

Theorizing the Westphalian System of States: International Relations from Absolutism to Capitalism

BENNO TESCHKE

University of Wales Swansea, Swansea, UK

This article provides a new approach, revolving around contested property relations, for theorizing the constitution, operation and transformation of geopolitical systems, exemplified with reference to early modern international relations. Against the cross-paradigmatic IR consensus that equates the Westphalian Settlement with the codification of modern international relations, the article shows to which degree 17th and 18th century European geopolitics remained tied to rather unique pre-modern practices. These cannot be understood on the basis of realist or constructivist premises. In contrast, the theoretical argument is that the proprietary and personalized character of dynastic sovereignty was predicated on pre-capitalist property relations. Dynasticism, in turn, translated into historically specific patterns of conflict and cooperation that were fundamentally governed by the competitive logic of geopolitical accumulation. The decisive break to international modernity comes with the rise of the first modern state — England. After the establishment of a capitalist agrarian property regime and the transformation of the English state in the 17th century, post-1688 Britain starts to restructure international relations in a long-term process of geopolitically combined and socially uneven development.

KEY WORDS ♦ balance of power ♦ capitalism ♦ dynasticism ♦ England ♦ France ♦ IR theory ♦ Marxism ♦ modern sovereignty ♦ political accumulation ♦ Westphalia

Against 1648: Theorizing the Constitution, Operation and Transformation of Geopolitical Systems

This article develops a new approach for theorizing the constitution, operation and transformation of geopolitical systems. It is based on the

theory of social property relations (Brenner, 1986; Heine and Teschke, 1996, 1997; Teschke, 1998). The explanatory force of this approach is exemplified in relation to the transition from the early modern to the modern European system of states. This research agenda has attracted over the years the attention of IR scholars in response to John Ruggie's charge that Neorealism's lack of a transformative logic entails a conceptual failure to account for systemic change, notably the 'medieval-to-modern' shift (Ruggie, 1986, 1993). Yet, while important new interpretations of this instance of systemic change, largely of constructivist persuasion, are now available (Spruyt, 1994; Burch, 1998; Hall, 1999), the conventional realist account of Westphalia's significance as the epochal turning point in the history of international relations (Gross, 1948: 28–9; Butterfield, 1966; Bull, 1977; Wight, 1977, 1978; Gilpin, 1981: 111; Morgenthau, 1985: 293–4, 328–9) has been left intact.¹ Independent of theoretical premises, there is a broad consensus in the IR community that specifically modern principles or constitutive rules of international relations — state sovereignty, exclusive territoriality, legal equality, non-intervention, standing diplomacy, international law — were codified at the Westphalian Peace Congress against the background of the demise of pre-modern institutions of political authority (cf. for example, Kratochwil, 1986, 1995; Ruggie, 1986: 141–9, 1993, 1998; Holsti, 1991: 20–1, 25–6; Armstrong, 1993: 30–40; Arrighi, 1994: 36–47; Spruyt, 1994: 3 ff.; Burch, 1998: 89; Hall, 1999: 99; Buzan and Little, 2000: 4–5, 241–55).²

The following reinterpretation of the Westphalian order leads to radically different conclusions. I argue that the Westphalian system was characterized by distinctly non-modern relations between dynastic and other pre-modern political communities that were rooted in pre-capitalist social property relations. The logic of inter-dynastic relations structured early modern European politics until the regionally highly uneven 19th-century transition to international modernity. The social constitution of the absolutist geopolitical system, its mode of operation, and the logic behind its transformation are, however, insufficiently understood in standard IR theories, be they of realist or constructivist provenance. It follows that if European geopolitics revolved around dynasticism well beyond 1648, then we need to reconsider the significance of the 'Westphalian Theme' as a geopolitical turning point and source of reference for the IR community³. This involves an alternative account of the emergence of the modern system of states.

I advance three core theoretical arguments — relating to the constitution, operation and transformation of geopolitical orders — that inform the historical sections of the article. First, I start from the observation that although the medieval (Teschke, 1998), early modern and modern geopolit-

ical systems are all characterized by anarchy, they generated fundamentally different principles of international relations.⁴ Given the causal indeterminacy of anarchy, I argue that variations in the character of international systems, in the political regimes of their constitutive actors and in their requisite forms of conflict and cooperation can be theorized on the basis of varying social property relations. They form the constitutive core of different geopolitical orders. With respect to the age of absolutism, the argument is that absolutist sovereignty, in striking contrast to modern sovereignty, is proprietary in character and personalized by the ruling dynasty. Dynastic sovereignty, in turn, is fundamentally rooted in absolutist pre-capitalist property relations.

Second, the argument is that property relations explain not only variations in political regimes and geopolitical systems, they generate historically bounded and antagonistic strategies of action within and between political actors that govern international relations. The persistence of pre-capitalist property relations in Old Regime states implies that the reproduction of the ruling classes, organized in dynastic-absolutist states, is driven by the logic of political and geopolitical accumulation. Proprietary kingship entails empire-building, political marriages, wars of succession, dynastic ‘international’ law, inter-dynastic compensating equilibrium that eliminated smaller polities, and bandwagoning. These core practices structured early modern modes of aggression and conflict resolution and specific forms of territoriality. Dynastic strategies of political reproduction reveal the fundamental mode of operation of the absolutist geopolitical system.

While differences in international systems can conceptually be clearly established, the historical exposition faces the problem of coming to terms with the temporal coexistence of heterogeneous international actors in a ‘mixed case’ scenario. During the crisis of the 17th century, regionally uneven solutions of intensified domestic class conflicts and of geopolitical struggles over the politically constituted powers of extraction spawned important regime variations among European polities (on the 17th century crisis and its implications for diverging state-formations see Aston, 1965; Parker and Smith, 1978; Brenner, 1993). The result was a heterogeneous geopolitical system composed of diverse political actors.⁵ Yet, in spite of the diversity of coexisting 17th and 18th-century political communities, the character of the early modern international system came to be dominated by the numerical and power-political preponderance of dynastic states. Thus, I advance a theory of geopolitics that is not predicated upon the homogeneity of its constitutive units, but comprehends the Westphalian Order as an open system dominated by dynastic states, in which system-maintenance and system-transformation were actively contested and played out processes.

Third, my property relations approach entails also a theory of systemic change that argues for the centrality of the effects of class conflict on changes in property regimes, forms of political authority and international orders. Routinely, clashing strategies of reproduction are about income distribution within the confines of given property relations. However, in times of general crisis, the very structure of the property regime may be at stake, accounting for a period of violent transformation. Rethinking the transition from pre-modern to modern geopolitical relations in terms of class conflict generates a new set of periodical, developmental and substantive propositions for IR. I argue that the decisive break towards modern international relations is not marked by the Westphalian Peace Treaties, but comes with the rise of the first modern state — post-revolutionary England.⁶ After the establishment of a capitalist agrarian property regime and the transformation of the old English militarized and land-holding feudal nobility into a capitalist landed class enjoying full and exclusive private property rights in land, the nature of political authority in late 17th-century England came to be redefined in terms of parliamentary sovereignty. The shift from dynastic to parliamentary sovereignty signals the consolidation of modern sovereignty. Thereafter, post-1688 Britain starts to display new foreign policy techniques, while remaining surrounded by territorially accumulating dynastic states.

Although I submit that late 17th-century England constitutes the point of departure for re-theorizing and re-periodizing the development of the modern international system, no single event or date can be unequivocally singled out as marking the decisive system-wide caesura towards inter-state modernity. The expository problem of theorizing geopolitics among coexisting heterogeneous actors in a ‘mixed case’ scenario applies thus also to the Britain-led development of the modern system of states. Thus, reassessing the transition to modern international relations involves a theoretically controlled reinterpretation of the geographically combined and socially uneven generalization of the English state/society complex (see van der Pijl, 1998: 64–97).⁷ This state, *ex hypothesis*, in a series of geopolitically mediated international crises — starting with the French Revolution and ending with World War I — undermined the Continental Old Regimes forcing them through a series of revolutions and reforms (revolutions from above) to adapt their economic and political systems to the superior economic performance and military power of capitalist England. During this protracted period of transition, specifically modern inter-state relations gradually replaced the old Westphalian logic of inter-dynastic relations.

Finally, in the conclusion I draw together the different strands of the argument for IR theory in their implication for the relation between capitalism, the modern state and the modern system of states.

*Theoretical Foundations: Explaining Variations in
International Systems*

I suggest that the nature and dynamics of geopolitical systems are governed by the character of their constitutive units that institutionalize specific social property relations prevailing within them. Variations in property regimes translate into variations in state forms and, by extension, into variations in the geopolitical patterns of conflict and cooperation. The notion of property is, however, conceptually not exhausted by its constructivist reading as a legal right or an intersubjective convention (Ruggie, 1993; Burch, 1998), but should be understood as a conflictual social relation over access to resources involving class-related contestation and coercion.

In this section, I set out the nexus between the personalized logic of early modern sovereignty and pre-capitalist social property relations, and how these property relations define ruling class strategies of action that explain international conduct. This involves an account of the modernity or non-modernity of the absolutist state. One key puzzle that has to be addressed is, how it is that the IR community repeatedly asserts that Westphalia marked the origins of the modern system of states, although its major signatory — France, which next to Sweden, ensured the Treaties as a *Garantiemacht* (guaranteeing power) — was by most accounts a pre-modern state.

*Structure: The Absolutist State, Property Relations and Economic
Non-Development*

What was the elementary structure of social property relations in 17th-century continental Western Europe?⁸ In the period between the crisis of the 14th century and the crisis of the 17th century, the passage from a feudal rent regime, based on politically constituted lord-peasant relations, to an absolutist tax regime, based on the politically constituted relation between free peasants and the state-qua-king, transformed medieval fragmented domination into centralized kingly sovereignty (Brenner, 1985: 258–64, 288–90, 1993: 654 passim; Anderson, 1974: 15–59, 85–112).⁹ The (imperfect) royal monopolization of the means of violence and the rights of appropriation — in the form of the standing army and centralized surplus extraction (taxation) — precipitated the loss of lordly direct extra-economic powers of extraction. However, the centralization of sovereignty did not entail a separation of public and private realms, of politics and economics, since sovereignty was henceforth personalized by the king, regarding the realm as his patrimonial property. Old Regime sovereignty meant proprietary kingship (Rowen, 1961, 1969, 1980; Symcox, 1974: 5; Gerstenberger, 1990: 287–406, 509–22).¹⁰

Politically, the transformation of France from a feudal monarchy into an absolutist monarchy failed to entail the establishment of modern sovereignty as defined by Max Weber (Weber, 1948: 78–83).¹¹ The revisionist literature on absolutism has shown convincingly that office venality, patronage and clientelism blocked the establishment of a modern bureaucracy in Weber's sense, as France was structurally barred from establishing modern political institutions (Beik, 1985; Root, 1987; Mettam, 1988; Hinrichs, 1989; Reinhard, 1996; Henshall, 1992; Hoffman, 1994; Parker, 1996; Asch and Duchhardt, 1996)¹² — taxation remained non-uniform; diverse law codes operated in various regions and for differentiated status groups; no modern system of public finance was set up; the means of violence were not monopolized by the state, but personalized by the king, yet re-alienated to patrimonial officers through the sale of army posts; mercenarism further undermined royal claims to the monopoly of violence; noble exemption from taxation implied the non-establishment of permanent representative assemblies; the court became the centre of patronage, intrigue and faction; mercantilism was precisely the public economic policy of a pre-capitalist state (on the non-capitalist character of merchant capital and mercantilism in general see Marx, 1981: 440–55; Schmoller, 1897; De Vries, 1976; Brenner, 1977; Hinrichs, 1986; Rosenberg, 1994: 91–122). In short, all the institutional trappings of the modern state were absent in early modern France.

Economically, the loss of lordly feudal powers entailed the end of serfdom, which went hand in hand with *de facto* peasant possession of their plots as guaranteed by kingly courts over and against recalcitrant lords. Since direct producers remained overwhelmingly in possession of their means of subsistence, they were under no internal economic obligation to react to market pressures for their personal survival, but continued to direct production primarily to subsistence purposes, while only marketing random surpluses to pay taxes (Parker, 1996: 63–4, 212–13). Precisely because the peasantry was not yet separated from its means of subsistence, appropriation of surplus was still a phenomenon that occurred in the sphere of redistribution by 'extra-economic compulsion' (Marx, 1981: 926) — though now increasingly in the form of centralized surplus extraction through kingly taxation — and not in the sphere of production itself. The corollary was that the competitive capitalist logic of cost-cutting by means of investment in the means of production, technological innovations, the rationalization of land-use and the specialization of produce, so as to raise productivity and out-prize competitors in open markets, could not gain hold in the countryside (Parker, 1996: 28–74).

In England, in contrast, economic profits incurred by capitalist tenant-farmers and economic rents received by big landlords replaced politically

extracted lordly rents (Brenner, 1985). While in the English countryside, capitalist social property relations had set off the Agricultural Revolution by the late 16th century, France (and most other West European continental states) continued to be a country of small peasant proprietors based on pre-capitalist patterns of land-tenure, involving sub-division of plots, non-specialization and the persistence of Malthusian eco-demographic cycles. This economic structure imposed definitive limits to economic growth (Goubert, 1986: 23–34; Parker, 1996: 28–74).¹³ Henceforth, the long-term economic and political trajectories of England/Britain and France and the rest of the Continent were to diverge substantially (Brenner, 1985: 284–327, 1986, 1993; Beik, 1985: 3–33; Parker, 1996: 207–61).

Agency: Political and Geopolitical Strategies of Accumulation

How does this property structure translate into international strategies of action? Under non-capitalist agrarian property relations, the strategies for expanded economic reproduction of the ruling classes, organized in the patrimonial state, remained tied to the logic of ‘political accumulation’ predicated upon investment in the means of appropriation (Brenner, 1986). These strategies can be analytically divided into (1) internal arbitrary and punitive taxation of the peasantry by the king, mediated by (2) the sale of offices to a landless *noblesse de robe* in competition with a de-feudalized *noblesse d’épée*. Externally, these strategies were matched by (3) geopolitical accumulation through war and dynastic marriage policies, and (4) politically maintained and enforced unequal exchange through mercantilist monopoly mechanisms by royal sales of trading charters to privileged merchants. Strategies (3) and (4) constitute the necessary external practices of the internal strategies (1) and (2). Consequently, the two main contemporary war issues were struggles over dynastic territorial proprietary claims and over commercial monopolies and exclusive trading routes (empirically catalogued in Holsti, 1991: 48–50, 85–9).

The pursuit of (geo-)political strategies of accumulation was dictated by the dependency of political society upon the economic well-being of the king, who was thus driven to maintain and reproduce himself at the top of the ruling classes. To the degree that monarchs ceaselessly struggled to maintain and enhance their power bases at home at the risk of domestic dissatisfaction and revolt in the context of no sustained economic growth, they were driven to pursue aggressive foreign policies. This allowed them to subsequently satisfy the territorial aspirations of their family members, to repay debts, to fulfil the desire for social upward mobility of the ‘sitting’ army of patrimonial officials and the ‘standing’ army of patrimonial officers, and to share the spoils of war with their exuberantly growing networks of

clients and courtly favourites (Malettke, 1991). These elites, in turn, pegged their fortunes to a royal warlord, who heeded the absolutist historical compromise of aristocratic non-taxation, was able to repay accumulated debts, and offered prospects and opportunities of social promotion and geopolitical gain. In other words, geopolitical accumulation was a necessity for the expanded personal reproduction of the ruling elites at the top of society, revolving around the monarch at the apex of the social hierarchy. The Fronde (1648–53) illustrates what happened if absolutist rulers failed to succeed.

The logic of political accumulation translated into a series of state-constitutive, state-selecting and state-consolidating wars, that explain the frequency and intensity of armed combat during the age of absolutism.¹⁴ Between the end of the 15th century and the Napoleonic Wars, few years passed without war in Europe (Krippendorff, 1985: 277; Burkhardt, 1992: 9–15). While Quincy Wright's statistics are methodologically not unproblematic, he suggests that there were 48 important battles in 1480–1550, 48 in 1550–1600, 116 in 1600–50, 119 in 1650–1700, 276 in 1700–50 and 509 in 1750–1800, before we see a significant reduction in the 19th century (Wright, 1965: 641–4). These wars were often preceded and followed by domestic conflicts and civil wars. Although the feudal age, which lasted roughly until the rise of the 'New Monarchies' in the 15th century, was equally a culture of war based on political accumulation (Teschke, 1998), the absolutist age drastically intensified the frequency, intensity, duration and magnitude of military conflict. Furthermore, the medieval feuds and campaigns of lords, knights and vassalic hosts were dwarfed by the martial activities of vastly better organized permanent war states, raising the size of the armies, the associated growing costs of warfare and the rates of surplus extraction through taxation (for figures on public revenues and expenditures in various European regions and the percentages dedicated to war see Bonney, 1995, 1999).

The success of all four strategies of income provision was dependent upon the balance of class forces between producing and non-producing classes, that determined the tax rate and therewith the level of war revenues, and external geopolitical rivalry. All strategies tended to prioritize investment in the means of violence — the build-up of standing armies, navies and militarized merchant fleets, and a police system controlling effective taxation — rather than in the means of production. It was these pressures of political accumulation, rather than systemic geopolitical competition that explain the peacelessness of early modern international relations. It was these intra-ruling class conflicts, not some autonomous military techno-determinism, which drove those military-technological innovations associated with the 'Military Revolution'. Finally, it was these class conflicts, not the Hintzean

logic of international rivalry, systematized by Charles Tilly's 'states make war and war makes states' model (Hintze, 1975a, 1975b; Tilly, 1985) that explain absolutist state-formation. Yet, they do not explain the rise of capitalism or the modern state. The diversion of large funds of the national economic surplus into the non-productive apparatus of violence and courtly conspicuous consumption reproduced the politically punitive and economically involutory logic of the absolutist war-tax-state (Bonney, 1981).

Given existing social property relations and a non-self-sustaining national income, reducing the options for expanded personal reproduction to strategies of political accumulation, absolutism was not only domestically rapacious, it also produced a structurally aggressive, predatory and expansive foreign policy. Consequently, the arrival of the permanent war state and the intensification and increased frequency of war during the age of absolutism cannot be reduced to the mere geopolitical contiguity of power-maximizing unitary states or the conventionality of intersubjective norms, but is bound up with the domestic structure of pre-capitalist polities.

Implications for IR: 'L'État, c'est moi!' and Inter-dynasticism

In Old Regime states, sovereignty was personalized by the monarch who regarded and treated the state as the private patrimonial property of the reigning dynasty. Seventeenth-century kingship was no longer a 'contractual' affair, mediated by vassalage, between the mightiest lords in the country, but an institution that had appropriated the powers of command in a sovereign fashion (Beik, 1985: 13). Proprietary kingship meant that public policy and, a fortiori, foreign policy were not conducted in the name of *raison d'État* or the national interest, but in the name of dynastic interests. It was precisely in diplomatic and foreign affairs where monarchs were most eager to impose their 'personal rules' in order to negotiate their private titles to sovereignty with fellow monarchs.

Reason of state thus closely linked the state with its monarch and dynasty, but not with its people or nationality; that link was only beginning to emerge in some countries. Louis XIV's idea of the state as dynastic patrimony (*L'État, c'est moi*) still prevailed in much of Europe, and if the Enlightenment notion of the monarch as the first servant of the state was beginning to make headway, the distinction made little difference in practice, especially in foreign policy. (Schroeder, 1994a: 8; cf. also Symcox, 1974: 3)

Although the nexus between personal property and public sovereignty — and more generally the dynastic principle — is often and increasingly acknowledged in the historiographical literature on state-building and early modern international relations (Rowen, 1961, 1969, 1980; Symcox, 1974: 2–5; Kunisch, 1979, 1987; H. Weber, 1981; McKay and Scott, 1983: 16;

Brenner, 1985, 1993: 653 passim; Kaiser, 1990: 140; Bonney, 1991: 345; Oresko et al., 1997: 1–42), it has received far less attention in the IR literature (theoretically controlled exceptions are Rosenberg, 1994: 135–9; Hall, 1999).¹⁵ Moreover, its full implications for the non-modern structure of the early modern system of states and its dominant forms of interaction have not yet been drawn out.

To conclude, by demonstrating the proprietary foundations of dynasticism and by showing how proprietary kingship translated into the thoroughly personalized and therewith pre-modern character of early modern geopolitical relations, I argue the case for a fundamental re-theorization of the positive content of the Westphalian Order. By implication, the exposition of the *sui generis* nature of the early modern geopolitical system calls for a re-periodization of the emergence of the modern system of states. For instead of following the general fallacy of unearthing the earliest stirrings of the first modern state ascendant in ever more distant pasts — usually in relation to France or with reference to the ‘proto-modern’ merchant republics of Renaissance Italy or 17th-century Holland (Wight, 1977: 152; Arrighi, 1994: 36–47; Spruyt, 1994: 77–108) — and of antedating the origins of the modern system of states correspondingly, this article seeks to show how long European international politics was governed by practices and principles which remained thoroughly embedded in pre-capitalist social relations. In spite of the ‘surface modernity’ of early modern international relations, their substance, instead of constituting a breakthrough to modernity, betrays a greater continuity with the Middle Ages.

Westphalian Geopolitical Relations: Foreign Policy as Dynastic Family Business

The nexus between centralized public power and patrimonial property meant that the social relations of international intercourse were largely identical with the ‘private’ family affairs of reigning monarchs. The implication was that all the rather biologically determined play of chances of dynastic genealogy and family reproduction — like problems of succession, marriage, inheritance, childlessness — did not simply ‘contaminate’ an allegedly pure political working of the balance of power or undermine the rationality of intersubjective conventions, but rather determined the very nature of early modern geopolitics. Since public political power was still personalized, European politics cannot be deemed to be the affairs of states, but was the affairs of its ruling families. ‘Proprietary dynasticism was displayed at its strongest in ordinary times in the conduct of foreign affairs, with the concern for family interests all too obvious’ (Rowen, 1980: 34–5).¹⁶ But since all dynastic ruling classes engaged in predatory foreign

policies, hoping that war would pay for itself, non-monarchical states, at pain of extinction, were forced to comply with the competitive patterns of inter-dynastic European relations. The bounded rationality of individual actors came to define the irrationality of the system, being in its essence a zero-sum game over territorial rights.

*Monarchia Universalis and the Persistence of Dynastic Empire-Building:
Parity or Ranking?*

Given the political economy of territoriality as a natural monopoly under pre-capitalist agrarian property relations, prevailing conceptions of geopolitical order revolved in monarchical states — well beyond 1648 — around notions of universalism and hierarchy (Bosbach, 1988; Burkhardt, 1992: 30–63, 1997; Rosenberg, 1994: 91–122). The specific concept that came to capture the self-understanding of contemporary rulers was *monarchia universalis*, which, according to Franz Bosbach, dominated the discourse — although with important shifts over time — between the 15th and the end of the 18th century (Hinsley, 1963: 167 ff.; Bosbach, 1988: 12). Etymologically, monarchy meant rule by one, so that the fragmentation of the *res publica christiana* into a plurality of monarchies was conceived as a contradiction in terms. If the discourse of power-balancing started to challenge the idea of universal monarchy from the late 17th century onwards, and if both principles of geopolitical order stood in stark tension throughout the period, it is the longevity of universalizing ideas which has to be explained (Münkler, 1987: 248–59). At the same time, as I will show later, inter-dynastic relations and their universalizing interests did not bring about automatic power-balancing, but generated a distinct dynastic practice of equilibrium through elimination.¹⁷

Lingering imperial foreign policy practices and discourses vitiate any conventional argument that Westphalian political actors treated each other on a par, or recognized the fixity and legitimacy of the given territorial distribution. (On France's claim to the *arbitre de l'Europe* and Austria's claim to the *caput mundi* cf. McKay and Scott, 1983: 36; Kaiser, 1990: 148; Burkhardt, 1992: 33. On Sweden's claim to the *dominium maris baltici* cf. Kaiser, 1990: 105; Lundkvist, 1988: 223. On the implications of Peter the Great's adoption of the Latin title *imperator* in 1721 cf. de Madariaga, 1997. On ranking cf. also Hinsley, 1963: 153–5.) The contraction of a plurality of feudal pyramidal polities into coexisting sovereign monarchies does not *eo ipso* imply that the formal parity of conflict-units was generally accepted after the Westphalian Settlement. Quite the obverse held true. 'The ranking of individual monarchs and the relative standing of their states were crucial dimensions of early modern international relations' (Oresko et al.,

1997: 37).¹⁸ Clashes over precedence in diplomatic negotiations were symptomatic of the persistence of hierarchical conceptions of inter-state organization. Yet, this is not the IR concept of hierarchy implying complete subordination, but a dynastic convention that endorsed the formal non-equality of the members of the inter-dynastic society. If many polities were honoured as sovereign, some were less equal than others. But such inequality was not the effect of de facto disparities of power capabilities — leading to the non-judicial distinctions of great, middle and small powers — but a generally recognized international norm, flowing from princely status.

A scale of ranks placed sovereigns on a descending ladder. The Holy Roman Emperor was given pride of first place, followed by the ‘Most Christian King’, the king of France (Bosbach, 1988: 118; Kaiser, 1990: 148). Hereditary monarchs were, as a rule, placed above elective ones and republics ranked lower than monarchies, followed by non-royal aristocrats and free cities. The standing of England was seriously weakened as a result of the various Commonwealth governments, and serious conflict over precedence occurred wherever there was a mismatch between de facto importance and title of state as in the Dutch and Venetian cases (M.S. Anderson, 1993: 59–60; Duchhardt, 1997: 31–2). Peter the Great’s adoption of the imperial title in 1721 aroused not only considerable resentment in Vienna, which would not tolerate a second imperial title in Europe, but also in Britain, which recognized the title only in 1742, and in France, which followed suit as late as 1772 (M.S. Anderson, 1993: 66–7; de Madariaga, 1997). Towards the end of the 17th century, many German actors sought to gain a royal title on realizing that ducal status or *Kurfürsten* (Elector) status tended to exclude them from international politics. While the Hohenzollern, the Wettins, the Wittelsbach and the Welfes succeeded, the remainder had to resign themselves to their demoted status. Anxiety over reputation and dignity should not be dismissed as ceremonial quibbles, but understood as an outgrowth of competition over status and rank within a dynastic international society in which hierarchical conceptions loomed large. Acceptance of a demoted place at diplomatic meetings was tantamount with acceptance of inferiority that could have material implications for questions of precedence in inheritance struggles. It should thus not surprise that dynastic discourses were couched in the semantics of reputation, honour and dignity. ‘In an age where rulers looked on their states as their personal family property, it was inevitable that they should stress their personal honour, reputation and prestige. This also explains why most international disputes tended to be over dynastic claims’ (McKay and Scott, 1983: 16).

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

Two conflicting practices dominated early modern patterns of cooperation and conflict. On the one hand, proprietary kingship induced systematic policies of dynastic inter-marriage as a political instrument for the aggrandisement of territory as well as for securing and enhancing wealth.

For the ultimate instance of legitimacy was the *dynasty*, not the territory. The State was conceived as the patrimony of the monarch, and therefore the title-deeds to it could be gained by a union of persons: *felix Austria*. The supreme device of diplomacy was therefore marriage — peaceful mirror of war, which so often provoked it. (Anderson, 1974: 39)¹⁹

Inter-dynastic marriages not only characterized contemporary 'international' relations, they constituted the single most cost-effective and rapid strategy of expanded personal reproduction of absolutist rulers. Consequently, this was a geopolitical order in which 'states' could marry 'states'. As late as 1795, Immanuel Kant found himself pressed to demand in his Philosophical Sketch *'Zum Ewigen Frieden'* that 'no independent nation [*Staat*], be it large or small, may be acquired by another nation by inheritance, exchange, purchase, or gift' (Kant, 1983: 108). Here, Kant indicted the most quotidian practices of Old Regime territorial acquisition. He expanded that 'everyone is aware of the danger that this purported right of acquisition by the marriage of nations [*Staaten*] to one another — a custom unknown in other parts of the world — has brought to Europe, even in the most recent times. It is a new form of industry, in which influence is increased without expending energy, and territorial possessions are extended merely by establishing family alliances' (Kant, 1983: 108).

The proverbial adage *'Tu, felix Austria, nube!'* was not only the political maxim of the *casa d'Austria*. The marital accumulation of royal and noble titles led to personal unions that 'bundled' socially most heteroclitite and diverse territories into one political space. European politics was not first and foremost the affair of states, but the affair of its ruling Houses — the Habsburgs, the Bourbons, the Stuarts, the Hohenzollern, the Romanovs, the Wasas, the Orange-Nassaus, the Wittelsbach, the Wettins, the Farnese, etc. (H. Weber, 1981). Yet, political marriages were not confined to the ruling dynasties but were equally pursued at the higher levels of the aristocracy, leading to a welter of criss-crossing and transnational inter-noble alliances (Parrott, 1997). Finally, leading ministers engaged systematically in diplomatic marriages aiming to balance personal family interests with those of the kingly state (cf. Bergin, 1985 on Richelieu, and Oresko, 1995 on Mazarin).

On the other hand and inversely, the resulting European-wide web of transregional dynastic family relations and alliances simultaneously contained

the seeds of disorder, partition and de-stabilization. 'Private' inter-family and intra-family disputes, physical accidents and pathological calamities were immediately translated into 'public' international conflicts (Kunisch, 1979). 'Since the ruler alone guaranteed under absolutism the dynastic bracket of his territory, his death led automatically to a systemic crisis' (Czempiel, 1980: 448 [my translation, B.T.]).²⁰ But systemic crisis was not only confined to the ruler's death. A whole range of dynastic family matters — structurally produced accidents — recurrently shook the inter-state system to its bones. The end of a dynasty and the accession of a new family to the throne entailed almost automatically a general realignment of alliance patterns. Minorities led to foreign claims to the throne and the take-over of foreign policy by strong ministers. Regencies presented dangerous power vacua eagerly seized upon by powerful courtiers as well as queen mothers that, provided they were of non-domestic origin, staffed offices and positions with favourites from their home countries. In cases of divorce, rival claims to the throne and territories abounded. Multiple marriages with multiple heirs threw up problems of precedence. Bastards came to claim rights of domination. In cases of childless marriages, no male heir in direct line, or of insanity and physical weakness through generations of inbreeding, domestic as well as inter-dynastic disputes arose over the legitimacy of claims to succession of the next male heir in line.

Claims to genealogical-hereditary precedence were usually resolved by war. Next to mercantilist trade wars, wars of succession and, more broadly, wars over hereditary pretensions, became the dominant forms of international conflict (listed in Holsti, 1991: 48–50; see also Kratochwil, 1995: 31). But since dynastic family disputes, mediated by the web of inter-dynastic family relations, affected almost automatically all European states, any succession crisis could turn easily into a multilateral European-wide conflagration. The War of the Polish Succession (1733–38) in the wake of the Saxon-Polish king's death was largely fought over non-Polish issues, driven by France eager to recover its pre-Utrecht international territorial possessions. Sonless Emperor Charles IV's death occasioned the War of the Austrian Succession (1740–48) in spite of the Pragmatic Sanction. The death of heirless Bavarian Elector Max Joseph in 1777 produced the War of the Bavarian Succession (1778–79), with Prussia and Austria fighting over the kingless territory. In 1700, the death of childless Spanish king Charles II and the acceptance by Louis XIV of the Spanish Empire for his grandson Philip of Anjou triggered the War of the Spanish Succession (1702–13/14), which involved all major western and middle European powers. From a contemporary perspective, it must seem a world-historical irony that the pathological history of a child, Charles II of Spain, and his eventual recovery and survival postponed the division of the world for another 30 years. Yet,

these ‘follies’ were inscribed into the proprietary nature of the European dynastic system of states. As long as proprietary kingship constituted the dominant political regime in Europe, international relations were to a decisive degree structured by inter-dynastic family relations.

Dynastic Rules of Succession as Public International Law

Given the vagaries of dynastic family relations, the fixation of rules of succession and inheritance became thus by necessity a matter of international concern; their internationally recognized codification a form of preventive action. Contra constructivism, however, an exhaustive understanding of these constitutive rules requires a prior recognition of the pre-conventional social conditions of dynastic sovereignty. In this context, ‘private’ family law became part and parcel not only of constitutional, but also of international ‘public’ law — indeed, a matter of extreme urgency and priority for European rulers. Constitutional lawyers studied dynastic genealogies with greater intensity than positive principles of constitutional and international law — indeed, the latter could be read as a catalogue of the former.²¹ Consequently, the ever-present concern among the ruling houses over regulating questions of succession presented a conscious strategy of imposing order over structurally produced property conflicts. Inheritance law, as Kunisch argued (Kunisch, 1979, 1982; see also Czempiel, 1980: 447; Grewe, 1984: 48–339), became the linchpin of absolutist reason of state and, by extension, of the absolutist system of states.

Order in these delicate matters, however, meant to wrest testamentary control over the realm from each single monarch and to invest it into codified dynastic succession laws that thereby entered into the body of ‘*loix fondamentaux*’. In Denmark, as Kunisch shows, after the state-threatening Nordic Wars (1655–60), the newly promulgated *Lex Regia* of 1665 laid down the principle of male primogeniture and the associated fundamental law of the indivisibility of territorial possessions. Dynastic continuity, not the contingent will of each ruler, should guarantee territorial integrity as well as political stability. In this perspective, sovereignty lay with the dynasty, not with each individual monarch. What we see therefore is an attempt to bring the whims of private family law in line with more enduring principles of *raison d’État* — *lex fundamentalis et immutabilis*. This was the intention. The reality contravened these rationalizing efforts decisively, precisely because the proprietary character of kingship was not overcome and precisely because no institution was powerful enough to penalize contraventions once the estates had conceded absolute sovereignty to the king. The constitutional semantics of stability, defining sovereignty as inalienable,

unlimited, irrevocable, indivisible and imprescriptible, ran time and again against inherently fickle dynastic proprietary practice.

The Case of the 'Austrian Pragmatic Sanction'. Let us exemplify the failure of dynastic succession rules with reference to the famous Austrian Pragmatic Sanction of 1713 (Kunisch, 1979: 41–74; McKay and Scott, 1983: 118–77; Duchhardt, 1997: 79). The Habsburg monarchy, unlike France, constituted a monarchical union that united three different territorial complexes, with three different dynastic succession laws under its umbrella. After the experience of the Spanish War of Succession, the partition of the Spanish Empire and Charles IV's lack of a male heir, the Pragmatic Sanction unified and codified new female succession rules. Female succession should safeguard the integrity of the huge territorial gains under Charles IV's reign. Acceptance of the Pragmatic Sanction was not only sought of the Austrian estates and the German Imperial Diet (*Reichstag*), but also of the European great dynasties so as to receive diplomatic guarantees of the property of the House of Habsburg. International recognition was achieved by a series of bilateral treaties that incorporated the Pragmatic Sanction effectively into the body of the *Ius Publicum Europaeum*. Diplomatic confirmation of dynastic succession rules should guarantee the territorial integrity of the state. In line with the proprietary character of public power, these bilateral treaties involved Austrian compensations for foreign acceptance — a sequence of 'swaps' of territories, rights of domination and declarations of guarantee.

Prussia recognized the Pragmatic Sanction in 1728 in return for Austrian acceptance of Prussian succession rules and its support for Prussia's claims in the disputed territories of Jülich-Berg against the pretensions of the Bavarian House of Wittelsbach. Denmark-Norway (1732), Spain (1731) and Russia (1732) followed suit in return for Austrian acquiescence into their respective internal succession regulations. In 1731/32, the Maritime Powers Britain and the Dutch General Estates also agreed to guarantee the inviolability of the Pragmatic Sanction in the Second Treaty of Vienna on condition that (1) the Austrian Emperor's daughter, Maria Theresa, should not marry a Bourbon prince, that (2) no Austrian subject should trade with east Asia, and that (3) the Austrian Ostende Company should be dissolved. In 1732, the German Imperial Diet turned the recognition of Austrian succession laws — against the votes of Bavaria and Saxony — into a state law. France, predictably, battled more persistently against the Pragmatic Sanction until recognition was given in 1738 in exchange for the formerly Austrian kingdom of Naples and Sicily, which went to Spain.

However, on the death of Charles VI in 1740, the delicate diplomatic and territorial architecture largely masterminded by Walpole, imploded in the wake of the ensuing succession crisis between the two lines of the House of

Habsburg. The resulting power vacuum was seized by Frederick II of Prussia who, describing the situation as a '*conjoncture favorable*', invaded Austrian Silesia in the winter of 1740/41 with no dynastic claim to the Austrian monarchy whatsoever, but dismayed at Charles VI's decision to exclude Prussia from the Jülich-Berg succession. Spain demanded Tuscany and Parma. Bavaria renewed its claim to the imperial title and made attempts to seize Bohemia, while France tried to lay its hand on the Austrian Low Countries. In fact, the entire Austrian lands were virtually regarded as an estate by European dynasts for whose appropriation far-fetched legal titles were mobilized. The break-up of Austria was imminent. In the absence of an international court of family law, the inheritance conflict turned into a European-wide military conflict. In spite of its misleading nomenclature, the War of the Austrian Succession was largely a Franco-British war over European hegemony. Yet, while France pursued its traditional territorial imperialism, Britain pursued no direct continental territorial goals, but heavily subsidized the anti-French coalition (McKay and Scott, 1983: 172). It took eight years to put down the disputes in the Peace of Aachen (1748) that codified the territorial *revirement*, while Maria Theresa survived battered, but not beaten.

In sum, the ensemble of respective succession rules formed the 'hidden' European 'public' international law. Neither did the fact that succession rules and schemes of partition were often secretly agreed upon as part of the *arcana imperii* help to stabilize European politics. Conflicts of inheritance did not always provide the immediate *casus belli*, but they created the discourse of legitimacy in which many war declarations and peace settlements were grounded. While the language used to legitimize interventions and conquests was framed in terms of legality, military conflict constituted the ultimate accepted regulator of the absolutist system of 'states' (Bonney, 1991: 345). Since territory was first and foremost a source of income, 'political Europe was like an estate map, and war was a socially acceptable form of property acquisition' (Hale cited in Bonney, 1991: 345). Dynastic succession crises, based on proprietary kingship that translated into crises of the European system of states, continued to be the norm until states were to be depersonalized, that is, until a new property regime deprivatized political power.²²

Dynastic Territoriality: Circulating Territories, Circulating Princes

According to the standard account in IR theory, the modern system of territorial states rests on a configuration of territoriality structured by

mutually exclusive, geographically fixed, linearly demarcated and functionally similar political spaces (Gilpin, 1981: 121–2; Giddens, 1985: 89–91; Ruggie 1993, 1998: 875–6; Spruyt, 1994: 153–5). The construction of modern territoriality results from the confluence of private property rights, the separation of public and private realms and the king's monopolization of the legitimate use of force, generating simultaneously the spatial demarcations of internal and external realms legitimized by reciprocal international recognitions. In this perspective, the genesis of the modern system of territorial states is located in the period between the Renaissance and the Baroque age (Kratochwil, 1986: 51; Ruggie, 1993).

I suggest that proprietary kingship imposed a rather different territorial logic upon the spatial configuration of early modern geopolitics. First, territoriality remained a function of private dynastic practices of territorial accumulation and circulation, frustrating a generic identity or fixity between state and territory. Second, given the imperfect nature of absolutist sovereignty and the survival of feudal and patrimonial practices, territoriality remained non-exclusive and administratively non-uniform. Third, the diversity of early modern sovereign actors — hereditary and elective monarchies, merchant republics, confederations, aristocratic republics, constitutional monarchy, cities, states of estates — precludes any functional similarity, not to speak of equality, of contemporary actors. Consequently, fourth, the chronology of the formation of the modern system of states, based on exclusive territoriality operated by a depersonalized state, falls into the 19th century.

The dynastic structure of inter-state relations had direct implications for the changing geographies of contemporary territoriality. The politics of inter-dynastic family relations led to supra-regional territorial constructions — especially dynastic unions — which defined the logic of territorial (dis-)order and defied the logic of territorial contiguity and stability. Marital policies and inheritance practices, mediated by violent conflict, led to frequent territorial redistributions among European princes. Territorial unity meant nothing but the unity of the ruling House, personified in its dynastic head. Territorial continuity was identical with the smooth transmission of the sovereign title from dynastic head to dynastic head. Any dynastic vacancy threatened directly the territorial integrity of the monarchy and opened it up to foreign claims. Territory was not constitutive of sovereignty, but a proprietary adjunct of the dynasty. It was thus handled like an economic asset in international relations, being the disposable mass for inheritances, compensations, exchanges, securities, cessions, donations, partitions, indemnities, satisfactions, sales and purchases (von Arentin, 1981; Grewe, 1984: 462–3; Klingenstein, 1997: 442). Dynastic interests, not national interests

or reason of state, defined the logic of early modern territoriality (Mattingly, 1988: 108–9, 117–18; Schroeder, 1994a: 8).

But the unity of the House was not coterminous with the geographical contiguity of its lands. Although these territories were nominally ‘bounded’ as they belonged to but one sovereign, they constituted geographical conglomerates, governed by diverse law codes and tax-regimes, criss-crossing the dynastic map of Europe. Early modern Europe was a states system of ‘composite monarchies’ (Elliott, 1992). At the same time, the ever-changing territorial size of early modern ‘states’ intensified the problem of internal administrative cohesion. Austria, Spain, Sweden, Russia or Prussia exemplified quite graphically the scattered and disjointed mosaic character of early modern territoriality, combining multiethnic provinces with different law traditions, which had little in common except their rulers. For example, in 1792, it was calculated that

the territories over which the House of Austria ruled included seven kingdoms, one archduchy, twelve duchies, one grand duchy, two margravates, seventeen counties (*Grafschaften*) and four lordships. The order in which these were listed was significant, since the geographer and statistician adhered to the strict ranking dictated by the feudal hierarchy. (Klingenstein, 1997: 449)

These territories did not form a geographical continuum and were governed according to the tenets of *aeque principaliter* — each region keeping its customary legal system (Elliott, 1992: 52, 61). The geographical consolidation of compact territories and the administrative unification of these lands were time and again betrayed by the vagaries of dynastic family relations as driven home by war. Consequently, early modern territoriality was not primarily a state-centralizing, national, ethnic, denominational, geostrategic, topographical, cultural or linguistic construction, but the protean outcome of dynastic nuptial policies of war-supported territorial redistribution.

Dynasticism implied no organic identity between a state and the geographical extent of state territory. A state did not possess its own territorial identity independently of dynastic property titles; inversely, the constitution of state-territory followed the actions of the monarch. A dynastic state’s territory was the ensemble of accumulated rights to specific domains, bundled together through proprietary kingship (Sahlins, 1990: 1427). This generic non-identity replicated the mobile logic of feudal lords who were easily able to take up rights of lordship in most diverse places, transferring their family seats from one end of Europe to another. Although the frequency of dynastic changes receded due to a growing juridical and institutional embeddedness of dynasts into ‘their’ states, sovereignty was still not pegged to an abstract state apparatus, but travelled with the Crown. The Habsburg stemlands lay in northwestern Switzerland, yet the dynasty rose to

power in Vienna and Madrid. The Hohenzollern stemlands lay in Württemberg, yet the accumulation of dynastic territories occurred around Königsberg and Berlin after acceding to the Prussian throne. While the Bourbons came from Navarre, they built up their court at Versailles and after the Utrecht Treaty, a branch of the Bourbon family came to take its seat in Madrid to rule the remainder of the Spanish Empire. When the Scottish Stuarts were sent into exile, the Dutch Oranians took over in London, while the Hanoverian kings had their stemlands in northern Germany. The House of Savoy came from Chambéry, but 'found' a throne and established its court in Turin. In principle, dynasties had little problems in 'finding' new thrones. Successions, marriages, elections or conquests were the conventional means of gaining a new kingdom. Territories changed frequently and legitimately their masters.

The personalized and imperfect nature of dynastic sovereignty as well as the additive logic of territorial acquisitions implied administrative non-uniformity. Even in the model country of allegedly successful political centralization, France, different law codes, tax regimes and privileges, eagerly defended by independent domestic centres of power, rendered administrative fragmentation unavoidable (Oresko et al., 1997: 8–9). Especially the distinction between *pays d'État* and *pays d'élection* barred any progress towards uniformity. Furthermore, bounded enclaves like cities, ports, abbeys, bishoprics, fortresses, lordships and other territories reproduced the logic of geographical non-contiguity and administrative non-uniformity. In France, the *princes étrangers*, members of foreign dynasties at the Bourbon court, enjoyed sovereign status and entered into feudal contractual relations with the king, while having landed possessions, offices and direct inheritance claims in France and elsewhere in Europe (Parrott, 1997).²³

At the same time, it is misleading to portray the history of dynastic state-formation as territorial accumulation purely in terms of a remorselessly linear and teleological approach. Not only did setbacks and reverses occur, the logic of dynastic territoriality qua political accumulation witnessed both a building-up as well as a building-down tendency. The succession provisos of indivisibility and inalienability were paper tigers. In the merry-go-round of territorial exchanges, accumulation and disintegration, marriage and succession disputes, war and peace, were two sides of the same coin.

Any attempt to define the modernity of international relations merely in terms of 17th-century bounded territoriality must therefore be revised. Territoriality remained non-exclusive, administratively non-integrated and geographically non-permanent and fluid, being the proprietary mass of composite states. Post-feudal bounded territoriality is not identical with

modern territoriality, since it remained first and foremost a function of dynastic strategies of geopolitical accumulation.

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

Were there any systemic limits to the impetus behind absolutist geopolitical expansion? Can we identify any generally acknowledged and pursued principles of geopolitical order in the early modern period? These questions may be answered by setting them within the context of the two great rivaling contemporary conceptions of geopolitical order, empire and the balance of power.

Dynastic Equilibrium qua Territorial Compensations

I argued that dynastic actors, in spite of the existence of a collectivity of independent polities, clung to universal schemes of geopolitical order. These legitimized their aggressive foreign policies driven by political accumulation. Yet, the terminology of power-balancing emerged for the first time, after the Italian prelude, as a distinct discourse in the 17th century and became a recognized norm, enshrined in the Peace of Utrecht, during the 18th century (Butterfield, 1966; Fenske, 1975). Does this negate the thesis of Europe's multiple universalisms? Much depends here on the time-bound meanings of the balance of power and a historical contextualization of the identity of its respective protagonists. In contrast, key realist contributions (Butterfield, 1966; Wight, 1966, 1978: 168–90; Bull, 1977: 101–26; Morgenthau and Thompson, 1985: 187–240. On the multiple meanings of the balance of power see Claude, 1962: 25–39), in spite of many historical examples adduced, are thoroughly ahistorical in character, since the authors first establish an ideal type of the balance of power as a 'universal concept' and then proceed to subsume most diverse historical cases under it, forcing them to modify, subdivide and dilute the ideal-type in an ad hoc fashion. In addition, the ahistorical and socially disembodied character of realist theories of the balance of power presupposes what has to be explained. For example, Morgenthau's assumption that actors seek 'territorial aggrandisement' turns into a transhistorical and, thus, naturalized law, preventing him from theorizing the fundamental difference between dynastic equilibrium and modern power-balancing (Morgenthau and Thompson, 1985: 222). Constructivist accounts of early modern equilibrium, while infirming neorealism, fail to spell out the social sources of dynastic interests that drive its construction as a time-bound convention, while also underestimating its aggressive consequences (Kratochwil, 1982: 12–20).

Two opposed, yet temporarily simultaneous, practices of the balance of power — respectively operated by the continental dynastic powers and the British parliamentary-constitutional monarchy — can be discerned — eliminatory equilibrium vs active balancing.²⁴ Although both conceptions operated on the basis of incommensurable premises, in international political practice, they were fused as the British conception manipulated and governed the continental one.

On the side of absolutist powers, power-balancing during the 18th century did not rest on the idea that each political actor enjoyed a priori its own internationally recognized legitimacy and independence based on natural law, which was to be preserved by an alliance against any aggressor, nor was it the automatic, law-like and depersonalized function of anarchy, which mechanically stabilized a given and re-equilibrated an altered distribution of power and territory (Waltz, 1979; Morgenthau and Thompson, 1985: 189). Rather, it was an inter-dynastic technique of territorial expansion through proportional aggrandisement that routinely eliminated weaker states.

Individually, each dynastic actor sought to maximize wealth and territories. Since none of the leading absolutist-dynastic powers consciously wanted a balance in Europe — the goal being universal monarchy — dynastic equilibrium, while its realization remained a chimera, resulted from antagonistic interests. Equilibrium, however, implied practices that are incommensurable with the conventional understanding of the balance of power. Systemically, since no single actor was strong enough to impose its universal schemes on Europe, aggression provoked responses that went far beyond simple balancing and the re-establishment of the *status quo ante*. The objective of early modern coalition building was, as Mattingly suggests, not balancing, but outweighing (Mattingly, 1988: 141, 150). Outweighing implied the chance of completely destroying the aggressor, followed by its territorial dismemberment among the allying members. If these practices appeared in the guise of ruthless power politics, they were usually rationalized by dint of far-fetched legal claims to lands that were to be ingeniously constructed or invented with the help of the European-wide network of often-recondite dynastic genealogical connections.

Schemes of partition and the complete break-up of even the mightiest polities were common currency (McKay and Scott, 1983: 22 *passim*; Holsti, 1991: 94). In 1668, France and Austria signed a secret partition treaty over the Spanish Empire. After the War of the Spanish Succession, the Utrecht Settlement effectively dismembered the Spanish monarchy. During the War of the Austrian Succession, the very existence of the Habsburg State was at stake. In the First Treaty of Vienna (1725), Austria and Spain agreed to partition France if there was war. During the Seven Years' War, Russia

considered the complete division of Prussia. The three Polish partitions of 1772, 1793 and 1795 eclipsed Poland. As the war objective of coalitions was outweighing to the degree of complete partition, so were the war objectives of the attacking power geared towards unconditional conquest (McKay and Scott, 1983: 83). As a rule, wars were brought to an end not by self-restraint or by the recognition of the international legitimacy of any one power, but by mutual economic, financial and military depletion. The diplomatic semantics of saturation expressed tactical arguments by ascending powers, like Prussia, eager to gain international recognition for the faits accomplis of already annexed lands, and did by no means indicate a strategy of self-restraint. Moderation was sought as a temporary respite for economic, financial and military recovery. Peaces were peaces of exhaustion (Duchhardt, 1997: 56).

If the Carthaginian objectives of outweighing or total victory could not be achieved, dynastic power-balancing was directly linked to the idea of *convenance*, which demanded a consensus among the major powers over territorial alterations (Duchhardt, 1976: 51, 1997: 17).²⁵ The desired objective was ‘just equilibrium’, consciously negotiated by the leading powers. The operative principle was that each territorial gain by any one power justified claims to territorial or other equivalents by the remaining powers (McKay and Scott, 1983: 212, 214, 228; Schroeder, 1994a: 6–7). To be left out in any round of territorial aggrandisement was to fall behind. Few dynasts could thus afford to stay neutral. *Convenance* became thus the regulative principle of the dynastic conception of the balance of power (Butterfield, 1966; Fenske, 1975: 972) or, as Martin Wight suggested, ‘the diplomatic counterpart of hereditary absolute monarchy’ (Wight, 1966: 171; see also 1978: 186).

The dynastic idea of the balance of power stood thus in clear affinity to the mercantilist balance of trade. As wealth was conceived of as an absolute and finite sum, so that any trade deficit had to be compensated with the inflow of bullion or was regarded as an absolute loss, so was territory finite and any acquisition demanded compensation for the re-establishment of a ‘just equilibrium’. The territorial equivalent of mercantilism came thus to be cameralism which gauged state power in terms of taxable population and territory in terms of soil fertility.

Convenance did more to intensify war and territorial changes than peace and stability, for each territorial gain of one power induced immediately claims to equivalents in order to offset the perceived disadvantage. Equilibrium was thus redressed, if on a different level. It thereby directly frustrated the principle of non-intervention. Yet, non-recognition of the principle of non-intervention did not infringe a maxim of international law, it was regarded as legitimate behaviour (Grewe, 1984: 392–3). The implication was that bilateral wars occasioned immediately a multilateral

renversement of positions, driven by the search for territorial equivalents. Legitimate claims for compensation set in train a series of practices that are incommensurable with the preservation of or a return to the *status quo ante*. Territorial exchanges, cessions, indemnities, pensions and subsidies negotiated through outright haggling were the mark of the age and contemporary peace congresses. Usually, the arithmetic of *convenance* meant that weaker powers were carved up to the convenience of the leading powers. Successive peace treaties codified the disappearance of smaller states as pawns in the international game of territorial compensation. Compensation meant liquidation.

The Case of the 'Polish Partitions': Balance of Power or Compensatory Equilibrium? The three Polish Partitions of 1772, 1793 and 1795 pursued by Prussia, Austria and Russia classically exemplify the state-eliminating and compensatory dynamic of inter-dynastic equilibrium. According to (Neo-)realist predictions, power-balancing should have prevented Poland's break-up. Yet, no counter-balance emerged, nor did any prevailing norms restrain the Eastern Powers. The first partition was justified and carried through by Prussia and Austria in compensation for Russian acquisitions in the Balkans over and against the Ottoman Empire. The second and third partitions were regarded as a just indemnity for Prusso-Austrian anti-French war efforts in the Wars of Revolution after the defeat at Valmy (1792), while Russia claimed to put down 'Jacobinism' in Warsaw in the interest of the European dynastic fraternity (McKay and Scott, 1983: 248). Parliamentary Britain remained neutral, having no direct interests in the region. Nor was it purely geographical circumstances that permitted the break-up of Poland. Poland's social property regime generated a constitutional regime where power lay with the aristocrats, enjoying individually the famous *liberum veto* that enabled any member of the Polish Diet to exercise a personal veto over legislation. Poland's elective monarchy — the 'crowned aristocratic republic' — was thus barred from developing the absolutist administration and military centralization enjoyed by its neighbours. The inherent weakness of the aristocratic constitution opened Poland up to foreign dismemberment since it was regarded as a power vacuum in Eastern Europe.

The tripartite seizure of Polish territory did not restore the balance to the status quo before the Russian acquisitions in the Balkans and before the French Wars of Revolution, but adjusted the balance on the basis of a new territorial settlement among the major East European powers to the detriment of Poland. Power-balancing failed, but liquidatory equilibrium worked. Dynastic equilibrium promoted war, not peace. Yet, war did not simply re-equilibrate the distribution of power among a constant number of actors, but led to the systematic eclipse of smaller states. And it was this

practice of dynastic equilibrium, not the modern balance of power, which incurred in 1793 the censure of Enlightenment philosophers like Immanuel Kant: ‘The maintenance of universal peace by means of the so-called Balance of Power in Europe is — like Swift’s house, which a masterbuilder constructed in such perfect accord with all the laws of equilibrium, that when a sparrow alighted upon it, it immediately collapsed — a mere figment of the imagination’ (Kant cited in Wight, 1966: 170–1). In other words, the Polish episode did not destroy the spirit of dynastic power-balancing, but was its clearest expression (von Arentin, 1981; Grewe, 1984: 395–7).²⁶

As an explanatory device, the balance of power theorem is indeterminate since it accounts for any outcome, depending upon whether a systemic or a unit-level perspective is adopted. If a state survives, it is due to the stabilizing and protective function of the balance of power; if it perishes, it is due to the necessity of a new systemic balance. Neither realist, neorealist nor constructivist theory is able to understand the historical character of the Polish Partitions, the forces that caused it, nor the outcome. As long as the time-bound practices of power-balancing and alliance-formation are not taken seriously, universalizing IR theories will be unable to theorize historical specificity.²⁷

In sum, the preservation of the status quo or the re-establishment of the *status quo ante* was not the goal of Westphalian power-balancing, but the prospect of territorial gains in compensation for the acquisitions made by other actors. As such, it was a consciously implemented technique of expansion, driven by dynastic political accumulation, which de-stabilized and re-stabilized the territorial distribution in ever-changing configurations, and not an automatic mechanism operating behind the backs of political actors (Rosenberg, 1994: 139–42). If the aggressor did not face complete partition, *convenance* ensured proportional aggrandisement to his detriment. But dynastic equilibrium did not even need aggressors, it needed victims. It thereby invited bandwagoning rather than balancing (Schroeder, 1994b).²⁸ The dramatic decline in the number of European sovereign actors between 1648 and the late 19th century did not come about in spite of the balance of power, but because of the policy of predatory equilibrium and bandwagoning. Dynastic power-balancing did not mean the preservation of an even distribution of power, nor did it become ‘a means of maintaining state independence’ (Holsti, 1991: 69), nor did it put ‘a break on territorial changes’ (Butterfield, 1966: 144), but implied equality in aggrandisement (Wight, 1966: 156, 1978: 187). The logic of dynastic anarchy generated a dynamic system of collective wealth maximization among predatory monarchs qua expansion, not balancing. The balance of power is not the natural and universal function of any anarchy, its nature is the outgrowth of the specific identity and interests of the members which constitute diverse

geopolitical systems. Given the persisting logic of geopolitical expansion, it is doubtful whether the system of dynastic states could ever generate a general interest in the preservation of the status quo. The dynastic practice of equilibrium qua *convenance* was an instrument of geopolitical accumulation. This was to change significantly with Britain's new post-1688 foreign policy.

British Uniqueness: Capitalism, Modern Sovereignty, and Active Balancing

How, then, can we conceive of the transformation of absolutist into modern international relations? The argument is that this instance of systemic change is directly linked to the formation of capitalism and the growth of the modern state in England. In the period between the end of the Glorious Revolution and the accession (1714) of the first Hanoverian king, George I, the pattern of British foreign policy shifted on the basis of a capitalist social property regime that had revolutionized the institutional set-up of the British state (for a detailed account of this process see Brenner, 1985, 1993; see also Wood, 1991; Parker, 1996). Henceforth, this new state/society complex would play a pivotal role in the re-structuration of the European system of states.

Capitalism and Modern Sovereignty

What is the link between capitalism and modern sovereignty? Two dominant concepts of capitalism can be distinguished in the literature. The first concept defines capitalism as production for the market predicated on an advanced division of labour within and between centres of commercial production (towns). This provides opportunities for the accumulation of profits through inter-urban long-distance trade by the exploitation of regional price-differentials ('Buying cheap and selling dear'). Capitalism resides here in the 'logic of circulation' (Braudel, 1977, 1984; Abu-Lughod, 1989; Arrighi, 1994; Wallerstein, 1995; for a convincing critique see Brenner, 1977). The second concept defines capitalism as a social system predicated on a set of property relations in which direct producers are separated from their means of subsistence. It follows that producers are compelled to sell their labour-power to owners of the means of production to make a living. Hiring labour-power here generates profits, so that surplus value can be siphoned off in the process of production itself. According to this model, the market does not represent an opportunity, but a compulsion to which both capitalists and producers are subjected. This compulsion to survive in the market produces a series of interlocked phenomena. As a rule, market-dependence entails inter-capitalist competition,

engendering systematic re-investment in the means of production (rather than in the means of violence), driving technological innovation, raising productivity and accounting for a dynamic process of economic growth. Out-pricing, not out-gunning, economic, not political accumulation denote the dominant mode of capitalist intersubjectivity. Capitalism resides here in the 'logic of production' (Brenner, 1986; Comninel, 1987; McNally, 1988; Gerstenberger, 1990; Mooers, 1991; Wood, 1991, 1995). The historical precondition for this form of capitalism was the separation of direct producers from their means of production, the making of 'free' wage-labour. In the English agrarian economy, this process began in the 16th and intensified dramatically in the 17th century. It led to the transformation of bonded peasants into agrarian wage-labour and of the militarized class of feudal lords into a de-militarized class of capitalist landlords, renting out land to tenants subject to market competition. This changing class structure derailed the establishment of Stuart absolutism (Brenner, 1985, 1993).

What are the implications for modern sovereignty? If the transition from feudalism to capitalism engenders a shift from a regime of political accumulation based on a feudal rent-regime, to a regime of economic accumulation, based on a capitalist wage-regime, then we have identified the operative principle that underlies the differentiation between the political and the economic. If feudalism implied the decentralization and personalization of political power by lords, creating the parcellized sovereignty of the medieval 'state' (Teschke, 1998: 342–4), and if absolutism implied the centralization and persisting personalization of political power by dynasties, then capitalism implies the centralization and depersonalization of political power in form of the modern state. If ruling class power resides in capitalist societies in private property of and control over the means of production, then 'the state' is no longer required to interfere directly in processes of production and extraction. Its central function is confined to the internal maintenance and external defence of a private property regime. In principle, this can allow for the legal enforcement of what are now civil contracts among politically (though not economically) equal and free citizens, subject to civil law. This, in turn, requires a public monopoly in the means of violence, while enabling the build-up of an 'impartial' public bureaucracy.²⁹ Political power and, especially, the monopoly of the means of violence, come now to be pooled in a deprivatized public state over and above society and economy. While this basic function does, of course, not exhaust the historical role of the modern state over and against civil society, the theoretical link between capitalist property relations and the separation between an uncoercive 'economic economy' and a purely 'political state', maintaining the monopoly in the means of violence, is established. State and market turn into two structurally separated spheres. The separation between the economic and the political is

built into capitalism (Rosenberg, 1994; Wood, 1995; Bromley, 1999). But if capitalism is not predicated on the logic of domestic political accumulation for economic reproduction, then we should also expect the decline of external geopolitical accumulation that defined the war-driven international conduct during the feudal and absolutist ages.

Effects on post-1688 British Foreign Policy

Does this argument hold empirically for post-revolutionary British foreign policy making? At the end of the 17th century, British sovereignty lay no longer with the king, but with Parliament in the context of a constitutional monarchy. The historical presupposition of Britain's new attitude towards Europe was the de-coupling of foreign policy from dynastic interests brought about by Parliament's right — gained in 1701 (Act of Settlement) — to co-articulate and even determine British foreign policy (Black, 1991: 13–20, 43–58).³⁰ After these constitutional changes, British foreign policy was no longer conducted exclusively on the basis of dynastic interests as formulated in *Kabinettpolitik*, but increasingly on the basis of the 'national interest' as formulated by the propertied classes self-organized in Parliament. This was a world-historical *novum*. The decisive new regulator of Britain's readiness to go to war was, next to the excise, the land tax, through which the landed and commercial classes taxed themselves (Parker, 1996: 218 ff.). The personal union of the United Kingdom with Hanover, which wedded the German stemlands to the British Isles, was regarded as a disturbing continental legacy among the Tories and the Whigs and caused much resentment in Parliament (McKay and Scott, 1983: 104; Black, 1991: 31–42). Britain's monarchical interests as German Electors ran time and again against those of changing parliamentary majorities. Whereas the British-Hanoverian dynasty remained enmeshed in the Old Regime territorial game of inter-dynastic relations, Parliament sought to de-territorialize British policy on the Continent (Sheehan, 1988: 28; Schroeder, 1994b: 136; Duchhardt, 1995: 182–3).

During this transition, the first manifestation of the new British attitude to war came with the Nine Years' War (1688–97), in which the post-revolutionary constitutional settlement and the Protestant Succession were tested in the struggle against the Bourbons who supported the restoration of the Stuarts (Sheehan, 1988: 30; Duchhardt, 1989: 33). Britain's ability to sustain the war against absolutist France was predicated on the Parliament-backed creation of the first modern financial system by setting up the National Debt (1693) and the Bank of England (1694). Wars were no longer to be financed out of the 'private' war-chest of the dynastic ruler, but by a reliable credit system superior in raising funds, since public debts in the

form of government loans were henceforth to be guaranteed by Parliament (Parker, 1996: 217–21). Investment in these government loans had the effect of uniting the propertied class behind the British war-effort. Credit security was guaranteed by the self-taxation of the capitalist classes in Parliament. ‘During the Nine Years’ War the commercial and landed classes represented there managed to double the country’s revenues by effectively taxing their own wealth for the first time’ (McKay and Scott, 1983: 46).

The uneven development of different state/society complexes in early modern Europe implied that while dynastic continental states continued to operate absolutist regimes of domestic tax-extraction and dynastic foreign strategies of geopolitical accumulation, England developed a dual strategy of foreign policy behaviour (Black, 1991: 85–6; Duchhardt, 1997: 302). While it continued its aggressive mercantilist ‘blue water’ policies overseas fanned by an expanding capitalist economy that financed naval superiority, it took on the new role of the balancer of the European pentarchy and disengaged from any further direct territorial claims on the Continent after the Treaty of Utrecht. As long as the majority of the dominant European powers were dynastic states based on pre-capitalist social property relations, Britain remained engulfed in a hostile world of politically accumulating states. This explains why Britain’s struggle overseas with Spain and France retained a military-mercantilist character. Utrecht, in turn, exemplified not simply Britain’s rise as a great power, but also its willingness and ability to regulate European affairs on a new principle (active balancing), yet on the old territorial basis (continental equilibrium). The British peace plans were a major departure from earlier schemes (for a contrary view see Holsti, 1991: 80). The strategy was to contain France by keeping her militarily occupied on the Continent while defeating her overseas through Britain’s superior naval forces. Significantly, the only territorial gains on the Continent that Britain negotiated for herself at Utrecht were the strategic posts of Gibraltar and Minorca, while the acquisition of trading posts and commercial rights overseas, like the *asiento*, dominated her peace agenda (cf. Rosenberg, 1994: 38–43; Schroeder, 1994b: 142). While her security interests lay in Europe, her economic interests lay in the extra-European arena.

After 1713, British foreign policy no longer operated on the principle of ‘natural allies’ — the ‘Old System’ which allied England, the Dutch Republic and Austria against France — but on the fluid principle of rapidly changing coalitions which earned her on the Continent the epithet ‘Perfidious Albion’.³¹ This nickname was as much due to a failure by dynasts to grasp the nature of changing majorities in a parliamentary system, as it was due to a failure to understand the logic of a post-dynastic foreign policy and active balancing in the context of an overwhelmingly dynastic system of states. The new idea was to stop fighting once the weaker allied partner had

recovered (e.g. Prussia), rather than to eliminate the common enemy. This was, as Sheehan explains, a policy of achieving minimal aims, rather than the maximal aims of dynastic coalition building in the form of partitions (Sheehan, 1996: 64). The logical choice of Britain's continental partners against France were those land-based powers — like Austria, Prussia and Russia — which had no direct ambitions overseas. Walpole squashed Austria's only foray in this direction — the Austrian Ostende Company — in exchange for British recognition of the Austrian Pragmatic Sanction. Prussia's promotion of the tiny port of Emden sent alarm bells ringing in London's merchant community. Russia's predominance as a trading power in the Baltic was of more concern to Parliament than her vast territorial gains in Siberia. Even a *rapprochement* with France was possible in the 1730s on the realization that Austria could again dominate European politics. 'To paraphrase a statement of Palmerston: While the holder of the balance has no permanent friends, it has no permanent enemies either; it has only the permanent interest of maintaining the balance of power itself' (Morgenthau and Thompson, 1985: 214). But what was to be balanced here were not modern but dynastic states, which explains why the balance of power did not assume the form of the automatic 'invisible hand' reminiscent of Adam Smith's idea of market self-regulation (as argued by Rosenberg, 1994: 139), but was manipulated by a structurally privileged conscious balancer: Britain's hand holding the scales.³²

This meant that during the 18th century, two regimes of power-balancing were in operation in Europe. While Old Regime states continued the policy of territorial equilibrium and compensations among themselves, parliamentary Britain sought to manage the balance of the European sub-system by indirect interventions in the form of subsidies and pensions to smaller powers while also operating a balance of threat to counter any imperial-hegemonic ambition (McKay and Scott, 1983: 96).³³ Britain's neutrality in the War of the Polish Succession (1733–38) was a clear indicator of Britain's disengagement from the fruits of the *convenance* system of territorial compensations on the Continent, while power-balancing operated primarily through the payment of huge subsidies and diplomacy. The War of the Austrian Succession 'cost Britain £43 million, of which £30 million was added to the National Debt. With the land tax at 4s in the pound, alarmists in the government raised the cry of national bankruptcy' (McKay and Scott, 1983: 172–3). Yet, while Britain sustained the huge financial burden, the French financial system, in spite of its greater taxable population, collapsed. Territorial gains on the Continent — apart from strategic posts that allowed the policing of the main European trading routes — were of little interest for a commercial nation. If Britain's direct military interventions on the Continent were already significantly reduced after 1713, they veered

towards zero after the Seven Years' War, which established Britain overseas as the hegemonic naval power. At the same time, Frederick the Great was heavily subsidized by Britain which guaranteed Prussian survival. 'Continental Powers have always noted that while Britain traditionally claimed to hold the balance of Europe with her right hand, with her left hand she was establishing oceanic hegemony which refused for two centuries to admit any principle of equilibrium' (Wight, 1966: 164).

In other words, Britain became the balancer of the balance based on a productive capitalist economy that financed naval supremacy. She was no longer placed in either of the two scales but held the balance itself in her hands.³⁴ Britain was not the accidental insular *tertius gaudens* of dynastic power-balancing (Wight, 1978: 171), but the conscious regulator of a system of European politics from which she was socio-economically, not geographically, set apart. The chronological simultaneity of 18th century European politics hides dyachronic conceptions of geopolitical order respectively held and operated by capitalist Britain on the one side and the continental dynastic powers on the other.

Conclusion and Outlook: From the Westphalian to the Modern International System

I have argued that given the diverse, yet overwhelmingly dynastic, nature of the constitutive units of the Westphalian Order, it featured a series of system-defining phenomena that set it structurally apart from its modern successor.

Theoretically, these phenomena are bound up with the persistence of non-capitalist property relations that blocked the genesis of modern sovereignty. IR's failure to correctly theorize and periodize the Westphalian Order rests thus on its fundamental conflation of absolutist and modern sovereignty. Consequently, demystifying Westphalia requires a re-theorization of absolutist sovereignty. I suggested that changes in the class structure subsequent to widespread French peasant liberation between the 15th and 17th centuries generated the more centralized, but still privatized, control of the means of violence by absolutist monarchs. This meant that the 'parcellized sovereignty' of the feudal age was transformed into dynastic sovereignty as the private property of the king. Pre-capitalist property relations required political strategies of domestic income extraction by royal houses and their courtly clienteles that demanded by the same token external strategies of geopolitical accumulation. This explains the frequency of war and the persistence of empire-building. Proprietary and personalized sovereignty promoted political marriages, wars of succession and the elevation of dynastic 'private' family law to the status of 'public' international law. The

proprietary nature of state territory turned territoriality into an exchangeable appendage of dynastic interests and fortunes. Inter-dynastic compensatory equilibrium invited bandwagoning, while smaller states were eliminated. In sum, proprietary statehood implied the regulation of contemporary inter-actor relations on the basis of predatory dynasticism and interpersonalism. European early modern international relations, codified in the Westphalian Settlement, evinced a determinate 'generative grammar', developed a distinct territorial logic of political space and generated historically specific patterns of conflict and cooperation.

In terms of IR theory, the specificity of the Westphalian Order cannot be adequately theorized on the basis of naturalized great power rivalries driven by *realpolitik* and regulated by a universalized balance of power. Nor can it be explained by the pure pressures exerted by an anarchical and competitive system of states in abstraction from the internal character of its constitutive conflict-units, as demanded by neorealism (Waltz, 1979; Gilpin, 1981; Mearsheimer, 1995). My argument also questions the plausibility of constructivist approaches. Constructivism explains variations in and transformations of international relations either in terms of the intersubjectively negotiated quality of institutions qua conventions that may alter policy outcomes, or in terms of variations in the identity of political actors based on changing sources of legitimacy (Kratochwil, 1989; Onuf, 1989; Adler, 1997; Burch, 1998; Hall, 1999; Ruggie, 1998; Wendt, 1999). However, without a systematic inquiry into the property-related social sources of identity-formation, which define determinate sets of interests and generate specific institutions, constructivist claims remain underexplored. While all social phenomena are mediated by language and intersubjective norms, the extra-normative conditions sustaining the rise, reproduction and fall of specific constitutive rules remain outside the theoretical scope of constructivism. After all, norms are only valid during normal times, legitimize relations of super- and subordination, and still require coercion and sanctions for their maintenance.

Further implications and avenues of research result from my revisionist interpretation of the Westphalian System. Chronologically, the fundamental break with the old territorially accumulative logic of international relations comes with the rise of capitalism in England. The onset of agrarian capitalism in 16th-century England, the conversion of dynastic sovereignty into parliamentary sovereignty in the late 17th century and the post-Utrecht adoption of a new foreign policy resulted in the gradual de-territorialization of British interests on the Continent. At the same time, Britain began to manipulate the old inter-dynastic practice of equilibrium qua territorial compensations by dint of a new conception of active balancing.

Yet, developmentally, the 18th-century world was not yet a capitalist

system. During the formation of the absolutist inter-dynastic world system, Britain was the ‘third hand’ that consciously balanced the respective imperial pretensions of pre-capitalist states. *Ex hypothesis*, this suggests that it was only under pressure of geopolitically mediated inter-ruling class conflicts among France and Britain, that a militarily defeated and financially bankrupt France was in a period of dramatic domestic class conflicts eventually violently forced to alter its internal social property relations. While thriving on its expanding capitalist economy, Britain continued to play off non-capitalist actors against each other, until they were financially and economically exhausted. This forced them to go through a series of geopolitically mediated crises — the French Revolution, the Napoleonic Wars, the Wars of Liberation and a sequence of further ‘Revolutions from above’. These entailed agrarian reforms, peasant liberations and state transformations. Only after the European-wide spread of capitalism, the series of European revolutions during the late 18th and 19th centuries and the ‘freeing’ of markets in favour of a world market, did the new logic of British-sponsored free trade among capitalist states impose a non-territorial logic of international surplus appropriation, based on non-political contracts between private citizens.

This perspective entails further implications for re-conceptualizing modern international relations. The political organization of the modern world in form of a territorially divided system of states is not a function of capitalism. Rather, capitalism was ‘born into’ a system of dynastic polities that had consolidated their territories and overcome feudal fragmentation driven by the property-driven logic of political and geopolitical accumulation during the absolutist period. Consequently, capitalism was born into a territorially prefigured states-system.³⁵ However, once agrarian capitalist property relations were institutionalized in 17th-century England, we observe the differentiation between an uncoercive ‘economic economy’ and a purely political state: the making of modern sovereignty in one country. The twin processes of capitalist expansion and regime-transformation were subsequently generalized in the West between the 18th century and World War I, driven by the dynamic logic and productive superiority of capitalism. However, while the expansion of capitalism entailed a series of class and regime-transformations, it did not challenge the principle of multiple politically constituted territories that was a legacy of pre-capitalist territory-formation. It follows that capitalism did not cause the territorially based state-system, nor that it required a state-system, but that it is nevertheless eminently compatible with it. Capitalism’s *differentia specifica* consists in the historically unprecedented fact that the capital circuits of the world market can in principle function without infringing political sovereignty. As a rule, capitalism can leave political territories intact. Contracts are concluded

between private actors that form the pre-political sphere of a global civil society. Capitalism, then, is the condition of possibility for the universalization of the principle of national self-determination. However, the functioning of the world market is predicated, at a minimum, on the existence of states that maintain the rule of law, i.e. guaranteeing contract-based private property and the legal security of transnational transactions so as to maintain the principle of open national economies. It follows that the key idea of modern international relations is no longer the war-assisted accumulation of territories, but the multilateral political management of the crisis-potential of global capitalism and the regulation of the open world economy by the leading capitalist states. International economic accumulation and direct political domination are disjointed. A universalized capitalist world market can co-exist with a territorially fragmented system of states. While the logic of political accumulation qua war that was systemically built into pre-capitalist dynastic states has been eliminated, the major lines of military conflict run between those states that are locked out of the world market and those states that reproduce the political conditions of the open world market, backed up by the principle of collective security.

Notes

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1. Stephen Krasner criticizes Westphalia's modernity on empirical grounds, maintaining that modern sovereignty predated and that forms of feudal domination outlasted 1648 in various European regions, concluding that sovereignty was always a 'contingent' and 'pliant' practice (Krasner, 1993: 257). However, while many of his empirical observations are correct, Krasner dissolves Westphalia into historical contingency and fails to theorize the nature of early modern international relations (see also Krasner, 1999: 5).
2. These contemporary authors, while being more cautious about the epochal significance of 1648, do not challenge the classical account.
3. This article uses the term 'geopolitics' in its common sense. For its original

- meaning in the context of the German classical tradition of *Geopolitik*, see Teschke (2001).
4. Although these different principles are mediated by the diverse identities of their respective constitutive actors, as constructivists rightly suggest, the problem of identity-formation is not exhausted by reconstructing their respective discourses of legitimacy, conceptual vocabularies and intersubjective conventions (see Burch, 1998; Hall, 1999; Wendt, 1999).
 5. France, Austria, Spain, Sweden, Russia, Denmark-Norway, Brandenburg-Prussia and the Papal state were absolutist states. The Holy Roman Empire maintained its status as a confederal elective monarchy until 1806. The Dutch General Estates established an independent oligarchic merchant republic. Poland was a 'crowned aristocratic republic' and Switzerland a free confederation of cantons. Whereas Italian merchant republics struggled against their transformation into monarchies, England turned after the Revolutions into a parliamentary and constitutional monarchy presiding over the first capitalist economy.
 6. Kurt Burch provides a constructivist account of modern sovereignty in 17th-century England that revolves around the discourse of private property rights. He maintains that similar processes occurred in 17th-century France. This leads him to concur with the standard IR account that 'the Thirty Years' War effectively marks this transition [sc. from personal dynastic authority to the sovereign state, B.T.] on the continent' (Burch, 1998: 89).
 7. Van der Pijl conceives of this process as a three-century cycle in which the Anglo-American liberal-capitalist 'Lockean heartland' is repeatedly challenged by a series of 'Hobbesian contender states'.
 8. While the following discussion centers on France, the general lines of the argument are also applicable *mutatis mutandis* to other West European continental monarchies.
 9. While Anderson shows the non-modernity of a series of absolutist political institutions, my account diverges from his thesis that the simultaneous commercialization of economic life inaugurated a gradual transition to capitalism in pre-revolutionary France.
 10. In contrast, Krasner maintains that 'no deep structure is evident in the heterogeneous and fluid order from the Middle Ages to the present' (Krasner, 1993: 261).
 11. Weber's statements on the rise of the modern state are ambivalent. While he repeatedly asserts that absolutist princes initiated under geopolitical pressures processes of modern state formation by promoting rational bureaucracies (see Weber, 1948: 82 passim, 1968: 971, 1092–104), he insists that absolutist states, and France in particular, never succeeded in separating patrimonial officials from their privately owned means of administration and violence (see Weber, 1968: 1033–4, 1038–9).
 12. Hall asserts the contrary (Hall, 1999: 78).
 13. The literature on Franco-British economic long-term divergences is vast. For an overview see Crouzet (1990: 13–104).
 14. Note that these processes drove absolutist, not modern, state-formation.

15. Yet, Hall suggests that the cases of 18th-century France and Britain are two variants of the same ‘territorial-sovereign’ identity (Hall, 1999: 100). With respect to Westphalia, he asserts first that post-1648 collective identity equated the state with its dynasty. Later, he affirms that the Settlement sparked a dynastic legitimation crisis by replacing dynastic with territorial legitimacy, *raison d’État* and the ‘institution of the modern state’ (Hall, 1999: 60–3, 99). Fleeting remarks on the dynastic principle can be found in Hinsley (1963: 164), Bull (1977: 19), Czempiel (1980: 449), Krippendorff (1985: 284), Kratochwil (1995: 30–1), Barkin and Cronin (1994). Although Holsti acknowledges the proprietary view of the state (Holsti, 1991: 55) — explained in terms of divine kingship — Westphalia’s modernity is not challenged.
16. ‘Once we understand that the state was a piece of property heritable within a particular family, it is easier to appreciate the dynastic basis of war and diplomacy in the seventeenth and eighteenth centuries’ (Symcox, 1974: 5).
17. Morgenthau defines the goal of power-balancing as ‘stability plus the preservation of all the elements of the system’ (Morgenthau and Thompson, 1985: 189). On the automatic conception of the balance of power see Waltz (1979).
18. ‘The hierarchical organisation of states was one that all Europe took for granted as the outward expression of power and prestige, and changes were not easily made’ (Hatton, 1969: 157; see also Wight, 1977: 135; Osiander, 1994: 82–9).
19. See Holsti (1991: 54–7). Again, while Holsti acknowledges the proprietary view of the state, he fails to theorize his catalogued war issues — territory, strategy, commerce, state survival, dynasticism, balance of power and colonies — on this basis.
20. Czempiel also acknowledges the proprietary character of absolutist kingship, but fails to uncover its social rationale. ‘Absolutist states were, in the strict meaning of the term, private property, beyond any political, legal, or ethical control’ (Czempiel, 1980: 449).
21. The transition from the medieval *ius gentium* to the Spanish-dominated *ius inter gentes* and the French-dominated *droit public de l’Europe* failed to establish a modern body of general abstract norms of international law (Grewe, 1984: 420–2). This failure is bound up with the personalized nature of dynastic sovereignty. Through an additive and issue-related series of peace conventions, trade agreements and coalition treaties, early modern international law codified to a decisive degree the interpersonal relations of the European princely fraternity.
22. ‘The eighteenth century was thus indeed an *ancien régime* whose states’ structures could only be broken up by an entirely new principle of order’ [my translation, B.T.] (Kunisch, 1979: 79).
23. ‘The position of the *princes étrangers* within France exemplified the way in which individual sovereignties overlapped and intersected’ (Oresko et al., 1997: 10).
24. The IR literature conflates the difference between dynastic equilibrium and active balancing (see. also Claude, 1962; Aron, 1984: 133–56; Sheehan, 1996). Kratochwil and Schroeder acknowledge the difference between a ‘political

- balance of power' and 'moral and juridical equilibrium' as a convention but fail to explore their respective social rationales (Kratochwil, 1982; Schroeder, 1992).
25. Whether the biased views of the Huguenot de Rohan, as argued by Kratochwil (1982: 12–14), are a reliable guide to illuminate the real nature of French foreign policy is doubtful.
 26. Morgenthau and Thompson (1985: 199, 222) submits that the Polish Partitions 'reaffirmed the essence' of the balance of power, since Poland was divided into equal parts; later, he affirms that it failed, since it could not protect Poland from destruction. Wight (1966: 157, 1978: 189) argues that the partitions discredited the balance of power. For Bull (1977: 108), 'the partition of Poland was not a departure from the principle of balance of power but an application'. Schroeder (1994a: 18) calls them a 'system conforming behaviour'. Sheehan (1996: 61) indicts them as an 'aberration'.
 27. Compensations are not simply a 'different method of the balance of power' (Morgenthau and Thompson, 1985: 198–200), understood as a universal category, but express a different quality of power-balancing.
 28. While Schroeder's survey of the historical record confirms the prevalence of bandwagoning, he offers no theoretical explanation.
 29. This account is therefore compatible with Max Weber's classical definition of the modern state, while providing an alternative sociological explanation.
 30. While the monarchy remained, of course, an important actor in post-revolutionary diplomacy, the *differentia specifica* of the British system was the constitutionally enshrined parliamentary right to co-decide foreign policy making.
 31. 'The British participation in the War of the Spanish Succession, the War of the Austrian Succession, and the Seven Years War, all ended with Britain abandoning her major ally' (Sheehan, 1996: 63).
 32. Although the balance of power was already discussed in England prior to 1688, it became only a foreign policy maxim after 1688 (see Sheehan, 1988: 33).
 33. Towards the end of the War of the Austrian Succession, 'the Austrians increasingly felt they were becoming British mercenaries in an Anglo-French war' (McKay and Scott, 1983: 172).
 34. While this is often acknowledged, its causes are either attributed to Britain's insularity, to political skills, or they are not explained at all (Claude, 1962: 47–8, 59–60).
 35. I owe this phrase to Hannes Lacher.

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