Structures on the Move

Technologies of Governance in Transcultural Encounter

Antje Flüchter

Susan Richter

Editors

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Editors

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Editors
Antje Flüchter
Karl Jaspers Centre
Voßstr. 2
69115 Heidelberg
Germany

Susan Richter
Karl Jaspers Centre
Voßstr. 2
69115 Heidelberg
Germany

Editors Note

The present volume is the proceedings of a conference (26–28 October) organised by two research groups of the Heidelberg Cluster of Excellence "Asia and Europe in a Global Context", that is A4: "The Fascination of Efficiency: Migrating Ideas and Emerging Bureaucracies in Europe and Asia since the Early Modern Era" and A 9: "Cultural Transfer as a Factor of State Building". Discussions took place concerning concepts of statehood, methods to analyse transcultural statehood, and case studies applying these concepts and methods. It has been possible to include many of the papers in this book, and we would like to thank all the authors for their articles. The sequence of the articles is modelled on the conference's program. Our thanks extend to all participants for the inspiring and sometimes intense discussions, most of all to Reinhard Blänkner (Frankfurt/Oder), Susanna Burghartz (Basel), Angelika Epple (Bielefeld), Jan-Peter Hartung (London), Farhat Hasan (New Delhi), Ulrike Lindner (Bielefeld), Thomas Simon (Vienna), Sven Trakulhun (Zürich), Peer Vries (Vienna) and especially to Thomas Maissen (Heidelberg), who summarised and commented on the entire conference in the final discussion. For the inclusion of this volume in the Cluster's series *Transcultural Research. Heidelberg Studies on Asia and Europe in a Global Context* we would like to thank the Cluster's directorial board, Madeleine Herren, Axel Michaels and Rudolf Wagner. We received lots of help and support from Andrea Hacker, Douglas Fear and Chris Allen in the publication process and would also like to thank our student researchers: Carolin Matjeka for the organisational support and Elena Allendörfer, Michael Roth, Christian Stoll, Shuo Wang, Rouven Wirbser for their friendly and supportive attendance. Finally, we are grateful to Steve Bahn and Carolin Matjeka for their help in proofreading and editing the manuscripts.

Heidelberg, August 2011   Antje Flüchter & Susan Richter

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Structures on the Move

Appropriating Technologies of Governance in a Transcultural Encounter[1]

Antje Flüchter

1 Introduction

The starting point of this book is an understanding of state, statehood, and technologies of governance as resulting from transcultural processes. Accordingly, we challenge the conception of *state building* as a European singularity, that is brought into existence by exclusively European driving forces, by European factors, and structured only by European actors. The academic aim of the present volume, as well as the conference *Early Modern State (Building) in Asia and Europe—Comparison, Transfer and Entanglement* from which it emerged, is to outline the new research field of transcultural state structures and state building, as well as to probe several promising fields for further research.[2] We apply a two-pronged approach: first we discuss the modern, academic conceptualisation of *state* and *state building*; secondly, we describe ways and methods to analyse state and technologies of governance. The latter include the contemporary perception, the appropriation of knowledge of foreign statehood, state structures, and technologies of governance as transcultural results of communication and interaction. *Technology*, in this context, serves as an umbrella term for anything that structures the distribution of power and resources in states, as well as the life and security of

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[2] The relevance of including state formation in a project about both entangled history and the broader view of making of Europe as a result of non-European influences was stressed by Sven Beckert at the recent conference at the Frias in Freiburg: "Making Europe: The Global Origins of the Old World", Freiburg 27/5/–29/5/2010. In the fourth volume of the new WBG *Weltgeschichte*, Walter Demel writes about global empires and state building in a comparative perspective (Demel 2010).

A. Flüchter (✉)
Karl Jaspers Centre, University of Heidelberg, Voßstr. 2, 69115 Heidelberg, Germany
e-mail: fluechter@asia-europe.uni-heidelberg.de

members of a particular state. As a concept, technology is wide enough to encompass institutions, knowledge and practices.[3]

In view of the fact that transculturality of state structures as a field of research has yet to be surveyed, the first part of this introduction tackles the conceptual problems concerning the English term *state* and the German *Staat*. This conceptual discussion proceeds in two steps: first, fundamental definitions of German *Staat* as well as alternative terms are discussed and we explain why even with misgivings we shall still use the terms *state* and *Staat*; in a second step, we present and contrast research about state and state formation deriving from European and Asian contexts, to find comparable concepts and structures as criteria for analysing state in a transcultural context. Only once this terminology has been clarified can we properly introduce the articles collected in this volume. We differentiate between *state* as a research concept (1), as a topic of contemporary discourse (2), and *states* as phenomena produced by social actions, as spaces of interaction, and as networks of institutions that structure action (3). Even though they are closely connected, these aspects must be heuristically distinguished. While concepts structure and restructure research and lead it in a specific direction, they also tend to obscure other perspectives. To analyse state and state building in a transcultural context, it is necessary to strip away the concepts of their limited reference to Europe, modernity and national state and instead broaden them in a transcultural and transepochal manner. The aim of this conceptualisation of *state* is not to form a specific model and to test it in the past, but rather to outline the institutional and discursive context of particular case studies. This is why *state* is not taken as a socio-scientific model, but as a result of communication and interaction.

Since the advent of modern times, it can be assumed that states, rulers and officeholders have aimed to improve technologies of governance and have been open to new ideas, especially in times of crisis. As a consequence, state structures are always changing, turning state building into a perpetual process that is never finished at any given point in time, and is thus always incomplete and unfulfilled in the modern national state. Comparably state and state building constitute an important topic in historic research, most of all in German historiography. Classic concepts for European history understand the Early Modern period as a formative period of state building from above (Reinhard 2002; Tilly 1990). Nevertheless, such state building is not only a process planned from above, but also demanded from

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[3] Foucault's concept of technology in the context of his studies of governmentality (Foucault 2000) provided an impetus, but this is not the main basis for the way technologies of governance are understood in this volume. Within the concept of governmentality it may well be important for a project about the transcultural state to understand the state as a technology of government (Lemke et al. 2000). Another important and helpful aspect of this concept is its overruling of the contrast between theory and reality. Instead, the concept starts with the assumption of different rationalities and heterogeneous strategies. The combination of these two leads to unexpected results. In this way, the binary structure of implementation versus failure is placed in a new perspective. Thus a space evolves, open to breaks and discontinuities. However, the concept of governmentality must also be modified in a transcultural way, because one of its bases is Christian pastoral power.

below. In other words, subjects ask for solutions to special problems by writing a supplication, or they modify governmental institutions by using them on their terms. Social actors produce, reproduce, and modify structures through their use and actions. Therefore, institutions change not only because of some governmental plan, but also because of many kinds of social practices (Giddens 2009), which in turn are intertwined with perception and concepts. For example, while making use of any governmental institution, actors refer to their ideal concepts of *state* and *good governance*.[4] This process is, so we claim, not solely intra-European, and any wider research about state and governance needs to integrate experiences from non-European world regions.

The transfer of modern state structures, concepts and models from Europe into many world regions has been frequently analysed and demonstrated. The modern national state is even considered a sort of European export hit (Reinhard 2002: 15–20, 480–509). However, we understand the process of state formation as part of a shared and entangled history. "Entangled history" is a term and a concept that reaches back to Sidney W. Mintz's important study *Sweetness and Power* (Mintz 1986) in which he proved that the history of the Caribbean has always been entangled with the wider world. However, the term "entangled history" was introduced into the German-speaking academic community by Shalini Randeria and Sebastian Conrad (Conrad and Randeria 2002; Randeria 2002). Conrad outlined that the term *entangled* aims at more than the collection of global contacts and exchange, "rather, intercourse and exchange contributed to the production of the units we still operate with today" (Conrad 2003: 275). The present volume claims a similar connection regarding state and state formation.[5] This has several consequences for our subject: firstly, flows must be looked for and analysed in all directions, not only those from Europe to the rest of the world. Secondly, it is

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[4] The perspective "from above" and "from below" touches, but is not congruent with the difference between intentional and non-intentional, as discussed in the context of early modern state-building, however, this difference only slightly restricts the transculturality of the process. The circulation of knowledge is certainly greater or at least more obvious, if early modern counsellors or writers about state theory refer to Asian concepts than if a rural community writes a supplication to its duke. However, conversely, the (intended) demand for better governmental structures from below between Indian communities and European rulers must be understood as a transcultural empowering interaction.

[5] It is by now well established in German academia, in English-language publications, however, the term is used rather rarely (for example in a discussion in the *American Historical Review* from 2007: Cañizares-Esguerra 2007; Gould 2007; or Carlier 2010). If you look up "entangled" in Google books, tellingly the first pages present mostly fantasy adventures or romances; the first academic books that show up are about physics. More common in the US discourse is *connected* (Subrahmanyam 1997) or *braided history* (Davis 1998). Monica Juneja has tried to introduce the term *braided* into the German discourse, but *entangled* seems there to be too well established (Juneja 2004). The newly-coined concept for *entangled history* is an example for a kind of academic pidgin, following the increasing use of English in German academia. In the context of new fields of research new terms are created that sound English, but are more common in Germany than in English usage.

necessary to understand these processes not as bilateral, but as embedded in a multipolar network. Furthermore, these processes cannot be limited to modern history, which is why the focus of this volume lies with the Early Modern period. This central epoch in the history of European state-building witnessed important changes in modes of rulership and governance, which were, however, not limited to Europe, but also occurred in Asia (Osterhammel 2009: 565–646). It was a time when European-Asian encounters and mutual knowledge increased significantly and contemporary European travellers regularly discussed structures and institutions of the territories they experienced: the ubiquitous problems with customs officers, unfamiliar weapons and military systems, or the representation of power and wealth at Asian courts. They reported not simply an encounter with foreign state structures, but with superior state structures. These pre-modern Asian-European encounters were shaped by power asymmetries that differed from those in colonial times: the Europeans were far from being dominant in Asia in the sixteenth and seventeenth centuries (Subrahmanyam 2005) and had to make considerable efforts to gain access to Asian trade and power centres. At Asian courts, Europeans were forced to adapt to indigenous rules, to particular systems of political and courtly communication. Thus, at a time when European rulers and their counsellors were looking for ways to improve the state institutions and technologies of governance, these European travellers witnessed efficient and superior state structures in Asia. It is therefore quite possible that there was a European interest in these technologies of governance. In other words: the experience in Asia could lead to processes of learning or appropriation; Asian structures could, therefore, be integrated into processes of change and development in European systems of governance until the shift in power asymmetries between Asia and Europe during the second half of the eighteenth century. It is this reversal in the asymmetry of flows that would lead to the broadly accepted transfer of European ideas and concepts all over the world in the nineteenth and twentieth centuries. In summary: to better understand the shifting power asymmetries and their effect on the transfer processes between Asia and Europe, we need to look at a longer period than is usually applied in studies of state structures. Therefore, the articles assembled in this book cover the period from the sixteenth to the twentieth centuries with the main focus, as mentioned above, squarely centred on Early Modern times, because before 1750 European interest in Asian structures outweighed that of later periods.

2   State as a Transcultural Concept

State, particularly the German word *Staat*, is a term that has been, and is, extensively discussed as well as being fraught with numerous meanings. Research on *state* in a transcultural context, when used in German academia, struggles with a special translational problem: in English the term *state* has been used without deep critical discussion until recently. Philip Lime explicitly bemoaned the fact that in English historical studies scholars rarely define their concept of *state* at all (Line

2007: 9). Even though this has changed in recent research (Brewer and Hellmuth 1999; Bayly 2006: 306; Bayly 2009: 249–252), the depth of inquiry is still not comparable with the German discourse. This confronts us with yet another challenge: if we use the concept of state as a major focus for comparative and transculturally entangled research, we need a clear understanding of our terminology, its options and limitations. Moreover, this intensive discussion in German discourse brought about much important research that offers new insights into the functioning of state and governance. Therefore, so as to somewhat bridge this linguistic and discursive discrepancy, some of the main problems and discussions surrounding *Staat* within German History studies will be outlined below.

The problem with the term *Staat* in German discourse lies in the persistence or even essentialisation of legal philosopher Georg Jellinek's so-called *Drei-Elemente-Lehre*, or doctrine of three elements, according to which a state consists of (a) the fixed borders that surround its territory (*Staatsgebiet/state territory*), (b) a single and, presumably, homogeneous population that lives inside these borders (*Staatsvolk/state people*), and (c) the governmental power that rules over this territory (*Staatsgewalt/state authority*).[6] This concept of an ideal type of central state also includes a monopoly on legitimate use of force as a consequence of the sovereignty of state (Reinhard 1992; Reinhard 1999: VIII–X).[7] The theory was virtually sacrosanct in German historical discourse on the state until certain criticism was levelled against a universal understanding of this definition. The crucial landmark in German historiography was Otto Brunner's book *Land und Herrschaft*, where Brunner proved that the universal use of the concept of modern *state* is anachronistic when applied, for example, to the medieval dynasty of the Staufer (Brunner 1939; cf. the new editions after 1945 with rather small changes: Brunner 1959; in English: Brunner 1992).[8] In other words, the *Staat* concept, as defined by Jellinek and other experts of jurisprudence, shows several deficits when applied to non-modern periods. The same can be said about its application to non-European areas. In this volume, therefore, we argue that it is not the term *Staat* that is problematic in itself, but the fact that its understanding is mostly restricted to this nineteenth century German definition, which often serves as an argument for the

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[6] It is significant for the translational problem mentioned that there is no comparable translation in English for these three terms that has the same parallel structure. Most often suggested are national territory, people and public authority or sovereignty.

[7] The term *sovereignty* is even more discussed as a topic, cf. besides Reinhard (1992) and Reinhard (1999); Quaritsch (1986); Maissen (2008); Maissen (2009); Petersson and Schröder (2007). However, the concept of sovereignty—and its problems—can be ignored for this research project that focuses on state formation as the result of a cultural encounter and not as a constitutional question.

[8] Mention should also be made here of the attempt to replace the concept of the absolutistic state by the concept of *Sozialdisziplinierung*, a concept that is also an important step in the development of the idea of state building (Oestreich 1969; Schulze 1987). Brunner and Oestreich have their academic roots in the so-called *Volksgeschichte*, an attempt to challenge historicism in the 1930s (Miller 2002).

modern state being a genuinely and exclusively European phenomenon. If German experts in constitutional law defined *Staat* in the nineteenth century according to the governmental structures they themselves experienced, i.e. the model of the modern European national state, it is not surprising, but rather self-explanatory, that this kind of a *state* could only evolve in Europe and is thus inadequate for analysing transcultural processes.

The second problem with using both the German term *Staat* and the English *state* is that even beyond the narrow definition of constitutional law just described it implies a homogeneous development of European states and neglects that within Europe, too, modern statehood was shaped in very different ways. But even if the above-mentioned definition of state fails as a description of a "real" institution, it is nevertheless often the starting point for an analysis of deficiency and for the argument that pre-modern or non-European ruling systems cannot be considered states.[9] Results of studying global and entangled history show that the assertive central state, which functions on a system of order and obedience, is not only an ideal type, but basically a myth (Bayly 2006: 309–312); nevertheless these conclusions are only rarely taken on board in national historic studies. The modern national state, as an existing system or as an ideal, is broadly accepted as an exception in history (Anderson 1990); at the same time it continues to serve as a code of distinction in the global context.[10]

Because *Staat* is still mostly understood in the previously outlined, very narrow definition, the term can hardly be applied to non-modern and non-European contexts. Therefore, other, alternative terms have been taken into consideration in German discourse. In the following, two of these alternatives will be examined: first, the concept of *Herrschaft*, a crucial term in research on pre-modern German territories. Comparable terms like *rule*, *rulership* or *authority* are not as established in English discourse (Bayly 2006: 306). Secondly, *empire* as a concept has gained increasing importance as a characterisation of Asian rule.

Otto Brunner's term *Herrschaft* is frequently used in German discourse as a premodern alternative to *Staat*. While this term suggests an awareness and possible circumvention of the problematic term *Staat*, it does not entirely resolve the issue. *Herrschaft*, *rulership*, *chiefdom* and similar terms allude, in general use, to the centre of rule, or to the person of the ruler. In doing so, they essentially imply the existence of an individual actor, or a group of actors planning and organising the rule "from above". Even more problematic is that they, most of all the term *chief*, often imply an evolution, as it is expressed in sequences like chiefdom—early

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[9] Also the discussion about failed states is often a check for which criteria must be fulfilled by a state in order for it to constitute a "real" state system. Bernhard Zangl and Philip Genschel admit that hardly any state would be able to monopolise all these competences (Genschel and Zangl 2007).

[10] The discussion about the ideal modern national state could be compared to concepts like early modern Absolutism (Duchhardt 1994; Asch and Freist 2005) or its negative foil, oriental despotism (Schnepel 1997: 15–19; Rubiés 2005; Richter 1974).