically drop out of any theory of social change. Even if its was only a metaphor, how credible is Duby’s suggestion that ‘an image of the social order endured in France for a millennium’?⁷³ Since the *mentalité* or the conventionality of intersubjective claims constitutes for Constructivists the main ‘variable’ for historical development, are we to infer that nothing ever changed in France for a thousand years? Hall and Kratochwil are less bothered by structuralism per se than by the focus on the *structures of exploitation and domination* in the feudal agrarian economy from which ideological structures are abstracted.

This points to a deeper theoretical failure in Hall’s constructivist account of moral authority as a power resource in feudal Europe. As in Fischer’s study,⁷⁴ Hall mentions the preceding terminal crisis of the late Carolingian Empire during the Feudal Revolution that ushered in a new mode of exploitation based on serfdom and banal lordships, but it is not theorised in its consequences for the profound revolution in monastic and papal ideological orientation and moral lore.⁷⁵ Theorisation only sets in after the real reasons of this ecclesiastical redefinition of meaning have been narratively externalised. What would have been required is precisely what Hall demands - namely, a prior understanding of ‘a situationally specific or historically contingent structure of coconstituted identities and interests’ - but fails to provide.⁷⁶ It is difficult to see how these identities and interests and their changes can be determined without a systematic exposition of the conflicts over clerical sources of income derived from lordships,

⁷¹ Hall and Kratochwil 1993, 485.

⁷² Hall and Kratochwil 1993, 489.

⁷³ Duby 1980, 5. What Duby is really concerned with in his *Three Orders* is the establishment of a new ‘mode of production’ during the crisis of the feudal Revolution around the year 1000 and the concomitant ideological changes by the clergy in its wake. See Duby 1980, 153.

⁷⁴ Fischer 1992, 440.

⁷⁵ Hall 1997, 605-6.

⁷⁶ Hall 1997, 594.

endowments, and tithes. Constructivists, precisely because the social and material reasons for changes in identities and interests remain outside their methodological purview, lack the theoretical tools with which to understand the emergence, dominance, and demise of a specific discourse. If Fischer is faulted for drawing on a one-sided literature stressing interests and structures, it is not quite clear why we should fare better with an equally one-sided literature stressing subjectivities such as, for example, the religious motivations of the crusaders. Maintaining that

‘a desire for a share of the spoils on the part of the many of the crusaders is something for which we were able to find little support in the crusading literature *we studied*’⁷⁷

has perhaps more to do with the selection than with anything else. There is, in fact, an extensive corpus of writings⁷⁸ which neither tries to explain the Crusades abstractly in terms of pure greed nor pure religious motives, but seeks to combine the religious moment with an account of preceding land-scarcity, noble overpopulation and changing aristocratic property and family structures in the late Frankish heartlands around the millennium. These pressures intertwined with the interests of the post-Gregorian papacy which came to appear as a major international actor in the 11th Century. Religion cannot be a sufficient cause to explain why the Frankish knights of the mid-11th Century set out to conquer the European non-Frankish periphery, for the governing classes of England and Ireland were already Christianised when the Franko-Norman lords came, dispossessed, and killed them.

A short excursion into the history of inter-noble relations suggests that Fischer's case-study marks a conjunctural episode in the 'international relations' of medieval Europe - a power vacuum which constitutes simultaneously the transition from the early to the high Middle Ages in the Frankish successor principalities. It is by no means representative of the Middle Ages as a whole. The following explanation of the competitive conduct of Burgundian castellans is not grounded in the mechanical to and fro between conflict-units, but in the concrete reproductive needs of lordships in times of heightened economic hardship.⁷⁹ At the same time - contra Hall and Kratochwil - such a perspective allows us to see how the emergence of a specific

⁷⁷ Hall and Kratochwil 1993, 488 [my italics, B.T.].

⁷⁸ Cf. footnote 83.

⁷⁹ Many lords turned into castellans in the 10th and 11th Centuries as they fortified their manors in form of the small, but high stone-castle which supported their régime of terror.

ecclesiastical discourse is related to sharpened inter-noble altercations in the 11th Century in the old Carolingian heartlands, i.e. the lands between and around the Rhine and Rhône rivers.

A critical-theoretical perspective⁸⁰ on the doctrine of the Three Orders⁸¹ would interpret it as a reaction by the local clergy to an attack on its very bases of income brought about by increasing lordly encroachments on ecclesiastical lands and treasures.⁸² The dissemination of the lore of the trifunctional order presented the conscious policy of an economically threatened part of the ruling class that was not arms-bearing and therefore defenceless over and against marauding lords. If the motivation was all too clear, its intention was to pacify lordly aggressiveness internally and to deflect it into external conquest. This occurred not only in the form of the Crusades, but also in the simultaneous outward movements of the Norman Conquest of England, the Spanish *Reconquista*, and the German Eastern Settlement, processes of noble land grabbing which all began in the 11th Century.⁸³ Lordly proclivities to turn into lawless castellans have themselves to be set in the wider crisis of the 10th and 11th Centuries in the Frankish heartlands of Europe. The 'Feudal Revolution' - in medievalist parlance - sealed the demise of the Carolingian Empire.⁸⁴ This continentwide crisis was in turn itself an outcome of the late Carolingian monarchs' inability to provide their aristocratic followers with the wherewithal of expanded personal reproduction as the opportunities for external conquest dried up from the middle of the 9th Century onward.⁸⁵ As a counter-strategy, dissatisfied lords began usurping formerly public offices, turning them into patrimonies that implied hereditability, and enserfing a hitherto free peasantry. Such privatisation of the formerly kingly power of command - the ban - by innumerable minor lords broke not

⁸⁰ Our understanding of Critical Theory derives from the early Frankfurt School. Horkheimer 1972.

⁸¹ In the 11th Century, monks formulated the doctrine that society was functionally divided into three orders. Knights fought, the clergy prayed, and peasants labored.

⁸² Flori 1992.

⁸³ Bartlett 1993. Bartlett attributes European knight-led successful aggressiveness primarily to technological innovations in weaponry. Yet, his multi-faceted account lends itself to a different interpretation; see the critique in Wickham 1994; Duby 1977a and 1977b; Delbrück 1982, 225-312; Elias 1994, 292-8; Flori 1986.

⁸⁴ The revolution thesis was first developed by Duby 1980, 147-166. It makes now the subject of a lively discussion among medievalists. See Poly and Bournazel 1991; Bisson 1994; White 1996; Wickham 1997; Reuter 1997.

⁸⁵ Reuter 1985 and 1990.

only the public office-structure but also the more informal feudo-vassalic chains between lord and overlord. Banal lords turned into quasi-sovereign units.⁸⁶ Once public power was completely personalised, they began to compete among themselves for land, labour and treasure in the period of feudal anarchy proper.

Such complete fragmentation of public power is not generic to feudal political relations, but a latent possibility and a sign of systemwide crisis. By the same token, Fischer would be hard pressed to show why the power-struggle among castellans did not - in line with Neorealist axioms - generate a new equilibrium amongst its components, offsetting eventually lordly rivalries. For, according to Waltz, anarchy is equivalent not to endless warfare, but to the 'invisible hand' that regulates the disequilibrating ambitions of any one actor.⁸⁷ To be sure, hostilities finally abated - not because the banal system self-stabilised, but because it vanished wholesale.

Counterfactually, a string of historical questions follow:⁸⁸ Why did anarchy not constitute the organising principle within the preceding Frankish Empire? How was it that disintegration of public authority did not proceed nearly as far in the Eastern Kingdom, where the Ottonians managed to restore unity and where the duchies established themselves after the Investiture Contest as the primary political units within a wider conception of Empire? Finally, how, after the 11th Century crisis, did feudal states overcome their internal interlordly rivalries and begin to reconsolidate themselves on more centralised principles? In other words, the anarchy between the castellans turned into the hierarchy of the French kingdom which, of course, found itself simultaneously engulfed by the wider anarchy of the emerging feudal states system. The barren assumption of anarchy is immaterial in explaining these momentous

⁸⁶ Hilton 1990, 160. Until the 10th Century only the emperor and kings were banal lords in that they exclusively wielded the power of command, taxation, and adjudication in their realms. During the period of feudal anarchy, minor lords usurped these functions of kingship and became consequently banal lords in their small territories.

⁸⁷ Rosenberg 1994, chap. 5. Waltz's systems theory is, of course, directly predicated upon a micro-economic theory of rational choice under free market conditions. Although classical political economy and Neorealism have both roots in liberal traditions of thought in which rational choice is compromised by systemic considerations, harmony qua balance operates on the built-in assumption that in processes of 'dynamic adjustment' entire nation-states might vanish as entire businesses do. And indeed, Waltz concludes that the security optimum is achieved in a bipolar condition - a historical conjuncture that converges not unsurprisingly with the duopolistic state of US-Soviet relations in world politics at the time of Waltz's publication, adding a Panglossian gloss to the book.

⁸⁸ Compare Hall and Kratochwil 1993, 486-7.

variations in medieval inter-actor relations and the mere pointer to self-seeking human nature is equally void to account for such restructuring of medieval power. In line with general systems theory, Neorealism has no intellectual tools to account for the system's emergence, reproduction, and death.

Finally, according to Spruyt's account of the feudal mode of political organisation, we are faced with a decentralised, non-hierarchical and non-territorial form of rule based upon personal bonds.⁸⁹ The explanation for this form of geopolitical order which Spruyt adduces is however, following Max Weber,⁹⁰ couched in terms of the military origins of feudalism, not in terms of its internal generative logic. Thus, although we learn that bonds between lords are militarily necessary for protection, we do not learn who had to be protected against whom and why. Although we learn about the nobility, the Church and the Empire, we do not learn about the constitutive units of political authority within them, the deep causes of decentralisation and non-hierarchy, and the geopolitical dynamic between these units. In other words, as long as the politico-military structure is not understood as the coercive carapace which fixed property relations between lords and peasants, Spruyt's account remains limited to an institutional description of the medieval international system. It lacks a coherent explanation of the generative structure and specific inter-actor dynamics of the feudal order.

To recapitulate, in the orthodox neorealist tradition the Middle Ages present merely a variation on the transhistorical theme of anarchy. Ruggie's modified version seeks to shift the explanatory kernel for the form of medieval international relations away from the systemic level to property rights and their transformation without being much concerned with unfolding their social content that explains the pervasiveness of violence in medieval inter-actor relations. Fischer stresses the salience of medieval power politics yet ties it back - in an inconsistent manner - either to human nature or to systemic pressures without shedding much theoretical light on the social nature of feudal *Realpolitik* in general nor on the historical rise and fall of the Mâconnais banal system in particular. Hall and Kratochwil seek to explain geopolitical variation in ideational terms, but they fail to uncover the sociomaterial determinants of interest and

⁸⁹ Spruyt 1994a, 34-42.

identity formation. Spruyt, in turn, offers an institutional description of the feudal mode of political organisation without tying it back to the generative structure of medieval society and its war-prone geopolitical dynamic.

If we now assume that although the modern and the medieval systems were both anarchical, yet, there are profound differences in the forms of anarchy - in the very actors who were qualified to participate in 'foreign affairs' and in their geopolitical rationalities - we simply cannot deduce such differences from the self-same condition of anarchy. Our task is to synthesise the fragmented findings of IR scholars by retrieving and understanding the constitutive nexus between the medieval form of conditional property (structure) and the dominant form of lordly rationality (agency). This premise stands in need of a prior clarification of its theoretical rationale.

Theoretical Foundations: The Relation between the Economic and the Political in Feudal Society

We proposed that the key to understanding much of medieval inter-actor relations resides in determinate property-relations which underwrite these political relations. We will now set the IR discussion into the 'debate' between Max Weber and Karl Marx on the nature of feudalism to clarify the medieval nexus between political violence and property relations. We will then show how this nexus helps us to make sense of the levels-of-analysis problem and the agent-structure relation for feudal society.

Max Weber versus Karl Marx: Type of Domination versus Extra-Economic Compulsion

One way to approach the controversial issue of feudalism resides in theorising the relation between 'the economic' and 'the political' in medieval society - mirroring

⁹⁰ Weber [1922] 1968a, 1077-8.

the *problematique* of the relations between the different levels-of-analysis in IR.⁹¹ A fairly consistent and dominant line of reasoning running through the literature - essentially inspired by the work of Max Weber and Otto Hintze - identifies feudalism as a phenomenon of the political sphere.⁹² Weber, especially, in an analogy to Marx's economic significance attributed to possessing the means of production, elaborates on the political significance of possessing the means of administration for the decentralised form of the patrimonial state.

'All states may be classified according to whether they rest on the principle that the staff of men themselves *own* the administrative means, or whether the staff is "separated" from these means of administration. (...) These political associations in which the material means of administration are autonomously controlled, wholly or partly, by the dependent administrative staff may be called associations organized in "*estates*". The vassal in the feudal association, for instance, paid out of his own pocket for the administration and judicature of the district enfeoffed to him. He supplied his own equipment and provisions for war, and his subvassals did likewise. Of course, this had consequences for the lord's position of power, which only rested upon a relation of personal faith and upon the fact that the legitimacy of his possession of the fief and the social honor of the vassal were derived from the overlord.'⁹³

As a specific system of government or a hierarchical-military relationship between carriers of political power, feudalism falls within the confines of political science, constitutional history or a sociology of types of domination. '[Occidental] feudalism (*Lehensfeudalität*) is a marginal case of patrimonialism that tends toward stereotyped and fixed relationships between lord and vassal.'⁹⁴ For all their erudition and meticulous conceptual differentiation, these accounts generally tend to abstract from the agrarian social basis on which these forms of political power rest. While Weber was, of course, not blind to the economic implications of feudalism,⁹⁵ economic issues, and in particular the legal status and conscious agency of the peasantry, remain theoretically epiphenomenal or indeterminate in their influence on the political constitution of feudalism. In particular, the Weber-Hintze tradition dissociates the

⁹¹ Singer 1961; Hollis and Smith 1990.

⁹² See Weber [1922] 1968a, 255-66 and 1070-1110, esp. 1090-92; Hintze 1968.

⁹³ Weber [1919] 1946, 81.

⁹⁴ Weber [1922] 1968a, 1070.

⁹⁵ 'The full fief is always a *rent-producing* complex of rights whose ownership can and should maintain a lord in a manner appropriate to his style of life. Primarily seigneurial rights and income-yielding political powers, that is, rent-producing rights, are conferred upon the warrior. In the feudal Middle Ages the *gewere* of a piece of land belonged to the recipient of the rent.' Weber [1922] 1968a, 1072-3.

'forms of government and domination' from the processes of lordly reproduction with which these were obviously connected. This observation, however, does not imply a plea for an equally abstract consideration of 'the economy'. It rather serves as a reminder that below the political 'level' of relations between lords, feudal society exhibited a second 'level' of political relations between lords and peasants, governing the specific modes of surplus appropriation.⁹⁶

The broader epistemological crux is that Weber's method of ideal-type formation is, on a strict methodological reading, not only barred from unearthing the social content of feudal domination, it is also inherently incapable to even think the broader problem of historical change since it lacks a dimension of historical time. Ideal-types are constructed by surveying the historical evidence, deciding on the basis of an *a priori* subjective value-orientation (*Wertbezug*) - which cannot be inferred from the material itself - on a culturally significant (*Kulturbedeutung*) social macro-phenomenon, interpolating its most distinctive typological traits, and regrouping them through a process of abstraction in a purified ideal-type.⁹⁷ Its 'ideality' bears no normative significance. For practical research purposes, these distilled ideal-types serve the heuristic function of being either employed to measure the distance between any concrete empirical case and its pure 'ideal', or to compare ideal-type A with ideal-type B (say, the feudal and the modern bureaucratic modes of administration), so as to clarify their differences in the sharpest way possible. Yet, the problem of social change remains excluded from this procedure. Theodor Adorno and many others noted that

'if I handle the concept of ideal-type as strictly as it was articulated by Max Weber in his essays on categories (*Kategoriensatz*) in his *Wissenschaftslehre*, then it is devoid of any tendency to transform itself into another, since it is an *ad hoc* invention, construed as something completely monadological, in order to subsume certain phenomena.'⁹⁸

Weber's analysis of feudalism presents merely a nominalist ideal-type of domination - which is by definition both static as well as of non-causal status - fleshed out within the

⁹⁶ Brenner 1987.

⁹⁷ Weber [1904] 1949a, [1913] 1968b, [1918] 1949b.

⁹⁸ Adorno 1993, 207 [my translation, B.T.]; cf. Mommsen 1974. Mommsen later modified his stance without changing his essential judgement. Mommsen 1989. Ideal-type formation stands in stark contrast to the principles of dialectical concept-formation which yields

parameters of a sociology of administrative organisation, abstracted from society at large. Max Breuer suggested in the context of Weber's work on modern bureaucracy that Weber's conception is

'organisation-, not society-centered: it does not proceed from a theory of social structures and processes, but from a closed and determinate administrative system, which is compared with other less closed systems.'⁹⁹

In other words, Weber's historical sociology serves first and foremost a comparative purpose, constructing ideal-types under which the most diverse historical and geographical cases can be subsumed and stored away. This is, of course, not without scientific value, but it implies the transformation of history as an open process into history as a data base furnishing the evidentiary mass for a series of ideal-types, systematised in a typological casuistry. This, however, is the death of history as becoming. Consequently, Weber bars himself from providing an encompassing conception of feudalism - genetically, substantively, and reproductively - understood methodologically as a dialectical totality in motion. And it is this blindness to the underlying dilemmas of Weber's methodology which turns so many Anglo-American Neo-Weberian historical sociologies of universal history into theoretically uncontrolled and eclectic exercises.¹⁰⁰

Conversely, some strands of Marxism interpreted feudalism economically as a non-dynamic agrarian mode of production. The lack of sustained economic growth is explained in terms of underdeveloped forces of production, inefficient use of land, and negligible trade. However, a one-sided concentration on economic issues, e.g. in the form of a long-term tendency of the rate of lordly rents to decline,¹⁰¹ sits uneasily with a prevalence of political and military aspects in medieval society, which disrupted and

Bewegungsbegriffe (concepts of movement), which, precisely because they contain dynamic contradictions, point to their very transcendence. Heine and Teschke 1996.

⁹⁹ Breuer 1991, 25 [my translation, B.T.]. Certainly, Weber, the historian, did not always comply with the self-imposed methodological rules of Weber, the epistemological social scientist. In the historically satiated sections of *Economy and Society*, we find many allusions to and remarks on transitional tendencies from one type of domination to another. But these suffer the status of fleeting remarks, have no systematic place in his theory of social-scientific cognition, and lack thus a coherent meta-theoretical foundation which spells out the principles for a theory of historical process and social change.

¹⁰⁰ Cf., for example, Poggi 1978, Giddens 1985, Mann 1986, Collins 1986.

¹⁰¹ Bois 1984; Kula 1976.

contravened this tendency decisively. Therefore, some Althusserian Marxists have revised such undue pre-eminence given to economic considerations and argue for 'treating the state as an independent social force' in feudal societies.¹⁰² Whether the stress is on 'the economic' or the 'political' in Marxist traditions of thought, this simplified polarising perspective has led many to question the capacity of Marxism to unify 'the political' and 'the economic' in a coherent theoretical account of feudal society as a totality.¹⁰³

In the wake of the Anglo-American Weber-*Renaissance*, some contemporary Weberian sociologists of power have drawn the wider conclusion that Marx might have correctly identified the primary source of social power in capitalist societies as residing in the ownership of the means of production.¹⁰⁴ In traditional societies, however, the locus of social power shifts back to possession of the means of violence. This finding goes typically hand in hand with a typology of sources of social power - usually political/military, economic, ideological/normative, and cultural. Historical processes are then explained by a pluralist and multi-causal account informed by this typology.¹⁰⁵

To summarise, Neorealists, Weberians, and Neo-Weberians concur in stressing the primacy of political, administrative, and military aspects in feudal society in the face of which Marxian conceptualisations are held to be either reductionist, determinist, mono-causal, and functionalist, or simply dismissed as irrelevant, deficient or incommensurable in their concern for 'the economy'.

Against this alleged incommensurability, attention was re-directed in the wake of the debate on the transition from feudalism to capitalism to Marx's writings on pre-capitalist societies.¹⁰⁶ Here, Marx specified the constitutive role of political power as expressed in various forms of 'extra-economic surplus appropriation' under conditions of direct possession of the means of subsistence by the immediate producer:

¹⁰² Gintis and Bowles 1984, 19; Haldon 1993.

¹⁰³ Poggi 1988, 212.

¹⁰⁴ Giddens 1985.

¹⁰⁵ Mann 1986, 379-99. Mann's argument that each society is co-determined by autonomous ideological, economic, military and political spheres is virtually meaningless in its significance for the Middle Ages. Cf. Poggi 1978, chap. 2; Collins 1986.

¹⁰⁶ Sweezy, Dobb et al. 1976.

“It is clear, too, that in all forms where the actual worker himself remains the “possessor” of the means of production and the conditions of labour needed for the production of his own means of subsistence, the property relationship must appear at the same time as a direct relationship of domination and servitude, and the direct producer therefore as an unfree person - an unfreedom which may undergo a progressive attenuation from serfdom with statute-labour down to a mere tribute obligation. The direct producer in this case is by our assumption in possession of his own means of production, the objective conditions of labour needed for the realization of his labour and the production of his means of subsistence; he pursues his agriculture independently, as well as the rural-domestic industry associated with it. (...) Under these conditions, the surplus labour for the nominal landowner can only be extorted from them by extra-economic compulsion, whatever the form this might assume. (...) Relations of personal dependence are therefore necessary, in other words personal unfreedom, to whatever degree, and being chained to the land as its accessory - bondage in the true sense.’¹⁰⁷

This passage identifies the crucial nexus, mediated by extra-economic compulsion, with which the feudal relation between 'the economic' and 'the political', indeed: their actual fusion can be comprehended. This stands in sharp contrast to the configuration of the political and the economic - now differentiated as the state and the market - in capitalist societies.

‘The abstraction of the *state as such* belongs only to modern times, because the abstraction of private life belongs only to modern times. The abstraction of the *political state* is a modern product. In the Middle Ages there were serfs, feudal estates, merchant and trade guilds, corporations of scholars, etc.: that is to say, in the Middle Ages property, trade, society, man are *political*; the material content of the state is given by its form; every private sphere has a political character or is a political sphere; that is, politics is a characteristic of the private spheres too. In the Middle Ages the political constitution is the constitution of private property, but only because the constitution of private property is a political constitution. In the Middle Ages the life of the nation and the life of the state are identical.’¹⁰⁸

In feudal society, property-relations are such that the noble class reproduces itself primarily by forced appropriation of peasant-surplus through administrative, military, and political means. Seen from this angle, the primacy conceded in the Weber-Hintze tradition to the political sphere rests on an abstraction in which the political form is emptied of its economic content and granted autonomous causal or typological status in the process. Yet, it is precisely this political sphere in which the struggles over

¹⁰⁷ Marx [1894] 1981, 926-7; cf. also Anderson 1974a, 147 and 1974b, 403; Brenner 1977, 1985b; Wood 1995; Comminel 1987, 166-8; Gerstenberger 1990, 504.

¹⁰⁸ Marx [1843] (1975), 32.

surplus are played out between the nobility and the peasantry as well as among the nobility itself.

The putative incommensurability thesis turns out to be an illusion. Theorising the identity of the political and economic within a conception of totality does not simply offer an alternative to Weberian ideal-typical and pluralist accounts. It presents a real advance in terms of explanatory power and epistemological rigor vis-à-vis one-sided abstractions. It also offers a way to think the levels-of-analysis problem in IR for feudal society. 'Extra-economic compulsion' in the form of specific political modes of surplus appropriation constitutes the central analytical principle for an understanding of feudal societies. It does not only clarify the relation between 'the political' and 'the economic', but also enables us to grasp the peculiar form of the feudal 'state', medieval territory, property, the meaning of peace and war, and medieval geopolitical expansion.

From the Logic of Production to the Logic of Exploitation

The retrieval of the term extra-economic compulsion requires a further clarification of one of Marx's master-concepts: relations of production and its place in a theory of the state. In a seminal passage, Perry Anderson systematically developed the implications of extra-economic coercion as the *differentia specifica* distinguishing all non-capitalist from capitalist societies.

'all modes of production in class societies prior to capitalism extract surplus labour from the immediate producers by means of extra-economic coercion. Capitalism is the first mode of production in history in which the means whereby the surplus is pumped out of the direct producer is 'purely' economic in form - the wage contract: the equal exchange between free agents which reproduces, hourly and daily, inequality and oppression. All other previous modes of exploitation operate through *extra-economic* sanctions - kin, customary, religious, legal or political. It is therefore on principle always impossible to read them off from economic relations as such. The 'superstructures' of kinship, religion, law or the state necessarily enter into the constitutive structure of the mode of production in pre-capitalist social formations. They intervene *directly* in the 'internal' nexus of surplus-extraction, where in capitalist social formations, the first in history to separate the economy as a formally self-contained order, they provide by contrast its 'external' preconditions. In consequence, pre-capitalist modes of production cannot be defined except via their political, legal and ideological superstructures, since these are what determine the type of extra-economic coercion that specifies them. The

precise forms of juridical dependence, property and sovereignty that characterize a pre-capitalist social formation, far from being merely accessory or contingent epiphenomena, compose on the contrary the central indices of the determinate mode of production dominant within it. A scrupulous and exact taxonomy of these legal and political configurations is thus a pre-condition of establishing any comprehensive typology of pre-capitalist modes of production. It is evident, in fact, that the complex *imbrication* of economic exploitation with extra-economic institutions and ideologies creates a much wider gamut of possible modes of production prior to capitalism (...).¹⁰⁹

This extraordinary passage engendered a theoretical volte-face in Marxist thinking on pre-capitalist social formations, which was as liberating as it was potentially fraught with a series of unresolved theoretical corollaries.

On the one hand, Anderson's re-theorisation turned the orthodox Marxist theorem - vulgar, trivialised or dogmatically distorted as it may have been -, which postulated in various guises that economic structures determine political superstructures, on its head. Thereby, in one bold stroke, it immediately rendered the entire political history of medieval societies amenable to a meaningful Marxist interpretation, both in institutional as well as in developmental terms. Institutionally, property now became the *principium medium* between economy and state, or rather, the institutional expression of the political construction of the economic.

'The immediate producers and the means of production - comprising both the tools of labour and the objects of labour, e.g. land - are always dominated by the exploiting class through the prevalent property system, the nodal intersection between law and economy: but because property relations are themselves directly articulated on the political and ideological order, which indeed often expressly governs their distribution (confining landownership to aristocrats, for example, or excluding nobles from trade), the total apparatus of exploitation always extends upwards into the sphere of the superstructures themselves.'¹¹⁰

Developmentally, Anderson recalled that 'secular struggle between classes is ultimately resolved at the political - not at the economic or cultural - level of society. In other words, it is the construction and destruction of states which seal the basic shifts in the relations of production, so long as classes subsist.'¹¹¹

On the other hand, Anderson's turn left some problems unaddressed. First, taken to its extreme, Anderson's radicalisation of the consequences of extra-economic

¹⁰⁹ Anderson 1974b, 403-4.

¹¹⁰ Anderson 1974b, 404.

¹¹¹ Anderson 1974b, 11.

coercion would imply that researchers would face as many pre-capitalist modes of production as there were different pre-capitalist political communities. In fact, since hardly any two pre-capitalist polities were constitutionally or institutionally identical, it would follow that every single political community would constitute a mode of production in its own right. This move inflates not only the term mode of production, whose stringency or analytical utility was partly due to its relative spatio-temporal generality, it rendered it theoretically meaningless. Any meso-criterion which is able to discriminate between the individuality of single pre-capitalist polities and the generality of pre-capitalist modes of production was lost. Even conditional property would fail as a meso-criterion since it is compatible with a range of constitutionally very different feudal political communities. However, a typology or taxonomy which assigns to each singular polity the status of a type is by definition not a typology, since no process of abstraction is required. Here, historical uniqueness and scientific concept are one.

Second, some formulations in Anderson's theoretical exposition lend themselves to a de-emphasis on class-conflict as the driving *movens* of historical development. While it is correct to say that social conflicts find ultimately political and institutional expressions, these remain themselves permanent objects of contestation. In other words, once the state has been conceived as a political institution which fixes or 'seals shifts in the relations of production', Anderson's historical narrative tends to read like a conventional, though brilliant, political history of European national and international relations in which war and diplomacy are not sufficiently integrated with prevailing class conflicts. To avoid this incipient reification of the 'state', the feudal (or absolutist) state must itself be seen as a class-relation. Let us recall that Anderson's overall research-guiding interest is motivated by an attempt to explain the rise of capitalism. Given that capitalism was specific to the European experience, and given furthermore that non-European regions also knew core features of feudal modes of production, part of the explanation, as Anderson suggests, must be sought in the specificity of the political legacy of European antiquity contained in the medieval political organisation.¹¹² Since Anderson identifies the revival of Roman law as a necessary, though not sufficient, condition for the late early modern transition to capitalism, political outcomes are no longer directly inferred from the resolution of

¹¹² Anderson 1974b, 420 and 424-5.

class conflicts. In this scenario, the 'legal superstructure', revitalised by the reception of Roman law, does then indeed determine the type of extra-economic coercion. But in Anderson's rendition this turns out to be more a process of state-led imposition, than a process of class-divided contestation.¹¹³ While a judgement on the relative validity of these two alternatives cannot be passed in the abstract, we will show later that Anderson's option for absolutist France as the home-ground of the rise of capitalism is intimately connected with these theoretical premises. Yet, there is an alternative.

Third, if feudal societies were really characterised by a fusion between the political and the economic mediated through social property relations, then it would follow that the entire vocabulary of base and superstructures, of relations of production and modes of production becomes itself questionable. The retention of this terminological apparatus imparts a false sense of structural similarity between feudal and capitalist societies, both being theorisable with the help of the same categories.

Given these unresolved issues, we suggest that a further conceptual shift from the term 'relations of production' to the term 'relations of exploitation' might yield greater analytical precision while avoiding an overly 'politician' reading of European pre-capitalist history. A focus on the logic of exploitation would overcome the residual danger of conceiving the pre-capitalist 'state' and 'economy' as two separate institutional spheres and foreground the class-mediated nexus between political force and economic appropriation. It would thus maintain awareness of the essential relationality of feudal forms of social configurations. By retrieving the crucial idea that the 'state' never conclusively fixes or institutionalises a given set of class-relations, it implies that property is always a permanently contested social relation, defined, defended and re-negotiated by the 'state' in the face of active, conscious, and constant pressures of the direct producers. In other words, a shift to the term relations of exploitation and its associated social contradictions keeps the moment of historical contingency and change, which is always latent in the unpredictable resolutions of class conflicts, alive and in perspective. While these reformulations cannot resolve the long-standing dispute over structure and agency, extending on a spectrum from absolute determination to absolute voluntarism, a possible dialectical *via media* would remain

¹¹³ Anderson 1974b, 429.

sensitive to the historical processes by which determinate social structures generate social discontent. During these periods of crisis, transcendence, that is institutional or structural change, is itself never a necessary, but always a possible outcome, dependent upon the respective degree of class organisation and the unpredictable resolution of social conflicts. In analytical parlance, while social structures constitute permissive causes, class conflicts constitute efficient or proximate causes. Therewith, the historical process is not transformed into a typology of different clashing polities, but remains suspended as a conflict between possible alternatives, and therewith faithful to the idea of open history. In short, a shift towards relations of exploitation would resist conceptual reification, teleological and functionalist tendencies, and historical closure.

Does this shift from the logic of production to the logic of exploitation, and the concomitant significance attributed to intra-ruling class conflict as a decisive *movens* of general development, contain a slide towards a Neo-Weberian perspective? The answer must be in the negative. First of all, in societies where direct producers possess the means of production, the economic process of production precedes the political process of exploitation, defined by rents in kind or in cash. In other words, the moment of exploitation is not economically built into the relation of production. In fact, with the partial exception of *corvée* labour - i.e. direct peasant labour on the lord's *desmesne* -, there is virtually no physical relation of production between lord and dependent peasant. In principle, production proceeds independently from any lordly interference or economic management. In short, the processes of production and exploitation are separated both in time and in space.

Second, any attempt to rescue the term relations of production for pre-capitalist societies would face severe difficulties to 'derive' the form of the state from existing relations of production at any given point in time and space, for the pre-capitalist 'state' does, of course, uphold them. For Marx, the state is not an institution, but quintessentially a relation:

'The specific economic form in which unpaid surplus labour is pumped out of the direct producers determines the relationship of domination and servitude, as this grows directly out of production itself and reacts back on it in turn as a determinant. On this is based the entire configuration of the economic community arising from the actual relations of production, and hence also its specific political form. It is in each case the direct

relationship of the owners of the conditions of production to the immediate producers - a relationship whose particular form naturally corresponds always to a certain level of development of the type and manner of labour, and hence to its social productive power - in which we find the innermost secret, the hidden basis of the entire social edifice, and hence also the political form of the relationship of sovereignty and dependence, in short, the specific form of state in each case.¹¹⁴

Yet, even this passage, often adduced to show evidence of an embryonic Marxian theory of the state,¹¹⁵ is not unequivocal. Apart from the questionable techno-determinist 'correspondence' of social relations with 'methods of labour', relations of exploitation cannot grow out of 'production itself' understood as a pre-political or pre-social activity - a metabolic process between man and nature mediated by the forces of production -, nor does it make sense to conceive of feudal relations between direct producers, who are in effect in possession of their means of production, and lords as a relation between the 'owners of the conditions of production to the direct producers'. Still, it is no exaggeration to suggest that Marx sketches here the essential contours of the theoretical nexus between the forms of surplus appropriation and the form of the state. In other words, the 'state', or the political, is not external to the property relation, i.e. the process of exploitation, but co-constitutes and reproduces it, provided we theorise the 'state' as a class relation in the first place. For example, feudal social relations in 10th Century Burgundy and those in 12th Century Anglo-Norman England were both defined by serf-lord relations. Yet, it would be difficult, if not impossible, to 'derive' the variation in the form of regionally prevailing states from existing 'relations of production'. In the first case, serf-lord relations were compatible with extreme political fragmentation based on the regime of banal lordships; in the second case, serf-lord relation were compatible with a tightly integrated and centralised feudal pyramid culminating in the English king. In other words, outside of a dynamic historical account of the formation of a specific set of politically constituted social property relations on the basis of a specific resolution of preceding class conflicts which become temporarily institutionalised in political and legal forms, it is indeed difficult to show compellingly that a given state form can be logically deduced from existing relations of production, short of excessive generalisations.

¹¹⁴ Marx [1894] 1981, 927.

¹¹⁵ Comninel 1987, 168; Rosenberg 1994, 84.

Third, class is not an economic category, but a political category, which fixes the unequal distribution of property titles which guarantee reproduction. This is not only true for capitalist societies, where the capital-relation is based on a prior political act of separating the direct producer from his means of subsistence - a relation which is subsequently reproduced and maintained by the capitalist state through law and order - , but *a fortiori* for pre-capitalist societies. Here, under conditions of direct peasant possession of the means of production, a distinction between classes is only possible by their differential access to politically constituted titles to and ownership of the means of coercion. In feudal societies, intra-ruling class conflicts, both domestic as well as geopolitical, are therefore not conflicts over the maximisation of power among elites, but conflicts between and among politically accumulating classes over the means of extra-economic coercion.

The primacy allotted to the term 'relations of exploitation' does therefore not approximate Weber's concept 'mode of domination'. It rather 'contains' the substance of the Weberian approach, undermines its theoretical rationale - i.e. ideal-types formulated at the level of the political -, and provides a more encompassing explanation of socio-political relations and their changes.

To conclude, in order to resist the potential pitfalls of Anderson's new perspective, we thus suggest a theoretical framework for feudal societies which revolves around the logic of exploitation as mediated by determinate social property relations. While class conflict remains the *primum mobile* of history, its logic has to be extended as revolving essentially around four axes: (1) between peasants and lords (class conflict), (2) amongst lords (intra-ruling class conflict), (3) between the collectivity of lords (the feudal 'state') and 'external' lordly communities (inter-ruling class conflict), and (4) amongst the peasantry (intra-producing class conflict). Together, these horizontal and vertical lines of conflict proceed from and generate anew a definite balance of class forces in time and space, which itself governs and filters the rhythms of war and peace. In other words, political organisation, conscious social activity, remains the strategic locus which conditions institution-altering forms of agency. From this angle, the argument that intra-ruling class conflict constitutes a separate order of reality - the sphere of politics proper - understood in Weberian terms as the status-driven competition for power among elites, collapses. Equally, the logic

of horizontal geopolitical relations cannot be causally attributed to a further independent sphere of reality conceived as a self-enclosed level (the geopolitical), as Neorealists and Neo-Weberians maintain.¹¹⁶ Finally, the proposition that peasant life and peasant culture could be equally confined to a distinct self-contained sphere, turning into the object of 'history from below' divorced from political history, would be infirmed. Let us proceed to translate this model of property and contradictory forms of collective social agency into a series of more concrete propositions.

The Structure-Agent Problem in Feudal Terms: Lordship and Contradictory Strategies of Reproduction

We now have to specify the basic unit comprising the political and the economic in feudal society. Only then can we demonstrate how this unit governs specific forms of social action that pervade, animate, and possibly change the structural set-up. In other words, we will now set out how the agent-structure problem can be thought of in feudal society.¹¹⁷

Lordship as Conditional Property (Structure)

The basic unit of such fusion of the economic and the political is to be found in the institution of lordship. It is central to recall time and again that the lordship was not simply an agrarian economic enterprise, but a 'unit of authority' in which ties between men were not mediated via 'freely' entered contracts between private persons, but stipulated through political power: domination.¹¹⁸ The 'economic' was inscribed into the 'political'. Men were ascribed to a lord. The striking peculiarity of medieval property, then, resides in the fact that property rights were political rights of governance as much as economic rights of tenure; in fact, they were inseparable. This

¹¹⁶ Mann 1986; Hobson 1998.

¹¹⁷ Wendt 1987.

¹¹⁸ Bloch [1931] 1966, 236. Compare Kula [1962] 1976, 9.

non-separation is precisely captured by the Latin term *potestas et utilitas*.¹¹⁹ Mere property rights to land were meaningless if they did not include authority over the people who cultivated it, because peasants possessed their means of subsistence and were therefore under no internal compulsion to rent from or work for the lord in order to survive. This contrasts to capitalist property where ownership of land is 'real' because it constitutes a value, precisely because cultivators no longer possess their means of subsistence and are correspondingly compelled to rent from or work for landlords.¹²⁰

Yet, although lords wielded political power they did not, as a rule, constitute sovereign mini-states. Classically, they held their land in tenure as a fief that carried, next to specific rights of exploitation over the producing peasantry, military and administrative duties to the land-granting overlord.

'Land, in fact, was not "owned" by anyone; it was "held" by superiors in a ladder of "tenures" leading to the king or other supreme lord.'¹²¹

The specific legal status of land has thus been variously described by jurisprudence as conditional property or usufruct (*dominium utile*), whereas the overlord retained nominally the overlordship (*dominium directum*). This meant that the fiefholder had no right to dispose freely of 'his' land, but could only enjoy its exploitation for definite purposes.¹²² Property was conditional.¹²³

This brings us back to the question of how the pretension to lordship was asserted, both over and against overlords and rival lords and a subjected peasantry. Otto Brunner classically distinguished the character of lordship from great estate through an interpretation of the medieval concept of *Gewere* (domain). It refers to 'the actual possession and use of a thing, with the presumption of a property right in it'.¹²⁴ Decisively however, the lord exercised politically legitimate violence in the realisation of these rights over and against non-complying peasants and rival lords. In contentious

¹¹⁹ Kuchenbuch 1997.

¹²⁰ Marx [1867] 1976, 873-907 and [1894] 1981, 917-50.

¹²¹ Berman 1983, 312.

¹²² Ganshof 1964, 144-46.

¹²³ Anderson 1974b, 25.

¹²⁴ Brunner 1992, 209. On *Gewere* compare Berman 1983, 313.

cases, this could be his own overlord. In the last instance, his arms-bearing status asserted his political lordship. *Gewere*

'presupposed the "lawful force" - namely the protection and safeguard that a lord exercised in defense of his domain, not simply as an owner of property, but literally as the lord of his lands. (...) We see here a constitutional structure that recognized the use of force by members of the legal community against each other, with no state of the modern sort to claim a monopoly of legitimate force, and with every member of the legal community having a measure of executive power.'¹²⁵

It is crucial to recognise that 'domestic' violent resistance was not criminalised but inscribed in the feudal constitution. It was legitimate and lawful if the overlord failed to comply with his obligations vis-à-vis his feoffee and vice versa. Such break-up of the monopoly of violence had profound consequences for the nature of the medieval state, its form of territoriality, the meaning of war as feud and the entire structure of political power and 'international' organisation. To conclude, we now start to see why medieval property is central to understand conceptually and historically those institutions central to IR.¹²⁶

Contradictory Strategies of Reproduction (Agency)

From these concrete settings, we can now proceed to outline the dominant forms of medieval agency. Let us rehearse the preconditions for class-specific and therewith conflicting feudal strategies of reproduction. Medieval society constituted a system of agrarian production for use-values and simple commodity-production based upon peasant labour.¹²⁷ Its most fundamental sources of wealth were land and labour. The means of production (land, tools, life stock, dwellings) were in possession of the direct producers, so that peasant communities formed subsistence communities. In this context, what were the major forms of social action?

¹²⁵ Brunner 1992, 210. Compare Holzgrefe 1989, 12.

¹²⁶ We disagree therefore with Krasner who maintains that the medieval world did not possess 'a deep generative grammar'. Krasner 1993, 257.

¹²⁷ Production was largely for direct consumption and barter and not for exchange on the market. Although long-distance trade in luxury goods existed throughout the period and took on renewed vigor in the 12th Century, inter-urban trade did not alter the social relations of exploitation in the country-side. Merrington 1976.

Let us first turn to the noble class.¹²⁸ The arms-bearing lord stood in a double-edged position between a subjected peasantry tilling 'his' estate and competing rival lords, vying for land and labour. To survive in this competitive situation, lords (1) maximised feudal rents by a direct squeeze of the peasantry - the intensification of labour. Alternatively, nobles (2) cultivated land internally through land reclamation; or (3) colonised and settled land externally, usually in connection with warfare and conquest; or (4) conquered neighbouring regions, established client-states, or exercised suzerainty over such regions without direct occupation but under conditions of annual tribute-payments. Furthermore, they engaged (5) in direct internecine warfare, either by direct conquest and annexation or through cavalcades, plunder, pillage and the demand of ransom money. Finally, lords (6) conducted dynastic marriage-policies in order to amass lands and to increase their income bases.

These lordly strategies of reproduction have here been set out analytically. Historically, not every single lord engaged 'rationally' in such strategies. Yet, the ruling class as a whole reproduced itself by conforming to such 'systemic' pressures of domination. Such bounded rationality tells us something about the absolute limits of social action under specific property-relations.¹²⁹ In times of crisis and social struggle, of course, the very institutions of surplus-extraction were at stake. Depending on the resolution of these conflicts, new forms of bounded rationality sprang into existence. What all six feudal strategies implied however, in one form or the other, was investment in the means of violence. Robert Brenner subsumed such violent strategies under the general concept 'political accumulation'.¹³⁰

¹²⁸ The following paragraphs are inspired by the work of Brenner 1985b; 1986, 27-32; and 1987, 173-8; see also Gerstenberger 1990, 503-7 and DUBY 1974.

¹²⁹ In IR, the classic rationality assumption has been compromised by Keohane's notion of 'bounded rationality'. Keohane 1984, 110-32. The broader epistemological crux is that rational-choice theory makes propositions about efficient means but remains silent on the ends. They appear as given constants. If we historicize rationality and set it within specific property-relations, we can also make propositions about preferences themselves and can call past behavior rational which in a contemporary perspective would pass as irrational; e.g. noble conspicuous consumption becomes only meaningful when embedded in definite social structures. See Godelier 1972, 7-30.

¹³⁰ Brenner 1985b, 236-42.

The success of lordly strategies of reproduction was suspended between the internal cohesion of the members of the non-producing class and the collective resistance of the producing class. As a rule, peasant strategies of reproduction stood in irreconcilable contradiction to the interests of the lords. With the integration of peasant rationality into the overall equation, an encompassing picture emerges of clashing forms of collective agency in medieval society.

Living in subsistence communities, the peasantry - crucially! - was economically independent, i.e. non-market dependent. Peasants had no need to sell their labour-power as wage labour or to rent out nor to invest productively in agriculture under pressures of market competition and its price mechanism. Under these circumstances, since the peasantry was under no internal economic compulsion to render dues, it developed a specific form of economic rationality that should not be dismissed as irrational, but corresponded precisely to feudal conditions of social action.

1. Being self-sufficient and given that food formed the main part of total consumption (yet was in uncertain supply), peasants engaged in strategies of risk minimisation by diversifying agricultural products cultivated on their plots. In marked contrast to capitalist rationality, non-specialisation in rural produce ensued.
2. Non-market dependency translated into the reduction of labour-time, which meant striking a balance between lordly demands and socio-culturally established needs of the peasant and his family. Again, non-profit oriented economic rationality constituted the essence of everyday life.
3. Risk minimisation led to early marriages, a high rate of peasant reproduction, and land division upon inheritance.
4. Against lordly demands, peasants organised in communities, developed forms of collective class organisation to resist lordly encroachments, or withdrew their labour power through flight.

A 'Culture of War' based upon Political Accumulation

The fortunes of reproduction depended on the collective ability of both, peasants and lords, to redistribute peasant-produced surplus as circumscribed by respective balances of class forces. Whereas peasant reproduction as a rule generated economic stagnation, the material needs of the lordly class instantiated a systemic pressure to build up military power. Unsurprisingly, development of agricultural technology was relatively lethargic, whereas military innovations based upon systematic investment in the means of violence were, throughout the Middle Ages and beyond, spectacular.¹³¹ Thus, the quest for military might ensured the successful maintenance of an established aristocratic mode of life. Violence and chronic warfare were the *raison d'être* of the noble class. The pursuit of the martial profession was the dominant form of rationality amongst the land-owning, arms-bearing and ruling class. Characteristically, lordly expanded reproduction took the form of system-wide 'extensive-territorial' conquests.¹³² Contrary to Gilpin's argument, horizontal political expansion over territories and labour as sources of income defines the essence of feudal geopolitical expansion.¹³³ The various processes of 'political accumulation' drove the socio-political dynamic of feudal society. They reveal the hidden meaning of the Middle Ages as a 'culture of war'. At the same time, it turns out that 'international' inter-lordly relations do not follow any transhistorical systemic logic to be theorised in abstraction from the social relations of lordship. Feudal property structures and dominant forms of social action are dialectically mediated.¹³⁴

A Phenomenology of Medieval 'International' Institutions

¹³¹ A whole literature takes this epi-phenomenon as the point of departure to argue in various shades for a military techno-determinism towards either the modern territorial state, capitalism or 'the rise of the West'. Tilly 1990; Parker 1988; Downing 1992. Although the 'Military Revolution' has been situated in early modernity, it has been argued recently that continuity in military innovations stretches back to the high Middle Ages. Ayton and Price 1995.

¹³² Merrington 1976, 179.

¹³³ Gilpin 1981, 108-9.

¹³⁴ Constructivists tend to base their structure-agency accounts on Giddens' structuration theory. Giddens 1984. In terms of epistemological systematicity, the Hegelian-Marxist dialectical idiom conceptualizes the problem of action-in-structure (or praxis-in-concretion) in a more coherent way. Heine and Teschke 1996.

This section determines the character of a series of medieval 'international' phenomena by seeking 'the evidence of social relations contained in every single social phenomenon.'¹³⁵ By systematically relating political form to social content, we demonstrate the validity of the dialectical claim that 'every aspect of society acquires meaning when linked to the wider specific praxes through which society reproduces itself and can only be comprehended in this context.'¹³⁶

The 'Medieval State': Tensions between Localised Appropriation and Centralised Authority

The sovereign state was an unknown entity in the Middle Ages.¹³⁷ Political rule bore the name of domination. Since every lord appropriated individually, medieval polities faced the problem of squaring lordly geographical particularism with the security needs of central self-organisation.

What are the implications of individualised lordship for the form of medieval states? With the exception of the 10th and 11th Centuries, not every lordship constituted a 'mini-state'. Lordships were generally linked via feudo-vassalic relations as expressed in the classical feudal pyramid to an overlord. Such relation was established through a synallagmatic 'contract' between lord and vassal. Its decisive characteristic lies in its inter-personal and reciprocal nature specifying proprietary and personal rights and obligations between the two 'contracting' parties. Amongst these obligations *auxilium et consilium* - military assistance and political advice - were the most prominent. Thus, medieval 'states' rested upon a series of inter-personal bonds between the members of the land-holding class. They presented ensembles of lordships.

Crucially however, the fief-holder was not a mere functionary or official of the 'state', but a fully-fledged political lord. He did not represent the 'state' nor was his status delegated or derived from it, but the 'state' was the sum-total of the lordly class - the self-organisation of the ruling nobility. While a strict historical semantic would seek to avoid the use of the terms sovereignty or state in this context, for comparative

¹³⁵ Heine and Teschke 1997, 459.

¹³⁶ Heine and Teschke 1997, 462.

¹³⁷ Gerstenberger 1990, 500-9; Quaritsch 1970; Ehler 1961.

purposes it is didactically suggestive to say that sovereignty was therefore 'parcelised', 'divided', or that each lord was a 'fragment of the state'.¹³⁸ But since the feudal 'state' lacked an abstract institutional existence outside of the life-spans of individual rulers, since it was neither a corporate entity nor a 'legal person', it is more precise to define the political in terms of concrete praxis of personalised domination (*personale Herrschaftspraxis*).¹³⁹ From a different perspective, Weber commented that

'feudalism is a "separation of powers", but unlike Montesquieu's scheme, which constitutes a qualitative division of labour, it is simply a quantitative division of authority.'¹⁴⁰

German constitutional historians termed this unique phenomenon a *Personenverbandsstaat* (a state of associated persons),¹⁴¹ in order to clearly demarcate it from the Weberian rationalised state (*rationale Staatsanstalt*) or the institutional-territorial state (*institutioneller Flächenstaat*). It follows, furthermore, that since the medieval world ignored a 'state', it also ignored an 'economy' and a 'society' as separate institutions with autonomous mechanisms of social integration and developmental logics. These three institutions, as Hegel and Marx suggested, are specific and unique to the age of capitalism.

Yet, further corollaries follow from the inter-personal character of medieval domination for ascertaining what belongs to the sphere of the political. Given that domination was personal, noble families - dynasties - became perforce the 'natural' transmitters of political power. Consequently, dynastic family politics - noble marriages, problems of inheritance, and laws of succession - became a general *politicum* of the first order, structuring directly inter-lordly and geopolitical relations at large. By implication, the biological accidents of noble sexual reproduction were tantamount to the reproduction of the political.

Given this purely interpersonal relationship among politically independent actors which were not answerable to a legally codified set of abstract administrative laws, it should not surprise that notions of fealty were at a premium. The well-documented corporeal rites of homage, the act of investment, and the associated highly

¹³⁸ Anderson 1974a, 148 and 1974b, 15; Brenner 1985b, 229; Wood 1995, 39.

¹³⁹ Gerstenberger 1990, 500ff.

¹⁴⁰ Weber [1922] 1968a, 1082.

refined code of honour are testimony to this precarious 'non-rationalised' mediation between plural, land-based, and independent political wills. The specific inter-vasallic ethos of fealty and honour expressed precisely the structurally missing de-politicisation of lords as bureaucrats. 'The result was to generate an aristocratic ideology which rendered compatible pride of rank and humility of homage, legal fixity of obligations and personal fidelity of allegiance.'¹⁴² The doctrine of the king's two bodies captured precisely the dual identity of the king's physical body with its theocratic and divine character.¹⁴³ *Contra* Constructivism, it would seem to be intellectually questionable to stress this discourse, *mentalité*, or mode of legitimation in dissociation from the socio-economic content of feudal relations. Thus, due to this inter-personal set-up of relations of domination, public power was territorially fragmented, de-centralised, personally dispersed, and only loosely held together through the bonds of vassalage.¹⁴⁴

Such a configuration of medieval power was no static affair. To the extent that lordly localised appropriation required a policing group of armed retainers, lords found themselves simultaneously in competition with their own overlords and other rival lords. Based upon this underlying contradiction, two dynamic processes of feudal centralisation and de-centralisation can be observed time and again in the history of the European Middle Ages.¹⁴⁵

First, strong unifying forces are discernible wherever a competent warlord set out to lead his co-ruling nobles into successive cycles of campaigning and the subsequent redistribution of conquered land and the wider spoils of war (slaves, women, hostages, treasure, tributes, armaments) among his contented warriors. In a sense, there is a self-regenerating logic to these cycles of conquest and redistribution, for they fostered loyalty to the supreme warlord and provided simultaneously the means and manpower for further campaigning. The reputation and standing of Charles Martel, Henry Plantagenet, and Otto I, to name but a few, and the relative stability of their respective polities were directly predicated upon such dynamic mechanisms of

¹⁴¹ Mayer 1963, 290; Mitteis 1975, 5.

¹⁴² Anderson 1974b, 410-11.

¹⁴³ Kantorowicz 1957.

¹⁴⁴ Compare Hintze 1968, 24-25.

¹⁴⁵ Anderson 1974a, 151-2; Weber [1922] 1968a, 1038-44; Elias 1974, 275-86; Le Patourel 1976, 279-318; Brenner 1985b, 239; Haldon 1993, 213.

political accumulation. Dialectically, however, military success always contained the seeds of fragmentation. Those nobles who had flocked to a supreme warlord in order to generate a tightly knit military unit and who came to receive large estates for their services now turned into potential rivals of their erstwhile leader. As long as the latter could plausibly prove his military prowess, strategic competence and punitive capacity vis-à-vis rebellious magnates, these continued to peg their fortunes to their warlord. Otherwise, they used their newly acquired landed power base to either establish their independence or to challenge him directly.

Second, in this case, an inverse cycle of intra-ruling class altercations set in, inviting external exploitation by foreign tribes of such internal weaknesses. Corroding central state-power lead to regionalisation, which, in short, meant the end of ruling class solidarity. Customarily, these processes went hand in hand with the usurpation of public offices; they are visible, for example, under Louis the Pious and his even weaker successors. Internal redistribution of land and rights of jurisdiction became the logical alternative to external conquest. In other words, the possibility of central government always rested on a compromise - a fragile alliance for mutual gain - between the members of the lordly class. The perennially brittle nature of the medieval 'state', therefore, rests on this internal predicament: How to organise political power in the force field between centrifugal tendencies of localised appropriation and centripetal tendencies of political consolidation and noble self-organisation over and against the peasantry and for purposes of external defence or conquest.

Domination was patently not asserted on a day-to-day basis by the sharpness of the lord's sword. The sub-discipline of historical semantics has carefully distinguished the peculiar form of domination from other notions of political power.¹⁴⁶ Domination refers to the actual practices of rule inseparable from the body of the incumbent. Its meaning, therefore, includes all those social practices which kept dependants in a subordinate position and demonstrated a lord's faculties of rule to his co-rulers.

Theocratic privileges, miraculous healing powers, and charismatic gestures of leadership were part and parcel of domination.¹⁴⁷ Rule was mediated by a peculiar sphere of noble representation: conspicuous consumption, largesse, the maintenance of luxurious households and the lavish display of symbols of power are not to be

¹⁴⁶ Moraw 1982

dissociated from the business of domination. Medievalists have elaborated at length on the significance of the imagery for the rites of medieval power.¹⁴⁸ Especially the circulation of gifts was an essential part of inter-noble class consciousness and a clear indicator of social might.¹⁴⁹ Therefore, interpreting these aspects of representation pejoratively as irrational extravagance, subjective prodigality or medieval mysticism is misleading. Rather, the political economy of symbolic reproduction reveals how ostentation and conspicuous consumption served as a clear pointer for both noble peers and dependent peasantry to the social power and extractive capacities of the lord.¹⁵⁰ To this extent, there is nothing mysterious about symbolic representation, even for 'the structuralist hardened by a more materialist historiography'.¹⁵¹

The Political Economy of Medieval Territory and Frontiers

We have come to think of states as exercising sovereignty over a spatially specified and territorially consolidated area with clear-cut boundaries. Modern territoriality is exclusive and uniform in terms of its administration. The diplomatic institution of 'extra-territoriality' and the principle of non-intervention are the classical upshot of this form of international organisation. The Middle Ages confront us with an inverse image. As a rule, medieval territory was co-extensive with the ruler's ability to enforce his authority claims. Thus, we have to turn to the techniques of exercising political power under conditional property relations in order to understand the constitution of medieval territoriality.

The first thing to note is that a clear distinction between internal and external within feudal Europe cannot be drawn. Wherever the fief constituted the basic cell of political territory, authority claims by respective overlords to this territory were mediated, better: mediatized, through the vassal. The vassal's will, however, was not a bureaucratic instance to be sanctioned through codified written procedure, but expressed political power. Personal loyalty had to be maintained on a day to day basis

¹⁴⁷ Gerstenberger 1990, 501-2.

¹⁴⁸ Bloch 1973; Kantorowicz 1957; Duby 1974, 48-57.

¹⁴⁹ Ganshof 1970, 43.

¹⁵⁰ Habermas 1989, 5-9.

¹⁵¹ Hall and Kratochwil 1993, 485. NB: Neorealism is here the villain!

through the paraphernalia of medieval patronage. The problem was compounded when the feudo-vassalic chain stretched over more than two links, so that the rear-vassal owed first allegiance to his direct overlord and only secondary or no allegiance to whoever occupied the apex of the feudal pyramid. In this instance, a part of the territory was completely removed from the royal reach yet formed neither an exclave nor a part of a third state.

Where territoriality itself stands on shifting grounds, its assertion requires the lord's physical presence. In this respect, the peripatetic nature of the royal households is indicative of the structural difficulty of maintaining effective state authority over the territory. Yet, ceaseless royal mobility was shadowed on a smaller scale by ceaseless mobility on the part of lesser lords. Few enjoyed lordship over a territorially compact area. Most estates were scattered over far-flung territories, reflecting the vicissitudes of military acquisition and the politics of land-partition upon inheritance. Consider, for example, the case of those Franco-Norman knights who followed William the Conqueror to the shores of England. After the conquest, the eradication of the Anglo-Saxon land-holding class, and the subsequent re-distribution of dispossessed land among the barons of the invasion army, many lords found themselves masters over an incongruous body of estates. In addition to their ancestral homelands in Northern France, they now had to ensure the running of their newly granted lands in England, and, in the course of the conquest of the British Isles, of their lordships in Wales, Ireland, or Scotland.¹⁵² To this extent, William's incessant trans-maritime voyages were mirrored by the migrations of his greater barons. Anglo-Norman lords were essentially 'cross-Channel lords'.¹⁵³ State-territory was coterminous with the land-holding patterns of the ruling class.

The institutional organisation of political power over medieval territory was not uniform. Whereas an administrative distinction between center and periphery within modern states is meaningless, frontier regions in medieval states - the marches -¹⁵⁴ exhibit certain symptomatic traits over and against the center. Ethnic, religious, natural-topographical, or linguistic aspects were secondary in determining the 'demarcation' of frontier regions. The extension of medieval territory followed the

¹⁵² Bartlett 1993, 57; Given 1990, 91-152.

¹⁵³ Frame 1990, 53.

¹⁵⁴ Smith 1995; Mitteis 1975, 66.

opportunities of military conquest, that is, political accumulation. The administration in the periphery reflected a careful balancing act between the eradication, accommodation, or co-optation of the local conquered nobility, the needs of newly established conquest-lordships, and the wider security interests of the 'state'. This created another dilemma for feudal overlords: To the degree that marcher-lords had to be invested with special military powers of command in order to deal effectively with unruly neighbours, they became, by the same token, semi-autonomous.¹⁵⁵ More often than not, they abused their privileges for the build-up of regional strongholds. For example, the liberties enjoyed by the Anglo-Norman lords of the March of Wales, set between native-controlled Wales and the English kingdom, persisted well into the 16th Century, even though the victorious Edwardian campaigns (1282-3) had sapped their *raison d'être* centuries earlier. In the Welsh Marches, the king's writ was devoid of force.¹⁵⁶ Under these conditions, where did state territory start and where did it end?¹⁵⁷ Not surprisingly, therefore, modern linear borders historically have been preceded in Europe by zonal frontier regions contested by semi-independent lords. This does not mean that lines were not drawn on the geopolitical map. The Treaty of Verdun (843) divided the Carolingian Empire into three clearly demarcated territories. Although this gave some degree of legitimacy for the respective rulers to claim the allegiance of 'their' local lords, it had to be practically negotiated and enforced from case to case.

To sum up, feudal territoriality can best be visualised in terms of concentric circles of central power projection. Only the sporadic assertion of royal overlordship over semi-autonomous peripheral lords reconstituted a sense of bounded territoriality at temporal intervals. As a rule, central claims to authority petered out in frontier zones constantly on the verge of secession and busily engaged in their own 'foreign policies' vis-à-vis adjacent regions. Amorphous medieval territoriality is thus not simply explained in terms of a mismatch between insufficient central administrative capacities (lack of means of communication and enforcement)¹⁵⁸ and spatial extension, but is deeply engrained in the land-based political economy of lordships. Feudal decentralisation should thus not be understood as the contingent solution to a series of

¹⁵⁵ Werner 1980.

¹⁵⁶ Davies 1989, 1990.

¹⁵⁷ Smith 1995, 179.

¹⁵⁸ Weber [1922] 1968a, 1091.

economic, technological and institutional absences, but rather as the definite expression of the presence of a determinate social property regime, which, in turn, explains why, for example, the means of communication and administration were not developed, given that feudal relations of exploitation did not exert a systematic pressure to invest in and thus to develop these means. Medieval political geography is the story of the cohesion between and fragmentation of feudal lordships - a phenomenon of ruling class organisation.

War and Peace: Medieval Feuding as Legal Redress

Given that political power was dispersed amongst a multiplicity of political actors, and the criterion defining a political actor was his arms-bearing character, the *problematique* of war and peace can only be understood as embedded in a diffuse oligopoly in the control of the means of violence. Against this background, the lines of demarcation between pacified domestic politics, and essentially hostile international relations, between criminal law and international law, become blurred. In fact, they are impossible to draw. What are the implications of such organisation of political power for the modes of conflict-resolution, for questions of war and peace in the Middle Ages?

War as Feud. The answer to this question lies in an interpretation of the feud.¹⁵⁹ It receives primacy of attention since it mediated exemplarily the 'internal economic' contradictions of the ruling class into 'external political' conflicts by dint of inter-noble competition. The focus on the feud does not imply, of course, that all medieval wars were inter-lordly feuds. Only conflicts among feudal actors took the form of feuds. What is central here is that public peace always stood on the shaky grounds of the noble right to armed resistance. Since the right to resort to arms was part and parcel of conditional property, legitimate feuding was exclusively restricted to the noble class. Although monarchs attempted time and again to outlaw feuding in

¹⁵⁹ Brunner 1992; White 1986 and 1996; Geary 1986.

letter, they rarely succeeded (England was the partial exception) in enforcing the peace of the land in practice.

Noble 'self-help' was not a state of emergency, civil war, or the sudden re-imposition of a pre-contractual Hobbesian state of nature into an otherwise pacified society. Nor was it a Waltzian form of reactive power-maximisation to be inferred from international anarchy. It was a generally acknowledged and permissive form of jurisdictional redress seized by an aggrieved party.¹⁶⁰ All secular nobles had the right to settle their disputes by force of arms - both in cases of failed arbitration and, ironically, successful arbitration. In this case, the execution of the sentence was the responsibility of the vindicated party in the absence of an overarching executive.¹⁶¹

Can we then distinguish meaningfully between the status of the feud and the status of war in the European Middle Ages? Brunner suggested that within Christian Europe contemporaries distinguished between feuds and war only by the magnitude of the conflict in question, not by the principle underlying both forms of violence.¹⁶² He backed up this interpretation by pointing out that warfare (legal feuding), both between minor lords and between powerful monarchs, was conducted according to the same formal proceedings. Notwithstanding the frequent transgression of these prerequisites and limits, we are here faced with a mode of conflict-resolution that (1) was exercised within 'states' as between 'states'; (2) was regarded as a form of legitimate and jurisdictional form of redress; (3) was therefore not covered by some incipient international law; and (4) can only be adequately interpreted when set against the background of decentralised political power based upon the necessity of localised appropriation. To be sure, for superficial observers, these modes of conflict-resolution could constitute a self-help system in which might generates right, but only at the price of abstracting from its social rationale and a concomitant coarse equation of modern interstate wars with medieval feuds. In the Neorealist perspective, it does indeed not matter whether the object of inquiry refers to urban gang-warfare or the classical age of the European Concert of Powers. In the dark night of Neorealism, all cows appear to be grey.

¹⁶⁰ Brunner 1992, 24.

¹⁶¹ Brunner 1992, 28; Bloch 1961, 360.

¹⁶² Brunner 1992, 33-5.

The Many Peaces. As there was no 'international' concept of war, there was no 'international' concept of peace. Within 'states' and between 'states', lords stood principally in non-pacified relations to each other. They were agents of war and peace. Since the authorities who sponsored peace were 'functionally differentiated', those efforts reflected the hierarchy of peace-makers (the king's peace, the Peace of God, the Peace of the Land, the peace of towns, the peace of lords) and were geared towards the pacification of inherently bellicose inter-lordly relations. The vocabulary of anarchy and hierarchy does not suffice to grasp such a unique state of affairs. The mechanisms of peace making, in turn, were as variegated as the diversity of feudal public actors. Let us exemplify this diversity of peace-making under feudal property-relations by looking at the activities of the bishops in the 10th Century.

Efforts to establish peace and order during the Feudal Revolution were everywhere initiated and orchestrated by regional bishops. The episcopal peace movements, evidently, were thus not motivated by abstract considerations of non-violence or moral theology, nor even of compassion for a hard-hit peasantry that bore the brunt of lordly marauding: instead, they were a direct reaction to lordly encroachments on Church land and treasure.¹⁶³ In the absence of royal protection, the immunities granted to the Church were now without legal and military protection. In this precarious situation the clergy, the only part of the non-producing class that bore no arms, developed a long-term secular interest in establishing modalities of peace to maintain their socio-economic basis. Alternatively, bishops began to arm themselves. However, the most effective means in their hands were privileged access to the means of spiritual reproduction. More drastically, the monopoly over the means of salvation provided the preferred ecclesiastical lever for interference in worldly matters for the pre-Gregorian Church: excommunication.¹⁶⁴ To be sure, we should not be misled by its spiritual connotations, for it was not simply the moral capital of the praying class, but an effective means of exclusion from the legal community, usually with devastating social and material consequences. Deprivation of the Holy Communion was analogous to the loss of citizenship today.¹⁶⁵

¹⁶³ Flori 1992, 455-6; Brunner 1992, 15; DUBY 1980.

¹⁶⁴ Poly and Bournazel 1991, 154.

¹⁶⁵ Berman 1983, 114; Geary 1986, 1119-20.

What then did the *pax dei* and the *treuga dei* entail? The bishop-led peace movements did not intend to nor were they in a position to outlaw feuding, since noble demilitarisation would have undermined the very *raison d'être* of the knightly mode of life. Rather they aimed to restrict and regulate the law of the fist by specifying exemptions to warring, first in terms of persons and objects (Peace of God), later in terms of time and space (Truce of God).¹⁶⁶

In summary, the peace movements were a conscious strategy of appeasement on the part of the unarmed clergy and an attempt to contain the feudal crisis of the 10th to 12th Centuries by those most afflicted before newly consolidated monarchies set themselves to work to restore peace by public means. Their example elucidates the non-state character of peace making in the Middle Ages.

Feudal 'International Systems': Beyond Anarchy and Hierarchy

What was the structuring principle of 'international' organisation in the European Middle Ages? Waltz, Ruggie, Fischer, and Spruyt agreed on the anarchic nature of the Middle Ages.¹⁶⁷ We will now qualify this assertion and fine tune the anarchy/hierarchy *problematique* using a more detailed historisation of structures of lordship.

One of the weaknesses of the debate on the Middle Ages in IR is that none of its participants deemed it to be necessary to specify his statements in time and space. About which Middle Ages are we talking? If we focus on the changing forms of lordship, we have a criterion at hand which allows us to draw out visible differences between the medieval centuries without renouncing their essential identity. For these alterations in lordly property rights flow from social relations that underlie changing geopolitical contexts: feudal empires (650-950), feudal anarchy (950-1150), feudal state-system (1150-1450). In other words, the degree to which political powers of extraction were wielded in the hands of the land-holding class conditions the organising principle of feudal 'international' orders.

¹⁶⁶ Bisson 1977.

¹⁶⁷ Waltz 1979, 88; Ruggie 1986, 141; Fischer 1992, 461 ff.; Spruyt 1994a, 13.

Banal, Domestic, and Landlordship

The literature distinguishes broadly between three dominant forms of lordship in the European Middle Ages.¹⁶⁸

Banal lordship refers to what could most readily lay claim to medieval public state authority, namely royal powers of command, public taxation, punishment, adjudication and decreeing. Being authorised to wield the powers of the ban conferred the most encompassing form of domination and exploitation to the incumbents, constituting what Duby called the 'master class' within the medieval ruling class.¹⁶⁹

Domestic lordship was the prevalent form of domination on the classical bipartite manor of Carolingian times. Here, the lord's land was divided into a seigneurial demesne to be tilled by slave-labour and specified peasant services, and into surrounding peasant-plots cultivated independently by the tenured peasant. The 'lord's men' had no access to public courts, nor did they have to pay taxes of a public character, but they were exclusively subject to the disciplinary measures of manorial control.¹⁷⁰

Landlordship emerged in various regions of Western Europe from the late 12th to the late 14th Century. Here, the personal character - both between lord and vassal and between lord and peasantry - receded in favour of the proprietary character of the holding. The continental West European peasantry became enfranchised (the end of serfdom) and managed to fix its rents in peasant charters.¹⁷¹ Lords forfeited their power of command and taxation. The demesne and therewith labour services lost importance in relation to rents in kind and increasingly in cash (monetisation).

Conditional Hierarchy, Personalised Anarchy, Territorial Anarchy

¹⁶⁸ Duby 1974, 174-7; Comninel 1992. German terminology distinguishes *Leibherrschaft*, *Banngrundherrschaft*, and *Abgabengrundherrschaft*, Rösener 1992, 10-13.

¹⁶⁹ Duby 1974, 176.

¹⁷⁰ Bloch 1966, 70.

¹⁷¹ Brenner 1996.

We will now set out how specific lordship constellations translated into diverging structuring principles of early, high, and late medieval 'international' systems.

The Carolingian Empire was built upon a combination of banal lordship, wielded by the Emperor and his public officials (*missi*, counts), domestic lordship wielded by lesser lords in the exploitation of their estates, and free and arms-bearing peasant proprietors. In specifying the internal structure of the Empire, we find a weak presumption of hierarchy. All noble land was handed out by the Emperor, fiefs were nonhereditary, the Church was still politically integrated into the Empire, and the power of the ban overrode lordly rights. Having said that, the assumption of hierarchy must be relaxed because the Emperor was not simply head of state; he was the supreme vassalic lord and was bound in this capacity by the reciprocal terms of the vassalic contract. The hierarchy of authority claims was further eroded through the spreading institution of immunity which exempted ecclesiastical estates from any state interference.¹⁷² Therefore, one must speak of *conditional hierarchy*. Although a variety of competing autonomous sources of law coexisted next to royal law, conditional hierarchy flowed from the Emperor's overriding politico-military and theocratic authority over his imperial aristocracy and lesser lords. Talk of conditional hierarchy rests, of course, on the assumption that the Empire can be conceived as an 'international system' in the first place. To the degree that it was made up of a multiplicity of semi-independent political actors, whose *ultima ratio* was the lawful recourse to arms, bound together through a series of interpersonal contracts, we contend that this is justifiable.

This brings us to the problem of 'external sovereignty' defined as the exclusive capacity to conclude international treaties, declaring war, and having diplomatic representation. Although only the Emperor could perform these functions in the name of the Empire, Carolingian magnates equally engaged in these forms of international relations, not only with 'foreign political actors', but also amongst themselves.¹⁷³ Finally, we have to inquire into the relation of the Empire to its surrounding polities and great powers. Here, a string of neighbouring polities were bound to the Franks either through vassalage or through tribute-payments, without being at any time

¹⁷² Quaritsch 1970, 190-96.

incorporated into the Empire. They were subjected to Carolingian suzerainty. Some polities, however, were outside the sphere of Frankish influence (Byzantine Empire, the Califat of Córdoba, and the kingdoms of the British Isles). In this wider geopolitical perspective, neither hierarchy nor formal anarchy can be maintained. With the exceptions of the latter polities, the Frankish Empire was hegemonial.

In the wake of the cessation of Frankish expansion, the Empire disintegrated from the mid-9th Century onwards into its constituent building-blocks: lordships. In this process, local lords began to usurp the kingly power of the ban. They 'privatised' high justice, taxed their 'subjects', territorialised their fiefs, patrimonialised their lands through the introduction of heritability, and subjected the remaining free peasantry to serfdom.¹⁷⁴ The merger of banal lordship and domestic lordship during the Feudal Revolution converted the estate into a fully independent *seigneurie*. This chronologically and territorially uneven process culminated in the 11th Century but was geographically confined to the Western Kingdom due to the persistent opportunities of conquest offered by the eastern frontier.¹⁷⁵ What was at one time an internally consolidated polity turned into a multiplicity of petty conflict-units. Widespread feuding and the militarisation of the country-side unleashed 'feudal anarchy'. The castellans and knights rose to power. The French king became one small-scale actor among many. The predominance of this power-configuration led medievalists to talk of the 'second feudal age' and 'parcellization of sovereignty'.¹⁷⁶ If, for the sake of argument, we consider this political constellation an 'international system', then we have to call it an anarchy among 'functionally differentiated' actors - an anarchy based upon changes in the proprietary patterns of the land-holding class. Since, however, the fragmentation of political power cascaded down the ladder of territorial districts to the smallest possible conflict-unit, the castellan or even the knight, we propose to call this pattern a *personalised anarchy*. Every lord was his own conflict-unit.

Finally, a new separation of banal and domestic lordly power emerged during the period of reconsolidating feudal states in the late 12th Century and after. Whereas

¹⁷³ Mattingly 1988, 23; Ganshof 1970.

¹⁷⁴ Bonnassie 1991.

¹⁷⁵ Elias 1994, 281; Leyser 1968, 31.

¹⁷⁶ Bloch 1961; Mitteis 1975.

banal lordship was re-appropriated by greater magnates and eventually monopolised by a few kings, landlordship became the basis of reproduction for the nobles on the land. 'Bastard feudalism' transformed lordly military services into money payments to the overlord. In France, lords were increasingly drawn into the service of greater magnates. The reconstitution of higher royal courts, in turn, was a result of competitive processes between feuding lords. By the 13th Century, competition had given rise to a re-territorialisation of banal powers in the hands of a dozen still competing principalities, among which the Capetians emerged eventually victorious in France.¹⁷⁷ Although vassalic relations among the bigger conflict units (even the king of England remained nominally vassal to the king of France until the 15th Century) still compromised an exclusive notion of territoriality, their significance receded to the degree that feudal services were successively replaced through the tax/office structure by more centralised states. This meant the emergence of feudal *nonexclusive territorial anarchy* in the late Middle Ages. The non-exclusivity of this form of territoriality must be stressed, since landlords retained substantial political powers over their peasants, emergent towns, based upon urban law, freed themselves from seigneurial control, and the reformed papacy now asserted its authority claims through transnational canon law.

To conclude, domestic lordship in connection with a kingly monopoly of the ban underwrote early medieval empire building, which endured as long as the Franks successfully conquered surrounding tribes. The structuring principle is here a *conditional form of hierarchy* (internal conditional hierarchy, external limited hegemony). Furthermore, the heyday of 'feudal anarchy' was based on strongly personalised banal lordships. *Personalised anarchy* brought to the fore the inherently fragile basis of feudal state formation under localised conditions of appropriation (internal hierarchy, external personalised anarchy). Finally, we maintain that the separation of banal lordship and landlordship allowed public power to be re-territorialised. From this transition *nonexclusive territorial anarchy* emerged between the units of the feudal state system (internal conditional hierarchy, external heteronomous anarchy).

¹⁷⁷ Hallam 1980.

Conclusion: Geopolitical Systems as Social Systems

This chapter provided an analysis of the nature of medieval geopolitical relations and medieval political core-phenomena in order to expose some fundamental shortcomings of current IR theory. Let us summarise its positive implications and theoretical challenges for the wider contemporary IR discourse.

We started with the assumption that the character of international systems expresses the nature of their constitutive units which are themselves predicated upon determinate social property relations. We showed how historicising neorealists and constructivists have failed (1) to understand the generative structure of medieval geopolitical order, (2) to theorise the major antagonistic strategies of action that determine an inherently bellicose geopolitical dynamic, (3) to account for internal shifts in system structure within the European Middle Ages, (4) to conceptualise the time-bound social character of major medieval political and 'international' institutions, beginning with the 'state'. Furthermore (5), we suggested that neorealists failed to specify how the emergence of the modern states system is to be theorised within the parameters of a structuralist IR theory. We also (6) pointed to some limits of constructivist readings of medieval discourses and self-understandings in the absence of their social grounding in processes of reproduction.

This prompted us to go beyond a description of medieval institutions by unpacking feudal conditional property as a social relation among lords and between lords and peasants. This relation is institutionalised in the lordship - the constitutive unit of feudal order - establishing political access to peasant-produce. Induced by collective peasant resistance and the needs of external conquest and defence, lords self-organise in a 'state of associated persons'. The 'state' guarantees noble property and lordly survival. Lordly reproduction follows the logic of political accumulation, being both an 'economic' (lord-peasant) and a geopolitical (lord-lord) process. However, the nexus between lordly individual appropriation and the legitimate right to resist, fixed in the noble right to bear arms, precludes a state monopoly in the means of violence. Inter-lordly relations are then by definition neither 'international' and therewith anarchic, nor domestic, and therewith hierarchic. 'Sovereignty' is parcellized amongst

politically appropriating lords. We thus unfolded the historically bounded meanings of the medieval 'state', territoriality and frontier, war-as-feud and peace, hierarchy and anarchy, and deduced the competitive geopolitical rationality of feudal actors from property relations.

The theory of social property relations does not only vindicate the common objection to Neorealism's lack of a generative grammar and transformative logic, but questions its very assumption that there is a distinct international level in medieval Europe which can be meaningfully theorised in abstraction from the internal properties and reproductive logic of feudal society. The state and the market, the domestic and the international are not yet differentiated into separate spheres. This opens up the question of the genesis and constitution of the modern international system.

For how should we understand the passage from medieval parcellized 'sovereignty' to modern absolute sovereignty? The concept of sovereignty is historically connected with absolutism and the Westphalian states system. Let us unravel its social property regime. French absolutism was built upon a combination of widespread peasant property in land and 'private' property in state offices held by the old nobility and a new office-holding state-class.¹⁷⁸ Although serfs no longer pay politically enforced rents to their lords, absolutist appropriation continues to be a political process for taxes are politically enforced on free peasants by the state. Despite the pooling of military power in the absolutist state, state and economy remain undifferentiated. The relation between the producer (free peasant) and the non-producer (state) remains politically constituted. The personal element of domination persists since absolute power is not invested in the state, but in the person of the king. '*L'Etat, c'est moi*' connotes sovereignty as the personal property of the king.¹⁷⁹

As in the feudal case, this translates immediately into a specific geopolitical dynamic of the absolutist states system. International accumulation proceeds politically through war and marriages between dynastic states. State-sponsored mercantilism and not the capitalist policy of free trade marks the leading economic doctrine of the age.

¹⁷⁸ Brenner 1985b.

¹⁷⁹ Rowen 1961, 1969, 1980.

Against conventional IR assumptions,¹⁸⁰ absolutist sovereignty, and therewith the Westphalian states system and its territorial geopolitical logic, are thoroughly pre-modern institutions.¹⁸¹ Early modern international relations remain locked in the zero-sum game of political accumulation.

On the basis of the non-modernity of absolutist sovereignty, we have yet again to go a step further. If the parcellization of 'sovereignty' under feudalism expresses the politico-military nexus between serfs and lords, and if absolutist sovereignty expresses the politico-military nexus between free peasants and king, then, modern sovereignty presupposes de-politicising this nexus. Only after historically accomplishing this de-politicisation can sovereignty be pooled in an abstract state above economy and society. This process is intimately connected to the transformation of politically constituted property into private property and the concomitant transformation of free peasant proprietors into wage labour.¹⁸² Since the labour-relation is henceforth based upon a private, 'non-coercive' contract, accumulation turns into a 'purely' economic process. Therewith, the economic becomes disembedded from the political.¹⁸³ A 'purely' political state, based upon the monopoly of the means of violence, and a 'free' market, based upon the commodification of all factors of production, spring into existence. Contrary to Ruggie's assertion, 'modern' sovereignty expresses precisely the separation between private property and public authority.¹⁸⁴ However, if this argument holds, it follows that in the leading European nation-states the 'decaying pillars of the Westphalian temple' already lay in ruins in the 19th Century, if not earlier.

If private property marks the constitutive principle of capitalist sovereignty, then international anarchy - contrary to what constructivists argue - is more than 'what states make of it'.¹⁸⁵ The 'critical-theoretical' claim that 'sovereignty is a practical category'¹⁸⁶ applies only to the state's functional dimension, not to its constitutive

¹⁸⁰ Krasner questions effectively many assumptions on Westphalia's essential modernity. Yet, rather than specifying modern sovereignty's deep generative structure, he dissolves its content as a permanently contested, and thus 'contingent and pliant' social practice. Krasner 1993, 238.

¹⁸¹ Rosenberg 1994, 135-39.

¹⁸² Brenner 1985b, 284-91.

¹⁸³ Polanyi 1944. Indeed, the first capitalist state turns out to be England, Wood 1991.

¹⁸⁴ Ruggie 1986, 143.

¹⁸⁵ Wendt 1992.

¹⁸⁶ Ashley 1984, 273.

dimension.¹⁸⁷ In other words, the generative structure of capitalist property-relations sets absolute limits to what a community of co-reflective statesmen can practically do. The secret of the state lies outside its own sphere of influence. This then points to the question of whether the present international system of sovereign states is necessarily linked to the persistence of private property. What can be maintained is that although anarchy endures, the primary dynamic of inter-action between the advanced capitalist states is no longer military competition over territory as a source of income.

By identifying social property relations and their conflictual contestations as constitutive of all international systems and their distinct geopolitical dynamics, we advance a theory of IR that combines a transformative logic with a principle of generative structure. Thus, the argument goes decisively beyond current assumptions in IR, be they of neorealist, realist, constructivist, or 'critical-theoretical' persuasion.

While this concluding comparative sketch on the difference between the modern and the pre-modern state has important periodological consequences for IR theory by calling Westphalia's modernity into question, it only theorises the state in the singular. Yet, the *differentia specifica* of the European experience resides precisely in the formation of a plurality of states and their coexistence in a recognised and multilaterally regulated system of states. The prior question which has therefore to be addressed is how it is that states emerged in Europe in the plural. To answer this question, we have to turn to the logic behind the decomposition of the last pan-European empire: the Carolingian Empire.

¹⁸⁷ Thomson 1995, 224.

Chapter Three

From Hierarchy to Anarchy: The History of the Social Relations of Lordship (c800 - c1350)

'The feudal mode of production, itself wholly "pre-national" in character, objectively prepared the possibility of a multi-national state system in the epoch of its subsequent transition to capitalism.'¹⁸⁸

Introduction: Theorising Systemic Change in IR

The Transition from Imperial Hierarchy to Royal Anarchy as a Problem for IR Theory

This chapter provides an explanation of the 10th Century shift in European geopolitical order from hierarchy to anarchy. This shift is synonymous with the transition from the early to the high Middle Ages. The course of this transformation in system-structure can be divided into three major phases. The break-up of the Carolingian Empire (1) in the 9th Century gave rise to the politically highly fragmented banal regime (2) during the crisis of the Year 1000, which was itself transformed through the re-consolidation of public authority by feudal kings (3) in the course of the post-crisis centuries. The outcome was an anarchic system composed of plural feudal kingdoms. These polities were organised along inter-personal bonds, not exclusive territorial jurisdictions, and characterised European geopolitical order until the 14th

¹⁸⁸ Anderson 1974b, 412. Yet, while the fragmented character of feudalism prepared the multilateral character of the modern system of states, the predatory logic of absolutism reduced the number of European states decisively during the early modern Europe. If it was not for the onset of capitalism in Britain, the Absolutist system of equilibrium qua partition and compensation might well have generated another European Empire.

Century crisis, laying the basis for the political pluriverse which came to consolidate itself during the early modern period as the European system of states.

The Carolingian Empire was the last European political community which laid claim to universal domination in contemporary Latin Europe. Although Arab Spain, the British Isles, Scandinavia and eastern Europe remained outside its sphere of influence, the Frankish polity comprised the lands of Western and Central Europe under one political authority, regarded itself as Rome's legitimate successor, blended religious and political might in a theocratic conception of imperial power, and constituted the hegemonic actor in early medieval European politics. The process of its dissolution and the subsequent re-consolidation of political authority in plural and altered forms confronts IR Theory with a series of theoretical challenges regarding its rationale, origins, timing, form, dynamics, and consequences.

However, the relevance of this shift from imperial hierarchy to royal anarchy is not confined to its case-study character for IR as an example of fundamental structural change. Rather, the break-up of the Frankish Empire had profound long-term implications for regionally-diverging long-term trajectories of European regime-formation and the general spatial configuration of the modern state system as a multi-actor system. On the one hand, this shift resulted in a sustained process of extra-Frankish geopolitical expansion which prefigured the long-term geopolitically divided character of Europe as a non-imperial system of states demarcated along dynastic lines. On the other hand, the specific experiences of post-expansionary state-formation were to a decisive degree pre-structured by the social forms of post-millennial expansion.

The non-neorealist IR literature has so far focused on the 'medieval-to-modern shift' as a fundamental change in the structure of international order from feudal heterogeneity to modern state-based anarchy. This shift, however, was not only preceded by this earlier epochal transformation of geopolitical order - similar in historical magnitude and theoretical importance -, but took place in an international context which was decisively shaped by this prior epochal change from hierarchy to anarchy. This poses three problems for IR Theory and social theory at large: First, how to account for this shift in systems structure? Second, given that the Westphalian Peace Settlement was set in an already pre-existing system of multiple dynastic polities, what are its implications for a re-interpretation of the meaning of 1648? Third, given that the

rise of a system of states was not logically or historically connected to and preceded the onset of capitalism, what is the effect of capitalism on the state system and, inversely, what is the effect of the state system on the expansion of capitalism? This chapter attempts to answer the first question and explores thereby the pre-history of the making of the early modern system of states.

The argument, which will be fully drawn out in chapter six, is that when Europe underwent its 'medieval-to-modern shift' during the early modern period, it was already fragmented into a plurality of political communities. Although these communities did not represent modern sovereign states, but rather, in their system-defining majority, patrimonial-absolutist polities headed by dynastic families, their territorial identities - consolidated through absolutist practices of rule - established during the preceding seven centuries were already pronounced enough to form the building-blocks for the Westphalian conception of international order. *Ex hypothesis*, it follows that 1648 did not mark the beginning of a modern anarchical system of 'states', but rather the culmination of a period of plural feudal-absolutist state-formations, whose origins can be traced back to the dissolution of the Carolingian Empire and, in particular, to the resolution of the 10th Century crisis. The Westphalian Peace Treaties, as we will argue in chapter six, did not alter the prevailing mode of territorial and geopolitical organisation and the international rules of diplomatic conduct, but enshrined and recognised the cumulative developments of the preceding seven centuries of competitive and plural state-formations. Thus, the dominant signatories at Münster and Osnabrück did not represent modern states as defined by Max Weber, but embodied dynastic conceptions of sovereignty as the private property of kings. While Westphalia codified the multilateral recognition of Europe as a political pluriverse, it did thereby not establish modern international relations or modern territorial order. To this extent, 1648 was more of an end, than a beginning.

Theoretically, the anarchical character of the modern system of states can neither be posited as a trans-historically given nor can it be tautologically derived from international competition *per se*. It cannot be exhaustively explained by the conventionality of a series of international peace treaties, nor, indeed, deduced from the 'logic of capital'. In order to substantiate the thesis that the basis for a multi-actor Europe was already laid in the period between the 9th and the 11th Century, this chapter, informed by the theory of social property relations, sets out by inquiring into

the nature of the Carolingian Empire and the reasons behind its collapse. For it is around the millennium that a new type of social relations of lordship spread throughout the Frankish heartlands, which was - according to our thesis - decisive for the long-term social and political development of various European regions. The 'Feudal Revolution',¹⁸⁹ the not undisputed term for this general transformation, established a new mode of political domination and economic exploitation, spawning a series of closely interrelated novel phenomena. Socially, it changed the status of the direct producers from slavery and free peasantry to serfdom; politically, it ushered in a prolonged crisis of public governance resulting in the feudalisation of political power; militarily, it gave rise to an internal differentiation within the nobility associated with the emergence of the knightly class; and geopolitically, it marked the point of departure for a surprising display of noble 'political accumulation', resulting in four expansionary outward movements driving the late Frankish lords over the borders of the Carolingian core lands into hitherto unconquered regions. In a time-span of eighty years, the post-Frankish knights asserted their land hunger by setting out to conquer the British Isles (Norman Conquest, 1066), Southern Italy (1061) and the eastern Mediterranean (First Crusade, 1096-99), the Iberian peninsula (*Reconquista*, 1035), and large stretches of the lands east of the Elbe-Saale line (*Deutsche Ostsiedlung*, 1110). Out of the millennial crucible of the 'Feudal Revolution', lordship-based political communities spread all over Europe which had a lasting influence on the various regional processes of state-formation throughout late medieval and early modern times. These knight-led expansionary movements were not completed until the 15th Century and established the institutional and geographical parameters for the international organisation of the European early modern system of states.

Recapitulating the Explanatory Framework

¹⁸⁹ Cf. the survey article by Bisson 1994 and the debate in *Past & Present* between Barthélémy 1996, White 1996, Wickham 1997 and the reply in Bisson 1997. Although the majority of medievalists, following the lead of Duby (1978, 147-66), has accepted and substantiated Duby's thesis of a 'Feudal Revolution' or '*mutation féodale*' to highlight the deep cesura in social and political relations around the millennium (cf. Poly and Bournazel 1991 and Bois 1992), the ongoing debate features now a small revisionist current which contests its chronology and extent (Barthélémy 1996).

'How is the unique dynamism of the European theatre of international feudalism to be explained?'¹⁹⁰ Clearly, on first sight, these processes were violence-driven. Yet, the pure logic of geopolitical competition does not exhaust their social rationale, origins, timing, nature, dynamics and consequences. In the previous chapter, we suggested an interpretation of the role of political violence and geopolitical competition revolving around the centrality of extra-economic compulsion in socio-economic orders in which the direct producers are in possession of the means of subsistence. Political violence, so visible in the 10th and 11th Centuries, demonstrates the crisis-potential of an economic order in which struggles over access to and the redistribution of peasant-produced agrarian surplus between lords and peasants and among lords constitute the dominant social dynamic behind large-scale social and geopolitical change. It follows that in European feudal societies the geopolitical dynamics of their major agents, be they small lords or powerful monarchs, cannot be dissociated from their direct reproductive concerns. The essential unity of the political and the economic (*potestas et utilitas*) in feudal society explains the recurrence of feuds and war as rational forms of reproduction and therewith constitutive features of European pre-capitalist international relations. Feudal 'international' relations are then no more external to outlined strategies of reproduction than are 'domestic' relations. The internal and external aspects of ruling class behaviour can both be deduced from the prevailing agrarian property settlement.

Consequently, lordly investments were, as a rule, not geared towards the means of production, but towards the means of exploitation which secured the conditions of surplus extraction, the persistence of bonded forms of labour, and, by the same token, the competitive edge in the conflicts over inter-lordly redistribution. The nexus between extra-economic appropriation and investment in the means of violence constitutes the social rationale behind outstanding medieval military innovations, the build-up of elaborate military equipment, and the ubiquity of war in medieval times.¹⁹¹ Thus, although feudal societies have been portrayed to be relatively lethargic in economic and technological terms, their inner contradictions, fates and fortunes appeared most strikingly in the military and political realms. Since access to land and

¹⁹⁰ Anderson 1974b, 402.

labour constituted the highest good in feudal society, politically conducted violent struggles over such access translated *a fortiori* in what IR theorists would call geopolitical processes of conquest and expansion. An answer to Perry Anderson's question must therefore be sought in the internally competitive inter-personal structure of European feudalism based on de-centralised modes of agrarian exploitation, which never allowed a conclusive monopolisation of political power in one paramount center of imperial sovereignty.

On the basis of these theoretical premises, this chapter challenges directly dominant IR theories. In particular, it shows, firstly, the insufficiency of neorealist attempts to theorise international relations at the level of systemically-induced geopolitical inter-actor relations in abstraction from wider social relations. Secondly, it tries to refute realist axioms which deduce geopolitical competition essentially from a transhistorically conceptualised Hobbesian nature of man, by showing how a historically specific attitude towards war and violence was inextricably bound up with historically specific property relations. Thirdly, it argues that constructivist approaches, which base their explanations of variations in foreign policy behaviour on discursively negotiable, and thus alterable, conventions and learning-processes amongst conflict-units, tend to underrate those non-negotiable structural interests which govern identity-formation and set determinate limits to their voluntary alterations. Fourthly, the chapter responds to the question of how IR Theory can theorise both, systemic continuity as well as profound and epochal transformations in the very structure of international order and its constitutive rules of international politics. In this, it advances more than just a comparative historical sociology of successive geopolitical orders by providing a historically-informed explanation of the reasons behind as well as the timing, dynamics and consequences of the general revolution of the year 1000. In other words, this chapter theorises the passage from the early to the high Middle Ages as a historical continuum with a view to its geopolitical implications.

Methodological Reorientation: From System to Process

¹⁹¹ Systematically theorised by Brenner 1986, 27-32

In order to trace and comprehend these dynamic processes, this chapter employs an alternative methodological stance. In the preceding chapter, I have set out the *sui generis* meanings of such medieval key-concepts as 'state', domination, power, war, peace, violence, property, territoriality, and geopolitical relations as they arise out of definite social relations between the two major classes. The mode of exposition adopted a conceptual level of abstraction which captured the respective specificity of these macro-phenomena within the generality of the feudal order.

This chapter, in contrast, seeks to translate or dissolve these medieval forms of social life into the real flow of history. The consequent change in perspective, from a comparative-systematic to a developmental approach, mandates a stylistic shift from a largely phenomenological-conceptual to a more narrative mode of exposition. Conceptual stasis has to yield to processual dynamics. This stylistic shift, however, intends to maintain the rigours of social-scientific inquiry by seeking to advance a historically informed and theoretically controlled exposition of the real history of the social relations of lordship.

Such seemingly unfathomable historical flux is animated and pervaded by contradictory strategies of lordly and peasantry reproduction as outlined in the section 'the Structure-Agent Problem in Medieval Terms' of the preceding chapter. Medieval class-related rules of reproduction constitute, of course, not simply free-floating modes of securing material reproduction in the social metabolism with nature. They cannot be changed at will or randomly. Rather, these modes of action flow from, are embedded in, and re-enter definite structures of domination and exploitation: the institutions of lordship. It is within these varying forms of lordship that the antagonistic interests of the direct producers and the non-producers are negotiated, played out, and temporarily resolved. The range of social action within the institutions of lordship is therefore finite as long as the latter do not turn themselves into the object of contestation. This means inversely that these structures of lordship do not impose absolute, that is, timeless and unalterable, limits to social action. Although they are constantly and wilfully reproduced, they are themselves not immune to dispute and should thus not be 'frozen' or reified into insuperable 'iron cages of obedience' - to use an anachronistic term. Bounded voluntary action and action-defining social institutions form a dialectical nexus, open to qualitative transformations. For, whereas the everyday form of social

conflict in the European Middle Ages assumes the routine appearance of quantitative alterations in the levels of rents - be they in kind, labour, or cash - , in times of sharpened conflict over the distribution of income, the very institutions of extraction are at stake. In other words, whereas the routine form of social inter-action appears as competition and negotiation on the basis of a tacitly accepted or openly recognised set of non-negotiable rules, rule-maintenance can be transmuted into rule-contestation. The conditions of structural change take the form of general social crisis. It is then that qualitative alterations occur in the structural relations between lords and peasants. Out of the competitive and precarious force-field of contradictory social interests, change arises in history.

The timing and direction of historical change is unpredictable and only retrospectively intelligible. Yet, as shown in this chapter, the respective balances of class-forces in time and space, the internal degree of cohesion and solidarity within each class - lords and peasants - is decisive in accounting for the success or failure in the establishment of new institutions of reproduction and domination. It is only when the character of multiple 'de-subjectified' structural long-term influences - be they demographic, technological, geopolitical, or commercial - is understood as an outflow of definite social property relations, and when their impact upon human action is fractured through the conscious decisions of historical agents, that the course of history acquires a definite direction and therewith a retraceable meaning. History is therefore neither accidental and contingent, nor determined or preordained, but nevertheless susceptible to rational understanding and critique. History, according to Hegel, is the resolution of contradictions. Philosophy maintains the indeterminacy of these resolutions. Social Science adopts the role of Minerva's owl and lays bare their retrospective necessity. This chapter, then, seeks to set out how class-related contradictory strategies of reproduction changed the course of European history and, especially, the geopolitical configuration of power in the period between c.800 and c.1350.

Thus, while adopting a more narrative style in this chapter, we attempt to control the mass of historical evidence within a determinate theoretical framework, so as to arrive at an overall reinterpretation of this period in its implications for IR theory. Section one sets out the nature of the Carolingian Empire and the forms of Frankish

geopolitical expansion. Section two explores the demise of the Carolingian Empire and the subsequent re-configuration of relations of domination during the 'Feudal Revolution' of the 10th and 11th Centuries in form of the banal regime. Section three shows how the new post-crisis social property settlement in the late-Carolingian core regions created social conditions conducive for feudal expansion, that translated into the fourfold geopolitical outward-movement of the post-Frankish lordly class. In particular, it lays out how the resolution of the 11th Century crisis affected the radically diverging experiences of long-term state-formation in France and England, which, in turn, were instrumental for their respective early modern state forms. The conclusion draws out the wider implications for IR theory of the constitution of a feudo-dynastic multi-actor system which came to characterise the post-millennial political geography of Europe. The dissolution of history into dynamic process shows how the period between c.800 and c.1350 should not be seen as an abstract succession of international systems, but as a crisis-ridden historical process in which geopolitical relations arise out of and flow back into the reproduction of concrete, but changing, societies.

The Carolingian Empire

In order to comprehend the significance of the epochal shift which set in around the year 1000 and to specify its main agents, we briefly have to outline the nature of the Carolingian Empire.

The Patrimonial Nature of the Frankish State

In its zenith, the Carolingian Empire (8th and 9th Centuries) embraced the whole of Gaul (including Septimania and Brittany), western and southern Germany (including Saxony, Frisia and parts of the middle Danube region), the north-eastern Iberian peninsula, and Lombardian Italy. Institutionally, the Carolingian polity rested on a peculiar combination of more public 'Roman' elements and more feudal inter-personal

'Germanic' elements.¹⁹² In its post-coronation heyday, it evinced a remarkably pronounced public office-structure – operated by counts and vice-counts –, which overarched nascent feudo-vassalic inter-lordly relations which grew in the 9th Century at the expense of public officialdom.¹⁹³ The 'offices' of the state were staffed by appointed officials overwhelmingly drawn from the Frankish imperial aristocracy or co-opted from conquered nobles - be they counts, bishops, abbots or royal vassals - whose term of office ceased on imperial deposition or on their death. Counts kept social order in presiding over courts, supervised royal estates, collected taxes and enforced the royal levy.¹⁹⁴ The count system was supplemented by the office of the *missus*, the gem in the Carolingian non-bureaucratic state.¹⁹⁵ *Missi* were temporary, but plenipotentiary, royal inspectors originally entrusted with the judicial, fiscal and military supervision of landed counts, being empowered to override comital decisions or to penalise comital public abuses and miscarriages. In shuttling between the peripatetic imperial court and their local districts, these landless *missi* formed the main pillar of imperial public governance, central control and statehood around the year 800. Although Frankish officers reproduced themselves like later vassals from the profits of public jurisdiction and the rents of their granted lands (*comitatus*), their offices were initially revocable and non-hereditary, allowing for a relatively extraordinary degree of medieval centralised public power.

This office structure was directly dependent upon a strong institution of kingship, epitomised by the king's monopoly of the ban - the power to tax, command, decree, and adjudicate. Kingship itself was dynastic, hereditary, and personal, that is patrimonial in character. The kingdom was regarded as the king's private property. At the same time, the pre-Gregorian papacy remained politically subordinate to the Emperor, while Church lands were integrated into the realm. Ecclesiastical organisation and control lay in the hands of the reigning dynasty and was systematically employed in the build-up of the Imperial Church System (*Reichskirchensystem*).¹⁹⁶ Its

¹⁹² Anderson 1974a and Mitteis 1975, 7-23.

¹⁹³ Mitteis 1975, 53-72; Ganshof 1971a; Nelson 1995.

¹⁹⁴ Nelson 1995, 410-14.

¹⁹⁵ 'Ce pouvoir [sc. le pouvoir missiatique, B.T.] était la délégation par excellence des pouvoirs royaux sur le plan militaire et civil, par lequel le bannum, le ban royal qui incarnait ses pouvoirs royaux, pouvait être transmis en dehors de la présence physique du souverain.' Werner 1980, 220.

¹⁹⁶ Werner 1980.

positions were customarily staffed with royal favourites and dependants. Crucially and in decisive contrast to post-millennial feudal polities, the Carolingian monarchy was a theocracy. The institutions of the political sphere did not operate independently from those of the religious sphere. The temporal and the spiritual were one.

In principle, however, the term political centralisation presents an anachronism in the context of medieval polities. As in most medieval 'states', the Empire had itself virtually no central administration, no centralised judiciary, nor a centrally administered fiscal system.¹⁹⁷ Medieval kings did not govern or administer via well-entrenched bureaucracies - they reigned. The practice of domination was inseparable from the physical body of the lord. Medieval rule meant personalised rule. In this respect, the peripatetic nature of the Emperor and his entourage, perambulating between various palatinates and enjoying rights of residence at the courts of the higher nobility, is itself indicative of the structural difficulty of exercising effective and permanent trans-personal state-authority under conditions of localised political appropriation in the absence of a state-monopoly in the means of violence.

Frankish Dual Social Property Relations

The comparatively extraordinary degree of internal stability, peace and public order during Charlemagne's reign was predicated upon a distinct social property regime giving rise to a class-constellation which fostered the conditions for successful external aggression, which, in turn, sanctioned the internal institutional set-up of the Carolingian Empire.

Domestically, the coexistence of a hierarchical internal command-structure culminating in the king and more reciprocal feudo-vassalic relations was based upon a distinct two-tiered social property regime. Firstly, local lords had absolute authority over their dependants on the classical Carolingian bi-partite manor,¹⁹⁸ which was divided into the lordly desmesne worked by slaves and serfs personally bound to such domestic lords, and into tenements cultivated by the same peasants for their own subsistence. Secondly, a substantial though decreasing number of free and arms-

¹⁹⁷ Ganshof 1971a.

bearing peasants was exclusively subject to and taxed by royal counts recruited from the privileged imperial Frankish aristocracy.¹⁹⁹ The outcome of this dual property structure was a distinct division of political competencies and powers of exploitation between monarch-cum-imperial aristocracy and local lordly class which tended to dampen inter-lordly competition in the exploitation of a differentiated peasantry. Schematically, we witness a king/Emperor directly taxing via his counts a free allodial peasantry, next to a local lordly class extracting rents in labour and in kind from slaves and serfs on their manors. This division in the exploitation of the peasantry generated a viable system of class alliances in which the free peasantry remained protected over and against the ambitions of local lords by dint of kingly institutions, generating for the king a permanent source of income which left the immediate estates of local lords and their bonded forms of labour untouched. Thus, the natural tensions between imperial aristocracy and local nobility remained latent.

Yet, this class constellation was labile and contained of necessity the seeds for intra-ruling class conflict. It was within the nature of the medieval 'state' that public officials were not remunerated by the public purse qua salary, but had to secure their reproduction through the political profits accruing from their public functions, notably through the collection of judicial fines. In this respect, Carolingian officers were never state-functionaries, but full-blown physical representatives of the king wielding the power of the ban in proxy. In addition, the grant of an office went hand in hand with the grant of a landed endowment, so that 'public' agents were simultaneously 'private' lords, drawing on independent sources of income and being thus in a position to maintain armed retinues. In order to counter the threat of secession, Carolingian rulers increasingly demanded a feudal oath in which the prospective incumbent promised fidelity and service in return for conditional land-holding. These personal and informal ties (vassalage) added another layer of central control, but could not remove the basic problem of the identity of office and independent power-base. Decisively then, the removal of a disloyal count, for example, depended *in concretu* upon the overlord's actual power to separate the office-holder from his lordship (*comitatus*) in a feud. In other words, the separation of the official from his means of administration, which defines according to Max Weber the essence of modern bureaucracy, was never

¹⁹⁸ Duby 1968, 28-58; Verhulst 1995, 488-99.

effectuated. Thus, it is this constitutive and precarious nexus between office or service and land which underwrote much of the inter-personal state-form and internal power-struggles of all feudal states.

Frankish 'Political Accumulation'

Yet, it would be a methodological mistake to dissociate the relative stability of the Carolingian polity from the state-maintaining implications of Frankish strategies of political accumulation within the wider system of geopolitical relations. Externally, the latent conflict between the imperial aristocracy and lesser lords - and therewith the persistence of the powerful Frankish polity - was cushioned by dint of relentless Merovingian and Carolingian cycles of conquest,²⁰⁰ pegging the land-holding class to a supreme warlord continuously engaged in the systematic redistribution of conquered land and the wider spoils of war (tribute, treasure, women, slaves, arms, cattle)²⁰¹ amongst his contented and loyal imperial and local aristocracy. The Empire was a conquest state, its economy to a large degree a 'war economy' so that the authority of the kingly ban remained unchallenged as long as the king or Emperor succeeded in providing his aristocratic followers with extended opportunities for personal enrichment. Routinely, every spring the Frankish kings gathered their vassalic host to set out for summer-long campaigns driven by the collective aggressiveness of the Frankish ruling class. Thus a self-regenerating cycle of campaigning, subsequent redistribution of the spoils of war, and renewed inter-ruling class solidarity was kept in motion. In one word, the fortunes of the Frankish ruling class - and thus the Frankish state - rested to a large extent upon the political economy of war. At the same time, punitive expeditions had to be undertaken by the Frankish aristocracy against subjugated but rebellious peoples, ruled by ethnically diverse and sometimes pagan aristocracies in deadly battle with the Frankish invaders even after their incorporation

¹⁹⁹ Duby 1974, 31-47; Goetz 1995, 451-480.

²⁰⁰ Haldon describes this cycle lucidly for the Merovingian kingdoms. Haldon 1993, 213.

²⁰¹ Reuter 1985; Bonnassie 1991a; Duby 1974, 72-6; cf. Hilton's review of Duby: Hilton 1974. Tellingly, offensive wars were the reserve of the mounted imperial aristocracy, whereas the free peasant militia was only mobilised for defensive purposes in the face of enemy invasions in which was nothing to gain but all to lose.

into the Empire. Consequently, large stretches of the Carolingian polity resembled zones of military occupation rather than truly integrated regions (especially in Saxony, Brittany, and Aquitaine). However, so long as the Empire was itself successfully conquering and expanding as a war-economy - i.e. until about the Treaty of Verdun (843) which sealed the partition of the Empire - and so long as intra-ruling class solidarity was cemented through the circulation of war-generated 'gifts', a relatively stable pattern of public governance is recognisable during the 'Carolingian Renaissance', tolerated by a conniving aristocracy in accord with an Emperor - competent, broad-minded and generous in victory, yet unrelenting and harsh in the face of insubordination.²⁰²

Thus, the interface between internal social property settlement and resulting expansionary strategies of political accumulation provides the social rationale behind the nature and dynamics of the Carolingian state. Within the confines of the Empire, conditional hierarchy within the channels of command reigned amongst the members of the ruling class. Adjacent smaller polities like Bohemia, Pannonia, Croatia, the Benevento, or Brittany had to yield to Frankish hegemony through regular tribute payments.²⁰³ Only the greater polities - the Byzantine Empire, the caliphate of Cordoba, the Anglo-Saxon and Scandinavian kingdoms, and the Abbasid caliphs of Baghdad - remained outside of Frankish control, yet in fairly close 'diplomatic relations'. In this, it is symptomatic for the non-existence of bounded territoriality under feudal property relations that 'the ambassador employed on a foreign mission, and the royal or imperial commissioner [the *missus*, B.T.] despatched on a mission inside the realm, were two species of the same genre'.²⁰⁴ While the Carolingian Empire never enjoyed the degree of centralisation of its Roman predecessor, Latin Europe remained until the 9th Century politically unified in the form of an expanding feudal Empire.

²⁰² James 1982, 158. How Charlemagne dealt with recalcitrant nobles is well-exemplified by the infamous blood-bath on the banks of the Aller where the Franks massacred four thousand free Saxons during Charlemagne's protracted conquest of Saxony.

²⁰³ Ganshof 1970, 19-55.

²⁰⁴ Ganshof 1971b, 164.

Explaining the Transition from Hierarchy to Anarchy

The Demise of the Carolingian Empire

At about 850, however, the opportunities for external conquest dried up.²⁰⁵ Offensive campaigns turned into defensive wars. Vikings, Hungarians, and Saracens made deep inroads into the heartlands of the Carolingian Empire and turned the logic of plunder against the Frankish lords. This was partly due to what may be called an early version of imperial overstretch and a corresponding mismatch between geopolitical ambitions and the resources available for the enforcement of the *Pax Carolina*, further restrained by cumbersome logistics unable to match the requirements of long-distance strategy.²⁰⁶ This turnabout in Carolingian war-fortunes was also due to a recovery in strength and vitality by neighbouring peoples, itself not to be dissociated from changes in the internal modes of social organisation and domination of these tribes.²⁰⁷

Under conditions of weakened imperial authority, dissatisfied lords started to usurp public offices as a counter-strategy, built up personal entourages of warriors holding land from them, and began to patrimonialise 'their' fiefs. Following the cessation of victorious expansion, the itinerant *missi* inspectors became sedentary and their functions were often delegated to or appropriated by land-based counts and margraves. Administrative districts gradually lost their public character and turned into territorial principalities through their transformation into non-revocable hereditary fiefs.²⁰⁸ Royal temporary posts held *ex officio* entered into family property to be handed down from generation to generation. The imperial aristocracy of service turned into a feudal aristocracy of its own right.

These developments caught the imperial state in a pincer-movement. On the one hand, faced with the imminent threat of barbarian incursions, Charles the Bald and Louis I reacted by granting a series of great decrees, conceding greater autonomy and

²⁰⁵ Reuter 1985 and 1990.

²⁰⁶ Delbrück 1982, 24.

²⁰⁷ Duby surmises that the attacks were the result of a transition in Scandinavia from tribal societies to monarchic states. Duby 1973, 114.

²⁰⁸ Cf. Delbrück 1984, 79-80.

flexibility to counties in the financing and self-organisation of defence measures against the successive waves of Viking, Hungarian, and Saracen raids.²⁰⁹ These concessions laid the foundations for the build-up of the great principalities which came to dominate the late 9th and 10th Centuries. Furthermore, late Carolingian kings found themselves under pressure to grant immunities to the great abbeys, dioceses and secular royal vassals, exempting them from taxes and public duties, transferring these sources of income to magnates themselves. This move seemed to be motivated by the concern to place effective power into the most reliable, i.e. non-secular, hands. The granting of immunities was effectively a trade-off between exemption from taxation for royal favourites in return for their informal support and loyalty - a policy which turned out to be thoroughly counter-productive. For here, in ecclesiastical lordships as in laylordships, the same pattern imposed itself. In the Western Kingdom, immunities granted to bishops were arrogated as non-alienable rights by territorial princes and counts; in the eastern Kingdom, the bishops disconnected themselves from imperial suzerainty and came to see themselves under the growing impact of the political antagonism between Emperor and papacy at most as mere vassals of the Emperor.

On the other hand, to the degree that the spoils of war dwindled and that the Franks were now themselves constrained to pay tributes to the Normans, the nobility had to rely more and more on land and the native peasantry as primary sources of profit - land which had not only to be protected against foreign aggression but also against the demands of public exactions. Furthermore, its labour-force was no longer replenished by a constant stream of captured slaves. In this context, the malcontented local nobility developed a long-term interest in 'privatising' public political powers in order to strengthen its political hold on the peasant population. Regional lords entered into a period of open structural contradictions with their nominal overlords, the post-imperial states. Internal re-distribution of titles to wealth became the logical alternative to external conquest. The conversion of landholding rights effected a decisive shift in the inter-noble balance of power to the disadvantage of the king. The fief was no longer seen as a reward for loyal services, but, once 'privatised', came to constitute the

²⁰⁹ 'The invasions, together with the quarrels of the rival kings, had carried war to the heart of the Frankish world, and it therefore became necessary nearly everywhere to set up great military commands similar to those which had always existed on its borders.' Bloch 1961, 395. Cf. also Duby 1973, 112-20.

material basis and precondition for its lord's claim to participate in public affairs. The ensuing paralysis of central power, predicated upon such a collapse of inter-ruling class solidarity, was, of course, itself conducive to the success of Norse inroads, penetrating the Continent by pushing up its navigable rivers, looting towns and laying waste the country-side.²¹⁰ An inverse cycle of domestic inter-ruling class altercations, inviting external exploitation of such weaknesses and contributing to further internal corrosion, came to mark the latter half of the 9th Century. Torn between pressures from below and pressures from outside, the late Frankish kings willy-nilly continued to alienate and therewith to de-territorialise public authority until their own power-political position was eventually completely eroded and reduced to an empty nominal claim.

The 'Feudal Revolution' of the Year 1000 and the Rise of the Banal Regime

The dissolution of monarchical power and the rise of the principalities were but one step in the slide towards political and territorial fragmentation, for the Frankish magnates found their rights now contested in turn by minor lords, contributing to the further erosion of public governance. Similar patterns prevailed: What had been delegated as office or prebend by a territorial lord was usurped by the local incumbent as a patrimonial right. In a chronologically sequenced and geographically uneven process (c900 - c1050),²¹¹ public power cascaded down the ladder of political units - from dukes, to margraves, counts, vice-counts - until even the least landed lord, the castellan, had appropriated the erstwhile regalian power of the ban. Castellans, often exercising control over but a tiny territory of few villages and half a dozen small

²¹⁰ 'The Norman's military successes were the result not simply of their own savage courage but principally of the difference of the Franks among themselves, the dissolution of the empire, and the civil war.' Delbrück 1982, 86.

²¹¹ Bloch 1966, 79; Fourquin 1975, 378-9. The classical case study is Duby 1953. The territorial and chronological unevenness of this process of fragmentation must be stressed. In the Eastern Kingdom, fragmentation of public power set in later and never went so far as in the Western Kingdom, due to persistent opportunities of conquest in connection with the 'open' eastern frontier. Reuter 1985, 93; Leyser 1968, 31. More generally, the powerful dukedoms and counties in the marches were better able to resist the complete fragmentation of public power due to their tighter internal organisation in the face of threats of invasion. In north-western France, 'greater territorial lordships survived only where, as in Anjou and Normandy, the public security once defended from urban strongholds could be transformed into (or revived as) structures of personal fidelities in strategically distributed castles.' Bisson 1994, 16-7.

lordships, transformed their banal lordships into quasi-sovereign mini-states, independent of royal or comital sanction and control.²¹² This meant the 'privatisation' of public justice, territorialisation of fiefs, wilful taxation and the general subjection of the remaining free peasantry to the status of serfdom.²¹³ Towards the end of the 10th Century, the thoroughly individualised rise of banal lordships began. The 'Feudal Revolution' came into its own.²¹⁴ The usurpation of the regalian powers of the ban - the encompassing right to command, tax, punish, adjudicate and decree - by castellans constituted thus the end-point of a protracted sequence of political devolution down to ever smaller territorial units. 'The commander of the castle garrison would take upon himself responsibility for peace and justice over the whole territory - in other words, the precise functions of kingship.'²¹⁵ Castellannies grew at the expense of the state. Castellans became for two centuries (c950 - c1150) the prime actors in medieval political life, benefiting from the general crisis of governance and forming henceforth the territorial nuclei on the power-political geo-strategic map. Once public power was completely individualised, castellans turned upon themselves in fierce inter-lordly competition over the appropriation and enforcement of lucrative former public rights, unleashing general anarchy and violence in post-Carolingian Europe. Especially ecclesiastical lordships, which had derived their immunities from taxation by means of royal grants, found themselves attacked by lay banal lords, contesting their rights to agrarian profits and commercial monopolies.²¹⁶ The 'Feudal Revolution'²¹⁷ sealed the demise of Carolingian public power. Conditional hierarchy gave way to 'feudal anarchy'. Generalised feuding in the absence of overarching authority resulted in a thorough re-distribution of arable land and the consolidation of new dynasties, some arising out of old Frankish families, some having more humble knightly origins. The former empire-wide dual property structure, based on a land-wide public tax-regime in combination with a lordship-centered rent-regime, was transformed into a single, yet

²¹² 'Counts, castellans, knights were not merely landowners with tenants but sovereigns with subjects.' Hilton 1990, 160.

²¹³ Bonnassie 1991a and 1991b.

²¹⁴ Cf. Duby 1978, 150 ff.; James 1982, 187-96; Bisson 1994; White 1996; cf. also Anderson's short rendition in Anderson 1974a, 156-7.

²¹⁵ Duby 1973, 172; cf. also Hallam 1980, 13-18.

²¹⁶ Duby 1962, 189

geographically fragmented, property settlement, based on wilful surplus-extractions in numerous independent banal lordships.

The story of the rise and fall of Carolingian state formation can be told, as by John Haldon, in terms of the structural inability to establish and maintain trans-personal bureaucracies in Max Weber's sense,²¹⁸ residing in the failure to de-privatise the means of administration and coercion, that is, to separate the office - physically as well as legally - from the incumbent. Yet, the deeper reasons for this failure cannot be understood within the conceptual parameters of a Weberian political sociology of administrative institutions. The short flowering of the *missi* and the public comital office was a conjunctural, not a permanent, phenomenon, intimately linked to the proprietary regime and the war-fortunes of the Carolingians. The possibility of central government rested always on a compromise - a short-term alliance for mutual gain - between the members of the Frankish ruling class, governed less by the prowess of a charismatic leader than by his ability to provide his co-rulers with the wherewithal of expanded personal reproduction and to permanently assert his superiority and leadership by displays of power and largesse, big-stick-policies and gift-giving. Yet, to the extent that political appropriation of agrarian surplus depended upon at least a modicum of armed force at the locus of production, lords had to be arms-bearing and in control of land, providing the two essential pre-requisites of medieval power. This constellation rendered the medieval state inherently fragile, non-bureaucratic, territorially dispersed and perennially prone to disintegration.

The dissolution of the Carolingian Empire has therefore to be understood in terms of a power-struggle amongst the lordly class over land and labour in times of reproductive crisis. It brought to the fore the inherently fragile constitution of one of the most powerful medieval states under conditions of individualised and localised

²¹⁷ Duby 1980; Poly and Bournazel 1991; cf. also the recent debate in *Past & Present* initiated by Bisson 1994 and the responses especially by White 1996, Wickham 1997, Reuter 1997, and the rejoinder by Bisson 1997.

²¹⁸ 'The reasons for the failure [sc. to develop an independent bureaucracy, B.T.] lie in the intensely personalized nature of political power relationships, in which service was to an individual rather than to a corporate body or conceptually reified institution such as the state.' Haldon 1993, 215. However, this explanation just begs the question why precisely political relations were perforce inter-personal under feudal property relations. Without conceptualising the nexus between the inter-personal character of the relations of domination amongst lords and the necessity of personal domination over producers which are effectively in possession of their

lordly appropriation in response to peasant possession of the means of subsistence. It follows that the explanation for the degree of self-organisation of the ruling and arms-bearing class - the form of the 'state' - has thus to be embedded in definite property regimes, governing inter-lordly re-distributional struggles in response to the deeper cycles of land and labour scarcity. In this respect, the fate of the Carolingian Empire is but another instance of the contradictory logic of medieval state-building.

A New Mode of Exploitation as Precondition for Feudal Geopolitical Expansion

While the 10th Century is often portrayed as the nadir of medieval political organisation, the late 11th Century ushered in a period of pronounced knight-led geopolitical expansion which drove the post-Carolingian lords into the non-Frankish European periphery, establishing everywhere feudal structures of domination and exploitation.

The Norman Conquest, the Spanish *Reconquista*, the German *Ostsiedlung* (Eastern Settlement) and the Crusades exemplify paradigmatically the form and dynamics of feudal geopolitical expansion in times of individualised lordship. Before we set out these four spectacular outward-movements in more detail, we have to inquire into the social preconditions which gave rise to such display of feudal vitality. These are, so our thesis, grounded in profound changes in noble social property relations subsequent to the 'Feudal Revolution'. In particular, the ascent of banal lordships triggered a range of important and interconnected alterations in agrarian labour relations, in the internal composition and military outlook of the land-holding class, and in noble family structures and inheritance laws.

Predatory Lordship and the Rise of Serfdom

means of subsistence, Haldon is not in a position to connect convincingly medieval state form and mode of surplus-extraction.

During the critical period of general political disintegration around the millennium, the protective link between a hitherto free and allodial peasantry and royal public power was cut, delivering the peasantry to the mercy of their immediate castellans. High and low justice, hitherto shared between clearly distinguishable competent courts, collapsed now into a monopoly of justice, respectively held by countless - in both senses! - minor lords. And justice without the chance to appeal is justice denied. 'This almost unrestricted exercise of rights of jurisdiction armed lords with a weapon of economic exploitation whose potentialities seem limitless.'²¹⁹ Since all three forms of lordship - domestic, land and banal - were now amalgamated in the hands of one lord, those peasants tilling his lands, whether of slave, servile, or free status, were indiscriminately subjected to the immediate jurisdiction, i.e. power, of the encastled banal lord. They turned into serfs.²²⁰ The usurpation of banal rights translated into a heavy-weighting apparatus of exploitation based on the erstwhile kingly right of confiscation. Formerly public taxes, now arbitrarily stipulated and collected by one and the same lord, involved such exactions as the payment of tallage (*taille*) - a tax levied on personal protection nominally offered by lords -, the granting of the right of shelter, board and lodging (*gîte*) to the banal lord - a pretext for arbitrary lordly feasting and pillaging at the expense of the peasantry -, obligatory carting duties and ploughing services, and judicial fines, especially fines levied on the transfer of property. Additionally, lords began to coerce peasants to pay for the use of seigneurial facilities (*banalités*) - commercial monopolies which forced the peasants to grind their corn at

²¹⁹ Bloch 1966, 79.

²²⁰ I follow Duby's interpretation of the end of slavery as resulting from class struggle through the imposition of banal lordship on all peasants, whether servile or non-servile, dating it at around the year 1000. 'But in the second half of the eleventh century the words *servus* and *francus* and their equivalents fell little by little into disuse in most French provinces. They disappear from manorial inventories and deeds of gift because the appropriation by private lords of royal power deprived these words of any perceptible economic significance. All that mattered for the lord of the *ban* and for his officials was the fact that they were workers, which brought all peasants residing in the territory of each castle within the powers of the *sire* and his authority to raise taxes.' Duby 1968, 188. Duby's interpretation has been canonized by Fourquin 1975. Cf. also Bois 1992 for a different account and the review by Verhulst 1991. In an excellent survey article, Bonnassie, by first refuting systematically arguments which peg the decline of slavery to the christianisation of the country-side, to changes and difficulties in the recruitment of slave-labour, to the introduction of new productive technologies, or to economic growth in conjunction with demographic pressures, has forcefully re-instated Duby's explanation and chronology of the end of slavery and the beginnings of feudalism as a serf-

the lord's mill, to bake in his ovens, to store grain in his barn, to press grapes and apples at the lord's press, and to buy the lord's wines before the new vintage (*banvin*).²²¹ Lay lords even began to monopolise tithes, antagonising in the process bishops and abbots which developed counter-strategies of income protection in form of the peace movements. To conclude, the right to judge was tantamount to the right to command, and the right to command came to constitute the foremost source of lordly income. All these essentially wilful exactions, unchecked by superordinate authorities, bore down on the peasantry alongside conventional rents which it kept paying in labour or kind as tenants. What had some measure of legitimacy when applied within customary limits degenerated into a state of predatory lordship - the pure imposition of the lord's will, backed up by sheer force.

Military Innovations and the Origins of the Knightly Class

This crisis-ridden political constellation went hand in hand with changes in the military order and innovations in military technology during the 10th and 11th Centuries.²²² The old Carolingian light cavalry and the free peasant armies gave way to the rise of the heavy cavalry of the knightly class, the de-militarisation of the formerly

based mode of production, associating its rise causally with the class struggles during the 'Feudal Revolution' and the ascent of banal lordship. Bonnassie 1991a.

²²¹ Duby 1962, 224-6; Bloch 1966, 79 ff.; Fourquin 1975, 386-94.

²²² The general nexus between pre-capitalist social property relations and investment in the means of coercion is convincingly theorised in Brenner 1986, 27-32 and exemplified for this period by Bartlett: The military élite's 'defensive armament consisted in a conical helmet, a coat of mail and a large shield; offensive arms included spear, sword and perhaps a mace or club; indispensable for offensive action was the heavy war-horse. These men were *heavy* cavalry because they were fully armed and, in particular, because they had the expensive mail coat. (...) They were heavy because they were clad in iron. A powerful force was one that was 'all of iron'. The mail coat must have been the most valuable single object that a knight owned and it is not surprising that they were sometimes pawned by knights in need. At a time, when many agricultural implements were still made of wood, when the tool on which human survival turned, the plough, was often still made of wood or only tipped with iron, here were men who were dressed in iron. It represented a staggering investment. The full gear of an *armatus* or *loricatus* required approximately 50 lb of iron. When an army such as that raised by Otto II in the 980s included around 5,000 *loricati*, the iron carried by the heavy cavalry alone totalled 125 tons. The figure is all the more striking when we consider that, in this period, a German forge might produce only 10 lb of iron in a smelting process taking two or three days. (...) The heavy horsemen of the Middle Ages lived in the wheat age but looked like men of the steel age.' Bartlett 1993, 61.

free peasantry, and the wide-spread appearance of new small, but high, stone castles designed for local power protection.²²³ These castles, dotted in a dense pattern - often within mutual visibility - over the entire post-Carolingian heartlands, symbolised the power of defiant castellans and manifested the thorough power-political fragmentation around the millennium. Embedded in this new military topography, outright random use of violence through hostage-taking, plunder and looting became the order of the day. In these circumstances, castellans and other banal lords began to assert their authority with the help of retinues of armed and mounted men, forming what Bisson called a 'terrorist police force'.²²⁴ These marauding bands were the armed executioners of the lord's will, riding cavalcades against a helpless peasantry, policing the countryside, sharing booty and smashing peasant resistance.

'Armed, pretentious and poor, the knights clung to their stoned-off space, talking of weapons and deeds, of strikes, of demands; of lucrative stratagems more than of management or incomes. Ransom was a device of the keep from the outset; notoriously exemplified in the coups of the Vikings and Saracens, it became a seigneurial as well as a military technique, readily convertible into protection money.'²²⁵

These lordly practices came to be known in the sources as 'bad customs' (*mala consuetudines*). 'They are no longer the expression of a more or less legitimate power, but they constitute the elements of a patrimony and the opportunity for profit.'²²⁶

At the same time, those mounted war-bands which had gathered around banal lords in their functions as a 'terrorist police force', now came to receive compensations for their fighting services through land grants or the hand-out of treasure.²²⁷ Recruited from rather humble social backgrounds, these formerly non-noble retainers and bodyguards, serving as the violent accomplices and executives of an encastled and predatory nobility, crystallised into the knightly class and came to form the lower nobility. The very military outlook of the knightly cavalry, heavily armed and fully armoured fighters on horsebacks - forming virtually self-sufficient moving castles -, reflected precisely the fragmentation and individualisation of political power during this

²²³ Bartlett 1993, 65-70.

²²⁴ Bisson 1994, 16.

²²⁵ Bisson 1994, 17-8.

²²⁶ Poly and Bournazel 1980, 33.

²²⁷ 'Taking with one hand, receiving with the other, the knights were the real hub of the seignorial economy, the driving wheel of the system of exploitation.' Duby 1978, 155.

period of medieval history. Their later exaltation as the bearers of the code of chivalry conceals their rather this-worldly origins and purposes. These knights, the most dynamic element in the new political set-up, came to dominate a by now militarised country-side during the extended period of inter-lordly feuding. The knightly class emerged thus out of the crucible of 'feudal anarchy' and the general crisis of early medieval governance.²²⁸ We will see later how instrumental these knights were in the translation and resolution of internal contradictions into external orientations.

Changes in Noble Proprietary Consciousness, the Introduction of Primogeniture, and the Making of Noble Excess Cadets

Although the patrimonialisation of fiefs and the concomitant encastellation of central Europe was a geographically and chronologically uneven process, it engendered profound changes in noble proprietary consciousness, inheritance law, and family forms prior to the late 11th Century geopolitical processes of conquest. In the standard perspective on post-millennial knightly expansion, demographic growth is singled out as the prime cause behind outward pressures. Let us inquire further into the social pre-conditions of geopolitical accumulation beyond general assumptions of demographic growth. We have seen the formation of the knightly class in relation to the usurpation of banal powers by ever lower-ranked nobles. Let us trace now how demographic growth is fractured through alterations in the political economy of aristocratic kinship structures, most notably in the rules of land succession subsequent to the privatisation of the ban. In other words, how did the nobility react to the territorialisation of family power and the multiplication of its peers?

As a rule, these proprietary changes triggered radical re-orientations in family consciousness and inheritance law amongst the aristocracy. Hitherto, the concept of a clearly demarcated noble family with vertical genealogies, whether matrilineal or patrilineal, was virtually non-existent. The adequate frame of reference was provided by the kindred or the aristocratic kin-group with horizontal rather than vertical lineages. Such family pattern reflects the pragmatics of living off the patronage of a

²²⁸ Duby 1977c.

greater lord or even the king in fairly free-floating attachment to his 'house' (*Königsnähe*).²²⁹ The non-hereditary character of noble land-holding during Carolingian times aborted the formation of tighter self-sufficient family structures. Following the territorialisation of family power after the usurpation of the ban, family patterns changed from loose collateral kindreds to clearly defined agnatic (patrilineal) family descent-groups.²³⁰ Changing property-titles led to a heightening of aristocratic family consciousness over inheritance patterns and a corresponding tightening of lineage in favour of agnatic primogeniture.²³¹ Thereby, proprietary indivisibility of territory and thus the territorial integrity of ancestral family seats was to be guaranteed. Hereditability of lordships and fiefs spawned constrictions in the rules of land succession and wider family law. Kindreds turned into dynasties. Henceforth, we find the particle of origin 'de', 'von', and 'of' in dynastic family names next to the adoption of toponymic surnames and heraldic emblems even among the lower landed nobility - a clear pointer to the making of a new distinct social identity of the noble class henceforth rooted in ancestral family seats. However, constrictions in succession laws in favour of primogeniture created precisely the problem of landless nobles excess cadets. They were to play a crucial role in the process of feudal expansion.

Conquest of Nature - Conquest of People

²²⁹ Tellenbach 1978, 208. 'Whereas the early medieval noble family often lacked a permanent residence or at least an ancestral seat, it could produce a new centre in the form of a new family convent.' Goetz 1994, 470.

²³⁰ In a series of articles, Duby explored the 'correlation' between the rise of banal lordship and changing noble family forms. He could show that documentary evidence for the introduction of clear-cut patrilineal genealogies was chronologically co-eval with respective usurpations of the powers of command by single dynasties and the introduction of hereditability and primogeniture. The further Duby descended in the noble hierarchy, the more recent was the establishment of primogeniture, reflecting the chronologically sequenced devolution of the ban from king, to princes, to counts, castellans, and finally to landed knights. Cf. Duby 1977b, 1977c, 1977d, 1994a, 1994b (Here is the reference to the 'correlation', p.119). For the wider debate see Reuter 1978 and Bisson 1990.

²³¹ 'From 1030 there begin to be signs of primogeniture in castellan families. Finally, from 1025 the rights of sole legitimate descent become established. (...) At the moment of the crisis of feudalism, between 1020 and 1060, family relationships appeared to be seriously under strain and it is as if in response to these tensions that the closure of the lineage takes place.' Poly and Bournazel 1980, 108.

In the context of demographic recovery in the 11th Century, the effect of primogeniture combined with growing land-scarcity in the post-Carolingian heartlands and led to two typical responses in economies based upon coerced agrarian production. Internal expansion, the conquest of nature, went hand in hand with external expansion, the conquest of people.

On the one hand, Frankish Europe entered into an important phase of internal colonisation and large-scale land reclamation and land-clearances. The impetus behind the extension of the arable correlates typically with labour-intensive agrarian economies and is itself an upshot of limited pressures for productive technological innovations and substantial productivity-gains under pre-capitalist coercive labour-relations.²³² Although advances in agrarian techniques were made in post-millennial Europe in the form of the dissemination of the iron-plough, the water-mill, improved harnessing-techniques and field-rotation, these innovations were not inscribed in a logic of systematic investment in the means of production by an entrepreneurial class and did not make part of a self-perpetuating and self-substituting cycle of agrarian technological revolution fanned by capitalist re-investments driven by the competitive reduction of labour-costs. In short, these innovations were in themselves unable to keep pace with demand promoted by an ever-growing population. Mostly on the initiative of lords, eager to broaden their rural income-basis or to establish themselves for the first time as independent landed nobles, woods, marches, swamps, wastelands, alluvial lowlands and even lakes and parts of the sea - through polder-making in Flanders - vanished to make room for ploughland. Bloch describes this period of unprecedented large-scale land-clearance 'the most considerable addition to the total area under cultivation in this country [sc. France, B.T.] since prehistoric times'.²³³ Internal colonisation changed the rural landscape of feudal Europe and entered into a mutually reinforcing cycle with an ever-increasing population.

On the other hand, however, given that the scope for land-reclamations within the borders of the old Frankish Empire was finite, internal colonisation - the conquest of nature -, was accompanied and supplemented by external colonisation, the conquest

²³² Brenner 1986, 27-32.

²³³ Bloch 1966; Fourquin 1975; Rösener 1992.

of foreign peoples.²³⁴ For the closure of lineage in favour of the oldest son immediately posed the chronic question of the provision of the wherewithal for noble cadets. And it was precisely these younger sons, the 'youths', who most 'naturally' began to look beyond the narrow confines of their homelands.²³⁵

'Companies of youths (...) formed the spearhead of feudal aggression. Always on the lookout for adventure from which "honour" and "reward" could be gained and aiming, if possible, "to come back rich", they were mobile and ready for action with their emotions at a pitch of war-like frenzy. In an unstable milieu they stirred up turbulence and provided manpower for any distant expedition.'²³⁶

Especially the most densely populated and cultivated area between the Loire and the Rhine produced those aristocratic supernumeraries which tended to seek independent landed resources to found and support a dynasty.

'Younger sons and daughters were ejected from the paternal household and patrimony: unmarried daughters were placed in convents, while cadets entered the Church, assumed a life of adventure in the retinue of some lord, or set out for the Holy Land.'²³⁷

Thus, external colonisation is not merely the direct result of overpopulation and overcrowding, but was mediated and radicalised via exclusionary inheritance patterns due to changes in property titles through the imposition of banal lordship. Henceforth, we can discern an accelerated geopolitical circulation of knightly cadets.

Many cadets and younger children were of course sent to abbeys and monasteries, leading a life of celibacy. This was indeed the fate of most daughters of noble birth who were not married off into other lay aristocratic families. However, it would be a profound mistake to detach the reproduction of ecclesiastical lordships from the general logic of the political economy of lordships. For the practice of

²³⁴ 'By 1050 or so, however, the situation had become fixed in many parts of Europe; there was no one left to dominate except rivals of the same status. At that point, looking elsewhere might well seem more attractive.' Wickham 1994, 140.

²³⁵ Duby first submitted a sociology of such 11th and 12th Century 'youths', referring to that period in a noble man's life between his dubbing - usually in his early twenties - and that stage where 'he put down roots, became the head of a house and founded a family - which occurred often not before his forties.' Duby 1977a, 113. In empirical studies, those youths re-surface time and again as the makers and breakers of pan-Frankish conquests. Cf., for example, Davies 1990, 33-4.

²³⁶ Duby 1977a, 115.

²³⁷ Evergates 1995, 17.

convent placement did not constitute an unlimited outlet to relieve population pressures since the family of the prospective novice had to donate gifts, mostly in form of land, upon entry of their offspring. Furthermore, ecclesiastical lordships were not in a position to sustain an infinite number of non-producing monks and prelates without facing sooner or later serious economic hardship themselves.²³⁸ And the clergy, to be sure, was amongst the most ambitious to accumulate landed endowments in far-off places under the papal banner with the pretext to spread Roman liturgy. Indicatively, even those countries which were already christianised before the millennium - i.e. Ireland and England -, but which lacked the tight political integration into, hierarchised subordination to, and direct economic exploitation and control by the post-Gregorian power-politically more aware Church, found themselves subjected to the same ravages of conquest and colonisation as their pagan co-victims

A further modification has to be observed with regard to the structural preconditions for the great aristocratic outward-movement of the late 11th century. Following Bartlett, aristocratic overpopulation was less a feature of the higher than of the lower nobility, and in particular of the knightly class whose origins we have traced back to the ascent of banal lordship in its capacity as a 'terrorist police force' clamping down on an enserfed peasantry.²³⁹ What distinguished this segment of the arms-bearing class was its overwhelmingly non-landed character which fared uneasily with its permanently militarised status and aggressive martial profession. Eager to climb up the feudal social ladder and to gain the highest goods in feudal society - land and labour -, the knights were trapped between impoverishment and adventure, pegging consequently their fortunes to greater war-leaders in the pursuit of conquest enterprises - be it the Pope, the Emperor, kings or greater territorial princes. For,

²³⁸ Evergates comments that in the 12th Century, 'so many women entered convents, in fact, that many institutions by the end of the century had exhausted their meager endowments. In 1196, for example, Celestine III ordered Heloise's convent of the Paraclete to downsize through attrition to sixty nuns; shortly afterward the well-known convent of Avenay was restricted to forty nuns because it was "burdened by debts owed to creditors", a complaint common in the thirteenth century. The Cistercian convent of Fervaques even sought Innocent III's protection from the "nobles and powerful men" who reacted violently when their relatives were refused admission.' Evergates 1995, 18.

²³⁹ 'The rise of a class of knights, originally fairly lowly and often without land, combined with the impact of primogeniture and dynasticism, may have overloaded the system to such an extent that expansionary movement abroad was natural response.' Bartlett 1993, 48. Cf. already Ganshof 1970, 69.

‘the way to make a fortune was not, of course, to launch out into the void. A young and ambitious knight would offer his services to a likely looking prince and hope that his lord would have success and be willing to share some of its profits.’²⁴⁰

The opportunities offered to knights by conquest extended to the summit of the feudal pyramid itself: the royal title. Over the next two hundred years, new kingdoms sprang up in the Frankish periphery - Castile, Portugal, Bohemia, Jerusalem, Cyprus, Sicily, Thessalonica -, to be manned by fresh dynasties inspiring many an ordinary knight to dare his life beyond the borders of Latin Christendom. Strikingly, Bartlett reckons that from the fifteen monarchs to be found in 1350 Latin Christendom, ‘only three families, the Folkunger of Sweden, the Danish royal house and the Piasts of Poland, were not of Frankish descent’.²⁴¹

It is here, then, that we have arrived at that point where the most active social group of the post-millennial century enters with aplomb and panache the ‘international’ historical stage: the knightly class, whose precarious economic position in conjunction with its over-militarised status predestined it as the most likely candidate for external aggression. Yet, the differentiation of the ruling class into lower and higher nobility did not mean that it was the exclusive historical task of the knightly class to engage in large scale external conquest, but it meant that the magnates of the old Frankish families, who had survived in the ex-marcher lordships of the Carolingian periphery (especially in Normandy, Catalonia, and Saxony), found now a willing and militarily able ally, who would be prepared to undertake such unlikely and unheard of ventures as the conquests of England, Spain, Eastern Europe and the Crusades.

Summarising the Argument

We may advance the following explanatory interpretation of the passage from the early to the high Middle Ages which gave rise to a socio-political constellation propitious to geopolitical expansion, in whose train the period of imperial hierarchy

²⁴⁰ Bartlett 1993, 36

²⁴¹ Bartlett 1993, 41. ‘By the late Middle Ages 80 per cent of Europe’s kings and queens were Franks.’ Bartlett 1993, 42.

was eclipsed in favour of a multi-actor Europe.²⁴² Once Charlemagne's successors were no longer in a position to guarantee the incomes of their aristocratic followers through grants of land, offices, benefices or the provision of slave-labour and the wider spoils of war, these magnates took it upon themselves to appropriate those political powers (the rights of the ban) which secured the diversion of that part of the 'national' income, which hitherto used to flow directly into the public purse, into their own pockets. The collapse of the Carolingian war-economy and the subsequent crisis in the re-distribution of revenues flowing from politically constituted profits removed the protective layer of public power in the relations between lords and free peasants and translated into unmediated lordly access to peasant surplus and corresponding higher exactions via individualised banal lordship. The obverse side of the rise of the banal regime was generalised serfdom and a thorough feudalisation, i.e. fragmentation, of power relations. At the same time, the arrogation and effective realisation of banal rights necessitated heavy militarisation of encastled lords by means of the formation of mounted executive forces - the knights - , ushering in a break-down in ruling class solidarity in form of sharpened inter-lordly competition over land, labour, and privileges. 'Feudal anarchy' resulted in the withering away of late Carolingian patrimonial state-structures.

In the aftermath of the re-structuring of political power, the end of slavery, and the general conversion of free allodial peasants into serfs, demographic recovery swelled the ranks of the ruling and producing classes. A process of internal

²⁴² Bartlett's fascinating account advances a threefold explanation for Frankish geopolitical expansion, granting pride of place to superior military technology, while being more hypothetical about the impact of changing aristocratic inheritance practices on the origins of landless cadets and the wider social rationale behind the pattern of aristocratic land-grabbing. Bartlett 1993, 18-23, 43-51 and 60ff. Wickham takes him to court for not inquiring sufficiently into the internal socio-political transformations within the late Frankish kingdoms associated with the 'Feudal Revolution', antedating the actual outward movement. Wickham 1994. For an alternative 'multicausal' account cf. Mann 1986, 373-415. Without mentioning the decline of the Carolingian Empire and the 'Feudal Revolution', the author's main conclusion on this period is that the 11th Century saw 'an embryonic transition to capitalism'. Mann 1986, 409. Cf. the critical review by Wickham 1988. Ertmann, in turn, while choosing to neglect the serf-based dynamics of the contemporary agrarian economy, surmises that post-millennial economic expansion was due to the 'appearance of an agricultural surplus during the 900s', but warns that 'the exact origins of this surplus remains in some dispute'. He then argues that 'a favourable climatic shift may have played a role', and finally endorses Guy Bois' thesis that 'the collapse of central authority permitted the economy to establish, perhaps for the first time,

colonisation and land reclamation set in, vastly expanding the area under cultivation in the Frankish heartlands of Europe. However, the extension of arable land did not keep pace with the rate of demographic reproduction. Population growth assumed a particularly acute form within the land-holding class due to a tightening of inheritance customs in favour of primogeniture precipitated by preceding alterations in property relations to the benefit of territorially-defined families. While primogeniture ensured the indivisibility of family property, it tended to exclude younger sons from dynastic family seats, bringing about the appearance of non-landed aristocratic excess cadets - a phenomenon especially prominent among the lower nobility: the knights.

The very extension and diversification of the ruling strata, featuring now a knightly class aspiring itself to land as the economic basis of maintenance and status, added a particularly restless, highly militarised, audacious and aggressive element to the composition of the nobility. These knightly cadets were the most decisive bearers and executioners of late 11th Century geopolitical expansion, for by around 1050 the redistribution of arable land within the post-Carolingian core areas came to a halt. War-lords had to look elsewhere to satisfy their thirst for land and booty either for themselves or for their growing numbers of knights. This phase marks the origins of feudal expansion based on a radically feudalised and militarily individualised, i.e. politically decentralised, society. It is in this dynamic context of heightened inter-lordly competition over land and labour that the four great expansionary movements have to be placed. The unsatiable feudal scramble for land exploded the fetters of territorial self-sufficiency. The transnational Frankish nobility set out to conquer Europe.

Post-Crisis Feudal Expansion as Geopolitical Accumulation

The ascent of individualised banal lordship can thus be interpreted as a successful seigneurial reaction, imposing a new lordly mode of political appropriation on the peasantry in the face of a crisis of income and status due to a reduction in the re-distributive capacities of the Frankish state after the cessation of victorious

a substantial measure of autonomy vis-à-vis the political order'. Ertman 1997, 50-51. Bois'

conquests. Restrictions in the customs of noble land-succession coupled to the resumption of population growth, gathering pace during the 11th century, produced aristocratic supernumeraries systematically excluded from their patrimonial inheritance, yet eager to achieve or defend their established privileged modes of life, forcing the late Frankish knights to engage in territorial political accumulation.

Patterns of Expansion: Socially Combined and Geographically Uneven Development

From the mid-11th Century onwards, the post-Carolingian nobility pushed victoriously into the European periphery. Feudo-vassalic relations were extensively introduced and adapted to prevailing eco-social conditions, creating for the first time the cultural and geopolitical identity of what contemporaries conceive as modern Europe. Starting in the north with the Norman Conquest (1), the Franko-Norman ruling class overran Anglo-Saxon England and pushed in the subsequent two centuries the Celts into and over the fringes of the British isles during the conquests of Wales, Scotland, and Ireland, introducing everywhere its habitual, yet refined, forms of economic and political organisation. To the East, the Saxon aristocracy commenced its enormous undertaking of the Eastern Settlement (2), feudalising and germanicising middle eastern Europe and the southern Baltic fringes up to and including the town of Narwa. In the South-West, the Spanish Reconquest (3) began to roll back Arab domination to its last continental stronghold, the kingdom of Granada, setting up everywhere feudal structures. Finally, in the South and south-east, the Normans conquered Southern Italy and Sicily and established for a good century in conjunction with the Crusades the feudal Crusader States (4) in the Levant.

Already Hans Delbrück interpreted the chronological simultaneity of these four outward movements as being essentially the work of a desperate central European pan-knightly class.

‘All of those who are constantly moving upward out of the lower warrior stratum approach, in doing so, the status of an aristocracy - one might even say of the ruling aristocracy. The Normans, who conquered England, lower Italy, and Sicily, were not by their lineage exclusively Nordics, but warriors of the most diverse origins who attached

account is critically examined in Teschke 1997.

themselves to the nucleus formed by the Normans. The expansion of the hegemony of the German knights over Italy provided many a German knight the opportunity to attain higher position and property. The constant progress of the German colonization toward the east created ever-increasing areas for new ruling families. The French provided the largest contingent for the crusades, which likewise included a colonizing movement. The Spaniards, on their peninsula, drove forward against the Moors.²⁴³

This surprising display of feudal vitality presents an integral outcome of the logic of political accumulation as the conventional strategy of lordly reproduction - a process of land-grabbing, be it by direct conquest, cultivation, or protracted colonisation and settlement.

What distinguishes these forms of conquest from Carolingian state-organised campaigns is precisely their individualised and fairly spontaneous 'wild' manner. Whereas the Carolingian warlords had led the imperial aristocracy in their annual springtime campaigns systematically against neighbouring polities so as to combine individual lordly land hunger with the wider security interests of the state generating thus a geostrategic pattern of concentric expansion -, the nature of 11th century warfare was much more spasmodic and unorganised, reflecting the essentially 'trans-national' character of the mobile members of the knightly class. Consequently, those fighters on horseback turned either (1) into proverbial 'knights of fortune' and 'robber knights', (2) sold their labour-power as mercenaries to whoever was in need of it and could afford it, or (3) flocked to greater warlords embarking upon more far-reaching ventures, promising not only plunder and booty but *a fortiori* the opportunities for landed lordships. Consequently, the radiation of aristocratic power was characteristically the matter of a 'transnational' military class - mobile and restless -, rather than the project of a supreme warlord, a state bureaucracy, a nation-in-arms, *condottieri*, or the result of large-scale ethnic migrations.²⁴⁴

Although the four expansionary movements hit upon vastly different cultures in the peripheral regions and although these cultures knew different forms of economic organisation - ranging from sylvio-pastoral, via primitive communal, to highly developed settled agrarian (as, for example, in the Hispano-Arab irrigation cultures)

²⁴³ Delbrück 1982, 226.

²⁴⁴ Peasants came always into play when the conquerors could not draw on existing producers, i.e. in processes of original land reclamation as in parts of the German Eastern Settlement. Under these conditions, peasants had to be lured away from their homelands and could often

and commercial forms - the resultant concrete forms of lordship did not simply replicate those of the homelands of the incoming knights. Certainly, as a rule, the invaders tended to organise their newly acquired lands according to their traditional estates system. Yet, depending on the respective unique encounters between differently structured aggressors and differently structured defenders, the outcomes of Frankish assertiveness were either (1) expropriation, expulsion or killing of the native ruling classes as classically in England, Wales, eastern Ireland, Spain, Brandenburg and other German marcher lordships, or (2) assimilation and mutual accommodation through intermarriage as in Scotland, Pomerania or Silesia, or (3) the establishment of 'clearance lordships' and new pioneer peasant villages as in eastern Middle Europe, setting up new eco-political niches for the migratory nobility. During these processes of expansion, a range of political forms of lordships - military lordships, conquest lordships, Order lordships - abounded whose nature becomes intelligible within the framework of the social and geographical circumstances of clashing societies.

What is central for our purposes is that these socially combined yet geographically uneven processes of geopolitical accumulation laid the foundations for diverging long-term processes of state formation in different European regions on the basis of different constellations of lordly power.

The Norman Conquest and Unitary English State Formation

The Norman Conquest exemplifies such logic of feudal expansion and subsequent state-building paradigmatically. The import of feudal social property relations was a direct consequence of the Norman Conquest and reflected the form of domination prevalent at the time in the dukedom of Normandy.²⁴⁵ The formation of

wring substantial concessions from their new lords in terms of legal status and the level of rents.

²⁴⁵ Robert Brenner first pointed to the socially uneven yet geopolitically combined dynamics of feudal political accumulation with regard to the Norman Conquest and drew out systematically its long-term implications for English medieval class-relations and state-building. Brenner 1985, 254-5 and 1996, 258-64. Cf. also Marx on the international relations of conquest: 'A similar relationship issues from conquest, when a form of intercourse which has evolved on another soil is brought over complete to the conquered country: whereas in its home it was still encumbered with interests and relations left over from earlier periods, here it can and must be

the Norman duchy around the lower Seine valley (840-911) fell precisely in the epoch of disintegrating Carolingian public power and the appropriation of banal powers by sub-imperial lords. The dukedom of Normandy amalgamated the political structure inherited from the Scandinavian invaders centering around a strong chieftain demanding retinue, with the initially granted and later usurped public authority of a Carolingian count.²⁴⁶ After an intense swirl of feuding (1030-47), William arrogated the comital authority of the ban in Normandy and succeeded in restoring internal order in his dukedom,²⁴⁷ but was at the same time under pressure to keep his magnates and followers at bay. His court became thus the natural locus of government, counsel, dispute and conflict-resolution. And it was here, that the plan to invade Anglo-Saxon England was deliberated, drawn up and agreed.

From the first, however, the Normans found themselves surrounded by competing principalities (Flanders and Brittany) vying for land and domination. What privileged the duke of Normandy to expand successfully across the Channel was the internal cohesiveness of the native military elite whose members claimed all personal kinship with the ducal family, its enormous wealth in land and treasure subsequent to the raiding and settlement, the duke's effective power to collect taxes of a public character, to receive judicial fines, to levy tolls and to call out the *arrière-ban* - indeed, his *de facto* power of royal overlordship, the *bannum*.²⁴⁸

The Conquest itself rested thus on an in-built predicament in the exercise of feudal domination: internal cohesion among the lordly class was predicated upon the overlord's capacity to lead his followers into ever renewed cycles of campaigning, generating for this purpose a tightly-knit military unit during campaigns, disintegrating after successful conquests due to the politics of land distribution which augmented, in

established completely and without hindrance, if only to assure the conqueror's lasting power. (England and Naples after the Norman conquest, when they received the most perfect form of feudal organisation.)' Marx and Engels 1964, 92.

²⁴⁶ Le Patourel 1976, 13; Hallam 1980, 34-43.

²⁴⁷ Searle 1988, 179-89.

²⁴⁸ Le Patourel 1969 and 1976, 281 ff. According to Searle, Norman kinship did not rest upon blood or descent, but upon choice and political strategy, dubbing these personal ties 'political kinship'. Searle 1988, 159. Searle objects against the 'continuity thesis', which defends the persistence of Carolingian institutions in newly settled Normandy, building her argument on the political structure of the immigré Norman aristocracy around notions of 'warrior kin groups' (p.10), without hardly ever mentioning forms of lordship or other Frankish institutions.

turn, the newly landed lord's power base so as to transform him into a potential rival of his erstwhile leader.²⁴⁹

The imposition of Norman rule upon Anglo-Saxon England followed precisely these patterns; yet, post-Conquest disintegration could be avoided.²⁵⁰ Within two decades, the Anglo-Saxon land-holding class was dispossessed and killed, its lands redistributed by William the Conqueror amongst his leading warriors - the barons. The sweeping nature of the Conquest resulted in the imposition of Norman dominion over England as a single territorial unit. A tenurial revolution steamrolled the country with radical land-holding alterations in terms of ownership, size and constitutional status of lordships. Lords came to hold their estates 'of the king' - in possession and hereditary in character, but not as private patrimonies. The king remained the supreme land-owner of the entire territory. Just when Frankish Gaul disintegrated into countless independent *seigneuries*, England was unified *en bloc* by William, adopting the title King of England while retaining his ducal title of Normandy. Decisively, distinguishing feudal state-formation in England from simultaneous but structurally different French and German experiences, the Norman and Plantagenet kings succeeded in retaining the monopoly of the ban after 1066. The ban was and remained royal. All land-holding Norman nobles had to swear direct fealty to the king (Oath of Salisbury, 1086), so that the de-centralising consequences of vassalic 'mediatisation'²⁵¹ - so detrimental for Capetian France and Salian Germany - were blocked. The 'King's Peace', predicated upon the power of the ban, ruled out the continental practices of private feuding by providing recognised and legitimate institutions for the settling of disputes over questions of land, property and privileges amongst the members of the Anglo-Norman ruling class.²⁵²

Due to the vast landed resources of the British Isles and the overarching authority of William the Conqueror, the expansionary phase of the dynamic of feudal political accumulation and, therewith, relative internal ruling class cohesion could be sustained well into the 14th Century, and was only then broken by declining kingly

²⁴⁹ For a clear exposition of the constitutive contradictions of feudal political accumulation, see Le Patourel 1976, 279-318.

²⁵⁰ Mitteis 1974, 199-212; Anderson 1974a, 158-61.

²⁵¹ 'Mediatisation' implies the subinfeudation of a vassal's vassal with the crucial proviso that the latter did no longer owe any allegiance to the overlord. In Capetian France, the maxim prevailed that 'the vassal of my vassal is not my vassal'.

fortunes during the Hundred Years Wars and the subsequent 'civil' Wars of the Roses. By this time, of course, the French king had successfully centralised his lands to such a degree that he could match England. Between the 11th and the 14th Century, Anglo-Norman lords not only conquered the Celtic fringes (conquests of Wales, Ireland, and Scotland)²⁵³ but also turned their acquisitiveness against the various fragmented duchies in Western France, so as to create under the Plantagenets an Empire which reached from the Hebrides to the Pyrenees.²⁵⁴ Simultaneously, martial superiority was both cause and effect of the extraordinary degree of centralisation of the English kingdom, expressed in the unchallenged monopoly of the royal ban.

Institutionally, kingly power established a supplementary layer of public power based upon Common Law operated by revocable sheriffs next to the traditional inter-lordly bonds of vassalage. In a way, post-1066 authority relations were based on a dual property regime which resembled Carolingian relations of exploitation. Norman lords had free hand to deal with their villains (serfs) on their manors, whereas the remaining free peasants were taxed by the king and enjoyed free access to public courts. Not surprisingly, class struggle typically took the form of peasants contesting their social status - villain or free - which acted as criterion for access to different courts: manorial or public.²⁵⁵ More generally, since medieval kings had generally an interest in maintaining their peasantry as sources of income over and against local lords, they recurrently adopted policies of peasant protection upheld in public courts.

The continuity and relative stability of English pre-14th century state-formation has to be seen against this background of a fixed two-tiered property settlement which in spite of all contestation reduced inter-noble competition over the peasantry. Such inter-noble arrangement for mutual agrarian profit was buttressed by wider common strategies of successful geopolitical accumulation in north-western Europe under the aegis of the king - 'Lord Paramount'.

The Spanish Reconquista

²⁵² Kaeuper 1988, 153 ff.

²⁵³ Davies 1989 and 1990; Bartlett 1993, 24-59 passim.

²⁵⁴ Le Patourel 1976; Frame 1990.

²⁵⁵ Hilton 1976.

Against the sudden imposition of Franco-Norman rule on the British Isles, the processes of conquest and settlement in Spain and trans-Elbian Germany were more protracted and spasmodic in character. Here the bases of further expansion were those conquest lordships which Charlemagne had established at the height of his power around the year 800: Catalonia and Saxony.

Catalonia fragmented during its 'Feudal Revolution' (1020-60) into a multiplicity of banal lordships inducing the familiar processes of general enserfment and *incastellamento* so as to establish a new mode of exploitation.²⁵⁶ Inter-lordly relations were radically feudalised in this process while the authority of the former count could no longer rely on imperial backing. However, due to the persisting opportunities for conquest and after a period of intense inter-Catalan feuding, Catalan lords accepted the overlordship of the comital dynasty of the Berenguers in its function as supreme warlord, whereas the count accepted in return 'private' lordly exploitation of a formerly free and tax-paying peasantry.

Catalonia, similar to 11th Century Normandy, emerged out of the 'Feudal Revolution' as the leading polity in the north-western Mediterranean. Whereas pre-11th century Muslim-Frankish relations were marked by political expediency and mutual accommodation (the religious cleavage was secondary in trans-border relations),²⁵⁷ the counts of Barcelona began immediately to pay off their license to rule by adopting from the mid-11th century onwards an aggressive systematic policy of external conquest against what only now came to be branded as the infidels.²⁵⁸ Catalonia's outward orientation was decisively reinforced by the influx of landless Frankish knights - Duby's 'youths' - from the old Carolingian core-regions. In a shrewd diplomatic mobilisation of dynastic marital policies, Ramon Berenguer IV arranged his betrothal to the daughter of the King of Aragón, securing a union between formerly competing, yet christianised, neighbouring polities, combining forces against the Muslims to the south.²⁵⁹ The ruling dynasty renewed pressures on the taifa chieftains, attempted to capture Valencia, and engaged vigorously into the wider international affairs of the

²⁵⁶ Brilliantly: Bonnassie 1991c and 1991b and Brenner 1996, 264-9.

²⁵⁷ Fletcher 1987.

²⁵⁸ Bonnassie 1991c, 163-7.

²⁵⁹ Bisson 1986.

Mediterranean, establishing ties with Norman Sicily and the incipient North Italian trading cities. With the help of Frankish knights, it captured Majorca and renewed its suzerainty over Septimania and Provence. The driving ideological but also material force behind such intensification of warfare were the reformed monasteries and a newly invigorated Gregorian papacy. In a letter of April 1073, Gregory VII exhorted the French

“princes wishing to set out for the land of Spain” that “since the kingdom of Spain was from ancient times the property of St.Peter”, all lands conquered by the French invaders must be held as fiefs from the saint.²⁶⁰

French Benedictine monks, themselves, of course, of noble origins by dint of aristocratic standard procedures of convent placement, came now to be appointed to re-captured Spanish bishoprics, busily administering Arab tribute-payments which were transferred back to Cluny. ‘By 1100 a large proportion of Spanish sees were ruled by French monks’.²⁶¹

These mechanisms of geopolitical accumulation engendered a systematic manorialisation of the conquered regions through the familiar cycles of common counted conquests, followed by the granting of fiefs to lesser lords and their consequent enfeoffment. These newly landed lords undertook it to either enserf their local peasantry or to offer initially attractive conditions of settlements in the form of franchises to rural colonists during times of labour scarcity, similar in character to the practices of enfranchisement in connection with the German *Ostsiedlung*. Local Christian magnates and Frankish knights, clerics and the pope had united in a long-term alliance, conducting a ‘Holy War’ to expand their dominion.

The German Ostsiedlung

The German *Ostsiedlung* was similarly variegated in nature and even less centrally organised than the Norman or even Catalan undertakings, reflecting different starting conditions in the post-Carolingian Eastern Kingdom. Here, due to the Ottonian

²⁶⁰ Robinson 1990, 324.

²⁶¹ Lomax 1978, 56.

recovery of the 10th Century, the feudalisation of the state set in later and was never carried as far as in the French Western Kingdom. When the crisis came in the late 11th Century under the impact of external invasions, it took the peculiar form of a power struggle - the Investiture Controversy (1060-1130)- between the Emperor Henry IV, trying to maintain his grip on the bishoprics, and the reforming papacy allying with the German regional duchies.²⁶² Ducal-papal victory meant the end of German imperial theocracy promoted by its rights of lay investiture. It also engendered the 'mediatization' of subvassals, institutionalised in the rigorous pyramidal stratification of the German *Heerschild*. In contrast to England, the German Hohenstauffen rulers failed to become territorial lords able to implement uniform trans-territorial policies beyond their royal desmesnes.

'German feudal law, as always, placed the interests of the vassals above those of the overlord.'²⁶³

The displacement of a wider notion of regalian public power by powerful territorial princes, which reserved the right to elect the Emperor, cut the crucial protective link between the free peasantry and royal justice, leading to the new property structure of lordly estates worked by enserfed peasants.²⁶⁴

After the feudalisation of inter-lordly relations, the often mythologised 'drive towards the east' revolved around two axes. On the one side, the logic of territorial political accumulation unfolded on the country-side, orchestrated by the great trans-Elbian territorial marcher lordships. What Normandy was for England and Catalonia for Spain, Saxony became for Eastern Europe. From the late 12th century onwards, the familiar cycles of campaigning, land-redistribution and enfeoffment, followed by further campaigning and sub-infeudalisation projected German political domination beyond the Oder deep into Slav territory. In this process, knights of often landless and humble origin from the old areas of German settlement in Saxony, Lotharingia or Frisia came to receive immense landed wealth which soon allowed them to serve their overlords with hundreds of retainers.²⁶⁵ The land-based political economy of feudal

²⁶² Mitteis 1974, 177-92.

²⁶³ Mitteis 1974, 251.

²⁶⁴ Arnold 1985, 1-22 and 1991; Anderson 1974a, 161-5.

²⁶⁵ Bartlett 1993, 33-39.

geopolitical relations seized upon the opportunities of noble upward social mobility offered by the Eastern Settlement and the 'moving' German frontier.

At the same time, German merchants set up a dense net of trading ports and towns along the southern shore of the Baltic tapping the vast cereal, timber and fur resources of Eastern Europe. This form of commercial capitalism, co-ordinated by the evolving Hanse league with its mother town Lübeck, established a series of trading monopolies which were defended by Military Orders of which the Teutonic Order came to dominate Prussia. Military Orders pooled landless Frankish lords securing not only naval trading routes but also advancing the feudalisation of the coastal Slav hinterlands. Originating in the context of the Crusades, Military Orders recruited systematically from the Frankish knights and were characterised by extraordinary international mobility and tight internal organisation. Entertaining a dense net of strategic and logistic bases throughout the Mediterranean and along the Atlantic shore, they presented an emergency force for feudal Christendom.²⁶⁶ In the Baltic, commercial and missionary interests combined with the martial capacities and land-hunger of monastic lords in the colonisation of the trans-Elbian regions.

The Papal Revolution and The Crusades

The novelty of Military Orders - which would have been regarded in the 8th Century as a contradiction in terms - indicates a revolution in the institutional set-up and ideological self-understanding of the papacy. The very 11th Century which changed inter-lordly relations so dramatically in the old Frankish heartlands, also changed the relation between the secular and the ecclesiastical in the wake of the Gregorian reforms, establishing the papacy as a feudal power striving for European supremacy.

During the Carolingian epoch, the pre-Gregorian Church was subordinate to Frankish secular lords.²⁶⁷ Bishops were nominated and invested by the Emperor, enjoying special protection by the Emperor and tax exemptions (indemnities); the system of noble proprietary churches prevailed at the local level. As a rule, parish priests and abbots were nominated by that noble family which had originally endowed

²⁶⁶ Christiansen 1980.

the religious institution with land, leading to the regular practices of convent placement of noble daughters and cadets. Rome was merely a spiritual center of pilgrimage. No separate legal framework separated the Latin clergy from the rest of feudal society. The pope was essentially a weak figurehead of the nobility of the city of Rome, appointed by the German Emperor. Thus, pre-11th Century Roman bishops were mere *primi inter pares*.

The structural position of the Church in medieval society began to change precisely at that point in time when imperial theocratic power was burst asunder through the violent undertakings of banal lords in search for profit. Regional bishoprics, monasteries, and parish churches were the first to suffer from lordly pillaging and dispossessing during the period of feudal anarchy in the absence of public protection. It was precisely at this time that the unarmed clergy, most affected by the feuding terror of the castellans, tried to find new ways of dissociating the realm of the sacred from the profane - to wrest themselves from the control of local feudal lords.²⁶⁸

First, the monastic reform movement, headed by the Benedictines, re-structured relations amongst its scattered and hitherto loosely connected monasteries and lands into an extra-papal hierarchical system under the jurisdiction of the Abbot of Cluny. At the same time, monks formulated the doctrine of the Three Orders and invented a specific ethos of Christian chivalry which provided the ideological background for the Crusades.

Second, the episcopal peace-movements tried to re-impose order by orchestrating first the 'Truce of God' and later the 'Peace of God' in the lands between Catalonia and Flanders.²⁶⁹ This bishop-led strategy of appeasement was too weak to outlaw feuding but succeeded in specifying exemptions to warring, first in terms of persons and objects, later in terms of time and space. However, precisely because the Church lacked powers of enforcement - the threat of excommunication only went so far -, 11th Century popes thoroughly re-defined their war ideology and tried to canalise lordly violence by deflecting it into outward aggression against the 'infidels'. Promising not only land and booty, but eternal salvation, the papacy instrumentalised Frankish

²⁶⁷ 'There was a fusion of the religious and political spheres.' Berman 1983, 88.

²⁶⁸ Mitteis 1974, 177ff.

²⁶⁹ Flori 1992a.

lords, rebaptised them as *milites Sancti Petri*, and invented, in striking contrast to earlier notions of inter-Christian non-violence, notions of Just and Holy War: the idea of the crusades was born.²⁷⁰

Third, Church lore on war changed as rapidly as the institutional structures of the papacy tightened into a state-like trans-territorially centralised administrative system, based on canon law. Taking the Cluniac system as a model, the reform movement under Pope Gregory VII struggled for papal supremacy over spiritual matters by usurping the Holy See from the German Emperor through by what would today be called a *coup d'Etat* (1075). This struggle over supremacy in the name of the *libertas ecclesiae* unleashed the famous Investiture Controversy which soon gave rise to a series of Wars of Investiture between Gregory VII, mustering Norman mercenaries from Sicily and Frankish knights, and the German Emperor, Henry V, occupying Rome in 1111 with his imperial army. After the Concordat of Worms (1122), the Ottonian theocratic system of government inherited from the Carolingians was a dead letter. The papal claim to legal supremacy over the whole of Christendom was established, though only the clergy was subjected to a systematised canon law, whose court of last instance became the papal *curia*.

It is in this context of revolutionary struggles that the Crusades (1096-99, 1147, and 1189), 'the foreign wars of the Papal Revolution'²⁷¹ have to be set. They were the result of the Vatican's policy to establish with the help of Frankish and Norman land-hungry lords and soldiers and the financial support of the Italian city-states, a series of vassalic states in the Levant and the eastern Mediterranean. Their constitutional set-up reflected perfectly the feudal structure of the invasion armies. Since each prince led his vassalic contingent of knights and mercenaries into battle, Syria was divided into a number of feudal principalities, owing nominal loyalty to the King of Jerusalem and, ultimately, to the pope in his function as overlord. During these processes, the Church was centralised, monarchised, and militarised. What used to be a spiritual center of faith turned into a secularised Church state (*Kirchenstaat*) entertaining a power-conscious foreign policy. Henceforth, Christian universalism knew several heads. On the one hand, we find monarchies defending their direct

²⁷⁰ Flori 1986, 191-203 and 215-19 and 1992b, 133-46.

²⁷¹ Berman 1983, 101.

mandate from God and entertaining sacred notions of kingship; on the other hand, we find a reinvigorated papacy insisting on its right to invest or depose temporal rulers.

French State-Formation between the 11th and 14th Centuries: From Banal Fragmentation to Royal Consolidation

While ex-Frankish lords successfully conquered the non-Frankish European periphery, the old Frankish core underwent in the period between the 11th and the 14th Centuries a transition in the political structure of high medieval France from a plurality of banal lords to a hierarchised feudal monarchy. By the early 14th Century, the French kings had clearly established their feudal overlordship - feudal suzerainty - over France. While these developments saw also the beginning of a shift in inter-lordly relations from pure inter-vassalic bonds to nascent conceptions of public order, it is entirely erroneous to equate these transformations with the origins of the modern state, as Hendryk Spruyt maintains with reference to Joseph Strayer.²⁷² This section retraces the conflicting social processes which led to the territorial aggrandisement, but imperfect administrative consolidation of the Capetian monarchy up to the 14th Century Crisis.

The Capetian 'Domain State'

At the height of the 'Feudal Revolution', the power of the monarchy was reduced to the royal domain, its control of a substantial number of bishoprics and monasteries in northern France, and the largely nominal regal rights it enjoyed due to its sacral status. Powerful territorial princes dominated the greater duchies and counties in the North and in the marches - Normandy, Flanders, Picardy, Brittany, and Catalonia -, whereas political fragmentation due to the terror of the castellans was far more advanced in Burgundy, Blois-Champagne, Anjou, Aquitaine, Gascony, Toulouse,

²⁷² Spruyt 1994a, 79; Strayer 1970. Even Mitteis concludes his masterful survey by arguing that by the 13th century 'the impersonal and institutionalized machinery of the modern state' was already in place. Mitteis 1975, 393.

and in the *Île de France* itself. These castellans whom we defined as lords who, through the appropriation of former Carolingian 'public' powers, had amalgamated the functions of 'domestic lordship' with those of 'banal lordship', were the dominant political actors. Although slavery was dead by the 11th Century, the status of the peasantry was reduced to serfdom within the castellanies. The structure of society was anarchical in so far as, in spite of the fact that the idea of feudal bonds between King and princes was never entirely forgotten, homage, if paid at all, was more regarded as a treaty between two independent rulers, then as a manifestation of subordination according to feudal law.²⁷³ In most cases, the princes, even in the northern duchies, had to rule against the castellans rather than with them in order to impose hierarchy and to retain or regain the territorial identity of their principalities. The 'feudal anarchy' of the 11th Century rested on the territorial monopolisation of the powers of exploitation by individualised small banal lords. This acephalous structure of French inter-noble relations was to change significantly in the course of the next four centuries into a 'hierarchical' structure of political power.

Let us first specify the nature of that political actor which played the major part in this history of large-scale structural change. The Capetian 'state' which set out to conquer France carried all the characteristics of an extended patrimonial household transforming itself in the course of its territorial aggrandisement into a half feudal, half patrimonial state - both elements standing in constant tension throughout the period.²⁷⁴ 'Government' emanated from the king surrounded by the *curia regis* which was composed of dependent patrimonial officers. In the 11th and 12th Centuries, the French kings drew their revenues largely from the classical sources of patrimonial and increasingly feudal lordship. These have to be divided into the different functions of kingship: seigneur of the royal domain, territorial lord, and feudal overlord over all

²⁷³ Hallam 1980, 95.

²⁷⁴ Whereas a feudal political relation between two lords is based on a reciprocal contract between two independent lords, a patrimonial relation conferred a unilaterally revocable right to an officer who remains subordinate to his lord. 'Patrimonial domination is thus a special case of patriarchal domination - domestic authority decentralized through assignment of land and sometimes of equipment to sons of the house or other dependents.' Weber [1922] 1968a, 1011. Weber expands that 'we shall speak of a *patrimonial state* when the prince organizes his political power over extrapatrimonial areas and political subjects - which is not discretionary and not enforced by physical coercion - just like the exercise of his patriarchal power.' Weber [1922] 1968a, 1013. Since this extension in France was more often enforced than not, we shall

fiefs (*la mouvance*). Next to the income - mostly in kind - derived from the royal domain supervised by *prévôts* and *baillis* (itinerant officials), revenues were largely generated through indirect taxation (tolls and fines), special rights (judicial profits, minting, hunting, foresting), and the extraordinary aids from royal vassals in times of crisis. To this have to be added the profits of justice and war (treasure, tribute, ransom money) and an increasing reliance on 'public credit' financed by merchant bankers. The army was still gathered by means of the feudal levy based on reciprocal inter-personal bonds, before noble military service was commuted into monetary payments, which allowed, in turn, the maintenance of mercenary troops. No general and regular imposition existed besides the inter-personally and irregularly negotiated dues and services provided by the nobility. As a rule, the feudal property regime did not allow for direct taxation in the absence of a generalised notion of a subject, i.e. as long as the majority of the peasantry was personally bound to a local lord. In short, the 'fiscal' machinery of the state took the form of an expanded royal household.²⁷⁵

Capetian Political Accumulation

As the revenue system betrayed the extractive logic of a feudo-patrimonial 'domain state', so did the techniques of territorial expansion betray the thoroughly feudal geopolitical dynamics of the French monarchy. From the late 11th Century onwards and throughout the 12th and 13th, the princes and the king tried to re-consolidate their territories - internally over and against the castellans, and externally amongst each other. The logic of French state-building unfolded thus under the constant pressures of geopolitical competition, which drove smaller lords into the hands of greater lords, and of inter-lordly political concentration to retain the political hold on the peasantry. In this process, the French monarchy had to deploy the whole arsenal of feudal expansionary techniques to establish its suzerainty over *Francia* during the course of four centuries. These ranged from outright war and annexation,

rather speak of a feudo-patrimonial state. By the same token, since the Capetian state drew from very early on on extra-patrimonial resources, it was never a pure 'domain state'.

²⁷⁵ Ormrod and Barta 1995, 62-8; Guenée 1985, 91-110.

through dynastic marriage-policies, alliance-building²⁷⁶ and bribery to simple confiscation and enfeoffment, so that the local aristocracy was either suppressed, co-opted, intermarried, bought, or tied to the king by unstable bonds of vassalage.²⁷⁷

The first unmistakable signs of Capetian revival²⁷⁸ came under the rule of Louis VI (1108-1137) who succeeded in suppressing a number of unruly castellan dynasties in the royal principality, seized their lands and granted them out to loyal vassals so as to mark the beginning of the hierarchical feudal pyramid. His efforts remained, however, limited to the *Ile de France*, and he and his son Louis VII (1137-80) had to concede the acquisition of much of western France by the latter's fateful divorce from Eleanor of Aquitaine and her subsequent marriage to Henry II, King of England. The ascendancy of the English-dominated 'Angevin Empire' eclipsed the power of any French prince, including the King, for about a century. The decisive turn came with Philip II 'Augustus' (1180-1223) who, by profiting from problems in the English succession and Richard the Lionheart's absence while crusading, received the Artois and Vermandois as a dowry, conquered the Berry and much of the Angevin lands (Normandy, Maine, Touraine, Anjou, and Brittany), and confiscated with the support of the papacy large parts of the Languedoc (the county of Toulouse) from their heretic lords during the Albigensian crusades.²⁷⁹ These acquisitions were entrenched by his son, Louis VIII (1223-26) who added Poitou to the kingdom, and his successor, Louis XI (1226-70) who bought Mâcon in 1239. Philip the Fair, finally, bought the counties of Chartres, La Marche and Angoulême, as well as the important county of Burgundy (Franche-Comté), while adding a range of important towns and ports. These purchases were usually made from heavily indebted regional lords who received in turn a lump sum and an annual pension for lifetime.

²⁷⁶ Philip I, for example, allied with the dukes of Flanders and Anjou to balance the power of the Norman Duke. Mitteis 1975, 194.

²⁷⁷ Mitteis 1975, 267-79 and 345-52; Given 1990; Anderson 1974a, 156-8; Spruyt 1994a, chap. 5. Spruyt explains the rise of the modern sovereign territorial state in France in terms of a coalition of interests between towns and kings, the former providing sources of income in return for protection and standardised taxation, administration, and jurisdiction allowing for the reduction of transaction costs and greater efficiency (p.79). The prior question remains why the French nobility lost its politically-constituted extractive powers so as to turn to the monarchy to provide income.

²⁷⁸ Hallam 1980, 114-36.

²⁷⁹ In detail Given 1990, 104-11.

'The total effect of the additions now made to the royal domain was so overwhelming that by 1328 the domain covered a total area about three times that of the great *appanages* and fiefs.'²⁸⁰

Precisely because this process of territorial expansion was carried out by different rulers at different stages of administrative organisation confronting regions with different internal class-constellations and legal customs, their integration into the French sphere of influence evinced important regional peculiarities - peculiarities which spawned 'historical legacies' which were consequential for French administrative diversity even under the centralising pressures of later absolutist rulers. In striking contrast to post-Conquest England, territorial administrative uniformity was thus blocked from the first.

Changing Class Relations: The End of Serfdom, the End of the Castellan Class, and the Ascent of Feudal Kingship

In this process of geopolitical accumulation, the structure of the French nobility changed significantly and with it, the relations between king-cum-officials and nobility in the administrative organisation of the annexed lands.²⁸¹ The regional French aristocracy was, of course, not simply a passive victim but an active interested party whose room for political action was circumscribed by the scissors opening up between its growing consumption needs due to rising costs in military equipment, and stagnant or falling returns from their agricultural exploitations. In other words, its reproductive fortunes were suspended between a resisting peasantry and competing co-rulers. We have seen how the ascent of banal lordships went hand in hand with the rise of serfdom. The military apparatus (knights and castles) necessary to keep serfs subdued pressed banal lords to seek new sources of revenue. Under these circumstances, they either sought the assistance of greater lords - be it the King or the princes - in maintaining 'order' through their enhanced military capacities or had to offer concessions (franchises and peasant charters) to the peasantry, especially in connection with the colonisation of new lands.

²⁸⁰ Waley 1985, 51.

²⁸¹ Gerstenberger 1990, 268-80.

Let us first turn to the constitutional consequences of these competing inter-lordly relations, before we set out their implications for the peasantry. The support of greater lords came, of course, only at the price of political subordination. The classical mechanism by which this subordination was effected throughout the 12th Century was the *fief de reprise*, through which an independent lord offered his allod for a substantial price as a fief to an overlord, allowing him unconditional access to the castle.²⁸² However, due to the uneven and piecemeal process of territorial feudalisation, subvassals - in stark contrast to England - did not owe primary allegiance to the king, but to their immediate lords (*Vasallus vasalli mei non est meus vasallus*).²⁸³ The struggle over direct allegiance or mediatisation - partially resolved through the introduction of *liège-homage* - marked the 13th Century. The process of territorial expansion through feudal hierarchisation was accelerated through the growing monetarisation of social relations. Vassals came to substitute their military services to the King through payments ('bastard feudalism'). This mechanism tended to increase the relative autonomy of the King from his vassalic retinue by demilitarising inter-vassalic relations and the concomitant build-up of mercenary troops under exclusive royal command. In turn, the growing costs of warfare reduced the chances of castellans and even greater princes to maintain themselves in their capacity as independent lords.

At the same time, the Capetians asserted their hold in the regions over and against the nobility through the extension of their court system²⁸⁴ beyond the royal domain. The itinerant justices became sedentary and institutionalised *assizes* in legal territorial units called *bailliages* in the north and *sénéchausées* in the south, presided over by royal agents. Cases could be brought not only by vassals against their immediate overlords, but also by towns and rural communes. The doctrine came to prevail that all cases touching the king's sovereignty - by which was meant the king's peace - could be brought before the king's courts. By the 14th Century, a system of royal jurisdiction, operated by royal officials, with an appellate system culminating in the *Parlement de Paris* was established. It was the court of last instance in feudal law as well as in nascent royal law (public law).

²⁸² Duby 1991, 165 ff.; Poly and Bournazel 1991, 65; Reynolds 1994, 260-66.

²⁸³ Mitteis 1975, 351.

²⁸⁴ Kaeuper 1988, 150-1 and 160; Mitteis 1975, 346-7.

However, the royal policy of monopolising jurisdiction in the hand of the state was more apparent than real. Strong countervailing forces inherent in agrarian economies based on feudal property relations squashed legal sovereignty. First, royal judges came to be recruited - with the exception of the *Parlement* which was staffed with urban legal professionals - largely from the regional nobility. Since their office was patrimonial²⁸⁵ in character, i.e. it was granted to the highest bidder who carried out the farming of taxes from which he deduced his own income, it came to be seen as another source of patronage and personal profit, creating difficulties of central control. Similar to the Carolingian Empire, the creation of offices contained the tendency towards their 'privatisation', involving sub-letting and, in extreme cases, hereditability and alienability. However, although the office was farmed-out as a fee benefice, the 13th Century practice of office-holding did not yet go as far as the 16th Century practice of office venality in which hereditability and non-revocability were legally recognised in a contract of purchase. The incumbent leased the office but did not own it and was therefore revocable after the duration of the lease had lapsed.²⁸⁶ Secondly, the comprehensive penetration of the French country-side with a supra-territorial system of jurisdiction remained impossible to achieve in the face of persisting autonomous lordly powers.

'In about 1308 there were roughly thirty *bailliages* and *sénéchaussées*, with more than 300 subordinate courts of *prévôts* (in the north), *viguiers* or *bayles* (in the south) coexisting with the thousands of feudal justices.'²⁸⁷

The royal claim to final jurisdiction ran time and again against the original rights and powers of the feudal nobility. Successive attempts by late Capetian and early Vallois kings to outlaw feuding ('private war'), to license castle-building, and to arrogate the final say over noble arms-bearing - the marks of political lordship - were frustrated.²⁸⁸ The practical problems in inducing compliance with royal ordinances and

²⁸⁵ According to Weber, the high and late medieval French royal judges held 'fee benefices', in which the maintenance of the incumbent was based on fees of extrapatrimonial origin; that is, they were not paid by the King but reproduced themselves through the proceeds of their office. Weber [1922] 1968a, 1032.

²⁸⁶ Schwarz 1983, 181; Guinée 1985, 118-9.

²⁸⁷ Kaeuper 1988, 169.

²⁸⁸ Kaeuper 1988, 184-268.

judgements testified to the persisting lordly powers of the nobility. Jurisdiction remained fragmented.

It was precisely these competing claims to final jurisdiction, symptomatic of the weakness of high medieval French ruling class organisation, which were decisive for the improving status of the French peasantry. In spite of unfavourable demographic pressures,²⁸⁹ the peasantry succeeded in the course of the 12th and 13th Centuries to shake off serfdom (commutation of labour rents into money rents) and to establish by the early 14th Century *de facto* - though not *de iure* - property rights over customary tenures, including the right to inherit. Lords in need of cash engaged in selling charters of liberty to peasant communes which regulated lordly exactions and curbed their arbitrary character.²⁹⁰ Rents (*cens*), but also other dues (fines, death dues, transfer dues) which still weighed on the plots became fixed and remained thus unadjusted to inflation. Over time, lords were obliged to lease out desmesne land or to sell land directly.²⁹¹ Declining rents and alienation of property brought them into an increasingly precarious financial situation. Many castellans and knights were driven into debts and were drawn into the service of greater noble households. Alternatively, they sold themselves as mercenaries or went directly 'abroad' to carve out lordships in the non-Frankish periphery. Crucially, the peasantry exploited the weakened status of their direct lords to appeal immediately to royal courts to uphold its granted concessions which it had wrought from their erstwhile banal lord. In this process, the king tended to side with the peasants, for their loss of serfdom was his gain in terms of a new income-base (no longer a rent-base, but a tax-base) and the simultaneous subjection of a noble rival. Charters of liberty for rural communes and individual franchises dislodged much of direct noble hold on the rural population. Wherever the local nobility tried to re-impose arbitrary taxation or customary levies to counteract their income crises, the French King was instrumental in backing up petty peasant proprietorship in public courts, thus ultimately safeguarding an important source of state revenue.

²⁸⁹ According to Neo-Malthusian reasoning, a rising population would have meant an over-supply of labour, resulting in lower peasant incomes or in a demotion of their legal status. None of which occurred in France.

²⁹⁰ Duby 1968, 242; Hallam 1980, 161 ff. and 225; Brenner 1996, 256-7.

²⁹¹ Duby 1968, 237-9; Neveux 1975, 36; Brenner 1985b, 243.

The struggle between 'state' and nobility in the countryside was to a large degree a struggle over the rights and profits of jurisdiction, i.e. about political domination. The build-up of a system of royal jurisdiction competed with and tended to undermine the political and extractive power of the local nobility.²⁹² The French lower nobility found itself squeezed between strong peasant-communities and the greater princes, of which the King was *primus inter pares*. By the early 13th Century, 'the castellan class was disintegrating',²⁹³ and the greater magnates struggled against the royal claim to feudo-patrimonial sovereignty.

An Imperfect Feudal Kingdom

The establishment of Capetian rule in the various French principalities was not so much a process of abrupt imposition as a process of blending - in a regionally and chronologically highly uneven process - kingly patronage networks with those of pre-existing noble families through patrimonial and feudal techniques of domination. Here was not a state which grafted its bureaucratic administration upon a territory, but a feudal ruler who had to ensure through a mixture of coercion and conciliation the personal loyalty of political lords - who continued to reproduce themselves from their own lands - and patrimonial officers who veered constantly towards the appropriation of their farmed offices. French rule meant, on the one hand, the integration of independent lords as vassals into the feudal hierarchy; on the other, it meant the insertion of a network of royal jurisdiction, operated by royal agents, into the regional political landscape. This attempt to monopolise the right to arbitrate the chronic disputes between greater lords (lay or ecclesiastical), towns, petty seigneurs, and rural communities enmeshed the royal agents heavily into local politics. And it was the changing alliances between the king, the regional nobility, towns, and peasants, and especially the royal interest to wrest control over towns and peasant communities from the nobility, which gave French state-formation its peculiar uneven and piecemeal character.

²⁹² For Languedoc see Given 1990, 83-88

²⁹³ Duby 1991, 166.

By the beginning of the 14th Century, the French 'state' came to rest on a new constellation of social classes. The King, in theory and in practice, had become a feudal suzerain; the territorial princes had become integrated into the feudal hierarchy; the independent class of banal lords and knights had vanished or had turned into a petty nobility of service for the King; many towns had emancipated themselves from seigneurial control and enjoyed royal liberties; and the peasantry had gained personal freedom and *de facto* property rights. Yet, for all the tendencies toward administrative centralisation and territorial concentration, the realm remained thoroughly feudal, that is: personalised, in character.²⁹⁴

The Capetian rise to supremacy and the extension of the royal domain to cover four fifths of contemporary France was neither inevitable, nor was it the natural, unilinear, and uninterrupted growth-story of state-formation as textbooks and national histories want us to believe. Indeed, the comparatively small royal domain in the *Île-de-France*, though it carried the important legitimation of ecclesiastical consecration and divine monarchy, was an unlikely pretender to achieve and exert suzerainty over more powerful rivals, of which the English King, Henry II and his successors, were the most formidable. The very nature of feudo-patrimonial states, carrying all the vicissitudes of a non-unified territory due to the biological play of chance of dynastic family reproduction and rules of succession - *appanages* granted to royal cadets alienated time and again parts of the territory - set absolute limits to and refracted the linearity of French state-formation. The size of the territory contracted and fragmented at times and the indeterminacy of the whole undertaking came clearly to the fore in the feudal crisis of the 14th Century and the Hundred Years' War in its wake. However, this is no argument for the role of chance and contingency in history, but an argument that under persisting inter-personal political property-relations, the logic of state-building contained both a centralising as well as a de-centralising drive, depending upon the degree of self-organisation of the ruling and producing classes, governing the rate of surplus extraction under the impact of the demo-economic cycles of agrarian economies.

²⁹⁴ 'Powers of legitimate coercion and control were not concentrated in royal hands but were widely diffused throughout society. (...) One can hardly say that even the most determined royal government had successfully penetrated its society in the sense that it had set up a unified, rational field administration for resource mobilization, the creation of public order, and the coordination of collective efforts.' Given 1990, 248.

As in the 9th and 10th Centuries, when the Carolingian Empire disintegrated into its constitutive lordships under the combined impact of over-taxation and external threats, so did the French monarchy struggle to keep its leading barons - alienated through over-taxation and under-exploitation - at bay in the crisis of the 14th Century. In other words, property-relations provided clear structural limits to how far the experience of state-formation could proceed in high and late medieval France.

Conclusion: The Medieval Making of a Multi-Actor Europe

'Europe' expanded before the onset of capitalism. It expanded before the Italian, Flemish and German trading ports established their far-flung commercial activities in the Mediterranean, the Baltic and along the Atlantic rim, and it expanded before the great absolutism-sponsored discoveries overseas. The agents of medieval expansion were a dissatisfied and economically threatened transnational late Frankish nobility in search of new sources of income. The causes of feudal expansion were 'domestic'. The centrifugal dynamic of such mass migration was prompted by a prior internal re-structuring of social and political relations in the late Carolingian European heartlands. Interpreting the 10th Century 'Feudal Revolution' as a dramatic seigniorial reaction to a crisis in income reveals the immediate link between internal social relations and external conquest, 'domestic' transformations and international repercussions.

Wherever the European knights succeeded in holding tight to their newly acquired lordships, feudal state-formation occurred. New kingdoms rose. The social transformation and geographic integration of the extra-Frankish European periphery unified the Continent in social, military, commercial, cultural, and religious terms under the spiritual umbrella of the political papacy. The Baltic Sea, the Northern Atlantic and the Mediterranean were turned into Catholic lakes, increasingly dominated by commercial city-leagues and city-states, connecting Lübeck with Reval, Hamburg with Bruges and London, Genoa with Barcelona, and Venice with Constantinople and Alexandria. Yet, while commercial and cultural unity spread, politico-territorial disunity became entrenched. Given the feudal character of colonisation, post-millennial

expansion did not engender dependent colonies, but independent dynastic polities. This tendency was built into the inter-personal structure of the feudal mode of exploitation which left more room for power-political fissures, eagerly seized upon by parvenu dynasties, then for pan-European imperial domination. By the early 14th Century, the political map of Europe exhibits a geography of feudal statehood which had shaken off the hierarchical ghosts of its imperial Roman and Carolingian pasts. While new empires (Spain and Germany), powerful monarchies (France and England) and a supremacy-claiming papal state emerged, the struggle for universalism amongst the unequal polities within Europe remained henceforth undecided. The renewed rise of kingly power within these feudal polities aborted a repetition of the extreme fragmentation of political power around the year 1000. While the ascent of a multi-actor Europe was logically not an irreversible process, the emergence of multiple polities within the cultural unity of Christian Europe time and again frustrated the imperial and universal ambitions, fuelled by the persisting logic of political accumulation, and claims of precedence of its most powerful members.

However, if a political pluriverse came now to be a constitutive feature of European geopolitics, it did not imply a fixed territorial identity of its units, nor did it inaugurate the era of the rise of the modern state. Lordly colonialism did not represent a structural advance in the modes of social and political organisation of the labour process, nor a leap in technological innovations harnessed to such purposes. The persistence of the agrarian-based coercive mode of extraction during the Middle Ages meant that the forms of lordly appropriation remained primarily extensive, rather than intensive, oriented towards territory, not towards increases in productivity. Thus, while territory-based extra-European expansion continued, inner-European competition over territory intensified on a par. Trade was epiphenomenal to the kind of medieval colonialism in question, but the break-down of the Carolingian Empire created those power-political 'interstices' in which towns could wrest themselves from the political control of territorial princes. Yet, while urban political autonomy was gained in those regions where kings were too weak to quickly re-impose territorial power after the 'Feudal Revolution' (Germany, Italy, Flanders), these cities remained economically entirely dependent upon the demands and buying-power of feudal lords and the wider secular and ecclesiastical political establishment. The rise and fall of medieval cities was directly pegged to the extractive powers of the land-holding class and, in

particular, to the solvency of borrowing kings, as well as to the militarily-protected lines of long-distance commerce. Unless they succeeded in transforming themselves into land-based city-states, drawing on independent sources of non-commercial income (Venice), their fortunes would follow lordly demand as informed by the level of rents extracted from the peasantry within the wider context of the eco-demographic fluctuations of the agrarian economy. The resumption of long-distance commerce in the 12th Century was itself an upshot of heightened aristocratic demand based on intensified exploitation of a systematically enserfed peasantry intensifying, by the same token, inter-lordly military competition, which, in turn, powered the wheels of commerce. When the crisis of the 14th Century set in, cities were to suffer first.

To conclude, intra-ruling class struggle among late Frankish lords under outside pressure precipitated the implosion of the Carolingian Empire during the 'Feudal Revolution' of the Year 1000. Imperial hierarchy gave way to feudal anarchy during the regime of banal lords. The re-structuration of the mode of exploitation to a serf-based agrarian economy engendered the militarisation of the Frankish countryside, while the territorialisation and patrimonialisation of lordships prompted the introduction of primogeniture and impartible inheritance amongst noble families, driving excess knightly sons beyond the borders of ancient *Francia*. Thereafter, migrating Frankish lords, legitimated by the political Church, attempted to replicate their traditional forms of political reproduction in the extra-Frankish periphery. New feudal kingdoms sprang up headed by ex-Frankish knights turned dynasts. The new pattern of international organisation came to be characterised by a plurality of royal dynasties, generating inter-regal anarchy, loosely mitigated by feudal bonds and a common Roman Catholic cultural discourse.

However, the essential unit of production and authority, be it in the Holy Land, Andalusia, Leinster or Silesia, was and remained the lordship. The diverse experiences of extra-Frankish as well as inner-Frankish high medieval state-building found their institutional and 'modernising' limits in the survival and export of structures of lordship. While the territorial extent of feudal Europe increased dramatically after the passage from the early to the high Middle Ages, and while its various rulers were no longer united under imperial authority, its form of socio-political organisation did not alter fundamentally. In one sense, feudalism created a world according to its own

image. In a very different sense, however, feudalism created the lasting legacy of a European political geography divided along dynastic lines.

Chapter Four

Transitions and Non-Transitions to Modernity:

A Critique of Rival Paradigms

Introduction

This chapter seeks to peruse dominant models of transition to 'modernity' in their implications for the problem of systemic change in the discipline of IR. Conventional IR paradigms, most notably those of realist or neorealist lineage, would of course challenge the very idea that the deep logic of international relations alters with the arrival of modernity. Where there is no change, there is no need of explanation. This no-deep-change model which has dominated the discipline of IR over the last two decades is however a disciplinary anomaly of a branch of knowledge which mistook the expulsion of history for scientific rigour. Still, the necessity for and force of our argument rests on a convincing case for the historical specificity of international orders. This argument is itself predicated on the assumption that we can discern both, a deep 'generative structure' of international systems which explains their institutional and dynamic differences and a 'transformative logic' which explains the transitions from one system to another.

The preceding two chapters on the geopolitical relations of the European Middle Ages have shown the uniqueness of feudal 'international' order. Theoretically, we have argued that social property relations ('generative structure') and their conflicting class-related contestations ('transformative logic') provide the social rationale behind the historically distinct nature of medieval geopolitics. In a very real sense, however, the coherence and trans-historical explanatory power of our social property approach depends upon its capacity to theorise the transition to 'modernity'

and to draw out significant implications for early modern and modern processes of state-building, and, by extension, the genesis of the modern European states system. It is then our task to show how, at the end of the Middle Ages, social conflict over social property relations translates into specific experiences of state-building and geopolitical behaviour.

Before we show in the next chapter the origins and nature of French absolutism as the major paradigm of early modern state-formation, we first have to refute the theoretical pretensions inherent in two prominent alternative models of the transition to 'modernity', the 'geopolitical competition model' and the 'commercialisation model'. Everything hinges, of course, on a tight definition of what it is that we want to explain. Macro-explanations of the transition to modernity either seek to account for the war-driven formation of the modern state and the modern states system, the 'rise of the West' and its 'superiority' over non-European cultures, or the rise of capitalism, self-sustaining long-term economic development, and territorial economic expansion. A military logic is here confronted by an economic logic. These logics are, of course, in various theories interrelated or causally co-constitutive, but a distinct focus of inquiry is nevertheless identifiable in various transition literatures.

This chapter seeks thus to refute the accounts of the transition to modernity inherent in the 'geopolitical competition model' and in the 'commercialisation model'. The first model emphasises the competitive international relations of late medieval times which entailed dynamic pressures for the build-up of ever more consolidated and territorialised states eager to increase their war-making capacities. The second model specifically seeks to understand the role of trade, the growth of towns, the increasing international division of labour, and the rise of a bourgeoisie as long-term causes behind Europe's ascendancy. Both theories have long-standing theoretical ancestries and enjoy periodic revivals in various guises. In our exposition, we will see how various scholars, although they come from different theoretical traditions, can be subsumed under these two models.

Defining Political Modernity, Defining Capitalism

The specific thesis which we want to defend and on which our critique of the two macro-models is predicated proposes that 'modernity' arises only with capitalism. Capitalism is, however, not simply understood as an economic category, but as a social-property regime to which a specific state-form is internally related. Again, everything does not only depend upon on how we define modernity, but also how we define capitalism.

Two dominant concepts of capitalism can be distinguished in the literature. The first concept defines capitalism as an economic system of production for the market predicated on an advanced division of labour within and between centers of commercial production (towns), which allow for the accumulation of profits through inter-urban long-distance trade. Capitalism resides here in the 'logic of circulation'.²⁹⁵ The second concept defines capitalism as a social system predicated on a set of social property relations in which the direct producer is separated from his means of subsistence, so that he is compelled to sell his or her labour power to a capitalist owner of the means of production to make a living. Profits are here generated through the exploitation of labour-power by the siphoning off of surplus value in the process of production itself. Capitalism resides here in the 'logic of production'.²⁹⁶

The defenders of both concepts claim to be consistent with Karl Marx's usage of capitalism. Yet, while the production-paradigm is held to be Marx's original contribution to the critique of political economy, the circulation-paradigm has a longer pedigree which can be traced back to Adam Smith and is also compatible with Weberian understandings of capitalism. To put it in ideal-typical terms, while the production paradigm presupposes an objective set of social property relations as the necessary social and historical condition for capital accumulation and sustained economic growth, the circulation-paradigm presupposes a (naturalised) subjective profit motive which engenders rational economic action, specialisation, and a tendency

²⁹⁵ Braudel 1977 and 1984; Wallerstein 1974, 1980, 1995; Sweezy 1976; Abu-Lughod 1989; Arrighi 1994.

²⁹⁶ Dobb 1976; Merrington 1976; Brenner 1977, 1985b, 1986; Wood 1991 and 1995; Comninel 1987; McNally 1988, Gerstenberger 1990; Mooers 1991; Katz 1989 and 1993; Rosenberg 1994

towards a further division of labour, once the artificial impediments for a full flowering of the profit-motive - be they of a cultural or military-political kind - have been removed. The implications of these two meanings of capitalism are, however, not confined to marxological disputes over the correct reading of Marx himself, but have profound effects on the question of the origins of capitalism, modern state-formation, the dynamics of capitalism, the significance of class conflict and revolutions in history, the crisis-character of capitalism, and the possibility of formulating strategies for its transcendence. In short, they have profound implications for a theoretically controlled interpretation of long-term historical development.

The Commercialisation Model: The Example of Fernand Braudel

Le Monde Braudelien: Capitalisme Depuis Toujours

The work of Fernand Braudel and that of the *Annales* School has exerted considerable influence on post-war European historiography and, especially since the 1970s, on the social sciences at large. Its appeal lay in a theoretical shift away from a discredited history of events and the short-term to a history of conjunctures and preferably a history of structures, which pre-dated and out-lived any individual life-experience. The theoretical implication was a deep-rooted immobility at the heart of history, fundamentally determined by geography, ecology, human infrastructures and, later, mentalities, forming almost unalterable structures. The cyclical life-times of economies, societies, states, and civilisations were rubricised as conjunctures, while high politics and war made part of the history of events.

Through Immanuel Wallerstein's reception of and collaboration with Braudel, the structural understanding of single-society-transcending socio-economic systems, first formulated by Braudel in his study *The Mediterranean and the Mediterranean World in the Age of Philip II*, gave rise to a distinct world-system paradigm.²⁹⁷ Since

²⁹⁷ Wallerstein 1974, 1980.

the late 1970s, it has made deep inroads into the contemporary discipline of IR and references to *la longue durée* and the conceptual triad *structure-conjuncture-événement* recurrently appeared in the IR literature.²⁹⁸

This section outlines the Braudelian conceptual background to the commercialisation model and Wallerstein's imposing, though, as we will argue, defective theoretical edifice. The failure of the 'world-system' approach rests to a considerable extent on methodological assumptions of the *Annales* School, which were themselves deeply problematic.²⁹⁹ Here, we will only show how Braudel's historiographical propositions - exemplified in relation to such central concepts like world-economy, capitalism, and development - are informed by this methodological framework.

The descending appreciation which Braudel expresses for his three levels of historical time is captured in the preface to his seminal study on the Mediterranean. The history of structures

'is devoted to a history whose passage is almost imperceptible, that of man in his relationship to the environment, a history in which all change is slow, a history of constant repetition, ever-recurring cycles'.

The history of conjunctures refers to a history 'with slow but perceptible rhythms' (...), a *social history*, the history of groups and groupings' (author's italics, B.T.). The history of events captures

'surface disturbances, crests of foam that the tides of history carry on their strong backs. A history of brief, rapid, nervous fluctuations, by definition ultra-sensitive; the least tremor sets all its antennae quivering. But as such it is the most exciting of all, the richest in human interest, and also the most dangerous. We must learn to distrust this history with its still burning passions, as it was felt, described, and lived by contemporaries whose lives were as short and as short-sighted as ours.'

To these diverging histories correspond different temporalities: 'geographical time, social time, and individual time.'³⁰⁰ Space and time are correlated. The smaller the unit of analysis, the greater the acceleration of its time. The chapter-structure of his study

²⁹⁸ Ruggie 1989 and 1993.

²⁹⁹ Good critiques are Hexter 1972; Vilar 1973; Gerstenberger 1987.

follows these three levels of reality. Yet, what was conceived as a heuristic device for purposes of exposition turns in the course of the book into three independent realities. Braudel works thus not with a conception of totality in which all phenomena are internally related, but with separated levels of historical life having their own temporalities and unfolding according to their own logics.³⁰¹

Against this methodological background, we need to ascertain Braudel's conception of capitalism and its possible correlation with the 'modern' state and the states system. From there, we can arrive at his understanding of the dynamics which underlie and sustain this system. There is one master-concept in Braudel's world to which all other concepts stand in dependent relation: World-Economy. It is defined as 'an economically autonomous section of the planet able to provide for most of its own needs, a section to which its internal links and exchanges give a certain organic unity'.³⁰² In contrast to world-empires, it consists of a multiplicity of independent polities which are externally linked through trade, yet are at the same time tightly locked into a geopolitical system. A world-economy is marked by a prosperous core with a dominant city, surrounded by a subservient semi-periphery, and a dependent and backward periphery. A strict hierarchy relates these components deriving either from economic asymmetries consequent upon being integrated into a fairly stable international division of labour, economically reproduced through unequal exchange, or from political pressures in the form of politically-maintained trading monopolies in the hands of privileged core-countries - a theoretical inconsistency never resolved by Braudel.

Built into this hierarchical world-economy based upon an international division of labour, we find a theory of the state. A state's form and strength stands in direct relationship to its position in the world-economy.

³⁰⁰ Braudel 1972a, 20-1.

³⁰¹ While Pierre Vilar appreciated Braudel's emphasis on the 'deep structure of geography and nature', he made the crucial objection. 'To think history geographically is not therefore contrary to marxism. It would, however, be more Marxist to think geography historically.' Vilar 1973, 29.

³⁰² Braudel 1984, 22; cf. also Braudel 1977, 81-2. The term was first introduced in Braudel 1972, 387. '*Weltwirtschaft*, a world-economy, a self-contained universe. No strict and authoritarian order was established, but the outlines of a coherent pattern can be discerned. All world-economies for instance recognize a centre, some focal point that acts as a stimulus to other regions and is essential to the existence of the economic unit as a whole.'

‘At the center of the world-economy, one always finds an exceptional state, strong, aggressive and privileged, dynamic, simultaneously feared and admired. In the fifteenth century it was Venice; in the seventeenth, Holland; in the eighteenth and still in the nineteenth, it was Britain; today it is the United States.’³⁰³

In the semi-periphery, as in absolutist France, for example, the strength of states was hampered due to internal competition over state-control between monarchy and nobility. Colonial peripheries were governed from the metropolitan centers. However, not only the form of the state follows from the exigencies of trade, the very relations of production and the status of the producer are a function of the structural location of each country in the exchange-system.

‘Every task, once allocated in the international division of labour, created its own form of control and that control articulated and governed the form taken by society. (...) In every case, society was responding to a different economic obligation and found itself caught by its very adaptation, incapable of escaping quickly from these structures once they had been created.’³⁰⁴

Wage-labour, share-cropping, serfdom and slavery correspond to core, center and periphery.

Paradoxically, in spite of these rigid allocations of roles in the labour process and of form and functions of statehood, an enormous dynamic pervades the history of European-dominated world-economies. As the penultimate quotation implies, world-historical progress is conceived by Braudel in terms of a clear-cut succession of world-economies with ever-more powerful world-cities at the center commanding over ever greater spheres of influence and re-arranging the respective constellations between core, semi-periphery and periphery. The author locates the beginnings of this sequence - in contrast to Wallerstein who opts for the ‘long 16th Century’ - in the European 13th, if not 11th Century,³⁰⁵ witnessing the growth of a bi-polar town-centered trading-network linking the Italian city-states and the North-European towns and city-leagues.

The explanation which Braudel adduces to theorise the origins of and subsequent transition from one town-centred world-economy to another is formulated

³⁰³ Braudel 1984, 51.

³⁰⁴ Braudel 1984, 62.

in the following terms: 'This break with the past appears as the result of an accumulation of accidents, breakdowns and distortions.'³⁰⁶ Hesitatingly, Braudel tries to understand the rise and fall of world-economies in the context of wider secular trends, of which he discusses the dominant Neo-Malthusian one,³⁰⁷ governing price-movements and income-distribution. However, the discussion on the origins of world-economies and the mechanisms behind their shifts remains inconclusive. No general theoretical correlations are established and we are forced to turn to contingent processes of causation provided by Braudel in the narrative sections of his *opus magnum* devoted to each world-economy. However, even if we would follow the crisis-model inherent in demographic fluctuations, Braudel would be at a loss to specify why a determinate country assumed at a determinate point in time the leading position in a re-structured world-economy. Transitions are thus conceived in quantitative and evolutionary terms in which the same principles of an international division of labor cum corresponding state-forms re-appear on an ever-increased scale in an altered geopolitical framework. What changes - for largely accidental reasons - is the dominant actor at the center of the world-economy which re-distributes political and economic attributes to all other actors in the system. What we see therefore is not only a quantitative and evolutionary model of large-scale social change, but also a systemic and heavily deterministic, economistic and functionalist theory of economic and political development.

Why then is Braudel led to advance such a sweeping conception? We contend that Braudel's theorisation is predicated upon an erroneous and fundamentally a-historical conception of capitalism. His inconcise mode of narration does not produce a consistent working-definition of capitalism. Instead, we are faced with a series of impressionistic insights resulting eventually in a conceptual distinction between capitalism and market economy. Whereas the latter refers to the competitive sector of small-scale production below the level of capitalism proper, capitalism itself is equated with 'big business' and monopolies.³⁰⁸ Market-economies stand for local, transparent and equal exchanges in a market place based upon competitive bargaining. The term

³⁰⁵ Braudel 1984, 92.

³⁰⁶ Braudel 1984, 85. 'In the economic poker game, some people have always held better cards than others, not to say aces up their sleeves.' Braudel 1984, 48; cf. also Braudel 1977, 86.

³⁰⁷ Braudel 1984, 78-81.

³⁰⁸ Braudel 1984, 629; cf. especially Braudel 1977, chap.2 and 113-5.

capitalism is reserved for a privileged, hierarchical, secluded and pre-eminently long-distance sphere of merchant capitalism proper. And it turns out that this form of commercial 'monopoly-capitalism' underlies as the unifying and driving principle Braudel's entire narrative on the succession of world-economies. Here, the author conflates the distinction between contemporary private market monopolies, which are economic and not political monopolies, and pre-capitalist politically-constituted trading-monopolies. As long as the latter are discernible, capitalism, in Braudel's sense, exists. It is this political definition of capitalism which allows Braudel to bring the state back into the picture.

His world-economies, whether we look at the medieval Flemish cities, the Hanseatic League, Venice, Holland, Great Britain or the United States, are then all invariably capitalist in so far as they exploit state-constituted monopolistic trade-advantages by dint of unequal exchange with their concentric semi-peripheries and peripheries. The only noticeable conceptual distinction within and between these leading centers is made along the lines of city-based versus national-market-based world-economies, a classificatory distinction which remains under-explored in its implications.³⁰⁹ It is then not surprising to read that

'I have argued that capitalism has been potentially visible since the dawn of history, and that it has developed and perpetuated itself down the ages. (...) Far in advance, there were signs announcing the coming of capitalism: the rise of the towns and of trade, the emergence of a labour market, the increasing density of society, the spread of the use of money, the rise in output, the expansion of long-distance trade or to put it another way the international market.'³¹⁰

This statement then squares with his conviction that there have always been world-economies which, in turn, ties in with Braudel's conceptual framework of '*la longue durée*' of which capitalism appears now as one emanation. But because nothing ever really changes qualitatively in the rises and falls of world-economies, Braudel remains logically prisoner of his own system. 'Slavery, serfdom and wage-labour are

³⁰⁹ Braudel 1977, 95 ff.

³¹⁰ Braudel 1984, 620.

historically and socially different solutions to a universal problem, which remains fundamentally the same.³¹¹

Implications for IR

If we adopt the 'commercialisation model', then specific corollaries follow for the conceptualisation of the modern state and the modern system of states. First, the timing of the onset of capitalism and the modern state is inherently indeterminate. It can then be conventionally traced back to the 'long 16th Century' that opened up inter-continental trading circuits between Europe and the rest of the world.³¹² Yet, little prevents us in this perspective from identifying its origins equally in the emergence of trading cities, usually with reference to the Italian Renaissance city-states,³¹³ to the commercial revival of medieval cities in the 12th and 13th Centuries,³¹⁴ in the establishment of an inter-continental system of exchange between India and Arabs on the one hand, and Europe on the other, during the same time period,³¹⁵ or, indeed, in trading-relations between Ancient Greece, Persia, and China.³¹⁶ In principle, capitalism in this sense tends to turn into a timeless occurrence.³¹⁷ If capitalism is thus understood as production for and exchange on the market with a view to accumulate profits in the process of exchange, then it is timeless, however, not only with respect to the past, but potentially also with respect to the future. Neorealism's transhistorical assumption of anarchy is here shadowed by a transhistorical assumption of capitalism. In this perspective, the crucial historical question is then not how to theorise the transition from feudalism to capitalism, but how to theorise the transition 'from scattered to concentrated capitalist power'.³¹⁸ In other words, capitalism does here not involve a

³¹¹ Braudel 1984, 63. For the argument that capitalism, beyond quantitative expansion, remained essentially unaltered, see Braudel 1977, 111-2.

³¹² Wallerstein 1974, 1980.

³¹³ Arrighi 1994.

³¹⁴ Mann 1986 and 1988b.

³¹⁵ Abu-Lughod 1989.

³¹⁶ Wallerstein 1974, 16.

³¹⁷ Cf., for example, Braudel 1984, 620; Frank and Gills 1993.

³¹⁸ Arrighi 1994, 11.

qualitative transformation of social relations, but simply assumes a quantitative expansion of the market, which, in turn, intensifies the division of labour, and a corresponding concentration of capitalist power within firms and states.

Second, if we accept the idea of 'commercial capitalism', then how do we relate it to the rise of the modern state? *A priori*, if capitalism is timeless in this sense, then we are under pressure to spell out how it relates to or constitutes the historically and chronologically specific onset of modern state-formation, irrespective of whether we want to associate it with the rise of absolutism, or the rise of the modern state proper in Weber's sense. Since this disjuncture between eternal capitalism and relatively late and time-bound modern state-formation creates thus theoretical problems, we could, of course, simply deny a causal nexus between these two phenomena - an option taken frequently by scholars of various persuasion -, or argue that capitalism receives its dynamic and expansive character only once it is embedded in and managed by modern states - an option associated with Weber's idea of 'political capitalism', Braudel's idea of leading capitalist cities/states, and Arrighi's idea of a capitalist hegemon.³¹⁹ A third option, regularly adopted by world-systems theorists, consists in antedating the rise of the modern state to the 'proto-modern' Italian city-states. All three options are however, as will be shown in the course of this chapter, problematic.

In fact, the Wallersteinian School has no theory of the modern state at all, it only has a theory of differential power capacities of states within the world system, in generic contrast to preceding world empires in which bureaucracies absorbed surpluses so as to stifle world trade.³²⁰ In the Wallersteinian scheme, the form of the state is essentially a function of the timing of its incorporation into the international trade-based division of labour, which determines which regions specialise in which produce. This trade-dependent specialisation determines, in turn, the 'regime of labour control' in the process of production, i.e. slavery, serfdom, or free wage-labour. A 'strong' state is then associated with the capitalist core regions of the world system, protecting trade relations, a 'weaker' state in the semi-periphery, and a 'weak' state in the periphery. Thus a world-economy is politically structured by an international order divided into three zones of unequally powerful states. Without repeating the empirical

³¹⁹ Braudel 1984; Arrighi 1994.

objections which have been rightly raised against this trade-dependent distribution of state power, we notice that Wallerstein at no point conceptualises the emergence of a distinctly modern state.³²¹

Third, 'commercial capitalism' also compromises the constitutive role of class conflict and revolutions for historical development. While this may be beneficial from a non-Marxist point of view, it poses the problem for Marxists of the Wallersteinian School of how to deal with and incorporate the significance of class conflict and major socio-political crises into the historical and theoretical equation. The standard response amongst world-systems theorists is either to omit the problem of class entirely from the investigation,³²² or to attribute a subsidiary and dependent role to it. In this case, the structure of class relations in the process of production turns into a function of a specific region's role in the international division of labour, determined by the timing of its integration into the world economy, which governs its relation to the capitalist core region, mediated by the circuits of trade.³²³

Fourth, adherence to the circulation-paradigm also confronts us with the challenge of explaining why it is that powerful indicators of the 'growth of the West' appeared in a territorially uneven process first in north-western Europe and, specifically, in early modern England. For example, while the great secular Malthusian fluctuations in the agrarian economy persisted in Western Continental Europe well after the crisis of the 17th Century, sustained economic and productivity growth, demographic trends of unbroken population growth, and permanent technological innovations can be detected first of all in 17th Century England.³²⁴ In other words, if the dynamic of capitalism seems to have set in at a specific point in time and space, the advocates of the circulation-paradigm are confronted with squaring the general history of capitalism with the particular history of the emergence of economic, technological, and demographic growth.

³²⁰ Wallerstein 1974, 1980.

³²¹ Critiques of Wallerstein's state theory can be found in Brenner 1977, 63-7, Gourevitch 1978b, and Skocpol 1994.

³²² Arrighi 1994.

³²³ Wallerstein 1974, 1980, and 1995.

³²⁴ Crouzet 1990.

Capitalism and the Modern State: An Alternative Conception

Capitalism as a Relation of Production

For these reasons, it is useful to see how capitalism in the sense of the 'logic of production' deals with these problems. This version of capitalism was most powerfully and most originally elaborated by Robert Brenner in a series of articles and a major historiographical monograph.³²⁵ It can be summarised as follows. Capitalism connotes a social system predicated on the existence of determinate social property relations between direct producers, who have lost possession of and unmediated access to their means of subsistence, and a class of non-producers who have come to own the means of production. This process of dispossession involves an account of the qualitative transformation of essentially pre-capitalist social property relations into capitalist property relations. Once a capitalist property regime is established, specific and objective (meaning not subjectively motivated or intended) rules of reproduction and economic action follow on both sides of the labour process.

On the side of producers,³²⁵ the separation from their means of subsistence turns them into 'free' labourers, compelled to reproduce themselves in and for the market. The commodification of labour power, the establishment of a 'free' labour market, political freedom and direct economic dependence on the market are four aspects of one and the same process.

On the side of capitalists, since direct producers are no longer coerced by extra-economic means to either hand over a part of their surplus to or work for a lord - since labourers are politically free - their fortunes of reproduction also come to depend on maintenance in the market. The deployment of capital for production for the market leads to inter-capitalist competition, regulated by the 'invisible hand' of the price-mechanism, which tends to impose downward pressure on commodity prices. Capitalist survival, capital accumulation, and expanded reproduction (the raising of additional income) in the market necessitate both, the expansion of the range of produce (specialisation) and the out-pricing of competitors which, in turn, involves the

³²⁵ Brenner 1977, 1985b, 1986, 1989, 1993.

reduction of production costs. In this perspective, profit-maximisation is not a subjective naturalised attribute of Adam Smith's *homo oeconomicus*, but an objective function of a social relation mediated by property. Cost-cutting takes either the form of the lowering of wages - a tendency assisted by competition among workers to sell themselves competitively on the market - or the replacement of wage-labour by means of technological rationalisation. Technological rationalisation requires, in turn, constant competitive re-investment into the productive forces, driving a tendency towards technological innovation. A theory of technological progress is thus built into capitalist relations of production. This tendency towards productive re-investment is also assisted by the fact that non-producers are no longer required to divert surpluses into the means of violence and conspicuous consumption as under feudalism and absolutism, since the transfer of surplus, given commodified labour, involves no longer physical coercion and the concomitant build-up of a privately owned apparatus of violence. Simultaneously, productive re-investment entails a systematic tendency to increase labour productivity by replacing 'absolute surplus labour' with 'relative surplus labour', and a decrease in commodity prices. These processes drive economic development and growth. At the same time, inter-capitalist competition generates also a territorially expansive tendency towards the opening up of new markets via trade. If this geographically expansive tendency is not resisted by political power or cultural resistance, the mere economic logic of out-pricing competitors based on technologically assisted productivity-gains, ensures the widening of markets, but not necessarily the transformation of social property relations within the trading polity into a capitalist direction

These logically interlinked processes tend thus to generate, as a rule, economic growth, technological development, specialisation, product-diversification, and pressures towards the territorial expansion of market relations (but not *eo ipso* capitalist property relations). Crucially, this concept of capitalism requires a prior historical account of the origins of capitalist relations of production. The development of capitalism is thus not to be sought in the geographic and quantitative expansion of more or less ubiquitous market relations based upon fluctuations in the division of labour, but demands an account of the qualitative transformation of social property relations in the process of the transition from feudalism to capitalism. Thus, the whole

complex of class conflict, socio-political crises, and revolutions remains decisively within its theoretical ambit.

Capitalism, the Modern State, and the Modern States System

However, this conception of capitalism also entails a theory of the modern state.³²⁶ For if the transition from feudalism to capitalism engenders a shift from a regime of political extraction (extra-economic coercion), based on feudal social property relations, to a regime of physically un-coercive exploitation, based on capitalist social property relations, then we have identified the operative principle which underlies the differentiation between the political and the economic. If ruling class power resides in capitalist societies in property of and control over the means of production, then 'the state' is no longer required to interfere directly into processes of production and extraction, but can confine its functions to the maintenance of the existing property regime and the legal enforcement of what now turns into civil contracts among politically, though not economically, equal citizens, subject to civil law. While this basic function does, of course, not exhaust the historical role of the state over and against civil society, the theoretical link between property relations and the separation between an un-coercive 'economic economy' and a 'political state', maintaining the monopoly in the means of violence, is established.

This theoretical nexus is also capable to explain the necessary, but lacking, social preconditions for Max Weber's typological standard definition of the modern state. Weber, of course, did not only maintain that the modern state is 'a human community that (successfully) claims the *monopoly of the legitimate use of physical force* within a given territory',³²⁷ but asserted also that the separation of officials from their previously privately owned means of administration constitutes a social prerequisite for the establishment of a modern 'impartial' bureaucracy.³²⁸ While Weber maintained that the conflicts over this separation which enabled the transition from

³²⁶ While a state theory is implicit in Brenner's work, it has been more explicitly elaborated by Wood 1991 and 1995 and Rosenberg 1994, 123-58. Cf. also Sayer 1985.

³²⁷ Weber 1946, 78.

³²⁸ Weber 1968a.

patrimonialism to modern bureaucracy were fought out under geopolitical pressure between centralising kings and particularising patrimonial officers (rulers and their staff),³²⁹ the deeper logical and social preconditions for this withdrawal of the state from direct economic exploitation (tax-farming etc.) cannot be understood within the framework of a sociology of domination and administration. Rather, the de-politicisation and de-personalisation of direct economic extraction is directly bound up with this transformation of social property relations. The dispossession of the 'staff' from their means of administration and exploitation is the obverse side of the commodification of labour. Politically enforced exploitation of the direct producer, which required either the fragmentation of politico-military powers of coercion under feudal social property relations (serf-lord relation mediated by rents), or the re-privatisation of political rights of coercion under absolutist social property relations (free peasant-venal patrimonial officer relation mediated by taxes), can now be abandoned in favour of a trans-personal tax-collecting bureaucracy, which constitutes the backbone of the modern state. At the same time, the public monopolisation of the means of violence serves no longer directly extractive purposes, but guarantees the internal and external defence of law and order.

This nexus enables us to see furthermore why the ruling class does not directly rule in capitalist societies. While in pre-capitalist societies, there is an immediate identity between the personnel of the 'state' and the ruling classes - lords in feudal polities, monarchy and a patrimonial nobility of service in absolutist states, and a commercial oligarchy in merchant republics - this identity is no longer directly visible in capitalist states. While the propertied classes did, of course, set up the first modern parliament in England during the course of the English Revolutions - in other words, while legislation and the budget remained under direct control - the enforcement of law and order could be left to an 'impartial' and 'objective' bureaucracy, separated from its means of administration and thus dependent for its reproduction upon state salaries. Thus, a specific state form is internally related to capitalism as a social property relation

It is with the historical constitution of this specific state/society complex and its subsequent crisis-ridden internationalisation that we can trace the arrival of modernity

³²⁹ Cf., for example, Weber 1968, 1086 and 1103.

in IR. Thus, the assumption is that the rise of capitalism was neither a phenomenon associated with the Italian Renaissance city-states, nor a simultaneous trans-European phenomenon during the 'long 16th Century', nor can the process of 'primitive accumulation' be broken down in a sequence of nationally-confined leading economies, but was unique to early modern England.³³⁰ At the same time, the non-establishment of a capitalist social property regime in early modern Continental Europe implies *eo ipso* the non-establishment of the modern state. If this thesis holds, then this chapter will have to show how the dynamics behind European commercialisation and war-driven state-centralisation failed to result in the establishment of the modern state and, by extension, the modern state system. To this extent, both models present *ex hypothesis* theories of non-transition to modernity.

However, while these macro-explanations are unable to theorise fundamental economic transformations, they do involve arguments about fundamental political transformations. In other words, while they are unable to account for the rise of modern capitalism, they do contribute, though insufficiently, to an understanding of the formation of the Westphalian early modern system of states. It follows that the formation of a system of states preceded the onset of capitalism in our sense. This system of states was however distinctly pre-modern in its geopolitical properties, since its constitutive units were predominantly dynastic states and, to a lesser degree, oligarchic merchant republics. Throughout the following chapters, this pre-modern international order will be referred to as the Westphalian Order.

However, maintaining that a system of states preceded the rise of capitalism does not imply that the formation of the European pre-capitalist states-system is not amenable to a Marxist interpretation. It rather means that the pressures towards the replacement of fragmented feudal polities by more consolidated dynastic states are bound up with persisting non-capitalist social property relations, which necessitated the pursuit of strategies of political and geopolitical accumulation as rational forms of pan-European intra-ruling class conflicts as well as peasant repression and exploitation. While the logic of political accumulation hardened European political relations into a pre-modern system of states, the rise of capitalism in 17th Century England and its international repercussions occurred in an already established non-modern, i.e.

³³⁰ Brenner 1993; Wood 1991 and 1996.

dynastic-absolutist, system of states, whose 'generative grammar' and form of operation came to be drastically re-defined under the impact of the geopolitically mediated spread of capitalist relations of production. *Ex hypothesis*, the arrival of modern international relations has thus to be theorised in terms of socially combined, yet geographically uneven development, transforming the nature of European and world politics in the course of the 19th Century.

The Geopolitical Competition Model

The literature which we discuss in the subsequent sections comes largely from outside the discipline of IR. Although the last decade witnessed a growing awareness in IR of the problem of systemic transformation, the transition from pre-modern to modern international relations remains radically under-defined. An excursion into the wider social sciences and historiography is therefore imperative if we want to provide a serious contribution to the debate which presents not only an innovative and original advance in the field of IR, but which can stand its ground in historical sociology and historiography as well.

The method employed in this chapter follows the precepts of immanent critique. This means that we want to expose how various transition-theories are unable to provide coherent and convincing explanations of their objects of inquiry on the basis of and in line with their initial assumptions and premises.

The Military Logic of State Formation

The second rival macro-paradigm against which this inquiry reacts can be broadly termed the geopolitical competition model. Its sociological roots are associated with the Weber-Hintze tradition in the state-building literature, while its historiographical antecedents can be traced back to the Prussian Historical School and particularly to Leopold von Ranke's theorem of the 'primacy of foreign policy'. Its core idea was classically expressed by Otto Hintze.

'If we want to find out about the relation between military organization and the organization of the state, we must direct our attention particularly to two phenomena, which conditioned the real organization of the state. These are, first, the structure of social classes, and second, the external ordering of the states - their position relative to each other, and their over-all position in the world. It is one-sided, exaggerated, and therefore false to consider class conflict the only driving force in history. Conflict between nations has been far more important; and throughout the ages, pressure from without has been a determining influence on internal structure. It has even often suppressed internal strife or forced it into compromise. Both these forces have manifestly worked together in the design of the military order and the state organization.'³³¹

The essential causal sequence of the geopolitical competition model may be schematically sketched as follows: international competition \Rightarrow war \Rightarrow cost increases \Rightarrow increased resource extraction \Rightarrow new modes of taxation and fiscality \Rightarrow military-technological innovations \Rightarrow state monopolisation of the means of violence \Rightarrow state centralisation and rationalisation.³³² Since the literature, revolving around this core hypothesis, constitutes the dominant theoretical tradition on the topic of state-formation in contemporary Western scholarship, and is thus conventionally drawn upon by IR scholars, we will subject it to a critique which spells out its core ideas and its associated core problems.

This literature may be subdivided into four closely related strands. A first strand emphasises primarily the role of military competition in its implications for the centralisation and rationalisation of military power in the hands of the state. A second strand focuses primarily on alterations in the fiscal and financial techniques of revenue procurement in their consequences for state-building. A third strand concentrates predominantly on administrative and institutional innovations, especially on the evolution of representative assemblies and 'bureaucracies', in their consequences for state-consolidation. A fourth axis of inquiry revolves around the formation of a uniform legal system, the evolution of a secular and codified body of civil and public law, and the establishment of a centralised court hierarchy, operated by professional jurists. However, all four strands converge in regarding these partial developments as parallel and interrelated steps towards one core institution: modern sovereignty.

³³¹ Hintze 1975b, 183. It may be noted that both Hintze, as well as the Hintzean tradition, has subsequently neglected the class structure of society in its implication for state-formation.

³³² Central representatives are Tilly 1975, 1986, 1992; Finer 1975; Braun 1975; Skocpol 1979; Mann 1986, 1988a and 1988b; Downing 1992; Reinhard 1996a and 1996b; Ertman 1997.

This literature is furthermore in broad agreement on three fundamental propositions. First, the emergence of states on more centralised military, fiscal, administrative, and legal principles is essentially achieved in the main Western countries by about the 17th, at the latest by the 18th Century. Second, these political phenomena can be equated with a broader notion of modernity. The sovereign state of the 17th Century is a modern state.³³³ Third, the fundamental cause, the *primum mobile*, behind these processes of modern state-formation is systemically induced pressure towards war, enforcing state rationalisation in the service of war-making capabilities. Again, these assumptions were already pithily captured by Hintze:

‘The constant rivalry between the Great Powers, which was still mixed up with confessional differences; the permanent political tension that invariably provoked further military exertions, in order that single states could preserve their independence and thus the basis of all prosperity and culture; in short, power politics and balance-of-power politics created the foundations of modern Europe: the international system as well as the absolutist system of government and the standing army of the Continent.’³³⁴

What are the criteria in the Weber-Hintze tradition of thought which are held to justify the determination of the arrival of modernity in the sphere of state-formation? A first criterion is sought in the sphere of military organisation, based on the Weberian distinction between an essentially feudal oligopoly and an essentially modern state monopoly in the means of violence. The nexus between international rivalry, military rationalisation, and state-building has been formulated in a simple and suggestive law-like generalisation by Samuel E. Finer in form of an ‘extraction-coercion-cycle’ and by Charles Tilly in form of a ‘war-making and state-making’ model.³³⁵ The transition from the feudal host, based on inter-personal obligations and activated by the royal *arrière-ban*, to a modern standing army, financed and controlled by the monarchy, led to the monopolisation of the means of violence by the state. Driven by major military technological innovations (‘Military Revolution’, 1550-1660), the ‘irrationality’ and inefficiency of the feudal knights, whose relation to the king was based on an often fragile vassalic loyalty and not on direct dependence, was replaced by a disciplined, trained, and publicly paid professional army (*miles perpetuus*), whose structure was no

³³³ Tilly 1975, 27

³³⁴ Hintze 1975b, 199.

³³⁵ Finer 1975, 96 ff.; Tilly 1975, 23-4, 1985, 1992.

longer organised along inter-personal lines predicated on the fief system, but along the lines of functional branches (artillery, cavalry, infantry, navy). The internal monopolisation of the means of violence - the outlawing of feuds and the crushing of the noble right of resistance - went hand in hand with the external monopolisation, evinced in the closure of the state over and against imperial and papal authority claims. Noble de-militarisation and the concentration of war-making powers by the state are two sides of the same coin. While these processes allowed for rationalisation and military efficiency gains, it also called for extraordinary, that is, extra-feudal financial resources.

This demand for additional resources leads directly to the second criterion, identified in the realm of taxation based on the Schumpeterian distinction between an essentially feudal 'domain state' and an essentially modern 'tax state'.³³⁶ The modern tax state is thought to be in place when 'the "private" resources of the ruling power were exceeded in value by the "public" revenues derived from a system of general taxation.'³³⁷ This passage from fiscal personalism, in which the distinction between royal private income and public revenue was immaterial (*Le roi faut vivre du sien*), to fiscal institutionalism is held to have been consummated by a centralising monarchy extending its fiscal supremacy beyond the royal domain over the entire realm. In this process, new modes of fiscality operated by new public institutions were invented and enforced over and against the old autonomous powers of the feudal nobility and the privileges and immunities enjoyed by the clergy, which all led in the direction of fiscal

³³⁶ The classical text is Schumpeter 1954. The couplet 'domain state - tax state' serves as the organising concept for the recent volume on Theme B: Economic Systems and State Finance in the seven volume edition on 'The Origins of the Modern State in Europe: 13th to 18th Centuries', edited by Wim Blockmans and Jean-Philippe Genet. 'The transition from the "domain state" to the "tax state" (...) is fiscal history's equivalent to the transition from feudalism to capitalism for economic history in general, and at times it has threatened to become the overarching theme of the book.' Bonney 1995a, 13. Compare Bonney's under-informed and dismissive remarks on Marxist conceptualisations of state-economy relations (Bonney 1995a, 3-5), which apparently suffice to never mention again the transition from feudalism to capitalism in its implications for public finances and state-formation in the entire volume. We will show later that the emergence of the tax state in 17th Century Europe has nothing to do with the emergence of capitalism nor of the modern state; indeed, it could be argued that the existence of a 'tax state' points precisely to the non-existence of capitalism and therefore to the non-existence of modernity..

³³⁷ Ormrod 1995, 123. Cf. also Braun 1975.

uniformity and institutional centralisation.³³⁸ The most important innovation is the shift from feudal military and financial assistance and inelastic royal indirect taxation to generalised elastic direct taxation. Extraordinary aides gave way to regular and general taxation. Revenue extraction and expenditure became a public matter. The maxim *pecunia nervus rerum* (Bodin) became a state doctrine. This transition is generally held to have taken place in the leading West European monarchies between the 14th and 17th Centuries in close connection with the pressures towards financing 'state-constitutive wars' which necessitated a state monopoly in taxation, subsequent to the monopolisation of the means of violence by the 'new monarchies' in the competitive context of the emergent early modern state system of Europe.

This trend leads, in turn, to the third criterion, residing in the transition from fragmented feudal to modern bureaucratic administration. Both the standing army and a centralised tax regime require professional officials to administer and supervise the maintenance of the army, tax enforcement, and public expenditure. Next to the standing army, a 'sitting army' of patrimonial officers, employed, controlled, and paid by the state, based on formal precepts of professional promotion, came to challenge and finally supplant the independent local and regional forms of feudal administration. A nobility of service (*noblesse de robe*) grew at the expense of the old sword-carrying nobility (*noblesse d'épée*).

The fourth criterion is identified in the establishment of a legal system. The welter of independent feudal courts gave way to a nationally unified legal system, regulated by one uniform tax code, operated by legal experts, on the basis of a territorially integrated court hierarchy, culminating in royal courts. Earlier feudal inter-lordly disputes were no longer resolved by archaic feuds, based on the armigerous status of the lordly class, but by royal civil law. The invention of new modalities of fiscality required increasing powers of surveillance, enforcement, and disciplinisation to avoid tax evasion. Disputes between peasants and landowners were no longer decided by the political justice on manorial courts, but were brought to royal courts. In short, military rivalry prompted powerful tendencies towards the internal juridification of social relations.

³³⁸ Ormrod 1995, 124-7. In German parlance, this process is conceived as a transition from the feudal *Personenverbandsstaat* (state of associated persons) to the modern *institutioneller Flächenstaat*. (territorially institutionalised state).

Universal War - Variations in State Responses: A Critique

There are, however, a range of important questions to be posed which (1) query the assumed, but not explained, 'givenness' of the existence of a system of multiple states, and thus the lack of an account of the origins of the European political pluriverse, (2) point to the lack of a social theory of war, (3) qualify the universal effects of geopolitical competition in the institutionally very different forms of political community in the European late Middle Ages, (4) contest the explanation for the success or failure behind these important transformations in various European regions; and (5) challenge the definitional status of political modernity in these accounts.

First, we have observed that the causal starting-point for the geopolitical competition model resides in the geo-historical plurality of polities in late medieval and early modern Europe.³³⁹ With the exception of Thomas Ertman, this geopolitical pluriverse serves as the unexplained and unquestioned 'given' which lies outside the explanatory reach of the model. While this pluriverse can, of course, not simply be 'read off' from existing social property relations at any given point in time and space in a static and structuralist way, the preceding two chapters have shown how European geopolitical fragmentation can be theorised as the historical outcome of class conflicts which tore the last pan-European Empire - the Carolingian Empire - asunder. Geopolitical plurality is thus not a natural, geographical, ethnic, or cultural phenomenon, but a class-induced social outcome.

Second, the geopolitical competition literature lacks, for all its insistence on the primacy of military rivalry, a social theory of war. The dominant explanation behind the processes of military, fiscal, and institutional centralisation are held to derive from permanent geopolitical pressures in an anarchical system of self-seeking conflict-units. The focus of research then shifts towards an investigation of how well power élites responded to these pressures by re-structuring domestic techniques of revenue extraction, military mobilisation, and institutional rationalisation.

³³⁹ Cf., for example, Gerhard 1992, 75 and 1996b, 18.

This approach poses one logical and one theoretical problem: First, if every ruler had to respond to external pressures, who then did act on which grounds in the first place? In other words, there is not one good argument in the entire geopolitical competition literature which explains why the mere territorial contiguity of several states necessarily and logically entails competition. This is not to dispute the very real existence of early modern geopolitical pressures, but a question of causality. Radically put, the geopolitical competition model lacks a convincing explanation of why early modern polities were necessarily expansive. This rather spectacular lack of a social theory of war results in two typical methodological dilemmas. In society-centered perspectives, the initial stimulus is usually externalised to international forces and can thus no longer be comprehended within these perspectives; alternatively, in system-centered approaches, the initial stimulus is attributed to what then becomes a naturalised competitive inter-state system whose pressures are then explained out of anarchy. In other words, the mere geographical contiguity of polities does not exhaustively explain why inter-state relations were necessarily bellicose, unless we impute an anthropologically questionable idea of man as a natural power-maximiser or a psychologising rational-choice model, which assumes that risk-minimisation and 'safety first' considerations create a security dilemma escalating in arms races.³⁴⁰ These dilemmata replicate the social emptiness inherent in man-centered realist thinking, as well as in system-centered neorealist thinking. The hypostatisation of systemic pressures calls thus for an approach whose framework of analysis is wide enough to understand 'external' factors as internal to the system, and which understands the system not as an abstracted 'third image' operating above and beyond its constitutive actors according to its own iron logic, but as internally related to a 'generative structure' which explains the latency of war. What this implies is that we have to unbundle the social content of war as a system-wide phenomenon in relation to very definite social property relations which made war a necessary and dominant strategy of reproduction of pre-capitalist ruling classes.³⁴¹

³⁴⁰ Counterfactually, one would have to think about a historical geopolitical pluriverse without aggression to disprove the idea that war is latent in any anarchical system.

³⁴¹ The social meaning of war is here and there acknowledged in fleeting comments in the Weber-Hintze literature, but it is not systematically theorised as arising out of distinct social property relations which made the pursuit of war an economic necessity, rather than the sport of the princes. Cp. for example: 'As for the question of the acquisition of territorial rights, it

Third, at the most general level of the model's causal inferences, it has to be observed that while war was universal, the responses within different polities were highly specific. In other words, variations in state-reactions in the face of military pressure cannot be directly deduced from a geopolitical functionalism, but have to be explained with reference to specific domestic social constellations and the timing of military exposure. As a rule, the pure logic of international rivalry does not only fail to cover the differential development of European non-monarchical variants of early modern state forms,³⁴² it is equally unable to account for developmental variations in the historical trajectory of the dominant Western monarchies of France, Spain, and England. Not only is it difficult in this perspective to explain why some feudal monarchies succeeded to turn themselves into territorial monarchies while others failed, it is even more difficult to explain why some European political communities - city-states, city-leagues, Empire, Church state, merchant republics, aristocratic republics and peasant republics - maintained themselves in the emergent competitive inter-state system of early modern times, although they evinced a completely different institutional make-up and political regime and although some of them could draw on a much smaller territory with a much smaller populations and therefore a much smaller tax base.

'This in turn prompts the comment that such alternative forms of state possessed a real dynamism and a capacity to modernize which also enabled structures that may appear archaic to survive.'³⁴³

In other words, we have not only to account for the success of territorial monarchies, we also have to account for alternative forms of successful non-absolutist state formations as well as state failures. In particular, we have to set success, variations, and state 'exit' in relation to political and social organisational diversity. In other words, the universal logic of geopolitical competition has to be filtered through the social forces internal to domestic polities. Without such a widening of our optic,

was settled by combining the hereditary principle with an appropriate matrimonial policy. When succession disputes arose, armed force was usually the final means of action. Spending on external security by monarchical states should, therefore, be at least partly regarded as an investment for the acquisition of rights of domination, at least when war was followed by territorial aggrandizement.' Körner 1995a, 404.

³⁴² This point is made by Spruyt 1994 and Körner 1995a, 394-5.

sociologists and IR scholars tend to turn a historical outcome - the eventual victory of the territorial state as the dominant form of political organisation - into a functionalist theoretical outcome.

Thus, the very variegated political landscape of late medieval Europe did not constitute a 'natural field of selection' - theoretically conceived in neo-evolutionary terms - in which bigger conflict-units either subsumed smaller ones or forced them to adopt a similar political and social regime, but a dynamic and mixed social system in which the main causes for survival or decline have to be sought in the nexus between internal social conditions of revenue extraction and the productivity of the tax base. War was universal, yet individual state responses were specific. This proviso does not only apply to the very obvious difference between territorial monarchies and non-territorial alternatives, but also to the very real differences between territorial monarchies themselves. For how shall we explain that England, although it could nominally draw during the Hundred Years War on a much smaller tax-base, dominated and besieged for centuries much 'bigger' France, whose territory had twice the size and three times the population of its northern neighbour? And how should we explain that the Dutch Provinces freed themselves from the 'Spanish Yoke' and resisted repeated French bids for incorporation, although natural resources and population numbers were inferior to France's and Spain's?

Fourth, to the degree that the geopolitical competition literature does try to theorise how efficiently regional power élites responded to the ubiquitous threat of military competition, the subsequent exposition remains overwhelmingly confined to either an abstract enumeration of newly invented fiscal instruments, military innovations, and institutional modernisations, or to the subsequent 'dialogue' within the power élite - usually between king and some representative assembly composed of the clergy, the nobility, and burghers - which resulted in the establishment of new modalities of intra-power élite consultation and co-operation.³⁴⁴ Such a theoretical confinement to the processes of interaction amongst elite groups, although it represents an important step beyond the mere listing of innovations, fails however to

³⁴³ Körner 1995, 394.

³⁴⁴ Cf. for example Hintze 1975c; Tilly 1975 and 1985; whereas Tilly devoted in 1975 two and a half pages to the 'peasant base', the peasantry drops later out of the picture; Mann 1986 and 1988a; Ormrod 1995, 157-8; Gerhard 1996a; Bulst 1996; Ertman 1997.

extend this 'dialogue' to those who are essentially affected by new modes of revenue extraction: the direct producers. In other words, we need a theoretical framework which conceptualises elite conflicts in a horizontal sense as intra-ruling class conflicts over access to and property of the means of exploitation, as well as social conflicts over the rate of taxation as class conflict in a vertical sense. If the analysis is extended to the peasantry, it usually appears however not as a social agent, who displayed considerable influence over the level and forms of extraction, but rather as a neutral tax base or simple 'the economy' whose importance appears only in socially disembodied figures of population fluctuations, agrarian productivity, or in such formal terms like taxpayers, tax compliance, fiscal limit, and fiscal capacity.³⁴⁵ The unwillingness to systematically recognise the peasantry as the fourth party to the 'dialogue' between king, staff, and estates presents thus not merely an omission, but constitutes a decisive theoretical and substantive failure in the assessment of socially constructed and therewith regionally specific solutions to the general problem of war-induced taxation.³⁴⁶ Without a theorisation of the peasantry as a conscious class, defending its own interests, a fiscal sociology of 'the evolution of pre-modern fiscal systems, in a comparative European framework'³⁴⁷ is doomed to failure. In other words, it is the class conflicts between and within the major classes of late medieval times, as they grew out of varying degrees of self-organisation resulting in determinate balances of class forces, which in the form of the struggle over the distribution of taxation was decisive for the regionally diverse outcomes of state attempts to procure war finances

³⁴⁵ Bonney's assertion that '(...) it was the interaction of the state's demands with harvest fluctuations which determined the real fiscal burden carried by the majority of taxpayers' is symptomatic of the non-recognition of the peasantry as a social actor in the institutionalist literature. Bonney 1995a, 17-18. Whereas harvests remain, of course, the natural condition for any dues, the social determination of the level of taxation was a result of the conflicts between those who imposed taxes and those who had to pay them. Although Bonney later tries to re-politicise taxation ('If regional fiscal divisions were in large measure a question of privilege then we should not expect any clear relationship between economic wealth and fiscal burden.' Bonney 1995b, 501), the conflict over the tax rate is carried out between ruler and taxpayers

³⁴⁶ A notable exception is Winfried Schulze. Although he also introduces the Schumpeterian couplet in passing, he then cites approvingly Marc Bloch on the social rationale behind royal *Bauernschutzpolitik* (policy of peasant protection). 'We may interpret this trend towards protection of the peasantry by the state as a "struggle between taxes and rents". This perspective has the advantage of linking the tensions between princes and their estates, between peasants and their landlords and between peasants and princes, various aspects of which may be seen at work in the frequent rebellions against taxation.' Schulze 1995, 264.

³⁴⁷ Bonney 1995a, 2.

on more centralised principles. Regionally varying balances of class forces explain variations in the domestic responses to war understood as intra-ruling class competition over land and labour.

Fifth, this does not yet tell us anything about the modernity of these state-building attempts. Crucially, we dismiss the adequacy of the term modernity in connection with early modern attempts of state centralisation. No early modern European state, with the exception of post-revolutionary England - achieved sovereignty in the modern sense of the term. Since the overwhelming majority of European states remained dynastic-absolutist states, the rights of sovereignty came to be privately owned by the ruling dynasty, regarding state territory as its private patrimonial property. Nowhere was the crucial transition from patrimonial officialdom to modern bureaucracy, implying the separation of the staff from their previously privately owned means of administration and coercion, in Max Weber's sense achieved. The state edifice remained at all levels highly personalised, that is, no clear distinction between the public and the private was effectuated, in distinction to the trans-personality of the modern state. In dynastic-patrimonial states, venal officials re-privatised the rights of governance and taxation, so that state power became progressively alienated by a monarchy under financial duress. The administration remained an 'irrational' net of personal dependencies, characterised by venality, patronage, clientelism, nepotism, and favouritism. As the means of administration remained de-centralised and personalised, so were the means of violence not monopolised by the state, but remained under personal-patrimonial control. The king's standing army was precisely the king's standing army, supplemented by the customary hiring of mercenary forces. Military enterprisers remained, of course, outside the direct control of the state. Within the king's army, the practice of office venality implied that nobles bought colonelcies and entire regiments out of their private purses, recruiting, maintaining, and de-commissioning their soldiers at their will. The legal system, in turn, suffered equally the effects of venality, while the persistence of feudal courts and regionally different law codes frustrated the principle of legal uniformity and court hierarchy. Territory, finally, turned into a function of dynastic practices of military and matrimonial political accumulation, so that dynastic states were in essence 'composite

monarchies',³⁴⁸ blocking the fixity and exclusivity of modern notions of state territory. In short, the early modern state evinced none of the typical traits of what is conventionally associated with the modern state. In other words, while the transition from feudal monarchies to absolutist monarchies represented an important development, it did not lead to the formation of the modern state and, by extension, the modern system of states. We will show in the next chapter how the non-establishment of a modern state in early modern Europe can be theorised in relation to prevailing pre-capitalist social property relations.

To conclude, the Weber-Hintze tradition of war-driven state-formation would do well to return to Hintze's admonition that the military logic should not replace class conflict, but be theorised in relation to it.

³⁴⁸ Elliott 1992.

Chapter Five

L'État, c'est moi !: The Personal and Compromised Nature of Absolutist Sovereignty

Introduction

Modernity, Sovereignty, and IR

Modernity is an elusive and therefore essentially contested concept. Substantive criteria adduced in different social-scientific disciplines to establish its identity flow from different knowledge-guiding interests and lead to diverging periodisations of the modern age. In the discipline of IR, the onset of modern international relations is conventionally determined with reference to the emergence of the concept and practice of exclusive territoriality and external sovereignty, revolving around the state as an agent of peace and war (*ius ad bellum ac pacem*).³⁴⁹ Its historical appearance and international recognition is commonly associated with the contracting parties to the Westphalian Peace Treaties of 1648. Max Weber's classical definition of the modern state, conceived as enjoying the legitimate monopoly in the means of violence in a clearly demarcated state territory over a population defined in terms of citizenship, serves as a standard point of reference.³⁵⁰

The argument, developed in this chapter, is that before we provide an alternative interpretation of the Westphalian Order, we have to re-consider the nature of the dominant early modern state form: absolutism. This prior inquiry seeks to rectify the fundamental error in the dominant IR literature, which tends to equate absolutist sovereignty with modern sovereignty. The conventional misinterpretation of Westphalia's modernity is predicated on this erroneous equation. Theoretically, IR's misconception and misperiodisation of the Westphalian order rests on an idealisation of early modern kingly sovereignty and the nature of absolutist bureaucracy.

³⁴⁹ Gross 1948; Morgenthau 1985, 293-4 and 328-9; Gilpin 1981, 111; Kratochwil 1986, 51; Holsti 1991, 25; Spruyt 1994, 3 and 153-5.

³⁵⁰ Cf., for example, Gilpin 1981, 17; Spruyt 1994, 35.

Methodologically, this misinterpretation is predicated upon four related tendencies. First, as a rule, in its preoccupation with the external marks of sovereignty, international relations are persistently theorised in the IR community in abstraction from the internal constitution of the constitutive units of geopolitical systems. In other words, the historically diverse nature of political communities is generally under-theorised and under-differentiated. Second, if the concept of 'the state' is problematised in IR, its identity is generally theorised in institutional, and therefore largely static and comparative, terms. Third, to the degree that Max Weber's definition of the modern state is employed for establishing the identity of historically variable political communities, it is generally falsely projected into differently structured pasts. Fourth, IR theories of early modern international relations have generally drawn on the traditional interpretation of absolutism developed in the historiographical literature. This interpretation was already problematically influenced by ill-understood Weberian notions of state rationalisation and bureaucratic centralisation. This literature is today largely contested, if not outdated.

Chapter Structure

Since it is one of the fundamental premises of this study that the nature and dynamics of geopolitical relations cannot be adequately understood without a systematic inquiry into the domestic sources of political power, this chapter re-examines the domestic structure of French absolutist power and the meaning of absolutist sovereignty in order to develop a firm basis from which to re-theorise the overall character of the early modern system of states.

The chapter is divided into four major sections. Section one provides a brief survey of the traditional state-centred interpretation of absolutism in the historiographical and historical-sociological literature, which underwrites IR's standard account of the modernity of post-Westphalian international relations. This survey is followed by a short critique of the society-centred revisionist literature and a critical exposition of the Marxist debate on absolutism.

Section two articulates the core thesis on the nature of the absolutist state and its long-term trajectory and sets out four methodological premises which inform the subsequent interpretation of absolutist core phenomena.

On this basis, section three seeks to clarify the meaning of proprietary kingship for the personalised nature of absolutist sovereignty.

Section four turns to the main domestic institutions of absolutist rule. It spells out the causes of office venality and its consequences for the structure of early modern public power, the persistence of independent political centers of power, the logic of legislation, taxation and fiscal crises, and the structure of the absolutist military constitution and early modern warfare. Each of these absolutist macro-phenomena is analysed with reference to prevailing non-capitalist social property relations, governing determinate intra-ruling class conflicts as well as class-conflicts between producers and non-producers which define, in turn, domestic as well as geopolitical public policy options. In particular, it draws out the implications of the wide-spread practice of office venality, both in civil administration as well as in the military apparatus, for the non-modernity of the French state of the Old Regime. At the same time, it will be shown how all of these practices expressed the non-capitalist character of French absolutist society as they were inimical to the establishment of capitalist relations of production.

The conclusion summarises and substantiates the thesis that, given the nexus between a non-capitalist agrarian economy and a parasitic patrimonial state apparatus, the long-term trajectory of Old Regime France exhibits, in the context of a competitive system of states, an economically 'involutionary' and thus politically crisis-ridden dynamic, which only started to be radically altered well after the French Revolution. The argument is that while the absolutist state is not only distinctively non-modern, it is not even transitional. In other words, the internal dynamic of absolutist class relations led developmentally to a dead end. Under these conditions, the origins of international modernity have to be sought in the rise of the first modern state - 17th Century England -, which, driven by an expanding capitalist economy, began to undermine the politically accumulative logic of the Continental absolutist system of states in the 18th Century, and imposed its new capitalist logic on it in the course of the 19th and early 20th Century in a crisis-ridden process of socially combined and geographically uneven development. *Ex hypothesis*, it is these processes which

transformed the logic of the absolutist system of states into the modern international order.

Debating Absolutism: Transition or Non-Transition?

The historiographical literature on the nature of absolutism has seen over the past three decades an important debate on the 'absoluteness' of kingly government in its relation to political society. It opposed the defenders of an older state-centred orthodox interpretation over and against the followers - Marxists and non-Marxists alike - of a revisionist strand which tried to expose the limits of absolutism.³⁵¹ This debate is central to the discipline of IR since it problematises the nature of the early modern state and absolutist sovereignty and has therefore direct implications for the question of the emergence of the modern system of states.

Although the debate covers all European political regimes, it came to focus very much on France, the classical model of absolutist state-formation. If the phenomenon of absolutism is analysed in this chapter with special reference to France, this does not imply that the Bourbon state merely exemplified in ideal-typical form a general European phenomenon. In some European polities, say, the Dutch General Estates, England, Switzerland, or Poland - for reasons having to do with specific resolutions of preceding class conflicts on the basis of different social property-relations - absolutism never took hold. Even in those polities where versions of absolutist rule are conventionally taken to be discernible - as in Spain, Austria, Russia, Prussia, Sweden or Denmark - absolutism had different chronologies, dynamics, and characteristics. However, the differences between, for example, French mercantilism and Prussian cameralism, are smaller than their commonalities, provided that we want to distinguish these modes of government from preceding as well as subsequent forms of rule. Since our analysis of absolutism stands in the service of defining the overall character of early modern international relations, and since it was essentially absolutist

³⁵¹ The revisionist literature is now vast. Non-Marxist accounts include Elias 1983 and 1994; Root 1987; Mettam 1988; Hinrichs 1989 and 1996; Kaiser 1990, 7-202; Henshall 1992 and 1996; Hoffman 1994; Asch and Duchhardt 1996; Oresko, Gibbs, and Scott 1997. Marxist accounts include Anderson 1974b; Beik 1985; Parker 1989 and 1996; Gerstenberger 1991.

regimes (and first and foremost France) which laid down the rules of the Westphalian Peace Treaties, we contend that our focus on France is justified.

The Traditional State-Centred Interpretation: The State as Rational Actor

The traditional interpretation started from the assumption that from the 16th Century onwards and especially during the 17th Century, the pressures of intensified geopolitical conflict and the domestic turmoil associated with confessional disputes spawned a process of concentration of political, legislative, judicial, financial, economic, and military decision-making powers to the benefit of the monarch.³⁵² The state arrondissement, consolidated, and centralised its territory on the basis of a systematic build-up of a net of public institutions operated by loyal bureaucrats. Under the whip of external defence and demand for internal supra-confessional pacification, the king came into a position to side-step the consultation and consent of political intermediary powers so as to arrogate 'legislative sovereignty', expressed in the formula *princeps legibus (ab)solutus*. The king's position beyond the law went hand in hand with a growing juridification and rationalisation of what came now to be distinguished as public and private spheres of life. The substitution of multiple and overlapping feudal rights and privileges by a centralised legal system emanating from the King's Council was mirrored by the monarchical monopolisation of taxation, requiring the build-up of an officer class in the service of and dependent upon the king. Powerful, but revocable, agents of the king - the *intendants* - carried the will of the king into the provinces. The new service nobility, the *noblesse de robe*, staffed with literate burghers and clerics deriving their title from office was played out against the old sword-carrying nobility, the *noblesse d'épée*, deriving its titles from inheritance and landed property.

Conscious state-sponsored policies of economic development took shape in the form of mercantilism. State agencies improved national infrastructures for transport,

³⁵² Two widely received studies which are often adduced in the IR community as evidence of the modernity of the Westphalian state are Poggi 1978 and Strayer 1970. For Poggi, 'the new, absolutist system of rule, (...) is widely considered the first mature embodiment of the modern state'. Poggi 1978, 62. Strayer is invoked by Gilpin 1981, 116-23 and Spruyt 1994, 78-108. Cf. also the influential study edited by Tilly 1975 and Giddens 1985, 83-121. Tilly's 'war

pressed for a common standard of weights and measures, supported manufacture and foreign trade, demolished the mass of internal tariff barriers while replacing the fragmented medieval toll system with a single customs unit, and operated a common coinage to raise the wealth of the state. Economic planning created a unified internal market, while the pursuit of a positive national balance-of-trade geared external trade to the hoarding of bullion and treasure.

Informal mechanisms of domestic domination and conflict-resolution (feuds) were replaced by institutionalised contracts and non-violent rules for conflict-resolution, based on positive legal principles. Older customary and contractual forms of state power amongst lords (the state of associated persons) gave way to an impersonal conception of the state over and above its subjects informed and legitimised by Roman law. A distinct sphere of politics came to be distinguished from civil society. A new discourse of secular sovereignty, archetypically exemplified in Jean Bodin's *Six Livres sur la République* supplanted medieval lore of divine kingship, vassalage, the code of chivalry and societal trifunctionality based on orders. The medieval conflation of public law and penal law gave way to a distinction between public international law and private criminal law: a police force started to carry out the disciplinisation of the non-noble population, while noble resistance was no longer lawful in cases of kingly non-compliance of the feudal contract, and did no longer follow the prescriptions of *diffidatio*. Henceforth, feuds were ostracised as disobedience and rebellion, falling under the ultimate crime of treason, that is: *lèse majesté*. Defiant nobles turned into enemies of the state. At the same time, feudal forms of military organisation based on the summons of the feudal host and the *arrière-ban* were supplanted during the 'military revolution' by the de-militarisation of the noble class and the creation of standing armies (the *miles perpetuus*) under royal control, while state-investments in military technology (artillery, navy, and fortifications) rendered feudal military tactics and strategy obsolete. Foreign policy came to be an exclusive part of monarchical prerogatives - the *arcana imperii* - in the name of *raison d'Etat*, while *ad hoc* diplomatic missions were replaced by permanent embassies, enjoying immunity due to the new principle of extra-territoriality. The kingly monopolisation of the means of violence underwrote the transition from the late medieval *ius gentium* to the *ius inter*

makes states and states make war' approach (coercion-extraction cycle) is summarised in Tilly

gentes and subsequently to the French-dominated *droit public de l'Europe*, transforming medieval hierarchy or heterogeneity into an 'anarchical' geopolitical order of legally equal states.

In theory, absolutist rule

'resided in the undivided and unlimited authority of an individual, who, as legislator, was not bound by the laws, who was independent of all control, and who exercised sovereignty without consulting any groups or institutions except those created by himself'.³⁵³

The Sun King, Louis XIV, came to embody the radiant omnipotence of absolute monarchy epitomised in his claim (ascribed or authentic) that '*L'Etat, c'est moi!*', while drawing an increasingly ornamental aristocracy into the artificial, baroque, and purely representative life style of Versailles court society. In practice, it was maintained that the outcomes of the struggles of the 17th Century 'represented the conclusive establishment of the structure that is recognisable as the modern state, organized around an impersonal, centralized, and unifying system of government, resting on law, bureaucracy, and force.'³⁵⁴ In sum, the 'state' was essentially seen as the 'modernising' rational organiser of a society internally torn by conflicts among status groups and externally under threat of invasion

It is this orthodox view of early modern politics, idealising the rationality of absolutist public institutions while minimising its differences with the modern state, which has informed the prevailing consensus within the discipline of IR that the mid-17th Century Peace Treaties of Westphalia perfected the architecture of European politics by laying down the rules of modern international relations for what were essentially modern states.³⁵⁵

1985.

³⁵³ Vierhaus 1988, 113. It should be noted that Vierhaus himself advanced already in 1966 a much more nuanced picture of absolutist rule than implied by the classical definition and asserted that 'since WWI, at the latest since WWII, such a view of absolutism can be regarded as outdated in academic circles (even if it survives in popular historical perceptions) [my translation, B.T.]. Vierhaus 1985, 36.

³⁵⁴ Rabb 1975, 72.

³⁵⁵ Cf., for example, Spruyt 1994a, 77-108 and 1994b, 540-2.

The Revisionist 'Society-Centred' Critique

Objections against the gradualist institutional account soon crystallised into a distinct revisionist literature, inspired by Roland Mousnier's concept of a society of orders.³⁵⁶ Empirically, it was pointed out that office venality, clientage, legal non-uniformity, tax-farming, mercenarism and a host of cognate phenomena negated the thesis of any smooth progression towards the precepts of bureaucratic rationality associated with the modern state. Theoretically, it was argued that this failure was bound up with the lack of an inquiry into Old Regime France as a society of orders, comprising traditional interest groups competing over status and position. Institutional setbacks in the completion of the modern state were thus not temporary disturbances, but expressed the structural factional interests of political society recurrently opposing the modernising ambitions of the monarchy.

Yet, while the non-Marxist revisionist literature - *Annalistes* and new institutionalists alike - persuasively unmasked the confirmationist bias towards state-perfection in the old institutionalist literature, in many ways, it only reversed its premises. While in the old institutionalist scenario, the state was held to be the active and rational actor and society a recalcitrant and irrational mass of particular interests, now it was maintained that the center of Old Regime power was to be sought in 'society' which held the 'state' hostage to its particularistic interests. This position was summed up by William Beik:

'Thus historians have moved from viewing the state as a triumphant organizer of society to viewing it as a fragile organism struggling against a vast, turbulent society, and finally to the realization that forces in society were influencing, if not defining the very function of the state. The existence of these forces does not necessarily negate the state's progressive role, but it does call for a reassessment of the way distinctive early modern institutions interacted with a distinctive early modern society.'³⁵⁷

Although the burden of causality came now to lie on 'society', the basic premise, namely that early modern state and society can be meaningfully theorised as two distinct and autonomous entities, pursuing antagonistic interests, was not

³⁵⁶ The *locus classicus* is Mousnier 1979 and 1984. The best summaries of the more recent debates are Beik 1985, 3-33 and Parker 1996, 6-27.

³⁵⁷ Beik 1985, 17.

abandoned. Whereas formerly, a modernising state struggled victoriously against a retarding society, henceforth, a backward-looking society frustrated the modernising ambitions of the state. In this perspective, the idea that a common set of interests between privileged orders and the Crown may have created a field of compatibility amongst the ruling classes, uniting them over and against the peasantry and reproducing thus a pre-modern state form, was excluded from the first. If they were united vis-à-vis the peasantry, they were divided over the issue of distributing peasant-produced tax proceeds. Thus, if, as we will show later in detail, it can be said that political power remained throughout the period personalised and given that this personalised character of public power was shared between the monarchy and its privileged classes, then the state-society dyad cannot be meaningfully employed as an operative category in Old Regime France.

The view that the absolutist state could be conceptualised as something outside of and causally distinct from society, pursuing its own goals, while disciplining society over the centuries, and its revisionist society-centred inversion, were most successfully attacked by Marxist authors.

The Orthodox Marxist Interpretation: The 'Equilibrist-Transitional Paradigm'

Paradoxically, however, Marxist interpretations of absolutism were for a long time marred by the orthodox and formulaic stagist philosophy of history driven by a succession of ascending classes, which taught that the new progressive class, the bourgeoisie, would have to develop gradually in the womb of the old order, overthrowing it in an abrupt revolutionary climax. The *Communist Manifesto* codified this conception in classical form.³⁵⁸ Under the shadow of its authority, the age of absolutism, instead of its recognition as a social formation in its own right, was degraded as an object of research to its preparatory role for the French Revolution. The research-organising theme became the 'transition to capitalism' and the genesis of its historical agent - the bourgeoisie - its fulcrum. While the state-society dyad was replaced by class analysis, the theme of the rise of capitalism within the framework of

³⁵⁸ Marx and Engels 1848.

the Old Regime became all-pervasive. While neither Marx nor Engels ever put forward a systematic study of absolutism, the classical Marxist interpretation was canonised by Engels' famous statement that the absolutist monarchy 'held the balance between the nobility and the burghers,'³⁵⁹ thus gaining considerable autonomy from both classes until the bourgeoisie pushed through the integument of the Old Regime. In this 'equilibrist-transitional' perspective, the rise of capitalism was the outcome of the growth of a bourgeoisie whose interests were promoted and instrumentalised by the monarchy in order to out-balance the reactionary particularistic interests of the landed nobility, until the absolutist monarchy was finally overthrown in a cataclysmic violent dénouement by that class whose aspirations it helped to unleash.

This interpretation of absolutism, conceptualising the early modern period essentially in terms of a long transition, was also assisted by the fact that serfdom was dead in France after the crisis of the 14th Century. If feudalism was defined in terms of the class-relation between lords and serfs on the medieval manor, then post-14th Century - not to speak of post-17th Century - French society could not qualify as feudal. Yet, if feudalism is essentially defined in terms of serfdom, which was non-existent in early modern France, and if capitalism is essentially defined as a system of production in which the direct producer is separated from his means of subsistence so that he finds himself compelled to sell his labour-power to those in control of capital - equally non-existent in early modern France -, then the four centuries between the late 14th century and 1789 could only qualify as a period of transition. The growth of urban mercantile activity, the monetarisation of rural rents, and the general spread of commercialisation and commodification of economic life could only support such an interpretation.

These themes informed the refinements of the equilibrist-transitional paradigm advanced by Boris Porchnev and A.D. Lublinskaya. Porchnev argued that the monarchy, under pressure from peasant rebellion, co-opted a capitalist bourgeoisie through office-venality into the state, so as to simultaneously out-balance a factional reactionary aristocracy, while preventing a latent alliance of interest between peasantry and bourgeoisie.³⁶⁰ Lublinskaya, in turn, argued for an equilibrium between an

³⁵⁹ Engels 1884, 271. Further variations of this position can be found in Marx 1847, 326 and 333; Marx and Engels 1848, 486; Marx 1871, 328.

³⁶⁰ Porchnev 1963.

independent commercial and industrial capitalist bourgeoisie, supported by the monarchy, and a reactionary but unified sword and robe nobility.³⁶¹ Irrespective of the more detailed merits and problems of these two approaches, both authors did not transcend the classical Marxist 'equilibrant-transitional paradigm'.

Perry Anderson's Subterranean Transition to Capitalism

Rejecting the equilibrant interpretation, Perry Anderson developed the transitional theme and its associated class-relations in a brilliant, but not unproblematic, theoretical and synoptic account. Anderson squarely identified the absolutist state as a feudal state, defending the interests of the old medieval aristocracy.³⁶² Starting from the observation that absolutist monarchies were 'exotic, hybrid compositions whose surface "modernity" again and again betrays a subterranean archaism',³⁶³ Anderson convincingly de-codified the non-modern nature of absolutist institutional innovations - army, bureaucracy, taxation, trade, diplomacy - by suggesting that the end of feudalism in its narrow sense, i.e. serfdom, was not tantamount to the disappearance of feudal relations of production in the early modern French agrarian economy.³⁶⁴ However, the dissolution of serfdom did mean that the unity of politics and economics - economic exploitation through politico-legal coercion - at the molecular level of the village, which defined the parcellised character of feudal sovereignty as distributed in a hierarchical chain of inter-lordly relations, was destroyed. In its stead, on the instigation of the old noble class threatened to be shorn of its class power, this cellular unity of extra-economic coercion was re-established on a national scale in form of the absolutist state. 'The result was a displacement of politico-legal coercion upwards towards a centralized, militarized summit - the Absolutist State.'³⁶⁵ Localised and individualised feudal rents were replaced by centralised feudal rents in the guise of royal taxation.

³⁶¹ Lublinskaya 1968 and 1980.

³⁶² Anderson 1974b, 428 and 41-2

³⁶³ Anderson 1974b, 29.

³⁶⁴ Anderson 1974b, 17.

³⁶⁵ Anderson 1974b, 19.

‘Absolutism was essentially just this: *a redeployed and recharged apparatus of feudal domination*, designed to clamp the peasant masses back into their traditional social position - despite and against the gains they had won by the widespread commutation of dues. In other words, the Absolutist State was never an arbiter between the aristocracy and the bourgeoisie, still less an instrument of the nascent bourgeoisie against the aristocracy: it was the new political carapace of a threatened nobility.’³⁶⁶

While the mode of political organisation had changed, the ruling class, according to Anderson, was and remained the same: the feudal nobility supported by the coercive and centralised power of the new state apparatus.

Yet, in spite of acknowledging the persistence of a pre-capitalist mode of exploitation in the form of extra-economic centralised rents, Anderson nevertheless argued for a long transition towards capitalism in this period. His argument revolves around two axes. First, in the country-side, the concentration of political power at the apex of the social system, mediated by the commutation of labour-rents into money-rents was complemented by the economic consolidation of feudal property. Feudal conditional property gave way, aided by the reception of Roman law, to absolute and exclusive private titles of property. ‘Landownership tended to become progressively less “conditional” as sovereignty became correspondingly more “absolute”.’³⁶⁷ The creation of a land market fulfilled an essential background condition for the establishment of capitalist agriculture.³⁶⁸ Second, in the towns, the same Roman civil law notion of Quiritary ownership, which was re-discovered by royal legists in order to defend the regroupment of feudal class power on more centralised principles, was seized upon by the urban bourgeoisie as the legal expression of free capital. The very reception of Roman law and especially its differentiation between civil and public law, had the unintended effect of providing a legal idiom for the interests of the mercantile bourgeoisie by providing a code of law and legal procedures which guaranteed the security of private property and capitalist transactions (certainty, clarity, uniformity) based on written contracts.³⁶⁹

‘For the apparent paradox of Absolutism in Western Europe was that it fundamentally represented an apparatus for the protection of aristocratic property and privileges, yet at

³⁶⁶ Anderson 1974b, 18.

³⁶⁷ Anderson 1974b, 20.

³⁶⁸ Anderson 1974b, 424-6.

³⁶⁹ Anderson 1974b, 26.

the same time the means whereby this protection was promoted could *simultaneously* ensure the basic interests of the nascent mercantile and manufacturing classes.³⁷⁰

Yet, Anderson's analysis of absolutist France does not bear the character of a self-enclosed case study, but is embedded in a wider world-historical comparative history of uneven development. Again, the ultimate research-organising question revolves around the uniqueness of the 'West' and, in particular, the specificity of those long-term conditions which were conducive to the rise of capitalism in Europe. Here, the classical Marxist notion of world history as a succession of modes of production as a simple temporal sequence following the logic of replacement is rejected in favour of, as Hegelians would put it, the dialectical logic of 'sublation' (*Aufhebung* in its triple meaning), in which the traces of the past are only abolished in order to be preserved in a qualitatively transformed higher synthesis.

'The course towards capitalism reveals a *remanence* of the legacy of one mode of production within an epoch *dominated* by another, and a *reactivation* of its spell in the passage to a third.'³⁷¹

More concretely, 'the *concatenation* of the ancient and feudal modes of production was necessary to yield the capitalist mode of production - a relationship that was not merely one of diachronic sequence, but also at a certain stage of synchronic articulation.'³⁷² In other words, while the survival of a dense network of urban enclaves, the lingering memory of Roman law, and the rational cultural forms of Roman modes of thought comprise the capitalism-assisting legacy of antiquity, the feudal fief - unknown outside Europe except in Japan - pre-figured as a unit of economic exploitation the material matrix of landed private property under capitalism. Absolutism was its period of incubation. Thus,

'in nature and structure, the Absolute monarchies of Europe were still feudal states: the machinery of rule of the same aristocratic class that had dominated the Middle Ages. But in Western Europe where they were born, the *social formations* which they governed were a complex combination of *feudal and capitalist modes of production*, with a gradually rising urban bourgeoisie and a growing primitive accumulation of capital, on an international scale. It was the intertwining of these two antagonistic modes of

³⁷⁰ Anderson 1974b, 40.

³⁷¹ Anderson 1974b, 421.

³⁷² Anderson 1974b, 422.

production within single societies that gave rise to the transitional forms of Absolutism.³⁷³

To sum up, for Anderson, absolutism was the result of a regroupment of noble class power after the end of serfdom in the form of a centralised state performing the former localised functions of extra-economic coercion on a national scale to the benefit of the nobility. The institutional innovations - unearthing the achievements of antiquity -, which accompanied the new centralised mode of extraction, created inadvertently, in conjunction with the spread of commodification and exchange, the conditions for the spread of absolute private property and the rise of a capitalist bourgeoisie. While the final clash between a rising bourgeoisie and a falling aristocracy is postponed to the bourgeois revolution proper, capitalism developed, so to speak, silently, even subterraneously.

There are various interconnected empirical and theoretical problems in Anderson's account of the rise, nature and dynamics of French absolutism. First, it is doubtful whether the growth of absolutism was ever actively pursued, in the interest of, or was ultimately beneficial to the class power of the old feudal ruling class. Even if the old nobility survived within the absolutist state, its existence and functions cannot be derived from an original set of noble preferences. Inversely, pre-14th Century Crisis noble preferences would not have led by themselves to the absolutist form of the state. The absolutist state and its 'centralised rent' was not the functional equivalent of noble local powers of exploitation. In fact, the feudal crisis of the 14th and 15th Centuries created a pattern of class alliances which saw the monarchy siding repeatedly with the peasantry to the detriment of the old medieval nobility.³⁷⁴ Nobility and monarchy had clearly competing interests in the exploitation of the peasantry. While serfdom implied noble peasant-exploitation, peasant freedom meant monarchical-fiscal peasant-exploitation. The end of serfdom was partly brought about through the insertion of royal public courts into the lord-peasant relationship, defending peasant liberties against the local lords. The struggle between a feudal rent-regime and an absolutist tax-regime was ultimately decided against the interests and to the detriment of the old

³⁷³ Anderson 1974b, 428-9.

³⁷⁴ Brenner 1985b, 288-9.

medieval nobility. Anderson's thesis that 'throughout the early modern epoch, the dominant class - economically and politically - was thus the *same* as in the medieval epoch itself: the feudal aristocracy'³⁷⁵ underestimates the changed class basis of the early modern nobility as it underrates the active role of the monarchy. Not only was there very little aristocratic intergenerational continuity and identity within the majority of noble families between the 14th and 17th Centuries, the very class basis of the medieval nobility was eroded and re-defined in this process. The class which collected public taxes was no longer identical with the class which had reaped feudal rents.

Most importantly, while the aristocracy retained its landed possessions, it lost its political powers of representation. In other words, it was no longer the ruling class in the strict sense of the term. Nothing exemplifies more drastically the relative decline of the old nobility than the non-convocation of the Estates General between the late 16th and the late 18th centuries.³⁷⁶ This political loss of class power translated also into the sphere of international relations, where the arrogation of foreign policy prerogatives by the king undermined the independent war-making capacities of the old nobility. While the majority of the members of the *noblesse d'épée* had lost their arms-bearing status due to the end of serfdom, vassalage, and conditional property, the real beneficiary of the rise of absolutism became a new state-sponsored patrimonial officer class: the *noblesse de robe*. Its outlooks and interests were directly bound up with the crown, reproducing itself through the extractive powers of the state apparatus, and imposing a qualitatively different long-term dynamic of inter-ruling class relations on French society as a whole. While the aristocracy survived in altered form, its interests were not directly represented by or identical with those of the monarchy.

Second, Anderson's insistence on the persistence of the old feudal ruling class led him to underrate the intervening transformations of inter-ruling class relations, i.e. the tensions between the monarchy, the sword-carrying nobility and the office-holding nobility. In particular, it led him to under-theorise the contradictions of absolutist sovereignty. On the one hand, centralised rents as the operative mechanism of surplus

³⁷⁵ Anderson 1974b, 18. Cf. also 430.

³⁷⁶ Although Anderson discusses aristocratic discontent, he nevertheless insists that absolutism was ultimately - and even in spite of its own original intentions - beneficial to the old aristocracy, surviving not only economically, but also politically. 'No class in history immediately comprehends the logic of its own historical situation, in epochs of transition: a

extraction clearly subordinated the nobility to the distributive favours of the monarchy. At the same time, public taxes and the concomitant kingly monopolisation of the means of violence elevated the dynastic principle to the core of absolutist sovereignty and the cornerstone of early modern international relations, while the royal court became the centre of patronage, intrigue, and faction. Dynastic diplomacy was not the 'index of feudal dominance',³⁷⁷ but a sign of its relative decline. On the other hand, while Anderson's discussion of office-venality clearly shows the limits of state rationalisation and centralisation, he failed to draw the more radical conclusion that the privatisation of offices implied a renewed tendency towards the de-centralisation of sovereignty. While Anderson is right to say that 'landownership tended to become progressively less "conditional" as sovereignty became correspondingly more "absolute",³⁷⁸ the absolutisation of sovereignty was precisely reversed through the alienation of state offices. While this was less palpable in foreign affairs, its domestic effects entailed a de-uniformisation in the implementation of legislation, taxation, and jurisdiction. Venality, patronage, and corruption frustrated legal clarity, certainty and uniformity.

Third, office venality not only prevented internal state sovereignty, it tended to divert urban and mercantile capital into state-constituted sources of income - by the purchase of sinecures, company charters, or loans to the crown. The monarchy became thus indebted to an ever-growing parasitic patrimonial class of officers, financiers, tax-farmers and mercantile adventurers, which tried to recoup their public investments through the full exploitation of their privately-owned state-granted titles to income. The net effect was a symbiotic and parasitic inter-ruling class relation between monarchy, *noblesse de robe*, financiers, and town-oligarchs which stalled any transition to capitalism. In this respect, the 'lucrative if risky investments in public finance for usury capital' connected with *rentier* sinecures in the royal bureaucracy, monopoly trading charters, and colonial enterprises did thereby not 'accomplish certain partial functions in the *primitive accumulation* necessary for the eventual triumph of the capitalist mode of production itself'.³⁷⁹ Rather, as I will show later in some detail, they represented speculative forays into state-backed forms of political accumulation, which

long period of disorientation and confusion may be necessary for it to learn the necessary rules of its own sovereignty.' Anderson 1974b, 55.

³⁷⁷ Anderson 1974b, 39.

³⁷⁸ Anderson 1974b, 20.

³⁷⁹ Anderson 1974b, 40.

tied capital-owning burghers to a crown which dispensed and sold official and commercial titles. While it is correct to say that 'economic centralization, protectionism and overseas expansion aggrandized the late feudal state while they profited the early bourgeoisie',³⁸⁰ this bourgeoisie did thereby not turn into a capitalist bourgeoisie.³⁸¹

Fourth, Anderson repeatedly insinuates that the consolidation of private property as well as the commodification and commercialisation of town and country life acted as a background condition for the origins of capitalism.

'The maxim of *superficies solo cedit* - single and unconditional ownership of land - now for the second time became an operative principle in agrarian property (if by no means yet the dominant one), precisely because of the spread of commodity relations in the country-side that was to define the long transition from feudalism to capitalism in the West.'³⁸²

Yet, although it is true that the commutation of labour rents into money rents turned the lordly domain into an economic estate which could be bought and sold; in short: although it created a market in land, direct producers continued to be in possession of their customary plots which became their *de facto* property. The implication was that peasants were, as Anderson professes at one point,³⁸³ not formally subsumed under capital, i.e. economically compelled to rent out from or work for a landlord so as to create surplus-value instead of just producing surpluses. Thus, while lordly estates became 'allodialised', i.e. they turned into absolute private property, neither landlords nor peasants had much incentive to consolidate their plots and estates, to introduce novel farming techniques and to specialise produce. Capital investments did not yet follow the logic of cost-cutting competition, precisely because rural labour was not yet generally commodified, that is, proletarianised. Anderson thus underrates the economically arresting implications of wide-spread petty peasant property. The introduction of Roman private law notions of Quiritary ownership, which allows for

³⁸⁰ Anderson 1974b, 41.

³⁸¹ It is curious to see how Anderson's general theoretical claim on the capitalist transition in his introductory chapter is infirmed by his subsequent historical chapters. Cf. Anderson 1974b, 97.

³⁸² Anderson 1974b, 26. Cf. also: 'The new form of noble power was in its turn determined by the spread of commodity production and exchange, in the transitional social formation of the early modern epoch.' Anderson 1974b, 18.

³⁸³ Anderson 1974b, 17.

civil contractual relations in the transfer of property, was therefore not consequential for the consolidation of an agrarian capitalist regime of production. Antiquity was neither a sufficient, nor even a necessary condition for the rise of capitalism. In other words, Anderson does not show convincingly how his two conflicting claims, viz. that rural labour remained throughout the period independent and that economic life - urban and rural - was generally commodified into the direction of capitalist relations of production, can be logically reconciled. In spite and because of the latent Althusserian idiom of 'articulation' and 'over-determination', Anderson fails to show how the 'feudal mode of production' and the 'capitalist mode of production' are actually, as he had it, 'intertwined'.

Fifth, Anderson's treatment of the role of medieval towns is ambiguous. He starts off by noting that towns were internal to feudalism, since the parcellisation of sovereignty allowed a decisive degree of political independence for urban communes.³⁸⁴ This is taken to be an argument against those (Sweezy et al.) who argued in the *Transition Debate* on the external dissolution of feudalism through the growth of towns and long-distance trade. At the same time, according to Anderson, municipal political autonomy was the condition of possibility for towns to develop into centres of production - rather than remain parasitic centres of administration and consumption as in the Roman Empire and in non-Western agrarian empires -, which set up 'a dynamic *opposition* between town and country',³⁸⁵ which contributed in the long run decisively to the subordination of the country to the town, i.e. production for urban markets. In this perspective, the original de-centralised political structure of feudal domination was decisive for the town's eventual economic subordination of the feudal agrarian economy under their mode of production. Yet, this account must not only assume that medieval burghers were either from the beginning proto-capitalists, or gradually evolved into a capitalist urban bourgeoisie, it rests on a misreading of John Merrington's contribution which is affirmatively cited to back up Anderson's argument.³⁸⁶ Although Merrington did stress the political independence of medieval towns based on the fragmented political character of the mode of feudal domination in

³⁸⁴ Anderson 1974b, 21.

³⁸⁵ Anderson 1974b, 422.

³⁸⁶ Anderson 1974b, 21. Merrington's study was first published in 1975, but Anderson refers to an unpublished draft.

general - so as to argue that towns were both internal as well as external to feudalism - , he simultaneously argued for their economic dependence (as centres of production, distribution and consumption) upon the demand and supply generated by the feudal country-side.³⁸⁷ Hence, although medieval towns evinced a political 'internal externality', they were also economically internal to feudalism, and no quantitative growth of exchange and markets would, according to Merrington, change this basic premise.³⁸⁸ There was no dynamic opposition between pre-capitalist towns and pre-capitalist agriculture. Even if Anderson does not share Merrington's (logically stringent) conclusion, he would have to demonstrate - theoretically and empirically - how the dependency of towns upon the agrarian economy was reversed.

Sixth, Anderson ends his introductory chapter with a short preview on the complex of 'bourgeois revolutions' and the establishment of capitalist economies and states. Although the actual exposition of these themes belongs to the projected third volume of his trilogy, the following premonitions extend the logic of his previous research to the revolutionary period.

'The rule of the absolutist state was that of the feudal nobility in the epoch of transition to capitalism. Its end would signal the crisis of the power of its class: the advent of the bourgeois revolutions, and the emergence of the capitalist state.'³⁸⁹

Without wanting to hold Anderson too closely to these preliminary hypotheses, it should be remarked that powerful interpretations have meanwhile appeared which tend to pre-empt the validity of even an updated re-formulation of the classical Marxist social interpretation of the French Revolution. Especially Comninel, supported by the non-Marxist revisionist literature of 1789, concluded that (1) the Great Revolution was not so much a class struggle between a rising capitalist bourgeoisie and a falling aristocracy, but rather the outcome of the ambitions of a dissatisfied patrimonial state-dependent class, comprising both nobles and bourgeois, which fought for a greater

³⁸⁷ Merrington 1976, 177-80

³⁸⁸ Merrington 1976, 178. Merrington therefore argued against the dissolving effect of towns on feudalism. 'This absence of revolutionary vocation on the part of towns, the constant 'betrayals' of the bourgeoisie to the old order (as the *creditor* of the old order), (...), must be seen in terms of their objectively *convergent* interests vis-à-vis the exploitation of the countryside so long as rent remained, in its various forms, the principal mode of appropriation of the surplus and capital remained external to the productive process.' Merrington 1976, 180.

share in the political control of the state's extractive capacities which went, under the impact of radical mass demands, to the detriment of the aristocracy and the monarchy, and (2) that the Revolution itself did not create a capitalist society, but rather further entrenched petty peasant property while re-distributing state offices in favour of a non-capitalist bourgeoisie.³⁹⁰

Thus, while Anderson shows clearly the non-capitalist character of the early modern French society in its economic and political aspects and while he rejects the equilibrist interpretation, he still clings to the received Marxist orthodoxy that the rise of capitalism was the historical task of the bourgeoisie, which, assisted by the spread of market opportunities and the state-sponsored revival of Roman law, developed in the interstices of the old feudal order. In this, Anderson and the old equilibrist-transitional interpretation parallel the modernising bias attributed in the institutionalist literature to the absolutist state, since it acted as the unwitting midwife of a victorious capitalist bourgeoisie.

To sum up, major empirical and theoretical objections can be cited against versions of the 'equilibrist-transitional' interpretation of absolutism.³⁹¹ First, the peasantry remained throughout the early modern period in direct possession of its means of subsistence. Second, mercantile activities did not create *eo ipso* a capitalist bourgeoisie as the growth of trade did not act as a solvent of feudalism. Third, class relations between bourgeoisie and aristocracy were not necessarily antagonistic since both shared the same proprietary relation to the extra-economic means of exploitation. Fourth, the absolutist state retained throughout a patrimonial character into which a non-capitalist bourgeoisie and a de-feudalised aristocracy became assimilated through the sale of offices and other privileges. Fifth, the main axis of intra-ruling class conflict - of which 1789 was a constitutive part - was not so much defined by a struggle between a rising capitalist bourgeoisie and a falling aristocracy, but rather by the ambitions of a dissatisfied patrimonial state-dependent class which fought for a greater share in the political control of the state's extractive capacities. Sixth, the Revolution itself did neither create a capitalist economy nor a capitalist state, but rather further

³⁸⁹ Anderson 1974b, 42. 'In the West, the Spanish, English, and French monarchies were defeated or overthrown by bourgeois revolutions from below.' Anderson 1974b, 431.

³⁹⁰ Comninel 1987, 179-207.

³⁹¹ Cf. Merrington 1976; Beik 1985; Comninel 1987; Parker 1996

entrenched petty peasant property while re-distributing state offices in favour of a non-capitalist bourgeoisie.

If absolutism was neither a success story in modern state-building as the old historiography maintained, nor a society of orders which obstructed its modernising ambitions as the revisionist institutionalists claimed, nor an arbiter between the aristocracy and the bourgeoisie as originally suggested by Marx and Engels and later, with more nuanced emphases, by Porchnev and Lublinskaya, nor an instrument of the old aristocracy against the peasantry, 'overdetermined' by the rise of a capitalist bourgeoisie, as Anderson submitted, what was it then?

Political Marxists and the Critique of the 'Bourgeois Paradigm'

An answer to this question requires a fundamental prior theoretical clarification. The orthodox Marxist theorem of a necessary co-development of a bourgeois class and capitalism has recently come under heavy attack from within the Marxist tradition, both on empirical as well as on theoretical grounds. The failure to adequately theorise absolutism and the French Revolution was, as Comninel and Brenner convincingly argue, due to Marx and Engels' uncritical acceptance of the liberal theory of bourgeois revolution in their early works.³⁹² Comninel and Brenner argued that much of the orthodox Marxist interpretation of the rise of capitalism remained under the spell of the young Marx's adoption of a materialist, but distinctly liberal, conception of general historical progress. They demonstrated how this misunderstanding generated two opposing interpretations of the transition to capitalism to be found in Marx's writings themselves.

The first interpretation, expounded in his writings of the 40's and the early 50's, was significantly influenced by Scottish classical political economy and 19th Century French liberal historiography. On this textual basis, Marx's early writings

³⁹² Comninel 1987, 53-76 and 104-78; Brenner 1989. Parker 1996, 14, and Beik 1985, 21. Yet, in spite of the evidence amassed in his study, Beik still subscribes to the transition-paradigm: 'Absolutism must be seen accordingly, not as a modern state grafted onto a pre-modern society, but as the political aspect of the final, highest phase of a venerable, though modified, feudal society - a society in transition, if you like, from feudalism to capitalism.' Beik 1985, 339.

explained the rise of a capitalist bourgeoisie as a result of the expansion of market-relations through commerce subsequent to an increasing division of labour on the basis of the development of the forces of production in towns. The driving class-antagonism was identified in the conflicting relations between an urban class of burghers (which transformed itself into a capitalist bourgeoisie), and a reactionary land-based feudal aristocracy. While classical political economy revolved around the core-idea of a 'natural' expansion of free market relations, i.e. economic liberalism, the French liberal Restoration historiography embraced already the idea of history as class struggle whose *terminus ad quem* became political liberalism. Both traditions converged *au fond* in a liberal materialist conception of historical progress, comprising a stagist theory of history.

The second interpretation, expounded in Marx's mature critique of political economy, revolved around the conflicting reproduction of pre-capitalist class relations between direct producers and lords which gave rise to the crucial process of 'primitive accumulation', separating the direct producer from his means of subsistence while subjecting him to the power of capital. In this version, the *movers* of historical development was not so much sought in the resolution of class conflicts between aristocracy and bourgeoisie, but between exploiters and exploited, lords and peasants. It was the historically unique resolution of these class conflicts which first established capitalist relations of production in the English agrarian economy in the course of the 16th and 17th Centuries.

With the canonisation of the first interpretation in the *Communist Manifesto*, much of the subsequent Marxist interpretation of absolutism, the origins of capitalism, and the French and English early modern revolutions remained prisoner of the 'bourgeois paradigm' which posited that capitalism and bourgeoisie are indissoluble twin-concepts.³⁹³ The implication was that the rise of capitalism could be potentially studied in every early modern European country, which featured cities and commerce, as a development internal to these societies. The origins of this dilemma reach directly back to Marx and Engels' subsumption of France and England under one type of development.

³⁹³ Wood 1991, 2-11.

'Generally speaking, for the economic development of the bourgeoisie, England is here taken as the typical country; for its political development, France.'³⁹⁴

The abstraction of a universal schema, culled from the conflation of two rather unique national experiences - England and France -, and its subsequent re-imposition on quite distinct national developmental courses, led to distorted and a-historical interpretations.

However, Brenner and Comninel argued that the crucial conceptual dissociation of bourgeoisie and capitalism does not foreclose the possibility of a Marxist re-interpretation of the crisis of the Old Regime and the transition to capitalism, both in England and in France. With respect to early modern France, both based their analyses on the rise of royal centralised extra-economic coercion on the basis of a petty peasant property regime. More concretely, Comninel maintained that the dynamic of class-conflict underwriting the French Revolution did not derive from a growing antagonism between a progressive capitalist bourgeoisie and a reactionary feudal aristocracy, but from inter-ruling class struggle over access to politically-constituted sources of income provided by the absolutist state.³⁹⁵ With respect to England, Brenner demonstrated how the rise of capitalism resulted from class struggles in the country-side between direct producers and lords prior to the English Civil War, which was consequently itself re-interpreted as a struggle between a capitalist landed aristocracy and a reactionary class-alliance between Crown and privileged chartered merchants over the form of the English state.³⁹⁶ While both advanced powerful interpretations of the English and French Revolutions, both equally argued that both were the result of regionally radically divergent long-term trajectories of political and economic development. On this basis, the prevailing tendency to assimilate France and England - the former achieving political centralisation a bit earlier while lagging behind in economic development and the latter being economically precocious while having to catch up politically - as two variations of one path towards modernity was radically

³⁹⁴ Marx and Engels 1998, 37.

³⁹⁵ Comninel 1987, 179-207

³⁹⁶ Brenner 1993. Cf. also Wood's clarification of the theoretical link between Brenner's earlier work on the origins of English agrarian capitalism and his later work on the role of merchants in the English Civil War. Wood 1996.

rejected.³⁹⁷ However, if early modern England and France constitute structurally non-equivalent state/society complexes, and given that it was France which came to lay down the rules of the Westphalian Peace Treaties, what are the implications for the discipline of IR regarding the explanation and periodisation of the origins of the modern system of states?

The Argument: The Involutionary Class Logic of French Absolutism

While Political Marxists focused their research on the origins of capitalism in England and on the French Revolution, their analyses of the French early modern state remained limited to exploratory statements.³⁹⁸ Yet, if their general argument holds, then this chapter will have to show how the French absolutist state was as structurally impaired to transform itself into a modern state as it was impaired to unleash capitalism. Yet, we will argue that the absolutist state-economy nexus not only failed to 'progress' towards political and economic modernity, on the contrary, it imposed an economically involutionary and politically highly conflictual logic on French early modern society as a whole. The logic of French class relations resulted in the hypertrophical growth of an ever-more parasitic and bizarre state apparatus, weighing down on a non-capitalist agrarian economy, which led eventually, under the impact of growing international competition exerted most forcefully by capitalist Britain, to the complete break-down of absolutism. Against the background of such an economically subversive and politically and geopolitically conflict-ridden dynamic, we will be in a position to show in the next chapter (1) how long European international relations remained determined by distinctly non-modern, i.e. dynastic, forms of geopolitical inter-action, and (2) that the beginnings of modern international relations should not be traced back to France, but are connected with a new set of pressures exerted by a qualitatively new state/society complex first achieved in England on the basis of a capitalist agrarian economy.

³⁹⁷ For Brenner's broader argument cf. Brenner 1985b. The incommensurability between France and England is also stressed by Parker 1996, Gerstenberger 1990, and Beik 1985, 4.

³⁹⁸ Outlines can be found in Brenner 1985b, 288-91 and Comninel 1987, 180-2 and 193-6. Systematic treatments can be found in Gerstenberger 1990, 261-463 and Mooers 1991, 45-102.

This chapter employs four interrelated methodological premises which generate four substantive theses on the nature of the absolutist state and its long-term political and economic dynamic.

First, in order to resist the abstractions of state-centred institutional and those of society-centred revisionist approaches, it is necessary to uncover the content of the early modern state as a class relation: With the transformation from a rent-regime based on the politically-constituted relation between serfs and lords, to a tax-regime based on the politically-constituted relation between king and free peasants, the crown strove to monopolise the rights of taxation, administration, violence, and jurisdiction to the detriment of the old sword-carrying nobility. This process started during the crisis of the 14th Century and ended after the crisis of the 17th Century. It was not the 'state' which set out to centralise and monopolise the administrative apparatus so as to levy a 'centralised rent', but the king in his personal capacity. The rights of extra-economic compulsion - and thus sovereignty - became personalised in the ruling dynasty.

Second, in order to understand the internal political constitution and economic dynamic of the early modern polity, it is necessary to understand the main driving force behind social conflict as (1) class conflict between direct producers and non-producers over the rate of extraction, and (2) as intra-ruling class conflict over access to the politically-constituted means of appropriation: No sooner had the king outmanoeuvred the old *noblesse d'épée* (sword-carrying nobility), than he found himself forced, driven by personal debts, to alienate and re-privatise the state apparatus by dint of office venality to a new *rentier* class - the *noblesse de robe* (office nobility). This precarious intra-ruling class compromise - arising on the basis of prevailing non-capitalist agrarian social property relations - re-fragmented the rights of 'extra-economic coercion' by adding to the feudal arms-bearing nobility, receding in numbers and declining in political pre-eminence, the new 'sitting army' of patrimonial officers. The newly consolidated early modern 'tax/office state'³⁹⁹ produced a new mode of de-centralising political and military power to private agents, the class of venal officers and military entrepreneurs. Public power lay therewith neither with 'social forces', nor with the 'state', but with private agents who had appropriated a part of the extractive powers of

³⁹⁹ Brenner 1985, 263.

the king. State-action was therefore neither a purely political affair, nor a purely societal affair, but an expression of re-privatised personal domination. Sovereignty was not only personalised, it was domestically compromised.

Third, the conceptual dissociation of bourgeoisie and capitalism and, especially, the focus on inter-ruling class conflict over politically-constituted sources of income on the basis of a petty peasant property regime demands a renewed assessment of the rise or non-rise of capitalism. Conflicts within the ruling classes over the politically-constituted rights of appropriation induced internally as well as externally coercive public policies of surplus extraction: Internally, the early modern tax/office state imposed punitive levels of taxation on a non-capitalist peasant economy, whose potential for economic growth was still governed by feudal eco-demographic long-term fluctuations, experiencing definite limits to productivity-growth.⁴⁰⁰ On the side of the peasantry, over-taxation quenched any systematic tendencies of productive re-investment. On the side of the ruling classes, tax returns, as a rule, were not re-invested into the means of production, but were still directed to investment into the apparatus of violence which supported the privileged class-position of the ruling classes so as to maintain the existing property settlement on which these classes thrived. This social property settlement stalled productivity growth and explains the failure of French agriculture vis-à-vis the spectacular growth rates achieved in England during its 'Agricultural Revolution'.⁴⁰¹ This backward-looking and precarious class dynamic, throwing the *ancien régime* time and again into fiscal crises and bankruptcies, defined the limits to the potentials of absolutist political modernisation as it was inimical to the development of capitalism. The structure of class power and class interests promoted no slow or gradual expansion of capitalist relations of production, but reproduced the *status quo* of an ultimately self-exhausting non-capitalist economy. The argument entails thus a negative developmental assessment of the modernising potentials, both economically as well as politically, of French absolutist society. It is one of the fundamental conclusions of this chapter that absolutism should not be treated as a transitional form of society, merely preparing the ground for the coming of

⁴⁰⁰ Brenner 1985b, 299-319 and 1986, 27-32.

⁴⁰¹ Opinion is now nearly unanimous that French early modern agriculture failed to achieve English levels of productivity. Cf. Wrigley 1985 and Crouzet 1990.

the modern state or capitalism,⁴⁰² but rather as a *sui generis* social formation, displaying determinate pre-modern and pre-capitalist domestic and international 'laws of motion'. In evolutionary terms, absolutism was a dead end.

Fourth, in order to account for the long-term dynamic of French absolutism, it is not only necessary to theorise the early modern state as a contested and thus dynamic social relation, but also to embed its trajectory within the wider pressures of inter-state competition, whose social rationale was not determined by systemic power politics, but by the imperatives of geopolitical accumulation. Externally, the absolutist socio-economic logic of class relations induced an aggressive and predatory foreign policy in which territory as a natural monopoly and exclusive control over international trade-routes were the highest prizes. Over-militarisation and near permanent warfare was, in turn, a prime cause of the series of fiscal crises and state bankruptcies. If absolutist foreign policies were still governed by the logic of political accumulation, then the violent terminus which absolutism suffered by the end of the 18th Century must be explained by relating its inner dynamic - especially its comparative mismatch between agrarian economic productivity and war-making ambitions - to the wider geopolitical relations within the competitive European inter-state system, putting it at a comparative coercive disadvantage in the 18th Century over and against capitalist Britain. The exploration of the 'archaic' geopolitical face of the internal set-up of the French state of the Old Regime, which defined the character of European international relations up to the 19th Century, will be the subject of the subsequent chapter.

'L'Etat, c'est moi!': Absolutist Sovereignty as Proprietary Kingship

The modern notion of sovereignty is predicated upon the idea of an abstract, impersonal state, having an objective existence independent from the subjective will of its executive. The modern state endures and persists independently of the life-spans of respective representatives, based on the very separation of public office from private property. It is through this separation that modern state territory retains its clearly

⁴⁰² As argued from a Neo-Weberian perspective by Giddens 1985, 98 *passim*.

demarcated bounded character irrespective of the private accumulation of landed property of bureaucrats or the political class as happened to be the case in pre-modern times.

However, the non-separation between public authority and private property did not only characterise European feudalism, but it persisted in most European states well into the 18th and 19th Centuries, if in altered form. In absolutist states, this fusion of the public and the private can best be studied in relation to the practice of monarchic dynasticism and the notion of proprietary kingship.⁴⁰³ Proprietary kingship meant personal property of the state by the king.

In which sense did the king own the state? Ownership could not refer to territory given that noble and non-noble absolute landed property was widespread and that the king's private lands - the royal domain - were distinguished from non-royal lands. Furthermore, the notion of kingly ownership of territory as freely disposable private property was negated by Salic Law which prohibited the permanent alienation of state territory.⁴⁰⁴ Territory was to be used by the king as an usufructuary and had to be passed on as dynastic patrimony undiminished and unimpaired. Ownership of the state, therefore, meant the legitimate and sole right of command within the realm and, in particular, personal ownership of the rights of taxation, trade and legislation over subjects. '*L'État, c'est moi!*' implied therefore kingly ownership of public power and the notion of absolutist sovereignty rested on this practice.⁴⁰⁵

How does the notion of proprietary kingship relate to developments in social property relations within society? The feudal notion of kingship as overlordship rested on the de-centralisation of authentic rights of appropriation held by lords in their lordships, predicated on possession of the means of subsistence by direct producers. Land was held by lords on condition of fulfilling specified military and political obligations, establishing a relation of mutuality between king and vassal (*auxilium et consilium*). Conditional property implied politically-constituted rights of appropriation which tied the direct producer to various degrees of personal unfreedom - ranging from slavery, via serfdom to other forms of bonded labour. After the crisis of the 14th

⁴⁰³ Rowen 1961, 1969, and 1980.

⁴⁰⁴ Mousnier 1979, 649-53. Yet, Mousnier's conclusion that the king was the 'first servant of the state' goes against all evidence. Mousnier 1979, 653.

⁴⁰⁵ In a very real sense, the state was the private property of the king - not only '*L'État, c'est moi*', but as Herbert Rowen put it: '*L'État, c'est à moi!*'. Rowen 1961.

Century, the peasantry succeeded in France to shake off serfdom while gaining *de facto* property rights of their plots.⁴⁰⁶ The lords, in turn, while losing many political powers of seigniorial exploitation, retained property rights in their desmesnes and turned them into landed estates, leased out to or worked by peasants paying economic rents, engaging in share-cropping or receiving wages.⁴⁰⁷ Yet, while many peasants took advantage of these opportunities, they were not compelled to do so, since they were not driven off their customary lands. The conversion of lordships from political units of reproduction into economic estates undermined the conditionality of feudal property as laid down in the vassalic contract. Noble '*dominium utile*' turned into absolute private property.⁴⁰⁸ Political property as rights of command over subjects turned into economic property over objects (land). The king's overlordship (*dominium directum*), in which the rights of command were de-centralised amongst lords, turned into a proprietary conception of kingship, which allowed the concentration of the powers of command and taxation by the king, while exempting the nobility from taxation. The transformation from a rent-regime to a tax-regime brought the king into a position of monopolising public power in his personal capacity over a structure of land-use defined by petty peasant proprietorship.

'Feudalism involved specifically the merger of economic and political powers; the rise of the sovereign territorial state did not destroy this merger in the case of the dynastic monarchies but confined it increasingly to the monarch.'⁴⁰⁹

Absolutist sovereignty expressed the fusion of the economic and the political in the person of the king. Yet, while the king came to monopolise the rights of sovereignty, he never actually monopolised the means for its exercise.

The Modernising Limits of Absolutism

⁴⁰⁶ Brenner 1985b.

⁴⁰⁷ Cf. Goubert 1986, 23-34.

⁴⁰⁸ Rowen 1981, 29. Whether noble land was henceforth allodial in status, or whether it was Roman '*quiritarian*' in nature, is a matter of debate.

⁴⁰⁹ Rowen 1961, 88

This disjunction between rights and means pervaded the structure of political power in absolutist France. The personalised character of absolutist sovereignty left its imprint on all absolutist institutions. The following section shows how their hybrid character, pointing towards modernity while betraying time and again backwardness, was determined by the organising principle of French early modern society: the nexus, mediated by extra-economic coercion, between petty peasant property, politically-constituted rights of exploitation and proprietary kingship. The following investigation of core-phenomena of the age of absolutism - 'bureaucracy', political institutions, legislation, taxation, army - revolves around three major questions: How 'absolute' was absolutist rule? How modern was absolutist rule? To what degree did absolutist practices of rule and economic organisation stimulate a transition to modern forms of political and geopolitical organisation?

Office Venality as Alienation of State Property

Proprietary kingship expressed the persisting non-separation between public power and private property and therewith the persisting logic of extra-economic appropriation in the operation of the French state of the Old Regime. This argument is decisively strengthened if we flesh out the implications of the patrimonial and, therewith, non-bureaucratic character of office-holding in absolutist states. Office venality

'marked an acceptance of property in public offices below the level of kingship at the very time that jurists were striving to persuade their readers that the kingship itself was not only the highest office in the state, but also that it was not patrimonial property'.⁴¹⁰

The implication was that offices could only be sold on the assumption that public power was indeed in full property of the dynasty and therefore not held by divine grace, but by right of inheritance. As a rule, state officers accumulated privately-owned wealth in pre-revolutionary France by dint of access to privately-owned public offices. According to Max Weber, the monopolisation of the means of violence constitutes one

⁴¹⁰ Rowen 1981, 55.

important criterion for the existence of a modern state. This implies, however, not only the de-militarisation of semi-autonomous feudal actors, but also a separation of officers from their means of administration and coercion. Steps were indeed taken with regard to the first presupposition of sovereignty in absolutist France; yet, the second step was never taken. Not only did provinces, cities and other corporate institutions - as we will show in the next section - retain powerful rights, even those royal agents operating within royal institutions usually owned their offices as private property. The patrimonial nature of office-holding should however not be dissociated from the financial and fiscal limits of absolutism, for it was precisely the war-induced chronic deficits of the French state which forced the king to engage in the wide-spread practice of office sales - the alienation of state-property.

Against the evidence of Max Weber's writings,⁴¹¹ large parts of the traditional literature on absolutism over-emphasised the continuity between the absolutist state and the post-absolutist rationalised state by projecting Weberian notions of a modern salaried bureaucracy, which was separated from its means of administration, back into the radically differently structured state of the Old Regime.⁴¹² Consequently, by falsely applying Weber's ideal type of a rational bureaucracy as the defining criterion of a modern state, pre-revolutionary France, and in Spruyt's case: 14th Century France, is transformed into a modern state.

This interpretation cannot easily be reconciled with the evidence. Even though it was true that the French estates played only a minor role in comparison to other European countries, and that the process towards administrative growth was very real, the qualitative step towards a modern bureaucracy was never consummated, precisely because the sale of offices implied a re-patrimonialisation - in some cases even a re-feudalisation - of state power. Private shares in public power pervaded all spheres of political society. Even the highest posts in government were exploited for the accumulation of private riches. Both, Richelieu and Mazarin, the acclaimed

⁴¹¹ 'Appropriation by virtue of leasing or sale of offices or the pledge of income from office are phenomena foreign to the pure type of bureaucracy.' Weber 1968, 222. Cf. also Weber 1968, 1038-9.

⁴¹² Spruyt asserts that by the late Middle Ages, 'the king benefited by having a professional and remunerated bureaucracy'. Spruyt 1994, 102. For contrary views cf. Hinrichs 1989, 82 and Parker 1996, 176.

masterminds behind absolutist state-making did not pursue a fictitious policy of *raison d'Etat*, but systematically built up their private empires within the state.

‘Although the idea of reason of state had begun to circulate in political pamphlets, leading political figures still acted primarily on the basis of a careful calculation of their personal interests. Both Richelieu and Mazarin exploited their own positions shamelessly. In the nine years after the Fronde Mazarin amassed one of the greatest fortunes in the history of the old regime, comprising abbeys, properties, duchies, lands in Alsace granted by the king, diamonds, claims on the throne, and cash - including large deposits near the borders of France in case he should ever have to flee again. He had also safeguarded his position among the magnates by marrying his nieces into important families.’⁴¹³

The move towards selling offices was one strategy of income provision pursued by a monarchy under financial duress.

‘Between 1600 and 1654 some 648 million *livres* were received by the *bureau des parties casuelles*, the special treasury set up to administer revenues from office-holding. This constituted over 28 per cent of ordinary revenue of the crown for the same period. At the peak of the fiscal exploitation of office-holders (which seems to have occurred in the 1620s and 1630s), revenues from this source represented over half the ordinary revenue of the crown.’⁴¹⁴

The history of French offices itself reflected the nexus between ever-increasing kingly demand for income and increasing liberty and security granted to incumbents. Roughly speaking, we find the acceptance of perpetuity under Louis XI, of venality in the period between Louis XII and Francis I, and heredity under Henry IV.⁴¹⁵ Waves of office-proliferation and increasing security of office tenure went hand in hand with foreign wars, especially during the period of the Italian Wars and the Thirty Years’ War. According to Le Roy Ladurie, the overall number of office-holders in the kingdom rose between 1515 and 1665 from 4,041 to 46,047.⁴¹⁶ There was a direct correlation between office-proliferation and the intensification of warfare, and an inverse relation between the ruler’s pursuit of international geopolitical accumulation

⁴¹³ Kaiser 1990, 82. Cf. also Bergin’s study on the connection between Richelieu’s tenure of political office and his accumulation of private and family wealth. Bergin 1985.

⁴¹⁴ Bonney 1991, 342.

⁴¹⁵ ‘Henry IV not only accepted - and emphasized - his own proprietorship in the state; he also gave venal office, which institutionalized government offices as private property, full legality in the French state.’ Rowen 1980, 54-5.

⁴¹⁶ Le Roy Ladurie 1994, 17.

and the domestic hollowing out of state power.⁴¹⁷ Decisively, these sales did not merely alienate parts of state property, they engendered a whole series of practices beyond kingly control - practices which are incompatible with any notion of a modern bureaucracy, of modern public finance, and modern sovereignty.

The price for an office was estimated on the basis of its value which was determined by the personal profits accruing to the incumbent from its exercise. If an office was deemed to be particularly lucrative and prestigious, we find competing bidders driving up its value. In other words, the office turned into a commodity. Moreover, offices did not only confer title, prestige and political influence, they were treated as interest-bearing capital investments on the side of the buyer. To the king, they represented a form of credit with little or nil interests, since interests were covered by the income derived from the office.⁴¹⁸ Although some office-holders did receive salaries, these *gages* were regarded as returns on investment and remained of minor importance in relation to the fees flowing from office.⁴¹⁹ However, since this form of capital-investment was not ploughed back productively into the economy, but was invested in the means of violence so as to continue the logic of political accumulation qua office and geo-political accumulation qua war, these credit-structures have precious little to do with modern capitalism.⁴²⁰ 'Frenchmen preferred to buy offices

⁴¹⁷ 'It was precisely in 1635, the year of France's entry into the war against Spain, that the sale of offices reached its highest point with a massive flooding of the market with every sort of financial and judicial office from presidents of *parlements* to sergeants and clerks in the lesser jurisdictions.' Parker 1996, 158.

⁴¹⁸ Hoffman 1994, 230-5.

⁴¹⁹ Schwarz 1983, 178.

⁴²⁰ Reinhard's account is therefore not convincing. He first argues that 'it is today generally acknowledged that office venality was inimical to economic growth since it implied the withdrawal of capital from the economy', but then asserts - by citing Marx - that venality and state debts were one of the most decisive levers behind "primitive accumulation" (in Marx's sense), 'since the existence of public debts strengthens a very uneven distribution of wealth, because only rich people can gain from these investments and profit opportunities [my translation, B.T.]. Reinhard 1975, 316. The existence of finance capitalism as well as commercial capitalism does not necessarily presuppose nor does it engender the existence of full-blown capitalism. Rather, they thrive on the persistence of political privilege. Parker writes that 'there are those who argue that the French state, simply by virtue of the scale of the financial transactions which it stimulated, was *ipso facto* capitalist. This view is unconvincing not only because of the way state fiscalism drained the economy of resources and imposed a punitive level of taxation on the labouring population but also because the money raised was rarely transformed into productive capital.' Parker 1996, 203. 'The 'insufficiency of theories which seek to explain the rise of Capitalism by the effects of monetary exchanges or the influence of government finance (debts, armament orders, etc.) consists in the fact that they

rather than to invest in commercial or industrial activities.⁴²¹ These investments valorised *rentier* capital but did not turn it thereby into entrepreneurial capital. Rather, these *rentier* credit structures provided a new financial link which combined the persisting logic of the internal exploitation of the peasantry qua office-backed political power with the logic of external appropriation qua military-backed political power.

Given the commodified nature of offices, sales were usually a matter between seller and purchaser alone - a transaction which precluded a conscious kingly policy of recruitment, though it formally required the king's dispensation. Offices were traded amongst 'private' bidders - the *resignatio in favorem tertii*.⁴²² Thus, a veritable market in offices sprang into existence. If the king wanted to remove an incumbent, he had to be reimbursed. A range of dysfunctional practices followed: Since most offices had become hereditary by 1604 through the introduction of the *paulette* (an annual tax on venal offices) and since they were often auctioned to the highest bidder, then how was professional competence to be secured? Since the office was purchased as a means of personal enrichment, how should mal-administration, fraud, and corruption be controlled? Since the office was the holder's private property, who should stop him from creating and selling new sub-offices on his own behest? Furthermore, given that the office was a commodity, it was handled like an economic asset. It could be pawned, sublet, divided upon inheritance, and finance ministers even required finance officers to make loans to the state to cover budgetary deficits - loans which were to be guaranteed on office-revenues. Over time, a credit structure developed which was guaranteed by largely fictitious future incomes and which turned the crown into a debtor of its own creation - the (private-patrimonial) officer class.

The only layer of officers which are often (but falsely) taken to correspond to Weberian criteria of non-patrimonial bureaucrats, the *intendants*, did not alter the fundamental logic of the pre-modern French bureaucracy. First of all, these revocable royal commissioners, equipped with extraordinary powers to supervise the collection of taxes and the administration of justice in the provinces, were created by Richelieu and Mazarin in response to the fiscal pressures exerted by the Thirty Years' War and

emphasize only sources of enrichment and provide no explanation of how from a society of small owner-producers a vast proletarian army was born.' Dobb 1946, 186.

⁴²¹ Bonney 1991, 344.

⁴²² Reinhard 1975; Schwarz 1983, 177.

its aftermath, and testify thus to the persisting financial logic of office-proliferation in 17th Century France. Their imposition was immediately seen by the bulk of patrimonial officers as a direct attack on their prerogatives and thus provoked open resistance during the *Fronde*. Secondly, the *intendants* were themselves drawn from the higher magistracy and did not lose their venal offices while sent on commission. Therewith, through the cumulation of offices and the sharing of the same social background, their interests did not set them fundamentally apart from venal officers so as to form a separate officer class in the hands of the king.⁴²³ Thirdly, as royal commissioners they did in no way turn into independent state bureaucrats (with lifelong tenure), but formed simply a new officer class which, precisely because it did not own its offices, was freely dismissable by the king.⁴²⁴

In other words, office venality and office trading were not mere epiphenomena which can be dismissed as exceptional and unfortunate forms of corruption or as the anachronistic legacy of the feudal past. Rather, they were recognised, institutionalised, and legalised forms of early modern government under an agrarian property-regime of petty peasant-proprietors, which gave the French administrative system its peculiarly inert, 'irrational', and crisis-ridden character. A 'useless' and inefficient civil service did not stand in the way of a modernising state, but rather expressed the accommodation of a nobility which had lost its direct powers of political domination over the peasantry. No sooner had the king gained the claim to a monopoly in the means of administration and violence, due to the loss by erstwhile lords of their feudal political powers of extraction in the face of the end of serfdom, than he was forced to share this monopoly again with private 'dilettante' office-holders - not by dint of bureaucratic delegation, but by dint of a real alienation of state power to private persons.

⁴²³ 'The monarchy may have undermined the security of the office-holders, but it never seriously envisaged the wholesale reformation of the system of venality. Indeed, (...) the monarchy had throughout the centuries continuously superimposed one administrative layer upon another without much consideration for the shape of the structure as a whole. The shading of the boundary lines between the *commissaires* and the actual owners of judicial and financial office makes it easier to understand the co-existence of the two after the *Fronde*, and the eventual assimilation of the *intendancies* with the general system.' Salmon 1987, 202. Cf. also Beik 1985, 14-15; Mettam 1988, 23; Parker 1996, 176.

⁴²⁴ Hinrichs 1989, 91.

‘This was a development of the greatest importance, because it put brakes on the creation of royal absolutism (...). The powers that the crown had gained in thinning out the feudal system beneath it, retaining for itself the sole status of possessor of full power, was now given away again, not to vassals but to office-holders.’⁴²⁵

Thus,

‘a full realization of the implications of venality has had the effect of “demodernizing” seventeenth-century government. Venality tied absolutism to its feudal past by consecrating a new form of private ownership of public authority which enabled rich and influential subjects - noble or bourgeois - to share in the profits and prestige of the state. It was a new expression of the king’s inability to control his society without conciliating his most powerful subjects.’⁴²⁶

The proprietary character of office-holding cannot be stressed enough in its implications for the non-modernity of the state of the Old Regime, for it constituted precisely the opposite of Max Weber’s ideal-typical formulation of a modern bureaucracy.⁴²⁷ There was a structural nexus - a relation of mutual dependence - between the absolutist ruler and the corps of officers which did not evolve in the direction of a truly modern state, but which reproduced and entrenched the existing arrangements until it led the state to systemic break-down.

Political Institutions in Early Modern France: Competing Centers of Power

The de-mystification of absolutist ‘bureaucracy’ involves a broader clarification of the institutional set-up of the French polity. For only if all political institutions of the realm derived their legitimacy from royal fiat, and only if all institutions carried the royal will into the regions, does it make sense to speak of internal sovereignty. However, early modern French political institutions expressed a rather different spirit. They functioned not so much as faithful relays of kingly policies, than as bodies mediating between the interests of the crown and the politically-constituted interests of diverse, yet powerful, regional elites. If we unravel the structure of political power in early modern France, we will have to distinguish between a welter of independent

⁴²⁵ Rowen 1980, 56-7.

⁴²⁶ Beik 1985, 13.

⁴²⁷ Henshall 1992, 15.

corporate bodies, co-existing side by side and often fusing with public monarchical institutions. By 1532, after the incorporation of Brittany as the last great principality into the realm, the status of the principality as a feudal fief, whose membership to the French polity was conditional upon adherence to the classical feudal contract between vassal and overlord, was dead. Thereafter all former principalities were part of the French kingdom not in their status as fiefs, but in their status as province headed by a kingly governor, who nevertheless usually happened to be the greatest provincial landowner. As such, the aristocratic governor represented the king in the province (without receiving compensation in return) and mediated between the interests of the king and those of regional élites, including himself.

Kingly and independent corporate political institutions competed for the rights of political domination. On the one hand, truly royal institutions, owing their very existence to the crown, were the highest court - the *Parlement de Paris* - and the Royal Council. Yet, even the higher magistrates staffing these institutions - the higher *noblesse de robe* - came to own their offices. On the other hand, we find independent provincial corporate institutions which did not owe their existence to kingly fiat: Provincial estates (in the *pays d'état*), town councils, noble and clerical assemblies, village assemblies and regional *parlements*. However, such a clear-cut distinction is only feasible if we take their original independence as the defining criterion. In terms of their operation, corporate institutions were the target of royal penetration by placing royal agents within these institutions. But since royal agents were often drawn from the local nobility, the clergy and the town patriciates, and since their offices were proprietary, the corporate bodies turned into hybrid institutions which, instead of imposing a hierarchical relation of bureaucratic subordination, only mediated the dialogue between crown and province. Furthermore, although it is true that the offices run by the nobility of service offered lucrative channels of non-noble social upward mobility for 'new men', they cannot be regarded purely as a manipulative device in the hands of the king over and against the aristocracy, since intermarriage between robe and sword was a common feature, and sword status still the higher social goal.

Most importantly, although these 'new men' were often drawn from prosperous families which had made their fortunes in commerce, industry, or finance - which had enabled them to purchase an office in the first place -, this was not a bourgeoisie which slowly but surely undermined the class-position of the sword

nobility, but a privileged group of *parvenues* which remained financially dependent, be it in their offices or in their professions, on the favours of the king.⁴²⁸

In sum, the king could not rule without the privileged orders, for he needed their support in ruling the country, rooting the king in a net of patrimonial alliances. The privileged orders, in turn, realised that their survival and privileged class position, both in terms of buttressing their local hold over the peasantry as well as in terms of their collective defence over and against rival kingdoms, was dependent upon the profits bound up with royal office and upon proprietary security provided by royal military protection. The class dynamics of the absolutist state did not follow the logic of a crown pushing through its 'historical task' of modern state-making assisted by the legal expertise and financial resources of a conniving bourgeoisie to the detriment of a retrograde feudal nobility; rather, the town-patriciate and the old nobility fused in a nobility of service, which developed in tandem with the crown, both being inextricably linked to each other. Thus, in spite of an objective contradiction between crown and regional ruling classes over the rights of domination and exploitation, the relations between them did not amount to a zero-sum game,⁴²⁹ nor to an amicable sharing of political power based on consent and partnership.⁴³⁰ Rather, the scope and intensity of intra-ruling class conflict was circumscribed by the confines set by the double threats of internal peasant rebellions as well as geostrategic pressures. These forces kept French state-building, that is, inter-ruling class co-operation, on track.

Legibus solutus?

'By the end of the Thirty Years' War, sovereignty as supreme power over a certain territory was a political fact, signifying the victory of the territorial princes over the universal authority of emperor and pope, on the one hand, and over the particularistic aspirations of the feudal barons, on the other. The inhabitant of France found that nobody but the royal power could give him orders and enforce them. This experience of

⁴²⁸ 'The venal office-holder, whether of the *noblesse de robe* or of humbler rank, would have felt that he had little in common with the merchant or the master craftsman, even though the money with which his family had purchased its first office, perhaps at a date long in the past, might well have come from the profits of trade or industry. Now, as an *officier*, he carefully cultivated all the habits of the old landed nobility, in whose circles he wished to be accepted.' Mettam 1988, 22.

⁴²⁹ This is the older view: estate-building and state-building were mutually exclusive.

⁴³⁰ This is Henshall's over-optimistic view. Henshall 1992 and 1996.

the individual French citizen was duplicated by the experience of the king of England or the king of Spain; that is to say, the supreme authority of the French king within French territory precluded them from exerting any authority of their own within that territory save by leave of the French king himself or by defeating him in war. But if the king of England and the king of Spain had no power in France, they had exclusive power in their own territories. These political facts, present in the experience of contemporaries, could not be explained by the medieval theory of the state. The doctrine of sovereignty elevated these political facts into a legal theory and thus gave them both moral approbation and the appearance of legal necessity. The monarch was now supreme within his territory not only as a matter of political fact but also as a matter of law. He was the sole source of man-made law - that is, of all positive law - but he was not himself subject to it. He was above the law, *legibus solutus*.⁴³¹

How does Morgenthau's conventional benchmark of absolutism - legislative sovereignty - fare when confronted with the wide-spread practice of venal officialdom and regionally autonomous political institutions? In spite of real developments towards 'legislative sovereignty' through the expansion and refinement of royal law, the alleged transition in the legal role of the king from a personal dispenser of justice, based on feudo-theological conceptions of divine kingship, to a sovereign law-maker, was arrested by strong countervailing forces.⁴³² The desire for legal uniformity, promoted with recourse to Roman law and the Justinian conception of undivided sovereignty flowing from one supreme source, did not so much supplant the existing operating principle that autonomous rights of justice emanated from possession of land and office, as to supplement customary practices of justice.⁴³³ Not only did autonomous seigneurial courts persist (even though they tended to become integrated into an appellate system), and with them the principle that litigants ought to appear before their natural judges, the higher courts in the legal system did not draw their legitimacy from royal delegation of jurisdictional powers, but from a real devolution of authority to which the higher magistrates were entitled not by virtue of their function, but by virtue of their status.⁴³⁴

The patrimonial character of legal office-holding (and of office-holding in general), with its proprietary, hereditary and therewith irrevocable accoutrements,

⁴³¹ Morgenthau 1985, 328-9. Note Morgenthau's use of the term citizen - anachronistic before the French Revolution of 1789. Note also his collapsing of French and English early modern sovereignty into one concept.

⁴³² For a contrary view cf. Spruyt 1994, 106-7.

⁴³³ Parker 1989.

turned the legal system into an incongruous network of patronage and clientelism beyond royal control. It developed its own self-reproductive logic. The idea that legal uniformity imposed by the king implied the formal equality of what would then be equal citizens before the law, ran time and again against the traditional hierarchical structure of society, based on the possession of land, title, and privilege. Precisely because the kingdom was yoked together over several centuries by force as well as concessions, elites in the provinces enjoyed various liberties, tax exemptions, and powers of self-government. The king, in spite of all propaganda for *legibus solutus*, was thereby not *iure soluti*, provided we understand by *ius* the ensemble of customary understandings of primeval rights and privileges enjoyed by the members of the ruling class in a hierarchical society, which, by necessity, forced the king to make legislative concessions.⁴³⁵ For example, many local lords retained independent rights of justice over and against their peasants; law courts (the *parlements*) could obstruct royal 'legislative sovereignty' by refusing to register royal edicts depriving them therewith of legality; the provincial estates in the *pays d'états* (the provinces which used to be powerful principalities) retained the right to vote on taxes; important cities held up their granted charters of liberty over and against royal legislative incursions.⁴³⁶

'Rights and privileges embodied a discourse of ancient customs, contracts and charters: their sanction was the past.'⁴³⁷

The royal pretension to absoluteness did not hereby absolve him from acting within the inherited boundaries of what was 'right'.

Even the political discourse on absolutism, classically expressed in Jean Bodin's *Six Livres sur la République*, was subjected to a de-absolutisation of the notion of indivisible sovereignty by retrieving the 'framework of natural and divine law within which a just monarch is morally obliged to operate'.⁴³⁸ This is not simply a question of dismissing the discourse of *raison d'Etat* as a mere ideological weapon, forged and

⁴³⁴ 'The struggle of the jurists to reconcile the idea that all justice derived from the king with a situation in which it still seemed firmly attached to the possession of office and land produced rather conflicting views and a considerable lack of clarity.' Parker 1989, 50.

⁴³⁵ Brunner 1980, 163.

⁴³⁶ Hoffman 1994, 226-9.

⁴³⁷ Henshall 1996, 30.

⁴³⁸ Parker 1981, 253.

wielded by a host of thankful pro-royal publicists and pamphleteers enlisted by the monarchical faction itself, for even the most ultra-royal political literature did not dare to challenge the fundamentals of absolutist society: property rights.

'Invasion of property rights without consent was condemned even by allegedly "absolutist" thinkers like Bodin: force was unlawful.'⁴³⁹

There was a clear conceptual line in contemporary political consciousness between absolutism and despotism, between *monarchie absolue* and *monarchie arbitraire*.⁴⁴⁰ Given the tradited structure of vested interests, royal positive law co-existed with customary, feudal and divine law. Legal sovereignty remained divided.

Growing Costs of Warfare, the King's Debts, and Bankruptcies

The relation of co-dependence between the king and 'his' patrimonial and parasitic corps of officers did not only stall the passage towards the formation of a modern state, it threw state finances time and again into crises. The tendency towards financial state break-down had its roots in the dilemma opening up between the limited productive base of a pre-capitalist agrarian economy and the ever-growing unproductive costs of warfare imposed by the logic of geopolitical accumulation governing the incessant rivalries of the absolutist system of states.

The move towards 'privatising' the rights of appropriation and domination through tax-farming and the patrimonial dispensation of justice was one strategy of public income provision in order to fill the coffers for warfare. Warfare, in turn, was itself a common dynastic strategy of amassing territories and riches as well as the customary means of settling inter-dynastic property conflicts. Yet, these revenues did not nearly cover escalating war expenditures.

'It was under Francis I and his successors that the expenditure of the French monarchy began to increase significantly. But the hegemonic policies of the seventeenth and eighteenth centuries produced an expenditure explosion, the first peak beginning with the

⁴³⁹ Henshall 1996, 30. Cf. also Anderson 1974b, 50; Vierhaus 1985, 56-57; Wood 1991, 24-27 and chapter 3.

⁴⁴⁰ Mettam 1988, 36.

Thirty Years' War and direct French intervention during the 1630s and 1640s. After a brief cessation of war with the advent of Colbert, expenditure rose again with the Dutch War and that of the League of Augsburg, reaching a second peak with the War of the Spanish Succession, and a third with the Seven Years' War.⁴⁴¹

The arrival of the permanent war state intensified the super-exploitation of the peasantry. 'In 1610, the fiscal agents of the State collected 17 million *livres* from the *taille*. By 1644, the exactions of this tax had trebled to 44 million *livres*. Total taxation actually quadrupled in the decade after 1630.⁴⁴² Next to the sale of offices and rising taxation, borrowing came to be the preferred royal instrument of revenue raising. However, since the king was an unreliable debtor, interest rates spiralled, causing ever more desperate and grotesque measures of royal income provision. Overall,

'French revenues grew consistently, gross revenue amounting to 20.5 million in 1600 and reaching nearly 32.8 million *livres* in 1608 and 42.8 million in 1621. Moreover, with the declaration of war against Spain in 1635, French revenues continued to expand, averaging some 115 million *livres* a year, although much of this came from borrowing at very high rates of interest.⁴⁴³

What we see, therefore, is a self-perpetuating upward spiral of rising revenues to finance ever more costly wars - which were, of course, hoped to generate through plunder, the acquisition of territories, or the payment of indemnities or satisfactions enough resources to pay back creditors - and an ever-growing diversion of peasant-produced wealth into non-productive military consumption.

The net effect was that the resulting public credit-structure turned the king into the prisoner of 'his' state officers and financiers, which made the tax and the credit system virtually immune to domestic non-violent reform. This credit-structure did not develop towards a modern system of central banking, for credits were not administered and guaranteed by a national bank, but by a welter of private agents, the financiers.⁴⁴⁴ Confidence in this credit system was defined by the crown's capacity to serve its debts. That is, finance remained tied to the person of the king. In striking contrast to France, the English revolution in public finance had led by the end of the 17th Century to the setting up of the Bank of England. It was essential for raising loans, sustaining

⁴⁴¹ Körner 1995a, 417-9.

⁴⁴² Anderson 1974b, 98. Figures vary, but the trend is unequivocal. Cf. Kaiser 1990, 74.

⁴⁴³ Bonney 1991, 352-3.

⁴⁴⁴ Mettam 1988, 106-17.

governmental credits, and providing long-term credit-security beyond the individual life-spans of monarchs. Government loans were based on parliamentary guarantees,⁴⁴⁵ and Parliament could raise money more effectively by taxing the propertied classes which sat themselves in Parliament. In France, in contrast, state debts were, so the title of Bonney's study, the king's debts.⁴⁴⁶ As such, they were not transferred from king to king, but risked forfeiture on the death of the original debtor in the absence of an abstract, impersonal state which could shoulder the debt burden.

The implication was that the entire credit structure stood and fell with the person of the king. The fiscal crises and the subsequent bankruptcies of 1598, 1648, and 1661 - roughly marking respectively the ends of the Wars of Religion, the Thirty Years' War, and the war with Spain - were thus not those of the French state, but of the French monarch. What is more, the king's debts were political debts in the sense that loans were often enforced or payments simply defaulted, so that borrowing to the king contained a high degree of credit risk.⁴⁴⁷ It was the king, who systematically turned his newly acquired prerogatives of sovereignty into an instrument of fund-raising by selling not only offices, but also other privileges - like noble titles, professional qualifications, monopoly charters on trade and commerce etc. - through which the extra-economic powers of accumulation were distributed and therewith decentralised.⁴⁴⁸ One difference with the medieval world lay in the fact that it was henceforth one ruler who decentralised his powers, not a plurality of de-centralised autonomous lords, who while presiding over their respective networks of dependants, tried to centralise their fragmented powers through the system of vassalage.

The state-sponsored efforts towards financial and fiscal reform, aiming generally at establishing greater geographical uniformity and centralisation, at replacing proprietary office-holders with revocable royal commissioners, and at diversifying the instruments of taxation while increasing tax rates, ran time and again against the vested interests of patrimonial officers. Let us spell out the nexus between war, kingly debts, internal revolts and institutional reforms. After each war-ending, war debts triggered insolvencies and fiscal crises, translating into inter-ruling class conflicts with important

⁴⁴⁵ M.S. Anderson 1988, 154.

⁴⁴⁶ Bonney 1981.

⁴⁴⁷ Hoffman 1994, 232-3; Parker 1996, 197.

⁴⁴⁸ Finely shown by Bien in his case study of the proliferation of the *secrétaires du roi*. Bien 1978.

institutional consequences.⁴⁴⁹ Royal counter-offensives to cut through the system of privilege and corruption faced each time stiff opposition. The end of the Wars of Religion brought the *paulette*, which granted office-holders heredity in return for an annual payment, so as to keep noble influence out of government business. The financial crisis of 1638, after France's entry into the Thirty Years' War, brought the *intendants*, created to supervise more effective tax-collection. The end of the Thirty Years' War brought the *Fronde* (1648-53), pitching defrauded owners of government offices and holders of government *rentes* against the king, while the magnates and princes of the blood led foreign armies into the land and peasant tax rebellions struck the country.⁴⁵⁰ On return from exile, Mazarin restored the *intendants* system, re-imposed heavy taxation and renewed the relations with the financiers. Overall, these institutional innovations had a piece-meal character but could not dislodge the fundamental contradictory logic of king-patrimonial officers relations.

'There were (...) numerous financial office-holders established in the local *bureaux des finances* and *élections*. Their offices could not be abolished, and the owners reimbursed, because this would be too heavy a burden on the king's already badly strained finances. The offices could not be abolished without compensation, because this would be tantamount to an attack on private property. On the other hand, the existence of a large number of semi-autonomous accountants and financial office-holders ruled out an efficient system of direct administration (*régie*) since the crown had no direct control over their activities. If the king wanted a new and unpopular tax to be levied, it was by no means certain that his accountants or financial office-holders, men with property interests in the locality, would be co-operative.'⁴⁵¹

The implication was that the counter-productive dynamic of the tax/office state fixed a structure of ruling class power that was inherently impaired to reform itself. Arguably, royal attempts to generate resources for war did not broaden the scope of central government (although institutions multiplied), but rather reduced royal autonomy by signing away more and more powers of government to private agents. Given this structural blockage, the crown could only recover or generate additional income by punitive taxation of the peasantry, or by ever-renewed geopolitical accumulation abroad, be it in the form of war, marriage, or mercantilist foreign trade. If the (il)logic of the absolutist war-state nexus was madness, it still had method.

⁴⁴⁹ Hoffman 1994, 242-8; Mettam 1988, 102-5.

⁴⁵⁰ Kaiser 1990, 75-81.

⁴⁵¹ Bonney 1981, 16-17.

The Structure of the Military Constitution of the Old Regime

In the modern state, the monopolisation of military might is institutionalised in a public army (and navy). Soldiers are permanently garrisoned, disciplined, uniformed, trained, hierarchised and under public pay. The means of violence are not privately owned by the executioners of violence. Soldiers are not decommissioned and disarmed after conflicts, but return to their garrisons during peace-time. Soldierly is a full-time profession. In principle, the military apparatus functions according to the Weberian precepts of a modern bureaucracy.

What are the major traits of the military constitution in absolutist states? Spruyt assures us that 'the standing army, since the late fifteenth century, thus became an instrument of the state rather than an instrument for the defence of the king's private property.'⁴⁵² Against Spruyt, this section argues that in spite of the transition from a feudal to an absolutist military regime, none of the traits of a modern mode of military organisation are visible in the states of the Old Regime.

The social relations of warfare in the European Middle Ages were based on the conditionality of property in land under direct peasant possession of the means of subsistence. Noble tenure of land imposed the obligation of military service to the land-granting overlord for a stipulated time of the year as laid down in the inter-vassalic contract. Peasant possession of the means of subsistence (on their tenures and in the commons) necessitated forms of extra-economic labour-control, in this case serfdom. Extra-economic labour control for the extraction of rents - be they in kind, labour, or money - translated into direct political coercion in the lordship. Lords bore arms. The ensuing de-centralisation of the means of violence amongst politically-appropriating lords determined the form of the medieval state (the state of associated persons) as well as its military constitution in form of the de-centralised knightly army. The commutation of peasant dues from rents in labour and in kind to rents in money from the 12th Century onwards, tended to alter the military obligations between lord and

⁴⁵² Spruyt 1994, 165.

king, based on military services in labour and in kind, to military payments to the king. Wealthy nobles could 'buy off' their military duties, allowing the latter in turn to pay mercenaries. However, the existence of mercenary knights supplementing the old feudal levy did not undermine the basic social logic of feudal military organisation.⁴⁵³ They merely increased the dependence of the king on noble military contributions based on feudal law.

The emancipation of the king from inter-noble arrangements only came about with a fundamental change in agrarian social property relations. With the emancipation of the peasantry from serfdom - a conflictual process which occurred in France between the 13th and the 15th Centuries - the property nexus between serfs and lords was replaced by a new property nexus between land-owning peasants and the state. The importance of rents collected by lords receded in favour of taxes collected by the king through patrimonial officers. The lordly loss of direct political powers of coercion and extraction over the direct producer was a fundamental presupposition for changes in the military constitution of the French state. This loss of autonomous military powers of the former land-holding nobility destroyed their independent military *raison d'être*. As extra-economic coercion in the form of the new tax-regime 'travelled upwards' to the apex of the feudal hierarchy, the king, so it was here that military power was re-organised on a more centralised basis. The re-structuration of the social relations of exploitation induced a re-structuration of the social relations of military organisation. As the old sword-carrying *noblesse de épée* blended with the newly created *noblesse de robe*, so many nobles took up office in the standing army of the king.⁴⁵⁴

Thus, in France, at the latest after the Ludovician military reforms of 1661, the king disposed of a permanent army, a special military budget, an institutionalised system of recruitment, a military hierarchy of regiments and ranks, a corps of officers whose competencies were defined and whose promotions were regulated, royal academies for the training of cadets, a civil administration for the provision of the army, and special commissioned civil inspectors (*intendants d'armée, commissaires des*

⁴⁵³ Wohlfeil 1988, 119.

⁴⁵⁴ This process was specific to France, presenting specific outcomes of social struggles between the various classes and factions of French society, and can thus not easily transposed to other contemporary European societies.

guerres, and *contrôleurs des guerres*) for its control. The king was both, the chief of the army and the chief commander.

However, the transition in France, accelerated by four crises (the Hundred Years' War, the Religious Wars, the Thirty Years' War and the Fronde), from a knightly feudal army to a royal standing army poses three questions with reference to the absolutist claim of monopolising the means of violence. First, who owned the army - the state or the king? Second, how far did this proprietary character of the army go in its internal structure? Third, what are the implications of the wide-spread use of mercenaries and military entrepreneurs during the early modern period?

First of all and most decisively, it was not the state which sought to monopolise the means of violence, but the king. Officers did not swear allegiance to an abstract state on entering the army, but to the person of the king. The proprietary conception of kingship did in fact not allow the crucial separation of the means of violence from the 'office' of kingship; it merely continued the essential fusion of the means of violence and personal domination, if now in the more centralised form of the royal army.

'The army was, as it were, a foreign body in the state. It was an instrument of the monarch, not an institution of the country. It was created as a tool of power politics in the foreign sphere, but at the same time it served to maintain and extend the sovereign's power at home.'⁴⁵⁵

The army, strictly speaking, was the personal property of the king, at his disposal, under his command, and financed by him.⁴⁵⁶ The implication was that as 'states' were personalised (*'L'Etat, c'est moi!'*), so were wars (*'La guerre, c'est moi!'*).⁴⁵⁷ Yet, royal unlimited control and absolute discretion over the army remained a fiction. Max Weber commented that

'there is a decisive economic condition for the degree to which the royal army is "patrimonial", that means, a purely personal army of the prince and hence at his disposal also *against* his own political subjects: the army is equipped and maintained out of supplies and revenues belonging to the ruler.'⁴⁵⁸

⁴⁵⁵ Hintze 1975, 200-1.

⁴⁵⁶ Burkhardt 1997, 545.

⁴⁵⁷ Krippendorff 1986, 284.

⁴⁵⁸ Weber 1968, 1019.

But since the French army was constantly growing, from a few thousand men in 1661 to 72,000 in 1667 and 120,000 in 1672, to more than 150,000 in the early 1680s,⁴⁵⁹ adding considerably to the non-productive army of civil officers, its maintenance overstrained royal finances. Yet, since the financing of the royal army out of royal coffers was restricted by chronic deficits which were ultimately due to definite limits to growth in a pre-capitalist agrarian economy, the king had to resort to other strategies of maintaining 'his' army.

Thus, secondly, in striking parallel to the general phenomenon of office venality in civil administration, the sale and the trading of army offices was likewise a widespread occurrence in Old Regime France.⁴⁶⁰ As in civil administration, officer posts could only be sold by the king on the prior recognition that he was the owner of the army. This meant the systematic alienation of kingly property, here the alienation of control over the means of violence, to private agents. From the highest echelons in the ministries of foreign affairs and war, via posts in civil army administration (*intendants d'armée*), down to officers in regiments and companies and to the level of recruiting officers, office-holders used their quasi-irremovable position for the build-up of independent networks of clientelism by creating and sub-letting new posts.

'In one respect (...), the French army remained highly conservative and backward-looking. In it more completely than in many other regiments and companies were still the property of their colonels and captains and could be bought and sold like other sorts of property. Colonelcies were not cheap. By the 1730s and 1740s prices of 20-50,000 *livres* for infantry regiments were normal, though one at least fetched as much as 100,000. Not until 1762 did the government lay down maximum prices which could be charged for them. They could also, however, be extremely profitable: in 1741 a French guards regiment (...) yielded its owner an income of 120,000 *livres*.'⁴⁶¹

Veritable military dynasties grew inside the army, appropriating entire regiments whose commands were handed down from family generation to family generation.⁴⁶² Precisely because powerful office-holders staffed their respective institutions over which they presided with relatives and personal dependants, Muhlack observed in a similar vein that 'towards the end of Mazarin's time in government, the

⁴⁵⁹ Kaiser 1990, 145.

⁴⁶⁰ Mettam 1988, 42-4 and 217-24; Muhlack 1986, 260 and 273; Gerstenberger 1990, 330 and 333 ff.

⁴⁶¹ M.S.Anderson 1988, 101; cf. also p.46.

⁴⁶² Parker 1988, 48.

king's army was in fact replaced by the cardinal's army [my translation, B.T.].'⁴⁶³ Also, recruiting officers, almost exclusively of noble origin, simply mustered soldiers from their own lordships, so that surviving feudal relations of dependence on lordly estates were carried over into the army. The desperate royal attempts to control these practices by various ordinances - most strikingly in the *Code Michau* of 1629 - by outlawing office venality and by insisting on the royal right of nomination ran time and again against the old systemic need of royal financial requirements.⁴⁶⁴ The proprietary character in the means of violence pervaded all levels of the army hierarchy. The relation of co-dependency between crown and officer class, based on kingly need for cash in return for lucrative and influential posts in the army, reproduced in military institutions the general precarious symbiosis between the members of the ruling class. Neither could do without the other. The net result was a new form of military devolution to the benefit of private agents.

Thirdly, until the reforms of 1661 - that is, until well after the Westphalian Peace Treaties - the royal standing army was not the only institution of military might in France, even less so in other parts of Europe. Since monarchs were hardly ever able to raise the finances to maintain armies which matched their aggressive ambitions, they turned to military entrepreneurs to carry out their foreign policy objectives.⁴⁶⁵ It was really these *condottieri* which came to characterise European warfare in the period up to and including the Thirty Years' War. Military entrepreneurs were wealthy private agents who were employed (*condotta* = contract) by rulers, raised, equipped, commanded, and paid their own armies, and received titles and land in return from their employers.⁴⁶⁶

⁴⁶³ Muhlack 1986, 269.

⁴⁶⁴ Kaiser 1990, 68.

⁴⁶⁵ Kaiser argues that upon entry in the Thirty Years' War, 'France had virtually no standing army. The only battleworthy troops available belonged to the Protestant military entrepreneur Bernhard of Saxe-Weimar, whom Richelieu enlisted into French service in exchange for a large annual subsidy and a promise of the territory of Alsace'. Kaiser 1990, 73.

⁴⁶⁶ Krippendorff 1985, 257-67. Contrary to Krippendorff's interpretation, privately paid military labour power has nothing to do with modern armies, nor with capitalism. The organisation of the modern army and the proprietary relation of the modern soldiery to the means of violence are structurally incommensurate with early modern mercenary armies. Capitalism, in turn, presupposes a transformation of social property relations in the sphere of production, not the private accumulation of means of violence to effectuate gains by coercion in the sphere of redistribution. Cf. Krippendorff 1985, pp. 249 and 262.

'It has been estimated that during the Thirty Years War there were in the different German armies in all close to 1500 "military enterpriser" commanders, colonels and generals who owned regiments, and in the great majority of seventeenth-century armies (...) regiments were known, quite logically, by the names of their colonels.'⁴⁶⁷

Wallenstein was the most outstanding example of these men who made war their private business. Operating from his basis in Bohemia - the newly created Duchy of Friedland -, which he cheaply bought from the Emperor who had confiscated these lands from the rebellious Bohemian estates, he received in compensation for his services and credits granted to the Emperor the Duchy of Mecklenburg and was promised the Electorate of Brandenburg, provided he could conquer it - an act which would have turned him into the mightiest territorial lord in the Holy Roman Empire.

Military entrepreneurs enjoyed a considerable degree of independence from central control.⁴⁶⁸ These men were sometimes in complete control of armies which outsized regular royal troops, posing serious threats to and entailing incalculable risks for their nominal masters. The story of Wallenstein's murder by Viennese agents illustrates the lack of public control. Yet, precisely because these entrepreneurs entered into private contracts, they formed essentially trans-national armed forces, freely employable by whoever could afford them, and always on the brink of pursuing their own interests. The composition of their soldiery was polyglot and trans-confessional. Demand for mercenaries created an international market for military labour power. As a rule, mercenaries came from low social backgrounds, were often criminals who had fled their homelands, impoverished peasants, or simply prisoners enlisted in their former enemy's army. Mercenary armies commanded by unscrupulous businessmen and employed for private profit constituted not only powerful challenges to monarchical claims to absolute power by privatising war, they posed a serious threat to European international stability.

If we turn away from the military constitution of early modern states to the social relations of warfare, we find further decidedly non-modern characteristics. Armies, like their feudal predecessors, still 'lived off' the countryside during campaigns. They simply sequestered what they could lay their hands on, confiscated

⁴⁶⁷ M.S.Anderson 1988, 47.

⁴⁶⁸ Hintze 1975, 198-9; Kaiser 1990, 21ff.

goods, cattle, and food, looted homesteads, villages, and towns, demanded 'protection money' from surrounding settlements in return for letters of protection, and imposed ad hoc military taxes (in fact, a ransom) in the form of regular peasant contributions to the fighting forces. It was these confiscations which largely financed the Thirty Years' War with catastrophic economic and demographic effects.

Yet, armies lived not only off the countryside, they also lived off the enemy. Victory meant plunder and dispossession of the enemy. In striking contrast to modern conventions, defeat of the enemy implied booty for each combatant.

'A battle might produce thousands of prisoners, whose personal effects immediately became the property of the captor, and whose ransoms would be divided between him and his commanders in a fixed proportion. Even greater opportunities for gain were provided by the capture of an enemy town. Although there were some dissenting voices, most military experts agreed that towns could be legitimately sacked if they refused to surrender before the besiegers brought up their artillery. After that happened, if the town were captured, its inhabitants forfeited liberty, property and even life, thereby turning every soldier in the victorious army into a prince.'⁴⁶⁹

Ideally, war should pay for itself (*Bellum se ipse alet*). Beyond the gains from victory and plunder, soldiers received privately negotiated wages, not publicly stipulated pay. If territorial princes were in arrears, mutiny was a common occurrence and few scruples would stop military entrepreneurs to sell their services to the enemy. Since mercenaries owned their weapons⁴⁷⁰ and were not garrisoned during or after campaigns, they turned into a serious problem of order, continuing their marauding activities after wars were formally over. The lack of public discipline contributed thus to the prolongation of wars and their recurrent transformation into civil strife. The *Sacco di Roma* of 1527 at the hands of German unpaid mercenaries exemplifies these anarchical tendencies. War was still a means of private and personal enrichment.

In sum, the organisation of the military apparatus in Old Regime France could not qualify as a modern military constitution, in which a de-personalised state enjoyed a monopoly in the means of violence, entirely separate from private political actors and interests. Though the king sought to arrogate and centralise the means of violence, he (1) merely personalised and privatised them under his own command and for his own

⁴⁶⁹ Parker 1988, 59.

⁴⁷⁰ 'In Brandenburg during the Thirty Years' War, the soldier was still the predominant owner of the martial implements of his business.' Weber 1968, 982.

interests, which he tended to equate with those of the state, (2) was forced to re-privatise and de-centralise the means of coercion by the systematic sale of officer posts or by the employment of military enterprisers beyond the king's control, and (3) had thus to share military power with other domestic independent actors. In the early modern period, military might remained divided and personalised, if on an altered basis.

Conclusion: The Political Logic and Economic Illogic of French Absolutism

The rise of absolutism destroyed the highly fragmented feudal system of vassallic relations between politically independent lords. Yet, absolutism was not a zero-sum game in which the growth of kingly centralised power meant inevitably the decline of regional aristocratic, corporate or patrimonial authority. On the contrary, while absolutism had obliterated lordly independence, it gave rise to a variegated political landscape of authority-relations between a strengthened monarchy, *noblesse d'épée*, *noblesse de robe*, and urban oligarchies. Intra-ruling class strife found its limits in internal peasant resistance as well as international threats, imposing consent and accommodation. Yet, absolutism's *differentia specifica* vis-à-vis feudalism came to lie in the direct dependency of these privileged classes upon the monarchy. Thus, the elevation of kingship from a feudal overlord to a dynastic sovereign, monopolising the rights of command, and the concomitant decline of independent lordly powers meant that private political interests had to be defined directly in relation to the king in order to maintain or secure access to extra-economic means of income, as he was forced to govern through semi-private and semi-public channels.

'The very system of political rule, which was in essence a royal system, required close collaboration with the larger monarchy and precluded any real autonomy on the part of the provincial ruling class. Only the king could maintain hegemony.'⁴⁷¹

⁴⁷¹ Beik 1985, 332.

Inversely, sovereignty as proprietary kingship had to be signed away by various means. The penetration of kingly institutions into the country-side did not so much dislodge existing hierarchical structures, than create additional layers of patronage and clientelism which tied royal agents into prevailing political arrangements, while local nobles and town oligarchs aspired to insert themselves into these channels. The main axis of intra-ruling class conflict cannot be defined in terms of a clash between a rising capitalist bourgeoisie and a retrograde old nobility, balanced by and to the benefit of the crown. Rather, it was differential access to extra-economic income opportunities - be it in form of venal offices, royal monopolies, or landed possessions. In this, absolutism did not promote - intentionally or unintentionally - a capitalist bourgeoisie, but rather enlisted the services of a non-capitalist class of merchants, financiers, and manufacturers for its own ends, while co-opting these actors into the state apparatus through the sale of offices and royal monopoly titles for production and commerce. Whenever the king upset the proprietary *status quo* by administrative innovations and office-proliferation, the re-distribution of royal favours stirred significant conflict between the defenders of the *status quo ante* and newly privileged men. These conflicts do not follow neatly the lines of demarcation between an old nobility, a new office nobility, and a non-capitalist bourgeoisie; yet, these privileged classes were both united and set against each other in defining their respective interests in relation to the king, as the king was bound by the factional interests of political society. Each crisis translated into a half-baked re-configuration of the established *modus vivendi* between the ruling classes, without fundamentally re-defining its essential rationale.⁴⁷²

The debate on the nature of absolutism has greatly qualified, if not disqualified, the older conception of the absoluteness of absolutist rule. It has certainly shattered the idea that the French state of the Old Regime was in any way a modern state. Legal sovereignty remained divided, military power personalised and privatised, taxation and finance hedged by privileged regional interests, efforts towards administrative centralisation were undermined by de-centralised networks of patronage and clientelism in which the lines between public power and private advantage continued to be blurred, and political discourse abided by customs. Most importantly, the

⁴⁷² Mettam concludes that 'there was scarcely anything which could meaningfully be called

persistence of political property precluded the build-up of a modern bureaucracy. Venality constituted a structural brake to the modernising potentials of absolutist rule.

Yet, Old Regime France did not only fail to qualify as a modern state, it was not even a precursor of the modern state, nor a transitional stage in the evolution towards a modern state, as the classical 'equilibrist-transitional' Marxist interpretation and many Weberian accounts suggest. Although the institutional structure of the absolutist state, whose centralising advances were radicalised by Napoleon, was the historical condition in which French capitalism would have to develop in the 19th Century, the absolutist state was not logically necessary for the development of capitalism. This does not imply that Old Regime France should be subsumed under the general type of feudal society, for the transition from a regime of lordly extra-economic rent-extraction to a system of royal extra-economic tax-extraction represented an important development. To call the absolutist state a feudal state misses therefore the point, because authority-relations amongst bearers of political power were no longer mediated militarily through vassalage, but were directly dependent upon the king. Immediate lordly exploitation (original fragmentation) was superseded by 'generalised personal domination' by the king, transforming feudal inter-lordly relations mediated through military vassalage into absolutist inter-ruling class relations mediated through patronage.⁴⁷³ The absolutist state was thus a dynastic-patrimonial state. Kingship was no longer a contractual affair between the mightiest lords in the country, but an institution which had appropriated the rights of command in a sovereign fashion. The legitimacy of kingship did no longer derive from the ensemble of pre-constituted feudal lordships, but was 'divine'. Yet, divine kingship did not confer some autonomy to the absolutist state. The form and dynamic of the absolutist state were never external to prevailing relations of exploitation, but co-constituted and maintained them. Inversely, public policy options were directly governed by prevailing class relations. Personalism, the non-separation between public office and private affairs, and the dominance of patrimonialism, instead of impersonal bureaucratic service, manifested the thoroughly pre-modern character of dynastic kingship.

On a higher level of abstraction, however, both polities feudal and absolutist - operated on and were limited by the action-defining parameters set by non-capitalist

"modern" in the France of Louis XIV'. Mettam 1988, 12; cf. also Kaiser 1990, 135.

property relations, and the corresponding internal as well as external logic of political accumulation driven by extra-economic coercion. Therefore, the structural similarities between absolutist France and feudal France are indeed much greater than those assumed between absolutist France and mid-19th Century France. If feudal and absolutist notions of property connote a complex of political rights of command and extraction defining the fundamental structural continuity of medieval and early modern modes of government, then 'extra-economic coercion is a motif which can be applied both to the fundamental class relationships under feudalism and to the social and legal trappings of absolutist society.'⁴⁷⁴ However, this does not absolve us from identifying and explaining the very real differences between medieval and early modern social property relations and their associated forms of government. These differences, as we have argued, are bound up with the transformation of the feudal rent-regime to the absolutist tax-regime, predicated on the transformation of the direct producer, the peasant, from a serf to a petty proprietor. The new state institutionalised a new structure of exploitation.

In developmental terms, the reproductive imperatives of the ruling elite at the top of society, depending in their entirety upon the well-being of the king, occasioned a recurring crisis-ridden pattern of predatory foreign policies, punitive taxation, public borrowing and the systematic sale of offices. The financial long-term logic of these strategies of political accumulation implied an ever greater alienation of state property by the king to an ever growing parasitic officer-class, which - by being exempted from taxation - shifted the burden of taxation almost exclusively onto the peasantry, while indebting the king to this very officer-corps. It was this structural contradiction which exhausted in a cyclical form the French capacity of financial mobilisation, while intensifying the class antagonisms between the peasantry, the officer-class, and the crown. Precisely because the capacity for productivity growth of the agrarian economy remained governed by pre-capitalist demo-economic fluctuations in a peasant-economy characterised by small-holding, the logic of political accumulation had economically involuntarily, socially conflictual and, ultimately, self-devouring effects.⁴⁷⁵ Super-exploitation of peasant-surplus through over-taxation stalled productive re-investment

⁴⁷³ Gerstenberger 1990, 510-22.

⁴⁷⁴ Beik 1985, 30. Cf. also Henshall 1996, 36.

⁴⁷⁵ Brenner 1985b.

while inducing soil-exhaustion, entailing the persistence of Malthusian agrarian crises well into the 18th Century, whereas ruling class investment into the means of violence diverted large parts of funds into non-productive military consumption and courtly extravagance. The class structure of absolutism had economically counter-productive and politically and geopolitically crisis-prone effects.⁴⁷⁶ And it was these underlying contradictions which arrested consensual radical reforms and defined the limits to 'modernising' the French state of the Old Regime.

That the French state was finally transformed into a modern state, so our thesis, cannot be deduced from developments internal to the reproduction of the Old Regime, but rather first presupposed the complete breakdown of the structures of social property relations which made up absolutist society. This process set in with 1789 but was, arguably, not completed until the late 19th Century.

'The separation of the public political sphere of the state from the economic sphere of civil society never really occurred in France before the establishment of the Third Republic, by which time capitalism can at last also be said to have existed.'⁴⁷⁷

Since France could not generate a modern mode of government out of pre-modern socio-political relations - since each class tried to reproduce itself as it was -, and since the development of a mercantile bourgeoisie remained dependent on royal grants and charters for trading monopolies, the impetus for change was 'externally' imposed. It derived, *ex hypothesis*, from the geopolitically mediated pressures of an inter-state system, in which one state - England - had successfully transformed itself into a capitalist society by the late 17th Century and made its ascendancy internationally felt in the 18th Century.

However, until the overthrow of the Old Regime, the privileged classes tried to defend their position at the top of society by conventional means. While ruling class reproduction was domestically based on strategies of political accumulation, externally strategies of geopolitical accumulation held sway. And it is to these strategies of international relations, systematised in the Westphalian Order, that we now have to turn.

⁴⁷⁶ Gerstenberger 1990, 406-8.

⁴⁷⁷ Comninel 1987, 204.

Chapter Six

Demystifying the Westphalian System of States: International Relations from Absolutism to Capitalism

Introduction

This chapter provides a new interpretation of the nature of the Westphalian system of states. It challenges the core, repeatedly reproduced, constitutive myth in the discipline of International Relations (IR), which maintains that the Westphalian Settlement inaugurated the era of modern international relations among sovereign states. Against this cross-paradigmatic IR consensus, I argue that the Peace of Westphalia expressed and codified the distinctly non-modern relations between dynastic and other pre-modern political communities of the Old Regime. The logic of inter-dynastic relations structured the early modern system of states until the 19th Century transition to international modernity. The historical specificity of inter-dynastic relations, their social rationale, and mode of operation are however positively obscured in standard IR macro-theories, be they of (neo-)realist or constructivist provenance, and cannot be adequately comprehended within their methodological frameworks.

(Neo-)Realism and Constructivism: Explanatory Divergences - Identical Outcomes

Neorealism assumes that the systemic pressures generated by anarchy impose a rational choice problem on international actors that explains repetitive and predictable patterns of conflict and cooperation.⁴⁷⁸ Systemic disequilibria, brought about by domestic changes in power capabilities, are automatically re-equilibrated by the balance of power, preventing hegemony and providing order and security even for smaller actors. Since anarchy, short of hierarchy, is assumed to be a transhistorical occurrence and since interests and preferences are axiomatically deduced from the self-regarding

⁴⁷⁸ Waltz 1979; Gilpin 1981; Mearsheimer 1995.

nature of conflict-units, the problem of international change is reduced to switches in polarity that do not affect the policy-determining deep logic of anarchical competition.

Constructivism, in turn, suggests that changes in the identity and interests of actors explain variations in the patterns of conflict and cooperation.⁴⁷⁹ Identity-formation and identity-changes are either attributed to epistemic transformations internal to actors, or to intersubjective redefinitions of senses of self among international actors. Interactively constructed constitutive rules or conventions, international learning processes and notions of collective intentionality can either consciously transform anarchy or remedy its competitive effects. In this perspective, domestic or international ideational sources of identity-change explain variations in international relations and transformations in systemic structures.

In sum, while (neo-)realism derives the character of international relations from the systemic geopolitical logic among already pre-constituted unitary actors, constructivism claims to derive the character of international relations from the variable identities of the system's constitutive units. However, in spite of these theoretical divergences, both approaches advance identical descriptions of the general properties of the Westphalian Order as they converge on the timing of the onset of international modernity.

Critique and Outline of an Alternative Approach

This chapter confronts (neo-)realist and constructivist assumptions with 17th and 18th Century European politics. It argues that both theories (1) fail to advance a convincing explanation of the transition from feudal to absolutist geopolitics which gave rise to important variations in the operation of anarchy, (2) fail to or are unable to explain the time-bound general properties of the early modern system of 'states' and its mode of operation, (3) provide no explanation of the increased frequency and intensity of war during the age of absolutism, (4) misperiodise the origins of the modern system of states, and (5) provide no convincing geographical, chronological, and theoretical

⁴⁷⁹ Substantive constructivist contributions are Ruggie 1986 and 1993; Kratochwil 1982, 1986, 1995. For the metatheoretical background cf. Kratochwil 1989; Onuf 1989; Wendt 1987, 1992 and 1996; Adler 1997.

account of modern state-formation and the genesis of the modern system of states. The chapter further suggests that constructivism (6), in spite of its anti-neorealist claim that anarchy is what states make of it, fails to challenge (neo-)realism's fundamental premise that the operation of the Westphalian Order can be understood in terms of the pressures implied by anarchy, (7) fails to theorise the extra-ideational sources of identity-formation of the major constitutive actors of the Westphalian system, and (8) is theoretically disabled to specify the social conditions of those constitutive rules that governed contemporary patterns of conflict and cooperation,

These objections require the mobilization of an alternative theoretical tradition. The basic claim is that although the medieval, early modern, and modern systems of states are all characterised by anarchy, they generated fundamentally different principles of international relations. Although these different principles are predicated on the diverse identities of their respective constitutive actors, the problem of identity-formation is not exhausted by a reconstruction of their respective discourses and conventions. Theoretically, the argument is that variations in the character of international systems, in the identities of their constitutive actors, and in their requisite forms of conflict and cooperation can be theorised on the basis of varying social property relations. Property relations generate bounded but antagonistic strategies of action within and between political actors that explain the dynamic behind political changes and systemic change. Absolutist pre-capitalist property relations are internally related to the proprietary and personalized character of dynastic sovereignty. The dynastic principle translates into empire-building, political marriages, wars of succession, dynastic 'international' law, inter-dynastic compensatory equilibrium, and bandwagoning. These core institutions structure early modern modes of aggression and conflict resolution and the forms of territoriality, while blocking the operation of an automatic balance-of-power.

The decisive break in terms of international relations comes with the rise of the first modern state: post-revolutionary England. After the establishment of an agrarian capitalist property regime, the transformation of the old English militarised and land-holding feudal nobility into a capitalist landed class enjoying full and exclusive private property rights in land, and the consequent transformation of the English state in the 17th Century revolving around the new principle of parliamentary sovereignty, post-

1688 Britain starts to display new foreign policy techniques, while remaining surrounded by territorially accumulating dynastic states.

This reinterpretation of the early modern system of states entails important theoretical, periodical, developmental and substantive implications for IR. For if late 17th Century England constitutes the point of departure for re-theorising and re-periodising the development of the modern international system, then no single event or date can be unequivocally singled out as marking the decisive system-wide caesura towards inter-state modernity. While differences in international systems can be conceptually clearly established, the historical exposition faces the problem of coming to terms with the temporal coexistence of heterogeneous international actors. Thus, re-assessing the genesis of modern international relations involves a theoretically controlled re-interpretation of the geographically combined and socially uneven generalisation of the English state form. This state, *ex hypothesis*, in a series of geopolitically mediated international crises unsettled the viability of the Continental states of the Old Regime - starting with the French Revolution and ending with World War I - that forced these states through a series of revolutions and reforms (revolutions from above), to adapt their economic and political systems to the superior economic performance and military power of capitalist England. These processes replaced the old Westphalian logic of inter-dynastic relations with specifically modern inter-state relations.

The expository problem of theorising geopolitics among coexisting heterogeneous actors in a 'mixed case' scenario applies however also to the Westphalian Order. In the context of a contracting economy during the crisis of the 17th Century, regionally uneven solutions of intensified domestic class conflicts and of geopolitical struggles over the politically-constituted powers of extraction spawned important variations in the forms of domination among European polities.⁴⁸⁰ While the Westphalian Settlement sanctioned the predominance of powerful absolutist states like France, Austria, Spain, Sweden, Russia, Denmark-Norway, Brandenburg-Prussia and the Papal state, some European regions evaded the pull of absolutist state-formation. Until 1806, the Holy Roman Empire maintained its status as a confederal elective monarchy in which sovereignty was shared between the Emperor and imperial

institutions on the one hand, and the territorial princes, estates, and cities on the other. Whereas Bohemia had failed to set up an aristocratic state of estates (*Ständestaat*), the Dutch General Estates succeeded in freeing themselves from Spanish domination and established an independent oligarchic merchant republic. While Poland continued to operate until the three Polish Partitions a 'crowned aristocratic republic', Switzerland's status as a free confederation of cantons was confirmed. Whereas Italian merchant republics struggled against their transformation into monarchies, England turned after the Revolutions into a parliamentary monarchy presiding over the first capitalist economy. Yet, in spite of the diversity of coexisting 17th and 18th Century political communities, the character of the early modern international system came to be structured decisively by the numerical and power-political preponderance of dynastic states. Thus, a theory of geopolitics is advanced that is not predicated upon the homogeneity of its constitutive units, but comprehends the Westphalian Order as an open system dominated by dynastic states, in which system-maintenance and system-transformation are actively negotiated.

The chapter is divided into five main sections. Section One, exemplified by Old Regime France, theorises the early modern nexus between pre-capitalist domestic social property relations, dynastic sovereignty, economic non-development, and its resulting territorially expansionist geopolitical strategies of action.

Section Two shows (1) how proprietary dynasts, in spite of the *de facto* plurality of conflict-units, pursued foreign policy objectives of empire-building, while entertaining universal conceptions of geopolitical order. Domestically induced expansionism defined the inherently war-prone character of early modern geopolitical relations. Against conventional IR assumptions (2), dynasticism and the heterogeneous nature of contemporary conflict-units aborted a general recognition of formal parity between all sovereign actors, since the hierarchical schemes of dynastic ranking translated directly into the world of international politics. 'States' were placed on a descending ladder of precedence according to the princely status of their heads. Though the international system's structure was *de facto* anarchical, hierarchical claims and policies of precedence were maintained, enforced and recognised. (3) Given the

⁴⁸⁰ On the 17th Century Crisis and its implications for diverging state-formations cf. Aston

dynastic character of European politics, predatory strategies of geopolitical accumulation were mediated through the trans-European network of inter-dynastic family-relations. The systematic pursuit of strategic policies of marital accumulation became a central instrument of territorial aggrandisement, having as its flip-side (4) the disintegration of composite monarchies through inheritance disputes which directly destabilised international relations and brought about recurrent systemic crises in the form of wars of succession. (5) The attempt to contain system-threatening 'private' inter-dynastic family disputes engendered multilateral recognitions of dynastic succession regulations. Consequently, public international law enshrined to an important degree multilateral guarantees of 'private' dynastic family law. The personalised nature of international relations frustrated the codification of positive and abstract norms of international law.

Section Three theorises the social character of Westphalian territoriality. In the context of the natural monopoly character of land under non-capitalist social property relations as distributed through the dynastic structure of sovereignty, territoriality became a function of dynastic strategies of accumulation. Against conventional IR assumptions, early modern territoriality was non-exclusive, non-uniform and geographically unfixed. Dynasts bundled socially most heteroclitic and geographically most scattered regions in personal unions, giving rise to a Europe of composite monarchies. Yet, although dynasts needed territories for their personal reproduction at the top of their courtly clienteles, no organic identity between a dynasty and 'its' territory was logically imperative. As territories circulated among European dynasts like economic assets - which could be conquered or forfeited, bought or sold, acquired through marriage or alienated as endowments or inheritances, partitioned or exchanged -, dynasts could readily change their thrones and therewith their landed bases.

Section Four provides a content analysis of the Westphalian Peace Treaties with special reference to the restorative provisions of the Treaties, the implications of the confessional stipulations, the meaning of the German Estates's 'sovereignty' within the wider framework of the German Imperial Constitution, and the collective security character of the peace provisions themselves.

1965; Parker and Smith 1978; Brenner 1993.

Section Five argues for a fundamental differentiation between the inter-dynastic practice of equilibrium and the new capitalist-parliamentary practice of active power-balancing pursued by post-1688 Britain. (1) Imperial ambitions of unlimited territorial expansion thwarted the coming into being of the modern practice of power-balancing, yet generated the specific inter-dynastic practice of compensatory equilibrium qua *convenance*, which governed the logic of 'equality in aggrandizement' among the major European powers to the detriment of smaller polities. (2) In contrast, in the wake of the Glorious Settlement, the transformation of English dynastic sovereignty to the principle of 'King-in-Parliament' de-coupled British foreign policy from dynastic interests and revolutionised Britain's attitude to the Continent. Henceforth, the de-territorialisation of British interests in Europe went hand in hand with the conscious adoption of active balancing, which sought to out-balance any dynastic universal aspirations amongst European monarchies, while allowing the build-up of maritime trading hegemony in overseas based on naval supremacy, financed by a dynamic agrarian-capitalist economy.

The conclusion offers some preliminary thoughts on how the rise of capitalism in England was universalised in an already existing system of states, forcing non-capitalist states through a series of geopolitically mediated crises and revolutions to adapt their internal property relations to the superior economic productivity of the British capitalist state.

Theoretical Foundations: Explaining Variations in International Systems

The nature and dynamics of geopolitical systems are governed by the character of their constitutive units, which, in turn, is predicated on specific social property relations prevailing within them. Variations in property-regimes translate into variations in state forms and, by extension, into variations in the patterns of conflict and cooperation. The notion of property is however conceptually not exhausted by its constructivist reading as a legal right or an intersubjective convention, but should be understood as a conflictual social relation over access to resources involving class-related contestation and coercion.

This section sets out how the character of dynastic foreign policies and geopolitical relations expressed most strikingly the personalised logic of early modern sovereignty, based on distinctly pre-capitalist social property relations.⁴⁸¹ This thesis requires an account of the modernity or non-modernity of the absolutist state. The puzzle which has to be addressed is, how it is that the IR community repeatedly asserts that Westphalia marked the origins of the modern system of states, although its major signatory - France, which next to Sweden, ensured the Treaties as a *Garantiemacht* (guaranteeing power) - was by most accounts a pre-modern state.

Structure: Pre-Capitalist Social Property Relations, the Absolutist State, and Economic Non-Development

What was the basic structure of social property relations in 17th Century continental Western Europe?⁴⁸² In the period between the crisis of the 14th Century and the crisis of the 17th Century, the passage from a feudal rent-regime, based on politically-constituted lord-peasant relations, to an absolutist tax-regime, based on the politically-constituted relation between free peasants and the state-qua-king, transformed medieval fragmented domination into centralised kingly sovereignty.⁴⁸³ In competition with the feudal nobility, the kingly monopolisation of the means of violence and the rights of appropriation - in the form of the standing army and centralised surplus extraction (taxation) - precipitated the loss of lordly direct extra-economic powers of extraction. However, the centralisation of sovereignty did not entail a separation of public and private realms, of politics and economics, since

⁴⁸¹ Anderson 1974, 15-59; Rosenberg 1994, 123-9.

⁴⁸² While the following discussion centers on France, the general lines of the argument are also applicable with the necessary modifications to other West European continental monarchies..

⁴⁸³ Brenner 1985, 258-64 and 288-90; Brenner 1993, 654 passim; Anderson 1974, 15-59 and 85-112. While Anderson shows the non-modernity of a series of absolutist political institutions, I disagree with his thesis that the simultaneous commercialization of economic life inaugurated a gradual transition to capitalism in pre-revolutionary France.

sovereignty was henceforth personalised by the king, regarding the realm as his patrimonial property. Old Regime sovereignty meant proprietay kingship.⁴⁸⁴

Politically, the transformation of France from a feudal monarchy into an absolutist monarchy failed to entail the establishment of modern sovereignty as defined by Max Weber.⁴⁸⁵ The revisionist literature on absolutism has shown convincingly that office venality, patronage, and clientelism blocked the establishment of a modern bureaucracy in Weber's sense, as France was structurally barred from establishing modern political institutions:⁴⁸⁶ taxation remained non-uniform; diverse law codes operated in various regions and for differentiated status groups; no modern system of public finance was set up; the means of violence were not monopolised by the state, but personalised by the king, yet re-alienated to patrimonial officers through the sale of army posts; mercenarism further undermined royal claims to the monopoly of violence; noble exemption from taxation implied the non-establishment of permanent representative assemblies; the court became the center of patronage, intrigue, and faction; mercantilism was precisely the public economic policy of a pre-capitalist state.⁴⁸⁷ In short, all the institutional trappings of a modern state were absent in early modern France.

Economically, the loss of lordly feudal powers entailed the end of serfdom, which went hand in hand with *de facto* peasant possession of their plots as guaranteed by kingly courts over and against recalcitrant lords. Since direct producers remained overwhelmingly in possession of their means of subsistence, they were under no internal economic obligation to react to market pressures for their personal survival, but continued to direct production primarily to subsistence purposes, while only

⁴⁸⁴ Rowen 1961, 1969, 1980; Symcox 1974, 5; Gerstenberger 1990, 287-406 and 509-22. In contrast, Krasner maintains that 'no deep structure is evident in the heterogeneous and fluid order from the Middle Ages to the present'. Krasner 1993, 261.

⁴⁸⁵ Weber 1948, 78-83. Weber's statements on the rise of the modern state are ambivalent. While he repeatedly asserts that absolutist princes initiated under geopolitical pressures processes of modern state formation by promoting rational bureaucracies (cf. Weber 1948, 82 *passim*, and 1968, 971 and 1092-1104), he insists that absolutist states, and France in particular, never succeeded in separating patrimonial officials from their privately owned means of administration and violence. Cf. Weber 1968, 1033-4 and 1038-9.

⁴⁸⁶ Beik 1985; Root 1987; Mettam 1988; Hinrichs 1989; Reinhard 1996; Henshall 1992; Hoffman 1994; Parker 1996; Asch and Duchhardt 1996.

⁴⁸⁷ On the non-capitalist character of merchant capital and mercantilism in general cf. Marx 1981, 440-55; Schmoller 1897; De Vries 1976; Brenner 1977; Hinrichs 1986; Rosenberg 1994, 91-122.

marketing random surpluses to pay taxes.⁴⁸⁸ Precisely because the peasantry was not yet separated from its means of subsistence, appropriation of surplus was still a phenomenon that occurred in the sphere of re-distribution by extra-economic means - though now increasingly in the form of centralised surplus extraction through kingly taxation - and not in the sphere of production itself. The corollary was that the competitive capitalist logic of cost-cutting by means of investment in the means of production, technological innovations, the rationalisation of land-use, and the specialisation of produce, so as to raise productivity and out-prize competitors in open markets, could not gain hold in the countryside.⁴⁸⁹

In England, in contrast, economic profits incurred by capitalist tenant-farmers and economic rents received by big landlords replaced politically-extracted lordly rents. While in the English countryside, capitalist social property relations had set off the Agricultural Revolution by the late 16th Century, France (and most other West-European continental states) continued to be a country of small peasant proprietors based on pre-capitalist patterns of land-tenure, involving sub-division of plots, non-specialisation, and the persistence of Malthusian eco-demographic cycles. This economic structure imposed definitive limits to economic growth.⁴⁹⁰ Henceforth, the long-term economic and political trajectories of England/Britain and France and the rest of the Continent were to diverge substantially.⁴⁹¹

Agency: Political and Geopolitical Strategies of Accumulation

Under non-capitalist agrarian property-relations, the strategies for expanded economic reproduction of the ruling classes, organised in the patrimonial state, remained tied to the logic of 'political accumulation' predicated upon investment in the means of appropriation.⁴⁹² These strategies can be analytically divided into (1) internal arbitrary and punitive taxation of the peasantry by the king, mediated by (2) the sale of

⁴⁸⁸ Parker 1996, 63-64 and 212-3.

⁴⁸⁹ Parker 1996, 28-74.

⁴⁹⁰ Goubert 1986, 23-34; Parker 1996, 28-74. The literature on Franco-British economic long-term divergences is vast. For an overview cf. Crouzet 1990, 13-104.

⁴⁹¹ Brenner 1985, 284-327, 1989, 1993; Beik 1985, 3-33; Parker 207-61.

⁴⁹² On the concept of political accumulation cf. Brenner 1986.

offices to a landless *noblesse de robe* in competition with a de-feudalised *noblesse d'épée*. Externally, these strategies had as their *alter ego* (3) geopolitical accumulation through war and dynastic marriage policies, and (4) politically-maintained and enforced unequal exchange through mercantilist monopoly mechanisms by royal sales of trading rights to privileged merchants. Strategies (3) and (4) constitute the necessary geopolitical practices of strategies (1) and (2) as the necessary domestic ones. Consequently, the two main contemporary war issues were struggles over commercial monopolies, exclusive trading routes and dynastic territorial proprietary claims.⁴⁹³ All strategies of income provision were clearly circumscribed by the degree of internal peasant solidarity, resistance and rebellion and external geopolitical rivalry. All strategies tended to prioritise investment in the means of violence - the build-up of standing armies, navies and militarised merchant fleets, and a police system controlling effective taxation - rather than in the means of production. It was these pressures of political accumulation, rather than systemic geopolitical competition or some autonomous military techno-determinism, which drove those military-technological innovations associated with the 'Military Revolution'. The diversion of large funds of the national economic surplus into the non-productive apparatus of violence and courtly conspicuous consumption reproduced the politically punitive logic and economically involuntarily illogic of the absolutist war-tax-state.⁴⁹⁴

The pursuit of (geo-)political strategies of accumulation was dictated by the dependency of political society upon the economic well-being of the king, who was thus driven to maintain and reproduce himself at the top of the ruling classes. To the degree that monarchs ceaselessly struggled to maintain and enhance their power bases at home at the risk of domestic dissatisfaction and revolt in the context of absent economic growth, they were driven to pursue aggressive foreign policies so as to be able to subsequently satisfy the territorial aspirations of their family members, to repay debts, to fulfill the desire for social upward mobility of the 'sitting' army of patrimonial officials and the 'standing' army of patrimonial officers, and to share the spoils of war with their exuberantly growing networks of clients and courtly favorites.⁴⁹⁵ These élites, in turn, pegged their fortunes to a royal warlord which heeded the absolutist

⁴⁹³ Empirically catalogued in Holsti 1991, 48-50 and 85-9.

⁴⁹⁴ Bonney 1981.

⁴⁹⁵ Malettke 1991.

historical compromise of aristocratic non-taxation, was able to repay accumulated debts, and offered prospects and opportunities of social promotion and geopolitical gain. In other words, geopolitical accumulation was a necessity for the expanded personal reproduction of the ruling élites at the top of society, revolving around the monarch at the apex of the social hierarchy. The Fronde (1648-53) illustrates what happened if absolutist rulers failed to succeed. Given existing social property-relations and a non-growing national income, reducing the options for expanded personal reproduction to strategies of political accumulation, absolutism was not only domestically rapacious, it also produced a structurally aggressive, predatory, and expansive foreign policy. Consequently, the arrival of the permanent war state and the intensification and increased frequency of war during the age of absolutism cannot be reduced to the mere geopolitical contiguity of power-maximising unitary states, but is bound up with the domestic structure of pre-capitalist polities.

Implications for IR: 'L'État, c'est moi!' and Inter-Dynasticism

In Old Regime states, sovereignty was personalised by the monarch who regarded and treated the state as the private patrimonial property of the reigning dynasty. 17th Century kingship was no longer a 'contractual' affair, mediated by vassalage, between the mightiest lords in the country, but an institution which had appropriated the powers of command in a sovereign fashion.⁴⁹⁶ Proprietary kingship meant that public policy and, *a fortiori*, foreign policy were not conducted in the name of *raison d'État* or the national interest, but in the name of dynastic interests. It was precisely in diplomatic and foreign affairs where monarchs were most eager to impose their 'personal rules' in order to negotiate their private titles to sovereignty with fellow monarchs.

'Reason of state thus closely linked the state with its monarch and dynasty, but not with its people or nationality; that link was only beginning to emerge in some countries. Louis XIV's idea of the state as dynastic patrimony (*L'État, c'est moi*) still prevailed in much of Europe, and if the Enlightenment notion of the monarch as the first servant of the state was beginning to make headway, the distinction made little difference in practice, especially in foreign policy.'⁴⁹⁷

⁴⁹⁶ Beik 1985, 13.

⁴⁹⁷ Schroeder 1994a, 8; cf. also Symcox 1974, 3.

How does this square with the argument that venal officialdom implied a decentralisation of authority-relations?⁴⁹⁸ The re-configuration of social power within the early modern state - the ascendancy of the 'sitting army' of patrimonial officers and the relative decline of the old feudal nobility - meant that, whereas the old noble strategy of engaging in independent foreign policies in opposition to and outside the boundaries of the feudal state came to be precluded, private patrimonial and aristocratic foreign policy interests had to be articulated indirectly through the state. 17th Century kingship was no longer a 'contractual' affair, militarily mediated through vassalage, between the mightiest lords in the country, but an institution which had appropriated the powers of command in a sovereign fashion.⁴⁹⁹ Although these sovereign kings were forced to alienate the rights of domination to office-holders and although these men could build up veritable hereditary office dynasties, they could only further their interests by operating within and through the state apparatus. Officers reproduced themselves by carrying out administrative duties which were, in the last resort, dependent upon the king. This ultimate dependence upon the king defined the limits to their illoyalties, for the king retained the right and the power to re-buy or confiscate any office and to demote or depose an unruly officer. The mutual fealty between lords and the militarised forms of conflict-resolution had given way to a hierarchical, if inter-personal and precarious, relationship, lubricated by patronage. To be sure, the king was not in a position to dispose of the class of officers in their entirety as they were organised in *parlements*, but he could certainly take on any defiant officer individually.

As access to the national surplus was henceforth mediated through the favours distributed and sold by the king, so was the co-determination of foreign policy making dependent upon access to kingly institutions. Thus, while office-holders had an interest in co-articulating foreign policy and while the cardinal-ministers Richelieu, Mazarin, and Fleury even usurped at times absolutist foreign policy in France, they never challenged the kingly prerogative of being in charge of foreign policy itself.⁵⁰⁰ Indeed, this was the period when leading patrimonial ministers in charge of the affairs of the

⁴⁹⁸ On the implication of venal officialdom for the non-absoluteness of absolutism cf. Brenner 1985b, 289-91; Beik 1985, Root 1987; Mettam 1988; Reinhard 1975 and 1996; Hinrichs 1989; Parker 1996.

⁴⁹⁹ Beik 1985, 13.

⁵⁰⁰ Kaiser 1990, 70-82; Bergin 1985.

state (Olivares, the French cardinals, Oxenstierna), realising that their personal fortunes were directly bound up with the well-being of the king-as-state, came to conduct foreign policy in the name of the king.

The aristocracy, in turn, had declined in importance but was not yet a *quantité négligéable*. Its political failure to institutionalise its rights and powers was evidenced in the non-establishment of an estates-state (*Ständestaat*). Decisively, however, the loss of its autonomous feudal status meant that its integration into a re-organised state apparatus - as courtiers, ministers, or venal officers - conferred a largely derivative and subordinate status upon them, subject to kingly control. However, if direct challenges to the power of the king were posed, they came from the higher aristocracy, especially from the princes of the blood and the *princes étrangers*, which still operated independent landed power bases. These magnates had an immediate stake in royal foreign policy making since they continued to marry into the princely ruling dynasties of foreign countries.⁵⁰¹ But after the last great aristocratic revolts and civil wars during the crisis of the 17th Century, central monarchs could no longer be bypassed. Periodic aristocratic revolts against kingly power subsided. The aristocracy came to accept that its personal reproduction was now inseparable from the position of the king in the wider European system of states. Consequently, magnates strove to establish themselves in the innermost councils of the king and sought to populate royal courts in their functions as centers of patronage, intrigue, and faction.⁵⁰²

In dynastic states, by the 17th Century, while internal sovereignty was still compromised by powerful factional interests, external sovereignty lay in the hands of kings.

Although the nexus between personal property and public sovereignty - and more generally: the dynastic principle - is often and increasingly acknowledged in the historiographical literature on state-building and early modern international relations,⁵⁰³

⁵⁰¹ Parrott 1997.

⁵⁰² Mettam 1988, 19.

⁵⁰³ Rowen 1961, 1969, 1980; Brenner 1985b and 1993, 653 passim; Symcox 1974, 2-5; Oresko, Gibbs and Scott 1997, 1-42; McKay and Scott 1983, 16; Bonney 1991, 345; H. Weber 1981; Kunisch 1979 and 1987; Kaiser 1990, 140.

though far less so in the IR literature,⁵⁰⁴ its full implications for the non-modern structure of the early modern system of states and its dominant forms of interaction have not yet been drawn out.

To conclude, by demonstrating the proprietary foundations of dynasticism and by showing how proprietary kingship translated into the thoroughly personalised and therewith pre-modern character of early modern geopolitical relations, the case is made for a fundamental re-theorisation of the positive content of the Westphalian Order. By implication, the exposition of the *sui generis* nature of the early modern geopolitical system calls for a re-periodisation of the emergence of the modern system of states. For instead of following the general fallacy of unearthing the earliest stirrings of the first modern state ascendant in ever more distant pasts - usually in relation to France or with reference to the 'proto-modern' merchant republics of Renaissance Italy or 17th Century Holland⁵⁰⁵ - and of antedating the origins of the modern system of states correspondingly, this chapter seeks to show how long European international politics was governed by practices and principles which remained thoroughly embedded in pre-capitalist social relations. In spite of the 'surface modernity' of early modern international relations, their substance, instead of constituting a breakthrough to modernity, betrays a greater continuity with the Middle Ages.

Westphalian Geopolitical Relations: Foreign Policy as Dynastic Family Business

The nexus between centralised public power and patrimonial property meant that the social relations of international intercourse were largely identical with the 'private' family affairs of reigning monarchs. The implication was that all the rather biologically determined play of chances of dynastic genealogy and family reproduction - like problems of succession, marriage, inheritance, childlessness - did not simply

⁵⁰⁴ The only theoretically substantiated exception is Rosenberg 1994, 135-9. Fleeting remarks on the dynastic principle can be found in Hinsley 1963, 164; Bull 1977, 19; Czempiel 1980, 449; Krippendorff 1985, 284; Kratochwil 1995, 30-1. For Holsti, 'states were primarily family possessions. Sovereignty was the possession of a person, the king, queen or prince, and territory was just part of the realm, almost a personal estate.' Holsti 1991, 55. Although Holsti acknowledges the proprietary view of the state (which is explained in terms of divine kingship), Westphalia's modernity is not challenged.

⁵⁰⁵ Spruyt 1994, 77-108; Arrighi 1994, 36-47; Wight 1977, 152.

‘contaminate’ an allegedly pure political working of the balance-of-power or undermine the rationality of intersubjective conventions, but rather determined the very nature of early modern geopolitics. Since sovereignty was transmitted by birth, royal sex, as Marx argued in his critique of Hegel’s *Philosophy of Right*, was directly political.

‘The highest constitutional act of the king is therefore his sexual activity, for through this he *makes* a king and perpetuates his body.’⁵⁰⁶

This is the meaning of sovereignty by birth. Since public political power was still personalised, European politics cannot be deemed to be the affairs of states, but was the affairs of its ruling families. ‘Proprietary dynasticism was displayed at its strongest in ordinary times in the conduct of foreign affairs, with the concern for family interests all too obvious.’⁵⁰⁷ But since all dynastic states engaged in predatory foreign policies, hoping that war would pay for itself, non-monarchical states, at pain of extinction, were forced to comply with the competitive patterns of the inter-dynastic states-system. The bounded rationality of individual actors came to define the irrationality of the system, being in its essence a zero-sum game over territorial rights. Given the dynastic character of absolutist sovereignty, it is decidedly here, in the sphere of foreign affairs, that the non-modern character of the absolutist system of states comes strikingly to the fore.

Monarchia Universalis and the Persistence of Dynastic Empire-Building: Parity or Ranking?

Given the political economy of territoriality as a natural monopoly under pre-capitalist agrarian property relations, prevailing conceptions of geopolitical order revolved in monarchical states - well beyond 1648 - around notions of universalism and

⁵⁰⁶ Marx [1843] 1975, 40.

⁵⁰⁷ Rowen 1980, 34-5. ‘Once we understand that the state was a piece of property heritable within a particular family, it is easier to appreciate the dynastic basis of war and diplomacy in the seventeenth and eighteenth centuries.’ Symcox 1974, 5.

hierarchy.⁵⁰⁸ The specific concept which came to capture the self-understanding of contemporary rulers was *monarchia universalis*, which, according to Franz Bosbach, dominated the discourse - although with important shifts over time - between the 15th and the end of the 18th Century.⁵⁰⁹ Etymologically, monarchy meant rule by one, so that the fragmentation of the *res public christiana* into a plurality of monarchies was conceived as a contradiction in terms. If the discourse of power-balancing started to challenge the idea of universal monarchy from the late 17th Century onwards, and if both principles of geopolitical order stood in stark tension throughout the period, it is the longevity of universalizing ideas which has to be explained.⁵¹⁰ At the same time, as will be shown later, inter-dynastic relations and their universalising interests did not bring about the modern practice of power-balancing, but generated a distinct dynastic practice of equilibrium.⁵¹¹

Lingering imperial foreign policy practices and discourses vitiate any conventional argument that Westphalian political actors treated each other on a par, or recognized the fixity and legitimacy of the given territorial distribution.⁵¹² The contraction of a plurality of feudal pyramidal polities into coexisting sovereign monarchies does not *eo ipso* imply that the formal parity of conflict-units was generally accepted after the Westphalian Settlement. Quite the obverse held true. 'The ranking of individual monarchs and the relative standing of their states were crucial dimensions of early modern international relations.'⁵¹³ Clashes over precedence in diplomatic negotiations were symptomatic of the persistence of hierarchical conceptions of inter-state organisation. Yet, this is not the IR concept of hierarchy implying complete subordination, but a dynastic convention which endorsed the formal non-equality of the

⁵⁰⁸ Burkhardt 1992, 30-63 and 1997; Bosbach 1988; Rosenberg 1994, 91-122..

⁵⁰⁹ Bosbach 1988, 12; Hinsley 1963, 167 ff.

⁵¹⁰ Münkler 1987, 248-59.

⁵¹¹ Morgenthau defines the goal of power-balancing as 'stability plus the preservation of all the elements of the system'. Morgenthau 1985, 189. On the automatic conception of the balance of power see Waltz 1979.

⁵¹² On France's claim to the *arbitre de l'Europe* and Austria's claim to the *caput mundi* cf. McKay and Scott 1983, 36; Burkhardt 1992, 33; Kaiser 1990, 148. On Sweden's claim to the *dominium maris baltici* cf. Kaiser 1990, 105 and Lundkvist 1988, 223. On the implications of Peter the Great's adoption of the Latin title *imperator* in 1721 cf. de Madariaga 1997. On ranking cf. also Hinsley 1963, 153-5.

⁵¹³ Oresko, Gibbs, Scott 1997, 37. 'The hierarchical organization of states was one that all Europe took for granted as the outward expression of power and prestige, and changes were not easily made.' Hatton 1969, 157. Cf. also Wight 1977, 135 and Osiander 1994, 82-9.

members of the inter-dynastic society. If many polities were honoured as sovereign, some were less equal than others. But such inequality was not the effect of *de facto* disparities of power capabilities - leading to the non-juridical distinctions of great, middle, and small powers -, but a generally recognised international norm, flowing from princely status.

A scale of ranks placed sovereigns on a descending ladder. The Holy Roman Emperor was given pride of first place, followed by the 'Most Christian King', the king of France.⁵¹⁴ Hereditary monarchs were, as a rule, placed above elective ones and republics ranked lower than monarchies, followed by non-royal aristocrats and free cities. The standing of England was seriously weakened as a result of the various Commonwealth governments, and serious conflict over precedence occurred wherever there was a mismatch between *de facto* importance and title of state as in the Dutch and Venetian cases.⁵¹⁵ Peter the Great's adoption of the imperial title in 1721 aroused not only considerable resentment in Vienna, which would not tolerate a second imperial title in Europe, but also in Britain, which recognised the title only in 1742, and in France, which followed suit as late as 1772.⁵¹⁶ Towards the end of the 17th Century, many German actors sought to gain a royal title on realising that ducal status or *Kurfürsten* (Elector) status tended to exclude them from international politics. While the Hohenzollern, the Wettins, the Wittelsbach and the Welfes succeeded, the remainder had to resign themselves to their demoted status. Anxiety over reputation and dignity should not be dismissed as ceremonial quibbles, but understood as an outgrowth of competition over status and rank within a dynastic international society in which hierarchical conceptions loomed large. Acceptance of a demoted place at diplomatic meetings was tantamount with acceptance of inferiority which could have material implications for questions of precedence in inheritance struggles. It should thus not surprise that dynastic discourses were couched in the semantics of reputation, honour, and dignity. 'In an age where rulers looked on their states as their personal family property, it was inevitable that they should stress their personal honor,

⁵¹⁴ Kaiser 1990, 148; Bosbach 1988, 118.

⁵¹⁵ M.S.Anderson 1993, 59-60; Duchhardt 1997, 31-2.

⁵¹⁶ M.S. Anderson 1993, 66-67; de Madariaga 1997.

reputation and prestige. This also explains why most international disputes tended to be over dynastic claims.⁵¹⁷

'States' Marrying 'States: Dynastic Unions and Wars of Succession

Two conflicting practices set their seal on early modern patterns of cooperation and conflict. On the one hand, proprietary kingship induced systematic policies of dynastic inter-marriage as a political instrument for the aggrandisement of territory as well as for securing and enhancing wealth.

'For the ultimate instance of legitimacy was the *dynasty*, not the territory. The State was conceived as the patrimony of the monarch, and therefore the title-deeds to it could be gained by a union of persons: *felix Austria*. The supreme device of diplomacy was therefore marriage - peaceful mirror of war, which so often provoked it.'⁵¹⁸

Inter-dynastic marriages not only characterised contemporary 'international' relations, they constituted the single most cost-effective and rapid strategy of expanded personal reproduction of absolutist rulers. Consequently, this was a geopolitical order in which 'states' could marry 'states'. As late as 1795, Immanuel Kant found himself pressed to demand in his Philosophical Sketch '*Zum Ewigen Frieden*' that 'no independent nation [*Staat*], be it large or small, may be acquired by another nation by inheritance, exchange, purchase, or gift.'⁵¹⁹ Here, Kant indicted the most quotidian practices of Old Regime territorial acquisition. He expanded that

'everyone is aware of the danger that this purported right of acquisition by the marriage of nations [*Staaten*] to one another - a custom unknown in other parts of the world - has brought to Europe, even in the most recent times. It is a new form of industry, in which influence is increased without expending energy, and territorial possessions are extended merely by establishing family alliances.'⁵²⁰

⁵¹⁷ McKay and Scott 1983, 16.

⁵¹⁸ Anderson 1974, 39; cf. Holsti 1991, 54-7. While Holsti acknowledges the proprietary view of the state, he fails to theorize his catalogued war issues - territory, strategy, commerce, state survival, dynasticism, balance of power, colonies - on this basis.

⁵¹⁹ Kant 1983, 108.

⁵²⁰ Kant 1983, 108.

The proverbial adage '*Tu, felix Austria, nube!*' was not only the political maxim of the *casa d'Austria*. The marital accumulation of royal and noble titles led to personal unions which 'bundled' socially most heteroclitic and diverse territories into one political space. Spain emerged in 1469 as a result of Isabel of Castile's marriage to Ferdinand of Aragon. The duchy of Burgundy which was once given by a Valois king to his son as an *apanage* turned Austrian after Mary of Burgundy's marriage to Maximilian of Austria. Mazarin engineered Louis XIV's marriage to the Spanish Infanta, Maria Theresa, which was the basis for French pretensions to the Spanish throne in 1700. In elective monarchies like Poland, alternating dynastic unions sprang up (between Poland and Sweden and Poland and Saxony) with newly elected kings eager to turn elective into hereditary monarchies. The dynastic union between Holland and England was followed up by a union between Hanover and Britain. Here was a geopolitical order in which the Prince Elector of Hanover could easily be the King of England, the Prince Elector of Saxony the King of Poland, and the Prince Elector of Brandenburg the King of Prussia. European politics was not first and foremost the affair of states, but the affair of its ruling Houses - the Habsburgs, the Bourbons, the Stuarts, the Hohenzollern, the Romanovs, the Wasas, the Orange-Nassaus, the Wittelsbach, the Wettins, the Farnese etc.⁵²¹ Yet, political marriages were not confined to the ruling dynasties but were equally pursued at the higher levels of the aristocracy, leading to a welter of criss-crossing and transnational inter-noble alliances.⁵²² Finally, leading ministers engaged systematically in diplomatic marriages aiming to balance personal family interests with those of the kingly state.⁵²³

On the other hand and inversely, the resulting European-wide web of transregional dynastic family-relations and alliances simultaneously contained the seeds of disorder, partition, and de-stabilisation, for it translated immediately 'private' inter-family and intra-family disputes, physical accidents, and pathological calamities into 'public' international conflicts.⁵²⁴ 'Since the ruler alone guaranteed under absolutism the dynastic bracket of his territory, his death led automatically to a systemic crisis.'⁵²⁵

⁵²¹ H. Weber 1981.

⁵²² Parrott 1997.

⁵²³ Cf. Bergin 1985 on Richelieu and Oresko 1995 on Mazarin.

⁵²⁴ Kunisch 1979.

⁵²⁵ Czempiel 1980, 448 [My translation, B.T.]. Czempiel acknowledges the proprietary character of absolutist kingship, but fails to uncover its social rationale. 'Absolutist states

But systemic crisis was not only confined to the ruler's death. A whole range of dynastic family matters - structurally produced accidents - recurrently shook the inter-state system to its bones. The end of a dynasty and the accession of a new family to the throne entailed almost automatically a general realignment of alliance patterns; minorities led to foreign claims to the throne and the takeover of foreign policy by strong ministers; regencies presented dangerous power vacua eagerly seized upon by powerful courtiers as well as queen mothers which, provided they were of non-domestic origin, staffed offices and positions with favorites from their home countries; in cases of divorce, rival claims to the throne and territories abounded; multiple marriages with multiple heirs threw up problems of precedence; bastards came to claim rights of domination; in cases of childless marriages, no male heir in direct line, or of insanity and physical weakness through generations of inbreeding, domestic as well as inter-dynastic disputes arose over the legitimacy of claims to succession of the next male heir in line.

Claims to genealogical-hereditary precedence were usually resolved by war. Next to trade wars, wars of succession and, more broadly, wars over hereditary pretensions, became the dominant forms of international conflict.⁵²⁶ But since dynastic family disputes, mediated by the web of inter-dynastic family relations, affected almost automatically all European states, any succession crisis could turn easily into a multilateral European-wide conflagration. In 1700, the death of childless Spanish king Charles II and the acceptance by Louis XIV of the Spanish Empire for his grandson Philip of Anjou triggered the War of the Spanish Succession (1702-1713/14) which involved all major western and middle European powers. The War of the Polish Succession (1733-38) in the wake of the Saxon-Polish king's death was largely fought over non-Polish issues, driven by France eager to recover its pre-Utrecht international territorial possessions. Sonless Emperor Charles IV's death occasioned the War of the Austrian Succession (1740-48) in spite of the Pragmatic Sanction. The death of heirless Bavarian Elector Max Joseph in 1777 produced the War of the Bavarian Succession (1778-9), with Prussia and Austria fighting over the kingless territory.

were, in the strict meaning of the term, private property, beyond any political, legal, or ethical control.' Czempiel 1980, 449.

⁵²⁶ Listed in Holsti 1991, 48-50. Cf. also Kratochwil 1995, 31. Contrary to Kratochwil's argument, dynasticism was not simply a 'background condition' which modified an otherwise pure notion of indivisible sovereignty, but expressed a distinct quality of sovereignty.

From a contemporary perspective, it must seem a world-historical irony that the pathological history of a child, Charles II of Spain, and his eventual recovery and survival postponed the division of the world for another thirty years. Yet, these 'follies' were inscribed into the proprietary nature of the European dynastic system of states. In his critique of Hegel, Marx summarised the two elements of hereditary monarchy as follows: 'the *accident of the will* - caprice - and the *accident of nature* - birth. So: His Majesty Accident. Accident is thus the *actual unity* of the state.'⁵²⁷ As long as proprietary kingship constituted the dominant political regime in Europe, international relations were to a decisive degree structured by the whims of inter-dynastic family relations.

Dynastic Rules of Succession as Public International Law

Given the vagaries of dynastic family relations, the fixation of rules of succession and inheritance became thus by necessity a matter of international concern; their internationally recognised codification a form of preventive action. Contra constructivism, however, an exhaustive understanding of these constitutive rules requires a prior recognition of the pre-conventional and non-ideational proprietary conditions of dynastic sovereignty. In this context, 'private' family law became part and parcel not only of constitutional, but also of international 'public' law - indeed, a matter of extreme urgency and priority for European rulers. Constitutional lawyers studied dynastic genealogies more than positive principles of constitutional and international law - indeed, the latter could be read as a catalogue of the former.⁵²⁸ Consequently, the ever-present concern amongst the ruling houses over regulating questions of succession presented a conscious strategy of imposing order over structurally produced property conflicts. Inheritance law, as Kunisch argued, became

⁵²⁷ Marx [1843] 1975, 35.

⁵²⁸ The transition from the medieval *ius gentium* to the Spanish-dominated *ius inter gentes* and the French-dominated *droit public de l'Europe* failed to establish a modern body of general abstract norms of international law. Grewe 1984, 420-22. This failure is bound up with the personalized nature of dynastic sovereignty. Through an additive and issue-related series of peace conventions, trade agreements and coalition treaties, early modern international law codified to a decisive degree the inter-personal relations of the European princely fraternity.

the linchpin of absolutist reason of state⁵²⁹ and, by extension, of the absolutist system of states.

Order in these delicate matters, however, meant to wrest testamentary control over the realm from each single monarch and to invest it into codified dynastic succession laws which thereby entered into the body of '*loix fondamentaux*'. In Denmark, as Kunisch shows, after the state-threatening Nordic Wars (1655-60), the newly promulgated *Lex Regia* of 1665 laid down the principle of male primogeniture and the associated fundamental law of the indivisibility of territorial possessions. Dynastic continuity, not the contingent will of each ruler, should guarantee territorial integrity as well as political stability. In this perspective, sovereignty lay with the dynasty, not with each individual monarch. What we see therefore is an attempt to bring the whims of private family law in line with more enduring principles of *raison d'État - lex fundamentalis et immutabilis*. This was the intention. The reality contravened these rationalising efforts decisively, precisely because the proprietary character of kingship was not overcome and precisely because no institution was powerful enough to penalise contraventions once absolute sovereignty had been conceded by the estates to the king. The constitutional semantics of stability, defining sovereignty as inalienable, unlimited, irrevocable, indivisible and imprescriptible, ran time and again against inherently fickle dynastic proprietary practice.

The Case of the 'Austrian Pragmatic Sanction'

Let us exemplify the failure of dynastic succession rules with reference to the famous Austrian Pragmatic Sanction of 1713.⁵³⁰ The Habsburg monarchy, unlike France, constituted a monarchical union which united three different territorial complexes, with three different dynastic succession laws under its umbrella. After the experience of the Spanish War of Succession, the partition of the Spanish Empire and Charles IV's lack of a male heir, the Pragmatic Sanction unified and codified new female succession rules. Female succession should safeguard the integrity of the huge territorial gains under Charles IV's reign. Acceptance of the Pragmatic Sanction was

⁵²⁹ Kunisch 1979 and 1982; Czempiel 1980, 447; Grewe 1984, 48-339.

not only sought of the Austrian estates and the German Imperial Diet (*Reichstag*), but also of the European great dynasties so as to receive diplomatic guarantees of the property of the House of Habsburg. International recognition was achieved by a series of bilateral treaties which incorporated the Pragmatic Sanction effectively into the body of the *Ius Publicum Europaeum*. Diplomatic confirmation of dynastic succession rules should guarantee the territorial integrity of the state. In line with the proprietary character of public power, these bilateral treaties involved Austrian compensations for foreign acceptance - a sequence of 'swaps' of territories, rights of domination, and declarations of guarantee.

Prussia recognised the Pragmatic Sanction in 1728 in return for Austrian acceptance of Prussian succession rules and its support for Prussia's claims in the disputed territories of Jülich-Berg against the pretensions of the Bavarian House of Wittelsbach. Denmark-Norway (1732), Spain (1731) and Russia (1732) followed suit in return for Austrian acquiescence into their respective internal succession regulations. In 1731/32, the Maritime Powers Britain and the Dutch General Estates also agreed to guarantee the inviolability of the Pragmatic Sanction in the Second Treaty of Vienna on condition that (1) the Austrian Emperor's daughter, Maria Theresa, should not marry a Bourbon prince, that (2) no Austrian subject should trade with east Asia, and that (3) the Austrian Ostende Company should be dissolved. In 1732, the German Imperial Diet turned the recognition of Austrian succession laws - against the votes of Bavaria and Saxony - into a state law. France, predictably, battled more persistently against the Pragmatic Sanction until recognition was given in 1738 in exchange for the formerly Austrian kingdom of Naples and Sicily which went to Spain.

However, on the death of Charles VI in 1740, the delicate diplomatic and territorial architecture largely masterminded by Walpole, imploded in the wake of the ensuing succession crisis between the two lines of the House of Habsburg. The resulting power vacuum was seized by Frederick II of Prussia, who, describing the situation as a '*conjoncture favorable*', invaded Austrian Silesia in the winter of 1740/41 with no dynastic claim to the Austrian monarchy whatsoever, but dismayed at Charles VI's decision to exclude Prussia from the Jülich-Berg succession. Spain demanded Tuscany and Parma. Bavaria renewed its claim to the imperial title and

⁵³⁰ Kunisch 1979, 41-74; Duchhardt 1997, 79; McKay and Scott 1983, 118-77.

made attempts to seize Bohemia, while France tried to lay its hand on the Austrian Low Countries. In fact, the entire Austrian lands were virtually regarded as an estate by European dynasts for whose appropriation far-fetched legal titles were mobilized. The break-up of Austria was imminent. In the absence of an international court of family law, the inheritance conflict turned into a European-wide military conflict. In spite of its misleading nomenclature, the War of the Austrian Succession was largely a Franco-British war over European hegemony. Yet, while France pursued its traditional territorial imperialism, Britain pursued no direct continental territorial goals, but heavily subsidised the anti-French coalition.⁵³¹ It took eight years to put down the disputes in the Peace of Aachen (1748) which codified the territorial *revirement*, while Maria Theresa survived battered, but not beaten.

In sum, the ensemble of respective succession rules formed the 'hidden' European 'public' international law. Neither did the fact that succession rules and schemes of partition were often secretly agreed upon as part of the *arcana imperii* help to stabilise European politics. Conflicts of inheritance did not always provide the immediate *casus belli*, but they created the discourse of legitimacy in which many war declarations and peace settlements were grounded. While the language used to legitimise interventions and conquests was framed in terms of legality, military conflict constituted the ultimate accepted regulator of the absolutist system of 'states'.⁵³² Since territory was first and foremost a source of income, 'political Europe was like an estate map, and war was a socially acceptable form of property acquisition.'⁵³³ Dynastic succession crises as expressions of proprietary kingship translating into crises of the European system of states continued to be the norm, until states were to be de-personalised, that is, until a new property-regime de-privatised political power.⁵³⁴

⁵³¹ McKay and Scott 1983, 172.

⁵³² 'The nature of the European dynastic state required that rival claims of inheritance be defended through warfare.' Bonney 1991, 345.

⁵³³ Hale cited in Bonney 1991, 345.

⁵³⁴ 'The eighteenth century was thus indeed an *ancien régime* whose structure of states could only be broken up by an entirely new principle of order [my translation, B.T.].' Kunisch 1979, 79.

Territoriality: Circulating Territories, Circulating Princes

According to John Ruggie, the modern system of territorial states rests on a configuration of territoriality structured by mutually exclusive, geographically fixed, linearly demarcated and functionally similar political spaces.⁵³⁵ The construction of modern territoriality results from the confluence of private property rights, the separation of public and private realms, and the king's monopolisation of the legitimate use of force, generating simultaneously the spatial demarcations of internal and external realms, legitimised by reciprocal international recognitions. In this perspective, the genesis of the modern system of territorial states is located in the period between the Renaissance and the Baroque age.⁵³⁶

However, proprietary kingship imposed a rather different territorial logic upon the spatial configuration of early modern geopolitics. First, territoriality remained a function of private dynastic practices of territorial accumulation and circulation, frustrating a generic identity or fixity between state and territory. Second, given the imperfect nature of absolutist sovereignty and the survival of feudal and patrimonial practices, territoriality remained non-exclusive and administratively non-uniform. Third, the diversity of early modern sovereign actors - hereditary and elective monarchies, merchant republics, confederations, aristocratic republics, constitutional monarchy, cities, states of estates - precludes any functional similarity, not to speak of equality, of contemporary actors. Consequently, fourth, the periodisation of the formation of the modern system of states, based on exclusive territoriality operated by a depersonalised state, falls into the 19th Century.

The dynastic structure of inter-state relations had direct implications for the changing geographies of contemporary territoriality. The politics of inter-dynastic family relations led to supra-regional territorial constructions - especially dynastic unions - which defined the logic of territorial (dis-)order and defied the logic of territorial contiguity and stability. Marital policies and inheritance practices, mediated by violent conflict, led to frequent territorial re-distributions among European princes. Territorial fixity was thus prevented. Territorial unity meant nothing but the unity of

⁵³⁵ Ruggie 1993 and 1998, 875-6; Spruyt 1994, 153-5; Giddens 1985, 89-91. From a realist perspective cf. Gilpin 1981, 121-2.

⁵³⁶ Cf. also Kratochwil 1986, 51

the ruling House, personified in its dynastic head. Territorial continuity was identical with the smooth transmission of the sovereign title from dynastic head to dynastic head. Any dynastic vacancy threatened directly the territorial integrity of the monarchy and opened it up to foreign claims. Territory was not constitutive of sovereignty, but a proprietary adjunct of the dynasty. It was thus handled like an economic asset in international relations, being the disposable mass for inheritances, compensations, exchanges, securities, cessions, donations, partitions, indemnities, satisfactions, sales and purchases.⁵³⁷ Dynastic interests, not national interests or reason of state, defined the logic of early modern territoriality.⁵³⁸

But the unity of the House was not coterminous with the geographical contiguity of its lands. Although these territories were nominally 'bounded' as they belonged to but one sovereign, they constituted geographical conglomerates, governed by diverse law codes and tax-regimes, criss-crossing the dynastic map of Europe. Early modern Europe was a states system of 'composite monarchies'.⁵³⁹ At the same time, the ever-changing territorial size of early modern 'states' intensified the problem of internal administrative cohesion. Austria, Spain, Sweden, Russia or Prussia exemplified quite graphically the scattered and disjointed mosaic character of early modern territoriality, combining multiethnic provinces with different law traditions, which had little in common except their rulers. For example, in 1792, it was calculated that

'the territories over which the House of Austria ruled included seven kingdoms, one archduchy, twelve duchies, one grand duchy, two margravates, seventeen counties (*Grafschaften*) and four lordships. The order in which these were listed was significant, since the geographer and statistician adhered to the strict ranking dictated by the feudal hierarchy'.⁵⁴⁰

These territories did not form a geographical continuum and were governed according to the tenets of *aeque principaliter* - each region keeping its customary legal system.⁵⁴¹ The geographical consolidation of compact territories and the administrative unification of these lands was time and again betrayed by the vagaries of dynastic family-relations as driven home by war. Consequently, early modern territoriality was

⁵³⁷ von Arentin 1981; Grewe 1984, 462-3; Klingenstein 1997, 442.

⁵³⁸ Mattingly 1988, 108-9 and 117-8; Schroeder 1994a, 8.

⁵³⁹ Elliott 1992; cf. Holsti 1991, 51

⁵⁴⁰ Klingenstein 1997, 449.

not primarily a state-centralising, national, ethnic, denominational, geostrategic, topographical, cultural or linguistic construction, but the protean outcome of dynastic nuptial policies of war-supported territorial re-distribution.

Even France's territorial policy was not principally governed by the self-sufficient extension of its possessions to her 'natural frontiers' of the Rhine, the Alps and the Pyrenees, nor should the constitutive practices of early modern boundary-formation be equated with modern forms.⁵⁴² In fact, strategic frontiers (*frontières*) were dissociated from the jurisdictional boundaries (*limites*) of kingly territories.⁵⁴³ The non-congruence between military frontiers and proprietary boundaries meant that geo-strategic concerns could operate quite independently from the regionally dispersed security-demands of dynastic territories. Certainly, border zones enjoyed strategic importance, but

'the "natural frontiers" did not become an overriding objective of French policy till the French Revolution. Although seventeenth and eighteenth-century governments often thought in terms of defensible frontiers, their ambitions were never limited by France's natural geographical boundaries and often went beyond them.'⁵⁴⁴

For Louis XIV, the annexation of Holland or Catalonia enjoyed higher priority than reaching the Rhine or the Pyrenees. It was more important to marry into Italian polities, than to consolidate the Alpine frontiers. Natural frontiers mattered not as natural termini of territorial consolidation, but as giving control over passages, strongholds, and bridge-heads for further expansion beyond them.⁵⁴⁵ If the transformation of zonal border regions into linear frontiers was consciously pursued from the 17th Century onwards, it derived largely from mercantilist policies of trade control and tariff setting. But this was an expandable practice.

Dynasticism implied no organic identity between a state and the geographical extent of state territory. A state did not possess its own territorial identity independently of dynastic property titles; inversely: the constitution of state-territory followed the actions of the monarch. A dynastic state's territory was the ensemble of

⁵⁴¹ Elliott 1993, 52 and 61.

⁵⁴² Cf. Kratochwil 1986, 33 for a different view.

⁵⁴³ Sahlins 1990, 1425-6.

⁵⁴⁴ McKay and Scott 1983, 7; cf. Grewe 1984, 374-81.

⁵⁴⁵ Sahlins 1990, 1433.

accumulated rights to specific domains, bundled together through proprietary kingship.⁵⁴⁶ This generic non-identity continued the mobile logic of feudal lords who were easily able to take up rights of lordship in most diverse places, transferring their family seats from one end of Europe to another. Although the frequency of dynastic changes receded due a growing juridical and institutional embeddedness of dynasts into 'their' states, sovereignty was still not pegged to an abstract state apparatus, but traveled with the Crown. The Habsburg stemlands lay in North-Western Switzerland, yet the dynasty rose to power in Vienna and Madrid. The Hohenzollern stemlands lay in Württemberg, yet the accumulation of dynastic territories occurred around Königsberg and Berlin after acceding to the Prussian throne. While the Bourbons came from Navarre, they built up their court at Versailles and after the Utrecht Treaty, a branch of the Bourbon family came to take its seat in Madrid to rule the remainder of the Spanish Empire. When the Scottish Stuarts were sent into exile, the Dutch Oranians took over in London, while the Hanoverian kings had their stemlands in northern Germany. The House of Savoy came from Chambéry, but 'found' a throne and established its court in Turin. In principle, dynasties had little problems in 'finding' new thrones. Successions, marriages, elections or conquests were the conventional means of gaining a new kingdom. Territories changed frequently and legitimately their masters.

The personalised and imperfect nature of dynastic sovereignty as well as the additive logic of territorial acquisitions implied administrative non-uniformity. Even in the model country of allegedly successful political centralisation, France, different law codes, tax regimes, and privileges, eagerly defended by independent domestic centers of power, rendered administrative fragmentation unavoidable.⁵⁴⁷ Especially the distinction between *pays d'État* and *pays d'élection* barred any progress towards uniformity. Furthermore, bounded enclaves like cities, ports, abbeys, bishoprics, fortresses, lordships and other territories reproduced the logic of geographical non-contiguity and administrative non-uniformity. In France, the *princes étrangers*, members of foreign dynasties at the Bourbon court, enjoyed sovereign status and

⁵⁴⁶ Sahlins 1990, 1427. Contrary to Holsti's argument, there is no fundamental distinction to be made between territory qua inalienable patrimony and territory qua alienable commodity. Holsti 1991, 90. Proprietary territory had throughout the period a commodified character.

⁵⁴⁷ Oresko, Gibbs, and Scott 1997, 8-9.

entered into feudal contractual relations with the king, while having landed possessions, offices, and direct inheritance claims in France and elsewhere in Europe.⁵⁴⁸

At the same time, it is misleading to portray the history of dynastic state-formation as territorial accumulation purely in terms of a remorselessly linear and teleological approach. Not only did setbacks and reverses occur, the logic of dynastic territoriality qua political accumulation witnessed both a building-up as well as a building-down tendency. The succession provisos of indivisibility and inalienability were paper-tigers. In the merry-go-round of territorial exchanges, accumulation and disintegration, marriage and succession disputes, war and peace, were two sides of the same coin.

Any attempt to define the modernity of international relations merely in terms of 17th Century bounded territoriality must therefore be revised.⁵⁴⁹ Territoriality remained non-exclusive, administratively non-integrated, and geographically non-permanent and fluid, being the proprietary mass of composite states. Post-feudal bounded territoriality is not identical with modern territoriality, since it remained first and foremost a function of dynastic strategies of geopolitical accumulation.

Demystifying the Peace of Westphalia

Proprietary dynasticism, sovereignty by birth, the persistence of hierarchical ranking, dynastic unions and wars of succession, public international law as dynastic family law, and circulating territories as dynastic property define the central traits of early modern international relations. Let us now specify how the Peace of Westphalia was embedded in and reflected the wider social constitution of contemporary European politics in order to demystify the conventional IR interpretation.

⁵⁴⁸ Parrott 1997. 'The position of the *princes étrangers* within France exemplified the way in which individual sovereignties overlapped and intersected.' Oresko, Gibbs, and Scott 1997, 10.

⁵⁴⁹ Argued by Ruggie 1993.

Proprietary Dynasticism vs Sovereignty

The most obvious indicator of Westphalia's non-modernity lies in the nature of the political regimes of the contracting parties. What is usually overlooked, or if noted dismissed as irrelevant, is the fairly straightforward observation that the Treaty was not concluded between states, but between rulers, or to be more precise, between private persons and corporate bodies. The preambulatory introductions to the Treaties first carefully establish the character of the major signatories: the kings of France and Sweden, the German Emperor and the German Estates of the Empire - the *Reichsstände*, consisting of the 9 Electors, the remainder of the German Princes, and the 51 imperial free cities.⁵⁵⁰ The preambles proceed to list long collections of titles of dominion behind each of these major parties to the Treaties, each of them enjoying different status indicating 'functionally different' rights in different territories which make up their internally differentiated realms. These rather lengthy listings are not simply symptomatic of a time-bound conception of honour and representation, but rather show that these rulers held bundles of rights in personal union over variegated dominions - each of them concluding the Treaties in multiple capacities as lords over different dominions. The Treaties reflect thus the fact that the basic units of international politics were not states, but persons and associations of persons, literally owning their respective realms and dominions. In other words, none of the signatories to the Treaties headed a modern state, nor did any contracting polity transform into one as a result of 1648.

The prevailing principle of proprietary dynasticism determined the bulk of the Treaty stipulations referring to questions of dynastic succession, proprietary restitutions, and territorial changes. Let us first turn to the nature of the question over dynastic successions and restitutions.

If the structure of early modern international conflicts was characterised by dynastic personalism, it should not surprise that wars and international conflicts were basically intra-family as well as inter-family disputes. Since noble intermarriage was a dominant ruling class strategy of securing and enhancing wealth through the accumulation of rights over territories, most of Europe's ruling dynasties were to some

⁵⁵⁰ Symcox, pp.40-41. Generally Dickmann 1972.

degree related. It follows that the ever-present concern amongst the ruling Houses over the regulation of successions and inheritance presented a conscious strategy of imposing order over structurally produced property-conflicts. The dynastic principle carried time and again inter-family disputes into the sphere of 'international relations'. Indeed, it would semantically be more precise to substitute the term 'international relations' by the term 'inter-dynastic relations'.

Westphalia was precisely set in this context. It did not abandon the dynastic principle so as to remove the root cause for recurring destabilisations of the system, but could only impose a very short-lived surface regulation by laying down strict rules of succession, namely primogeniture, which should ensure the stability of returned proprietary titles.⁵⁵¹ The necessary failure of this project was demonstrated by the fact that there were few wars within 17th and 18th Century Europe which were not wars of succession. And in a system of states, were 'states' could marry 'states', it should not surprise that the honeymoon turned quickly into a nightmare.

This leads to the issue of territorial changes. As the Treaties were concluded between personal rulers rather than between abstract states, territory did not refer to administratively uniform geographical space, but rather to bundles of rights of domination over differentiated dominions. These are carefully listed in the Treaties as rights, privileges, properties - in short: *regales* - over cities, bishoprics, abbacies, lordships, ports and roads, garrisons and jurisdictions. France received the bishoprics of Metz, Toul, and Verdun as well as the right-rhenanian fortress of Breisach and, most importantly, Alsace.⁵⁵² Sweden gained the archbishopric of Bremen, the bishopric of Verden, the Baltic port of Wismar and, most importantly, the Western part of the duchy of Pomerania. These territories were ceded as Imperial fiefs, so that the Swedish crown became a vassal of the Emperor. Thus, it was not that these territorial rights were given to France and Sweden qua states, rather they were incorporated by their respective rulers into their dominions.

⁵⁵¹ Cf., for example, articles 18, 19, 48 IPM.

⁵⁵² Although it is often pointed out with reference to clauses 71-82 (IPM) that the Habsburg dominions of Alsace were given in 'full sovereignty' to France (Osiander 1994, 68-70; for the opposite view see Symcox 1974, 39), clause 112 (IPM) qualifies this transfer in that the bishoprics of Straßbourg and Basel, various abbacies, the ten Alsacian imperial cities and the nobility of lower Alsace remained in immediate dependence upon the Empire.

Both, with reference to the problem of dynastic succession and the return of property as well as with reference to territorial changes, the peculiar intermingling of what we perceive today as elements of civil law, public law, and international public law did not constitute an unfortunate contamination of a pure sphere of inter-state relations with family law and constitutional law, nor did the Treaties effectuate a clear break with these interlacing spheres of law. Rather, this perceived legal untidiness corresponded precisely to prevailing pre-capitalist property relations, in which public political power was equivalent to private rights of dominion over personal property.

Restoration vs Modernity

Contrary to conventional assumptions on 1648's essential modernity, a closer reading of the Treaties reveals the ubiquity of such terms as 'restoration', 're-establishment' and 'restitution' - in sum a re-affirmation of 'ancient rights and liberties' which the signatories and especially the German estates had long enjoyed before the outbreak of the Thirty Years' War. The semantics of restoration reflected the prevailing consensus that the Treaties should not enact new principles of international public law, but should rather codify the reversal to the *status quo ante bellum*. The Thirty Years' War was not regarded as the great geopolitical convulsion which forced decision-makers to adopt new rules of international relations, but rather as a deplorable diversion from pre-war international customs which had to be restored.⁵⁵³

Let us exemplify these restorative tendencies in relation to three phenomena: (1) territorial redistributions, (2) confessional regulations, and (3) the 'sovereignty' of the German estates.

First, the afore-mentioned territorial redistributions throw up a difficult question. If the leitmotif of the peacemakers was to restore international order to the *status quo ante*, how were these territorial changes to be dealt with? The apparent

⁵⁵³ 'There was a consensus among them [sc. the peacemakers, B.T.] that the settlement should bring a return to the *status quo ante bellum*, the main problem then being to define the *terminus ante quem*. The Emperor pressed for a date around 1630, but this would have introduced change with regard to the pre-war state. His opponents carried the day, essentially turning the clock back to 1618 in temporal and to 1624 in religious matters.' Osiander 1994, 44.

contradiction is resolved if we come to understand how the victorious powers came to legitimise their undeniable territorial gains. France and Sweden did not receive these lands due to their 'rights of conquest', but rather as indemnities or 'satisfactions' for the services they had rendered to their German allies. At first sight, this distinction seems to be hair-splitting. However, the terminology of indemnities and satisfactions is not an auxiliary legal construction, but points to the fact that the rights to these lands were indeed purchased. The French agreed at Münster to pay three million *livres* in line with the convention that the purchase of land was an acknowledged form of pre-modern international relations between personal rulers. Furthermore, the insertion of what amounts virtually to a contract of purchase into the Peace Treaties shows the enormous importance attributed at the Peace Congress to the principle of legality in concord with ancient customs.⁵⁵⁴ If a right of conquest was to be admitted as a principle of international public law, it would have undermined the dominant orienting principle of international stability.

Stability and restoration were also the leitmotif in the treatment of confessional issues. In the IR literature, there is recurring agreement on the Augsburg Peace of Religion of 1555 as a precursor of modern statehood in so far as the maxim *cuius regio eius religio* allowed each ruler to impose and change the religion in his lands at will (*ius reformandi*). Religious autonomy in the German territories over and against the Charles V broke the 'Spanish Servitude'. In so far as this principle did break the Empire's monopoly on determining the official faith in the wake of the Reformation, it does, of course, present a major change in 16th Century European politics. The question is, a change in which direction? To the degree that rulers gained the right of religious self-determination, that of their subjects within their territories was lost. To this extent, the maxim *cuius regio eius religio* remained decidedly absolutist in character. Subjects were forced to adopt the faith of their rulers. If anything, 1555 points to the persisting non-separation between politics and religion in the 16th Century, that is: the non-secularisation of the state, even if it allowed for denominational pluralism within the Empire. Spanish religious universalism was replaced on a territorial basis by plural religious absolutisms.

⁵⁵⁴ Osiander 1994, 49.

To which degree did Westphalia dissolve this nexus? The principle that each ruler could decide and impose his faith on his lands was abandoned and replaced by the rule that every territory was to retain “in perpetuity” the religion it had on 1 January 1624 - the famous *Normaljahr* (reference year) which served as a standard for determining the restoration of pre-war territorial religious allegiances. What we see therefore, is nothing less than an international prescription of the territorial distribution of different confessions. This was, in fact, a reversal of Augsburg. The implication was that whereas henceforth rulers could change their creeds, the official faith of the land was there to stay.⁵⁵⁵ In this case, the Estates became the guardians of the religious *status quo*. This meant that the *ius reformandi* of the territorial princes was severely restricted. In specific cases, as in the bishopric of Osnabrück, the Treaties fixed an alternation between catholic and protestant rulers. What we see again is an attempt to ‘freeze’ the distribution of confessions so as to minimise conflict. However, an international treaty which imposes religion on territories can hardly be deemed to constitute a step towards internal sovereignty. Although the followers of the respective minoritarian faiths were allowed to exercise their religion in privacy, most of them emigrated to lands of their faith.⁵⁵⁶ In sum, 1648 constituted the internationalisation of territorial confessional status - a turning back of the religious clock to 1624, and in constitutional terms to pre-1555 - not in order to achieve self-determination, be it either princely or popular, but in order to ensure peace.

Restoration was also reflected in the nature of the international order laid down in the peace provisions. The partisans of the modernity thesis usually refer to the key provision of Article 8 of the Treaty of Osnabrück (IPO) and Articles 64 and 65 of the Treaty of Münster (IPM), laying down the right for the German Estates to conclude treaties, enter into alliances, and declare war (*ius foederis et ius belli ac pacem*). The rights to treat, declare war, legislate, levy armies, and impose taxation are held to fulfil the criteria of modern sovereignty. However, there are a series of important qualifications to be made.

First, even this icon of international modernity did not constitute an innovation. As Andreas Osiander pointed out,

⁵⁵⁵ Asch 1988, 124.

⁵⁵⁶ Burkhardt 1992, 176.

'contrary to what is sometimes implied or asserted, this was really a clarification of the existing legal custom. The faculty for the estates to conclude alliances had been legally established since the Middle Ages.'⁵⁵⁷

The Estates' *ius foederis* was recognised as early as 1356 in the Golden Bull. While this right had a long pedigree, it was also never absolute, but subject to certain classically feudal reciprocal limitations vis-à-vis the emperor, the feudal overlord. 1648 re-affirmed and further qualified both. This should not be taken to imply the proto-modernity of the pre-1648 German medieval estates, but points rather to the *sui generis* dual character of the German imperial constitution, in which the 'liberty' of the Estates and the territorial Princes - their *ius armorum* - was a well-recognised part which antedated and outlasted 1648.⁵⁵⁸ The codified right to conclude alliances conformed with prevailing constitutional practice in the German Empire. In this sense, the *ius foederis* was part and parcel of inter-personal medieval conceptions of reciprocal fealty among two or more semi-independent lordly actors.⁵⁵⁹ Its roots lay in the medieval lordly right of resistance, based on the arms-bearing status of lords within the wider context of feudal relations of exploitation. The medieval right of resistance and the right to treat were of a pair.

Second, these rights were decisively hedged by further stipulations. Most centrally, the Estates' *ius belli ac pacem* and the *ius foederis* were restricted to defensive alliances and operations, excluding offensive actions. Further provisions prohibited the conclusion of alliances against the *Reichslandfrieden* (Imperial Peace) and against the Westphalian Settlement itself. These limits were perfectly in line with the principle of *ius territoriale* (*Landeshoheit*/territorial lordship) enjoyed by the Estates, but not with the modern notion of sovereignty. The repeated transgression of these provisions points to social and political processes which lie outside the interpretive reach of normative-legal interpretations. Further express conditions were enjoined. The Treaties forbade, for example, intervention by the parties to the Treaty in the Burgundian Circle of the Empire, viz. the Spanish Netherlands (Clauses 3 and 4).⁵⁶⁰ In other words, neither the Emperor nor the German polities were allowed to join the

⁵⁵⁷ Osiander 1994, 47; cf. also Dickmann 1972, 325-32.

⁵⁵⁸ Burkhardt 1992, 101 and especially 105.

⁵⁵⁹ Böckenförde 1969, 458-63; classically Brunner 1992.

Spanish in their war against the French in this theatre of war. This reflected an essential French war aim, namely the insulation of Spain from its imperial ally. Thus, from the French perspective, the Westphalian Treaties represented a separate peace (*Separatfrieden/Sonderfrieden*), prohibiting interference in Franco-Spanish relations, which gave France a free hand to deal with Spain on a one to one basis. France and Spain, of course, signed a separate bilateral agreement eleven years later (Treaty of the Pyrenees, 1659).

Third, at the same time that the German Estates and Princes re-affirmed their alliance-concluding powers, they continued to enjoy the '*ius suffragii*', that is, the right to co-decide imperial foreign policy through the pan-German institution of the Imperial Diet (*Reichstag*) (clause 65 IPM).⁵⁶¹ It started to meet from 1663 onwards in Regensburg as a permanent assembly of representatives of the Estates until 1806, guarding over the preservation of their liberties and co-determining imperial internal and foreign policy. If the sub-imperial German actors remained embedded in imperial institutions, it is not surprising to find that their alleged sovereignty was further compromised by Treaty provisions which disallowed the conclusion of alliances against the Emperor (clause 65) - re-asserting the old custom of imperial loyalty (*Reichstreue*) -⁵⁶² and which formally prohibited warfare between the Estates (clause 116 (IPM)) obliging them to submit inter-Estates disputes to adjudication to the two supreme courts of the Empire, the *Reichskammergericht* (Imperial Cameral Court) and the *Reichshofrat* (Imperial Aulic Council), in a process known as *Reichsexekution*. It is worth to note that these courts did not only settle disputes between Estates, but also received complaints and suits brought by subjects against their direct territorial lords. The referral of inter-Estates disputes to a higher authority clearly implied inter-actor hierarchy in the imperial sub-system. While the *Reichstag* stalled Germany's transformation into an absolutist Empire, it equally stalled Germany's complete fragmentation into independent small-scale mini-absolutisms. The Empire was and remained a multi-layered semi-feudal and semi-monarchical federation and the

⁵⁶⁰ Symcox 1974, 40.

⁵⁶¹ See Burkhardt on the Empire as a 'third way' of early modern state organisation. Burkhardt 1992, 108-25.

⁵⁶² Burkhardt even evaluates the explicit acknowledgement of *Reichstreue* in relation to the right to conclude alliances as a success for the Emperor. Burkhardt 1992, 106.

constitutional status of the German Princes and Estates was and remained embedded within it.

Dynastic Collective Security System vs. the Balance of Power

The implication of the German Estates' limited 'sovereignty' (territorial lordship) was that Westphalia was not only an international settlement, but also a direct intervention into the 'internal' structure of the imperial constitution. The Treaties had thus a dual character, being at once instruments of international as well as German constitutional law in their function of Basic Laws (*leges fundamentales*).⁵⁶³ As the Thirty Years' War was also a constitutional struggle within Germany between centralising-absolutist and particularistic-representational principles of state-organisation, so was 1648 also a constitutional settlement of the peculiar mixed German constitution which remained a halfway house between corporative-representational privileges supported by the estates and absolutist prerogatives claimed by the Emperor. In IR terms, the German sub-system retained a *sui generis* structure, based on particularistic and thus 'anarchical' principles' and universal and thus 'hierarchical' principles.

Crucially, however, this settlement was not a purely internal German affair. Rather, the elevation of the German constitution to an element of public international law meant the internationalisation of German politics - the constitutional independence of German states and princes over and against the Emperor was to be guaranteed by France and Sweden.⁵⁶⁴ Both powers assumed the task of guaranteeing the post-Westphalian Order. Thus, 1648 represented in essence the victory of France over the repeated attempts by the House of Habsburg to turn the German Empire into a hereditary absolutist state. In order to maintain German disunity, France reserved the right to intervene in German affairs if Westphalian clauses were to be infringed. When

⁵⁶³ Böckenförde 1969; Oestreich 1982c.

⁵⁶⁴ Inversely, the Peace Treaties of Westphalia were incorporated into the corpus of German imperial law as a basic constitutional law.

the Empire dissolved under Napoleonic pressure in 1806, it incurred Sweden's protest, since she was not consulted as a guarantor of the Peace of Westphalia.⁵⁶⁵

It follows that the core idea of the Treaty was not the establishment of full internal and external legal sovereignty for all actors involved, nor even the 'liberty' or autonomy of the sub-imperial German polities, but rather the establishment of peace in the interest of and supervised by France.⁵⁶⁶ At the same time that political self-determination in the form of the right to conclude alliances was re-affirmed, its use was severely limited. Although the signatories were formally elevated to agents of peace and war, their licence to warring was heavily circumscribed.⁵⁶⁷ In other words, 1648 did not put forward principles of international public law which recognised the absolute internal and external sovereignty of the signatories, but rather established a system of collective security which tried to 'freeze' the legal and territorial *status quo* favourable to and guaranteed by the two victorious powers France and Sweden (clauses 115-17 IPM and article 18, clauses 5-7 IPO).⁵⁶⁸ What this means is that power politics was not yet acknowledged as a legitimate maxim of foreign policy conduct in a rulerless society. Concomitantly, the regulative idea behind international politics was not yet conceived in terms of the balance-of-power, through which the independence of any one actor would be 'naturally' guaranteed by the free play of shifting alliances.⁵⁶⁹ On the contrary, 1648 was an attempt to fix the territorial status quo 'for perpetuity' of an international system which was imagined in highly static terms.⁵⁷⁰ Thus, 1648 constituted the juridification (*Verrechtlichung*) of European politics, guaranteed by the two *Garantiemächte* France and Sweden. Both powers had superordinate rights of arbitration and intervention over and against those actors which contravened or violated Treaty stipulations. In fact, the Treaty provides evidence that we do not see the removal of universal/hierarchical claims to international authority,

⁵⁶⁵ Oestreich 1982c, 243.

⁵⁶⁶ Duchhardt 1989b.

⁵⁶⁷ Burkhardt's contrary assertion that the Westphalian Peace was 'neutral of peace and war' over-emphasises the actual behaviour of post-1648 states over and against the intentions and legal ideas of its drafters. Burkhardt 1992, 203.

⁵⁶⁸ Duchhardt 1989b, 533; Osiander 1994, 40-42.

⁵⁶⁹ Both, Duchhardt and Osiander point to embryonic ideas of international equilibrium amongst the plenipotentiaries to the Peace Congress, but are equally agreed that power politics and the balance-of-power were not acknowledged as principles of the Treaty. Duchhardt 1989, 536; Osiander 1994, 80-82. Cf. also Burkhardt 1992, 202 and Repgen 1988.

but rather the re-legalisation and re-normafication of European politics with specific consideration of the German sub-system in a system of functionally differentiated actors. Whereas the core idea of 1648 was peace, not self-determination, the core idea of the balance of power is self-determination, not peace.

In sum, the nature of the political regimes of the parties to the Treaties, the restorative and backward-looking substance of the Treaty provisions, and the collective security intentions of the peace-makers, provide considerable evidence of the pre-modern nature of the Westphalian Peace Treaties. Far from establishing the classical model of international relations based on modern sovereign states, as the IR literature repeatedly falsely asserts, they enshrined the constitutional relations among the actors of the German sub-system and their relations with decidedly non-modern dynastic states. To this extent, 1648 was more of an end than a beginning.

Principles of Geopolitical Order: Dynastic Equilibrium and the Balance of Power

Were there any systemic limits to the impetus behind absolutist geopolitical expansion? Can we identify any generally acknowledged and pursued principles of geopolitical order in the early modern period? These questions may be answered by setting them within the context of the two great rivaling contemporary conceptions of geopolitical order, empire and the balance of power.

Dynastic Equilibrium qua Territorial Compensations

We argued that dynastic actors, in spite of the existence of a collectivity of independent polities, clung to universal schemes of geopolitical order which legitimised their aggressive foreign policies. Yet, the terminology of power-balancing emerged for the first time, after the Italian prelude, as a distinct discourse in the 17th Century and became a recognised norm, enshrined in the Peace of Utrecht, during the 18th

⁵⁷⁰ The 'ideal was a settlement that would be definitive and final, restoring the public peace of

Century.⁵⁷¹ Does this negate the thesis of Europe's multiple universalisms? Much depends here on the time-bound meanings of the balance of power and a historical contextualisation of the identity of its respective protagonists. In contrast, Hans Morgenthau's, Martin Wight's, Herbert Butterfield's and Hedley Bull's contributions, in spite of the historical examples adduced, are thoroughly ahistorical in character, since the authors first establish an ideal type of the balance of power as a 'universal concept' and then proceed to subsume most diverse historical cases under it, forcing them to modify, subdivide, and dilute the ideal-type in an *ad hoc* fashion.⁵⁷² In addition, the ahistorical and socially disembodied character of realist theories of the balance of power presupposes what has to be explained. For example, Morgenthau's assumption that actors seek 'territorial aggrandizement' turns into a transhistorical and, thus, naturalised law, preventing him from theorising the fundamental difference between dynastic equilibrium and modern power-balancing.⁵⁷³ Constructivist accounts of early modern equilibrium, while infirming neorealism, fail to spell out the social sources of dynastic interests which drive its construction as a time-bound convention, while also underestimating its aggressive consequences.⁵⁷⁴

Two opposed, yet temporarily simultaneous, practices of the balance of power - respectively operated by the continental dynastic powers and the British parliamentary-constitutional monarchy - can be discerned: Equilibrium vs. Active Balancing.⁵⁷⁵ Although both conceptions operated on the basis of incommensurable premises, in international political practice, they were fused as the British conception manipulated and governed the continental one.

On the side of absolutist powers, power-balancing during the 18th Century did not rest on the idea that each political actor enjoyed *a priori* its own internationally recognised legitimacy and independence based on natural law, which was to be

the Empire and, if possible, extending it to Europe as a whole.' Osiander 1994, 43.

⁵⁷¹ Fenske 1975; Butterfield 1966.

⁵⁷² Morgenthau 1985, 187-240; Wight 1966 and 1978, 168-90; Butterfield 1966; Bull 1977, 101-26. On the multiple meanings of the balance of power cf. Claude 1962, 25-39.

⁵⁷³ Morgenthau 1985, 222.

⁵⁷⁴ Kratochwil 1982, 12-20.

⁵⁷⁵ With the exception of Rosenberg 1994, 139-42, the IR literature conflates the difference between dynastic equilibrium and active balancing. Cf. also Claude 1962; Aron 1984, 133-56; Sheehan 1996. While Kratochwil and Schroeder acknowledge the difference between a 'political balance of power' and 'moral and juridical equilibrium' as a convention, they fails to lay out their respective social rationales. Kratochwil 1982; Schroeder 1992.

preserved by an alliance against any aggressor, nor was it the automatic, law-like, and de-personalised function of anarchy, which mechanically stabilised a given and re-equilibrated an altered distribution of power and territory.⁵⁷⁶ Rather, it was an inter-dynastic technique of territorial expansion through proportional aggrandizement.

In this respect, it obeyed *au fond* the same social logic as feudal 'power balancing', while appearing in new disguise.

'Feudal geopolitics was anything but impersonal: it revolved around personal (dynastic) claims to property in land, and wars were fought by armies levied through ties of personal allegiance. While everyone, no doubt, calculated his own advantage, there was no sense in stabilizing the system territorially through a military balance, for war and political expansion were a major mechanism of surplus appropriation. (...) In feudalism, the last thing anyone wanted was a balance: that would have stopped the game.'⁵⁷⁷

Yet, continuing the game and achieving equilibrium are mutually exclusive goals, unless we conceive of a dynamic equilibrium, which re-establishes itself in ever-renewed territorial configurations. This, of course, is precisely what happened in Europe during the early modern period. Yet, while the extreme fragmentation of feudal political power was overcome in favour of larger proprietary kingdoms - reducing the number of players while enhancing their stakes -, the game of dynastic power balancing was played on a much larger scale and with more drastic consequences: it meant the europeanisation, if not universalisation, of dynastic power politics, where military conflict in any regional sub-theatre could no longer be ignored by the central players.

Individually, each dynastic actor sought to maximise wealth and territories. Since none of the leading absolutist-dynastic powers consciously wanted a balance in Europe - the goal being universal monarchy -,⁵⁷⁸ dynastic equilibrium, while its realisation remained a chimera, resulted from antagonistic interests. Equilibrium, however, implied practices which are incommensurable with the conventional understanding of the balance of power. Systemically, since no single actor was strong enough to impose its universal schemes on Europe, aggression provoked responses which went far beyond simple balancing and the re-establishment of the *status quo ante*. The objective of the early modern coalition-building was, as Mattingly suggests,

⁵⁷⁶ Morgenthau 1985, 189 and Waltz 1979.

⁵⁷⁷ Rosenberg 1994, 140.

⁵⁷⁸ Bosbach 1986.

not balancing, but outweighing.⁵⁷⁹ Outweighing implied the chance of completely destroying the aggressor, followed by its territorial dismemberment amongst the allying members. If these practices appeared in the guise of ruthless power politics, they were usually rationalised by dint of far-fetched legal claims to lands which were to be ingeniously constructed or invented with the help of the European-wide network of often recondite dynastic genealogical connections.

Schemes of partition and the complete break-up of even the mightiest polities were common currency.⁵⁸⁰ In 1668, a secret partition treaty was signed by France and Austria over the Spanish Empire. After the War of the Spanish Succession, the Utrecht Settlement effectively dismembered the Spanish monarchy. During the War of the Austrian Succession, the very existence of the Habsburg state was at stake. In the First Treaty of Vienna (1725), Austria and Spain agreed to partition France if there was war. During the Seven Years' War, Russia considered the complete division of Prussia. The three Polish partitions of 1772, 1793 and 1795 eclipsed Poland. As the war objective of coalitions was outweighing to the degree of complete partition, so were the war objectives of the attacking power geared towards unconditional conquest. During the War of the North (1655-60), Sweden intended the complete destruction of the Danish monarchy and aristocracy as it sought total victory over Russia during the Great Northern War (1700-1721).⁵⁸¹ In turn, Peter the Great and August of Saxony sought the elimination of the Swedish Empire. Louis XIV sought total defeat of the enemy in the Dutch Wars and the forcible seizure of Dutch commerce. Prussia sought to swallow up Saxony and Austria Bavaria. As a rule, wars were brought to an end not by self-restraint or by the recognition of the international legitimacy of any one power, but by mutual economic, financial, and military depletion. The diplomatic semantics of saturation expressed tactical arguments by ascending powers, like Prussia, eager to gain international recognition for the *faits accomplis* of already annexed lands, and did by no means indicate a strategy of self-restraint. Moderation was sought as a temporary respite for economic, financial and military recovery. Peaces were peaces of exhaustion.⁵⁸²

⁵⁷⁹ Mattingly 1988, 141 and 150.

⁵⁸⁰ Holsti 1991, 94; McKay and Scott 1983, p. 22 *passim*.

⁵⁸¹ McKay and Scott 1983, 83.

⁵⁸² Duchhardt 1997, 56.

If the Carthaginian objectives of outweighing or total victory could not be achieved, dynastic power-balancing was directly linked to the idea of *convenance*, which demanded a consensus among the major powers over territorial alterations.⁵⁸³ The desired objective was 'just equilibrium', consciously negotiated by the leading powers. The operative principle was that each territorial gain by any one power justified claims to territorial or other equivalents.⁵⁸⁴ To be left out in any round of territorial aggrandisement was to fall behind. Few dynasts could thus afford to stay neutral. *Convenance* became thus the regulative principle of the dynastic conception of the balance of power⁵⁸⁵ or, as Martin Wight suggested, 'the diplomatic counterpart of hereditary absolute monarchy'.⁵⁸⁶

The dynastic idea of the balance of power stood thus in clear affinity to the mercantilist balance of trade. As wealth was conceived of as an absolute and finite sum, so that any trade deficits had to be compensated with the inflow of bullion or was regarded as an absolute loss, so was territory finite and any acquisition demanded compensation for the re-establishment of a 'just equilibrium'. The territorial equivalent of mercantilism came thus to be cameralism which gauged state power in terms of taxable population and territory in terms of soil fertility.

Convenance did more to intensify war and territorial changes than peace and stasis, for each territorial gain of one power induced immediately claims to equivalents in order to offset the perceived disadvantage. Equilibrium was thus redressed, if on a different level. It thereby directly frustrated the principle of non-intervention. Yet, non-recognition of the principle of non-intervention did not infringe a maxim of international law, it was regarded as legitimate behavior.⁵⁸⁷ The implication was that bilateral wars occasioned immediately a multilateral *renversement* of positions, driven by the search for territorial equivalents. Legitimate claims for compensation set in train a series of practices which are incommensurable with the preservation of or a return to the *status quo ante*. Territorial exchanges, cessions, indemnities, pensions, and subsidies negotiated through outright haggling were the mark of the age and

⁵⁸³ Duchhardt 1997, 17 and 1976, 51. The biased views of the Huguenot de Rohan are particularly inept to illuminate the real nature of French foreign policy. Kratochwil 1982, 12-14.

⁵⁸⁴ McKay and Scott 1983, 212, 214 and 228; Schroeder 1994a, 6-7.

⁵⁸⁵ Generally see Butterfield 1966 and Fenske 1975, 972.

⁵⁸⁶ Wight 1966, 171 and 1978, 186.

contemporary peace congresses. Usually, the arithmetic of *convenience* meant that weaker powers were carved up to the convenience of the leading powers. Successive peace treaties codified the disappearance of smaller states as pawns in the international game of territorial compensation.

The Case of the 'Polish Partitions': Balance of Power or Compensatory Equilibrium?

The three Polish Partitions of 1772, 1793 and 1795 pursued by Prussia, Austria and Russia classically exemplify the compensatory dynamic of the inter-dynastic idea of equilibrium. According to (Neo-)realist predictions, power-balancing should have prevented Poland's break-up. Yet, no counter-balance emerged, nor did any prevailing norms restrain the Eastern Powers. The first partition was justified and carried through by Prussia and Austria in compensation for Russian acquisitions in the Balkans over and against the Ottoman Empire. The second and third partitions were regarded as a just indemnity for Prusso-Austrian anti-French war efforts in the Wars of Revolution after the defeat at Valmy (1792), while Russia claimed to put down 'Jacobinism' in Warsaw in the interest of the European dynastic fraternity.⁵⁸⁸ Parliamentary Britain remained neutral, having no direct interests in the region. Nor was it purely geographical circumstances which permitted the break-up of Poland. Poland's social property regime generated a constitutional regime where power lay with the aristocrats, enjoying individually the famous *liberum veto* which enabled any member of the Polish Diet to exercise a personal veto over legislation. Poland's elective monarchy - the 'crowned aristocratic republic' - was thus barred from developing the absolutist administration and military centralisation enjoyed by its neighbors.⁵⁸⁹ The inherent weakness of the aristocratic constitution opened Poland up to foreign dismemberment since it was regarded as a power vacuum in eastern Europe.

The tripartite seizure of Polish territory did not restore the balance to the status quo before the Russian acquisitions in the Balkans and before the French Wars of

⁵⁸⁷ Grewe 1984, 392-3.

⁵⁸⁸ McKay and Scott 1983, 248.

⁵⁸⁹ On the theoretical implications of the Polish case for the domestic-international problem cf. Gourevitch 1978, 898.

Revolution, but adjusted the balance on the basis of a new territorial settlement amongst the major East European powers to the detriment of Poland. Balance of power failed, but equilibrium worked. Dynastic equilibrium promoted war, not peace. Yet, war did not re-equilibrate the distribution of power, but led to the systematic eclipse of smaller states. And it was this dynastic equilibrium conception, not the modern balance of power, which incurred in 1793 the censure of Enlightenment philosophers like Immanuel Kant:

‘The maintenance of universal peace by means of the so-called Balance of Power in Europe is - like Swift’s house, which a masterbuilder constructed in such perfect accord with all the laws of equilibrium, that when a sparrow alighted upon it, it immediately collapsed - a mere figment of the imagination.’⁵⁹⁰

The Polish episode did not destroy the spirit of dynastic power-balancing, but was its clearest expression.⁵⁹¹

As an explanatory device, the balance of power theorem is indeterminate since it accounts for any outcome, depending upon whether a systemic or a unit-level perspective is adopted. If a state survives, it is due to the stabilising and protective function of the balance of power; if it perishes, it is due to the necessity of a new systemic balance. Neither realist, neorealist, nor constructivist theory is able to understand the historical character of the Polish Partitions, the forces which caused it, nor the outcome. As long as the time-bound meanings of power-balancing are not taken seriously, IR theories will have difficulties to make sense of historical diversity.⁵⁹²

⁵⁹⁰ Kant cited in Wight 1966, 170-1.

⁵⁹¹ von Arentin 1981; Grewe 1984, 395-7; Morgenthau opines that the Polish Partitions ‘reaffirmed the essence’ of the balance of power, since Poland was divided to equal parts; later, he affirms that it failed, since it could not protect Poland from destruction. Morgenthau 1985, 199 and 222. Wight argues that the partitions discredited the balance of power. Wight 1966, 157 and 1978, 189. For Bull, ‘the partition of Poland was not a departure from the principle of balance of power but an application’. Bull 1977, 108. Schroeder calls them a ‘system conforming behaviour’. Schroeder 1994a, 18; Sheehan indicts them as an ‘aberration’. Sheehan 1996, 61.

⁵⁹² Compensations are not simply a ‘different method of the balance of power’ (Morgenthau 1985, 198-200), understood as a universal category, but express a different quality of power-balancing.

In sum, the preservation of the *status quo* or the re-establishment of the *status quo ante* was not the goal of Westphalian power-balancing, but the prospect of territorial gains in compensation for the acquisitions made by other actors. As such, it was a consciously implemented technique of expansion, driven by dynastic interests, which de-stabilised and re-stabilised the territorial distribution in ever-changing configurations, and not an automatic mechanism operating behind the backs of political actors.⁵⁹³ If the aggressor did not face complete partition, *convenance* ensured proportional aggrandisement to his detriment. But dynastic equilibrium did not even need aggressors, it needed victims. It thereby invited bandwagoning rather than balancing.⁵⁹⁴ The dramatic decline in the number of European sovereign actors between 1648 and the late 19th Century did not come about in spite of the balance of power, but because of the policy of predatory equilibrium and bandwagoning. Dynastic power-balancing did not mean the preservation of an even distribution of power, nor did it become 'a means of maintaining state independence',⁵⁹⁵ nor did it put 'a break on territorial changes',⁵⁹⁶ but implied equality in aggrandizement.⁵⁹⁷ The logic of dynastic anarchy generated a dynamic system of collective wealth maximisation amongst predatory monarchs qua expansion, not a static system of collective security. The balance of power is not the natural and universal function of any anarchy, its nature is the outgrowth of the specific identity and interests of the members which constitute diverse geopolitical system. Given the persisting logic of geopolitical expansionism, it is doubtful whether the system of dynastic states could ever generate a general interest in the preservation of the *status quo*. The dynastic practice of equilibrium qua *convenance* was an instrument of geopolitical accumulation.

This was to change significantly with Britain's new post-1688 foreign policy.

British Uniqueness: Capitalism, Parliamentary Sovereignty, and Active Balancing

⁵⁹³ Rosenberg 1994, 139-42.

⁵⁹⁴ While Schroeder's survey of the historical record confirms the prevalence of bandwagoning, he offers no theoretical explanation. Schroeder 1994b.

⁵⁹⁵ Holsti 1991, 69.

⁵⁹⁶ Butterfield 1966, 144.

⁵⁹⁷ Wight 1966, 156 and 1978, 187.

The new practice of power balancing is directly linked to the formation of capitalism and the growth of the modern state in England. In the period between the end of the Glorious Revolution and the accession (1714) of the first Hanoverian king, George I, the pattern of British foreign policy shifted on the basis of a capitalist social property regime which had revolutionised the institutional set-up of the British state.⁵⁹⁸ Sovereignty lay no longer with the king, but with the 'King-in-Parliament'. The historical presupposition of Britain's new attitude towards Europe was the de-coupling of foreign policy from dynastic interests brought about by Parliament's right - gained in 1701 (Act of Settlement) - to coarticulate and even determine British foreign policy.⁵⁹⁹ After these constitutional changes, British foreign policy was no longer conducted exclusively on the basis of dynastic interests as formulated in *Kabinettpolitik*, but increasingly on the basis of the 'national interest' as formulated by the propertied classes self-organised in Parliament. This was a world-historical *novum*. The decisive new regulator of Britain's readiness to go to war was, next to the excise, the land tax, through which the landed and commercial classes taxed themselves.⁶⁰⁰ The personal union of the United Kingdom with Hanover, which wedded the German stemlands to the British Isles, was regarded as a disturbing continental legacy among the Tories and the Whigs and caused much resentment in Parliament.⁶⁰¹ Britain's monarchical interests as German Electors, ran time and again against those of changing parliamentary majorities. Whereas the British-Hanoverian dynasty remained enmeshed in the Old Regime territorial game of inter-dynastic relations, Parliament sought to de-territorialise British policy on the Continent.⁶⁰²

During this transition, the first manifestation of the new British attitude to war came with the Nine Years' War (1688-97), in which the post-revolutionary constitutional settlement and the Protestant Succession were tested in the struggle against the Bourbons who supported the restoration of the Stuarts.⁶⁰³ Britain's ability

⁵⁹⁸ Brenner 1985, 296-95 and 1993; Wood 1991; Parker 1996, 217-61.

⁵⁹⁹ Black 1991, 13-20 and 43-58. While the monarchy remained, of course, an important actor in post-revolutionary diplomacy, the *differentia specifica* of the British system was the constitutionally enshrined parliamentary right to co-decide foreign policy making.

⁶⁰⁰ Parker 1996, 218ff.

⁶⁰¹ Black 1991, 31-42; McKay and Scott 1983, 104.

⁶⁰² Duchhardt 1995, 182-3; Sheehan 1988, 28; Schroeder 1994b, 136.

⁶⁰³ Sheehan 1988, 30; Duchhardt 1989, 33.

to sustain the war against absolutist France was predicated on the Parliament-backed creation of the first modern financial system by setting-up the National Debt (1693) and the Bank of England (1694). Wars were no longer to be financed out of the 'private' war-chest of the dynastic ruler, but by a reliable credit system superior in raising funds, since public debts in the form of government loans were henceforth to be guaranteed by Parliament.⁶⁰⁴ Investment in these government loans had the effect of uniting the propertied class behind the British war-effort. Credit security was guaranteed by the self-taxation of the capitalist classes in Parliament. 'During the Nine Years' War the commercial and landed classes represented there managed to double the country's revenues by effectively taxing their own wealth for the first time.'⁶⁰⁵

The uneven development of different state/society complexes in early modern Europe implied that while dynastic continental states continued to operate absolutist regimes of domestic tax-extraction and dynastic foreign strategies of geopolitical accumulation, England developed a dual strategy of foreign policy behavior.⁶⁰⁶ While it continued its aggressive mercantilist 'blue water' policies overseas fanned by an expanding capitalist economy which financed naval superiority, it took on the new role of the balancer of the European pentarchy and disengaged from any further direct territorial claims on the Continent after the Treaty of Utrecht. Utrecht exemplified not simply Britain's rise as a great power, but also its willingness and ability to regulate European affairs on a new principle (active balancing), yet on the old territorial basis (continental equilibrium). The British peace plans were a major departure from earlier schemes.⁶⁰⁷ The strategy was to contain France by keeping her militarily occupied on the Continent while defeating her overseas through Britain's superior naval forces. Significantly, the only territorial gains on the Continent which Britain negotiated for herself at Utrecht were the strategic posts of Gibraltar and Minorca, while the acquisition of trading posts and commercial rights overseas, like the *asiento*, dominated her peace agenda.⁶⁰⁸ While her security interests lay in Europe, her economic interests lay in the extra-European arena.

⁶⁰⁴ Parker 1996, 217-21.

⁶⁰⁵ McKay and Scott 1983, 46.

⁶⁰⁶ Black 1991, 85-6; Duchhardt 1997, 302.

⁶⁰⁷ For a contrary view see Holsti 1991, 80.

⁶⁰⁸ Cf. Rosenberg 1994, 38-43; Schroder 1994b, 142.

After 1713, British foreign policy no longer operated on the principle of 'natural allies' - the 'Old System' which allied England, the Dutch Republic and Austria against France -, but on the fluid principle of rapidly changing coalitions which earned her on the Continent the epithet 'Perfidious Albion'.⁶⁰⁹ This nickname was as much due to a failure by dynasts to grasp the nature of changing majorities in a parliamentary system, as it was due to a failure to understand the logic of a post-dynastic foreign policy and active balancing in the context of an overwhelmingly dynastic system of states. The idea was to stop fighting once the weaker allied partner had recovered (e.g. Prussia), rather than to eliminate the common enemy. This was, as Sheehan explains, a policy of achieving minimal aims, rather than the maximal aims of dynastic coalition building in the form of partitions.⁶¹⁰ The logical choice of Britain's continental partners against France were those land-based powers - like Austria, Prussia, and Russia - which had no direct ambitions overseas. Austria's only foray in this direction - the Austrian Ostende Company - was squashed by Walpole in exchange for British recognition of the Austrian Pragmatic Sanction. Prussia's promotion of the tiny port of Emden sent alarm bells ringing in London's merchant community. Russia's pre-dominance as a trading power in the Baltic was of more concern to Parliament than her vast territorial gains in Siberia. Even a *rapprochement* with France was possible in the 1730s on the realization that Austria could again dominate European politics. 'To paraphrase a statement of Palmerston: While the holder of the balance has no permanent friends, it has no permanent enemies either; it has only the permanent interest of maintaining the balance of power itself.'⁶¹¹ But what was to be balanced here were not modern but dynastic states, which explains why the balance of power did not assume the form of the automatic 'invisible hand' reminiscent of Adam Smith's idea of market self-regulation, but was manipulated by a structurally privileged conscious balancer: Britain's hand holding the scales.⁶¹²

This meant that during the 18th Century, two regimes of power-balancing were in operation in Europe. While Old Regime states continued the policy of territorial

⁶⁰⁹ 'The British participation in the War of the Spanish Succession, the War of the Austrian Succession, and the Seven Years War, all ended with Britain abandoning her major ally.' Sheehan 1996, 63.

⁶¹⁰ Sheehan 1996, 64.

⁶¹¹ Morgenthau 1985, 214.

equilibrium and compensations amongst themselves, parliamentary Britain sought to manage the balance of the European sub-system by indirect interventions in the form of subsidies and pensions to smaller powers while also operating a balance of threat to counter any imperial-hegemonic ambition.⁶¹³ Britain's neutrality in the War of the Polish Succession (1733-8) was a clear indicator of Britain's disengagement from the fruits of the *convenance* system of territorial compensations on the Continent, while power-balancing operated primarily through the payment of huge subsidies and diplomacy. The War of the Austrian Succession 'cost Britain £43 million, of which £30 million was added to the National Debt. With the land tax at 4s in the pound, alarmists in the government raised the cry of national bankruptcy'.⁶¹⁴ Yet, while Britain sustained the huge financial burden, the French financial system, in spite of its greater taxable population, collapsed. Territorial gains on the Continent - apart from strategic posts which allowed the policing of the main European trading routes - were of little interest for a commercial nation. If Britain's direct military interventions on the Continent were already significantly reduced after 1713, they veered towards zero after the Seven Years' War, which established Britain overseas as the hegemonic naval power. At the same time, Frederick the Great was heavily subsidised by Britain which guaranteed Prussian survival.

'Continental Powers have always noted that while Britain traditionally claimed to hold the balance of Europe with her right hand, with her left hand she was establishing oceanic hegemony which refused for two centuries to admit any principle of equilibrium.'⁶¹⁵

In other words, Britain became the balancer of the balance based on a productive capitalist economy which financed naval supremacy. She was no longer placed in either of the two scales but held the balance itself in her hands.⁶¹⁶ Britain was

⁶¹² Although the balance of power was already discussed in England prior to 1688, it became only a foreign policy maxim after 1688. Cf. Sheehan 1988, 33.

⁶¹³ McKay and Scott 1983, 96. Towards the end of the War of the Austrian Succession, 'the Austrians increasingly felt they were becoming British mercenaries in an Anglo-French war.' McKay and Scott 1983, 172.

⁶¹⁴ McKay and Scott 1983, 172-3.

⁶¹⁵ Wight 1966, 164.

⁶¹⁶ While this is often acknowledged, its causes are either attributed to Britain's insularity, to political skills, or they are not explained at all. Claude 1962, 47-8 and 59-60.

not the accidental insular *tertius gaudens* of dynastic power-balancing,⁶¹⁷ but the conscious regulator of a system of European politics from which she was socio-economically, not geographically, set apart. The chronological simultaneity of 18th Century European politics hides dyachronic conceptions of geopolitical order respectively held and operated by capitalist Britain on the one side and the continental dynastic powers on the other.

Conclusion

Given the diverse, yet overwhelmingly dynastic, nature of the constitutive units of the Westphalian Order, it featured a series of system-defining phenomena which set it structurally apart from its modern successor.

Theoretically, these phenomena are bound up with the persistence of non-capitalist property-relations which blocked the genesis of modern sovereignty. IR's failure to correctly theorise and periodise the Westphalian Order rests thus on its fundamental conflation of absolutist with modern sovereignty. Consequently, demystifying Westphalia requires a re-theorisation of absolutist sovereignty. Proprietary statehood implied the regulation of contemporary inter-actor relations on the basis of predatory dynasticism and inter-personalism. European early modern international relations, codified in the Westphalian Settlement, evinced a determinate 'generative grammar', developed a distinct territorial logic of political space, and generated historically specific patterns of conflict and cooperation. Pre-capitalist property relations required domestic strategies of political income provision that translated into external strategies of geopolitical accumulation, explaining the frequency of war and the persistence of empire-building. Proprietary and personalised sovereignty promoted political marriages, wars of succession, and the elevation of dynastic 'private' family law to the status of 'public' international law. The proprietary nature of state territory turned territoriality into an exchangeable appendage of

⁶¹⁷ Wight 1978, 171.

dynastic interests and fortunes. Inter-dynastic compensatory equilibrium invited bandwagoning, while smaller states were liquidated.

In terms of IR theory, the specificity of the Westphalian Order cannot be adequately theorised on the basis of naturalised great power rivalries driven by *realpolitik* and regulated by a universalised balance-of-power, nor by the pure pressures exerted by an anarchical and competitive system of states in abstraction from the internal character of its constitutive conflict-units, as demanded by neorealism. The argument also questions the plausibility of constructivist approaches which conceive of international relations primarily in terms of the intersubjectively negotiated quality of institutions qua conventions, which, in turn, may alter the identity of political actors and policy-outcomes. Without a systematic inquiry into the property-related social sources of identity-formation, which define determinate sets of interests and generate specific institutions, constructivist claims remain underexplored. While all social phenomena are mediated by language and intersubjective norms, the extra-ideational conditions sustaining the rise, reproduction, and fall of specific constitutive rules remain outside the theoretical scope of constructivism.

Chronologically, the fundamental break with the old territorially accumulative logic of international relations comes with the rise of capitalism in England. The onset of agrarian capitalism in 16th Century England, the conversion of dynastic sovereignty into parliamentary sovereignty in the late 17th Century, and the post-Utrecht adoption of a new foreign policy, resulted in the gradual de-territorialisation of British interests on the Continent. At the same time, Britain began to manipulate the old inter-dynastic practice of equilibrium qua territorial compensations by dint of a new conception of active balancing.

Yet, developmentally, 18th Century world order was not yet a capitalist system. As long as the majority of the dominant European powers were dynastic states based on pre-capitalist social property relations, Britain remained engulfed in a hostile world of politically accumulating states. This explains why Britain's struggle in overseas with Spain and France retained a military-mercantilist character. During the formation of the absolutist inter-dynastic world system, Britain was the 'third hand' which consciously balanced the respective imperial pretensions of pre-capitalist states. *Ex hypothesis*, this suggests that it was only under pressure of geopolitical competition among France and Britain, that a financially exhausted France was violently forced to alter its internal

social property relations. While thriving on its expanding capitalist economy, Britain continued to play off non-capitalist actors, until they were financially and economically exhausted and forced to go through a series of geopolitically mediated crises - the French Revolution, the Napoleonic Wars, the Wars of Liberation, and a sequence of further 'Revolutions from above' - which entailed agrarian reforms and state transformations. Only after the European-wide spread of capitalism, after the series of European revolutions during the late 18th and 19th Centuries and after the 'freeing' of markets in favor of a world market, did the new logic of British-sponsored free trade amongst capitalist states impose a non-territorial logic of international surplus appropriation, based on non-political contracts between private citizens.

Bibliography

1. IR Literature

- Adler, Emanuel (1997), 'Seizing the Middle Ground: Constructivism in World Politics', *European Journal of International Relations*, 3:3, 319-63.
- Armstrong, David (1993), *Revolution and World Order. The Revolutionary State in International Society*. (Oxford: Clarendon Press).
- Aron, Raymond (1984) [1962], *Paix et Guerre entre les Nations* (Paris: Calmann-Lévy).
- Arrighi, Giovanni (1994), *The Long Twentieth Century. Money, Power, and the Origins of Our Times* (London/New York: Verso).
- Asch, Ronald G. (1988), 'Estates and Princes after 1648: The Consequences of the Thirty Years War', *German History*, 6:2, 113-32.
- Ashley, Richard (1984), 'The Poverty of Neorealism', *International Organization*, 38:2, 225-86.
- Böckenförde, Ernst-Wolfgang (1969), 'Der Westfälische Frieden und das Bündnisrecht der Reichsstände', *Der Staat*, 8:4, 449-78.
- Boyle, Chris (1994), 'Imagining the World Market: IPE and the Task of Social Theory', *Millennium*, 23:2, 351-63.
- Bromley, Simon (1991), *American Hegemony and World Oil: The Industry, the State System, and the World Economy* (University Park: Pennsylvania State University Press).
- Bull, Hedley (1977), *The Anarchical Society: A Study of Order in World Politics* (London: Macmillan).
- Butterfield, Herbert (1966), 'The Balance of Power', in H.Butterfield and Martin Wight (eds.), *Diplomatic Investigations: Essays in the Theory of International Politics* (London: Allen & Unwin), 132-48.
- Claude, Inis (1962), *Power and International Relations* (New York: Random House).
- Cox, Robert W. (1981), 'Social Forces, States, and World Order: Beyond International Relations Theory', *Millennium*, 10:126-55.

- Czempiel, Ernst-Otto (1980), 'Strukturen Absolutistischer Außenpolitik', *Zeitschrift für Historische Forschung*, 7:1/4, 445-51.
- and James Rosenau (eds.) (1989), *Global Changes and Theoretical Challenges: Approaches to World Politics for the 1990s* (Lexington, Mass./Toronto: Lexington Books).
- Dickmann, Fritz [1959] (1972), *Der Westfälische Frieden*, 3rd edition (Münster: Aschendorff).
- Duchhardt, Heinz (1976), *Gleichgewicht der Kräfte, Convenance, Europäisches Konzert: Friedenskonresse und Friedensschlüsse vom Zeitalter Ludwigs XIV. bis zum Wiener Kongreß* (Darmstadt: Wissenschaftliche Buchgesellschaft).
- , (1989a), 'Die Glorious Revolution und das Internationale System', *Francia*, 16:2, 29-37.
- , (1989b), 'Westfälischer Friede und Internationales System im Ancien Régime', *Historische Zeitschrift*, 249:3, 529-44.
- , (ed.) (1991), *Rahmenbedingungen und Handlungsspielräume Europäischer Außenpolitik im Zeitalter Ludwigs XIV* (Berlin: Duncker & Humblot).
- , (1995), 'Droit et Droit des Gens - Structures et Métarmophoses des Relations Internationales au Temps de Louis XIV', in Reiner Babel (ed.), *Frankreich im Europäischen Staatensystem der Frühen Neuzeit* (Sigmaringen: Jan Thorbecke Verlag), 179-89.
- , (1997), *Balance of Power und Pentarchie: Internationale Beziehungen 1700-1785*, vol.4 of H.Duchhardt and Franz Knipping (eds.), *Handbuch der Geschichte der Internationalen Beziehungen* (Paderborn: Schöningh).
- Fischer, Markus (1992), 'Feudal Europe, 800-1300: Communal Discourse and Conflictual Practices', *International Organization*, 46:2, 427-66.
- , (1993) 'On Context, Facts, and Norms: Response to Hall and Kratochwil', *International Organization*, 47:3, 493-500.
- Frank, Andre Gunder and Barry K.Gills (eds.) (1993), *The World System: Five Hundred Years or Five Thousand?* (London/New York: Routledge).
- Gilpin, Robert (1981), *War and Change in World Politics* (Cambridge: Cambridge University Press).
- (1986), 'The Richness of the Tradition of Political Realism', in R.O.Keohane

- (ed.), *Neorealism and its Critics* (New York: Columbia University Press), 301-21.
- (1987), *The Political Economy of International Relations* (Princeton, NJ: Princeton University Press).
- Gourevitch, Peter (1978a), 'The Second Image Reversed: The International Sources of Domestic Politics', *International Organization*, 32:4, 881-911.
- , (1978b), 'The International System and Regime Formation: A Critical Review of Anderson and Wallerstein', *Comparative Politics*, 10:3, 419-38.
- Grewe, Wilhelm G. (1984), *Epochen der Völkerrechtsgeschichte* (Baden-Baden: Nomos).
- Gross, Leo (1948), 'The Peace of Westphalia: 1648-1948', *American Journal of International Law*, 42, 20-41.
- Hall, Rodney Bruce and Friedrich V. Kratochwil (1993), 'Medieval Tales: Neorealist "Science" and the Abuse of History', *International Organization*, 47:3, 479-91.
- Hall, Rodney Bruce (1997), 'Moral Authority as a Power Resource', *International Organization*, 51:4, 591-622.
- Halliday, Fred (1994), *Rethinking International Relations* (London: Macmillan).
- and Justin Rosenberg (1998), 'Interview with Ken Waltz', *Review of International Studies*, 24:371-86.
- Heine, Christian and Benno Teschke (1996), 'Sleeping Beauty and the Dialectical Awakening: On the Potential of Dialectic for International Relations', *Millennium*, 25:2, 399-423.
- Hinsley, Francis H. (1963), *Power and the Pursuit of Peace: Theory and Practice in the History of Relations between States* (Cambridge: Cambridge University Press).
- Hollis, Martin and Steve Smith (1990), *Explaining and Understanding International Relations* (Oxford: Clarendon Press)
- Holsti, Kalevi J. (1991), *Peace and War: Armed Conflicts and International Order, 1648-1989* (Cambridge: Cambridge University Press).
- Holzgrefe, J.L. (1989), 'The Origins of Modern International Relations Theory', *Review of International Studies*, 15:11-26.

- Jarvis, Anthony (1989), 'Societies, States, and Geopolitics: Challenges from Historical Sociology', *Review of International Studies*, 15:281-93.
- Kant, Immanuel (1983) [1795], 'To Perpetual Peace. A Philosophical Sketch', in I.Kant, *Perpetual Peace and Other Essays on Politics, History, and Morals*, transl. by Ted Humphrey (Indianapolis, Indiana: Hackett Publishing Company), 107-39.
- Keohane, Robert O. (1984), *After Hegemony: Cooperation and Discord in the World Political Economy* (Princeton, N.J.: Princeton University Press).
- Krasner, Stephen D. (1984), 'Approaches to the State: Alternative Conceptions and Historical Dynamics', *Comparative Politics*, 16:2, 223-46.
- , (1989), 'Sovereignty: An Institutional Perspective', in James A. Caporaso (ed.), *The Elusive State: International and Comparative Perspectives* (London: Sage), 69-96.
- , (1993), 'Westphalia and All That', in Judith Goldstein a. Robert O. Keohane (eds.), *Ideas and Foreign Policy: Beliefs, Institutions, and Political Change* (Ithaca/London: Cornell University Press), 235-64.
- , (1995), 'Compromising Westphalia', *International Security*, 20:3, 115-51.
- Kratochwil, Friedrich (1982), 'On the Notion of "Interest" in International Relations', *International Organization*, 36:1, 1-30.
- , (1986), 'Of Systems, Boundaries, and Territoriality: An Inquiry into the Formation of the State System', *World Politics*, 34:1, 27-52.
- , (1989) *Rules, Norms, and Decisions: On the Conditions of Practical and Legal Reasoning in International Relations and Domestic Affairs* (Cambridge: CUP).
- , (1995), 'Sovereignty as *Dominium*: Is There a Right of Humanitarian Intervention?', in Gene M. Lyons and Michael Mastanduno (eds.), *State Sovereignty and International Intervention* (Baltimore: Johns Hopkins University Press), 21-42.
- Krippendorff, Ekkehart (1985), *Staat und Krieg. Die Historische Logik Politischer Unvernunft* (Frankfurt/M.: Suhrkamp 1985).
- , (1986), *Internationale Politik: Geschichte und Theorie* (Frankfurt/New York: Campus Verlag).

- Krombach, Hayo (1997), 'Dialectic as the Philosophical Science of Socio-Historical Relations', *Millennium* 26:2, 417-36.
- Lapid, Yosef and Friedrich V.Kratochwil (eds.) (1996), *The Return of Culture and Identity in IR Theory* (Boulder, Colo.: Lynne Rienner).
- Mearsheimer, John (1995), 'The False Promise of International Institutions', *International Security* 19:3, 5-49
- Morgenthau, Hans J. and Kenneth W. Thompson (1985) [1948], *Politics Among Nations: The Struggle for Power and Peace*, 6th ed. (New York: Alfred Knopf).
- Onuf, Nicholas G. (1989), *World of Our Making: Rules and Rule in Social Theory and International Relations* (Columbia: University of South Carolina Press).
- Osiander, Andreas (1994), *The States System of Europe, 1640-1990: Peacemaking and the Conditions of International Stability* (Oxford: Clarendon Press).
- Reppen, Konrad (1988), 'Der Westfälische Friede und die Ursprünge des Europäischen Gleichgewichts', in K.Reppen, *Von der Reformation zur Gegenwart. Beiträge zu Grundfragen der Neuzeitlichen Geschichte* (Paderborn: Schöningh), 53-66.
- Rosenberg, Justin (1994), *The Empire of Civil Society: A Critique of the Realist Theory of International Relations* (London/New York: Verso).
- , (1996), 'Isaac Deutscher and the Lost History of International Relations', *New Left Review*, 215, 3-15.
- Ruggie, John Gerard [1983] (1986), 'Continuity and Transformation in the World Polity: Toward a Neorealist Synthesis', in Robert O.Keohane (ed.), *Neorealism and its Critics* (New York: Columbia University Press), 131-57.
- , (1989), 'International Structure and International Transformation: Space, Time, and Method', in Ernst-Otto Czempiel and James N.Rosenau (eds.), *Global Changes and Theoretical Challenges: Approaches to World Politics for the 1990s* (Lexington, Mass.: Lexington Books), 21-35.
- , (1993), 'Territoriality and Beyond: Problematizing Modernity in International Relations', *International Organization*, 47:1, 139-74.
- , (1998), 'What Makes the World Hang Together? Neo-Utilitarianism and the Social Constructivist Challenge', *International Organization*, 52:4, 855-85.

- Schroeder, Paul W. (1992), 'Did the Vienna Settlement Rest on a Balance of Power?', *American Historical Review*, 97:3, 683-706.
- , (1994a), *The Transformation of European Politics, 1763-1848* (Oxford: Clarendon Press).
- , (1994b), 'Historical Reality vs. Neo-realist Theory', *International Security*, 19:1, 108-48.
- Senghaas, Dieter (1982), *Von Europa Lernen: Entwicklungsgeschichtliche Betrachtungen* (Suhrkamp: Frankfurt/M.).
- Singer, David J. (1961), 'The Level-of-Analysis Problem in International Relations', in Klaus Knorr and Sydney Verba (eds.), *The International System: Theoretical Essays* (Princeton, N.J.: Princeton University Press), 77-92.
- Sheehan, Michael (1988), 'The Development of British Theory and Practice of the Balance of Power before 1714', *History*, 73:237, 24-37.
- , (1996), *The Balance of Power: History and Theory* (London/New York: Routledge).
- Siegelberg, Jens (1994), *Kapitalismus und Krieg: Eine Theorie des Krieges in der Weltgesellschaft* (Münster/Hamburg: Lit Verlag).
- Spruyt, Hendrik (1994a), *The Sovereign State and its Competitors: An Analysis of Systems Change* (Princeton: Princeton University Press).
- , (1994b), 'Institutional Selection in International Relations: State Anarchy as Order', *International Organization*, 48:4, 527-57.
- , (1998), 'Historical Sociology and Systems Theory in International Relations', *Review of International Political Economy*, 5:2, 340-53.
- Teschke, Benno (1997), 'The Significance of the Year One Thousand', *Historical Materialism: Research in Critical Marxist Theory*, 1:1, 196-203.
- Thomson, Janice E. (1994), *Mercenaries, Pirates, and Sovereigns: State-Building and Extraterritorial Violence in Early Medieval Europe* (Princeton, N.J.: Princeton University Press).
- , (1995), 'State Sovereignty in International Relations: Bridging the Gap between Theory and Empirical Research', *International Studies Quarterly*, 39:213-33.
- Viner, Jacob (1969) [1948], 'Power versus Plenty as Objectives of Foreign Policy in

- the Seventeenth and Eighteenth Centuries', in D.C. Coleman (ed.), *Revisions in Mercantilism* (London: Methuen), 61-91.
- Waltz, Kenneth N. (1979), *Theory of International Politics* (Reading, Mass.: Addison-Wesley).
- , (1986), 'Reflections on *Theory of International Politics*: A Response to my Critics', in Robert O. Keohane (ed.), *Neorealism and its Critics* (New York: Columbia University Press), 322-45.
- , (1988), 'The Origins of War in Neorealist Theory', *Journal of Interdisciplinary History*, 18:615-28.
- , (1990), 'Realist Thought and Neorealist Theory', *Journal of International Affairs*, 44:21-37.
- Watson, Adam (1984), 'Russia and the European States System', in Hedley Bull and Adam Watson (eds.), *The Expansion of International Society* (Oxford: Clarendon Press), 61-74.
- , (1990), 'System of States', *Review of International Studies*, 16, 99-109.
- , (1992) 'Medieval Europe: The Originality of Christendom', in Watson, *The Evolution of International Society: A Comparative Historical Analysis* (London/New York: Routledge), 138-51.
- Wendt, Alexander (1987), 'The Agent-Structure Problem in International Relations Theory', *International Organization*, 41:3, 391-425.
- , (1992), 'Anarchy is What States Make of It: The Social Construction of Power Politics', *International Organization*, 46:2, 391-425.
- , (1996), 'Identity and Structural Change in International Politics', in Yosef Lapid and Friedrich Kratochwil (eds.), *The Return of Culture and Identity in IR Theory* (Boulder, Col.: Lynne Rienner), 47-64.
- Wight, Martin (1966a), 'The Balance of Power', in Herbert Butterfield and Martin Wight (eds.), *Diplomatic Investigations: Essays in the Theory of International Politics* (London: Allen & Unwin), 149-75.
- , (1966b), 'Why is there no International Theory?', in H. Butterfield and M. Wight (eds.), *Diplomatic Investigations: Essays in the Theory of International Politics* (London: Allen & Unwin), 17-34.
- , (1977a), 'De Systematibus Civitatum', in M. Wight, *Systems of States*

- (Leicester: Leicester University Press), 21-45.
- , (1977b), 'The Origins of Our States-System: Chronological Limits', in M. Wight, *Systems of States* (Leicester: Leicester University Press), 129-53.
- , (1978), *Power Politics*, ed. by Hedley Bull and Carsten Holbraad (Leicester: Leicester University Press).
- Zacher, Mark (1992), 'The Decaying Pillars of the Westphalian Temple', in James Rosenau and Ernst-Otto Czempiel (eds.), *Governance without Government: Order and Change in World Politics* (Cambridge: Cambridge University Press), 58-101.
- Zolberg, Aristide (1980), 'Strategic Interactions and the Formation of Modern States: France and England', *International Social Science Journal*, 32:4, 687-716.
- , (1981), 'Origins of the Modern World: A Missing Link', *World Politics*, 33:2, 253-81.

2. The Middle Ages

- Arnold, Benjamin (1985), *German Knighthood, 1050-1300* (Oxford: Clarendon Press).
- , (1991), *Princes and Territory in Medieval Germany* (Cambridge: CUP).
- Ayton, Andrew and J.L.Price (1995), 'Introduction: The Military Revolution from a Medieval Perspective', in A.Ayton and J.L.Price (eds.), *The Medieval Military Revolution: State, Society, and Military Change in Medieval and Early Modern Europe* (London: Tauris Publishers), 1-22.
- Barthélémy, Dominique (1996), 'Debate: The "Feudal Revolution"', *Past & Present*, 152, 196-205.
- Bartlett, Robert (1993), *The Making of Europe: Conquest, Colonization and Cultural Change, 950-1350* (London: Penguin).
- Bisson, Thomas N. (1977), 'The Organized Peace in Southern France and Catalonia, ca.1140- ca.1233', *American Historical Review*, 2:290-311.
- , (1986), *The Medieval Crown of Aragon: A Short History* (Oxford: Clarendon Press).

- , (1990), ‘Nobility and Family in Medieval France: A Review Essay’, *French Historical Studies*, 16:3, 597-613.
- , (1994), ‘The “Feudal Revolution”’, *Past & Present*, 142, 6-42.
- , (1997), ‘Reply’, *Past & Present*, 155, 208-25.
- Bloch, Marc [1924] (1973), *The Royal Touch: Sacred Monarchy and Scrofula in England and France*, tr. by J.E. Anderson (London: Routledge).
- , [1931] (1966), *French Rural History: An Essay on its Basic Characteristics*, tr. by Janet Sondheimer (Berkeley: University of California Press).
- , [1940] (1961), *Feudal Society*, tr. by L.A. Manyon (London: Routledge).
- , [1941] (1966), ‘The Rise of Dependent Cultivation and Seignorial Institutions’, in M.M. Postan (ed.), *The Cambridge Economic History of Europe: The Agrarian Life of the Middle Ages*, vol. 1, 2nd ed. (Cambridge: CUP), 235-90.
- Bois, Guy [1976] (1984), *The Crisis of Feudalism: Economy and Society in Normandy, c.1300-1550*, reprint (Cambridge: CUP)
- , [1989] (1992), *The Transformation of the Year One Thousand.: The Village of Lournand from Antiquity to Feudalism*, tr. by Jean Birrell (Manchester and New York: Manchester University Press).
- Bonnassie, Pierre [1985] (1991a), ‘The Survival and Extinction of the Slave System in the Early Medieval West (Fourth to Eleventh Centuries)’, in Bonnassie, *From Slavery to Feudalism in South-Western Europe*, tr. by Jean Birrell (Cambridge and Paris: CUP and *Maison des Sciences de l’Homme*), 1-59.
- , [1980] (1991b), ‘From the Rhône to Galicia: Origins and Modalities of the Feudal Order’, in Bonnassie, *From Slavery to Feudalism in South-Western Europe*, tr. by Jean Birrell (Cambridge and Paris: CUP and *Maison des Sciences de l’Homme*), 104-31.
- , [1985] (1991c), ‘The Formation of Catalan Feudalism and its Early Expansion (to c. 1150)’, in Bonnassie, *From Slavery to Feudalism in South-Western Europe*, tr. by Jean Birrell (Cambridge/Paris: CUP and *Maison des Sciences de l’Homme*), 149-69.
- Brunner, Otto [1939] (1992), *Land and Lordship: Structures of Governance in Medieval Austria*, tr from the 4th rev. ed. by H. Kaminsky a. J. Van Horn

- Melton (Philadelphia: University of Pennsylvania Press).
- Christiansen, Eric (1980), *The Northern Crusades: The Baltic and the Catholic Frontier, 1100-1525* (London: Macmillan).
- Davies, Rees (1989), 'Frontier Arrangements in Fragmented Societies: Ireland and Wales', in R. Bartlett and A. MacKay (eds.), *Medieval Frontier Societies* (Oxford: Clarendon Press), 77-100.
- , (1990), *Domination and Conquest: The Experience of Ireland, Scotland, and Wales, 1100-1300* (Cambridge: CUP).
- Delbrück, Hans [1923] (1982), *History of the Art of War within the Framework of Political History. Vol. III: The Middle Ages*, tr. by Walter Renfroe, Jr. (Westport, Connecticut/London: Greenwood Press).
- Duby, Georges (1953), *La Société aux XIe et XIIe Siècles dans la Région Mâconnaise* (Paris: Librairie Armand Colin).
- , [1962] (1968), *Rural Economy and Country Life in the Medieval West*, tr. by Cynthia Postan (Columbia, SC: University of South Carolina Press).
- , [1973] (1974), *The Early Growth of the European Economy: Warriors and Peasants from the Seventh to the Twelfth Century*, tr. by Howard B. Clarke (London: Weidenfeld & Nicholson).
- , [1964] (1977a), 'Youth in Aristocratic Society', in Duby, *The Chivalrous Society*, tr. by Cynthia Postan (Berkeley/Los Angeles: University of California Press), 112-22.
- , [1967] (1977b), 'The Structure of Kinship and Nobility', in Duby, *The Chivalrous Society*, tr. by Cynthia Postan (Berkeley/Los Angeles: University of California Press), 134-48.
- , [1968] (1977c), 'The Origins of Knighthood', in Duby, *The Chivalrous Society*, tr. by Cynthia Postan (Berkeley/Los Angeles: University of California Press), 158-70.
- , [1978] (1980), *The Three Orders: Feudal Society Imagined*, tr. by Arthur Goldhammer (Chicago/London: University of Chicago Press).
- , [1988] (1994), 'The Relationship between Aristocratic Family and State Structures in Eleventh-Century France', in Duby, *Love and Marriage in the Middle Ages*, tr. by Jane Dunnett (Cambridge: Polity Press), 113-9.

- Ehler, Sidney (1961), 'On Applying the Modern Term 'State' to the Middle Ages', in J.A.Watt, J.B.Morrall, F.X.Martin (eds.), *Medieval Studies Presented to Aubrey Gwynn, S.J.* (Dublin: C.O.Lochlainn), 492-501.
- Evergates, Theodore (1995), 'Nobles and Knights in Twelfth-Century France', in Thomas N. Bisson (ed.), *Cultures of Power: Lordship, Status, and Process in Twelfth-Century Europe* (Philadelphia: University of Pennsylvania Press), 11-35.
- Fletcher, R.A. (1987), 'Reconquest and Crusade in Spain, c 1050-1150', *Transactions of the Royal Historical Society*, 5th series, 37, 31-47.
- Flori, Jean (1986), *L'Essor de la Chevalerie: XIe - XIIe siècles* (Genève: Librairie Droz).
- , (1992a), 'L'Eglise et la Guerre Sainte: De la "Paix de Dieu" à la Croisade', *Annales E.S.C.*, 2, 453-66.
- , (1992b), *La Première Croisade: L'Occident Chrétien contre l'Islam* (Paris: Editions Complexe).
- Fourquin, Guy (1975), 'Le Temps de la Croissance', in G.Duby and A.Wallon (eds.), *Histoire de la France Rurale. Tome 1: La Formation des Campagnes Françaises des Origines au XIV Siècle* (Paris: Seuil).
- Frame, Robin (1990), *The Political Development of the British Isles, 1100-1400* (Oxford/New York: Oxford University Press).
- Ganshof, François [1952] (1964), *Feudalism*, 3rd re. ed., tr. by Ph.Grierson (London: Longman).
- , [1953] (1970), *The Middle Ages: A History of International Relations*, 4th rev. ed., tr. by Remy Inglis Hall (New York: Harper&Row).
- , (1971a), 'The Institutional Framework of the Frankish Monarchy: A Survey of its General Characteristics', in Ganshof, *The Carolingians and the Frankish Monarchy: Studies in Carolingian History*, tr. by Janet Sondheimer (London: Longman), 86-110.
- , (1971b), 'The Frankish Monarchy and its External Relations, from Pippin III to Louis the Pious', in Ganshof, *The Carolingians and the Frankish Monarchy: Studies in Carolingian History*, tr. by Janet Sondheimer (London: Longman), 162-204.

- Geary, Patrick (1986), 'Vivre en Conflit dans une France sans État: Typologie des Mécanismes de Règlement des Conflits (1050-1200)', *Annales E.S.C.*, 41:1107-33.
- Given, James (1990), *State and Society in Medieval Europe: Gwynedd and Languedoc Under Outside Rule* (Ithaca, N.Y.: Cornell University Press).
- Goetz, Hans-Werner (1995), 'Social and Military Institutions', in R. McKitterick (ed.), *The New Cambridge Medieval History, vol.II, c.700-900* (Cambridge: CUP), 451-80.
- Guenée, Bernard [1971] (1985), *States and Rulers in Later Medieval Europe*, tr. by Juliet Vale from the second edition (London: Basil Blackwell).
- Haldon, John (1993), *The State and the Tributary Mode of Production* (London/New York: Verso).
- Hallam, Elizabeth M. (1980), *Capetian France, 987-1328* (London/New York: Longman).
- Hilton, Rodney (1974), 'Warriors and Peasants', *New Left Review*, 83, 83-94.
- , [1965] (1976a), 'Freedom and Villeinage in England', in Hilton (ed.), *Peasants, Knights and Heretics: Studies in Medieval English Social History* (Cambridge: Cambridge University Press), 174-91.
- (1976b), 'Introduction', in Paul Sweezy, Maurice Dobb et al., *The Transition from Feudalism to Capitalism* (London: New Left Books), 9-30.
- , (1990), 'Feudalism or *Féodalité* and *Seigneurie* in France and England', in R.Hilton, *Class Conflict and the Crisis of Feudalism: Essays in Medieval Social History*, 2nd rev. ed (London?New York: Verso).
- James, Edward (1982), *The Origins of France: From Clovis to the Capetians, 500-1000* (London: Macmillan).
- Kantorowicz, Ernst (1957), *The King's Two Bodies: A Study in Mediaeval Political Theology* (Princeton, N.J.: Princeton University Press).
- Kaeuper, Richard W. (1988), *War, Justice, and Public Order: England and France in the Later Middle Ages* (Oxford: Clarendon Press).
- Kuchenbuch, Ludolf (1997), 'Potestas und Utilitas: Ein Versuch über Stand und Perspektiven der Forschung zur Grundherrschaft im 9.-13 Jahrhundert', *Historische Zeitschrift*, 265, 117-46.

- Kula, Witold [1962] 1976, *An Economic Theory of the Feudal System: Towards a Model of the Polish Economy, 1500-1800*, translated by Lawrence Garner (London: Verso).
- Le Goff, Jacques (1989), 'Le Moyen Âge', in André Burguière and Jacques Revel (eds.), *Histoire de la France, L'État et les Pouvoirs*, vol. 2, ed. by J. Le Goff (Paris: Seuil), 21-180.
- Le Patourel, John (1969), 'The Norman Colonization of Britain', in *I Normanni e la Loro Espansione in Europa nell'Alto Medioevo: Settimane di Studio del Centro Italiano di Studi sull'Alto Medioevo*, No. 16 (Spoleto: Presso la Sede del Centro), 409-38.
- , (1976), *The Norman Empire* (Oxford: Clarendon Press).
- Leyser, Karl (1968), 'The German Aristocracy from the Ninth to the Early Twelfth Century: A Historical and Cultural Sketch', *Past & Present*, 41:25-53.
- Lomax, Derek W. (1978), *The Reconquest of Spain* (London/New York: Longman).
- Mayer, Theodor [1939] (1963), 'Die Ausbildung des Modernen Deutschen Staates im Hohen Mittelalter', in Hellmut Kämpf (ed.), *Herrschaft und Staat im Mittelalter* (Bad Homburg: Gentner Verlag), 284-331.
- Miller, Edward (1972) [1970], 'Government, Economic Policies, and Public Finance 1000-1500', in *The Fontana Economic History of Europe, Vol. 1: The Middle Ages*, ed. by Carlo M. Cipolla (London: Collins/Fontana Books), 339-70.
- Mitteis, Heinrich [1940] (1975), *The State in the Middle Ages: A Comparative Constitutional History of Feudal Europe*, tr. by H.F. Orton (Amsterdam: North-Holland Publishing Company).
- Moraw, Peter (1982), "'Herrschaft" im Mittelalter', in Otto Brunner, Werner Conze, and Reinhard Koselleck (eds.), *Geschichtliche Grundbegriffe: Historisches Lexikon zur Politisch-Sozialen Sprache in Deutschland*, vol. 3 (Stuttgart: Klett-Cotta), 5-13.
- Nelson, Janet L. (1995), 'Kingship and Royal Government', in R. McKitterick (ed.), *The New Cambridge Medieval History, vol. II, c. 700-900* (Cambridge: CUP), 383-436.
- Neveux, Hugues (1975), 'Déclin et Reprise: La Fluctuation Biséculaire', in Georges Duby and Armand Wallon (eds.), *Histoire de la France Rurale. Tome 2. L'Âge*

- Classique des Paysans 1340-1789* (Paris: Seuil), 11-173.
- Ormrod, W.M. (1995), 'The West European Monarchies in the Later Middle Ages', in R. Bonney (ed.), *Economic Systems and State Finance* (Oxford: Clarendon Press), 123-60.
- and János Barta (1995), 'The Feudal Structure and the Beginnings of State Finance', in R. Bonney (ed.), *Economic Systems and State Finance* (Oxford: Clarendon Press), 53-79.
- Poly, Jean-Pierre and Bournazel, Eric [1980] (1991), *The Feudal Transformation, 900-1200*, tr. by Caroline Higitt (New York/London: Holmes & Meier).
- Postan, Michael M. (1967), 'Investment in Medieval Agriculture', *Journal of Economic History*, 27:4, 576-87.
- Reuter, Timothy (1985), 'Plunder and Tribute in the Carolingian Empire', *Transactions of the Royal Historical Society*, 5th series, 35, 75-94.
- , (1995), 'The End of Carolingian Military Expansion', in Peter Godman and Roger Collins (eds.), *Charlemagne's Heir. New Perspectives on the Reign of Louis the Pious (814-840)*, (Oxford: Clarendon Press), 391-405.
- , (1997), 'Debate: The 'Feudal Revolution'', *Past & Present*, 155, 177-95.
- Reynolds, Susan (1994), *Fiefs and Vassals: The Medieval Evidence Reinterpreted* (Oxford: Clarendon Press).
- Robinson, Ian (1990), *The Papacy, 1073-1198: Continuity and Innovation* (Cambridge: CUP).
- Rösener, Werner (1992), *Agrarwirtschaft, Agrarverfassung, und ländliche Gesellschaft im Mittelalter* (Munich: Oldenbourg).
- Searle, Eleanor (1988), *Predatory Kinship and the Creation of Norman Power: 840-1066* (Berkeley: University of California Press).
- Smith, Julia (1995), 'Fines Imperii: The Marches', in Rosamond McKitterick (ed.), *The New Cambridge Medieval History, c. 700-c. 900*, vol. 2 (Cambridge: Cambridge University Press), 169-89.
- Strayer, Joseph (1970), *On the Medieval Origins of the Modern State* (Princeton, N.J.: Princeton University Press).
- Tellenbach, Gerd [1943] (1978), 'From the Carolingian Imperial Nobility to the German Estate of Princes', in Th. Reuter (ed.), *Medieval Nobility: Studies on*

the Ruling Classes of France and Germany from the Sixth to the Twelfth Century (Amsterdam: North-Holland Publishing Company).

Verhulst, Adriaan (1991), 'The Decline of Slavery and the Economic Expansion of the Early Middle Ages', *Past & Present*, 133, 195-203.

———, (1995), 'Economic Organisation', in R. McKitterick (ed.), *The New Cambridge Medieval History, vol.II, c.700-900* (Cambridge: CUP), 481-509.

Waley, Daniel [1964] (1985), *Later Medieval Europe: From St Louis to Luther*, 2nd ed. (London and New York: Longman).

Werner, Karl (1980), "Missus-Marchio-Comes: Entre l'administration centrale et l'administration locale de l'empire carolingien, in K.Werner and W.Paravicini (eds.), *Histoire Comparée de l'Administration: IVe-XVIIIe Siècles* (Munich:Artemis), 191-239.

White, Stephen D. (1986), 'Feuding and Peace-Making in the Touraine Around the Year 1000', *Traditio*, 42:195-263.

———, (1996), Debate: The 'Feudal Revolution', *Past & Present*, 152, 205-23.

3. Early Modern Europe

Anderson, Matthew .S. (1988), *War and Society in Europe of the Old Regime, 1618-1789* (Leicester: Leicester University Press).

———, (1993), *The Rise of Modern Diplomacy, 1450-1919* (London/New York: Longman).

von Arentin, Karl Otmar (1981), 'Tausch, Teilung und Länderschacher als Folgen des Gleichgewichtssystems der Europäischen Großmächte: Die Polnischen Teilungen als Europäisches Schicksal', *Jahrbuch für die Geschichte Mittel- und Ostdeutschlands*, 30, 53-68.

Asch, Ronald G. and Heinz Duchhardt (eds.) (1996), *Der Absolutismus - ein Mythos? Strukturwandel Monarchischer Herrschaft in West- und Mitteleuropa (ca. 1550-1700)* (Köln/Weimar/Berlin: Böhlau).

Aston, Trevor (ed.) (1965), *Crisis in Europe, 1550-1660: Essays from Past and Present* (London: Routledge & Kegan Paul).

- Beik, William (1985), *Absolutism and Society in Seventeenth-Century France: State Power and Provincial Aristocracy in Languedoc* (Cambridge: Cambridge University Press).
- Bergin, Joseph (1985), *Cardinal Richelieu: Power and the Pursuit of Wealth* (London/New Haven: Yale University Press).
- Bien, David D. (1978), 'The *Secrétaires du Roi*: Absolutism, Corps, and Privilege under the *Ancien Régime*', in Ernst Hinrichs, Eberhard Schmitt, Rudolf Vierhaus (eds.), *Vom Ancien Régime zur Französischen Revolution: Forschungen und Perspektiven* (Göttingen: Vandenhoeck & Ruprecht 1978), 153-68.
- Black, Jeremy (1991), *A System of Ambition? British Foreign Policy 1660-1793* (London: Longman).
- Bonney, Richard (1981), *The King's Debts: Finance and Politics in France 1589-1661* (Oxford: Clarendon Press).
- , (1991), *The European Dynastic States, 1494-1660* (Oxford: Oxford University Press).
- , (1995a), 'Introduction: Economic Systems and State Finance', in Bonney (ed.) *Economic Systems and State Finance* (Oxford: Clarendon Press), 1-18.
- , (1995b) 'Revenues', in R. Bonney (ed.), *Economic Systems and State Finance* (Oxford: Clarendon Press), 423-505.
- Bosbach, Franz (1986), *Monarchia Universalis: Ein Politischer Begriff der Frühen Neuzeit* (Göttingen: Vandenhoeck & Ruprecht).
- Bulst, Neithard (1987), 'Die Französischen General- und Provinzialstände im 15. Jahrhundert. - Zum Problem Nationaler Integration und Desintegration', in Ferdinand Seibt and Winfried Eberhard (eds.), *Europa 1500: Integrationsprozesse im Widerstreit: Staaten, Regionen, Personenverbände, Christenheit* (Stuttgart: Klett-Cotta), 313-29.
- , (1996), 'Rulers, Representative Institutions and their Members as Power Elites: Rival or Partners?', in W. Reinhard (ed.), *Power Elites and State Building* (Oxford: Clarendon Press), 41-58.
- Burkhardt, Johannes, (1992), *Der Dreißigjährige Krieg* (Frankfurt/M.: Suhrkamp).
- , (1997), 'Die Friedlosigkeit der Frühen Neuzeit. Grundlegung einer Theorie

- der Bellizität Europas', *Zeitschrift für Historische Forschung*, 24:4, 509-74.
- Crouzet, François [1985] (1990), *Britain Ascendant: Comparative Studies in Franco-British Economic History*, tr. by Martin Thom (Cambridge: CUP).
- De Vries, Jan (1976), *The Economy of Europe in an Age of Crisis, 1600-1750* (Cambridge: Cambridge University Press).
- Elliott, J.H. (1992), 'A Europe of Composite Monarchies', *Past & Present*, 137, 48-71.
- Fenske, Hans (1975), 'Gleichgewicht, Balance', in Otto Brunner, Werner Conze, Reinhart Koselleck (eds.), *Geschichtliche Grundbegriffe. Historisches Lexikon zur Politisch-Sozialen Sprache in Deutschland*, vol. 2 (Stuttgart: Klett Verlag), 959-96.
- Gelabert, Juan (1995), 'The Fiscal Burden', in Richard Bonney (ed.), *Economic Systems and State Finance* (Oxford: Clarendon Press), 539-76.
- Goubert, Pierre (1986) [1982], *The French Peasantry in the Seventeenth Century*, transl. by Ian Patterson (Cambridge: CUP).
- Hatton, Ragnhild M. (1969), 'Louis XIV and his Fellow Monarchs', in John C. Rule (ed.), *Louis XIV and the Craft of Kingship* (Columbia: Ohio State University Press), 155-95.
- Henshall, Nicholas (1992), *The Myth of Absolutism: Change and Continuity in Early Modern European Monarchy* (London/New York: Longman).
- , (1996), 'Early Modern Absolutism 1550-1700: Political Reality or Propaganda?', in Ronald G. Asch and Heinz Duchhardt (eds.), *Der Absolutismus - ein Mythos? Strukturwandel Monarchischer Herrschaft in West- und Mitteleuropa (ca. 1550-1700)*, (Köln, Weimar, Berlin: Böhlau), 25-53.
- Hinrichs, Ernst (1986) [1983], 'Merkantilismus in Europa: Konzepte, Ziele, Praxis', in E. Hinrichs (ed.), *Absolutismus* (Frankfurt/M.: Suhrkamp), 344-60.
- , (1989), 'Absolute Monarchie und Bürokratie. Bemerkungen über ihre "Unvereinbarkeit" im Französischen Ancien Régime', in E. Hinrichs (ed.), *Ancien Régime und Revolution: Studien zur Verfassungsgeschichte Frankreichs zwischen 1589 und 1789* (Frankfurt/M.: Suhrkamp), 81-98.
- , (1996), 'Abschied vom Absolutismus? Eine Antwort auf Nicholas Henshall',

- in Ronald G. Asch and Heinz Duchhardt (eds.), *Der Absolutismus - ein Mythos? Strukturwandel Monarchischer Herrschaft* (Köln/Weimar/Berlin: Böhlau), 353-71.
- Hoffman, Philip T. (1994), 'Early Modern France, 1450-1700', in Philip T. Hoffman and Kathryn Norberg (eds.), *Fiscal Crises, Liberty, and Representative Government, 1450-1789* (Stanford, Ca.: Stanford University Press), 226-252.
- Kaiser, David (1990), *Politics and War: European Conflict from Phillip II to Hitler* (Cambridge, Mass.: Harvard University Press).
- Klingenstein, Grete (1997), 'The Meanings of "Austria" and "Austrian" in the Eighteenth Century', in Robert Oresko, G.C. Gibbs, H.M. Scott (eds.), *Royal and Republican Sovereignty in Early Modern Europe: Essays in Memory of Ragnhild Hatton* (Cambridge: Cambridge University Press), 423-78.
- Körner, Martin (1995a), 'Expenditure', in R. Bonney (ed.) *Economic Systems and State Finance* (Oxford: Clarendon Press), 393-422.
- , (1995b), 'Public Credit', in R. Bonney (ed.), *Economic Systems and State Finance* (Oxford: Clarendon Press), 507-38.
- Kunisch, Johannes (1979), *Staatsverfassung und Mächtepolitik. Zur Genese von Staatenkonflikten im Zeitalter des Absolutismus* (Berlin: Duncker&Humblot).
- , (ed.) (1982), *Der Dynastische Fürstenstaat: Zur Bedeutung von Sukzessionsordnungen für die Entstehung des frühmodernen Staates* (Berlin: Duncker & Humblot).
- , (1987) 'La Guerre - C'est Moi! Zum Problem der Staatenkonflikte im Zeitalter des Absolutismus', *Zeitschrift für Historische Forschung*, 14:1/4, 407-38.
- Le Roy Ladurie, Emmanuel (1994) [1987], *The Royal French State, 1460-1610*, tr. by Juliet Vale (Oxford: Blackwell).
- Lublinskaya, A.D. (1968) *French Absolutism: The Crucial Phase 1620-29* (Cambridge: CUP).
- [1972] (1980), 'The Contemporary Bourgeois Conception of Absolute Monarchy', in Harold Wolpe (ed.), *The Articulation of Modes of Production: Essays from 'Economy and Society'* (London: Routledge & Kegan Paul), 161-88.

- Lundkvist, Sven (1988), 'Die Schwedischen Kriegs- und Friedensziele 1632-48', in Konrad Reppen (ed.), *Krieg und Politik 1618-1648: Europäische Probleme und Perspektiven* (München: R. Oldenbourg Verlag), 219-40.
- de Madariaga, Isabel (1997), 'Tsar into Emperor: The Title of Peter the Great', in Robert Oresko, G.C. Gibbs, H.M. Scott (eds.), *Royal and Republican Sovereignty in Early Modern Europe: Essays in Memory of Ragnhild Hatton* (Cambridge: CUP), 351-81.
- Malettke, Klaus (1991), 'Ludwig XIV. Außenpolitik zwischen Staatsräson, ökonomischen Zwängen und Sozialkonflikten', in Heinz Duchhardt (ed.), *Rahmenbedingungen und Handlungsspielräume Europäischer Außenpolitik im Zeitalter Ludwigs XIV* (Berlin: Duncker & Humblot 1991), 43-72.
- Mattingly, Garrett [1955] (1988), *Renaissance Diplomacy* (New York: Dover Publications).
- McKay, Derek and H.M. Scott (1983), *The Rise of the Great Powers, 1648-1815* (London/New York: Longman).
- Mettam, Roger (1988), *Power and Faction in Louis XIV's France* (Oxford: Blackwell).
- Mousnier, Roland [1974] (1979), *The Institutions of France under the Absolute Monarchy, 1598-1789: Society and the State*, vol. I, tr. by Brian Pearce (Chicago: University of Chicago Press).
- , [1980] (1984), *The Institutions of France under the Absolute Monarchy, 1589-1789: The Organs of the State and Society*, vol. II, tr. by Arthur Goldhammer (Chicago: University of Chicago Press).
- Muhlack, Ulrich (1988), 'Absoluter Fürstenstaat und Heeresorganisation in Frankreich im Zeitalter Ludwigs XIV', in Johannes Kunisch (ed.), *Staatsverfassung und Heeresverfassung in der Europäischen Geschichte der Frühen Neuzeit* (Berlin: Duncker & Humblot), 249-78.
- Münkler, Herfried (1992), *Machiavelli: Die Begründung des Politischen Denkens der Neuzeit aus der Krise der Republik Florenz* (Fischer: Frankfurt/M.).
- , (1987a), *Im Namen des Staates: Die Begründung der Staatsraison in der Frühen Neuzeit* (Frankfurt/Main: Fischer Verlag).
- , (1987b), 'Staat, Krieg und Frieden: Die Verwechsellte Wechselbeziehung.

- Eine Auseinandersetzung mit Ekkehart Krippendorff, in Reiner Steinweg (ed.), *Kriegsursachen* (Frankfurt/M.: Suhrkamp), 135-44.
- Oestreich, Gerhard (1982a) [1969], 'Army Organization in the German Territories from 1500 to 1800', in G.Oestreich, *Neostoicism and the Early Modern State* (Cambridge: CUP), 221-40.
- , (1982b) [1969], 'The Structure of the Absolutist State', in G.Oestreich, *Neostoicism and the Early Modern State* (Cambridge: Cambridge University Press), 258-73.
- , (1982c) [1969], 'The Constitution of the Holy Roman Empire and the European State System, 1648-1789', in G.Oestreich, *Neostoicism and the Early Modern State* (Cambridge: Cambridge University Press), 241-57.
- Oresko, Robert (1995), 'The Marriages of the Nieces of Cardinal Mazarin. Public Policy and Private Strategy in Seventeenth-Century Europe', in Rainer Babel (ed.), *Frankreich im Europäischen Staatensystem der Frühen Neuzeit* (Sigmaringen: Jan Thorbecke Verlag), 109-51.
- , G.C.Gibbs and H.M.Scott (eds.) (1997), *Royal and Republican Sovereignty in Early Modern Europe: Essays in Memory of Ragnhild Hatton* (Cambridge: CUP).
- Parker, David (1981), 'Law, Society and the State in the Thought of Jean Bodin', *History of Political Thought*, 2:2, 253-85.
- , (1989), 'Sovereignty, Absolutism and the Function of the Law in Seventeenth-Century France', *Past & Present*, 122, 36-74.
- , (1996), *Class and State in Ancien Régime France: The Road to Modernity?* (London/New York: Routledge).
- Parker, Geoffrey and Lesley M. Smith (eds.) (1978), *The General Crisis of the Seventeenth Century* (London: Routledge & Kegan Paul).
- Parrott, David (1997), 'A Prince Souverain and the French Crown: Charles de Nevers, 1580-1637', in Robert Oresko, G.C.Gibbs and H.M.Scott (eds.), *Royal and Republican Sovereignty in Early Modern Europe: Essays in Memory of Ragnhild Hatton* (Cambridge: CUP), 149-87.
- Porchnev, Boris (1963), *Les Soulèvements Populaires en France de 1623 à 1648* (Paris: S.E.V.P.E.N.).

- Rabb, Theodore K. (1975), *The Struggle for Stability in Early Modern Europe* (New York: OUP).
- Reinhard, Wolfgang (1975), 'Staatsmacht als Kreditproblem: Zur Struktur und Funktion des Frühneuzeitlichen Ämterhandels', in *Vierteljahreshefte für Sozial- und Wirtschaftsgeschichte*, 61:3, 289-319.
- , (1996a), 'Kriegsstaat - Steuerstaat - Machtstaat', In Asch and Duchhardt (eds.), *Der Absolutismus - ein Mythos? Strukturwandel Monarchischer Herrschaft in West- und Mitteleuropa (ca. 1550-1700)*, (Köln/Weimar/Berlin: Böhlau), 277-310.
- , (1996b), 'Introduction: Power Elites, State Servants, Ruling Classes and the Growth of State Power', in W.Reinhard (ed.), *Power Elites and State Building* (Oxford: Clarendon Press), 1-18.
- Root, Hilton (1987), *Peasants and King in Burgundy: Agrarian Foundations of French Absolutism* (Berkeley: University of California Press).
- Rowen, Herbert (1961), "'L'État, c'est à moi"; Louis XIV and the State', *French Historical Studies*, 2:83-98.
- , (1969), 'Louis XIV and Absolutism', in John C. Rule (ed.), *Louis XIV and the Craft of Kingship* (Columbia: Ohio State University Press), 302-16.
- , (1980), *The King's State: Proprietary Dynasticism in Early Modern France* (New Brunswick, New Jersey: Rutgers University Press).
- Sahlins, Peter (1990), 'Natural Frontiers Revisited: France's Boundaries since the Seventeenth Century', *American Historical Review*, 95, 1423-51.
- Salmon, J.H.M. (1987) [1967], 'Venality of Office and Popular Sedition in Seventeenth-Century France', in J.H.M. Salmon, *Renaissance and Revolt: Essays in the Intellectual and Social History of Early Modern France* (Cambridge: CUP), 191-210.
- Schulze, Winfried (1982), 'Europäische und deutsche Bauernrevolten der frühen Neuzeit - Probleme der vergleichenden Betrachtung', in W.Schulze (ed.), *Europäische Bauernrevolten der frühen Neuzeit* (Frankfurt/Main: Suhrkamp).
- , (1995), 'The Emergence and Consolidation of the "Tax State": I. The Sixteenth Century', in R.Bonney (ed.), *Economic Systems and State Finance* (Oxford: Clarendon Press), 261-79.

- Schwarz, Brigide (1983), 'Ämterkäuferlichkeit, eine Institution des Absolutismus und ihre Mittelalterlichen Wurzeln', in Historisches Seminar der Universität Münster (ed.), *Staat und Gesellschaft in Mittelalter und Früher Neuzeit: Gedenkschrift für Joachim Leuschner* (Göttingen: Vandenhoeck & Ruprecht), 176-96.
- Symcox, Geoffrey (ed.) (1974), *War, Diplomacy, and Imperialism, 1618-1763* (London: Macmillan).
- Vierhaus, Rudolf (1985) [1966], 'Absolutismus', in Ernst Hinrichs (ed.), *Absolutismus* (Frankfurt/M.: Suhrkamp), 35-62.
- , (1988), *Germany in the Age of Absolutism*, tr. by Jonathan B. Knudsen (Cambridge: CUP).
- Weber, Hermann (1981), 'Die Bedeutung der Dynastien für die Europäische Geschichte in der Frühen Neuzeit', *Zeitschrift für Bayerische Landesgeschichte*, 44, 5-32.
- Wohlfeil, Rainer (1988), 'Das Heerwesen im Übergang vom Ritter- zum Söldnerheer', in Johannes Kunisch (ed.), *Staatsverfassung und Heeresverfassung in der Europäischen Geschichte der Frühen Neuzeit* (Berlin: Duncker & Humblot), 107-27.
- Wrigley, Anthony (1985), 'Urban Growth and Agricultural Change: England and the Continent in the Early Modern Period', *Journal of Interdisciplinary History*, 15:683-728.

4. Historical Sociology and General Social and Political Theory

- Abu-Lughod, Janet L. (1989), *Before European Hegemony: The World System A.D. 1250-1350* (New York/Oxford: OUP).
- Adorno, Theodor W. [1968] (1993), *Einleitung in die Soziologie* (Frankfurt/M.: Suhrkamp)
- Anderson, J.L. (1991), *Explaining Long-Term Economic Change* (London: Macmillan).
- Anderson, Perry (1974a), *Passages from Antiquity to Feudalism* (London/New York:

- Verso).
- , (1974b) *Lineages of the Absolutist State* (London/New York: Verso).
- Berman, Harold (1983), *Law and Revolution: The Formation of the Western Legal Tradition* (Cambridge, Mass.: Harvard University Press).
- Braudel, Fernand [1949] (1972a), *The Mediterranean and the Mediterranean World in the Age of Phillip II*, 2 vols., translated from the 2nd rev. edition 1966 by Siân Reynolds (London: Fontana).
- , (1972b), 'History and the Social Sciences', in Peter Burke (ed.), *Economy and Society in Early Modern Europe: Essays from Annales* (London: Routledge & Kegan Paul), 11-42.
- , (1977), *Afterthoughts on Material Civilization and Capitalism*, transl. by Patricia Ranum (Baltimore/London: The Johns Hopkins University Press).
- , [1979] (1984), *The Perspective of the World*, vol.3, translated by Siân Reynolds (Berkeley/Los Angeles: University of California Press).
- Braun, Rudolf (1975), 'Taxation, Sociopolitical Structure, and State-Building: Great Britain and Brandenburg-Prussia', Ch. Tilly (ed.), *The Formation of National States in Western Europe* (Princeton, N.J.: Princeton University Press), 243-327.
- Brenner, Robert (1977), 'The Origins of Capitalist Development: A Critique of Neo-Smithian Marxism', *New Left Review*, 104, 25-92.
- , (1985a), 'Agrarian Class Structure and Economic Development in Pre-Industrial Europe', in T.H.Aston and C.H.E.Philpin (eds.), *The Brenner Debate: Agrarian Class Structure and Economic Development in Pre-Industrial Europe* (Cambridge: CUP), 10-63.
- , (1985b), 'The Agrarian Roots of European Capitalism', in T.H.Aston and C.H.E.Philpin (eds.), *The Brenner Debate: Agrarian Class Structure and Economic Development in Pre-Industrial Europe* (Cambridge: CUP), 213-327.
- , (1986), 'The Social Basis of Economic Development', in John Roemer (ed.), *Analytical Marxism* (Cambridge: CUP), 23-53.
- , (1987), 'Feudalism', in J. Eatwell, M. Milgate, P.Newman (eds.), *The New Palgrave: A Dictionary of Economics: Marxian Economics* (London: Macmillan), 170-85.

- , (1989), 'Bourgeois Revolution and Transition to Capitalism', in A.L.Beier, David Cannadine and James M.Rosenheim (eds.), *The First Modern Society: Essays in English History in Honour of Lawrence Stone* (Cambridge: CUP), 271-304.
- , (1993), *Merchants and Revolution: Commercial Change, Political Conflict, and London's Overseas Traders, 1550-1653* (Cambridge: CUP).
- , (1996), 'The Rises and Declines of Serfdom in Medieval and Early Modern Europe', in Michael L. Bush (ed.), *Serfdom and Slavery: Studies in Legal Bondage* (London: Longman), 247-76.
- Breuer, Stefan (1991), *Max Weber's Herrschaftssoziologie* (Frankfurt/New York: Campus Verlag).
- Collins, Randall (1986), *Weberian Sociological Theory* (Cambridge: CUP).
- Comninel, George C. (1987), *Rethinking the French Revolution: Marxism and the Revisionist Challenge* (London/New York: Verso).
- , (1992), *Feudalism and the Origins of Capitalism*, unpublished manuscript (Toronto/York University: Department of Political Science).
- Downing, Brian (1992), *The Military Revolution and Political Change: Origins of Democracy and Autocracy in Early Modern Europe* (Princeton, NJ: Princeton University Press).
- Dobb, Maurice (1946), 'Capital Accumulation and Mercantilism', in M.Dobb, *Studies in the Development of Capitalism* (London: Routledge), 177-220.
- Elias, Norbert [1939] 1994, *The Civilizing Process: The History of Manners and State Formation and Civilization*, tr. by E.Jephcott, reprint (Oxford and Cambridge, Mass.: Blackwell).
- Engels, Friedrich [1874] (1976), *The Origin of the Family, Private Property and the State*, in K.Marx and F.Engels, *Collected Works*, vol.26 (London: Lawrence and Wishart).
- Ertman, Thomas (1997), *Birth of the Leviathan: Building States and Regimes in Medieval and Early Modern Europe* (Cambridge: CUP).
- Finer, Samuel E. (1975), 'State- and Nation-Building in Europe: The Role of the Military', in Charles Tilly (ed.), *The Formation of National States in Western Europe* (Princeton, N.J.: Princeton University Press), 84-163.

- Gerstenberger, Heide (1987), 'Vom Lauf der Zeit. Eine Kritik an Fernand Braudel', *PROKLA*, 67:2, 119-34.
- , (1990), *Die Subjektlose Gewalt: Theorie der Entstehung Bürgerlicher Staatsgewalt* (Münster: Westfälisches Dampfboot).
- Giddens, Anthony (1984), *The Constitution of Society: Outline of the Theory of Structuration* (Cambridge: Polity Press).
- , (1985), *The Nation-State and Violence: Volume Two of a Contemporary Critique of Historical Materialism* (Cambridge: Polity Press).
- Gintis, Herbert and Samuel Bowles (1984), 'State and Class in European Feudalism', in Charles Bright and Susan Harding (eds.), *Statemaking and Social Movements: Essays in History and Theory* (Ann Arbor: University of Michigan Press), 19-51.
- Godelier, Maurice (1972), *Rationality and Irrationality in Economics*, translated by Brian Peirce (New York: Monthly Review Press).
- Groh, Dieter (1973), *Kritische Geschichtswissenschaft in Emanzipatorischer Absicht: Überlegungen zur Geschichtswissenschaft als Sozialwissenschaft* (Stuttgart: Kohlhammer).
- Habermas, Jürgen [1965] (1989), *The Structural Transformation of the Public Sphere: An Inquiry into the Category of Bourgeois Society*, translated by Thomas Burger (London: Polity Press).
- Hexter, Jack (1972), 'Fernand Braudel and the *Monde Braudélien*', *The Journal of Modern History*, 4:480-539.
- Hintze, Otto [1929] 1968, 'The Nature of Feudalism', in F.L.Cheyette (ed.), *Lordship and Community in Medieval Europe: Selected Readings* (New York: Holt, Rinehart, and Winston), 22-31.
- , (1975a) [1902], 'The Formation of States and Constitutional Development: A Study in History and Politics', in Felix Gilbert (ed.), *The Historical Essays of Otto Hintze* (New York: Oxford University Press), 159-77.
- , (1975b) [1906], 'Military Organization and the Organization of the State', in Felix Gilbert (ed.), *The Historical Essays of Otto Hintze* (New York: Oxford University Press), 180-215.
- , (1975c), 'The Preconditions of Representative Government in the Context of

- World History', in Felix Gilbert (ed.), *The Historical Essays of Otto Hintze* (New York: Oxford University Press), 305-53.
- Horkheimer, Max (1972), 'Traditional and Critical Theory', in *Critical Theory: Selected Essays*, translated by Matthew J.O'Connell et al. (New York: Herder & Herder), 188-252.
- Katz, Claudio J. (1989), *From Feudalism to Capitalism: Marxian Theories of Class Struggle and Social Change* (New York: Greenwood Press).
- , (1993), 'Karl Marx on the Transition from Feudalism to Capitalism', in *Theory and Society*, 22, 363-89.
- Mann, Michael (1986), *The Sources of Social Power: Vol. 1. A History of Power from the Beginning to A.D. 1760* (Cambridge: CUP).
- , (1988a) 'The Autonomous Power of the State: Its Origins, Mechanisms and Results', in M.Mann, *States, War, Capitalism* (Oxford: Blackwell), 1-32.
- , (1988b), 'European Development: Approaching a Historical Explanation', in J.Baechler et al. (eds.), *Europe and the Rise of Capitalism* (Oxford: Blackwell).
- Marx, Karl [1843] (1975), 'Contribution to the Critique of Hegel's Philosophy of Law', in K.Marx and F.Engels, *Collected Works*, vol.3 (New York: International Publishers), 3-129.
- , [1847] (1976), 'Moralising Criticism and Critical Morality', in K.Marx and F.Engels, *Collected Works*, vol.6 (London:Lawrence and Wishart).
- , [1867] 1976, *Capital: A Critique of Political Economy*, vol. 1, translated by ben Fowkes (London: Penguin).
- , [1871] (1976), *The Civil War in France*, in K.Marx and F.Engels, *Collected Works*, vol.22 (London: Lawrence and Wishart).
- , [1894] (1981), *Capital: A Critique of Political Economy*, vol.3, translated by David Fernbach (London:Penguin).
- and Friedrich Engels, [1845] (1964), *The German Ideology: Critique of Modern German Philosophy According to its Representatives Feuerbach, Bruno Bauer, and Stirner, and of German Socialism According to its Various Prophets* (Moscow: Progress Publishers).
- , [1848] (1998), *The Communist Manifesto: A Modern Edition* (London/New

- York: Verso).
- McNally, David (1988), *Political Economy and the Rise of Capitalism: A Reinterpretation* (Berkeley/Los Angeles/London: University of California Press).
- Merrington, John (1976), 'Town and Countryside in the Transition to Capitalism', in Paul Sweezy et al. (eds.), *The Transition from Feudalism to Capitalism* (London: New Left Books), 170-95.
- Mommsen, Hans (1974), "'Verstehen" und "Idealtypus": Zur Methodologie einer Historischen Sozialwissenschaft', in H.Mommsen, *Max Weber: Gesellschaft, Politik und Geschichte* (Frankfurt/M.: Suhrkamp), 208-232.
- , (1989), 'Ideal Type and Pure Type: Two Variants of Max Weber's Idealtypical Method', in W.Mommsen, *The Political and Social Theory of Max Weber: Collected Essays* (Cambridge: Polity Press), 121-32.
- Mooers, Colin (1991), *The Making of Bourgeois Europe: Absolutism, Revolution, and the Rise of Capitalism in England, France and Germany* (London/New York: Verso).
- Parker, Geoffrey (1988), *The Military Revolution: Military Innovation and the Rise of the West, 1500 - 1800* (Cambridge: CUP).
- Poggi, Gianfranco (1978), *The Development of the Modern State: A Sociological Introduction* (London: Hutchinson).
- , (1988), 'Max Weber's Conceptual Portrait of Feudalism', *British Journal of Sociology*, 39:211-27.
- Polanyi, Karl (1944), *The Great Transformation: The Political and Economic Origins of Our Time* (Boston: Beacon Press).
- Quaritsch, Helmut (1970), *Staat und Souveränität: Die Grundlagen*, vol.1 (Frankfurt/Main: Athenäum).
- Sayer, Derek (1985), 'The Critique of Politics and Political Economy: Capitalism, Communism and the State in Marx's Writings of the Mid-1840s', *The Sociological Review*, 33:2, 221-53.
- Schmoller, Gustav (1897) [1884], *The Mercantile System and its Historical Significance: Illustrated Chiefly from Prussian History*, reprinted 1967 by Augustus M. Kelley Publishers (New York/London: The Macmillan Company).

- Schumpeter, Joseph (1954) [1918], 'The Crisis of the Tax State', *International Economic Papers* (New York:), 4, 5-38.
- , (1951) [1919], 'The Sociology of Imperialism', in J.Schumpeter, *Imperialism. Social Classes*, transl. by Heinz Norden (New York: Meridian Books).
- Skocpol, Theda (1979), *States and Social Revolutions: A Comparative Analysis of France, Russia, and China* (Cambridge: CUP).
- , [1977] (1994), 'Wallerstein's World Capitalist System: A Theoretical and Historical Critique', in Th.Skocpol, *Social Revolutions in the Modern World* (Cambridge: CUP), 55-71.
- Strayer, Joseph (1970), *On the Medieval Origins of the Modern State* (Princeton, N.J.: Princeton University Press).
- Sweezy, Paul, Maurice Dobb et al. (1976), *The Transition from Feudalism to Capitalism* (London: New Left Books).
- Tilly Charles (1975), 'Reflections on the History of European State-Making', in Charles Tilly (ed.), *The Formation of National States in Western Europe* (Princeton, N.J.: Princeton University Press), 3-83.
- , (1985), 'War Making and State Making as Organized Crime', in Peter B. Evans, Dietrich Rueschemeyer, and Theda Skocpol (eds.), *Bringing the State Back In* (Cambridge: CUP), 169-91.
- , (1992), *Coercion, Capital, and European States: AD 990-1992* (Cambridge: Blackwell).
- Vilar, Pierre (1973), 'Marxist History, A History in the Making: Towards a Dialogue with Althusser', *New Left Review*, 80:65-106.
- Wallerstein, Immanuel (1974), *The Modern World System I: Capitalist Agriculture and the Origins of the European World-Economy in the Sixteenth Century* (New York: Academic Press).
- , (1980), *The Modern World-System II: Mercantilism and the Consolidation of the European World-Economy, 1600-1750* (New York: Academic Press).
- , (1995), *Historical Capitalism with Capitalist Civilization* (London/New York: Verso).
- Weber, Max [1904] 1949a, "'Objectivity" in Social Science and Social Policy', in Edward A.Shils and Henry A.Finch (eds.), *The Methodology of the Social*

- Sciences* (Glencoe: Free Press), 49-112.
- , [1904/5] 1992, *The Protestant Ethic and the Spirit of Capitalism*, translated by Talcott Parsons (London/New York: Routledge).
- , [1913] (1968b), 'Über einige Kategorien der Verstehenden Soziologie', in M.Weber, *Gesammelte Aufsätze zur Wissenschaftslehre*, 3rd edition, ed. by Johannes Winckelmann (Tübingen: J.C.B.Mohr), 427-74.
- , [1918] 1949b, 'The Meaning of "Ethical Neutrality" in Sociology and Economics', in E.A.Shils and H.A.Finch (eds.), *The Methodology of the Social Sciences* (Glencoe: Free Press), 1-47.
- , [1919] 1946, 'Politics as a Vocation', in *From Max Weber: Essays in Sociology*, translated and edited by H.H.Gerth and C.Wright Mills (New York: Oxford University Press 1946), pp.77-128.
- , [1922] (1968a), *Economy and Society: An Outline of Interpretive Sociology*, vols. 1 and 2, ed. by G.Roth and C.Wittich (Berkeley/Los Angeles/London: University of California Press).
- Wickham, Chris (1988), 'Historical Materialism, Historical Sociology', *New Left Review*, 171, 63-78.
- , (1994), 'Making Europes', *New Left Review*, 208, 133-43.
- , (1997), 'Debate: The "Feudal Revolution"', *Past & Present*, 155, 196-208.
- Wood, Ellen Meiksins [1981] (1995), 'The Separation of the "Economic" and the "Political" in Capitalism', in Wood, *Democracy against Capitalism: Renewing Historical Materialism* (Cambridge: CUP), 19-48.
- (1991), *The Pristine Culture of Capitalism: A Historical Essay on Old Regimes and Modern States* (London/New York: Verso).
- , (1994), 'From Opportunity to Imperative: The History of the Market', *Monthly Review*, 46:3, 14-40.
- , (1995), *Democracy Against Capitalism: Renewing Historical Materialism* (Cambridge: CUP).
- , (1996), 'Capitalism, Merchants and Bourgeois Revolution: Reflections on the Brenner Debate and its Sequel', *International Review of Social History*, 41:2, 209-32
- , (1997), 'The Non-History of Capitalism', *Historical Materialism: Research*

in Critical Marxist Theory, 1:1, 5-21.

Zech, Reinhold (1985), 'Nationalökonomische Theorien: Merkantilisten, Physiokraten und Klassiker: Die Merkantilisten', in Iring Fetscher and Herfried Münkler (eds.), *Pipers Handbuch der Politischen Ideen, vol.3, Neuzeit: Von den Konfessionskriegen bis zur Aufklärung* (München/Zürich: Piper), 561-79.