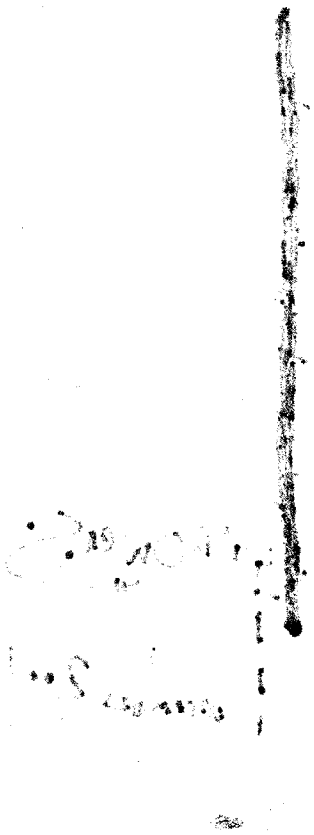

EMPIRE

Michael Hardt | Antonio Negri

HARVARD UNIVERSITY PRESS

Cambridge, Massachusetts

London, England

PREFACE

Empire is materializing before our very eyes. Over the past several decades, as colonial regimes were overthrown and then precipitously after the Soviet barriers to the capitalist world market finally collapsed, we have witnessed an irresistible and irreversible globalization of economic and cultural exchanges. Along with the global market and global circuits of production has emerged a global order, a new logic and structure of rule—in short, a new form of sovereignty. Empire is the political subject that effectively regulates these global exchanges, the sovereign power that governs the world.

Many argue that the globalization of capitalist production and exchange means that economic relations have become more autonomous from political controls, and consequently that political sovereignty has declined. Some celebrate this new era as the liberation of the capitalist economy from the restrictions and distortions that political forces have imposed on it; others lament it as the closing of the institutional channels through which workers and citizens can influence or contest the cold logic of capitalist profit. It is certainly true that, in step with the processes of globalization, the sovereignty of nation-states, while still effective, has progressively declined. The primary factors of production and exchange—money, technology, people, and goods—move with increasing ease across national boundaries; hence the nation-state has less and less power to regulate these flows and impose its authority over the economy. Even the most dominant nation-states should no longer be thought of as supreme and sovereign authorities, either outside or even within their own borders. *The decline in sovereignty of nation-states, however, does not mean that sovereignty as such has declined.*[1]

Throughout the contemporary transformations, political controls, state functions, and regulatory mechanisms have continued to rule the realm of economic and social production and exchange. Our basic hypothesis is that sovereignty has taken a new form, composed of a series of national and supranational organisms united under a single logic of rule. This new global form of sovereignty is what we call Empire.

The declining sovereignty of nation-states and their increasing inability to regulate economic and cultural exchanges is in fact one of the primary symptoms of the coming of Empire. The sovereignty of the nation-state was the cornerstone of the imperialisms that European powers constructed throughout the modern era. By "Empire," however, we understand something altogether different from "imperialism." The boundaries defined by the modern system of nation-states were fundamental to European colonialism and economic expansion: the territorial boundaries of the nation delimited the center of power from which rule was exerted over external foreign territories through a system of channels and barriers that alternately facilitated and obstructed the flows of production and circulation. Imperialism was really an extension of the sovereignty of the European nation-states beyond their own boundaries. Eventually nearly all the world's territories could be parceled out and the entire world map could be coded in European colors: red for British territory, blue for French, green for Portuguese, and so forth. Wherever modern sovereignty took root, it constructed a Leviathan that overarched its social domain and imposed hierarchical territorial boundaries, both to police the purity of its own identity and to exclude all that was other.

The passage to Empire emerges from the twilight of modern sovereignty. In contrast to imperialism, Empire establishes no territorial center of power and does not rely on fixed boundaries or barriers. It is a *decentered* and *deterritorializing* apparatus of rule that progressively incorporates the entire global realm within its open, expanding frontiers. Empire manages hybrid identities, flexible hierarchies, and plural exchanges through modulating networks of command. The distinct national colors of the imperialist map of the world have merged and blended in the imperial global rainbow.

The transformation of the modern imperialist geography of the globe and the realization of the world market signal a passage within the capitalist mode of production. Most significant, the spatial divisions of the three Worlds (First, Second, and Third) have been scrambled so that we continually find the First World in the Third, the Third in the First, and the Second almost nowhere at all. Capital seems to be faced with a smooth world—or really, a world defined by new and complex regimes of differentiation and homogenization, deterritorialization and reterritorialization. The construction of the paths and limits of these new global flows has been accompanied by a transformation of the dominant productive processes themselves, with the result that the role of industrial factory labor has been reduced and priority given instead to communicative, cooperative, and affective labor. In the postmodernization of the global economy, the creation of wealth tends ever more toward what we will call biopolitical production, the production of social life itself, in which the economic, the political, and the cultural increasingly overlap and invest one another.

Many locate the ultimate authority that rules over the processes of globalization and the new world order in the United States. Proponents praise the United States as the world leader and sole superpower, and detractors denounce it as an imperialist oppressor. Both these views rest on the assumption that the United States has simply donned the mantle of global power that the European nations have now let fall. If the nineteenth century was a British century, then the twentieth century has been an American century; or really, if modernity was European, then postmodernity is American. The most damning charge critics can level, then, is that the United States is repeating the practices of old European imperialists, while proponents celebrate the United States as a more efficient and more benevolent world leader, getting right what the Europeans got wrong. Our basic hypothesis, however, that a new imperial form of sovereignty has emerged, contradicts both these views. *The United*

States does not, and indeed no nation-state can today, form the center of an imperialist project. Imperialism is over. No nation will be world leader in the way modern European nations were.

The United States does indeed occupy a privileged position in Empire, but this privilege derives not from its similarities to the old European imperialist powers, but from its differences. These differences can be recognized most clearly by focusing on the properly imperial (not imperialist) foundations of the United States constitution, where by "constitution" we mean both the *formal constitution,* the written document along with its various amendments and legal apparatuses, and the *material constitution,* that is, the continuous formation and re-formation of the composition of social forces. Thomas Jefferson, the authors of the *Federalist,* and the other ideological founders of the United States were all inspired by the ancient imperial model; they believed they were creating on the other side of the Atlantic a new Empire with open, expanding frontiers, where power would be effectively distributed in networks. This imperial idea has survived and matured throughout the history of the United States constitution and has emerged now on a global scale in its fully realized form.

We should emphasize that we use "Empire" here not as a *metaphor,* which would require demonstration of the resemblances between today's world order and the Empires of Rome, China, the Americas, and so forth, but rather as a *concept,* which calls primarily for a theoretical approach.[2] The concept of Empire is characterized fundamentally by a lack of boundaries: Empire's rule has no limits. First and foremost, then, the concept of Empire posits a regime that effectively encompasses the spatial totality, or really that rules over the entire "civilized" world. No territorial boundaries limit its reign. Second, the concept of Empire presents itself not as a historical regime originating in conquest, but rather as an order that effectively suspends history and thereby fixes the existing state of affairs for eternity. From the perspective of Empire, this is the way things will always be and the way they were always meant to be. In other words, Empire presents its rule not as a transitory

moment in the movement of history, but as a regime with no temporal boundaries and in this sense outside of history or at the end of history. Third, the rule of Empire operates on all registers of the social order extending down to the depths of the social world. Empire not only manages a territory and a population but also creates the very world it inhabits. It not only regulates human interactions but also seeks directly to rule over human nature. The object of its rule is social life in its entirety, and thus Empire presents the paradigmatic form of biopower. Finally, although the practice of Empire is continually bathed in blood, the concept of Empire is always dedicated to peace—a perpetual and universal peace outside of history.

The Empire we are faced with wields enormous powers of oppression and destruction, but that fact should not make us nostalgic in any way for the old forms of domination. The passage to Empire and its processes of globalization offer new possibilities to the forces of liberation. Globalization, of course, is not one thing, and the multiple processes that we recognize as globalization are not unified or univocal. Our political task, we will argue, is not simply to resist these processes but to reorganize them and redirect them toward new ends. The creative forces of the multitude that sustain Empire are also capable of autonomously constructing a counter-Empire, an alternative political organization of global flows and exchanges. The struggles to contest and subvert Empire, as well as those to construct a real alternative, will thus take place on the imperial terrain itself—indeed, such new struggles have already begun to emerge. Through these struggles and many more like them, the multitude will have to invent new democratic forms and a new constituent power that will one day take us through and beyond Empire.

The genealogy we follow in our analysis of the passage from imperialism to Empire will be first European and then Euro-American, not because we believe that these regions are the exclusive or privileged source of new ideas and historical innovation, but simply because this was the dominant geographical path along

which the concepts and practices that animate today's Empire developed—in step, as we will argue, with the development of the capitalist mode of production.[3] Whereas the genealogy of Empire is in this sense Eurocentric, however, its present powers are not limited to any region. Logics of rule that in some sense originated in Europe and the United States now invest practices of domination throughout the globe. More important, the forces that contest Empire and effectively prefigure an alternative global society are themselves not limited to any geographical region. The geography of these alternative powers, the new cartography, is still waiting to be written—or really, it is being written today through the resistances, struggles, and desires of the multitude.

In writing this book we have tried to the best of our abilities to employ a broadly interdisciplinary approach.[4] Our argument aims to be equally philosophical and historical, cultural and economic, political and anthropological. In part, our object of study demands this broad interdisciplinarity, since in Empire the boundaries that might previously have justified narrow disciplinary approaches are increasingly breaking down. In the imperial world the economist, for example, needs a basic knowledge of cultural production to understand the economy, and likewise the cultural critic needs a basic knowledge of economic processes to understand culture. That is a requirement that our project demands. What we hope to have contributed in this book is a general theoretical framework and a toolbox of concepts for theorizing and acting in and against Empire.[5]

Like most large books, this one can be read in many different ways: front to back, back to front, in pieces, in a hopscotch pattern, or through correspondences. The sections of Part 1 introduce the general problematic of Empire. In the central portion of the book, Parts 2 and 3, we tell the story of the passage from modernity to postmodernity, or really from imperialism to Empire. Part 2 narrates the passage primarily from the standpoint of the history of ideas and culture from the early modern period to the present. The red

thread that runs throughout this part is the genealogy of the concept of sovereignty. Part 3 narrates the same passage from the standpoint of production, whereby production is understood in a very broad sense, ranging from economic production to the production of subjectivity. This narrative spans a shorter period and focuses primarily on the transformations of capitalist production from the late nineteenth century to the present. The internal structures of Parts 2 and 3 thus correspond: the first sections of each treat the modern, imperialist phase; the middle sections deal with the mechanisms of passage; and the final sections analyze our postmodern, imperial world.

We structured the book this way in order to emphasize the importance of the shift from the realm of ideas to that of production. The Intermezzo between Parts 2 and 3 functions as a hinge that articulates the movement from one standpoint to the other. We intend this shift of standpoint to function something like the moment in *Capital* when Marx invites us to leave the noisy sphere of exchange and descend into the hidden abode of production. The realm of production is where social inequalities are clearly revealed and, moreover, where the most effective resistances and alternatives to the power of Empire arise. In Part 4 we thus try to identify these alternatives that today are tracing the lines of a movement beyond Empire.

This book was begun well after the end of the Persian Gulf War and completed well before the beginning of the war in Kosovo. The reader should thus situate the argument at the midpoint between those two signal events in the construction of Empire.

1.1

WORLD ORDER

> Capitalism only triumphs when it becomes identified with the state, when it is the state.
>
> Fernand Braudel

> They make slaughter and they call it peace.
>
> Tacitus

The problematic of Empire is determined in the first place by one simple fact: that there is world order. This order is expressed as a juridical formation. Our initial task, then, is to grasp the *constitution* of the order being formed today. We should rule out from the outset, however, two common conceptions of this order that reside on opposing limits of the spectrum: first, the notion that the present order somehow rises up *spontaneously* out of the interactions of radically heterogeneous global forces, as if this order were a harmonious concert orchestrated by the natural and neutral hidden hand of the world market; and second, the idea that order is dictated by a single power and a single center of rationality *transcendent* to global forces, guiding the various phases of historical development according to its conscious and all-seeing plan, something like a conspiracy theory of globalization.[1]

United Nations

Before investigating the constitution of Empire in juridical terms, we must analyze in some detail the constitutional processes that have come to define the central juridical categories, and in particular

give careful attention to the process of the long transition from the sovereign right of nation-states (and the international right that followed from it) to the first postmodern global figures of imperial right. As a first approximation one can think of this as the genealogy of juridical forms that led to, and now leads beyond, the supranational role of the United Nations and its various affiliated institutions.

It is widely recognized that the notion of international order that European modernity continually proposed and reproposed, at least since the Peace of Westphalia, is now in crisis.[2] It has in fact always been in crisis, and this crisis has been one of the motors that has continuously pushed toward Empire. Perhaps this notion of international order and its crisis should be dated from the time of the Napoleonic Wars, as some scholars claim, or perhaps the origin should be located in the Congress of Vienna and the establishment of the Holy Alliance.[3] In any case, there can be no doubt that by the time of the First World War and the birth of the League of Nations, a notion of international order along with its crisis had been definitively established. The birth of the United Nations at the end of the Second World War merely reinitiated, consolidated, and extended this developing international juridical order that was first European but progressively became completely global. The United Nations, in effect, can be regarded as the culmination of this entire constitutive process, a culmination that both reveals the limitations of the notion of *international* order and points beyond it toward a new notion of *global* order. One could certainly analyze the U.N. juridical structure in purely negative terms and dwell on the declining power of nation-states in the international context, but one should also recognize that the notion of right defined by the U.N. Charter also points toward a new positive source of juridical production, effective on a global scale—a new center of normative production that can play a sovereign juridical role. The U.N. functions as a hinge in the genealogy from international to global juridical structures. On the one hand, the entire U.N. conceptual structure is predicated on the recognition and legitimation of the sovereignty of individual states, and it is thus planted squarely within the old framework of international right defined by pacts and treaties. On the other hand, however, this process of legitimation is effective only insofar as it transfers sovereign right to a real *supranational* center. It is not our intention here to criticize or lament the serious (and at times tragic) inadequacies of this process; indeed, we are interested in the United Nations and the project of international order not as an end in itself, but rather as a real historical lever that pushed forward the transition toward a properly global system. It is precisely the inadequacies of the process, then, that make it effective.

To look more closely at this transition in juridical terms, it is useful to read the work of Hans Kelsen, one of the central intellectual figures behind the formation of the United Nations. As early as the 1910s and 1920s, Kelsen proposed that the international juridical system be conceived as the supreme source of every national juridical formation and constitution. Kelsen arrived at this proposal through his analyses of the formal dynamics of the particular orderings of states. The limits of the nation-state, he claimed, posed an insurmountable obstacle to the realization of the idea of right. For Kelsen, the partial ordering of the domestic law of nation-states led back necessarily to the universality and objectivity of the international ordering. The latter is not only logical but also ethical, for it would put an end to conflicts between states of unequal power and affirm instead an equality that is the principle of real international community. Behind the formal sequence that Kelsen described, then, there was a real and substantial drive of Enlightenment modernization. Kelsen sought, in Kantian fashion, a notion of right that could become an "organization of humanity and [would] therefore be one with the supreme ethical idea."[4] He wanted to get beyond the logic of power in international relations so that "the particular states could be regarded juridically as entities of equal rank" and thus a "world and universal state" could be formed, organized as a "universal community superior to the particular states, enveloping them all within itself."[5]

It was only fitting, then, that Kelsen would later have the privilege of attending the meetings in San Francisco that founded the United Nations and seeing his theoretical hypothesis realized. For him the United Nations organized a rational idea.[6] It gave legs to an idea of the spirit; it proposed a real base of effectiveness for a transcendental schema of the validity of right situated above the nation-state. The validity and efficacy of right could now be united in the supreme juridical source, and under these conditions Kelsen's notion of a fundamental norm could finally be realized.

Kelsen conceived the formal construction and validity of the system as independent from the material structure that organizes it, but in reality the structure must somehow exist and be organized materially. How can the system actually be constructed? This is the point at which Kelsen's thought ceases to be of any use to us: it remains merely a fantastic utopia. The transition we wish to study consists precisely in this gap between the formal conception that grounds the validity of the juridical process in a supranational source and the material realization of this conception. The life of the United Nations, from its foundation to the end of the cold war, has been a long history of ideas, compromises, and limited experiences oriented more or less toward the construction of such a supranational ordering. The aporias of this process are obvious, and there is no need for us to describe them in detail here. Certainly the United Nations' domination of the general framework of the supranational project between 1945 and 1989 led to some of the most perverse theoretical and practical consequences. And yet, all this was not enough to block the constitutionalization of a supranational power.[7] In the ambiguous experiences of the United Nations, the juridical concept of Empire began to take shape.

The theoretical responses to this constitutionalization of a supranational world power, however, have been entirely inadequate. Instead of recognizing what was really new about these supranational processes, the vast majority of juridical theorists merely tried to resurrect anachronistic models to apply to the new problems. To a large extent, in fact, the models that had presided over the

birth of the nation-state were simply dusted off and reproposed as interpretive schema for reading the construction of a supranational power. The "domestic analogy" thus became the fundamental methodological tool in the analysis of international and supranational forms of order.[8] Two lines of thought have been particularly active during this transition, and as a kind of shorthand we can conceive of them as resurrections of the Hobbesian and the Lockean ideologies that in another era dominated the European conceptions of the sovereign state.

The Hobbesian variant focuses primarily on the transfer of the title of sovereignty and conceives the constitution of the supranational sovereign entity as a contractual agreement grounded on the convergence of preexisting state subjects.[9] A new transcendent power, "tertium super partes," primarily concentrated in the hands of the military (the one that rules over life and death, the Hobbesian "God on earth"), is, according to this school, the only means capable of constituting a secure international system and thus of overcoming the anarchy that sovereign states necessarily produce.[10] By contrast, according to the Lockean variant, the same process is projected in more decentralized, pluralistic terms. In this framework, just when the transfer toward a supranational center is accomplished, networks of local and constitutionally effective counterpowers rise up to contest and/or support the new figure of power. Rather than global security, then, what is proposed here is a global constitutionalism, or really this amounts to a project of overcoming state imperatives by constituting a *global civil society*. These slogans are meant to evoke the values of globalism that would infuse the new international order, or really the new transnational democracy.[11] Whereas the Hobbesian hypothesis emphasizes the contractual process that gives rise to a new unitary and transcendental supranational power, the Lockean hypothesis focuses on the counterpowers that animate the constitutive process and support the supranational power. In both cases, however, the new global power is presented merely in analogy with the classical conception of the national sovereign power of states. Rather than recognizing the new nature of imperial power,

the two hypotheses simply insist on the old inherited forms of state constitution: a monarchic form in the Hobbesian case, a liberal form in the Lockean.

Although, given the conditions in which these theories were formulated (during the cold war, when the United Nations only limped forward in the best of times), we must recognize the great foresight of these theorists, we also have to point out that they cannot account for the real novelty of the historical processes we are witnessing today.[12] In this regard these theories can and do become harmful, because they do not recognize the accelerated rhythm, the violence, and the necessity with which the new imperial paradigm operates. *What they do not understand is that imperial sovereignty marks a paradigm shift.* Paradoxically (but it is really not that paradoxical), only Kelsen's conception poses the real problem, even if his conception is limited to a strictly formalist point of view. What political power already exists or can be created, he asks, that is adequate to a globalization of economic and social relations? What juridical source, what fundamental norm, and what command can support a new order and avoid the impending descent into global disorder?

The Constitution of Empire

Many contemporary theorists are reluctant to recognize the globalization of capitalist production and its world market as a fundamentally new situation and a significant historical shift. The theorists associated with the world-systems perspective, for example, argue that from its inception, capitalism has always functioned as a world economy, and therefore those who clamor about the novelty of its globalization today have only misunderstood its history.[13] Certainly, it is important to emphasize both capitalism's continuous foundational relationship to (or at least a tendency toward) the world market and capitalism's expanding cycles of development; but proper attention to the *ab origine* universal or universalizing dimensions of capitalist development should not blind us to the rupture or shift in contemporary capitalist production and global relations

of power. We believe that this shift makes perfectly clear and possible today the capitalist project to bring together economic power and political power, to realize, in other words, a properly capitalist order. In constitutional terms, the processes of globalization are no longer merely a fact but also a source of juridical definitions that tends to project a single supranational figure of political power.

Other theorists are reluctant to recognize a major shift in global power relations because they see that the dominant capitalist nation-states have continued to exercise imperialist domination over the other nations and regions of the globe. From this perspective, the contemporary tendencies toward Empire would represent not a fundamentally new phenomenon but simply a perfecting of imperialism.[14] Without underestimating these real and important lines of continuity, however, we think it is important to note that what used to be conflict or competition among several imperialist powers has in important respects been replaced by the idea of a single power that overdetermines them all, structures them in a unitary way, and treats them under one common notion of right that is decidedly postcolonial and postimperialist. This is really the point of departure for our study of Empire: a new notion of right, or rather, a new inscription of authority and a new design of the production of norms and legal instruments of coercion that guarantee contracts and resolve conflicts.

We should point out here that we accord special attention to the juridical figures of the constitution of Empire at the beginning of our study not out of any specialized disciplinary interest—as if right or law in itself, as an agent of regulation, were capable of representing the social world in its totality—but rather because they provide a good index of the processes of imperial constitution. New juridical figures reveal a first view of the tendency toward the centralized and unitary regulation of both the world market and global power relations, with all the difficulties presented by such a project. Juridical transformations effectively point toward changes in the material constitution of world power and order. The transition we are witnessing today from traditional international law, which

was defined by contracts and treaties, to the definition and constitution of a new sovereign, supranational world power (and thus to an imperial notion of right), however incomplete, gives us a framework in which to read the totalizing social processes of Empire. In effect, the juridical transformation functions as a symptom of the modifications of the material biopolitical constitution of our societies. These changes regard not only international law and international relations but also the internal power relations of each country. While studying and critiquing the new forms of international and supranational law, then, we will at the same time be pushed to the heart of the political theory of Empire, where the problem of supranational sovereignty, its source of legitimacy, and its exercise bring into focus political, cultural, and finally ontological problems.

To approach the juridical concept of Empire, we might look first at the genealogy of the concept, which will give us some preliminary terms for our investigation. The concept comes down to us through a long, primarily European tradition, which goes back at least to ancient Rome, whereby the juridico-political figure of Empire was closely linked to the Christian origins of European civilizations. There the concept of Empire united juridical categories and universal ethical values, making them work together as an organic whole. This union has continuously functioned within the concept, whatever the vicissitudes of the history of Empire. Every juridical system is in some way a crystallization of a specific set of values, because ethics is part of the materiality of every juridical foundation, but Empire—and in particular the Roman tradition of imperial right—is peculiar in that it pushes the coincidence and universality of the ethical and the juridical to the extreme: in Empire there is peace, in Empire there is the guarantee of justice for all peoples. The concept of Empire is presented as a global concert under the direction of a single conductor, a unitary power that maintains the social peace and produces its ethical truths. And in order to achieve these ends, the single power is given the necessary force to conduct, when necessary, "just wars" at the borders against the barbarians and internally against the rebellious.[15]

From the beginning, then, Empire sets in motion an ethico-political dynamic that lies at the heart of its juridical concept. This juridical concept involves two fundamental tendencies: first, the notion of a right that is affirmed in the construction of a new order that envelops the entire space of what it considers civilization, a boundless, universal space; and second, a notion of right that encompasses all time within its ethical foundation. Empire exhausts historical time, suspends history, and summons the past and future within its own ethical order. In other words, Empire presents its order as permanent, eternal, and necessary.

In the Germanic-Roman tradition that thrived throughout the Middle Ages, these two notions of right went hand in hand.[16] Beginning in the Renaissance, however, with the triumph of secularism, these two notions were separated and each developed independently. On the one hand, there emerged in modern European political thought a conception of international right, and on the other, there developed utopias of "perpetual peace." In the first case, the order that the Roman Empire had promised was sought, long after its fall, through a treaty mechanism that would construct an international order among sovereign states by operating analogously to the contractual mechanisms that guaranteed order within the nation-state and its civil society. Thinkers from Grotius to Puffendorf theorized this process in formal terms. In the second case, the idea of "perpetual peace" continually reappeared throughout modern Europe, from Bernadin de Saint Pierre to Immanuel Kant. This idea was presented as an ideal of reason, a "light" that had to criticize and also unite right and ethicality, a presupposed transcendental of the juridical system and ideal schema of reason and ethics. The fundamental alternative between these two notions ran throughout all of European modernity, including the two great ideologies that defined its mature phase: the liberal ideology that rests on the peaceful concert of juridical forces and its supersession in the market; and the socialist ideology that focuses on international unity through the organization of struggles and the supersession of right.

Would it be correct to claim, then, that these two different developments of the notion of right that persisted side by side

through the centuries of modernity tend today toward being united and presented as a single category? We suspect that this is indeed the case, and that in postmodernity the notion of right should be understood again in terms of the concept of Empire. And yet, since a large part of our investigation will turn around this question, leading us toward doubts and perplexities, it does not seem a good idea to jump so quickly to a definitive conclusion, even if here we are limiting ourselves only to the analysis of the notion of right. We can already recognize, however, some important symptoms of the rebirth of the concept of Empire—symptoms that function like logical provocations arising on the terrain of history that theory cannot ignore.

One symptom, for example, is the renewed interest in and effectiveness of the concept of *bellum justum,* or "just war." This concept, which was organically linked to the ancient imperial orders and whose rich and complex genealogy goes back to the biblical tradition, has begun to reappear recently as a central narrative of political discussions, particularly in the wake of the Gulf War.[17] Traditionally the concept rests primarily on the idea that when a state finds itself confronted with a threat of aggression that can endanger its territorial integrity or political independence, it has a *jus ad bellum* (right to make war).[18] There is certainly something troubling in this renewed focus on the concept of *bellum justum,* which modernity, or rather modern secularism, had worked so hard to expunge from the medieval tradition. The traditional concept of just war involves the banalization of war and the celebration of it as an ethical instrument, both of which were ideas that modern political thought and the international community of nation-states had resolutely refused. These two traditional characteristics have reappeared in our postmodern world: on the one hand, war is reduced to the status of police action, and on the other, the new power that can legitimately exercise ethical functions through war is sacralized.

Far from merely repeating ancient or medieval notions, however, today's concept presents some truly fundamental innovations.

Just war is no longer in any sense an activity of defense or resistance, as it was, for example, in the Christian tradition from Saint Augustine to the scholastics of the Counter-Reformation, as a necessity of the "worldly city" to guarantee its own survival. It has become rather an activity that is justified in itself. Two distinct elements are combined in this concept of just war: first, the legitimacy of the military apparatus insofar as it is ethically grounded, and second, the effectiveness of military action to achieve the desired order and peace. The synthesis of these two elements may indeed be a key factor determining the foundation and the new tradition of Empire. Today the enemy, just like the war itself, comes to be at once banalized (reduced to an object of routine police repression) and absolutized (as the Enemy, an absolute threat to the ethical order). The Gulf War gave us perhaps the first fully articulated example of this new epistemology of the concept.[19] The resurrection of the concept of just war may be only a symptom of the emergence of Empire, but what a suggestive and powerful one!

The Model of Imperial Authority

We must avoid defining the passage to Empire in purely negative terms, in terms of what it is not, as for example is done when one says: the new paradigm is defined by the definitive decline of the sovereign nation-states, by the deregulation of international markets, by the end of antagonistic conflict among state subjects, and so forth. If the new paradigm were to consist simply in this, then its consequences would be truly anarchic. Power, however—and Michel Foucault was not the only one to teach us this—fears and despises a vacuum. The new paradigm functions already in completely positive terms—and it could not be otherwise.

The new paradigm is both system and hierarchy, centralized construction of norms and far-reaching production of legitimacy, spread out over world space. It is configured *ab initio* as a dynamic and flexible systemic structure that is articulated horizontally. We conceive the structure in a kind of intellectual shorthand as a hybrid of Niklas Luhmann's systems theory and John Rawls's theory of

justice.[20] Some call this situation "governance without government" to indicate the structural logic, at times imperceptible but always and increasingly effective, that sweeps all actors within the order of the whole.[21] The systemic totality has a dominant position in the global order, breaking resolutely with every previous dialectic and developing an integration of actors that seems linear and spontaneous. At the same time, however, the effectiveness of the consensus under a supreme authority of the ordering appears ever more clearly. All conflicts, all crises, and all dissensions effectively push forward the process of integration and by the same measure call for more central authority. Peace, equilibrium, and the cessation of conflict are the values toward which everything is directed. The development of the global system (and of imperial right in the first place) seems to be the development of a machine that imposes procedures of continual contractualization that lead to systemic equilibria—a machine that creates a continuous call for authority. The machine seems to predetermine the exercise of authority and action across the entire social space. Every movement is fixed and can seek its own designated place only within the system itself, in the hierarchical relationship accorded to it. This preconstituted movement defines the reality of the process of the imperial constitutionalization of world order—the new paradigm.

This imperial paradigm is qualitatively different from the various attempts in the period of transition to define a project of international order.[22] Whereas the previous, transitional perspectives focused attention on the legitimating dynamics that would lead toward the new order, in the new paradigm it is as if the new order were already constituted. The conceptual inseparability of the title and exercise of power is affirmed from the outset, as the effective a priori of the system. The imperfect coincidence, or better the ever-present temporal and spatial disjunctions between the new central power and the field of application of its regulation, do not lead to crises or paralysis but merely force the system to minimize and overcome them. In short, the paradigm shift is defined, at least initially, by the recognition that only an established power,

overdetermined with respect to and relatively autonomous from the sovereign nation-states, is capable of functioning as the center of the new world order, exercising over it an effective regulation and, when necessary, coercion.

It follows that, as Kelsen wanted, but only as a paradoxical effect of his utopia, a sort of juridical positivism also dominates the formation of a new juridical ordering.[23] The capacity to form a system is, in effect, presupposed by the real process of its formation. Moreover, the process of formation, and the subjects that act in it, are attracted in advance toward the positively defined vortex of the center, and this attraction becomes irresistible, not only in the name of the capacity of the center to exercise force, but also in the name of the formal power, which resides in the center, to frame and systematize the totality. Once again we find a hybrid of Luhmann and Rawls, but even before them we have Kelsen, that utopian and thus involuntary and contradictory discoverer of the soul of imperial right!

Once again, the ancient notions of Empire help us articulate better the nature of this world order in formation. As Thucydides, Livy, and Tacitus all teach us (along with Machiavelli commenting on their work), Empire is formed not on the basis of force itself but on the basis of the capacity to present force as being in the service of right and peace. All interventions of the imperial armies are solicited by one or more of the parties involved in an already existing conflict. Empire is not born of its own will but rather it is *called* into being and constituted on the basis of its capacity to resolve conflicts. Empire is formed and its intervention becomes juridically legitimate only when it is already inserted into the chain of international consensuses aimed at resolving existing conflicts. To return to Machiavelli, the expansion of Empire is rooted in the internal trajectory of the conflicts it is meant to resolve.[24] The first task of Empire, then, is to enlarge the realm of the consensuses that support its own power.

The ancient model gives us a first approximation, but we need to go well beyond it to articulate the terms of the global model of

authority operating today. Juridical positivism and natural right theories, contractualism and institutional realism, formalism and systematism can each describe some aspect of it. Juridical positivism can emphasize the necessity for a strong power to exist at the center of the normative process; natural right theories can highlight the values of peace and equilibrium that the imperial process offers; contractualism can foreground the formation of consensus; realism can bring to light the formative processes of the institutions adequate to the new dimensions of consensus and authority; and formalism can give logical support to what systematism justifies and organizes functionally, emphasizing the totalizing character of the process. What juridical model, however, grasps all these characteristics of the new supranational order?

In first attempting a definition, we would do well to recognize that the dynamics and articulations of the new supranational juridical order correspond strongly to the new characteristics that have come to define internal orderings in the passage from modernity to postmodernity.[25] We should recognize this correspondence (perhaps in Kelsen's manner, and certainly in a realistic mode) not so much as a "domestic analogy" for the international system, but rather as a "supranational analogy" for the domestic legal system. The primary characteristics of both systems involve hegemony over juridical practices, such as procedure, prevention, and address. Normativity, sanction, and repression follow from these and are formed within the procedural developments. The reason for the relative (but effective) coincidence of the new functioning of domestic law and supranational law derives first of all from the fact that they operate on the same terrain, namely, the terrain of crisis. As Carl Schmitt has taught us, however, crisis on the terrain of the application of law should focus our attention on the "exception" operative in the moment of its production.[26] Domestic and supranational law are both defined by their exceptionality.

The function of exception here is very important. In order to take control of and dominate such a completely fluid situation, it is necessary to grant the intervening authority (1) the capacity to define, every time in an exceptional way, the demands of intervention; and (2) the capacity to set in motion the forces and instruments that in various ways can be applied to the diversity and the plurality of the arrangements in crisis. Here, therefore, is born, in the name of the exceptionality of the intervention, a form of right that is really a *right of the police*. The formation of a new right is inscribed in the deployment of prevention, repression, and rhetorical force aimed at the reconstruction of social equilibrium: all this is proper to the activity of the police. We can thus recognize the initial and implicit source of imperial right in terms of police action and the capacity of the police to create and maintain order. The legitimacy of the imperial ordering supports the exercise of police power, while at the same time the activity of global police force demonstrates the real effectiveness of the imperial ordering. The juridical power to rule over the exception and the capacity to deploy police force are thus two initial coordinates that define the imperial model of authority.

Universal Values

We might well ask at this point, however, should we still use the juridical term "right" in this context? How can we call right (and specifically imperial right) a series of techniques that, founded on a state of permanent exception and the power of the police, reduces right and law to a question of pure effectiveness? In order to address these questions, we should first look more closely at the process of imperial constitution that we are witnessing today. We should emphasize from the start that its reality is demonstrated not only by the transformations of international law it brings about, but also by the changes it effects in the administrative law of individual societies and nation-states, or really in the administrative law of cosmopolitical society.[27] Through its contemporary transformation of supranational law, the imperial process of constitution tends either directly or indirectly to penetrate and reconfigure the domestic law of the nation-states, and thus supranational law powerfully overdetermines domestic law.

Perhaps the most significant symptom of this transformation is the development of the so-called *right of intervention*.[28] This is commonly conceived as the right or duty of the dominant subjects of the world order to intervene in the territories of other subjects in the interest of preventing or resolving humanitarian problems, guaranteeing accords, and imposing peace. The right of intervention figured prominently among the panoply of instruments accorded the United Nations by its Charter for maintaining international order, but the contemporary reconfiguration of this right represents a qualitative leap. No longer, as under the old international ordering, do individual sovereign states or the supranational (U.N.) power intervene only to ensure or impose the application of voluntarily engaged international accords. Now supranational subjects that are legitimated not by right but by consensus intervene in the name of any type of emergency and superior ethical principles. What stands behind this intervention is not just a permanent state of emergency and exception, but a permanent state of emergency and exception justified by *the appeal to essential values of justice*. In other words, the right of the police is legitimated by universal values.[29]

Should we assume that since this new right of intervention functions primarily toward the goal of resolving urgent human problems, its legitimacy is therefore founded on universal values? Should we read this movement as a process that, on the basis of the fluctuating elements of the historical framework, sets in motion a constitutive machine driven by universal forces of justice and peace? Are we thus in a situation very close to the traditional definition of Empire, the one promulgated in the ancient Roman-Christian imaginary?

It would be going too far to respond affirmatively to these questions at this early stage in our investigation. The definition of the developing imperial power as a science of the police that is founded on a practice of just war to address continually arising emergencies is probably correct but still completely insufficient. As we have seen, the phenomenological determinations of the new global order exist in a profoundly fluctuating situation that could

also be characterized correctly in terms of crisis and war. How can we reconcile the legitimation of this order through prevention and policing with the fact that crisis and war themselves demonstrate the very questionable genesis and legitimacy of this concept of justice? As we have already noted, these techniques and others like them indicate that what we are witnessing is a process of the material constitution of the new planetary order, the consolidation of its administrative machine, and the production of new hierarchies of command over global space. Who will decide on the definitions of justice and order across the expanse of this totality in the course of its process of constitution? Who will be able to define the concept of peace? Who will be able to unify the process of suspending history and call this suspension just? Around these questions the problematic of Empire is completely open, not closed.

At this point, the problem of the new juridical apparatus is presented to us in its most immediate figure: a global order, a justice, and a right that are still virtual but nonetheless apply actually to us. We are forced increasingly to feel that we are participants in this development, and we are called upon to be responsible for what it becomes in this framework. Our citizenship, just like our ethical responsibility, is situated within these new dimensions—our power and our impotence are measured here. We could say, in Kantian fashion, that our internal moral disposition, when it is confronted with and tested in the social order, tends to be determined by the ethical, political, and juridical categories of Empire. Or we could say that the external morality of every human being and citizen is by now commensurable only in the framework of Empire. This new framework forces us to confront a series of explosive aporias, because in this new juridical and institutional world being formed our ideas and practices of justice and our means of hope are thrown into question. The means of the private and individual apprehension of values are dissolved: with the appearance of Empire, we are confronted no longer with the local mediations of the universal but with a concrete universal itself. The domesticity of values, the shelters behind which they presented their moral substance, the

limits that protect against the invading exteriority—all that disappears. We are all forced to confront absolute questions and radical alternatives. In Empire, ethics, morality, and justice are cast into new dimensions.

Throughout the course of our research we have found ourselves confronted with a classic problematic of political philosophy: the decline and fall of Empire.[30] It may seem paradoxical that we address this topos at the beginning, at the same time that we treat the initial construction of Empire; but the becoming of Empire is actually realized on the basis of the same conditions that characterize its decadence and decline. Empire is emerging today as the center that supports the globalization of productive networks and casts its widely inclusive net to try to envelop all power relations within its world order—and yet at the same time it deploys a powerful police function against the new barbarians and the rebellious slaves who threaten its order. The power of Empire appears to be subordinated to the fluctuations of local power dynamics and to the shifting, partial juridical orderings that attempt, but never fully succeed, to lead back to a state of normalcy in the name of the "exceptionality" of the administrative procedures. These characteristics, however, were precisely those that defined ancient Rome in its decadence and that tormented so many of its Enlightenment admirers. We should not expect that the complexity of the processes that construct the new imperial relationship of right be resolved. On the contrary, the processes are and will remain contradictory. The question of the definition of justice and peace will find no real resolution; the force of the new imperial constitution will not be embodied in a consensus that is articulated in the multitude. The terms of the juridical proposal of Empire are completely indeterminate, even though they are nonetheless concrete. Empire is born and shows itself as crisis. Should we conceive this as an Empire of decadence, then, in the terms Montesquieu and Gibbon described? Or is it more properly understood in classical terms as an Empire of corruption?

Here we should understand corruption first of all not only in moral terms but also in juridical and political terms, because according to Montesquieu and Gibbon, when the different forms of government are not firmly established in the republic, the cycle of corruption is ineluctably set in motion and the community is torn apart.[31] Second, we should understand corruption also in metaphysical terms: where the entity and essence, effectiveness and value, do not find common satisfaction, there develops not generation but corruption.[32] These are some of the fundamental axes of Empire that we will return to later at length.

Allow us, in conclusion, one final analogy that refers to the birth of Christianity in Europe and its expansion during the decline of the Roman Empire. In this process an enormous potential of subjectivity was constructed and consolidated in terms of the prophecy of a world to come, a chiliastic project. This new subjectivity offered an absolute alternative to the spirit of imperial right—a new ontological basis. From this perspective, Empire was accepted as the "maturity of the times" and the unity of the entire known civilization, but it was challenged in its totality by a completely different ethical and ontological axis. In the same way today, given that the limits and unresolvable problems of the new imperial right are fixed, theory and practice can go beyond them, finding once again an ontological basis of antagonism—within Empire, but also against and beyond Empire, at the same level of totality.

1.2

BIOPOLITICAL PRODUCTION

> The "police" appears as an administration heading the state, together with the judiciary, the army, and the exchequer. True. Yet in fact, it embraces everything else. Turquet says so: "It branches out into all of the people's conditions, everything they do or undertake. Its field comprises the judiciary, finance, and the army." The *police* includes everything.
>
> Michel Foucault

From the juridical perspective we have been able to glimpse some of the elements of the ideal genesis of Empire, but from that perspective alone it would be difficult if not impossible to understand how the imperial machine is actually set in motion. Juridical concepts and juridical systems always refer to something other than themselves. Through the evolution and exercise of right, they point toward the material condition that defines their purchase on social reality. Our analysis must now descend to the level of that materiality and investigate there the material transformation of the paradigm of rule. We need to discover the means and forces of the production of social reality along with the subjectivities that animate it.

Biopower in the Society of Control

In many respects, the work of Michel Foucault has prepared the terrain for such an investigation of the material functioning of imperial rule. First of all, Foucault's work allows us to recognize a historical, epochal passage in social forms from *disciplinary society* to

the *society of control*.[1] Disciplinary society is that society in which social command is constructed through a diffuse network of *dispositifs* or apparatuses that produce and regulate customs, habits, and productive practices. Putting this society to work and ensuring obedience to its rule and its mechanisms of inclusion and/or exclusion are accomplished through disciplinary institutions (the prison, the factory, the asylum, the hospital, the university, the school, and so forth) that structure the social terrain and present logics adequate to the "reason" of discipline. Disciplinary power rules in effect by structuring the parameters and limits of thought and practice, sanctioning and prescribing normal and/or deviant behaviors. Foucault generally refers to the ancien régime and the classical age of French civilization to illustrate the emergence of disciplinarity, but more generally we could say that the entire first phase of capitalist accumulation (in Europe and elsewhere) was conducted under this paradigm of power. We should understand the society of control, in contrast, as that society (which develops at the far edge of modernity and opens toward the postmodern) in which mechanisms of command become ever more "democratic," ever more immanent to the social field, distributed throughout the brains and bodies of the citizens. The behaviors of social integration and exclusion proper to rule are thus increasingly interiorized within the subjects themselves. Power is now exercised through machines that directly organize the brains (in communication systems, information networks, etc.) and bodies (in welfare systems, monitored activities, etc.) toward a state of autonomous alienation from the sense of life and the desire for creativity. The society of control might thus be characterized by an intensification and generalization of the normalizing apparatuses of disciplinarity that internally animate our common and daily practices, but in contrast to discipline, this control extends well outside the structured sites of social institutions through flexible and fluctuating networks.

Second, Foucault's work allows us to recognize the *biopolitical* nature of the new paradigm of power.[2] Biopower is a form of power that regulates social life from its interior, following it, interpreting it,

absorbing it, and rearticulating it. Power can achieve an effective command over the entire life of the population only when it becomes an integral, vital function that every individual embraces and reactivates of his or her own accord. As Foucault says, "Life has now become . . . an object of power."[3] The highest function of this power is to invest life through and through, and its primary task is to administer life. Biopower thus refers to a situation in which what is directly at stake in power is the production and reproduction of life itself.

These two lines of Foucault's work dovetail with each other in the sense that only the society of control is able to adopt the biopolitical context as its *exclusive* terrain of reference. In the passage from disciplinary society to the society of control, a new paradigm of power is realized which is defined by the technologies that recognize society as the realm of biopower. In disciplinary society the effects of biopolitical technologies were still partial in the sense that disciplining developed according to relatively closed, geometrical, and quantitative logics. Disciplinarity fixed individuals within institutions but did not succeed in consuming them completely in the rhythm of productive practices and productive socialization; it did not reach the point of permeating entirely the consciousnesses and bodies of individuals, the point of treating and organizing them in the totality of their activities. In disciplinary society, then, the relationship between power and the individual remained a static one: the disciplinary invasion of power corresponded to the resistance of the individual. By contrast, when power becomes entirely biopolitical, the whole social body is comprised by power's machine and developed in its virtuality. This relationship is open, qualitative, and affective. Society, subsumed within a power that reaches down to the ganglia of the social structure and its processes of development, reacts like a single body. Power is thus expressed as a control that extends throughout the depths of the consciousnesses and bodies of the population—and at the same time across the entirety of social relations.[4]

In this passage from disciplinary society to the society of control, then, one could say that the increasingly intense relationship

of mutual implication of all social forces that capitalism has pursued throughout its development has now been fully realized. Marx recognized something similar in what he called the passage from the formal subsumption to the real subsumption of labor under capital,[5] and later the Frankfurt School philosophers analyzed a closely related passage of the subsumption of culture (and social relations) under the totalitarian figure of the state, or really within the perverse dialectic of Enlightenment.[6] The passage we are referring to, however, is fundamentally different in that instead of focusing on the unidimensionality of the process described by Marx and reformulated and extended by the Frankfurt School, the Foucauldian passage deals fundamentally with the paradox of plurality and multiplicity—and Deleuze and Guattari develop this perspective even more clearly.[7] The analysis of the real subsumption, when this is understood as investing not only the economic or only the cultural dimension of society but rather the social *bios* itself, and when it is attentive to the modalities of disciplinarity and/or control, disrupts the linear and totalitarian figure of capitalist development. Civil society is absorbed in the state, but the consequence of this is an explosion of the elements that were previously coordinated and mediated in civil society. Resistances are no longer marginal but active in the center of a society that opens up in networks; the individual points are singularized in a thousand plateaus. What Foucault constructed implicitly (and Deleuze and Guattari made explicit) is therefore the paradox of a power that, while it unifies and envelops within itself every element of social life (thus losing its capacity effectively to mediate different social forces), at that very moment reveals a new context, a new milieu of maximum plurality and uncontainable singularization—a milieu of the event.[8]

These conceptions of the society of control and biopower both describe central aspects of the concept of Empire. The concept of Empire is the framework in which the new omniversality of subjects has to be understood, and it is the end to which the new paradigm of power is leading. Here a veritable chasm opens up between the various old theoretical frameworks of international law (in either its contractual and/or U.N. form) and the new reality

of imperial law. All the intermediary elements of the process have in fact fallen aside, so that the legitimacy of the international order can no longer be constructed through mediations but must rather be grasped immediately in all its diversity. We have already acknowledged this fact from the juridical perspective. We saw, in effect, that when the new notion of right emerges in the context of globalization and presents itself as capable of treating the universal, planetary sphere as a single, systemic set, it must assume an immediate prerequisite (acting in a state of exception) and an adequate, plastic, and constitutive technology (the techniques of the police).

Even though the state of exception and police technologies constitute the solid nucleus and the central element of the new imperial right, however, this new regime has nothing to do with the juridical arts of dictatorship or totalitarianism that in other times and with such great fanfare were so thoroughly described by many (in fact too many!) authors.[9] On the contrary, the rule of law continues to play a central role in the context of the contemporary passage: right remains effective and (precisely by means of the state of exception and police techniques) becomes procedure. This is a radical transformation that reveals the unmediated relationship between power and subjectivities, and hence demonstrates both the impossibility of "prior" mediations and the uncontainable temporal variability of the event.[10] Throughout the unbounded global spaces, to the depths of the biopolitical world, and confronting an unforeseeable temporality—these are the determinations on which the new supranational right must be defined. Here is where the concept of Empire must struggle to establish itself, where it must prove its effectiveness, and hence where the machine must be set in motion.

From this point of view, the biopolitical context of the new paradigm is completely central to our analysis. This is what presents power with an alternative, not only between obedience and disobedience, or between formal political participation and refusal, but also along the entire range of life and death, wealth and poverty, production and social reproduction, and so forth. Given the great difficulties the new notion of right has in representing this dimension

of the power of Empire, and given its inability to touch biopower concretely in all its material aspects, imperial right can at best only partially represent the underlying design of the new constitution of world order, and cannot really grasp the motor that sets it in motion. Our analysis must focus its attention rather on the *productive* dimension of biopower.[11]

The Production of Life

The question of production in relation to biopower and the society of control, however, reveals a real weakness of the work of the authors from whom we have borrowed these notions. We should clarify, then, the "vital" or biopolitical dimensions of Foucault's work in relation to the dynamics of production. Foucault argued in several works in the mid-1970s that one cannot understand the passage from the "sovereign" state of the ancien régime to the modern "disciplinary" state without taking into account how the biopolitical context was progressively put at the service of capitalist accumulation: "The control of society over individuals is not conducted only through consciousness or ideology, but also in the body and with the body. For capitalist society biopolitics is what is most important, the biological, the somatic, the corporeal."[12]

One of the central objectives of his research strategy in this period was to go beyond the versions of historical materialism, including several variants of Marxist theory, that considered the problem of power and social reproduction on a superstructural level separate from the real, base level of production. Foucault thus attempted to bring the problem of social reproduction and all the elements of the so-called superstructure back to within the material, fundamental structure and define this terrain not only in economic terms but also in cultural, corporeal, and subjective ones. We can thus understand how Foucault's conception of the social whole was perfected and realized when in a subsequent phase of his work he uncovered the emerging outlines of the society of control as a figure of power active throughout the entire biopolitics of society. It does not seem, however, that Foucault—even when he powerfully

grasped the biopolitical horizon of society and defined it as a field of immanence—ever succeeded in pulling his thought away from that structuralist epistemology that guided his research from the beginning. By structuralist epistemology here we mean the reinvention of a functionalist analysis in the realm of the human sciences, a method that effectively sacrifices the dynamic of the system, the creative temporality of its movements, and the ontological substance of cultural and social reproduction.[13] In fact, if at this point we were to ask Foucault who or what drives the system, or rather, who is the "bios," his response would be ineffable, or nothing at all. What Foucault fails to grasp finally are the real dynamics of production in biopolitical society.[14]

By contrast, Deleuze and Guattari present us with a properly poststructuralist understanding of biopower that renews materialist thought and grounds itself solidly in the question of the production of social being. Their work demystifies structuralism and all the philosophical, sociological, and political conceptions that make the fixity of the epistemological frame an ineluctable point of reference. They focus our attention clearly on the ontological substance of social production. Machines produce. The constant functioning of social machines in their various apparatuses and assemblages produces the world along with the subjects and objects that constitute it. Deleuze and Guattari, however, seem to be able to conceive positively only the tendencies toward continuous movement and absolute flows, and thus in their thought, too, the creative elements and the radical ontology of the production of the social remain insubstantial and impotent. Deleuze and Guattari discover the productivity of social reproduction (creative production, production of values, social relations, affects, becomings), but manage to articulate it only superficially and ephemerally, as a chaotic, indeterminate horizon marked by the ungraspable event.[15]

We can better grasp the relationship between social production and biopower in the work of a group of contemporary Italian Marxist authors who recognize the biopolitical dimension in terms of the new nature of productive labor and its living development

in society, using terms such as "mass intellectuality," "immaterial labor," and the Marxian concept of "general intellect."[16] These analyses set off from two coordinated research projects. The first consists in the analysis of the recent transformations of productive labor and its tendency to become increasingly immaterial. The central role previously occupied by the labor power of mass factory workers in the production of surplus value is today increasingly filled by intellectual, immaterial, and communicative labor power. It is thus necessary to develop a new political theory of value that can pose the problem of this new capitalist accumulation of value at the center of the mechanism of exploitation (and thus, perhaps, at the center of potential revolt). The second, and consequent, research project developed by this school consists in the analysis of the immediately social and communicative dimension of living labor in contemporary capitalist society, and thus poses insistently the problem of the new figures of subjectivity, in both their exploitation and their revolutionary potential. The immediately social dimension of the exploitation of living immaterial labor immerses labor in all the relational elements that define the social but also at the same time activate the critical elements that develop the potential of insubordination and revolt through the entire set of laboring practices. After a new theory of value, then, a new theory of subjectivity must be formulated that operates primarily through knowledge, communication, and language.

These analyses have thus reestablished the importance of production within the biopolitical process of the social constitution, but they have also in certain respects isolated it—by grasping it in a pure form, refining it on the ideal plane. They have acted as if discovering the new forms of productive forces—immaterial labor, massified intellectual labor, the labor of "general intellect"—were enough to grasp concretely the dynamic and creative relationship between material production and social reproduction. When they reinsert production into the biopolitical context, they present it almost exclusively on the horizon of language and communication. One of the most serious shortcomings has thus been the tendency

among these authors to treat the new laboring practices in biopolitical society *only* in their intellectual and incorporeal aspects. The productivity of bodies and the value of affect, however, are absolutely central in this context. We will elaborate the three primary aspects of immaterial labor in the contemporary economy: the communicative labor of industrial production that has newly become linked in informational networks, the interactive labor of symbolic analysis and problem solving, and the labor of the production and manipulation of affects (see Section 3.4). This third aspect, with its focus on the productivity of the corporeal, the somatic, is an extremely important element in the contemporary networks of biopolitical production. The work of this school and its analysis of general intellect, then, certainly marks a step forward, but its conceptual framework remains too pure, almost angelic. In the final analysis, these new conceptions too only scratch the surface of the productive dynamic of the new theoretical framework of biopower.[17]

Our task, then, is to build on these partially successful attempts to recognize the potential of biopolitical production. Precisely by bringing together coherently the different defining characteristics of the biopolitical context that we have described up to this point, and leading them back to the ontology of production, we will be able to identify the new figure of the collective biopolitical body, which may nonetheless remain as contradictory as it is paradoxical. This body becomes structure not by negating the originary productive force that animates it but by recognizing it; it becomes language (both scientific language and social language) because it is a multitude of singular and determinate bodies that seek relation. It is thus both production and reproduction, structure and superstructure, because it is life in the fullest sense and politics in the proper sense. Our analysis has to descend into the jungle of productive and conflictual determinations that the collective biopolitical body offers us.[18] The context of our analysis thus has to be the very unfolding of life itself, the process of the constitution of the world, of history. The analysis must be proposed not through ideal forms but within the dense complex of experience.

Corporations and Communication

In asking ourselves how the political and sovereign elements of the imperial machine come to be constituted, we find that there is no need to limit our analysis to or even focus it on the established supranational regulatory institutions. The U.N. organizations, along with the great multi- and transnational finance and trade agencies (the IMF, the World Bank, the GATT, and so forth), all become relevant in the perspective of the supranational juridical constitution only when they are considered within the dynamic of the biopolitical production of world order. The function they had in the old international order, we should emphasize, is not what now gives legitimacy to these organizations. What legitimates them now is rather their newly possible function in the symbology of the imperial order. Outside of the new framework, these institutions are ineffectual. At best, the old institutional framework contributes to the formation and education of the administrative personnel of the imperial machine, the "dressage" of a new imperial élite.

The huge transnational corporations construct the fundamental connective fabric of the biopolitical world in certain important respects. Capital has indeed always been organized with a view toward the entire global sphere, but only in the second half of the twentieth century did multinational and transnational industrial and financial corporations really begin to structure global territories biopolitically. Some claim that these corporations have merely come to occupy the place that was held by the various national colonialist and imperialist systems in earlier phases of capitalist development, from nineteenth-century European imperialism to the Fordist phase of development in the twentieth century.[19] This is in part true, but that place itself has been substantially transformed by the new reality of capitalism. The activities of corporations are no longer defined by the imposition of abstract command and the organization of simple theft and unequal exchange. Rather, they directly structure and articulate territories and populations. They tend to make nation-states merely instruments to record the flows of the commodities, monies, and populations that they set in motion. The transnational corporations directly distribute labor power over various markets,

functionally allocate resources, and organize hierarchically the various sectors of world production. The complex apparatus that selects investments and directs financial and monetary maneuvers determines the new geography of the world market, or really the new biopolitical structuring of the world.[20]

The most complete figure of this world is presented from the monetary perspective. From here we can see a horizon of values and a machine of distribution, a mechanism of accumulation and a means of circulation, a power and a language. There is nothing, no "naked life," no external standpoint, that can be posed outside this field permeated by money; nothing escapes money. Production and reproduction are dressed in monetary clothing. In fact, on the global stage, every biopolitical figure appears dressed in monetary garb. "Accumulate, accumulate! This is Moses and the Prophets!"[21]

The great industrial and financial powers thus produce not only commodities but also subjectivities. They produce agentic subjectivities within the biopolitical context: they produce needs, social relations, bodies, and minds—which is to say, they produce producers.[22] In the biopolitical sphere, life is made to work for production and production is made to work for life. It is a great hive in which the queen bee continuously oversees production and reproduction. The deeper the analysis goes, the more it finds at increasing levels of intensity the interlinking assemblages of interactive relationships.[23]

One site where we should locate the biopolitical production of order is in the immaterial nexuses of the production of language, communication, and the symbolic that are developed by the communications industries.[24] The development of communications networks has an organic relationship to the emergence of the new world order—it is, in other words, effect and cause, product and producer. Communication not only expresses but also organizes the movement of globalization. It organizes the movement by multiplying and structuring interconnections through networks. It expresses the movement and controls the sense and direction of the imaginary that runs throughout these communicative connections;

in other words, the imaginary is guided and channeled within the communicative machine. What the theories of power of modernity were forced to consider transcendent, that is, external to productive and social relations, is here formed inside, immanent to the productive and social relations. Mediation is absorbed within the productive machine. The political synthesis of social space is fixed in the space of communication. This is why communications industries have assumed such a central position. They not only organize production on a new scale and impose a new structure adequate to global space, but also make its justification immanent. Power, as it produces, organizes; as it organizes, it speaks and expresses itself as authority. Language, as it communicates, produces commodities but moreover creates subjectivities, puts them in relation, and orders them. The communications industries integrate the imaginary and the symbolic within the biopolitical fabric, not merely putting them at the service of power but actually integrating them into its very functioning.[25]

At this point we can begin to address the question of the *legitimation* of the new world order. Its legitimation is not born of the previously existing international accords nor of the functioning of the first, embryonic supranational organizations, which were themselves created through treaties based on international law. The legitimation of the imperial machine is born at least in part of the communications industries, that is, of the transformation of the new mode of production into a machine. It is a subject that produces its own image of authority. This is a form of legitimation that rests on nothing outside itself and is reproposed ceaselessly by developing its own languages of self-validation.

One further consequence should be treated on the basis of these premises. If communication is one of the hegemonic sectors of production and acts over the entire biopolitical field, then we must consider communication and the biopolitical context coexistent. This takes us well beyond the old terrain as Jürgen Habermas described it, for example. In fact, when Habermas developed the concept of communicative action, demonstrating so powerfully its productive form and the ontological consequences deriving from

that, he still relied on a standpoint outside these effects of globalization, a standpoint of life and truth that could oppose the informational colonization of being.[26] The imperial machine, however, demonstrates that this external standpoint no longer exists. On the contrary, communicative production and the construction of imperial legitimation march hand in hand and can no longer be separated. The machine is self-validating, autopoietic—that is, systemic. It constructs social fabrics that evacuate or render ineffective any contradiction; it creates situations in which, before coercively neutralizing difference, seem to absorb it in an insignificant play of self-generating and self-regulating equilibria. As we have argued elsewhere, any juridical theory that addresses the conditions of postmodernity has to take into account this specifically communicative definition of social production.[27] The imperial machine lives by producing a context of equilibria and/or reducing complexities, pretending to put forward a project of universal citizenship and toward this end intensifying the effectiveness of its intervention over every element of the communicative relationship, all the while dissolving identity and history in a completely postmodernist fashion.[28] Contrary to the way many postmodernist accounts would have it, however, the imperial machine, far from eliminating master narratives, actually produces and reproduces them (ideological master narratives in particular) in order to validate and celebrate its own power.[29] In this coincidence of production through language, the linguistic production of reality, and the language of self-validation resides a fundamental key to understanding the effectiveness, validity, and legitimation of imperial right.

Intervention

This new framework of legitimacy includes new forms and new articulations of *the exercise of legitimate force*. During its formation, the new power must demonstrate the effectiveness of its force at the same time that the bases of its legitimation are being constructed. In fact, the legitimacy of the new power is in part based directly on the effectiveness of its use of force.

The way the effectiveness of the new power is demonstrated has nothing to do with the old international order that is slowly dying away; nor has it much use for the instruments the old order left behind. The deployments of the imperial machine are defined by a whole series of new characteristics, such as the unbounded terrain of its activities, the singularization and symbolic localization of its actions, and the connection of repressive action to all the aspects of the biopolitical structure of society. For lack of a better term we continue to call these "interventions." This is merely a terminological and not a conceptual deficiency, for these are not really interventions into independent juridical territories but rather actions within a unified world by the ruling structure of production and communication. In effect, intervention has been internalized and universalized. In the previous section we referred to both the structural means of intervention that involve the deployments of monetary mechanisms and financial maneuvers over the transnational field of interdependent productive regimes and interventions in the field of communication and their effects on the legitimation of the system. Here we want to investigate the new forms of intervention that involve the exercise of physical force on the part of the imperial machine over its global territories. The enemies that Empire opposes today may present more of an ideological threat than a military challenge, but nonetheless the power of Empire exercised through force and all the deployments that guarantee its effectiveness are already very advanced technologically and solidly consolidated politically.[30]

The arsenal of legitimate force for imperial intervention is indeed already vast, and should include not only military intervention but also other forms such as moral intervention and juridical intervention. In fact, the Empire's powers of intervention might be best understood as beginning not directly with its weapons of lethal force but rather with its moral instruments. What we are calling moral intervention is practiced today by a variety of bodies, including the news media and religious organizations, but the most important may be some of the so-called non-governmental organi-

zations (NGOs), which, precisely because they are not run directly by governments, are assumed to act on the basis of ethical or moral imperatives. The term refers to a wide variety of groups, but we are referring here principally to the global, regional, and local organizations that are dedicated to relief work and the protection of human rights, such as Amnesty International, Oxfam, and Médecins sans Frontières. Such humanitarian NGOs are in effect (even if this runs counter to the intentions of the participants) some of the most powerful pacific weapons of the new world order—the charitable campaigns and the mendicant orders of Empire. These NGOs conduct "just wars" without arms, without violence, without borders. Like the Dominicans in the late medieval period and the Jesuits at the dawn of modernity, these groups strive to identify universal needs and defend human rights. Through their language and their action they first define the enemy as privation (in the hope of preventing serious damage) and then recognize the enemy as sin.

It is hard not to be reminded here of how in Christian moral theology evil is first posed as privation of the good and then sin is defined as culpable negation of the good. Within this logical framework it is not strange but rather all too natural that in their attempts to respond to privation, these NGOs are led to denounce publicly the sinners (or rather the Enemy in properly inquisitional terms); nor is it strange that they leave to the "secular wing" the task of actually addressing the problems. In this way, moral intervention has become a frontline force of imperial intervention. In effect, this intervention prefigures the state of exception from below, and does so without borders, armed with some of the most effective means of communication and oriented toward the symbolic production of the Enemy. These NGOs are completely immersed in the biopolitical context of the constitution of Empire; they anticipate the power of its pacifying and productive intervention of justice. It should thus come as no surprise that honest juridical theorists of the old international school (such as Richard Falk) should be drawn in by the fascination of these NGOs.[31] The NGOs' demonstration of the new order as a peaceful biopolitical context seems to have

blinded these theorists to the brutal effects that moral intervention produces as a prefiguration of world order.[32]

Moral intervention often serves as the first act that prepares the stage for military intervention. In such cases, military deployment is presented as an internationally sanctioned police action. Today military intervention is progressively less a product of decisions that arise out of the old international order or even U.N. structures. More often it is dictated unilaterally by the United States, which charges itself with the primary task and then subsequently asks its allies to set in motion a process of armed containment and/or repression of the current enemy of Empire. These enemies are most often called terrorist, a crude conceptual and terminological reduction that is rooted in a police mentality.

The relationship between prevention and repression is particularly clear in the case of intervention in ethnic conflicts. The conflicts among ethnic groups and the consequent reenforcement of new and/or resurrected ethnic identities effectively disrupt the old aggregations based on national political lines. These conflicts make the fabric of global relations more fluid and, by affirming new identities and new localities, present a more malleable material for control. In such cases repression can be articulated through preventive action that constructs new relationships (which will eventually be consolidated in peace but only after new wars) and new territorial and political formations that are functional (or rather more functional, better adaptable) to the constitution of Empire.[33] A second example of repression prepared through preventive action is the campaigns against corporative business groups or "mafias," particularly those involved in the drug trade. The actual repression of these groups may not be as important as criminalizing their activities and managing social alarm at their very existence in order to facilitate their control. Even though controlling "ethnic terrorists" and "drug mafias" may represent the center of the wide spectrum of police control on the part of the imperial power, this activity is nonetheless normal, that is, systemic. The "just war" is effectively supported by the "moral police," just as the validity of imperial right and its legitimate

functioning is supported by the necessary and continuous exercise of police power.

It is clear that international or supranational courts are constrained to follow this lead. Armies and police anticipate the courts and preconstitute the rules of justice that the courts must then apply. The intensity of the moral principles to which the construction of the new world order is entrusted cannot change the fact that this is really an inversion of the conventional order of constitutional logic. The active parties supporting the imperial constitution are confident that when the construction of Empire is sufficiently advanced, the courts will be able to assume their leading role in the definition of justice. For now, however, although international courts do not have much power, public displays of their activities are still very important. Eventually a new judicial function must be formed that is adequate to the constitution of Empire. Courts will have to be transformed gradually from an organ that simply decrees sentences against the vanquished to a judicial body or system of bodies that dictate and sanction the interrelation among the moral order, the exercise of police action, and the mechanism legitimating imperial sovereignty.[34]

This kind of continual intervention, then, which is both moral and military, is really the logical form of the exercise of force that follows from a paradigm of legitimation based on a state of permanent exception and police action. Interventions are always exceptional even though they arise continually; they take the form of police actions because they are aimed at maintaining an internal order. In this way intervention is an effective mechanism that through police deployments contributes directly to the construction of the moral, normative, and institutional order of Empire.

Royal Prerogatives

What were traditionally called the royal prerogatives of sovereignty seem in effect to be repeated and even substantially renewed in the construction of Empire. If we were to remain within the conceptual framework of classic domestic and international law, we might be

tempted to say that a supranational quasi-state is being formed. That does not seem to us, however, an accurate characterization of the situation. When the royal prerogatives of modern sovereignty reappear in Empire, they take on a completely different form. For example, the sovereign function of deploying military forces was carried out by the modern nation-states and is now conducted by Empire, but, as we have seen, the justification for such deployments now rests on a state of permanent exception, and the deployments themselves take the form of police actions. Other royal prerogatives such as carrying out justice and imposing taxes also have the same kind of liminal existence. We have already discussed the marginal position of judicial authority in the constitutive process of Empire, and one could also argue that imposing taxes occupies a marginal position in that it is increasingly linked to specific and local urgencies. In effect, one might say that the sovereignty of Empire itself is realized at the margins, where borders are flexible and identities are hybrid and fluid. It would be difficult to say which is more important to Empire, the center or the margins. In fact, center and margin seem continually to be shifting positions, fleeing any determinate locations. We could even say that the process itself is virtual and that its power resides in the power of the virtual.

One could nonetheless object at this point that even while being virtual and acting at the margins, the process of constructing imperial sovereignty is in many respects very real! We certainly do not mean to deny that fact. Our claim, rather, is that we are dealing here with a special kind of sovereignty—a discontinuous form of sovereignty that should be considered liminal or marginal insofar as it acts "in the final instance," a sovereignty that locates its only point of reference in the definitive absoluteness of the power that it can exercise. Empire thus appears in the form of a very high tech machine: it is virtual, built to control the marginal event, and organized to dominate and when necessary intervene in the breakdowns of the system (in line with the most advanced technologies of robotic production). The virtuality and discontinuity of imperial sovereignty, however, do not minimize the effectiveness of its force;

on the contrary, those very characteristics serve to reinforce its apparatus, demonstrating its effectiveness in the contemporary historical context and its legitimate force to resolve world problems in the final instance.

We are now in the position to address the question whether, on the basis of these new biopolitical premises, the figure and the life of Empire can today be grasped in terms of a juridical model. We have already seen that this juridical model cannot be constituted by the existing structures of international law, even when understood in terms of the most advanced developments of the United Nations and the other great international organizations. Their elaborations of an international order could at the most be recognized as a process of transition toward the new imperial power. The constitution of Empire is being formed neither on the basis of any contractual or treaty-based mechanism nor through any federative source. The source of imperial normativity is born of a new machine, a new economic-industrial-communicative machine—in short, a globalized biopolitical machine. It thus seems clear that we must look at something other than what has up until now constituted the bases of international order, something that does not rely on the form of right that, in the most diverse traditions, was grounded in the modern system of sovereign nation-states. The impossibility, however, of grasping the genesis of Empire and its virtual figure with any of the old instruments of juridical theory, which were deployed in the realist, institutionalist, positivist, or natural right frameworks, should not force us to accept a cynical framework of pure force or some such Machiavellian position. In the genesis of Empire there is indeed a rationality at work that can be recognized not so much in terms of the juridical tradition but more clearly in the often hidden history of industrial management and the political uses of technology. (We should not forget here too that proceeding along these lines will reveal the fabric of class struggle and its institutional effects, but we will treat that issue in the next section.) This is a rationality that situates us at the heart of biopolitics and biopolitical technologies.

If we wanted to take up again Max Weber's famous three-part formula of the forms of legitimation of power, the qualitative leap that Empire introduces into the definition would consist in the unforeseeable mixture of (1) elements typical of traditional power, (2) an extension of bureaucratic power that is adapted physiologically to the biopolitical context, and (3) a rationality defined by the "event" and by "charisma" that rises up as a power of the singularization of the whole and of the effectiveness of imperial interventions.[35] The logic that characterizes this neo-Weberian perspective would be functional rather than mathematical, and rhizomatic and undulatory rather than inductive or deductive. It would deal with the management of linguistic sequences as sets of machinic sequences of denotation and at the same time of creative, colloquial, and irreducible innovation.

The fundamental object that the imperial relations of power interpret is the productive force of the system, the new biopolitical economic and institutional system. The imperial order is formed not only on the basis of its powers of accumulation and global extension, but also on the basis of its capacity to develop itself more deeply, to be reborn, and to extend itself throughout the biopolitical latticework of world society. The absoluteness of imperial power is the complementary term to its complete immanence to the ontological machine of production and reproduction, and thus to the biopolitical context. Perhaps, finally, this cannot be represented by a juridical order, but it nonetheless is an order, an order defined by its virtuality, its dynamism, and its functional inconclusiveness. The fundamental norm of legitimation will thus be established in the depths of the machine, at the heart of social production. Social production and juridical legitimation should not be conceived as primary and secondary forces nor as elements of the base and superstructure, but should be understood rather in a state of absolute parallelism and intermixture, coextensive throughout biopolitical society. In Empire and its regime of biopower, economic production and political constitution tend increasingly to coincide.

1.3

ALTERNATIVES WITHIN EMPIRE

> Once embodied in the power of the workers' councils, which must internationally supplant all other power, the proletarian movement becomes its own product, and this product is the producer itself. The producer is its own end. Only then is the spectacular negation of life negated in turn.
>
> Guy Debord

> Now is the time of furnaces, and only light should be seen.
>
> José Martí

Flirting with Hegel, one could say that the construction of Empire is good *in itself* but not *for itself*.[1] One of the most powerful operations of the modern imperialist power structures was to drive wedges among the masses of the globe, dividing them into opposing camps, or really a myriad of conflicting parties. Segments of the proletariat in the dominant countries were even led to believe that their interests were tied exclusively to their national identity and imperial destiny. The most significant instances of revolt and revolution against these modern power structures therefore were those that posed the struggle against exploitation together with the struggle against nationalism, colonialism, and imperialism. In these events humanity appeared for a magical moment to be united by a common desire for liberation, and we seemed to catch a glimpse of a future when the modern mechanisms of domination would once and for all be destroyed. The revolting masses, their desire for liberation, their experiments to construct alternatives, and their instances of

constituent power have all at their best moments pointed toward the internationalization and globalization of relationships, beyond the divisions of national, colonial, and imperialist rule. In our time this desire that was set in motion by the multitude has been addressed (in a strange and perverted but nonetheless real way) by the construction of Empire. One might even say that the construction of Empire and its global networks is a *response* to the various struggles against the modern machines of power, and specifically to class struggle driven by the multitude's desire for liberation. The multitude called Empire into being.

Saying that Empire is good *in itself,* however, does not mean that it is good *for itself.* Although Empire may have played a role in putting an end to colonialism and imperialism, it nonetheless constructs its own relationships of power based on exploitation that are in many respects more brutal than those it destroyed. The end of the dialectic of modernity has not resulted in the end of the dialectic of exploitation. Today nearly all of humanity is to some degree absorbed within or subordinated to the networks of capitalist exploitation. We see now an ever more extreme separation of a small minority that controls enormous wealth from multitudes that live in poverty at the limit of powerlessness. The geographical and racial lines of oppression and exploitation that were established during the era of colonialism and imperialism have in many respects not declined but instead increased exponentially.

Despite recognizing all this, we insist on asserting that the construction of Empire is a step forward in order to do away with any nostalgia for the power structures that preceded it and refuse any political strategy that involves returning to that old arrangement, such as trying to resurrect the nation-state to protect against global capital. We claim that Empire is better in the same way that Marx insists that capitalism is better than the forms of society and modes of production that came before it. Marx's view is grounded on a healthy and lucid disgust for the parochial and rigid hierarchies that preceded capitalist society as well as on a recognition that the potential for liberation is increased in the new situation. In the

same way today we can see that Empire does away with the cruel regimes of modern power and also increases the potential for liberation.

We are well aware that in affirming this thesis we are swimming against the current of our friends and comrades on the Left. In the long decades of the current crisis of the communist, socialist, and liberal Left that has followed the 1960s, a large portion of critical thought, both in the dominant countries of capitalist development and in the subordinated ones, has sought to recompose sites of resistance that are founded on the identities of social subjects or national and regional groups, often grounding political analysis on the *localization of struggles*. Such arguments are sometimes constructed in terms of "place-based" movements or politics, in which the boundaries of place (conceived either as identity or as territory) are posed against the undifferentiated and homogeneous space of global networks.[2] At other times such political arguments draw on the long tradition of Leftist nationalism in which (in the best cases) the nation is conceived as the primary mechanism of defense against the domination of foreign and/or global capital.[3] Today the operative syllogism at the heart of the various forms of "local" Leftist strategy seems to be entirely reactive: If capitalist domination is becoming ever more global, then our resistances to it must defend the local and construct barriers to capital's accelerating flows. From this perspective, the real globalization of capital and the constitution of Empire must be considered signs of dispossession and defeat.

We maintain, however, that today this localist position, although we admire and respect the spirit of some of its proponents, is both false and damaging. It is false first of all because the problem is poorly posed. In many characterizations the problem rests on a false dichotomy between the global and the local, assuming that the global entails homogenization and undifferentiated identity whereas the local preserves heterogeneity and difference. Often implicit in such arguments is the assumption that the differences of the local are in some sense natural, or at least that their origin remains beyond question. Local differences preexist the present

scene and must be defended or protected against the intrusion of globalization. It should come as no surprise, given such assumptions, that many defenses of the local adopt the terminology of traditional ecology or even identify this "local" political project with the defense of nature and biodiversity. This view can easily devolve into a kind of primordialism that fixes and romanticizes social relations and identities. What needs to be addressed, instead, is precisely the *production of locality*, that is, the social machines that create and recreate the identities and differences that are understood as the local.[4] The differences of locality are neither preexisting nor natural but rather effects of a regime of production. Globality similarly should not be understood in terms of cultural, political, or economic *homogenization*. Globalization, like localization, should be understood instead as a *regime* of the production of identity and difference, or really of homogenization and heterogenization. The better framework, then, to designate the distinction between the global and the local might refer to different networks of flows and obstacles in which the local moment or perspective gives priority to the reterritorializing barriers or boundaries and the global moment privileges the mobility of deterritorializing flows. It is false, in any case, to claim that we can (re)establish local identities that are in some sense *outside* and protected against the global flows of capital and Empire.

This Leftist strategy of resistance to globalization and defense of locality is also damaging because in many cases what appear as local identities are not autonomous or self-determining but actually feed into and support the development of the capitalist imperial machine. The globalization or deterritorialization operated by the imperial machine is not in fact opposed to localization or reterritorialization, but rather sets in play mobile and modulating circuits of differentiation and identification. The strategy of local resistance misidentifies and thus masks the enemy. We are by no means opposed to the globalization of relationships as such—in fact, as we said, the strongest forces of Leftist internationalism have effectively led this process. The enemy, rather, is a specific regime of

global relations that we call Empire. More important, this strategy of defending the local is damaging because it obscures and even negates the real alternatives and the potentials for liberation that exist *within* Empire. We should be done once and for all with the search for an outside, a standpoint that imagines a purity for our politics. It is better both theoretically and practically to enter the terrain of Empire and confront its homogenizing and heterogenizing flows in all their complexity, grounding our analysis in the power of the global multitude.

The Ontological Drama of the *Res Gestae*

The legacy of modernity is a legacy of fratricidal wars, devastating "development," cruel "civilization," and previously unimagined violence. Erich Auerbach once wrote that tragedy is the only genre that can properly claim realism in Western literature, and perhaps this is true precisely because of the tragedy Western modernity has imposed on the world.[5] Concentration camps, nuclear weapons, genocidal wars, slavery, apartheid: it is not difficult to enumerate the various scenes of the tragedy. By insisting on the tragic character of modernity, however, we certainly do not mean to follow the "tragic" philosophers of Europe, from Schopenhauer to Heidegger, who turn these real destructions into metaphysical narratives about the negativity of being, as if these actual tragedies were merely an illusion, or rather as if they were our ultimate destiny! Modern negativity is located not in any transcendent realm but in the hard reality before us: the fields of patriotic battles in the First and Second World Wars, from the killing fields at Verdun to the Nazi furnaces and the swift annihilation of thousands in Hiroshima and Nagasaki, the carpet bombing of Vietnam and Cambodia, the massacres from Sétif and Soweto to Sabra and Shatila, and the list goes on and on. There is no Job who can sustain such suffering! (And anyone who starts compiling such a list quickly realizes how inadequate it is to the quantity and quality of the tragedies.) Well, if *that* modernity has come to an end, and if the modern nation-state that served as the ineluctable condition for imperialist domination and innumerable wars is disappearing from the world scene, then good riddance!

We must cleanse ourselves of any misplaced nostalgia for the belle époque of that modernity.

We cannot be satisfied, however, with that political condemnation of modern power that relies on the *historia rerum gestarum,* the objective history we have inherited. We need to consider also the power of the *res gestae,* the power of the multitude to make history that continues and is reconfigured today *within* Empire. It is a question of transforming a necessity imposed on the multitude—a necessity that was to a certain extent solicited by the multitude itself throughout modernity as a line of flight from localized misery and exploitation—into a condition of possibility of liberation, a new possibility on this new terrain of humanity.

This is when the ontological drama begins, when the curtain goes up on a scene in which the development of Empire becomes its own critique and its process of construction becomes the process of its overturning. This drama is ontological in the sense that here, in these processes, being is produced and reproduced. This drama will have to be clarified and articulated much further as our study proceeds, but we should insist right from the outset that this is not simply another variant of dialectical enlightenment. We are not proposing the umpteenth version of the inevitable passage through purgatory (here in the guise of the new imperial machine) in order to offer a glimmer of hope for radiant futures. We are not repeating the schema of an ideal teleology that justifies any passage in the name of a promised end. On the contrary, our reasoning here is based on two methodological approaches that are intended to be nondialectical and absolutely immanent: the first is *critical and deconstructive,* aiming to subvert the hegemonic languages and social structures and thereby reveal an alternative ontological basis that resides in the creative and productive practices of the multitude; the second is *constructive and ethico-political,* seeking to lead the processes of the production of subjectivity toward the constitution of an effective social, political alternative, a new constituent power.[6]

Our critical approach addresses the need for a real ideological and material deconstruction of the imperial order. In the postmodern world, the ruling spectacle of Empire is constructed through a

variety of self-legitimating discourses and structures. Long ago authors as diverse as Lenin, Horkheimer and Adorno, and Debord recognized this spectacle as the destiny of triumphant capitalism. Despite their important differences, such authors offer us real anticipations of the path of capitalist development.[7] Our deconstruction of this spectacle cannot be textual alone, but must seek continually to focus its powers on the nature of events and the real determinations of the imperial processes in motion today. The critical approach is thus intended to bring to light the contradictions, cycles, and crises of the process because in each of these moments the imagined necessity of the historical development can open toward alternative possibilities. In other words, the deconstruction of the *historia rerum gestarum,* of the spectral reign of globalized capitalism, reveals the possibility of alternative social organizations. This is perhaps as far as we can go with the methodological scaffolding of a critical and materialist deconstructionism—but this is already an enormous contribution![8]

This is where the first methodological approach has to pass the baton to the second, the constructive and ethico-political approach. Here we must delve into the ontological substrate of the concrete alternatives continually pushed forward by the *res gestae,* the subjective forces acting in the historical context. What appears here is not a new rationality but a new scenario of different rational acts—a horizon of activities, resistances, wills, and desires that refuse the hegemonic order, propose lines of flight, and forge alternative constitutive itineraries. This real substrate, open to critique, revised by the ethico-political approach, represents the real ontological referent of philosophy, or really the field proper to a philosophy of liberation. This approach breaks methodologically with every philosophy of history insofar as it refuses any deterministic conception of historical development and any "rational" celebration of the result. It demonstrates, on the contrary, how the historical event resides in potentiality. "It is not the two that recompose in one, but the one that opens into two," according to the beautiful anti-Confucian (and anti-Platonic) formula of the Chinese revolutionaries.[9] Philosophy

is not the owl of Minerva that takes flight after history has been realized in order to celebrate its happy ending; rather, philosophy is subjective proposition, desire, and praxis that are applied to the event.

Refrains of the "Internationale"

There was a time, not so long ago, when internationalism was a key component of proletarian struggles and progressive politics in general. "The proletariat has no country," or better, "the country of the proletariat is the entire world." The "Internationale" was the hymn of revolutionaries, the song of utopian futures. We should note that the utopia expressed in these slogans is in fact not really internationalist, if by internationalist we understand a kind of consensus among the various national identities that preserves their differences but negotiates some limited agreement. Rather, proletarian internationalism was antinationalist, and hence supranational and global. Workers of the world unite!—not on the basis of national identities but directly through common needs and desires, without regard to borders and boundaries.

Internationalism was the will of an active mass subject that recognized that the nation-states were key agents of capitalist exploitation and that the multitude was continually drafted to fight their senseless wars—in short, that the nation-state was a political form whose contradictions could not be subsumed and sublimated but only destroyed. International solidarity was really a project for the destruction of the nation-state and the construction of a new global community. This proletarian program stood behind the often ambiguous tactical definitions that socialist and communist parties produced during the century of their hegemony over the proletariat.[10] If the nation-state was a central link in the chain of domination and thus had to be destroyed, then the *national* proletariat had as a primary task destroying itself insofar as it was defined by the nation and thus bringing international solidarity out of the prison in which it had been trapped. International solidarity had to be recognized not as an act of charity or altruism for the good of others, a noble

sacrifice for another national working class, but rather as proper to and inseparable from each national proletariat's own desire and struggle for liberation. Proletarian internationalism constructed a paradoxical and powerful political machine that pushed continually beyond the boundaries and hierarchies of the nation-states and posed utopian futures only on the global terrain.

Today we should all clearly recognize that the time of such proletarian internationalism is over. That does not negate the fact, however, that the concept of internationalism really lived among the masses and deposited a kind of geological stratum of suffering and desire, a memory of victories and defeats, a residue of ideological tensions and needs. Furthermore, the proletariat does in fact find itself today not just international but (at least tendentially) global. One might be tempted to say that proletarian internationalism actually "won" in light of the fact that the powers of nation-states have declined in the recent passage toward globalization and Empire, but that would be a strange and ironic notion of victory. It is more accurate to say, following the William Morris quotation that serves as one of the epigraphs for this book, that what they fought for came about despite their defeat.

The practice of proletarian internationalism was expressed most clearly in the international cycles of struggles. In this framework the (national) general strike and insurrection against the (nation-) state were only really conceivable as elements of communication among struggles and processes of liberation on the internationalist terrain. From Berlin to Moscow, from Paris to New Delhi, from Algiérs to Hanoi, from Shanghai to Jakarta, from Havana to New York, struggles resonated with one another throughout the nineteenth and twentieth centuries. A cycle was constructed as news of a revolt was communicated and applied in each new context, just as in an earlier era merchant ships carried the news of slave revolt from island to island around the Caribbean, igniting a stubborn string of fires that could not be quenched. For a cycle to form, the recipients of the news must be able to "translate" the events into their own language, recognize the struggles as their own, and thus

add a link to the chain. In some cases this "translation" is rather elaborate: how Chinese intellectuals at the turn of the twentieth century, for example, could hear of the anticolonial struggles in the Philippines and Cuba and translate them into the terms of their own revolutionary projects. In other cases it is much more direct: how the factory council movement in Turin, Italy, was immediately inspired by the news of the Bolshevik victory in Russia. Rather than thinking of the struggles as relating to one another like links in a chain, it might be better to conceive of them as communicating like a virus that modulates its form to find in each context an adequate host.

It would not be hard to map the periods of extreme intensity of these cycles. A first wave might be seen as beginning after 1848 with the political agitation of the First International, continuing in the 1880s and 1890s with the formation of socialist political and trade union organizations, and then rising to a peak after the Russian revolution of 1905 and the first international cycle of anti-imperialist struggles.[11] A second wave arose after the Soviet revolution of 1917, which was followed by an international progression of struggles that could only be contained by fascisms on one side and reabsorbed by the New Deal and antifascist fronts on the other. And finally there was the wave of struggles that began with the Chinese revolution and proceeded through the African and Latin American liberation struggles to the explosions of the 1960s throughout the world.

These international cycles of struggles were the real motor that drove the development of the institutions of capital and that drove it in a process of reform and restructuring.[12] Proletarian, anticolonial, and anti-imperialist internationalism, the struggle for communism, which lived in all the most powerful insurrectional events of the nineteenth and twentieth centuries, anticipated and prefigured the processes of the globalization of capital and the formation of Empire. In this way the formation of Empire is a *response* to proletarian internationalism. There is nothing dialectical or teleological about this anticipation and prefiguration of capitalist development by the mass struggles. On the contrary, the struggles

themselves are demonstrations of the creativity of desire, utopias of lived experience, the workings of historicity as potentiality—in short, the struggles are the naked reality of the *res gestae*. A teleology of sorts is constructed only after the fact, *post festum*.

The struggles that preceded and prefigured globalization were expressions of the force of living labor, which sought to liberate itself from the rigid territorializing regimes imposed on it. As it contests the dead labor accumulated against it, living labor always seeks to break the fixed territorializing structures, the national organizations, and the political figures that keep it prisoner. With the force of living labor, its restless activity, and its deterritorializing desire, this process of rupture throws open all the windows of history. When one adopts the perspective of the activity of the multitude, its production of subjectivity and desire, one can recognize how globalization, insofar as it operates a real deterritorialization of the previous structures of exploitation and control, is really a condition of the liberation of the multitude. But how can this potential for liberation be realized today? Does that same uncontainable desire for freedom that broke and buried the nation-state and that determined the transition toward Empire still live beneath the ashes of the present, the ashes of the fire that consumed the internationalist proletarian subject that was centered on the industrial working class? What has come to stand in the place of that subject? In what sense can we say that the ontological rooting of a new multitude has come to be a positive or alternative actor in the articulation of globalization?

The Mole and the Snake

We need to recognize that the very subject of labor and revolt has changed profoundly. The composition of the proletariat has transformed and thus our understanding of it must too. In conceptual terms we understand *proletariat* as a broad category that includes all those whose labor is directly or indirectly exploited by and subjected to capitalist norms of production and reproduction.[13] In a previous era the category of the proletariat centered on and was at times

effectively subsumed under the *industrial working class*, whose paradigmatic figure was the male mass factory worker. That industrial working class was often accorded the leading role over other figures of labor (such as peasant labor and reproductive labor) in both economic analyses and political movements. Today that working class has all but disappeared from view. It has not ceased to exist, but it has been displaced from its privileged position in the capitalist economy and its hegemonic position in the class composition of the proletariat. The proletariat is not what it used to be, but that does not mean it has vanished. It means, rather, that we are faced once again with the analytical task of understanding the new composition of the proletariat as a class.

The fact that under the category of proletariat we understand *all* those exploited by and subject to capitalist domination should not indicate that the proletariat is a homogeneous or undifferentiated unit. It is indeed cut through in various directions by differences and stratifications. Some labor is waged, some is not; some labor is restricted to within the factory walls, some is dispersed across the unbounded social terrain; some labor is limited to eight hours a day and forty hours a week, some expands to fill the entire time of life; some labor is accorded a minimal value, some is exalted to the pinnacle of the capitalist economy. We will argue (in Section 3.4) that among the various figures of production active today, the figure of immaterial labor power (involved in communication, cooperation, and the production and reproduction of affects) occupies an increasingly central position in both the schema of capitalist production and the composition of the proletariat. Our point here is that all of these diverse forms of labor are in some way subject to capitalist discipline and capitalist relations of production. This fact of being within capital and sustaining capital is what defines the proletariat as a class.

We need to look more concretely at the form of the struggles in which this new proletariat expresses its desires and needs. In the last half-century, and in particular in the two decades that stretched from 1968 to the fall of the Berlin Wall, the restructuring and global

expansion of capitalist production have been accompanied by a transformation of proletarian struggles. As we said, the figure of an international cycle of struggles based on the communication and translation of the common desires of labor in revolt seems no longer to exist. The fact that the cycle as the specific form of the assemblage of struggles has vanished, however, does not simply open up to an abyss. On the contrary, we can recognize powerful events on the world scene that reveal the trace of the multitude's refusal of exploitation and that signal a new kind of proletarian solidarity and militancy.

Consider the most radical and powerful struggles of the final years of the twentieth century: the Tiananmen Square events in 1989, the Intifada against Israeli state authority, the May 1992 revolt in Los Angeles, the uprising in Chiapas that began in 1994, and the series of strikes that paralyzed France in December 1995, and those that crippled South Korea in 1996. Each of these struggles was specific and based on immediate regional concerns in such a way that they could in no respect be linked together as a globally expanding chain of revolt. None of these events inspired a cycle of struggles, because the desires and needs they expressed could not be translated into different contexts. In other words, (potential) revolutionaries in other parts of the world did not hear of the events in Beijing, Nablus, Los Angeles, Chiapas, Paris, or Seoul and immediately recognize them as their own struggles. Furthermore, these struggles not only fail to communicate to other contexts but also lack even a local communication, and thus often have a very brief duration where they are born, burning out in a flash. This is certainly one of the central and most urgent political paradoxes of our time: in our much celebrated age of communication, *struggles have become all but incommunicable.*

This paradox of incommunicability makes it extremely difficult to grasp and express the new power posed by the struggles that have emerged. We ought to be able to recognize that what the struggles have lost in extension, duration, and communicability they have gained in intensity. We ought to be able to recognize that

although all of these struggles focused on their own local and immediate circumstances, they all nonetheless posed problems of supranational relevance, problems that are proper to the new figure of imperial capitalist regulation. In Los Angeles, for example, the riots were fueled by local racial antagonisms and patterns of social and economic exclusion that are in many respects particular to that (post-)urban territory, but the events were also immediately catapulted to a general level insofar as they expressed a refusal of the post-Fordist regime of social control. Like the Intifada in certain respects, the Los Angeles riots demonstrated how the decline of Fordist bargaining regimes and mechanisms of social mediation has made the management of racially and socially diverse metropolitan territories and populations so precarious. The looting of commodities and burning of property were not just metaphors but the real global condition of the mobility and volatility of post-Fordist social mediations.[14] In Chiapas, too, the insurrection focused primarily on local concerns: problems of exclusion and lack of representation specific to Mexican society and the Mexican state, which have also to a limited degree long been common to the racial hierarchies throughout much of Latin American. The Zapatista rebellion, however, was also immediately a struggle against the social regime imposed by NAFTA and more generally the systematic exclusion and subordination in the regional construction of the world market.[15] Finally, like those in Seoul, the massive strikes in Paris and throughout France in late 1995 were aimed at specific local and national labor issues (such as pensions, wages, and unemployment), but the struggle was also immediately recognized as a clear contestation of the new social and economic construction of Europe. The French strikes called above all for a new notion of the public, a new construction of public space against the neoliberal mechanisms of privatization that accompany more or less everywhere the project of capitalist globalization.[16] Perhaps precisely because all these struggles are incommunicable and thus blocked from traveling horizontally in the form of a cycle, they are forced instead to leap vertically and touch immediately on the global level.

We ought to be able to recognize that this is not the appearance of a new cycle of internationalist struggles, but rather the emergence of a new quality of social movements. We ought to be able to recognize, in other words, the fundamentally new characteristics these struggles all present, despite their radical diversity. First, each struggle, though firmly rooted in local conditions, leaps immediately to the global level and attacks the imperial constitution in its generality. Second, all the struggles destroy the traditional distinction between economic and political struggles. The struggles are at once economic, political, and cultural—and hence they are biopolitical struggles, struggles over the form of life. They are constituent struggles, creating new public spaces and new forms of community.

We ought to be able to recognize all this, but it is not that easy. We must admit, in fact, that even when trying to individuate the real novelty of these situations, we are hampered by the nagging impression that these struggles are always already old, outdated, and anachronistic. The struggles at Tiananmen Square spoke a language of democracy that seemed long out of fashion; the guitars, headbands, tents, and slogans all looked like a weak echo of Berkeley in the 1960s. The Los Angeles riots, too, seemed like an aftershock of the earthquake of racial conflicts that shook the United States in the 1960s. The strikes in Paris and Seoul seemed to take us back to the era of the mass factory worker, as if they were the last gasp of a dying working class. All these struggles, which pose really new elements, appear from the beginning to be already old and outdated—precisely because they cannot communicate, because their languages cannot be translated. The struggles do not communicate despite their being hypermediatized, on television, the Internet, and every other imaginable medium. Once again we are confronted by the paradox of incommunicability.

We can certainly recognize real obstacles that block the communication of struggles. One such obstacle is the absence of a recognition of a common enemy against which the struggles are directed. Beijing, Los Angeles, Nablus, Chiapas, Paris, Seoul: the situations all seem utterly particular, but in fact they all directly attack

the global order of Empire and seek a real alternative. Clarifying the nature of the common enemy is thus an essential political task. A second obstacle, which is really corollary to the first, is that there is no common language of struggles that could "translate" the particular language of each into a cosmopolitan language. Struggles in other parts of the world and even our own struggles seem to be written in an incomprehensible foreign language. This too points toward an important political task: to construct a new common language that facilitates communication, as the languages of anti-imperialism and proletarian internationalism did for the struggles of a previous era. Perhaps this needs to be a new type of communication that functions not on the basis of resemblances but on the basis of differences: a communication of singularities.

Recognizing a common enemy and inventing a common language of struggles are certainly important political tasks, and we will advance them as far as we can in this book, but our intuition tells us that this line of analysis finally fails to grasp the real potential presented by the new struggles. Our intuition tells us, in other words, that the model of the horizontal articulation of struggles in a cycle is no longer adequate for recognizing the way in which contemporary struggles achieve global significance. Such a model in fact blinds us to their real new potential.

Marx tried to understand the continuity of the cycle of proletarian struggles that were emerging in nineteenth-century Europe in terms of a mole and its subterranean tunnels. Marx's mole would surface in times of open class conflict and then retreat underground again—not to hibernate passively but to burrow its tunnels, moving along with the times, pushing forward with history so that when the time was right (1830, 1848, 1870), it would spring to the surface again. "Well grubbed old mole!"[17] Well, we suspect that Marx's old mole has finally died. It seems to us, in fact, that in the contemporary passage to Empire, the structured tunnels of the mole have been replaced by the infinite undulations of the snake.[18] The depths of the modern world and its subterranean passageways have in postmodernity all become superficial. Today's struggles slither si-

lently across these superficial, imperial landscapes. Perhaps the incommunicability of struggles, the lack of well-structured, communicating tunnels, is in fact a strength rather than a weakness—a strength because all of the movements are immediately subversive in themselves and do not wait on any sort of external aid or extension to guarantee their effectiveness. Perhaps the more capital extends its global networks of production and control, the more powerful any singular point of revolt can be. Simply by focusing their own powers, concentrating their energies in a tense and compact coil, these serpentine struggles strike directly at the highest articulations of imperial order. Empire presents a superficial world, the virtual center of which can be accessed immediately from any point across the surface. If these points were to constitute something like a new cycle of struggles, it would be a cycle defined not by the communicative extension of the struggles but rather by their singular emergence, by the intensity that characterizes them one by one. In short, this new phase is defined by the fact that these struggles do not link horizontally, but each one leaps vertically, directly to the virtual center of Empire.

From the point of view of the revolutionary tradition, one might object that the tactical successes of revolutionary actions in the nineteenth and twentieth centuries were all characterized precisely by the capacity to blast open the *weakest link* of the imperialist chain, that this is the ABC of revolutionary dialectics, and thus it would seem today that the situation is not very promising. It is certainly true that the serpentine struggles we are witnessing today do not provide any clear revolutionary tactics, or maybe they are completely incomprehensible from the point of view of tactics. Faced as we are with a series of intense subversive social movements that attack the highest levels of imperial organization, however, it may be no longer useful to insist on the old distinction between strategy and tactics. In the constitution of Empire there is no longer an "outside" to power and thus no longer weak links—if by weak link we mean an external point where the articulations of global power are vulnerable.[19] To achieve significance, every struggle must attack at the heart of Empire, at its strength. That fact, however, does not give priority to any geographical regions, as if only social movements in Washington, Geneva, or Tokyo could attack the heart of Empire. On the contrary, the construction of Empire, and the globalization of economic and cultural relationships, means that the virtual center of Empire can be attacked from any point. The tactical preoccupations of the old revolutionary school are thus completely irretrievable; the only strategy available to the struggles is that of a constituent counterpower that emerges from within Empire.

Those who have difficulty accepting the novelty and revolutionary potential of this situation from the perspective of the struggles themselves might recognize it more easily from the perspective of imperial power, which is constrained to react to the struggles. Even when these struggles become sites effectively closed to communication, they are at the same time the maniacal focus of the critical attention of Empire.[20] They are educational lessons in the classroom of administration and the chambers of government—lessons that demand repressive instruments. The primary lesson is that such events cannot be repeated if the processes of capitalist globalization are to continue. These struggles, however, have their own weight, their own specific intensity, and moreover they are immanent to the procedures and developments of imperial power. They invest and sustain the processes of globalization themselves. Imperial power whispers the names of the struggles in order to charm them into passivity, to construct a mystified image of them, but most important to discover which processes of globalization are possible and which are not. In this contradictory and paradoxical way the imperial processes of globalization assume these events, recognizing them as both limits and opportunities to recalibrate Empire's own instruments. The processes of globalization would not exist or would come to a halt if they were not continually both frustrated and driven by these explosions of the multitude that touch immediately on the highest levels of imperial power.

Two-Headed Eagle

The emblem of the Austro-Hungarian Empire, an eagle with two heads, might give an adequate initial representation of the contem-

porary form of Empire. But whereas in the earlier emblem the two heads looked outward to designate the relative autonomy and peaceful coexistence of the respective territories, in our case the two heads would have to be turned inward, each attacking the other.

The first head of the imperial eagle is a juridical structure and a constituted power, constructed by the machine of biopolitical command. The juridical process and the imperial machine are always subject to contradictions and crises. Order and peace—the eminent values that Empire proposes—can never be achieved but are nonetheless continually reproposed. The juridical process of the constitution of Empire lives this constant crisis that is considered (at least by the most attentive theoreticians) the price of its own development. There is, however, always a surplus. Empire's continual extension and constant pressure to adhere ever more closely to the complexity and depth of the biopolitical realm force the imperial machine when it seems to resolve one conflict continually to open others. It tries to make them commensurate with its project, but they emerge once again as incommensurable, with all the elements of the new terrain mobile in space and flexible in time.

The other head of the imperial eagle is the plural multitude of productive, creative subjectivities of globalization that have learned to sail on this enormous sea. They are in perpetual motion and they form constellations of singularities and events that impose continual global reconfigurations on the system. This perpetual motion can be geographical, but it can refer also to modulations of form and processes of mixture and hybridization. The relationship between "system" and "asystemic movements" cannot be flattened onto any logic of correspondence in this perpetually modulating atopia.[21] Even the asystemic elements produced by the new multitude are in fact global forces that cannot have a commensurate relationship, even an inverted one, with the system. Every insurrectional event that erupts within the order of the imperial system provokes a shock to the system in its entirety. From this perspective, the institutional frame in which we live is characterized by its radical contingency and precariousness, or really by the unforeseeability

of the *sequences of events*—sequences that are always more brief or more compact temporally and thus ever less controllable.[22] It becomes ever more difficult for Empire to intervene in the unforeseeable temporal sequences of events when they accelerate their temporality. The most relevant aspect that the struggles have demonstrated may be sudden accelerations, often cumulative, that can become virtually simultaneous, explosions that reveal a properly ontological power and unforeseeable attack on the most central equilibria of Empire.

Just as Empire in the spectacle of its force continually determines systemic recompositions, so too new figures of resistance are composed through the sequences of the events of struggle. This is another fundamental characteristic of the existence of the multitude today, *within* Empire and *against* Empire. New figures of struggle and new subjectivities are produced in the conjuncture of events, in the universal nomadism, in the general mixture and miscegenation of individuals and populations, and in the technological metamorphoses of the imperial biopolitical machine. These new figures and subjectivities are produced because, although the struggles are indeed antisystemic, they are not posed *merely against* the imperial system—they are not simply negative forces. They also express, nourish, and develop positively their own constituent projects; they work toward the liberation of living labor, creating constellations of powerful singularities. This constituent aspect of the movement of the multitude, in its myriad faces, is really the positive terrain of the historical construction of Empire. This is not a historicist positivity but, on the contrary, a positivity of the *res gestae* of the multitude, an antagonistic and creative positivity. The deterritorializing power of the multitude is the productive force that sustains Empire and at the same time the force that calls for and makes necessary its destruction.

At this point, however, we should recognize that our metaphor breaks down and that the two-headed eagle is not really an adequate representation of the relationship between Empire and the multitude, because it poses the two on the same level and thus does not

recognize the real hierarchies and discontinuities that define their relationship. From one perspective Empire stands clearly over the multitude and subjects it to the rule of its overarching machine, as a new Leviathan. At the same time, however, from the perspective of social productivity and creativity, from what we have been calling the ontological perspective, the hierarchy is reversed. The multitude is the real productive force of our social world, whereas Empire is a mere apparatus of capture that lives only off the vitality of the multitude—as Marx would say, a vampire regime of accumulated dead labor that survives only by sucking off the blood of the living.

Once we adopt this ontological standpoint, we can return to the juridical framework we investigated earlier and recognize the reasons for the real deficit that plagues the transition from international public law to the new public law of Empire, that is, the new conception of right that defines Empire. In other words, the frustration and the continual instability suffered by imperial right as it attempts to destroy the old values that served as reference points for international public law (the nation-states, the international order of Westphalia, the United Nations, and so forth) along with the so-called turbulence that accompanies this process are all symptoms of a properly *ontological* lack. As it constructs its supranational figure, power seems to be deprived of any real ground beneath it, or rather, it is lacking the motor that propels its movement. The rule of the biopolitical imperial context should thus be seen in the first instance as an empty machine, a spectacular machine, a parasitical machine.

A new sense of being is imposed on the constitution of Empire by the creative movement of the multitude, or really it is continually present in this process as an alternative paradigm. It is internal to Empire and pushes forward its constitution, not as a negative that constructs a positive or any such dialectical resolution. Rather it acts as an absolutely positive force that pushes the dominating power toward an abstract and empty unification, to which it appears as the distinct alternative. From this perspective, when the constituted power of Empire appears merely as privation of being and production, as a simple abstract and empty trace of the constituent power of the multitude, then we will be able to recognize the real standpoint of our analysis. It is a standpoint that is both strategic and tactical, when the two are no longer different.

Political Manifesto

In an extraordinary text written during his period of seclusion, Louis Althusser reads Machiavelli and poses the quite reasonable question whether The Prince *should be considered a revolutionary political manifesto.*[1] *In order to address this question Althusser first tries to define the "manifesto form" as a specific genre of text by comparing the characteristics of* The Prince *with those of the paradigmatic political manifesto, Marx and Engels's* Manifesto of the Communist Party. *He finds between these two documents an undeniable structural resemblance. In both texts the form of the argument consists of "a completely specific apparatus [dispositif] that establishes particular relationships between the discourse and its 'object' and between the discourse and its 'subject'" (p. 55). In each case the political discourse is born from the productive relationship between the subject and the object, from the fact that this relationship is itself the very point of view of the* res gestae, *a self-constituting collective action aimed at its objective. In short, clearly outside of the tradition of political science (either in its classical form, which was really the analysis of the forms of government, or in its contemporary form, which amounts to a science of management), the manifestos of Machiavelli and Marx-Engels define the political as the movement of the multitude and they define the goal as the self-production of the subject. Here we have a materialist teleology.*

Despite that important similarity, Althusser continues, the differences between the two manifestos are significant. The primary difference consists in the fact that, whereas in the Marx-Engels text the subject that defines the standpoint of the text (the modern proletariat) and the object (the communist party and communism) are conceived as co-present in such a way that the growing organization of the former directly entails the creation of the latter, in the Machiavellian project there is an ineluctable distance between the subject (the multitude) and the object (the Prince and the free state). This distance leads Machiavelli in The Prince *to search for a*

democratic apparatus capable of linking subject to object. In other words, whereas the Marx-Engels manifesto traces a linear and necessary causality, the Machiavellian text poses rather a project and a utopia. Althusser recognizes finally that both texts effectively bring the theoretical proposal to the level of praxis; both assume the present as empty for the future, "vide pour le futur" (p. 62), and in this open space they establish an immanent act of the subject that constitutes a new position of being.

Is this choice of the field of immanence, however, enough to define a manifesto form that would be a mode of political discourse adequate to the insurgent subject of postmodernity? The postmodern situation is eminently paradoxical when it is considered from the biopolitical point of view—understood, that is, as an uninterrupted circuit of life, production, and politics, globally dominated by the capitalist mode of production. On the one hand, in this situation all the forces of society tend to be activated as productive forces; but on the other hand, these same forces are submitted to a global domination that is continually more abstract and thus blind to the sense of the apparatuses of the reproduction of life. In postmodernity, the "end of history" is effectively imposed, but in such a way that at the same time paradoxically all the powers of humanity are called on to contribute to the global reproduction of labor, society, and life. In this framework, politics (when this is understood as administration and management) loses all its transparency. Through its institutional processes of normalization, power hides rather than reveals and interprets the relationships that characterize its control over society and life.

How can a revolutionary political discourse be reactivated in this situation? How can it gain a new consistency and fill some eventual manifesto with a new materialist teleology? How can we construct an apparatus for bringing together the subject (the multitude) and the object (cosmopolitical liberation) within postmodernity? Clearly one cannot achieve this, even when assuming entirely the argument of the field of immanence, simply by following the indications offered by the Marx-Engels manifesto. In the cold placidness of postmodernity, what Marx and Engels saw as the co-presence of the productive subject and the process of liberation is utterly inconceivable. And yet, from our postmodern perspective the terms of the Machiavellian manifesto seem to acquire a new contemporaneity. Straining the analogy with Machiavelli a little, we could pose the problem in this way: How can productive labor dispersed in various networks find a center? How can the material and immaterial production of the brains and bodies of the many construct a common sense and direction, or rather, how can the endeavor to bridge the distance between the formation of the multitude as subject and the constitution of a democratic political apparatus find its prince?

This analogy, however, is finally insufficient. There remains in Machiavelli's prince a utopian condition that distances the project from the subject and that, despite the radical immanence of the method, confides the political function to a higher plane. In contrast, any postmodern liberation must be achieved within this world, on the plane of immanence, with no possibility of any even utopian outside. The form in which the political should be expressed as subjectivity today is not at all clear. A solution to this problem would have to weave closer together the subject and the object of the project, pose them in a relationship of immanence still more profound than that achieved by Machiavelli or Marx-Engels, in other words, pose them in a process of self-production.

Perhaps we need to reinvent the notion of the materialist teleology that Spinoza proclaimed at the dawn of modernity when he claimed that the prophet produces its own people.[2] Perhaps along with Spinoza we should recognize prophetic desire as irresistible, and all the more powerful the more it becomes identified with the multitude. It is not at all clear that this prophetic function can effectively address our political needs and sustain a potential manifesto of the postmodern revolution against Empire, but certain analogies and paradoxical coincidences do seem striking. For example, whereas Machiavelli proposes that the project of constructing a new society from below requires "arms" and "money" and insists that we must look for them outside, Spinoza responds: Don't we already posses them? Don't the necessary weapons reside precisely within the creative and prophetic power of the multitude? Perhaps we, too, locating ourselves within the revolutionary desire of postmodernity, can in turn respond: Don't we already possess "arms" and "money"? The kind of money that Machiavelli insists is necessary may in fact reside in the productivity of the multitude, the immediate actor of biopolitical production and reproduction. The kind of arms in question may be contained in the potential of the multitude to

sabotage and destroy with its own productive force the parasitical order of postmodern command.

Today a manifesto, a political discourse, should aspire to fulfill a Spinozist prophetic function, the function of an immanent desire that organizes the multitude. There is not finally here any determinism or utopia: this is rather a radical counterpower, ontologically grounded not on any "vide pour le futur" but on the actual activity of the multitude, its creation, production, and power—a materialist teleology.

PART 2

PASSAGES OF SOVEREIGNTY