RETHINKING THE SOVEREIGN: THE IMMANENT PRESENCE OF THE POLITICAL ORDER

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This article reconsiders the concept of sovereignty by employing the theories of Benedict Spinoza, Jacques Lacan, and Carl Schmitt. Since the concept itself has become increasingly debatable in today’s world, the endeavour is to produce a new interpretation which combines stability with perpetual change. The article first considers a Spinozist-Lacanian interpretation of human nature, seen as relational and desire-driven, centred around an absence that operates as a driving force of human action. However, this drive is individual, not communal, hence political association is needed which, in turn, necessitates some equality in substance. Here the nature of sovereignty as the ability and duty to determine the essence of that sameness kicks in. Sovereign decision functions as if there was a primordial criterion but, in doing so, masks both the lack at the heart of existence and the equally groundless nature of competing options. As such, it is permanently open for contestation.

Keywords: sovereignty, political order, community, law, coercion.

INTRODUCTION

This article is dedicated to the rethinking of the concept of sovereignty and its corollaries: the state and the political. Sovereignty, it is commonplace to claim, is undergoing complex changes and challenges. In its external aspect, it used to denote impermeability of state borders and the exclusivity of political ordering that the states enjoyed within their territories. That is, certainly, out of the question...
in today’s increasingly globalised world, where common normative frameworks (such as fidelity to human rights regimes), membership in regional and global supra-national organisations, economic interdependence, and various other factors are eroding the Westphalian ideal. Internally, sovereignty used to be about there being some ultimate ordering power, either with the people or with an authority that occupied a position beyond contestation and was able to determine political life in its entirety. Now political communities are more fluid, the presence of trans- and super-national values and norm-setting institutions put into question any purely internal sovereign authority, and the presence of radical protest movements across Western countries signals significant challenges to the traditional arrangements of sovereign power. Hence, it is vital to look for new grounds of sovereignty as a principle – one that transcends legal and institutional particularities but rather proceeds from the very essence of human existence. Once sovereignty is reformulated in such terms, it becomes a central principle of any communal life – only then it can be repositioned in the current global environment.

This endeavour to rethink sovereignty will be pursued broadly by bringing together three rather different but quite unexpectedly complementary authors: the French psychoanalyst thinker Jacques Lacan, the German legal theorist Carl Schmitt, and the Dutch philosopher Benedict Spinoza. For all three, mediation between the social and the asocial elements of human nature can only come about through something neither purely internal nor purely external to the community itself: not internal because something that is asocial cannot produce sociability from within but also not external because in that case commonality would not strictly relate to the community as such – it would merely be a product of outward oppression. Instead, the answer must lie in the relation between the person and the collective body. Arguably, the same logic must apply to modern democratic communities since democracy by definition resists external norm-making but still, at least in its modern form, cannot shy away the representative element. Therefore, democratic sovereignty is presupposed as something relational, located in-between the two poles.
In order to better understand the importance and appeal of sovereignty, this article first deals with some of its preconditions. From a primarily Spino-Lacanian perspective, the essence of humans is identified as desire and striving for an absent fullness – for something more than the world does (and could) offer. If left unchecked, this side of human existence would make social life impossible. Hence, it must be mediated either through the universal guidance of reason (Spinoza) or through the commanding structure of the symbolic (Lacan). This simultaneously internal and external criterion is able to produce substantial commonality and forms the essence of sovereignty. This is where Schmitt’s decisionism kicks in: this commonality cannot exist on its own but has to be (as if miraculously) introduced instead. However, even that miraculous *fiat* cannot provide for the ever-absent fullness and is, therefore, never enough. Here Schmitt’s notion of the political is crucial because it provides for a constant possibility of contestation and ever new sovereign decisions. And yet, this possibility cannot be entirely open because then any status quo would be disclosed as arbitrary and unable to hold ultimate meaning. Instead, sovereignty operates on an immanent-unconscious (from a Spino-Lacanian perspective) or politico-theological (from a Schmittian perspective) level: once a status quo establishes itself, it must appear as always already having been natural and reasonable and has to be simply believed in. This moment of closure is, arguably, the greatest strength of sovereignty, putting it beyond contestation in the eyes of the political community.

**THE CENTRALITY OF DESIRE, LACK, AND REASON**

In order to better understand the preconditions of immanent-unconscious sovereignty, one has to first address the interrelation between reason and desire. Lacanian psychoanalysis is relatively clear on this issue: it is first and foremost desire that drives the subject. Meanwhile, Spinoza’s position is more complex: he also positions desire as the very essence of human nature while simultaneously postulating the independence of reason. As a result, an attempt has to be made to
conceptualise reason in the light of desire prior to moving to the political significance of both.

In Lacanian psychoanalysis, the subject is born at the moment of fascination with an image, notably, one’s own image. In this stage, a minor for the first time becomes conscious of an Other, i.e. of something that is outside him/herself, and thus the imaginary unity with the world is broken. This unity is something that the subject will be constantly striving to recover throughout his/her life because “[t]he big Other is the symbolic order; it is that foreign language that we are born into and must learn to speak if we are to articulate our own desire. It is also the discourse and desires of those around us, through which we internalize and inflect our own desire”.1 Consequently, dialectic between the subject and the Other is formed, which subsequently serves as a pattern or a model for future imaginary identifications.2 Here we encounter identification as “the transformation that takes place in the subject when he assumes an image”.3 It is a key function of the ego to try to cover the lack, the displacement central to the subject (since, as indicated above, the original unity and fulfilment have been irretrievably lost).4 Alienation is, therefore, the very essence of being, even though we constantly struggle for wholeness, unity and coherence.5

Lacanian psychoanalysis teaches that in an object of desire (objet a) we strive for more than the thing itself. In fact, the Thing, which is the object of desire, is essentially no-thing, and it is only through the desire of the subject that the rupture, the void at the core of subjectivity are filled and the supposed primary unity restored – only then the Thing becomes some-thing.6 What is even more, in the strict sense, it is not enjoyment as such that we derive pleasure from because any enjoyment we get is not the enjoyment we expected – otherwise, the constant striving for pleasure would cease as desire would be satisfied. For both Spinoza and Lacan this would simply mean that there is no more subject left as the essence of its existence would be lost (or the power of the subject would be nullified).7 The ultimate pleasure is impossible because there was no original unity to be recovered in the first place – only an illusion that had been shattered. Not surprisingly,
“[t]he objet a then is at once the void, the gap, the lack around which the symbolic order is structured and that which comes to mask or cover over that lack”. In this light, Spinoza’s claim that desire, at its purest, is nothing but inconstancy, discrepancy, disagreement, and conflict appears to be extremely well-grounded.

When considering the nature of the person (and to be more precise, of each thing) in Spinoza, one definitely has to begin with the primacy of conatus, the endeavour to persevere in being, which is “nothing other than the actual essence of the thing”. When relating to both mind and body, this endeavour becomes appetite or when the appetite is conscious – desire. Thus, appetite or desire is “nothing other than the very essence of man”. Such understanding of a human individual leads Spinoza to a rather unconventional understanding of good: “we do not endeavour, will, seek after, or desire something because we judge it to be good, but on the contrary we judge something to be good because we endeavour, will, seek after, or desire it”. Therefore, good is that satisfies desire and causes pleasure directly or leads to it. Spinoza here would hardly object Lacan’s own thesis that “we make reality out of pleasure”. Pleasure, on its own behalf, according to the Ethics, is the passion that leads the mind to a greater perfection, while pain, on the contrary, is a passion which leads the mind to a lesser perfection. Human judgement is based on this distinction. Also, it must be kept in mind that not only different people can be affected by one and the same object differently but also the same person can be affected differently at different times and, therefore, people differ as much as their judgements are based on emotions. Although this seemingly subjectivist approach is later supplemented by adding a quasi-objective criterion, the basic line of argument remains: whatever a person does, she/he does out of desire. Desire for Spinoza is not merely an urge but also an active striving – “[w]e endeavour to promote the coming into existence of everything that we imagine to lead to pleasure; but that which we imagine to be opposed to this, i.e. lead to pain, we endeavour to remove or to destroy”. It is also useful to keep in mind that an individual’s power corresponds to his/her degree of perfection, hence, to the degree of
his/her reality\textsuperscript{19}. Not surprisingly, power and virtue are equated by Spinoza.\textsuperscript{20}

Spinoza puts significant effort, especially in the Appendix to Part I of the *Ethics*, to show that God or Nature (for this is one and the same for Spinoza) does not act on account of any end, least of all of any anthropocentric end. Contrary to this, “human beings do everything on account of an end,”\textsuperscript{21} and the ultimate end is perseverance in being. Confusion only arises because humans project their own volitions and try to anthropomorphise God (or Nature). But Spinoza goes even further than that: he argues that “human beings think themselves to be free in so far as they are conscious of their volitions and of their appetite, and do not even dream of the causes by which they are led to appetition and to will, since they are ignorant of them” and, as a result, “final causes are nothing but human inventions”.\textsuperscript{22} Here we encounter an important paradox. People do have a will and they seek final ends, but they are necessarily caused to do what they do by God or Nature,\textsuperscript{23} which knows no final end. This is why Spinoza’s God is “the immanent but not the transitive cause of all things”.\textsuperscript{24} This is also the reasoning behind Lacan’s rendering that “God is unconscious”: the will of God (or of the psychoanalytic Other) comes into being only through its own effects and, whatever the action, it has always already been willed and decided by God.\textsuperscript{25}

But a purely emotion-driven person cannot be an adequate subject. The preface to Part IV of Spinoza’s *Ethics* is dedicated to what he refers to as servitude or bondage because “a man who is subject to the emotions is not his own master, but is mastered by fortune”.\textsuperscript{26} This once again has a lot to do with the human ignorance of the causes of their volitions but also with ignorance of what is best for a human being as such. Here we have to remember that for Spinoza power and virtue are the same. But power is also perfection (and therefore, reality), and perfection is what an “exemplar of human nature” is all about. Notably, “[t]he more each person endeavours to look for what is useful to him, that is, to preserve his being, and is able to do this, the more he is endowed with virtue.”\textsuperscript{27} Reason, based on adequate knowledge, on its own behalf, shows the true interest of a person,
and leads him/her to being a more perfect human. Of course, reason alone is not sufficient because of the primacy of emotions and desires and it is only by being an emotion that knowledge of good and bad can affect humans.\textsuperscript{28} And still, only a person who is led by reason, according to Spinoza, “follows no one’s way of life but his own” and is free, while the one led by emotion is a slave.\textsuperscript{29}

The emancipation from the servitude of emotions and restraint of them would amount to the introduction of the symbolic in Lacan. There, identity literally lies \textit{outside}. Hence, in for Lacan, ‘I is an other’, i.e. I am such-and-such because I recognise myself as being like the other, whom I recognise to be such-and-such.\textsuperscript{30} Thereby, one’s very existence is based on or is guaranteed by the recognition by an-other, by the mediation of one’s image by the gaze of the other, in which one sees his/her own ideal image\textsuperscript{31} – it is from another that the law comes back to the subject.\textsuperscript{32} To sum up, the other is the locus where the I is constituted.\textsuperscript{33} Returning to Spinoza, that which leads to a more perfect human being, appears to be self-sufficiently caused by the person him/herself because it is supposedly his/her true interest. But actually this cause lies in the other as an ideal ego, in the gaze of the other and the discourse of the Other. Any self-sufficiency (Spinoza’s ideal), as seen by Lacan, is only partial and illusory. Thus, a radicalisation of Spinoza’s argument is required. It is only the other that determines which definition of sound reason (and which model of exemplary human nature) prevails. And once it prevails, it is perceived as having always already been the sole rational mode of thinking. Reason is always an immanent cause of one’s actions, although it belongs to the other. And the field of the other, once transferred to the domain of politics, is the field of sovereignty.

Once the essence of a person is identified as desire, it seems natural that the essence of a social bond that unites people should also lie in desire. But this desire is primarily the desire of the other: “[i]f we imagine someone to love or desire or hate something that we ourselves love, desire, or hate, by that very fact we shall love etc. the thing more steadfastly”.\textsuperscript{34} A body, either individual or social, is thus necessarily relational as its “interior is only a selected exterior and
the exterior, a projected interior”.35 However, as Spinoza stresses, for reason to prevail, humans must first leave the natural condition, form a society, and start living under “laws, which moderate and restrain desires”36 or, as Lacan would have it, under the symbolic.

For Spinoza, natural life is a continuous struggle between an infinite number of conatus in nature, which is even more challenging because “there exists no particular thing in the universe such that there does not exist another thing which is more powerful than it”.37 Therefore, individuals by themselves could be said to have, strictly speaking, neither power nor right because “so long as the natural right of man is determined by every individual, and belongs to everyone, so long it is a nonentity”.38 Consequently, it is rational for people to associate with those similar to him/herself – i.e. with those following the commands of reason. However, the institution of any human association, because of the aforementioned liability to emotions, necessarily involves giving up natural right so as to make people mutually confident that no harm will be done. Here Spinoza turns to one of the central elements of his political theory – the multitude. The multitude has traditionally been understood as multiplicity that is “inorganic, inconstant, and undisciplined”,39 opposed to the integrated ‘people’. Spinoza, meanwhile, partially inverts this tradition by displaying the creative and constitutive power of the multitude that resists unification and tyranny.40 Still, the multitude is a contradictory and internally divided power and thus any effective order must first of all acknowledge the primacy of passions and develop strategies to deal with them.41 Society then must have the monopoly of right to institute and enforce rationality, distinctions between good and bad, and a common way of life among its members. Correspondingly, Spinoza writes, if a human association fails, it is not because of human wickedness per se (because people are naturally wicked anyway) but merely due to the deficiencies in the association itself.42 Evidently, this is a process of internal transformation of the power of the multitude – simultaneous self-limitation and self-organisation.43 In a commonwealth, meanwhile, “no one does anything rightfully, save what he does in accordance with the general decree or consent”.44
It is through the ability to pass laws and through the power to ‘preserve itself’ (i.e. to coerce) that a human grouping becomes a ‘commonwealth’. Law is then, according to Spinoza’s definition, “a rule for living which a man prescribes to himself for some purpose”. But since this purpose is normally visible to only a few, while the absolute majority is ignorant, coercion is a necessary element. This is why, in a statement ripe with psychoanalytic intuition, Spinoza states that “the essence of law is taken to be a rule of life prescribed to men by the command of another”. Therefore, it could be said that “the state is the supposed author of all actions that conform to the law”. It is not that in the commonwealth natural right ceases; on the contrary, everyone still strives for one’s own interest. The difference is that once a commonwealth has been formed, the interest also becomes common, and so does the judgement – the citizens are guided as if by one mind. Also, it is only in the commonwealth that protection and property become possible, as well as other benefits, such as division of labour and exchange of goods, at least for the cooperative members.

Crucially, a function of state is to make people rational and “fit for citizenship” whence everybody follows their true interest (TTP, 201), with reason and true interest always already being known in advance. Thus, Spinoza is able not to separate the sovereign power of the state and personal freedom. At the same time, however, the state also becomes the Other in which reason resides, while sovereignty is about the control of this reason and setting the rules for its own reasonableness. This is where the state of reason and the reason of the state are conflated.

**EQUALITY IN SUBSTANCE**

People, as it were, must partake in a common substance in order to be equal members of the state. This equality, however, must be substantial rather than being brought about by merely having been born human. This is what Carl Schmitt means when he proclaims that a state – and especially a democratic one – must be based on an existing homogeneity: it is only from common belonging and common action
that common rights emanate, leaving the question of criteria of homogeneity open. A common premise is shared here with Spinoza, for whom right, as already seen, is also necessarily political, belonging to a particular community through combined power and will but not to humans in general. This, of course, renders internal plurality problematic, leaving only external plurality of political communities both possible and legitimate. Correspondingly, any decision taken inside the political community must then be a decision of all and for all, always already having expressed the general will. The commonwealth, correspondingly, cannot do ‘wrong’ if by ‘wrong’ is understood that which is contrary to civil law because outside the state the only is law of nature (in terms of scientific laws, not of natural law), and in the state everything the commonwealth decides and does is law. This is where Spinoza once again goes with Schmitt, for whom, due to the identity and similarity that underlie democracy, “the will of the outvoted minority is in truth identical with the will of the majority”. The consent of the citizen in a democracy then is given not to a specific decision but to the General Will, whatever it might be; thus the minority has only to concede that it had made a mistake of judgement, and what it believed to be the General Will, in reality was not. Therefore, it is only by its own effects that the always already existing will becomes evident.

And yet, there is a crucial difference between Spinoza and Schmitt: if for the latter homogeneity is necessarily pre-existing (“the state is a specific entity of the people”), then for Spinoza the unity and the community are simultaneous. For Schmitt, meanwhile, only the possibility of ad hoc creation out of nothing and the sustenance of that creation make political life meaningful. Thus, the paradigmatic tension here is between Schmitt’s artificial homogeneity and Spinoza’s conflation of the state of reason and the reason of state (quasi-natural homogeneity). Crucially, in democracy, there can be no external source of legitimacy but that which emanates from (or is immanent to) the people themselves, thus complicating the case for diversity. It is in the constant tension between the need for unity (which per se entails universality) and the need of particularity, diversity and
conflict that the essence of democratic politics lies (or should lie). Law and power are, therefore, both external and internal at the same time, metaphysical but not empirical categories, showing no clear distinction between interior and exterior, the constitutive and the constituted. This paradox is only grasped if it is understood that, paraphrasing Lacan paraphrasing Spinoza, the (legitimate) state is unconscious and the general will of its citizens is, therefore, immanent – only produced through its own effects.

It must be kept in mind that for Spinoza humans only act out of hope for a greater benefit or fear of a greater loss – at least what they think to be a benefit or a loss – and thus society could only be formed out of self-interest. This is central for the formation of a commonwealth and the only means of ensuring that the true self-interest of the people (i.e. the postulates of sound reason) is not deviated from. However, once a political order is instituted, the authorities are bound by no law and must be absolutely obeyed for the people “must all have made this agreement, tacitly or explicitly, when they transferred their whole power of defending themselves, that is, their whole right, to the sovereign authority”. Thus, all the sovereign does is always already agreed upon. But since the ideal state is guided by reason and unhindered exercise of reason is true freedom, then this surrender of power is only for obtaining more freedom. However, Spinoza here reveals a basic premise of political theology: the fact that a contract or any other agreement can be imagined only after the political community is formed and sovereignty is instituted. Faith precedes and grounds the doctrine just like in Schmitt exception proves the rule. Here, once again, the state, just like the Spino-Lacanian God, is unconscious. Allegiance to the state is then not a rational calculation but the “faith that the state holds forth an ultimate meaning”. Be it the exaltation of the will of a homogeneous people or the embodiment of pure reason, the state can only act through this elision of acting ‘as if’, i.e. through hiding the core element of faith.

Clearly, unity and integrity are of paramount importance for both Spinoza and Schmitt. However, the quest for the two still poses a significant problem when a psychoanalytic emphasis is added, i.e.
when considering the existence of the Other. The Other prevents the subject from being totally him/herself by constituting “the limits of every objectivity, which is revealed as partial and precarious objectification” subjected to the law of méconnaissance, misrecognition. The Other, which provides for the common system of identification (and regulation – by it also being the Law), fails to exhaust the meanings and demands imputed by the subjects and, therefore, does not bring about the desired satisfaction, which was never there in the first place. Hence, the alienation of the subject is not alienation from something – alienation is the very essence of being. The quest for an integrated social (and the ultimate Law), where “the recognition of desire is bound up with the desire for recognition”, is a non-existent object of Spinoza’s conatus – the ever-present striving to persevere in being.

What is encountered here is a constitutive lack that produces empty signifiers in the system of signification. These empty signifiers stand in for the absent (and impossible) communitarian fullness by pretending to be universal. Meaning, therefore, holds on partial fixations, anchoring points (points de capiton in Lacan’s original term) that quilt the level of the signifier with that of the signified, temporarily stopping the incessant sliding of the latter. On this occasion, a particular element assumes a universal meaning within a given discourse, i.e. it becomes a central and ordering element of the system. This is also why “I see outside, that perception is not in me”. It is precisely this lack of stable finality that enables politics. It also points towards the Schmittian kind of absolute democracy: any decision, once taken, demands absolute obedience, even though its groundlessness also allows for radical contestation. And yet, in order to be effective politically, any status quo must also contain a hint of Spinoza’s absoluteness – there can be no stronger grounding of a decision and no stronger impetus of following it than the belief that it is the only reasonable way forward, i.e. a conflation of political rationality and political theology. Only with the above in mind does Schmitt’s famous dictum that “[t]he concept of the state presupposes the concept of the political”
acquire its full meaning: the state is where the contingent is transformed into the universal. In a similar vein, for Lacan, “[t]he domain of the good is the birth of power”77 – not only the control of the good is crucial but also the ability to define what the good is, to select some of the possible contents of political unity and to discard the rest. Of crucial importance here is the ability to add to things or concepts something more than their use value, namely, a connotation of (always elusive) fullness. Thus, “the fragile equilibrium of desire can only be maintained by the continuous displacement from object to object”,78 with the subject often resorting to fantasy in order to create a symbolic (or for that matter, ideological) system to make up for and/or accommodate in an orderly way the feeling of a missing harmony, unity, and fullness.79 As a result, our reality can be real only by negating the real outside, by attributing to that outside our inability to reach fulfilment (there must be someone outside who stole it).80 Thus, control over empty signifiers leads to the friend-enemy dichotomy. Since the outside is responsible for our own lack of reality, it comes as no surprise that the enemy is “the other, the stranger; and it is sufficient for his nature that he is, in a specially intense way, existentially something different and alien”.81 Due to the nature of the political, i.e. the ascription of the good as the public good, the enemy is necessarily the public enemy, hostis, a threat not directly to an individual but to the community as such82, posing an extreme existential threat. For Spinoza as well, the enemy is not only someone beyond the borders of the state but also potentially a domestic one – a threat to internal peace.83 The state, theory goes, should therefore be able to implicitly and explicitly declare the domestic public enemy84 who threatens the apotheosis of the Law. And this, ultimately, is where sovereignty kicks in.

THE IMMANENT-UNCONSCIOUS SOVEREIGNTY

It is well-known that for Schmitt “[s]overeign is he who decides on the exception.”85 Moreover, as all law is, in essence, situational, it is the exception that “reveals most clearly the essence of the state’s
authority”, namely, “not as the monopoly to coerce or to rule, but as the monopoly to decide”.86 Sovereignty should best be seen as creating a localisation or a threshold between the inside and the outside, between order and chaos but not in the sense of differentiating between the two – rather, sovereignty makes them “enter into those complex topological relations that make the validity of the judicial order possible”.87 The emergence of law is neither from inside – because previously there was none – nor from outside – because law must necessarily be inside in order to be law of a political community (as opposed to transcendent command) in the first place. This is the moment of closure but also of mysticism and immanence. As a result, “the rule proves nothing; the exception proves everything: it confirms not only the rule but also its existence, which derives only from the exception.”88 But if the law could exhaust all meanings in their entirety, there would be no need for decision. Therefore, “[i]n the exception the power of real life breaks through the crust of a mechanism that has become torpid by repetition”.89 As a result, not only the law lives off the exception but also decision is the attempt to overcome the unavoidable split and antagonism between the subject and the Other, thus maintaining the political system and preserving its ability to generate meaning. The ability to produce and guarantee the status quo is crucial. Sovereignty guarantees the nomos in relation to anomie. Just as for Spinoza, people really tend to disagree as long as they are led by pure desire and, therefore, need the semi-external criterion of reason, in Schmitt, only the sovereign decision can cover the lack at the heart of the social. The question is which symbolic moderates desire and thus leads to agreement or provides substance to a political community. The function of the sovereign decision is precisely to answer that question.

When at least two antagonistic forces are present and the border between them is not stable but permeated with floating elements open for articulation by those competing camps, a hegemonic articulation – a redefinition of the border between the inside and the outside of the symbolic according to a particularity of a certain group – is enabled.90 As such, hegemony is “the construction of the very identity of social
Therein appears the close (inter)relationship between hegemony and sovereignty: the redefinition of inside and outside, order and chaos, construction and destruction, production of meaning, consensus, and supposed homogeneity. To portray this moment of closure as natural, reasonable, moral, etc. – thus immune to the relation of inclusion/exclusion – and not as merely one of possible alternatives would mean succumbing to a hegemonic articulation that has retrospectively established itself as self-evident.92

Here Spinoza’s definition of the difficulties of governing is relevant. Although the function of the state is to coerce people to act in accordance with reason, this cannot be effectively achieved through fear alone: when people do what they do not want to do, not only “they have no interest or necessity for doing what they do” but also “cannot help but rejoice when their ruler suffers pain or loss, even if this involves them in great suffering themselves; they cannot help but wish him every calamity and inflict it themselves when they can”.93 Thus, a supposedly external reason for obeying must be established. The conclusion is then that “those exert the greatest power who reign in the hearts and minds of their subjects” and are able to “ensure that a very large part of the people believes, loves, hates, etc. what the sovereign wants them to”.94 An ‘agreement in nature’ (Spinoza) or homogeneity (Schmitt) is achieved, which at the same time grounds the political community from inside and yet lies outside of it. In a revealing formulation, “[t]he good which each person who follows virtue seeks for himself he also desires for all other men, and the more so, the more he has a greater knowledge of God”.95 This statement could equally be translated in the following way: the more a subject is affected by hegemonic practices, the more she/he agrees in nature and desire with other subjects. What comes into play here is (a form of) political theology. Schmitt takes a radical stand on this question as for him “all significant concepts of the modern theory of the state are secularized theological concepts” not only due to their development but also due to their systematic structure.96 It is not within the scope of this article to deal with the former claim but the latter one truly deserves consideration.
In fact, it is a common political image that before the (sovereign) decision there was slavery and this slavery was the primeval condition of the people – at least this is how retrospectively it appears to have been. Any movement beyond this condition had to be “the appearance of a sacrificial politics of sovereign presence”, providing it is a real movement and not mere chatter. Once a movement is made and it has been successful, it is believed “not only that the sovereign acted but that it acted to put in place an order of reason”. By being successful, the decision is always already correct, just, and reasonable. The right and reasonable order, therefore, appears only through its own effects. Such sovereign is similar to the God of Exodus who not only leads from slavery but also gives the Law which has (always) already existed. In addition to this, one needs to remember the emergence of the state in Spinoza, where the original condition is also slavery and people are subject to their passions. An order of reason only appears through the formation of the commonwealth and the sovereign decision upon the outside and the inside of the political community and its (political) reason. This is the key to the imaginary of any organisational and/or emancipatory practice, be it self-determination, redistribution of wealth, struggle for (human) rights, etc. – a paradoxical attempt to bring into being something that, upon materialisation, has supposedly always already existed or has had to exist.

Here a reference is needed to one of Schmitt’s late books, *Political Theology II* and especially to his discussion of a passage from Gregory of Nazianzus’ *Oratio Theologica*: “The One – to Hen – is always in uproar – *stasiazon* – against itself – *pros heauton*”. This is a highly paradoxical formulation because the word ‘stasis’ is used in the sense of ‘uproar’, defying its common meaning of tranquillity, status, standpoint (thus being an antonym to *kinēsis*, movement); on the other hand, *stasis* also means political unrest, uproar, civil war. This, according to Schmitt, signals the paradoxical and double-edged nature of *stasis* not only in the Trinity itself but also in any other oneness – the unavoidable presence of antagonism within any supposed unity and homogeneity. To fully appreciate the paradox of *stasis*, one needs to see any homogeneity (or Spinoza’s ‘agreement in
nature’) as being a result of political processes and thus appearing only with and not before the formation of the state. This is where Spinoza’s emphasis on the state and reason, as required for humans to agree in nature, prevails. As it has been shown, reason (which then becomes the reason of state) is the always already present and thus immanent (or unconscious) criterion of organisation, structurally very similar (if not identical) to the god of political theology. It is, in essence, “a belief in something that guarantees the validity of our knowledge, sustaining the fantasy of an adaequatio between language and the world”. Only then sovereignty can truly become the localisation of stasis, the threshold of indistinction between the inside and the outside.

In an illustrative statement, Spinoza stresses that “men are not born for citizenship, but have to be made so” (TTP, 313). What must also be mentioned here, is the Lacanian concept of the gaze. As Lacan states it, “[t]he gaze I encounter [...] is, not a seen gaze, but a gaze imagined by me in the field of the Other”. The gaze is a crucial element of (self-)perception and, for that matter, subjection. The subject is constantly placed under the gaze, evaluative and inquiring, pointing at the ideal ego that the subject ought to strive for. Correspondingly, in an inter-human relationship “You never look at me from the place from which I see you”, that is, what a subject sees in the other (especially in the other as his/her own specular image) is always less than the subject wishes to see – the subject constantly fails to fulfil him/herself. Thus, once again a gap is left, one that is constantly ripe with dissatisfaction. Moving to the more general social level, the subject is yet again placed under the evaluative gaze. This does not have to be the concrete gaze of the Big Brother-type in order to be truly effective. The gaze that really places under subjection is the imagined gaze of the all-seeing world, an internalised gaze which controls seemingly without repression.

As noted by Spinoza, even if it is highly possible for a government to control the outward expression of a person’s thoughts through what has been referred to as the Big Brother’s gaze, it is much less (if at all) possible to control people’s minds “[f]or no one can transfer
to another person his natural right, or ability, to think freely and
make his own judgements about any matter whatsoever, and cannot
be compelled to do so”. The consequences of such oppressive poli-
cies are grave for the authorities themselves: “[t]his would undermine
the trust which is the first essential of a state; detestable flattery and
deceit would flourish giving rise to intrigues and destroying every
kind of honest behaviour”. Therefore, the imaginary gaze is needed.
This is precisely the difference between an external criterion and one
that is neither purely external nor purely internal: the primitive gaze
of the Big Brother and an imaginary gaze. In the first instance, the
impossibility of absolute congruence is attributed to the system ex-
ternal to the subject, while in the second case, the fault is directed
to the subject him/herself. Absolute order would be possible if these
two poles coincided. However, this would mean the end of politics as
well. Therefore, as far as politics is concerned, order can exist only as
potentiality.

The political space, then, is caught between the two potentiali-
ties, hence, incomplete and open for contestation. However, it must
also be relatively sutured – both immune to any final decision and
yet always already decided upon. This possibility of openness is what
Schmitt grasps in the paradox of stasis, even if (probably) against
own intentions. This could also be found in Spinoza, for whom
the internally diverse multitude (especially in the Political Treatise)
resists any attempt to uniformity. Furthermore, in the context of
potentiality, Spinoza offers yet another crucial insight based on his
right as power doctrine: sovereign right, as any other right, extends
as far as the sovereign power does. Correspondingly, once the bal-
ance of power changes, the localisation of the sovereign right moves
along with it. Such is the basic premise of change in hegemony and
with it the change in the configuration of outside and inside. Once
this shift happens, a new sovereign decision has been made and it, in
turn, is seen as always already having been rational and right. Some-
thing that has supposedly always already existed but had been unre-
reasonably denied has been brought into being. At the same time, any
surge in power (or rise to dominance) of one group within a political
community will only lead others to pursue their own particularities with the claim for the good of all,¹¹ thus providing the necessary counterbalance and challenge to the new hegemonic configuration. This swinging pendulum of sovereign power-as-potentiality reveals the unavoidably partial nature of any emancipatory practice and the never-ending cycle of continuous reproduction in politics.

CONCLUSIONS

To conclude, it is in the control of indistinction between inside and outside, order and chaos, force of law and violence that the crux of state sovereignty resides. In this sense, it can be argued that sovereignty is unconscious, i.e. it is the immanent cause of the decision that rearranges the equilibrium of power on the threshold of indistinction and is evident only through its own effects. The virtue of the state then is its unique negotiation of this indistinction. However, this negotiation is never stable but open to ever new contestation instead.

Even in an era when the global level is gaining strength and the national one is weakening, one thing remains: the need for a signifying structure that not only holds a community together but also provides individuals with guidance in living their everyday lives, i.e. creates meaning. This could pass as the universal criterion of sound reason (Spinoza), the symbolic (Lacan), or the sovereign decision (Schmitt). What they do have in common despite their different preconditions is the ordering function that arranges the otherwise random occurrences and individual desires, creating a neat whole which is simultaneously descriptive and prescriptive. Therein also resides the appeal and prevalence of these ordering structures: since humans need their lives to be imputed with meaning, the process by which meaning is ensured acquires existential importance. It is not entirely unimaginable that in time this sense-making would belong to global or, at least, regional structures rather than states. As for now, however, there is arguably no supra-national institution which would not suffer from a democratic deficit of some sort. Not surprisingly, then calls for ‘post-sovereignty’ have so far been premature.
A Spinozist-Lacanian-Schmittian reading is capable not only of revealing sovereignty’s inner workings but could also serve as an antidote to overdeterminations that could otherwise have a totalising effect. Because of the existential importance of political ordering, it is easy to submit to the politico-theological illusion of absoluteness of the present normative order – to hegemony without contestation. Meanwhile, the reading offered here offers a perspective that combines both the partiality and contestability of any status quo on the one hand and its essential appeal (the politico-theological stability of order) on the other.

NOTES

4 Ibid., p. 169.
6 Ibid., p. 85.
9 Spinoza, B. Ethics. Oxford and New York: Oxford University Press, 2000, IVP34s. (The notation used for Spinoza’s Ethics is as follows: p – proposition, c – corollary, s – scholium, d – definition, a – axiom, app – appendix, pref – preface. Therefore, IVP34s refers to Part Four, scholium to proposition 34.)
10 Ibid., IVa1.
11 Ibid., IIIp7.
12 Ibid., IIIp9s.
13 Ibid., IIIp9s.
14 Ibid., IIIp39.
17 Ibid., IIIp51s.
18 Ibid., IIIp28.
RETHINKING THE SOVEREIGN: THE IMMANENT PRESENCE OF THE POLITICAL ORDER

21 Ibid., Iapp.
22 Ibid., Iapp.
23 Ibid., Ip26.
24 Ibid., Ip18.
27 Ibid., IVp20.
28 Ibid., IVp8.
29 Ibid., IVp66s.
33 Ibid., p. 141.
40 Ibid., p. 130–131.
46 Ibid., p. 58.
55 Ibid., p. 311.
60 Ibid., p. 6.
63 Ibid., p. 199.
64 Ibid., p. 200.
65 Ibid., p. 252.
67 Ibid., p. 155.
79 Ibid., p. 52.
80 Ibid., p. 80.
82 Ibid., p. 28–29.
86 Ibid., p. 13.
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89 Ibid., p. 15.
91 Ibid., p. 58.
98 Ibid., p. 155.
100 Ibid., p. 123.
101 Ibid., p. 123.
105 Ibid., p. 103 (emphasis in the original).
107 Ibid., p. 255.

Ignas Kalpokas

SUVERENUMO SĄVOKOS PERMĄSTYMAS: POLITINĖS TVARKOS IMANENTINĖ ESATIS

Santrauka

Šiame straipsnyje siekiama permąstyti suverenumo sąvoką Benedicto Spinozos, Jacqueso Lacano ir Carlo Schmitto idėjų kontekste. Kadangi pati suverenumo sąvoka šiandienos pasaulyje yra itin kvestionuojama, pateikiama

Visi trys autoriai, kuriais remiamasi šiame tyrime, yra retai, jei išvis analizuojami kartu. Tai nepelynys trūkumas: visiems jiems medijavimas tarp socialių ir asocialių šmogaus prigimties elementų įmanomas tik per kažką, kas nėra iki galo nei bendruomenės, nei asocialaus žmogaus viduje. Šis medijavimo faktorius negali būti viduje, nes asocialūs žmonės negali patys suvokti ko nors socialaus, tačiau jis kartu negali būti ir bendruomenės viduje, kadangi bet koks bendruomeniškas turinys tiesiogiai sietis su pačia bendruomene, kitu atveju bendruomenė būtų tik išorinių jėgų primestas kūrinys. Taigi atsakymo reikia ieškoti asmens ir bendruomenės santykioje. Iš tiesų, būtent šiame santykyje ir glūdi suverenumo esmė.

**Reikšminiai žodžiai:** suverenitetas, politinė tvarka, bendruomenės teisė, prievarta.