The State of Emergency and the Revival of American Imperialism: Toward an Authoritarian Post-Fordism

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eptember 11 changed the world—at least according to most Americans" (Schmidt 2002: 3; my emphasis). So begins a recent article by the former German chancellor Helmut Schmidt in Die Zeit, the prestigious weekly newspaper. Schmidt argues that September 11 is actually a sign of continuity rather than a dramatic caesura and suggests that only Americans were really taken aback by it. According to Schmidt, American foreign policy did not change suddenly in the year after September 11, 2001, but instead had been moving in an increasingly imperialist direction for the past two decades. He suggests that this tendency became especially pronounced during the Clinton presidency, but he also lists a series of unilateral American military interventions dating from the Reagan era. In Schmidt's view, this trajectory shows that the United States has increasingly understood itself as "the sole global superpower," one that "no longer needed to consult with its European allies" or to "pay much attention to the interests of other nations." This view is particularly interesting coming from one of the most conservative members of Germany's Social Democratic Party and the chancellor who invited the United States to install its modernized missiles in Germany in the first half of the 1980s. But it is not at all unusual on the broadly defined political left.

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A different "Left" argument for continuity since September 11 has been presented by Michael Hardt, coauthor with Antonio Negri of the widely discussed *Empire* (2000). Empire is an impressive attempt to theorize broad, epochal sociocultural transformations that had started well before September 11. Hardt and Negri also articulate their historical narrative with an explicit political/ethical program. Their critique of the naive anti-Americanism of some strands of the antiglobalization movement is based on an analysis of a very specific historical period that began with the end of the Cold War, when the United States did cede some authority to international coalitions and nongovernmental organizations (NGOs). I am also sympathetic to the book's deployment of the regulation-theoretic approach and its allied concepts of Fordism and post-Fordism. Hardt and Negri connect the rise of the unique political-juridical form they call *Empire* to the emergence of the post-Fordist mode of regulation.

I will argue here, however, that *Empire* should be understood as a historical reflection on the post-Fordist formation that crystallized in the 1990s and that is now coming to an end rather than a consideration of the present and the future. Hardt and Negri's arresting portrait of Empire is undercut by an explanatory framework that suffers from many of the epistemological shortcomings of traditional Marxism. The authors' residual reductionism and their adherence to a Marxian end-of-history story line prevent them from grasping the transitory nature of the relatively decentered political formation that they call "Empire." In

Michael Hardt discussed the applicability of the arguments in *Empire* to understanding global realities after September 11 in a colloquium on "states of emergency" at the University of Michigan, 7 December 2001.

^{2.} Reviews by Gopal Balakrishnan (2000), Malcom Bull (2001), Akseli Virtanen (2001), and David Pedersen (2001) are among the best. Alan Wolfe (2001) and Roger Kimball (2001) are not only more hostile; they also distort Hardt and Negri's argument to fit their own agendas. Kimball (2001) argues that "books like Empire are not innocent academic inquiries" but instead "incitements to violence and terrorism"—despite the fact that Islamic fundamentalism is explicitly analyzed by Hardt and Negri as a wrongheaded attempt to move backward in time against Empire rather than moving through Empire and "coming out on the other side." The fact that the book was written to combat mindless anti-Americanism by celebrating the positive tendencies of the U.S. Constitution is lost on this author, whose review is entitled "The New Anti-Americanism." Wolfe's (2001) analysis is more subtle but nonetheless slips into the tone of the new McCarthyism in sentences like the following: "Their book gives no grounds on which such attacks [on the World Trade Center and the Pentagon] can be condemned." Wolfe suggests that for Hardt and Negri, "being against the West is the sine qua non of good and effective protest." In fact, one of the mantras of *Empire* is that "the West" is no longer the center of power and, indeed, that it no longer really exists. Hardt and Negri's critique of postcolonial theory, for instance, is that it falls into the binary thinking associated with the earlier period of imperialism by resisting the West, thereby mistaking "today's real enemy" (Hardt and Negri 2000: 137). Nonetheless, Wolfe points to real problems with the book's undifferentiated hatred for "the state" in any and all of its forms and its inability to distinguish between right-wing and left-wing politics.

addition to the political shock of September 11 and the ensuing war on terrorism, the 1990s also differed in other ways from the current period. As Slavoj Žižek (2002: 110) points out, this was a period in which there was no dominant "schematization" of the "figure of the Enemy" around a single "central image." Capitalist profit rates were so satisfying as to make this lack unproblematic. Nor was there anything like September 11 during this decade: no direct and radical attack on the American node in the network of global capitalism. The ideological, political, and economic conditions for the decentered, multivalent system of Empire described by Hardt and Negri thus seem to have disappeared in the past year and a half. The question now is: Which of these conditions are being replaced and which of them retained? What sort of political-juridical form and what kind of regulatory framework are emerging?

In Welcome to the Desert of the Real! Žižek offers a more compelling image than Hardt and Negri's, one that combines continuity and discontinuity. He begins by rejecting the "phrase which reverberates everywhere: 'Nothing will be the same after September 11" and argues initially that in fact "the only thing that effectively changed was that America was forced to realize the kind of world it was part of' (Žižek 2002: 46–47). Continuity, for Žižek, is located not just in the radical inequalities of global capitalism but also at the level of ideological fantasy. Like the "other defining catastrophe from the beginning of the twentieth century, the sinking of the *Titanic*," the attack on September 11 was also "a shock, but the space for it had already been prepared in ideological fantasizing." More specifically, it was the richly elaborated images of "Third World horrors" that "entered and shattered our reality" (or, more accurately, that shattered the "symbolic coordinates which determine what we experience as reality" [15-16]). Although September 11 gave the United States the opportunity "to realize what kind of world it was part of" and to shift from thinking "'A thing like this shouldn't happen here!' to 'A thing like this shouldn't happen anywhere!' (47, 49), such a paradigm shift, according to Žižek, did not occur. Instead, the United States "opted to reassert its traditional ideological commitments." Whatever their analytical and political differences, then, Schmidt, Hardt and Negri, and Žižek all emphasize continuity before and after the terrorist attacks on the United States, and they locate these continuities respectively in the nature of American unilateralism (Schmidt), U.S. imperialism (Žižek), or decentered Empire (Hardt and Negri) and in the sorts of political subjectivity that accompany these political forms.

At a deeper level, however, Žižek recognizes that the war on terrorism may represent a fundamentally new mode of politics. After the end of the Cold War, he writes, the "Western power of imagination entered a decade of confusion" in

which it sought in vain for "suitable 'schematizations' for the figure of the Enemy" without stabilizing itself in any one "central image." Since September 11, however, the terrorist Enemy has been "elevated into the hidden universal equivalent of all social evils," providing the "quilting point" for our ideological space (Žižek 2002: 110–11). Like Helmut Schmidt and many other Europeans on the left as well as the right, Žižek deplores the fact that the war on terrorism has marked "the abominable conclusion . . . of a long, gradual process of American ideological, political and economic colonization of Europe," which is now treated by the United States as a "province" (143). Thus even as the new state of permanent war lulls us "into the falsely secure conviction that *nothing* has really changed" (35), Žižek suggests that in this second sweep the war itself represents the centerpiece of a basic change.

In this essay I want to propose an alternative to both the imperialist and imperial arguments for simple continuity and to explore the hypothesis that something fundamental and "structural" has changed about the American and global political formation since September 11. More precisely, I will argue for a combination of continuity and discontinuity. Continuity is located in the economic mode of regulation; discontinuity refers above all to the lack of a clear project for American imperialism during the 1990s and the implementation of just such a project more recently. In developing this argument, I will accept Hardt and Negri's characterization of the dominant framework of regulation before September 11 as politically decentered, with movements toward fragmented and overlapping sources of sovereignty. But this framework was already proving unsatisfactory to many powerful American actors before the terrorist attacks. The events of September 11 catalyzed a break with the established regulatory model and set in motion an intensive search for an alternative one. Evidence of discontinuity before and after September 11 is thus to be found above all at the level of the state. At the same time, the atmosphere of political crisis in the United States has been overdetermined by an economic recession and arguments that the country has reached the end of a cycle of economic growth and capitalist profitability. So far, however, the specifically economic aspects of post-Fordism have not been subject to the same reforming energy as the political ones. More precisely, no alternative to the dominant model of flexible specialization (craft industrial production centered on [re]skilled workers producing

^{3.} Flexible specialization is defined against the Fordist form of *mass* production focused on the "use of special purpose (product specific) machines and of semi-skilled workers to produce standardized goods" (Amin 1994: 14). See also Coriat 1990; Jessop 1999; Piore and Sabel 1984; and Castells 2000.

customized goods for specialized markets)³ has been found that is attractive to the most important sectors of capital and capable of hegemonizing economic thinking. The political experimentation we are now seeing in the United States does not constitute a move away from post-Fordism, then, but toward a different brand of post-Fordism, one in which flexible specialization is conjoined with more explicitly imperialist politics and a more authoritarian interior order.

After reviewing the crisis of the so-called *imperial* political framework analyzed by Hardt and Negri, I will turn to world system theory. This latter approach helps to pinpoint a contradiction at the heart of the post-Fordist variant of imperial globalization described by Hardt and Negri and others (Harvey 1989; Omae 1990, 1995) and suggests that explicit imperialism would actually be a more adequate complement to the American-dominated global economic system. The fact that an overtly imperialist American policy only (re)emerged recently underscores the regulation-theoretic assumption that regulatory frameworks are always the result of trial and error and historical contingencies. Specifically, it was the "historical contingency" of the attack on the World Trade Center (combined with the "accidental" election of George W. Bush) that allowed the U.S. state to implement the politico-ideological form that is probably the most suitable complement in structural terms to its globally dominant post-Fordist economy.

The Crisis of the Political Form of Empire

Regulation theory has two core concepts: the *regime of accumulation* and the *mode of regulation*. A regime of accumulation is a set of rules determining the overall distribution of the social product between investment/accumulation and consumption. A mode of regulation is defined as a set of rules, procedures, norms, and institutions through which the accumulation regime is secured (Jessop 1989, 1999). Regulation refers in this context to the manner in which social relations are reproduced, despite their conflictual and contradictory nature. In addition to clearly economic institutions and social forms like money, the mode of regulation may encompass specific kinds of state structures, sex and gender relations, family forms, mass culture, and so forth.

This configuration of sociocultural and political practices supporting capitalist accumulation does not arise automatically as a kind of superstructure produced by an autonomously evolving economic base. Instead, the mode of regulation is a necessarily imperfect and improbable outcome of dispersed human efforts, something that is arrived at through disconnected processes of experimentation. And despite the possibility that a given set of arrangements may be able to pro-

mote accumulation for a given period of time, every regulatory framework inevitably loses that ability, becoming a fetter on capitalist profitability (Steinmetz 1994, 1997). The only recurrent feature of capitalism, the only transhistorical constant from the standpoint of regulation theory, is crisis itself: the crisis of profit rates, the crisis of accumulation, the crisis of the political form, and the crisis of the mode of regulation in its totality.⁴ Regulation theorists are particularly interested in the experiments set in motion by these kinds of crises. Regulation theory thus eschews functionalist and teleological forms of argument. In its more recent variants, developed by theorists such as Bob Jessop (1999, 2001) and Joachim Hirsch (1980, 1995), it emphasizes contingency and accident rather than historical necessity and embraces a form of analysis that is conjunctural and figurational.⁵

Crises of overaccumulation and falling rates of profit are typically accompanied by a whole array of symptoms distributed across the entire surface of the social formation. Such crises also set in motion, sooner or later, an uncoordinated, society-wide search for a new set of regulatory arrangements that are oriented toward reviving capitalist accumulation. These multiple forces and wills may indeed arrive at a temporarily effective solution as they intersect in unpredictable ways. Unlike traditional Marxists, however, regulation theorists do not assume that the modes of regulation resulting from such efforts are necessarily optimal for promoting a new round of accumulation. In other words, this is a form of "Marxism without guarantees," to borrow a phrase from Stuart Hall (1983).

The kind of outcome that attracts the most attention in regulation theory is the temporarily stabilized "mode of regulation," of which Fordism and post-Fordism are the variants that have been most thoroughly discussed. A mode of regulation creates orderly arrangements or patterns of social practice, which temporarily permit further economic growth and capital accumulation. These frameworks are

- 4. For reasons that are somewhat obvious from the standpoint of the sociology of knowledge, crisis theory has mainly been discussed during periods of economic and regulatory crisis. The 1970s represented the most recent proliferation of crisis theory. See Wright 1979: chap. 3 for a synthetic overview of that discussion. (We might expect to see another one in the current period.)
- 5. This epistemological inclination reflects regulation theory's emergence out of Althusserian neo-Marxism and especially its redeployment of the psychoanalytic concept of overdetermination. Ernesto Laclau and Chantal Mouffe (1985) were not the only theorists to recognize this core of radical contingency in the work of Louis Althusser; Althusser himself proposed the idea of an "aleatory materialism" in his final philosophical reflections (Althusser 1994; Matheron 1997); see also Cutler, Hindess, Hirst, and Hussain (1977–78). The term *figurational* can be understood in a neo-Eliasian (Elias 1978) sense as suggesting an approach to social theory and explanation that eschews the positivist compulsion to seek "constant conjunctions of events," attending instead to nonrepeatable constellations of more general theoretically understood structures and their jointly produced effects.

located within the state, in nonstate but public or social spheres, and in areas that are typically understood as private.⁶ It is important for the analysis of post-Fordism that what the architects of this mode of regulation call *deregulation* (the "liberation" of markets from the state; see Prasad 2000) is, from the standpoint of regulation theory, actually another form of *regulation*.

The manifest regulatory changes over the past year have focused primarily on the structure and role of the (U.S.) state. The current "state of emergency," the threat of terrorism, is constructed as a specifically political crisis, a shaken sense of political sovereignty. This massive campaign to recentralize power began, somewhat ironically, just at the moment when globalization theorists (including Hardt and Negri) were reaching a consensus that the state was being overshadowed by transnational, regional, and local organizations. The refocusing of political power on the level of the American national state has been most evident in the area of U.S. geopolitical strategy (unilateralism and preemptive military strikes), but much of the new regulatory activity has focused on the state apparatus itself and the "domestic" level of politics, with the creation of a huge new government agency (the Department of Homeland Security), transformations of the legal system (e.g., secret trials and arrests, indefinite detentions), and intensified domestic surveillance: first with the 2001 USA Patriot Act, which dramatically relaxed restrictions on search and seizure; then with the Total Information Awareness Program, which collects and analyzes vast amounts of data on private communications and commercial transactions; and most recently with the proposed Domestic Security Enhancement Act of 2003. At the same time, there has been no significant change in the strategies for economic production—nothing comparable, that is, to the widespread embrace of flexible specialization by American (and European) industry a generation ago. Even if the new statism is concerned mainly with what some describe as security issues, and has not seen changes in, say, social provisioning, it marks a decisive break with the patterns of deregulation and decentralization pursued by both the Democratic and Republican Parties in previous decades.

Helmut Schmidt and others thus underestimate the pronounced acceleration of tendencies toward explicit U.S. hegemony, imperialism, and domestic authoritarianism in the past year and a half. The Bush administration's recent paper on national security offers excellent examples in its emphasis on the need to maintain

^{6.} As Michel Foucault (1983: 50) recognized, "civil society" (or the "life world") is as much the site and source of patterned regulation and domination as the state: one must reject, he insisted, the Manichean couplet of civil society versus state that "afflicts the State with a pejorative connotation, while idealizing society as a good, living, and warm ensemble."

the "unparalleled strength of the United States armed forces," to maintain "bases and stations within and beyond Western Europe and Northeast Asia," to experiment "with new approaches to warfare," and to prevent "potential adversaries from pursuing a military build-up in hopes of surpassing, or equaling, the power of the United States" (White House 2002: 29-30). The United States kept its putative NATO allies out of the loop in its decision-making processes in the Afghanistan war, for example, and resisted the deployment there of an integrated international security force (see Krönig 2001). The Bush administration's opposition to the International Criminal Court and its threat to "block all United Nations peacekeeping missions as they come up for renewal unless American peacekeepers are granted immunity from prosecution" also demonstrate that it is much more willing to embrace the role of lone hegemonic superpowers than were the previous Bush and Clinton administrations (see Tyler 1992b; Dao 2002). Once we connect this aggressively unilateralist and imperialist stance in the international sphere to the strengthening of the state domestically, it is possible to speak of an overall shift in the mode of political regulation.

It has also become clearer in recent months that the political emergency is paired with an economic crisis. Yet most of the reforming energy so far has been directed at the political rather than the economic or social components of the regulatory mode. How can we make sense of this? It would be unsatisfying to rely on the argument that modes of regulation are, after all, the product of multiple wills intersecting in unpredictable ways. More convincing is the claim that even if there is a crisis for millions of unemployed workers and small investors, it is not (yet) perceived as such a serious crisis for the leading sectors of capital and their political representatives.⁸

One of globalization theory's questionable assumptions is that it is possible to reproduce a decentered, open global economy without the international hegemony of one state or set of states. Hardt and Negri (2000: 177) recognize that "the figure of the U.S. government as the world cop" or as an imperialist hegemon is a real alternative "within the history of the U.S. Constitution." But they mistakenly describe contemporary global capitalism as lacking a hegemon. Yet it can be argued, at the risk of anthropomorphizing the social, that the mistake in

Already in December 2001, "the United States made plain that it wanted to prosecute the continuing war without other foreign forces hindering the military operation" (Gordon 2001).

^{8.} On the one hand, the U.S. cities with the greatest job losses in 2002—places like Flint, Michigan (-3.3 percent) and Decatur, Illinois (-3.8 percent)—are geographically far removed from the centers of economic and political power and decision making. At the same time, Republicans have obvious reasons for denying that the economy is "soft" (Feaster 2002; Barnes 2002).

this case lies less with the theorists than with the mode of regulation itself. Hardt and Negri's description is accurate insofar as the political form was indeed moving in this direction, away from hegemony, during the 1990s. In 1992, the Pentagon was forced by senior government officials to renege on a draft policy statement that called for the United States to block the rise of any competitors. The author of that report was Paul Wolfowitz, then undersecretary of defense for policy (Tyler 1992a). By 1998, Lawrence Summers, who served as secretary and deputy secretary of the treasury under Bill Clinton, could refer to the United States as the "first nonimperialist superpower." More recent calls for the United States to assume a properly hegemonic imperialist role accept this description of the preceding period (e.g., Mallaby 2002).

Hegemony in the World System

Regulation theory has been useful descriptively for characterizing the contingent articulations among an array of seemingly unrelated practices and tracing the ways in which these partial regularities are cobbled together into a structure that can temporarily promote capital accumulation. Like many recent interventions in social theory, however, regulation theory has deliberately avoided formulating any law-like generalizations about the relations between capitalism and politics, in effect overcorrecting for the socioeconomic reductionism and positivism of earlier Marxisms and political sociologies. By integrating regulation theory with world system theory, it may be possible to make some broad remarks about the likely direction of change without falling back into economic reductionism.

Immanuel Wallerstein and other world system theorists have analyzed capitalist history in terms of the waxing and waning of hegemony in the world system (Wallerstein [1978] 1986, 1989; Bergesen 1982; Bergesen and Schoenberg 1980). As in international relations theory more generally, the term *hegemony* refers here to the political dominance of the world system by a single state or a set of states and not to the Gramscian theme of leadership by a particular social class within a given society. World system theorists define modern hegemons not only in terms of their military preeminence but also by their defense of a very specific sort of policy: "free trade" on a global scale. More specifically, the hegemon seeks to enforce the openness of the periphery, which supplies raw materials and cheap labor to all members of the core and buys commodities from producers based in the core countries. Free trade is also, of course, one dimension of the supposedly borderless world described by the theorists of *Empire*. An important difference between Wallerstein and these theorists at the level of economic

description, however, is world system theory's insistence on the fundamental inequality between core and periphery. According to Hardt and Negri, capital, commodities, and people move freely across all borders, in all directions. According to the world system theory, citizens and commodities from the periphery may well be excluded from access to the core, even during hegemonized phases of capitalist history; what is crucial is that no part of the core is excluded from any market in the periphery. The world capitalist system remains sharply divided, in other words, even in periods in which the core countries are not internally balkanized and set off against one another. The sharp contrast between the freedom of movement enjoyed within the European Union and the barriers that "Fortress Europe" erects against outsiders from the periphery clearly illustrates this schism (see Kostakopoulou 1998). The schism has only been deepened by the recoding of the refugee as a terrorist.

One of the strengths of world system theory is its ability to distinguish between the political forms of imperialism and colonialism and the forces that promote them. World system theorists would likely agree with the assertion by the authors of *Empire* that current American geopolitical strategy cannot be described as colonial or even neocolonial. During periods in which the core is dominated by an economic hegemon there is less incentive for particular states in the core to stake out privileged, protected connections to specific markets and sources of raw materials in the periphery. Access to the entire periphery is in principle guaranteed by the hegemon (even if the classic examples, such as the Netherlands in the sixteenth century and Britain after 1815, reveal many exceptions to this rule). Epochs of open global markets alternate with periods in which free trade collapses and the core countries fight openly for the role of hegemon. It is during such unsettled, nonhegemonic periods that the core countries turn to colonization or kindred technologies of domination in order to solidify their access to particular peripheral markets and sources of raw materials and labor (Wallerstein [1978] 1986; Bergesen and Schoenberg 1980). Such protectionism, colonial annexation, and intense intracore competition characterized the era of the collapse of British hegemony in the late nineteenth century. World system theory thus broadly predicts the reestablishment of protectionism and colonial or quasi-colonial connections between particular zones in the core and the periphery during periods of economic crisis.

Current moves toward American unilateralism could then be characterized as imperialist, if by that we mean efforts by the state in a strong, economically dominant core country to defend open world markets by force (Summers 1998). The Bush administration is reintroducing certain older, postwar imperialist tendencies

into the conduct of American foreign policy and moving away from the sorts of multinational interventions that typified the 1990s. According to a recent article in *Foreign Affairs*, "The war on terrorism has focused attention on the chaotic states that provide profit and sanctuary to nihilist outlaws." The author continues, "When such power vacuums threatened great powers in the past, they had a ready solution: imperialism." *Neoimperialism*, according to this article, is the "rich man's burden" (Mallaby 2002: 2).

There are at least two crucial differences between this nascent (neo)imperialism and colonialism. The first distinction is especially important for the inhabitants of the periphery. Imperialism, unlike colonialism, allows powerful members of the periphery to retain at least nominal control over their own states, even if peripheral states and economies are still subject to asymmetrical pressures from the core and to the uncontrollable dynamics of global capitalism. The difference between imperialism and colonialism also matters for the analysis of the core countries. Were we to diagnose current American policy as moving toward a form of colonialism, this would suggest a decline rather than a reconsolidation of American hegemony. It would also predict tendencies toward the formal control of peripheries by other core powers, as in the late-nineteenth-century scramble. Niall Ferguson (2001: 79), among many others, claims to discern such a colonial trend since September 11: he perceives the movement of the United States "from informal to formal imperialism" and toward the creation of a "new kind of colony." Tellingly, this diagnosis is summarized as a "White Man's Burden" rather than a "rich man's burden," calling attention to the "rule of difference" that distinguishes colonial from noncolonial states (Chatterjee 1993; Steinmetz 2002).

Yet the United States is *not* taking control of peripheral governments, nor does it seem to be focusing primarily on securing markets in particular parts of the periphery for specifically American capital. Critics of the new national security policy have failed to emphasize its differences from both the decentered multilateralism of Empire and the channeled direct control of colonial governance. In addition to preserving American military and political supremacy, the goals of the Bush administration, according to its September 2002 paper on national security, include "igniting" a "new era of global economic growth through free markets and free trade." Indeed, free trade is described here as a basic "moral principle" (White House 2002: 17–20). Whatever one's views of the drawbacks of free

^{9.} The question of whether current U.S. policy actually emphasizes "free trade" or "protection" is incredibly complicated, due not just to the conflicting national and geopolitical motives but also to the extreme division among American business interests (see Andrews 2002b). As another recent article points out, "having capitulated to demands by steelmakers for steep new tariffs in March [2002], the

trade for poor and developing countries and of the limits of the American version of democracy that is to be exported with it, this program cannot be equated with colonial takeover. Even in the discussions of a postwar occupation of Iraq, U.S. planners have been quick to insist that there is no intention of installing a permanent colonial government. On And one characteristic of the campaign in Afghanistan has been a division of labor between the United States, which has arrogated to itself responsibility for overall decision making and military interventions, and the European powers, which have been left with the responsibility for postwar sociopolitical reconstruction and transferring power to an Afghancontrolled government (Ignatieff 2002).

All of this raises questions about the difference between the likely responses to the present economic crisis as opposed to the political one.¹¹ World system the-

Bush administration is now rushing to soothe trading partners and steel-consuming companies by excluding hundreds of imported products from the tariffs" (Andrews 2002a). The September 2002 paper on national security seems to codify this tendency.

10. Former secretary of state Henry Kissinger said during Senate hearings in September 2002, "I am viscerally opposed to a prolonged occupation of a Muslim country at the heart of the Muslim world by Western nations who proclaim the right to re-educate that country," and government officials quickly denied that occupation along the lines of the postwar U.S. military government in Japan and Germany was being considered. It is worth recalling that the U.S. military government in those two formerly fascist countries was created during a period in which the United States was still relatively inexperienced with exercising global hegemony and when European colonies were still holding on to their colonies. A quasi-colonial policy (direct rule) by the United States was thus less anomalous at that time than it would be today. Early in 2003 an intragovernmental struggle became visible: "hawks" in the Pentagon and Department of Defense argued for a colonial-style occupation of postwar Iraq with the goal of radically restructuring the state and eventually installing an exile leadership, while "realists" in the State Department and the CIA defended a classically imperialist position of influencing Iraqi politics indirectly through existing state structures and internal elites. At the time of writing (March 2003), the imperialist faction appeared to have won this battle, as world system theory would lead us to expect (Packer 2003).

11. Interestingly, a recent article by Immanuel Wallerstein in Foreign Policy (2002) argues that the United States has lost its global military preeminence since the 1970s and that its "response to the terrorist attacks has merely accelerated this decline." Wallerstein does not, however, entertain the conclusion that would seem to follow from his own theoretical approach: namely, that such a non-hegemonic world system should give rise to colonizing or analogous efforts. Nor does he provide convincing evidence for the decline of American political power. The fact that "Saddam demonstrated that one could pick a fight with the United States," for instance, does not demonstrate (yet) that he was able to "get away with it." Getting away with such a challenge would seem to be a better gauge of American hegemony than merely picking a fight. Wallerstein also focuses too much in this article on a handful of official American wars during the past thirty years and less on unofficial wars and methods of exercising U.S. hegemony. Another interpretation is that U.S. hegemony was, in fact, held in check between the late 1960s and 1989 by the international communist movement and states and that it has taken a decade for the United States to elaborate a politico-cultural program for hegemony. This seems to be Žižek's (2002) argument.

ory suggests that economic crisis will lead to an intensification of intracore competition and protectionism and to a departure from the sort of hegemonic imperialism we have been describing. Wallerstein has often described the political and cultural levels as superstructures that reflect the economic base, even if they sometimes lag behind it momentarily (e.g., Wallerstein [1974] 1979: 18-20; 1989: 111). This argument is too severely reductionist, however (Sewell 1996). Regulation theory, like other more recent versions of neo-Marxist and post-Marxist social theory, is not committed to such a tight correspondence between levels (Jessop 1990; Steinmetz 1993; Barrows 1993; see also Luhmann 1989; Block 1987: 65). Admitting that the political level is relatively autonomous from the economic prepares one for the possibility that government policy may be suboptimal from the standpoint of capital, as Claus Offe (1984) argued many years ago.¹² World system theory is salutary, however, in suggesting what the optimal political solution for the post-Fordist regime of accumulation would look like: a strong global hegemon as a defense against protectionism. Even if Hardt and Negri have accurately described the tendencies toward political decentralization that emerged in the 1990s, the diminished importance of U.S. imperialism in that era was still suboptimal for a U.S.-dominated capitalist world economy. One reason the decentered political arrangements of Empire were not widely described as a barrier to accumulation in that era was the rapid rate of economic growth.

For historically contingent reasons having also to do with the outcome of the 2000 presidential election, the response to September 11 has been to push for a strong, imperialist U.S. state defending a globalized economy. This is a solution with significant precedents in post-1945 U.S. state history, of course. It diminished in importance only after the American defeat in the Vietnam War and the end of the Cold War.¹³ Revealingly, Defense Secretary Donald Rumsfeld and some of the other architects of the new U.S. imperialism are continuing careers begun in the previous era of explicit U.S. imperialism.¹⁴

^{12.} The history of Nazi Germany is only the most dramatic example of an authoritarian state in a capitalist setting pursuing policies that were immensely destructive to the interests of capital as a whole in the short term, if not to many individual capitalists.

^{13.} Hardt and Negri recognize that the imperialist tendency coexists with the imperial one within the United States. The "negative foundation" of the U.S. Constitution represented by the exclusion of the Native Americans illustrates the imperialist tendency, oriented toward sharp divisions between inside and outside. American colonialism in the Philippines at the beginning of the twentieth century is another example.

^{14.} Rumsfeld began his career in the political administration as a member of the cabinet under Richard Nixon between 1969 and 1972; he was then U.S. ambassador to the North Atlantic Treaty Organization in 1973 and 1974; and he served in the Ford administration as chief of staff of the White

Sovereignty and Crisis: Who Makes Decisions in the Emergency?

How can we tell whether the United States is in fact emerging as a new hegemon? One criterion is provided by Carl Schmitt ([1922] 1985: 5): "Sovereign is he who decides on the exception." Hardt and Negri (2000: 377–78) dismiss Schmitt's decisionism as both "irrational" and irrelevant; for them, the current condition of Empire is a permanent state of exception. Hardt and Negri equate the endemic shattering of all social relations and identities characteristic of capitalism in general with crisis *tout court*. Yet it makes a great deal of difference whether we are faced with a crisis of employment, a crisis of profits, or both; it also matters immensely whether social actors understand themselves as living through a crisis.

We need to distinguish between three meanings of crisis: (1) the permanent crisis that is equivalent to capitalism for Hardt and Negri, (2) the crisis of capitalist accumulation (falling rates of profit) or of employment, both of which may or may not be expressed in a language of crisis, and (3) crises that are discursively articulated as such on a society-wide scale. To collapse the first into the second is to fail to recognize the periodic intensification of pressures urging social actors to seek a change in regulatory frameworks. Indeed, Hardt and Negri's account of transitions between modes of regulation is rooted in a style of Marxism according to which capitalist crisis in the second, more punctual, sense plays a central propelling role. 15 To collapse the third sense of crisis—that is, crisis as a discursively constructed object—into the other senses is to fall back into the sort of sociomaterialist objectivism that Marxists and other social theorists have been trying to overcome for some time. Yet it is this third sense of crisis crisis as a publicly articulated and widely acknowledged condition—that leads us to the real test of sovereignty. It is possible to identify the locus of sovereignty only when the future direction of a society (or indeed its very existence) is at stake and when most social actors are focused on strategic questions. In a period like the 1990s, by contrast, American society was not generally perceived as being in crisis, and as a result, politically, questions of "who decides" were much

House and as a member of the president's cabinet (1974–75). As secretary of defense (1975–77), Rumsfeld presided over the traumatic decline of American hegemony, serving during the postwar nadir of American foreign military power.

^{15.} Defining capitalist life as a permanent exception also suggests a lack of interest in the actual subjectivity of the "multitudes," which constitute the locus of all agency and historical transformation in *Empire*. The multitude is the subject that is exhorted to assume its assigned historical task and to "push through Empire to come out the other side" (Hardt and Negri 2000: 218).

less urgent. It is therefore not surprising that this era gave rise to theories of a decline of the state.

State of Emergency and Revival of American Imperialism

It would be difficult to deny that there has in fact been a crisis (or emergency, or exception) in the third sense since September 11, at least in the United States. So we can now pose the question: Who is making the decisions in this exceptional situation? Or, to translate this into the terms used in this essay: Who is hegemonic geopolitically and domestically? Hegemony continues to be largely a function of national states rather than NGOs because capitalism is still largely rooted within particular countries and trade is still mainly centered within core blocs, rather than being truly global (Hirst and Thompson 1996; Ferguson 2001). Hegemony remains, moreover, a function of national states because they are best able to extort from their populations the resources necessary to maintain large and reliable armies (Tilly 1990: 180). 16 Capitalism, after all, even in its most Fordist and monopolized forms, remains a radically decentered social process. States, by contrast, are defined by their territorial and institutional location or their "placeness," even in the centrifugal era of post-Fordism (Brenner 1999). 17 And of these states, it is the United States that is dominant internationally. The United States is dominant not just in military terms, "spending more on defense in 2003 than the next fifteen to twenty biggest spenders combined," but also economically—the U.S. economy is "twice as large as its closest rival, Japan"—and technologically, where "figures from the late 1990s showed that U.S. expenditures on R&D nearly equaled those of the next seven richest countries combined" (Brooks and Wohlforth 2002: 20-21). The United States has regained its global sovereignty, if only for the duration of the current emergency. But what about internal, domestic sovereignty?

A New Interior Order?

Hardt and Negri acknowledge that the United States is central to the policing aspects of Empire. An even more serious challenge to the thesis of the decline of the strong, centralized state would focus on sovereign power within the territory of the nation-state. Post-Fordist states have been described as a series of absences in comparison to the Fordist states that preceded them. Where Fordist states

^{16.} Third World vassal states that can rely on a flow of revenue from international backers are largely independent of nationally rooted capital (Tilly 1990: chap. 7). But these are not the states that play the role of world hegemon.

^{17.} Some theorists of the post-Fordist state deny this point; again, there may well have been tendencies toward the decentralization and transnationalization of political power that are now being corrected.

assumed responsibility for a range of social needs and engaged in Keynesian demand management, the post-Fordist state pursues a wide range of "deregulations," privatizations, and abdications of responsibility to the market and private philanthropy (Bonefeld and Holloway 1991). And although this multifaceted departure from the model of the heavy Fordist state deprived citizens of social rights, it arguably also worked to enhance some other civil or human rights, notably by freeing them from the partially disciplinary aspects of the welfare state. The new information technology that has been the technological hallmark of post-Fordism has also had contradictory implications for democracy) Castells 2000; Brunkhorst and Kettner 2000; Gellner and von Korff 1998). A similar combination of destructive and productive absences can be perceived in the shift from Fordist to post-Fordist forms of political interest intermediation. The weakening of the corporatist, class-based form of political party meant, on the one hand, the loss of one of the main bulwarks against the deterioration of social rights. At the same time, this decline of the older model of party allowed representatives of identities and interests that were previously excluded from the political system to emerge.

There is again a perceptible caesura in this area of domestic politics. The argument for the obsolescence of the strong state becomes less convincing when the U.S. government is busy spying on and arresting its subjects, denying them public trials and lawyers, and threatening to conduct an ever-expanding global war against terrorism defined in ever more open-ended terms. If the essence of politics is defining the enemy, as Carl Schmitt ([1932] 1976) argued, the state apparatuses of the United States seem to have dominated this field domestically since September 11, with the news media playing the role of a supine, supporting chorus. Even questioning the state's decisions has been qualified as treasonous. The politically liberating aspects of post-Fordism are thus being removed from the overall formation.

This emerging condition does not mark a return to the Fordist-Keynesian welfare state but rather a transition toward an enhanced police state. Security in the disciplinary, not the social, sense is the focus of current government activity. One might argue that we are witnessing the emergence of an American version of the scenario Nicos Poulantzas (1980: 203–47) called the "new interior order of authoritarian statism" or the configuration Joachim Hirsch (1980) called the "security state." The fact that these European theorists discerned such an illiberal, strongstate mode of domination on their own horizons more than two decades ago should not alarm us. After all, the formula for Empire was itself codified by Polybius more than two millennia ago, according to Hardt and Negri (2000: 314–16).¹⁸

^{18.} By alleging that the conceptual framework for modern Empire emerged long before the sys-

Domestically, the question about the location of sovereignty in exceptional circumstances points us to the Attorney General's Office and the Department of Defense, and may increasingly involve the new Department of Homeland Security. Hardt and Negri (2000: 146-50) insist, correctly I think, that we should not read present-day Islamic or Christian fundamentalism as somehow premodern but, rather, as reactions to Empire and post-Fordism that are very much rooted in the present. It is, therefore, ironic that the attorney general, in his alignment with Christian fundamentalism, has been at the forefront of attacks on key aspects of the Empire model. Within Empire, according to Hardt and Negri, "increasingly less will passports or legal documents be able to regulate our movements across borders" (397); John Ashcroft has insisted, by contrast, that America's national borders will never again be open and fluid. The government's secret drumhead trials are the opposite of the transparently open model envisioned by the authors of *Empire*. The attorney general's seeming disdain for civil liberties (except the Second Amendment), the chilling effect of current policies on immigration, international students and scholars, and Muslims in the United States-all of this seems diametrically opposed to the deterritorializing tendencies of Empire. Developments that seem to run directly counter to the notion of a "democratic network structure" of information (Hardt and Negri 2000: 299) include the provisions in the USA Patriot Act that allow the FBI to search records of books and Internet sites used; the Total Information Awareness program; and the brief but significant career of the "Office of Strategic Influence," whose purpose was to distribute both true and false news items (see Dao and Schmitt 2002).¹⁹ Clearly we are moving into a new political space.

Conclusion

Contra such theorists as Hardt and Negri, there is little support for arguments that capitalist history has entered its final phase, that with the coming of Empire the multitudes have reached a stage in which "pushing through to come out the other side" becomes a realistic possibility. These authors link the rise of Fordism to the

tem itself, Hardt and Negri break with one aspect of the base-superstructure model, namely, the reflectionist view of ideology. This may also be another indication of a sort of crypto-Hegelianism in *Empire*, however, with the World Spirit imagining Empire long before actual people begin to instantiate it.

^{19.} Although plans for this office were quickly canned, the more important point (as Žižek [2002: 103] points out with regard to the flurry of media attention to the topic of torture as a legitimate method in November 2001) is that such ideas are introduced as "a legitimate topic of debate."

"great economic crisis of 1929" (Hardt and Negri 2000: 241) and acknowledge the role of the economic crisis of the 1970s in creating the conditions for the transition to post-Fordism. Yet they do not entertain the possibility that Empire itself could enter into a political crisis, like the one we are currently witnessing, and give rise to a new imperialism. Nor do they consider the possibility that a more systemic economic crisis might give rise to a mode of regulation that is neither imperial nor imperialist, but protectionist and neocolonial.

Each period of core hegemony has nurtured the illusion among enthusiasts of capitalism that it has reached its apotheosis and the parallel fantasy among leftists that capitalism is on its last legs. Hugo Grotius ([1625] 1901), writing during the golden age of Dutch hegemony, believed that his own world was the ultimate one. (Not surprisingly, Grotius's name is often heard in current discussions of U.S. foreign policy.) The events leading up to the 1848 revolutions in Europe, during the era of British hegemony, famously led Marx and Engels in the Communist Manifesto to predict "an immediately following proletarian revolution." To take a more recent example, Ernest Mandel (1975: 125) believed that late capitalism—the title of his book, published in 1972 at the beginning of the death throes of Fordism but written at the end of the first era of postwar American hegemony—had entered a terminal period of "overall social crisis." The final sentence of Late Capitalism announced that "the final abolition of capitalism . . . is now approaching." Insisting that there is something ultimate about Empire is not only theoretically indefensible but could actually be disabling for movements of resistance, for such arguments may desensitize readers to the possibility of further mutations of capitalism and modes of social regulation. Without pushing for a cyclical view of history, which Hardt and Negri rightly reject, one need not fall back on its inverse, a teleological or truncated narrative.

One of the distinctive features of the condition of emergency since September 11 has been the relative inarticulateness of the economic crisis as compared with the political one. If the current economic crisis were to deepen and create wide-spread panic among the business elites, the resurgence of American hegemony described here could prove to be ephemeral. This, in fact, is how Immanuel Wallerstein (2002) sees the present situation, but his analysis is based on what is in my view an as-yet-unproven thesis of American economic and geopolitical decline. If the United States *were* to lose its overwhelming economic predominance, protectionism could spread from the labor movement and the older Fordist sectors of capital to the post-Fordist sectors. By contrast, if the current recession continues to be perceived as having a limited impact on business profits and if the United States continues to enjoy overwhelming predominance in the global econ-

omy, we are likely to see an extension of U.S. imperialist hegemony *combined* with a deepening of economic openness and post-Fordist flexibility.²⁰

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The terrorist attacks did not affect the underlying regime of accumulation. There are few signs of movement away from the model of flexible specialization that has dominated production since the 1980s. Instead, September 11 was the shock that allowed an explicitly imperialist and authoritarian rethinking of the mode of regulation to come to the fore. The result, for now, is a process of reconfiguring the mode of regulation. This emergent framework is still post-Fordist with respect to its core model of industrial production, but its state model is domestically authoritarian and geopolitically imperialist.

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20. At the time of writing, it is even unclear whether profit rates in the United States are rising or stagnant. See Fuerbringer 2002.

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