Semi-Sovereignty and Relationships of Hierarchy

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Abstract

Scholars of International Relations are increasingly interested in exploring differences between the members of international society, and the various forms of international hierarchy which connect these unlike actors. There are many points of intersection between these areas of interest, and a recent turn towards historical sociology, which puts the historical development of international society front and centre, and draws particular attention to the long-nineteenth century as a pivotal period in that development. This thesis seeks to contribute to these research programmes, by explaining variations between the so-called 'semi-sovereign' polities found throughout international society at the time. These entities existed throughout the entirety of the long-nineteenth century, and could be found across a range of regions. They varied by legal type, in terms of the rights they held and lacked, and in terms of the organizations and institutions they comprised and within which they were situated. This thesis accounts for variations between these polities in terms of four 'social logics': complexes of relations, processes, practices, norms, and concepts which, taken together, represent distinct, ideal-typical styles of interaction. Drawing on 'relational' International Relations theory and approaches from historical sociology, I argue that polities manifested and embodied elements of these prior logics, in a range of different combinations and configurations. With recourse to these logics – law, management, suzerainty, and cultural differentiation – we can account for where these entities came from, why they had the characteristics they did, and why they varied from one another, as well as from their fully-sovereign and wholly non-sovereign counterparts.

Acknowledgements

This thesis not just the product of two and a half years of DPhil work. It builds directly off my MPhil work, and in some ways, it also bears the marks of my three years as an undergraduate here, as well.[1] Over almost eight continuous years at Oxford, a great many individuals and institutions have contributed positively to my life – academically, and personally.

First and foremost, I'd like to thank my supervisor, Edward Keene. His influence can surely be seen on every page of this thesis, and the affinities and overlaps between his scholarly interests and inclinations, and mine, should be clear to anyone familiar with his work. Eddie constantly helped nudge my work in better directions, pointing me towards new and more interesting theoretical ideas and empirical subjects. He gave me comprehensive and insightful feedback on everything I wrote for him. He pushed me to be clearer and sharper in my arguments, and the changes he recommended always made my writing more focused and coherent. And, throughout it all, he has been kind, friendly, and supportive, raising my spirits whenever I doubted myself.

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[1] This thesis incorporates, expands on, and revises material from Arthur Learoyd, 'Sovereignty, Semi-Sovereignty, and International Personhood', MPhil Thesis, University of Oxford, 2014. The two theses examine the same set of semi-sovereign polities, but the overall argument of the DPhil thesis is new. On a smaller scale, where I have made similar arguments (particularly in chapter 2), I have taken the chance to revise and improve many of them, at times fairly dramatically. With the additional years, I have also discovered, and so could draw on, engage with, and cite, a much wider range of literature than I was able to consult when preparing the MPhil thesis. Per the relevant regulations, details on the nature of the overlap between the two were provided in a supplement to the GSO.3 form, submitted in advance of this thesis.

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as well as at several seminars and conferences in Oxford. Thanks to everyone who gave me feedback on these occasions. I was invited to attend a workshop on Re-Imagining Democracy in the Mediterranean, 1750-1860, in Oxford in September 2014, which helped me clarify my thoughts on this region, and several aspects of the period more generally. I was also able to attend a Colloquium on History and Theory in IR at the London School of Economics in June 2015, which proved to be an exceptionally stimulating weekend and a wonderful opportunity to meet many like-minded doctoral students.

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Introduction

Over the course of the long-nineteenth century, international society changed profoundly, undergoing a 'global transformation' that had wide-ranging and long-lasting ramifications. During this period, which runs from the late-eighteenth century through to the First World War, international society was populated with an enormously varied set of 'political units', as new forms of political organization were experimented with, while older models had not yet been entirely displaced.[1] One class of polities exemplify this variation especially well: those described, at the time, as 'semi-sovereign'.[2] The members of this group – which included such entities as the Duke/Duchy of Courland, under the suzerainty of the Polish-Lithuanian monarch; the Ionian Islands under British protection; Egypt under Ottoman suzerainty *and* British protection; and neutralized Belgium – occupied an intermediate position in international society. They were not fully-sovereign states or monarchs, but neither were they wholly non-sovereign colonies, dependencies, or administrative areas. At the same time, many semi-sovereigns also looked different to *each other*: a fact which is perhaps not so surprising, given the broad space that existed between the extremes of full- and non-sovereignty.

This thesis seeks to account for the properties of, and explain variations between, these semi-sovereign polities. I argue that these polities, and their various characteristics, can be seen as manifesting four 'social logics' – law, management, suzerainty, and cultural differentiation –

[1] Barry Buzan and George Lawson, *The Global Transformation: History, Modernity and the Making of International Relations* (Cambridge: Cambridge University Press, 2015), especially chapter 5. Buzan and Lawson date the period 1776-1914, while Mann opts for a slightly earlier starting-point (1760). Michael Mann, *The Sources of Social Power, Volume 2: The Rise of Classes and Nation-States, 1760-1914* (New edition, Cambridge: Cambridge University Press, 2012).

[2] In this thesis, I use 'polities' to describe international entities generically, and 'states' to refer to a subset of those entities. States are specific kinds of polity, and not all polities in the long-nineteenth century were states. The case for using the language of 'polities' is made succinctly in Yale H. Ferguson and Richard W. Mansbach, 'Polities Past and Present', *Millennium: Journal of International Studies* 37:2 (2008), pp. 365-79.

individually and in interaction.[3] These social logics comprise relations, processes and practices, and background norms and concepts; in ideal-typical fashion, each represents a particular mode of social interaction, generalized out from historical study. Drawing on 'relational' International Relations (IR) theory, and approaches from historical sociology, I conceive of these logics and their components as 'prior' to international entities: the latter embody the former, and we can therefore appeal to aspects of (and different combinations of) the former to account for the forms assumed by the latter.[4]

From this perspective, the distinctive characteristics of 'heterogeneous units' are shaped by the patterns and styles of interaction that obtain between them.[5] As it fleshes out this claim, this thesis also amounts to a study of international hierarchies, of the forms they can take, and the effects they can have. Not least because they had a lesser legal standing than their fully-sovereign counterparts, semi-sovereign polities were hierarchically situated – positioned as subordinate to others.[6] In fact, they often embodied multiple hierarchies, of different sorts. Since hierarchy is a feature of social relations, each of my logics could contain elements of hierarchy, and indeed all four did, albeit to various extents and in contrasting ways.[7] It has been argued that 'the principal question in IR now appears to be less geared at establishing the importance of

[3] The phrase 'social logic' comes from John M. Hobson and J. C. Sharman, 'The Enduring Place of Hierarchy in World Politics: Tracing the Social Logics of Hierarchy and Political Change', *European Journal of International Relations* 11:1 (2005), pp. 63-98.

[4] The key references are Patrick Thaddeus Jackson and Daniel H. Nexon, 'Relations Before States: Substance, Process, and the Study of World Politics', *European Journal of International Relations* 5:3 (1999), pp. 291-332, and Mann, *Sources of Social Power, Volume 2*. See further citations in chapter 1.

[5] Lake notes that 'unit heterogeneity' is among the frontiers of research on the state in IR theory, which this thesis accordingly helps advance. David A. Lake, 'The State and International Relations', in Christian Reus-Smit and Duncan Snidal (eds.), *The Oxford Handbook of International Relations* (Oxford: Oxford University Press, 2008), pp. 53-4.

[6] They figure in several typologies of 'hierarchy'/'stratification': see Jack Donnelly, 'Sovereign Inequalities and Hierarchy in Anarchy: American Power and International Society', *European Journal of International Relations* 12:2 (2006), especially pp. 149-51 and Edward Keene, 'The Standard of 'Civilisation', the Expansion Thesis, and the 19th-century International Social Space', *Millennium: Journal of International Studies* 42:3 (2014), p. 664.

[7] Recall that I borrow the phrase 'social logic' from Hobson and Sharman, 'Enduring Place of Hierarchy', the path-breaking work on the subject.

hierarchy to world historical development than in exploring the various logics under which different forms of hierarchy operate'.[8] This thesis attempts to answer that challenge.

Across the four parts of this introduction, I'll provide an overview of the basic shape of the thesis: of its aims, of its arguments, and of the methods and approaches on which it relies. In section one, I discuss what sorts of polities the semi-sovereigns were, and how they varied, and then explain what it means to claim that they manifested interacting social logics. I continue with this overview of the argument in section two, which looks in more detail at each of my four logics. I describe what they involved, and briefly illustrate how they were implicated in the forms taken by semi-sovereign polities. Section three focuses on methodological matters, examining the approaches I have taken in developing the argument: interpretive historical sociology, conceptual history, and comparative case studies. I close with an outline of the remaining chapters.

Semi-sovereigns and social logics

In the long-nineteenth century, the label 'semi-sovereign' was used, primarily by international lawyers, to refer to a particular set of polities.[9] These entities were defined by their possession of *some* sovereign rights, but *fewer* than were deemed to constitute full sovereignty, which distinguished them from both completely sovereign units, and wholly non-sovereign ones.[10]

[8] George Lawson and Robbie Shilliam, 'Beyond hypocrisy? Debating the 'fact' and 'value' of sovereignty in contemporary world politics', *International Politics* 46:6 (2009), p. 663.

[9] It's worth acknowledging that the term 'semi-sovereign' has also been applied to polities from outside the period on which I focus. For example, Katzenstein uses it to characterize Cold War-era West Germany, and especially its 'three institutional nodes – coalition governments, intergovernmental relations, and parapublic institutions – that instill political caution and a preference for incremental policy change': see Peter J. Katzenstein, *Policy and Politics in West Germany: The Growth of a Semisovereign State* (Philadelphia: Temple University Press, 1987), p. 371. Interestingly, he appears to borrow the term (see ibid., p. 10) from a book on domestic political conflict in the United States – E. E. Schattschneider, *The Semi-Sovereign People: A Realist's View of Democracy in America* (New York: Holt, Rinehart and Winston, 1960) – rather than from international law.

[10] I thus take issue with binary conceptions of sovereignty, whereby 'A state is either sovereign or it is not'. See K. J. Holsti, *Taming the Sovereigns: Institutional Change in International Politics* (Cambridge: Cambridge University Press, 2004), p. 114. On this point, I differ with Peter Haldén, whose use of 'non-sovereign', to describe polities I would call 'semi-sovereign', reflects and reproduces such a binary

Semi-sovereignty captured certain polities' standing *de jure*. There were, of course, *de facto* limitations to the autonomy of many – perhaps most – members of international society, but this alone was not enough to make them genuinely semi-sovereign.

Some contemporary scholars, while they recognize these entities existed, nevertheless describe them as mere curiosities: 'not enough to constitute a pattern or regular practice'.[11] Yet this assessment strikes me as unfair. At the time, semi-sovereignty was an intelligible notion with a specific (though not uncontested) meaning, applied only to certain polities. The set of semi-sovereigns was relatively bounded, and being demarcated so from the rest of international society gave it a coherence, obscured when one focuses only on the admittedly idiosyncratic features of many of its members.

However, the boundaries of that set *were* somewhat porous, and where exactly they lay was up for debate. Different legal writers applied the concept slightly differently, and so while some classified certain polities as genuine semi-sovereigns, others described them as fully-/non-sovereign instead. In fact, for that exact reason, it's difficult to enumerate a definitive or completely objective list of the semi-sovereigns. Some nineteenth-century writers, for example, characterized Belgium – neutralized after the 1830s and therefore deprived of the sovereign right to make aggressive war – as semi-sovereign; others argued that it was really fully-sovereign, having not given that right up to another actor. From the opposite perspective, entities like the Indian 'Princely' States – subordinate to Britain, but not directly governed through British imperial institutions – were sometimes described as semi-sovereign, but more often as wholly non-sovereign, as international non-persons.

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conception. See his 'Republican continuities in the Vienna Order and the German Confederation (1815-66)', *European Journal of International Relations* 19:2 (2013), pp. 281-304 and 'A non-sovereign modernity: attempts to engineer stability in the Balkans, 1820-90', *Review of International Studies* 39:2 (2013), pp. 337-59. There are two main advantages to eschewing this binary. First, it allows us to map out how international entities varied, in terms of their rights, in a more nuanced way. Second, it better captures how these entities were talked about and categorized at the time, and, relatedly, lets us get better purchase on how they fit into a distinctively legal worldview, and thus on how the logic of law constituted these polities as they were (see chapter 2).

[11] Holsti, *Taming the Sovereigns*, p. 114. See, similarly, Daniel Philpott, *Revolutions in Sovereignty: How Ideas Shaped Modern International Relations* (Princeton: Princeton University Press, 2001), p. 25.

Moreover, the population of the set changed over time, as legal concepts changed, as polities ceased to exist or took on new statuses, and as new ones came into being. Thus, in the late-eighteenth century, the 'demi-sovereigns' included entities like the Duke/Duchy of Courland, the towns of Royal Prussia (a province of the Polish-Lithuanian Commonwealth), and various parts of the German/Holy Roman Empire.[12] None of these polities lasted past the first few years of the nineteenth-century proper, and new semi-sovereigns took their place, including Belgium, the Ionian Islands, the members of the post-1815 German Confederation, and the Transvaal/South African Republic under British suzerainty.[13]

As is partially reflected in this historical shift, the semi-sovereigns were not only differentiated from their fully- and non-sovereign counterparts: they also varied vis-à-vis one another.[14] The category 'semi-sovereign' encompassed a variety of sub-categories, including protectorates, vassals, neutralized states, and the members of some unions of states. In addition, these alternative legal arrangements were themselves sometimes further sub-divided, as in the late-nineteenth century distinction between 'protected states', and the 'colonial protectorates' set up across sub-Saharan Africa. Moreover, some observers were sceptical about the semi-sovereign status of some of these arrangements: hence neutralized states and the members of unions were sometimes characterized as fully-sovereign, and colonial protectorates were typically thought to be non-sovereign dependencies.[15] Precisely because these were not foregone conclusions, however, a robust account of semi-sovereignty would have to range widely across these forms, if it is to capture the phenomenon in all its variation.

These variations can be read as comparisons between polities in terms of their *rights*. Protectorates ceded some of their rights to other actors, who exercised those rights on their

[12] Georg Friedrich de Martens, *Summary of the Law of Nations, Founded on the Treaties and Customs of the Modern Nations of Europe, with a list of the principal treaties, concluded since the year 1748 down to the present time, indicating the works in which they are to be found* (trans. William Cobbett; Philadelphia: Thomas Bradford, 1795), p. 31.
[13] These debates and shifts are covered in chapter 2; for details and references, I direct the reader there.
[14] See chapter 1 for a more detailed descriptive typology.
[15] Again, see chapter 2 for detail on these debates.

behalf; neutralized states lost (the capacity to exercise) one sovereignty right, without thereby transferring it to anyone else; members of unions' rights, with respect to one another were restricted, and the union as a whole often also had rights over its constituent polities. Semi-sovereigns also varied along other dimensions. They comprised, and were at times embedded within, different *institutions*. Sovereign rights could be attached to different basic entities, including individuals, as well as collective actors, including states. Often – although not always – these entities were also situated within higher-order organizational environments, including empires and the administrative apparatuses of unions. Finally, and more straightforwardly, they varied *historically* and *geographically*. Semi-sovereigns came into existence, endured through, and disappeared at different points in time, and they could be found throughout international society, in Europe, Asia, and Africa, as well as intermediate spaces like the Mediterranean.

Their similarities, compared to the rest of international society, and their differences, compared to each other, make the semi-sovereigns a particularly suitable subject for this thesis. Their similarities – the fact they belonged to the same category, one recognizable and meaningful to observers in the period itself – mean that we are not comparing such dissimilar units as to cast into doubt their comparability in the first place. Their differences, on the other hand, ensure that our comparisons have purpose: that they provide genuine leverage on variations between international entities, and on the nature and effects of international hierarchies.

In this thesis, I therefore cover all the dimensions of variation sketched out above. I examine semi-sovereigns of different legal sub-types, and I am interested as much in cases like neutralization, wherein polities' rights were merely impaired, as in arrangements like protection, in which rights were transferred from one entity to another.[16] I also consider variations in the sorts of entities that possessed these rights, and consciously cover imperial and non-imperial

[16] This is a point of contrast with Lake's theory of international hierarchies, in which hierarchy denotes 'the authority of the ruler over an increasing number of issues otherwise reserved to the ruled'. This exclusively covers cases where polity A has rights over polity B, and not where polity B's rights are simply restricted. David A. Lake, *Hierarchy in International Relations* (Ithaca and London: Cornell University Press, 2009), p. 45.

cases, not least because similar processes often worked to constitute semi-sovereigns of both sorts.[17] Finally, I compare instances of semi-sovereignty across time and space, which separates my work from studies of narrower empirical scope.[18]

The purpose of this thesis is not, however, simply to describe and catalogue the semi-sovereigns; my goal is to explain where they came from, and why they varied.[19] I do so with an argument that starts with four 'social logics' – law, management, suzerainty, and cultural differentiation – and accounts for the properties of polities as manifestations of these prior logics, individually and in interaction.

Social logics are built around social *relations*, which capture how entities and actors are positioned with respect to each other, and how they act towards each other. To make this point more concrete, consider two of my logics, law and management. Law is built around relations of *rights*, and acting in a legal fashion thus involves making claims on the basis of one's rights (or claiming rights in the first instance) and responding to such claims in a manner which, at the very least, takes them seriously. Management, by contrast, comprises relations of *control*, or

[17] Although it is not a criticism *per se* (since these studies are supposed to be about imperial politics) non-imperial instances of semi-sovereignty are rather marginalized in Edward Keene, *Beyond the Anarchical Society: Grotius, Colonialism and Order in World Politics* (Cambridge: Cambridge University Press, 2002) and Lauren Benton, *A Search for Sovereignty: Law and Geography in European Empires, 1400-1900* (Cambridge: Cambridge University Press, 2010), chapter 5.

[18] Several studies in IR, for example, frame semi-sovereignty as an exclusively or primarily extra-European phenomenon, bound up with processes of European imperialism in those parts of the world. The classic example is Keene, *Beyond the Anarchical Society*; see also Benedict Kingsbury, 'Sovereignty and Inequality', *European Journal of International Law* 9:4 (1998), p. 606, and Evan Luard, *Types of International Society* (New York: The Free Press, 1976), pp. 219-20. Other studies do acknowledge European cases, such as Peter Haldén's *Stability Without Statehood: Lessons from Europe's History before the Sovereign State* (Houndmills: Palgrave Macmillan, 2011), 'Republican continuities in the Vienna Order', and 'non-sovereign modernity'. Even these, however, are limited in scope, and it is unclear how far features Haldén highlights (like 'republicanism', or the role of the great powers) apply between these cases, much less to other, dissimilar ones, such as African or south Asian semi-sovereigns. Stephen D. Krasner, *Sovereignty: Organized Hypocrisy* (Princeton: Princeton University Press, 1999), does cover cases from a wide range of spatial and temporal contexts, and I differ with Krasner less in terms of scope, and more on substantive, theoretical matters; see chapter 1.

[19] This differentiates the thesis from another set of studies in IR, which provide nice descriptive typologies of and including the semi-sovereigns, but do not move much beyond description to explanation. Donnelly, 'Sovereign Inequalities and Hierarchies in Anarchy' is the best example. To some extent this is also true of Keene, 'The Standard of 'Civilisation', the Expansion Thesis, and the 19th-century International Social Space', which provides the beginnings of an explanation, based on patterns of association, but is for the most part a snapshot of different axes of international social stratification. Again, this is not strictly a criticism, since those articles and this thesis do not have quite the same goals, but it does leave open an explanatory gap.

administration. In practice, relations of both kinds intersected and overlapped. Law could facilitate or constrain management, with managers' rights empowering them to act vis-à-vis their subjects, and/or possibly restricting their ability to do so. At the same time, rights might be distributed, and redistributed, in response to managerial motivations or rationales. Yet although legal and managerial relations were often mutually-implicated, it will prove analytically useful to distinguish them, since it allows us to see not only how they fit together, but also where they came apart – not to mention how they meshed, together or independently, with aspects of the other two logics.

Alongside these relational cores, social logics also comprise *processes and practices*, and *background norms and concepts*. Processes and practices animate relations, sustaining, maintaining, and reproducing them temporally. In the managerial case, for example, these include intervention (bids for control, including but not limited to international interventions, across boundaries) and regulation (the management of intervention, of who gets to intervene in what circumstances). Background norms and concepts contribute meaning and value, in historically-specific ways, to these relations, processes, and practices. They allow us to see the logics as stylized blueprints for social interaction, each with their own specific standards for behaviour.

I explain variations between the semi-sovereigns of the long-nineteenth century with reference to these logics. The foundations of this argument come from 'relational' IR theory, as well as certain approaches to historical sociology. These are covered in depth and detail in chapter one; for now, the crucial point is how these theories conceive of social, including international, entities. As Jackson and Nexon put it, relations and processes come 'before states'.[20] By starting our analyses not from entities, but the types of relations which obtain between them, and the processes which animate those relations, we can show how the latter constitute and change the former. 'Treating units as bundles of processes allows the theorist to examine how changes in

[20] Jackson and Nexon, 'Relations Before States'.

relations simultaneously alter (to tremendously varying degrees) the nature of units'.[21] From this perspective, aspects of law, management, suzerainty, and cultural differentiation are productive, generating and effecting changes to polities, including the semi-sovereigns on which I focus.

Rarely, however, did the logics do that work in isolation. As I noted above, in presenting legal and managerial relations, they interacted, and polities typically embodied these combinations. Highlighting interaction has three benefits. First, it allows us to capture more of the particular features of particular polities, while at the same time continuing to hook these features up to social logics that applied more widely. Put another way, it lets us study some interesting and even unusual trees, without causing us to lose sight of the forest. Second, situating the logics within a more holistic framework helps us judge how much of a role to accord to different explanatory factors. For example, one well-known study frames nineteenth-century semi-sovereignty as principally a product of exclusionary interpretations of 'civilization'.[22] I agree these were important, but they play a more circumscribed part in my argument: they are one (and not the only) instantiation of cultural differentiation, which in turn interacted with three other logics to produce variations in semi-sovereignty. Third, by mapping out the pathways of interaction between the logics, we can get a better sense of the extent to which, and how, different factors shaped the characteristics of different polities.

Four social logics

Having sketched out the basic shape of the argument, we can now fill it out in a little more detail. This section therefore zooms in on the four logics, explaining what they involved, and illustrating how they produced and were manifested by different aspects of semi-sovereign polities.

[21] Ibid., p. 308.
[22] Keene, *Beyond the Anarchical Society*. In fairness, Keene has since moved away from this view, and his current perspective and my own have more in common: see Keene, 'The Standard of 'Civilisation', the Expansion Thesis, and the 19th-century International Social Space'.

Law

The term 'semi-sovereignty' comes from international law, and the semi-sovereigns of the long-nineteenth century were defined, as such, according to legal criteria. These criteria also captured some of the contrasts between them: semi-sovereignty encompassed a range of legal sub-categories, and different semi-sovereign polities held different sets of rights. It should therefore come as little surprise to hear that law will play an important part in a study of these polities, their characteristics, and their variations. Indeed, it is hard to see how a polity could have been meaningfully rendered semi-sovereign without being legally constituted as such.

One might wonder, however, whether law can do any genuinely explanatory work for us. We can clearly use law to describe the semi-sovereign status of various polities, but alone, that does not amount to an explanation for how or why they came to be in those positions. Entering in so heavily at the descriptive level certainly does give law a slightly different character to the other logics. Yet we *can* also appeal to aspects of law to explain how particular entities became (different types of) semi-sovereign. To see how, consider the components of the legal logic. As we have seen, relations of rights form its core, and by looking at permutations of rights, we can make comparisons between semi-sovereigns (as well as other, fully- or non-sovereign entities). However, this still will not take us much beyond description; it is the other components of the logic that give it its explanatory dimension.

First, legal theorists interpreted the legal standing of, and classified, polities, and in this sense, legal theory helped make semi-sovereigns semi-sovereign. These interpretations and classifications were supported by background norms and concepts. Changing and contested definitions of concepts like sovereignty, rights, the state, and international society opened up and closed off space for different understandings of semi-sovereignty and alternative schemes of classification, and these definitions were constructed and applied according to shifting legal methodologies and approaches.

For example, writing in the late-eighteenth century, the jurist Georg Friedrich von Martens listed entities like the towns of Royal Prussia, or the Dukes of Courland, among the 'demi-sovereigns' of Europe, whereas in the nineteenth century proper, semi-sovereignty principally referred to entities like Belgium and the Ionian Islands.[23] Part of this was of course due to the death of old polities, and the formation of new ones, which developments did not depend on legal theory. But it also reflected a conceptual shift: from demi-sovereigns, defined as members of large, internally-differentiated 'composed states', to a nineteenth-century interpretation of semi-sovereignty, predominantly as arrangements of external sovereignty rights affixed to discrete states.[24] Indeed, debate continued even within this later paradigm, and different conceptions of rights and sovereignty inclined some writers towards, and others away from classifying entities like Belgium or the members of the new German Confederation as semi-sovereign.

Furthermore, law was not the exclusive domain of scholars. Polities' legal statuses could also be modified by a number of legal practices, in which a broader range of actors participated, including diplomats and statespeople. Rights were allocated and redistributed through instruments like treaties and constitutions, while recognition fixed entities as legal subjects, able to bear rights in the first place.

Management

Without recourse to law, it is hard to see how we could begin to account for the constitution of semi-sovereign polities. Yet, while law thus has a crucial part to play in this thesis, it will not suffice on its own. The full range of relevant variations between semi-sovereigns cannot be captured in terms of rights, and although legal concepts and practices help us see how semi-

[23] Martens, *Summary of the Law of Nations*, p. 31.
[24] Ibid., pp. 24-5.

sovereigns became classified as such, we are still left without a good sense of why rights were allocated, in particular configurations, to particular polities. The remaining three logics fill in this explanatory gap.

Management comprises relations of control, processes and practices of intervention and regulation, and background norms and concepts which give these purpose. Managers outrank and exercise authority over the subjects they control, within some domain; managerial relations are, therefore, hierarchical. They are not, however, static: they ebb and flow over time, as (would-be) managers seek to expand their control over new subjects and into new domains, and tighten up what control they do have, while their subjects strive to loosen or sever the managerial relationship altogether. Processes and practices capture this aspect of management. Interventions represent bids for control, and encompass both international interventions, as IR typically uses the term, and social interventions within polities. Regulation can then be thought of as a meta-practice: the management *of* interventions. It denotes attempts to control who gets to intervene, against whom, and in what circumstances.

Management resolves out into historically-specific forms, one of which is management by, through, and in the state. In this instance, states are, simultaneously, managers and domains for management; they exercise control over subjects within their boundaries. Relations of control, understood more generically, can be found across a huge range of contexts, but this statist form only became ascendant at a particular historical juncture, around the early-nineteenth century. Recognizing this development helps us account for variations in the sorts of entity that bore (semi-)sovereign rights. Many of the new semi-sovereigns, constituted from the early-nineteenth century onwards, approximated to the form of managerial states, far more that had even their late-eighteenth century predecessors. For example, the Polish semi-sovereigns formed in 1815 – the Kingdom of Poland, ruled by the Russian Tsar, and even the protectorate of Cracow (Kraków) – were discrete states in their own right. In this respect, they looked very different from, say, the

towns of Royal Prussia, urban communities embedded within a province of the broader Polish-Lithuanian Commonwealth.[25]

Moreover, management *also* helps us understand why these polities were semi-sovereign, since managerial concerns provided rationales for allocating and withholding rights. Relations of control could be extended beyond and outside the state, resolving into international forms: interventions were carried out across boundaries, and actors' capacities to conduct such cross-boundary regulations were regulated and restricted. Legalized, durable patterns of cross-boundary intervention meant restrictions to the internal sovereignty of intervened-in polities. Britain, for example, intervened extensively in the internal affairs of the Ionian protectorate it assumed in 1815, managing the polity through British imperial institutions, in a heavy-handed, penetrative, and to many Ionians surprising manner. Legal instruments, like the (British-designed) constitution expressed Britain's capacity to conduct these intervention capacities in the language of rights, thus constituting the polity as semi-sovereign. Likewise, regulation often meant restrictions on polities' external sovereignty. For instance, Britain tried to prevent the Transvaal/South African Republic from intervening in the affairs of the African polities it bordered and which it increasingly overlapped with, and the Pretoria (1881) and London (1884) Conventions thus encoded restrictions on this settler state's external sovereignty rights.

[25] Since these are summaries of arguments made in more detail in each chaper, I will not provide extensive evidence for my empirical claims here. Every point I make in this section is substantiated at greater length later in the thesis, and accompanied by robust citations.

Suzerainty

Distributions of rights did not always follow from prior, managerial relations, however. Sometimes, semi-sovereigns were instead produced by interactions between law, and the logic of suzerainty. At the heart of the latter are symbolic hierarchies, relations of majesty and deference between suzerains and their subordinates.[26]

In fact, suzerainty and management could themselves interact, and to make sense of the characteristics of certain semi-sovereign polities, we'll need to invoke all these logics, in combination. Part of why suzerainty and management often interacted with or substituted for each other is the structural parallel between a manager's standing over their subjects, and a suzerain's over their vassals. While similar in form, management and suzerainty nevertheless differed in content, and pure cases of suzerainty do not involve control or administration. In practice, the two often came together, with the status and authority of a suzerain bolstering their ability to durably and reliably control their subordinates. However, they could also come apart, where chains of control and hierarchies of symbolic standing did not sync up, potentially with implications for the sustainability of both.

Like the other logics, suzerainty does not refer only to static, unchanging relations. Supremacy is claimed, asserted, and requires work to maintain; deference is performed, and may well be withheld. Symbolic hierarchies are sustained and reproduced – and potentially challenged – through 'rituals', the pledging of homage, and the provision of 'tribute'.[27]

The shifting position of Egypt neatly exemplifies the effects of suzerainty and its interactions with management. Throughout the long-nineteenth century, the governors of Egypt remained a vassal of the Ottoman Sultan, and the formers' various Ottoman titles gave expression

[26] Drawing on Wight's recognition of the importance of demands for 'tribute or other marks of deference' in 'suzerain state-systems', defined in Martin Wight, *Systems of States* (ed. Hedley Bull; Leicester: Leicester University Press, 1977), p. 23.
[27] Ibid., p. 23; Yuen Foong Khong, 'The American Tributary System', *Chinese Journal of International Politics* 6:1 (2013), pp. 11-2.

to this relationship. For most of the period, however, Ottoman control over the governors, and Egypt more generally, was limited. At the same time, the governors tightened and expanded their own control over the country, overseeing the construction of new and more robust administrative institutions – but without thereby ceasing to be under Ottoman suzerainty. Then, towards the end of the nineteenth century, European states (principally Britain), became increasingly involved in the administration of Egypt. Still, this expansion of management across borders did not, at first, erode Ottoman suzerainty, and that relationship was only severed when Britain and the Ottoman Empire found themselves on opposite sides in the First World War.

Relationships of suzerainty, and the statuses and titles they generate and which structure them, do not *necessarily* entail certain distributions of rights. Typically, however, jurisdictions, rights, and even elements of international personality were attached to these titles and statuses. Since these were often limited and partial – because suzerains often had rights over their vassals, and what rights the latter had often depended on the former's goodwill – these distributions of rights typically implied semi-sovereignty.

Cultural differentiation

By linking up distributions of rights to patterns of control, and of majesty and deference, we can get a better sense of why different semi-sovereigns varied. We might still wonder, however, why these logics played out as they did from context to context, or why particular configurations of law, management, and suzerainty arose in particular instances. Why, for example, were relations of control tighter in some cases than others; why were some interventions pursued more vigorously, and with more ambitious aims? To some extent, we could answer these questions without leaving the terrain of management itself: ideologies of government in late-eighteenth and nineteenth century Europe, for example, stressed the importance of constructing and actively using state institutions to promote popular welfare. Yet we can also draw on a final logic to help

us understand these variations. This logic will also help us see why different suzerainties generated different sets of statuses orders, and were associated with different rituals and ceremonies, and further help us make sense of the specific distributions of rights attached to polities.

Cultural differentiation refers to how images and representations of societies are constructed, and how these are related to one another. Emphasizing 'differentiation' alerts us to the importance of perceived or proclaimed differences between cultural units, so represented, and to how these representations are constructed, socially, historically, and processually.

Like the others, this logic played out in contextually-specific ways. Shifting and contested background norms and concepts defined the most salient axes of cultural differentiation. From our perspective, two are particularly important: 'nationhood', and 'civilization'. During the long-nineteenth century, nations and nationality were understood in a range of ways, with different implications for the sorts of polities that could represent national communities. This was also the period in which the idea of civilization reached the peak of its influence on international society, structuring unequal relations between purportedly more and less 'civilized' societies.

Cultural differentiation is a logic in its own right, and relations between (representations of) cultural blocs cannot be reduced to law/management/suzerainty, or vice versa. For the most part, however, it shaped semi-sovereign polities by working in combination with, and through, the other logics.[28] Two further processes capture how it did so: fitting, and transforming.

Rights, administrative institutions, and statuses were 'fit' to societies, based on cultural characteristics ascribed to, claimed on behalf of, or projected onto them. During and in the immediate aftermath of the Congress of Vienna, for example, the European great powers accepted that the Polish nation existed and carried moral weight; institutions to reflect and

[28] Echoing and expanding the arguments in Christian Reus-Smit, 'International Law and the Mediation of Culture', *Ethics and International Affairs* 28:1 (2014), pp. 65-82.

preserve it were thus put in place, although to variable extents, in the Polish polities set up in 1815. At the same time, however, it was not widely believed that the Polish nation required, or even ought to have, an independent sovereign state of its own. The result was a combination of separate semi-sovereign polities, and somewhat autonomous zones within other states. Over time, the former were absorbed into the latter, and the latter were mostly deprived of what autonomy they had. This reflected dampened sympathies for Polish national sentiments, especially from Russian, Austrian, and Prussian corners, and even increasingly sceptical appraisals of Polish society's level of civilization

Once in place, these features – administrative institutions especially – could be used to effect cultural change: to inculcate national sentiments, or launch 'civilizing missions'. Transformative ambitions thus inclined managers towards deeper, wider, and more sustained interventions than they might otherwise have pursued. This is the key to understanding why control over, and government in, the Ionian Islands, mid-nineteenth-century Poland, and many colonial protectorates were so tight and invasive, more so than many had initially expected.

Approaches and methods

Broadly speaking, this thesis adopts a historical perspective on its subject. However, there are many ways of answering IR questions historically, which means some more specific methodological discussion is called for.[29] I draw on three (not unrelated) approaches: interpretive historical sociology, conceptual history, and comparative case studies. Let's examine each in turn.

[29] George Lawson, 'The eternal divide? History and International Relations', *European Journal of International Relations* 18:2 (2012), pp. 205-26.

Interpretive historical sociology

'Historical sociology' is not so much a specific method, as it is a sensibility or orientation: historical sociologists are interested in how societies develop and change. Compared to other historians, they typically conceive of social change in a more holistic way, and draw more heavily on social theory; compared to other sociologists, they tend to focus more on the dynamic aspects of social relations and processes, and on how these play out over longer stretches of time. The merits of studying international society from this perspective are being increasingly appreciated, and it has become more common to see explicitly historical-sociological work within IR.[30]

As a broad orientation, there is no one undisputed way to do historical sociology, and a range of approaches can comfortably be fit under its umbrella.[31] That said, I follow Lawson in the view that historical sociology works best and adds the most value at the 'meso-level' of explanation.[32] Such explanations focus on social forces of intermediate scale, between individuals acting at the micro-level, and societies as wholes, on the macro-level. In the case of this thesis, these are the four logics, and the empirical chapters are structured around these meso-level constructs, one per logic.

Like much historical sociology, the methodology underpinning this thesis is interpretive and ideal-typical.[33] Ideal types are 'abstractions derived from empirical observation': they are generated for the most part inductively yet, being abstractions, they nevertheless have a theoretical character.[34] In describing my social logics as ideal types I aim to capture their basis in systematic historical work, *and* how they cut through and simplify the complex reality out of

[30] Stephen Hobden and John M. Hobson (eds.), *Historical Sociology of International Relations* (Cambridge: Cambridge University Press, 2002); George Lawson, 'The Promise of Historical Sociology in International Relations', *International Studies Review* 8:3 (2006), pp. 397-423; George Lawson, 'Historical Sociology in International Relations: Open Society, Research Programme and Vocation', *International Politics* 44:1 (2007), pp. 343-68.
[31] See the diverse essays in Hobden and Hobson, *Historical Sociology of International Relations*.
[32] Following Lawson, 'Promise of Historical Sociology'.
[33] My main inspiration and model in this respect is Mann, *Sources of Social Power, Volume 2*.
[34] Leonard Seabrooke, 'Why Political Economy Needs Historical Sociology', *International Politics* 44:4 (2007), p. 405.

which they have been abstracted, as I explain further in chapter one. There is a clear affinity between explanation at the meso-level, and this sort of interpretive methodology. Meso-level social forces work at an intermediate scale, between the particularity of individual actors and entities, and the generality of society as a whole. They apply fairly widely, but we should not necessarily expect them to translate unproblematically to any or all historical contexts. Approaching them as ideal types allows us to get a good handle on their more general and more particular aspects, without losing sight of either.

All works of historical sociology must consider periodization. There are two reasons for my focus on the long-nineteenth century. First, there was significant variation between polities in the international society at this time, both between the semi-sovereigns, and outside that set. We can therefore get a lot of leverage on the questions that motivate the thesis, without having to compare cases from radically different time periods. Second, the long-nineteenth century had especially significant implications, sociologically. Indeed, what makes the century *long* is its definition in terms of changing social relations and processes, which began to set in before 1800, and continued to structure international society until at least the outbreak of the First World War. It has recently been argued that international society underwent a fundamental 'transformation' over the period, becoming recognizably 'modern'.[35] By tracing how they were affected by and implicated in this transformation, we can therefore explore variations between polities in a dynamic sense, rather than simply making static comparisons between them.

Conceptual history

The four social logics form the building blocks of a historical-sociological argument. As I noted above, however, these logics are themselves made up of different components, including

[35] Buzan and Lawson, *Global Transformation*.

background norms and concepts, and some engagement with the histories of these ideas is thus called for.

One approach to intellectual history is the 'linguistic contextualism' made famous by Quentin Skinner.[36] This has its advocates within IR, particularly within constructivism, and so its merits warrant consideration.[37] Skinner argues that historians should focus on authors' 'intentions' and purposes in writing, which can be recovered, he claims, by reconstructing their 'linguistic contexts', revealing the specific meanings they attached to concepts, and the particular ways they used them in support of their agendas.[38]

Skinner's emphasis on linguistic contexts reminds us that the same concepts, and the same words, do not necessarily 'mean' the same things in different times and places, and he usefully cautions historians of political thought against a series of errors, or 'mythologies', including projecting 'coherence' onto texts that was never there in the first place, or ascribing to writers 'doctrines' that they would not have ascribed to themselves.[39] Whatever one makes of Skinner's more positive arguments, these injunctions are well worth taking to heart. However, two obstacles stand in the way of a full application of the Skinnerian methodology in this thesis. First, the thesis has too broad a historical scope. It makes comparisons between polities from across the entire long-nineteenth century and a variety of regions, and it accounts for them in terms of broad social logics. Given this, it would be at best difficult, and at worst a distraction from these goals, to do the fine-grained work of attending to particular writers' purposes in writing.[40] Put differently, Skinner's works best as a micro-level approach, while this thesis predominantly operates at the meso-level. Second, and relatedly, Skinner accords too much

[36] Quentin Skinner, 'Meaning and Understanding in the History of Ideas', *History and Theory* 8:1 (1969), pp. 3-53.
[37] Christian Reus-Smit, 'Reading History through Constructivist Eyes', *Millennium: Journal of International Studies* 37:2 (2008), pp. 395-414.
[38] Skinner, 'Meaning and Understanding in the History of Ideas', pp. 48-9.
[39] Ibid., pp. 7-27.
[40] Even Reus-Smit acknowledges that this approach is hard to square with constructivism's typical 'blend of macro-history and comparative case-study analysis'. 'Reading History through Constructivist Eyes', p. 411.

emphasis to individuals and their intentions, and not enough to how ideas fit within broader conceptual structures and discourses, and how these assemblages change over time.[41] In Freeden's words, 'Skinner's hostility to the study of the "idea" itself as a "unit" does not do justice to the different ways in which an idea unit may be handled'.[42]

Another approach, 'conceptual history', better suits my project. Conceptual history similarly recognizes that the meanings of concepts vary, change, depend on one another, and are inescapably bound up with politics.[43] But compared with Skinnerian methods, it is concerned less with explaining the rhetorical moves of specific writers' vis-à-vis each other, than tracing the historical trajectories of concepts, and groups of concepts, themselves.[44] Recognizing that a concept which 'in its linguistic or literal form remains the same…can absorb widely different historical experiences', conceptual histories do a better job of exploring the myriad ways 'idea units' have been handled.[45] Moreover, they are 'characterised by a productive ambivalence between linguistic-hermeneutical and historical-structural perspectives'.[46] While textual interpretation has its place, conceptual histories are as much about situating changing use of concepts within and against broader social and political developments. Since I put norms and concepts with relations, processes, and practices – as parts of social logics – this is another point

[41] For critiques along these lines, see Jens Bartelson, *A Genealogy of Sovereignty* (Cambridge: Cambridge University Press, 1995), chapter 3, and Michael Freeden, *Ideologies and Political Theory: A Conceptual Approach* (Oxford: Clarendon Press, 1996), pp. 100-11. Moreover, actually pinning down authors' intentions in their speech acts is difficult; see also, in this respect, Michelle T. Clark, 'The Mythologies of Contextualism: Method and Judgement in Skinner's *Visions of Politics*', *Political Studies* 64:1 (2013), pp. 767-83.

[42] Freeden, *Ideologies and Political Theory*, p. 111.

[43] For an excellent overview and application of this approach, see Helge Jordheim and Iver B. Neumann, 'Empire, imperialism and conceptual history', *Journal of International Relations and Development* 14:2 (2011), pp. 153-85. There are some parallels between conceptual history, and the study of political 'languages', outlined in J. G. A. Pocock, 'The concept of a language and the métier d'historien: some considerations on practice' in Anthony Pagden (ed.), *The Languages of Political Thought in Early-Modern Europe* (Cambridge: Cambridge University Press, 1987), pp. 19-38. I am grateful to Julia Costa Lopez for drawing my attention to the advantages of this approach.

[44] That said, they are not *completely* mutually exclusive, and nothing precludes conceptual historians occasionally zooming in on particular writers' purposive uses of relevant concepts. See Jordheim and Neumann, 'Empire, imperialism and conceptual history', pp. 174-8, and James Farr, 'Understanding conceptual change politically', in Terence Ball, James Farr, and Russell L. Hanson (eds.), *Political Innovation and Conceptual Change* (Cambridge: Cambridge University Press, 1989), pp. 24-49.

[45] Jordheim and Neumann, 'Empire, imperialism and conceptual history', p. 157.

[46] Ibid., p. 158.

in favour of a more conceptual-historical approach.

Comparative case studies

Case studies illustrate how the four logics produced and shaped (aspects of) semi-sovereign polities. The goal of this thesis is to account for the properties of – and variations between – these entities, and so cases were selected to ensure a high level of variation was captured. The polities examined in the empirical chapters thus represent all the important sub-types of semi-sovereignty; held a variety of rights, distributed in a number of ways; and comprised, and were embedded within, different institutions and organizations. I have considered cases from all through the long-nineteenth century, as well as several different regions, including Western Europe, Eastern Europe, the Mediterranean, Asia, and sub-Saharan Africa. This ensures the thesis speaks to the differences between political units and the operation of international hierarchies in a robust and compelling manner.[47] It makes it less likely that I will miss out on some important factor, than might otherwise have been the case had I focused only on certain kinds of semi-sovereign (like protectorates or unions), or exclusively on polities from, say, Europe or Africa.

With that in mind, I examine more cases than qualitative, interpretive studies usually do.[48] I do not consider every possible instance of semi-sovereignty, principally because, at a point, more breadth means less depth, and I do need to get into some real historical detail to trace

[47] Methodological guidelines that come out of the hypothesis-testing tradition should not be uncritically applied to projects based on interpretive methodologies. The language of dependent and independent variables is simply inappropriate to my arguments, and attempting to force them into that framework will do more harm than good. That said, some points from that literature, suitably modified, are worth even interpretivists bearing in mind – like the merits of comparing different sub-types of a phenomenon, and being on the lookout for biases in case selection. See John Gerring, 'Case Selection for Case Study Analysis: Quantitative and Qualitative Techniques', in Janet M. Box-Steffensmeier, Henry E. Brady and David Collier (eds.), *The Oxford Handbook of Political Methodology* (Oxford: Oxford University Press, 2010), pp. 648-84.

[48] In the final instance, it is one's 'theoretical framework' and especially 'core question' that should determine the number of cases studied. See Audie Klotz, 'Case Selection', in Audie Klotz and Deepa Prakash (eds.), *Qualitative Methods in International Relations: A Pluralist Guide* (Houndmills: Palgrave Macmillan, 2008), pp. 54-7.

out the role of each logic.[49] I have, however, tried to cover as many examples as is feasible. Furthermore, I have made an active effort not only to look at polities whose semi-sovereignty was fairly uncontroversial, but also cases whose semi-sovereignty was disputed, as well as edge cases, that one might have expected to be considered semi-sovereign, but typically were not. I thus include cases like Belgium and the members of the German Confederation, which some (but crucially not all) jurists characterized as semi-sovereign, as well as colonial protectorates, which were generally positioned just on the non-sovereign side of the semi-/non-sovereign divide. This ensures we avoid reproducing only a particular – possibly narrow – interpretation of semi-sovereignty, and lets us put some critical pressure on international lawyers' categories.

The main cases I examine are listed below.[50]

[49] For a sense of the possible universe of cases, see J. H. W. Verzijl, *International Law in Historical Perspective, Part 2: International Persons* (Leiden: A. W. Sijthoff, 1969), especially chapters 4, 6

[50] I also briefly discuss a few other cases, including the members of the Napoleonic Confederation of the Rhine, and Cyprus. However, I examine these in much less depth than those listed below, so they have not been singled out in the same way as, say, (the members of) the German Confederation, or the Ionian Islands.

Eighteenth-century ‘demi-sovereigns’:

- The Duchy of Courland
- The parts of the Holy Roman Empire
- The cities of Royal Prussia, and Bienne/Biel

The Principalities of Moldavia and Wallachia

Members of nineteenth-century confederal unions, especially:

- The German Confederation
- The Swiss Confederation

Parts of nineteenth-century Poland, especially:

- The Kingdom of Poland
- Cracow

British Mediterranean protectorates, especially:

- The Ionian Islands

Belgium

Egypt

The Transvaal/South African Republic

The Indian ‘Princely’ States

Colonial protectorates

Rather than getting their own chapters, these case studies are embedded within broader analyses of the logics. This helps keep the argument front and centre, preventing the thesis devolving into a ‘laundry list’ of potted histories. Moreover, rarely are these cases considered in just one chapter: for the most part, they recur throughout them, being introduced in one, and then subsequently revisited. For example, I examine the ‘Polish’ semi-sovereigns from the perspective of management, comparing the towns of Royal Prussia, Cracow, and the Kingdom, as different sorts of rights-bearing entity. Later, I reconsider them through the lens of cultural differentiation,

explaining how interpretations of nationhood and civilization influenced how they were treated around 1815, and thereafter. The reason for this is my emphasis on interactions between the logics, and the ways particular polities embodied these combinations and configurations. Using each case to illustrate one and only one logic would risk obscuring this important aspect of my argument.

Thesis structure

This thesis consists of five substantive chapters, plus a conclusion. Chapter one lays out the theoretical foundations of the argument. It opens by mapping out the different ways semi-sovereign polities varied, then fleshes out the claim that these variations can be explained with reference to social logics. I break the idea of a social logic down into its component parts, and show what an explanation revolving around them would look like, drawing contrasts along the way with alternative approaches from IR theory. I show how the logics may interact, before lastly considering and drawing comparisons between each logic's hierarchical elements.

The next four chapters comprise the empirical core of the thesis, each focusing on a different logic. Chapter two looks at law. It begins with an examination of the constitutive role of legal theory, demonstrating how changing and contested background norms and concepts shaped jurists' definitions of semi-sovereignty, and whether and how they classified particular entities as semi-sovereign. Then, I discuss four aspects of legal practice – recognition, treaty-making, the issuing of constitutions, and the legal role of the great powers – and show how these fixed polities as legal subjects, and distributed and redistributed rights to and between them.

Management is the subject of chapter three. I start by examining one particularly important manifestation of this logic: management by, through, and in the state. I show how this became ascendant around the early-nineteenth century, and illustrate the implications of its ascendency for variations between the sorts of entities that bore (semi-)sovereign rights. Then, I

look at international extensions of management. When legalized, patterns of cross-boundary intervention made for restrictions to polities' internal sovereignty, while regulation (the management of interventions) could imply limits to their external sovereignty.

Chapter four deals with suzerainty. I demonstrate how relations between (would-be) suzerains and their subordinates produced, and were in turn structured by, differences of status, to which rights, jurisdictions, and aspects of international personality could be attached. I then show how these relationships were sustained and renegotiated processually, through the paying of tribute, and reaffirmations of and/or challenges to majesty. Following some remarks on the conception of political space associated with this logic, I use 'vassal states' to illustrate interactions between, and hybrid manifestations of, suzerainty and management.

Finally, chapter five turns to cultural differentiation. I show how images and representations of societies had implications for the rights and statuses affixed tom and the institutions used to govern them, drawing attention to pathways of interaction between this, and the preceding logics. The chapter is organized around two concepts: 'the nation', and 'civilization'. In the period, nations and nationality were understood according to a variety of models; I lay several of these out, and discuss their implications for the different sorts of polities that represented these national communities. Then, I look at the relationship between civilization and semi-sovereignty, focusing especially on ambiguously-constructed or liminal spaces, and the semi-sovereign entities located within them.

[1]: Theoretical Foundations

I explain variations between the semi-sovereign polities of the long-nineteenth century in terms of the operation and interaction of four social logics: law, management, suzerainty, and cultural differentiation. These logics comprise social relations, processes and practices, and background norms and concepts; in ideal-typical fashion, each represents a distinctive kind of social interaction. Drawing on relational IR theory, and the historical sociology of Michael Mann, I argue that international entities embody and manifest these logics. From this perspective, we are able account for the properties of these entities, explain differences between them, and make sense of their positions within international hierarchies.

This chapter lays out the theoretical foundations of this argument. We need to pin down what we want to explain before we can explain it; we need to know in what ways and how much semi-sovereign polities varied, before we can begin to account for those variations. I therefore open this chapter by running through the most important forms of semi-sovereignty in the long-nineteenth century, and considering how these polities might vary, in terms of the rights they bore, and the organizations which they comprised and within which they were sometimes embedded.

The next two sections turn from description to explanation. Section two – the core of the chapter – covers social logics, and their relationship to the forms assumed by polities. I explain what a social logic is, what their components are, and how international entities embody them. Then, I characterize these logics as ideal types: as abstractions, but historically-grounded ones. Being ideal-types, each logic captures a certain outlook on international relations, with a normative basis and normative implications. Other scholars account for violations of, or departures from, sovereignty in rationalist, consequentialist terms, and the normative content of my logics thus distinguishes my argument from theirs. Yet, while I draw attention to the way background norms and concepts constituted semi-sovereign polities as such, my social logics are

not purely ‘ideational’, and my argument works across the supposed divide between ‘material’ factors and ‘ideas’ in IR theory. Furthermore, resting as it does on a relational ontology, mine is also distinguished from more ‘systemic’ varieties of explanation, and I close out section two with some remarks on this point.

Rarely did specific polities manifest only one social logic: typically, elements of multiple logics worked with and through one another, different permutations giving rise to different semi-sovereigns. Section three explores the theoretical basis for such ‘configurational’ arguments, which emphasize the relevance of how social forces are arranged, to the outcomes they produce. As distinct ideal types, each social logic has an autonomous standing, and none was straightforwardly caused by, or reducible to, another. Yet, provided we frame these connections as pathways of interaction, rather than relationships of causality or priority, we can map out the ways different logics worked through or shaped the operation of others, and I do so in the latter half of this section.

Finally, I consider the location of the semi-sovereigns within international hierarchies. Social relations may be hierarchical, and social logics may therefore contain elements of hierarchy. In fact, all four of my logics do, although to different extents and in different ways. Hierarchy can refer to differences of rank or status, and to relations of authority; some logics always comprise hierarchies of both types, whereas others do not, or only do so in some instances. Moreover, since the logics interact in the ways specified in section three, it follows that the hierarchies they encompass do so as well, working together to constitute polities, while nevertheless remaining distinct from, and not reducible to, one another.

Variations in semi-sovereignty

More and more IR theorists have expressed scepticism towards assuming the essential similarity of the entities which conduct international relations, or representing them as 'like units'.[1] This assumption obscures interesting and important variations between international actors, which are not only empirically observable but often also theoretically salient. By contrast, noting the ways in which international entities might be 'unlike' – how units might be 'differentiated' from one another – allows IR theory to get a handle on these variations, opening up lines of inquiry that are shut off when their similarity is simply taken as a premise.[2]

This thesis strives to account for how and why the semi-sovereign polities of the long-nineteenth century differed to one another (as well as to their fully- and non-sovereign counterparts). To do so, we first have to pin down exactly what those variations were. This section therefore maps out their scope, from two perspectives. I'll begin with a typology, inductively derived, which encompasses the most important categories of semi-sovereign found in the international law of the period. This is supplemented with an analytic break-down of the main properties which differentiated these polities from each other.

What is the value of having both of these descriptive maps? The answer lies in the reflexive nature of semi-sovereignty (and sovereignty), being concepts used by IR scholars *and* the actors they study. Concepts of this sort can be studied in two ways, which Jackson calls 'scholarly specification' and 'participant specification'. These refer, respectively, to 'a scholarly

[1] Kenneth N. Waltz, *Theory of International Politics* (Boston: McGraw-Hill, 1979), pp. 95-7.
[2] Georg Sørensen, 'States are Not "Like Units": Types of State and Forms of Anarchy in the Present International System', *Journal of Political Philosophy* 6:1 (1998), pp. 79-98; David A. Lake, 'The State and International Relations', in Christian Reus-Smit and Duncan Snidal (eds.), *The Oxford Handbook of International Relations* (Oxford: Oxford University Press, 2008), pp. 53-4; Jack Donnelly, 'Rethinking political structures: from 'ordering principles' to 'vertical differentiation' – and beyond', *International Theory* 1:1 (2009), p. 73. For some empirical and historical treatments of differences between international units, see Hendrik Spruyt, *The Sovereign State and Its Competitors: An Analysis of Systems Change* (Princeton: Princeton University Press, 1994); Daniel H. Nexon, *The Struggle for Power in Early Modern Europe: Religious Conflict, Dynastic Empires & International Change* (Princeton and Oxford: Princeton University Press, 2009), especially chapter 3; Andrew Phillips and J. C. Sharman, *International Order in Diversity: War, Trade and Rule in the Indian Ocean* (Cambridge: Cambridge University Press, 2015).

delineation of a social object…and a scholarly effort to trace and explain how actors themselves delineate that social object'.[3] We do not have to pick one of these perspectives to the complete exclusion of the latter – indeed, we are better off tacking back and forth between the two.[4] A participant specification approach enables us to ensure our categories accurately capture the phenomena we study; scholarly specification prevents us from simply reproducing these categories, uncritically. Moreover, 'pure' versions of either approach are elusive: our representations of historical actors' worldviews are necessarily coloured by the act of representing them; our own definitions of social objects will typically isolate features recognizable to actors who engage with those objects.[5]

Participant specification: a typology of legal forms

Sovereignty is a 'social construct'.[6] Its meaning, normative weight, and practical implications are not givens; they emerge through intersubjective deliberation, negotiation, and contestation. It follows from this that sovereignty is also a historical construct, since these processes have temporal dimensions. The idea of sovereignty did not always exist, and even after coming into wide circulation, it has taken on different meanings within and across different historical

[3] Patrick Thaddeus Jackson, 'How to think about civilizations', in Peter J. Katzenstein (ed.), *Civilizations in World Politics: plural and pluralist perspectives* (London and New York: Routledge, 2010), pp. 185-9. See, similarly, the distinction between 'semantic' and 'nominalist' points of view, in Jens Bartelson, 'Sovereignty Before and After the Linguistic Turn', in Rebecca Adler-Nissen and Thomas Gammeltoft-Hansen (eds.), *Sovereignty Games: Instrumentalizing State Sovereignty in Europe and Beyond* (Houndmills: Palgrave Macmillan, 2008), pp. 33-45. There are additional, relevant observations in Hent Kalmo, 'A matter of fact? The many faces of sovereignty', in Hent Kalmo and Quentin Skinner (eds.), *Sovereignty in Fragments: The Past, Present and Future of a Contested Concept* (Cambridge: Cambridge University Press, 2010), pp. 114-31.

[4] Bartelson, 'Sovereignty Before and After the Linguistic Turn', pp. 41-3.

[5] This is especially true here, since many of the 'participants' from whom I derive a typology of semi-sovereigns – legal theorists – were themselves scholars.

[6] This is a hallmark of constructivist accounts of sovereignty. The path-breaking analysis was Thomas J. Biersteker and Cynthia Weber, 'The social construction of state sovereignty', in Thomas J. Biersteker and Cynthia Weber (eds.), *State Sovereignty as Social Construct* (Cambridge: Cambridge University Press, 1996), pp. 1-21, and other essays in the same volume.

contexts.[7] If this is true of sovereignty, so must it be of derivative concepts, like semi-sovereignty, that depend on sovereignty for their intelligibility, and of yet more specific ones, like the different sub-types and modes of semi-sovereignty that have been taken to exist in alternative times and places. These arguments imply that some degree of participant specification will be necessary if we are to construct an accurate and useful descriptive map of variations in semi-sovereignty.

Semi-sovereignty is a term from international law, and so the sources for this typology are the legal texts discussed more in the next chapter. It primarily includes nineteenth-century modes of semi-sovereignty, as described by nineteenth-century legal theorists.[8] However, it is important to acknowledge not only that the idea of semi-sovereignty belonged to a particular historical context, but also that its meaning changed over time. In recognition of this point, the typology also includes a distinctively eighteenth-century form, as it was discussed in late-eighteenth-century legal scholarship ('composed states' and their 'demi-sovereign' members, as they were characterized by Georg Friedrich von Martens).[9]

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[7] There are many historical studies of sovereignty, which often reach different conclusions. For a sample, see F. H. Hinsley, *Sovereignty* (2nd edition, Cambridge: Cambridge University Press, 1986); Jens Bartelson, *A Genealogy of Sovereignty* (Cambridge: Cambridge University Press, 1995); Daniel Philpott, *Revolutions in Sovereignty: How Ideas Shaped Modern International Relations* (Princeton: Princeton University Press, 2001); J. Samuel Barkin and Bruce Cronin, 'The state and the nation: changing norms and the rules of sovereignty in international relations', *International Organization* 48:1 (1994), pp. 107-30; Luke Glanville, *Sovereignty and the Responsibility to Protect: A New History* (Chicago and London: University of Chicago Press, 2014); Rodney Bruce Hall, *National Collective Identity: Social Constructs and International Systems* (New York: Columbia University Press, 1999); Christian Reus-Smit, *The Moral Purpose of the State: Culture, Social Identity, and Institutional Rationality in International Relations* (Princeton: Princeton University Press, 1999); Robert Jackson, 'Sovereignty in World Politics: A Glance at the Conceptual and Historical Landscape', *Political Studies* 47:3 (1999), pp. 431-56.

[8] Rather than cite all these primary texts here, it is simplest to refer the reader to the footnote references in the next chapter. Several secondary sources and commentaries were helpful, too: Jack Donnelly, 'Sovereign Inequalities and Hierarchy in Anarchy: American Power and International Society', *European Journal of International Relations* 12:2 (2006), especially pp. 149-51; J. H. W. Verzijl, *International Law in Historical Perspective, Part 2: International Persons* (Leiden: A. W. Sijthoff, 1969), especially chapters 4, 6; Edwin DeWitt Dickinson, *The Equality of States in International Law* (Cambridge: Harvard University Press, 1920), chapter 7. For the most part my typology – at least forms (2) to (5) – hews closest to that in L. Oppenheim, *International Law: A Treatise* (1st edition, London, New York, and Bombay: Longmans, Green, and Co., 1905-6, 2 vols.), v. 1, chapters 5-8, except for the fact that Oppenheim thought forms (4) and (5) were essentially fully-sovereign; see ibid., chapters 5, 8, and the next chapter of this thesis.

[9] Georg Friedrich de Martens, *Summary of the Law of Nations, Founded on the Treaties and Customs of the Modern Nations of Europe, with a list of the principal treaties, concluded since the year 1748 down to the present time, indicating the works in which they are to be found* (trans. William Cobbett; Philadelphia: Thomas Bradford, 1795), pp. 24-5, 31.

The list of semi-sovereign forms below is not necessarily exhaustive, nor is it a wholesale reproduction of any particular nineteenth-century legal theorist's (or contemporary scholar's) typology. As we'll see in the next chapter, different writers from the period disagreed: some argued that certain kinds of entity, such as neutralized states, were semi-sovereign, whereas others disputed this claim; some omitted (or included) entire categories that were (not) to be found in others' frameworks. Furthermore, some writers use concepts, like 'imperfect unions', which are not coherent, including as they did entities that also belonged to other categories (members of composed states, vassal states, members of confederal unions).[10] These muddy the waters, hindering rather than helping us in distinguishing these polities from one another by type; for this reason, I do not include them below. Finally, I include only legal statuses assumed by polities, and not *processes*, such as intervention.[11] As I'll discuss shortly, processes are components of the social logics used to explain the form taken by polities, and including them within this *descriptive* typology would inappropriately blur the line between description and explanation. These considerations all demonstrate the impracticality of 'pure' participant specification, to which I alluded above. My list below consists, therefore, simply of the most important kinds of semi-sovereign, as I judge the matter.

Before we get onto the list itself, we need to address one last issue, also touching on the relationship between the descriptive and the explanatory. Legal categories provide one way of characterizing semi-sovereign polities descriptively. At the same time, law is one of my four social logics: I will use it to explain how particular polities ended up in those categories. Law includes a range of background norms and concepts – the theoretical foundations which made semi-sovereignty and its sub-types meaningful, and which provided criteria for the classification of polities according to these types – as well as processes and practices, like treaty-making and recognition, which modified international entities' rights and legal statuses. We can therefore

[10] Cf. Donnelly, 'Sovereign Inequalities and Hierarchies in Anarchy', p. 150; Dickinson, *Equality of States in International Law*, pp. 230-6.
[11] Again, *contra* Donnelly 'Sovereign Inequalities and Hierarchy in Anarchy', p. 150

appeal to law, understood in this boarder sense, to *explain* polities' semi-sovereignty, as well to describe it. This dual role of law does give it a rather different quality to the other logics, but so long as we are careful to delineate these roles, it poses no real problem.

The five most important forms of semi-sovereign polity are as follows.[12]

(1) *Parts of 'composed states'*

This represents a characteristically eighteenth-century conception of semi-sovereignty. 'Composed states' were large, internally-heterogeneous polities (such as the Holy Roman Empire and Polish-Lithuanian Commonwealth), within which and/or subordinate to which could be found actors of various types: states, nobles, towns, etc. To the extent that these subordinates had some (qualified) degree of durable, legally-certified autonomy, they could be described as semi-sovereign.[13]

(2) *Protectorates*

Some portion of a 'protected' polity's sovereignty is held, and thus exercised, by another polity.[14] Although sometimes no genuine contract took place, we can think of a relationship of protection as a trade-off, in which (what becomes) the protected polity transfers some of its sovereignty to another actor.

[12] These forms could also be combined and compounded.
[13] Martens, *Summary of the Law of Nations*, pp. 24-5, 31.
[14] Oppenheim, *International Law* (1st edition), v. 1, p. 138, famously characterized these as arrangements of 'international guardianship'. See also Donnelly, 'Hierarchies in Anarchy', p. 149.

(3) *Vassals*

Sometimes 'vassal states' were described like protected states, albeit enjoying fewer sovereign rights. Alternatively, some theorists instead or also drew attention, not to their degree of sovereignty, but the nature of the relationship which compromised that sovereignty. On this understanding, it was not simple distributions of rights which made vassals so, but a 'feudal' relationship, in which the vassal owed fealty and rendered material service to an overlord.[15] I discuss this definitional question more in chapter four.

(4) *Neutralized states (and polities under guarantee)*

'Neutralized' states were those that lacked a specific sovereign prerogative: the right to make (aggressive) war. This arrangement was '*guaranteed permanently by a collective agreement of great powers*'.[16] Neutralized states were not, however, deprived sovereignty in any more general sense, nor did they cede any of their sovereignty *to* another actor. There are similarities between neutralization and some other forms of 'guarantee', whereby an international arrangement or property of some polity was maintained by some other actor(s), such as a particularly interested state, or the great powers.

[15] See Oppenheim, *International Law* (1st edition), v. 1, pp. 133-7; John Westlake, *International Law* (2nd edition, Cambridge: Cambridge University Press, 1910-3, 2 vols.), v. 1, p. 25.
[16] They also lost any rights that logically presupposed that one. Cyril E. Black, Richard A. Falk, Klaus Knorr, and Oran R. Young, *Neutralization and World Politics* (Princeton: Princeton University Press, 1968), p. xi. See also Cyrus French Wicker, *Neutralization* (London, New York, and Toronto: Oxford University Press, 1911).

Whether guarantees entailed semi-sovereignty depends on what specific arrangements/properties were guaranteed.[17]

(5) *Members of confederal unions*

Although some jurists argued that states in 'confederal union', like the members of the post-1815 German Confederation, were more or less fully-sovereign, it was possible to reach a different conclusion.[18] They might be seen as semi-sovereign from two perspectives. First, membership might restrict the ability of the states to pursue certain courses of action (going to war with a fellow member, for instance). Second, these unions were differentiated from regular alliances by the establishment of a central body (like the German Diet), which itself might, at times, assume sovereignty on behalf of the members – perhaps representing them in external affairs, or intervening in the internal affairs of a particular member.[19]

This typology has the strength of being grounded in nineteenth-century legal discourse, containing categories that would be immediately familiar to observers from the period. But therein also lies its principal limitation: it captures only one, very particular, perspective. Moreover, in part because of how participant specification works methodologically, it lacks

[17] Evan Luard, *The Balance of Power: The System of International Relations, 1648-1815* (Houndmills: Macmillan, 1992), pp. 123-4. If guarantee resembles another legal status, it is neutralization, not protection; cf. Donnelly, 'Hierarchies in Anarchy', p. 149.
[18] See, for example, Oppenheim, *International Law* (1st edition), p. 128.
[19] For interpretations of the members of confederal unions as partially sovereign, see Verzijl, *International Law in Historical Perspective, Part 2*, p. 159; Thomas Joseph Lawrence, *The Principles of International Law* (2nd edition, London; New York: Macmillan, c. 1895), pp. 73-5. I discuss the institutional structure of the Confederation in chapter 3. Distributions of sovereignty was sometimes used to differentiate confederal from 'federal' unions, though Verzijl, *International Law in Historical Perspective, Part 2*, p. 159, calls into question the tenability of that criterion. This debate was especially prominent with respect to Germany, particularly around the time of unification. See Murray Forsyth, *Unions of States: The Theory and Practice of Confederation* (Leicester: University of Leicester Press, 1981), chapter 6.

structure, being essentially an unorganized list of categories. For these reasons, it is useful to complement it with a scholarly-specified, analytic framework.

Scholarly specification: rights and organizations

Semi-sovereign polities can be compared along two dimensions. First, different semi-sovereigns bore different *rights*, configured differently between actors.[20] A premise for this is the idea that sovereignty consists of a set of rights, which can be 'divided' up and arranged in various permutations. This is not an uncontroversial claim in the context of contemporary IR theory, but an increasing number of scholars – particularly those with interests in international hierarchies – accept and work from this premise.[21]

From that starting point, we can ask which rights different semi-sovereign polities had and lacked. The space within which they could lie was demarcated by two poles: fully-sovereign polities, compared to which, by definition, they had fewer rights, and wholly non-sovereign entities, compared to which they had to have more. Within that space, they could vary enormously, some having far more, and others far fewer, rights.

One especially important cut was between 'internal' and 'external' sovereignty rights – those to do with domestic and international affairs, respectively – and as we'll see in the next chapter, legal discourse emphasized the latter, and discussed the former to a much lesser extent: indeed, some writers even asserted that distributions of internal sovereignty rights were irrelevant to international law. However, this need not restrict us here, since the purpose of this foray into

[20] For some remarks on (in)equalities of rights (and of 'capacity for rights'), see Dickinson, *Equality of States in International Law*, chapter 1.

[21] For a selection of studies which argue for this sort of view, see Edward Keene, *Beyond the Anarchical Society: Grotius, Colonialism and Order in World Politics* (Cambridge: Cambridge University Press, 2002); David A. Lake, *Hierarchy in International Relations* (Ithaca and London: Cornell University Press, 2009); Robert O. Keohane, 'Political authority after intervention: gradations in sovereignty', in J. L. Holzgrefe and Robert O. Keohane, (eds.) *Humanitarian Intervention: Ethical, Legal, and Political Dilemmas* (Cambridge: Cambridge University Press, 2003), pp. 275-98; Stephen D. Krasner, 'Sharing Sovereignty: New Institutions for Collapsed and Failed States', *International Security* 29:2 (2004), pp. 85-120.

scholarly specification is precisely to move outside the parameters of that discourse. Many semi-sovereign polities' internal sovereignty rights were in fact restricted, and often these restrictions could be more important than those to their external sovereignty, as the case studies later in the thesis will show. For example, discontent in the Ionian Islands, under British protection after 1815, stemmed in large part from heavy-handed internal government by the British authorities, arguably more than from the Islands' limited ability to pursue autonomous international relations.[22]

Internal and external were broad categories of rights, themselves divisible. Neutralized states, for example, lacked only a specific external sovereignty right (the ability to pursue aggressive war), as well as any rights entailed by this restriction (perhaps to bind themselves to go to war in certain circumstances). Yet they retained the rest of their external sovereignty: they were free to conduct diplomatic relations and make treaties. Other semi-sovereigns ceded many more external sovereignty rights.

As well as which rights these polities possessed or lacked, we can also ask how those rights were arranged. Here, the most important distinction is between cases in which rights were transferred from one polity to another, and those where rights were merely limited, impaired, restricted, or lost, but without being assumed by some other actor. Protectorates are instances of the first type: external sovereignty was exercised on behalf of the protected polity by its protector; where the latter additionally accrued internal sovereignty rights, they could directly govern the subjects of the protected state, as the British did in the Ionian case.[23] Neutralized states exemplify the second type: they lost the right to make war, but no other polity gained it from them, or could exercise it on their behalf.

Alongside rights, semi-sovereign polities can also be compared in terms of the *organizational forms* they assumed: the institutions which they comprised, and the broader

[22] See the discussion of the Islands in chapters 3 and 5.
[23] Verzijl thus argues that arrangements where such transfers do not occur do not, strictly speaking, produce protectorates. *International Law in Historical Perspective, Part 2*, p. 418.

organizational environments within which they were embedded. Different kinds of entity could bear sovereign rights, such as individuals, as well as collective actors, including but not limited to states. I'll use the term 'basic entity' to refer to different sorts of sovereignty-bearing actors. By this, I mean to suggest that we can usefully frame their character, as entities, as analytically prior to the set of rights affixed to them. That it is meaningful to speak of 'sovereign states', versus 'semi-sovereign states', implies that there must be some property of 'stateness' shared by both, atop which a distribution of rights could be layered. Importantly, this does *not* entail that their stateness is not also a product of social and historical construction. My description of these entities as 'basic' does not mean they ought to be reified, or taken as givens. Moreover, this is simply an analytic distinction, not a historical argument: it is not intended to imply that particular states' statehood necessarily developed separately to, or before, their sovereignty.

I also use the language of 'basic entities' in order to distinguish them from the *institutional environments* in which they may have been located. Semi-sovereign entities could (though did not have to) be 'nested' within higher-order organizations, which may themselves be considered as political actors, if agency could be ascribed to them 'in a socially sustainable manner', and which could also, in principle, bear rights.[24] First, consider confederal unions. Polities could agree to form a union without setting up for it a governing apparatus (perhaps simply by signing a treaty, by which they make certain commitments to one another). Sometimes, however, unions did have such an apparatus: a central body, plus any subordinate organizations, capable of action in their own right. The German Confederation exemplifies this latter form, with Confederal institutions constituting a higher-order structure (and actor) within which its members were situated.[25]

[24] Patrick Thaddeus Jackson, 'Civilizations as Actors: A Transactional Account', in Martin Hall and Patrick Thaddeus Jackson (eds.), *Civilizational Identity: The Production and Reproduction of "Civilizations" in International Relations* (Houndmills: Palgrave Macmillan, 2007), p. 33. On nesting, see Yale H. Ferguson and Richard W. Mansbach, 'Polities Past and Present', *Millennium: Journal of International Studies* 37:2 (2008), p. 375.
[25] See discussion in chapter 3.

Semi-sovereigns might also be found within empires.[26] How imperial and non-imperial rule are to be distinguished remains a thorny question, but IR theory has pointed to features like 'rule through intermediaries', 'heterogeneous contracting' between the core and its different peripheries, and normative differentiation, according 'differential capacities and entitlements' to social groups under the metropole's rule.[27] While these are useful insights, they do not fully capture the diverse institutions and polities found within empires.[28] Stoler's notion of 'imperial formations' provides a conception of empires – as 'states of becoming rather than being, macropolities in constant formation' – more in alignment with my purposes in this thesis. From this perspective, 'The legal and political fuzziness of dependencies, trusteeships, protectorates, and unincorporated territories were all part of the deep grammar of partially restricted rights in the nineteenth- and twentieth-century imperial world…All [imperial formations] are founded on gradated variations and degrees of sovereignty and disenfranchisement'.[29] Not all semi-sovereigns belonged to empires, but many did, and it is important not to neglect the imperial apparatuses through which they were governed.

[26] Emphasized (perhaps overly so) in Keene, *Beyond the Anarchical Society*, especially chapters 3-4, and Lauren Benton, *A Search for Sovereignty: Law and Geography in European Empires, 1400-1900* (Cambridge: Cambridge University Press, 2010), chapter 5.

[27] Hendrik Spruyt, 'Empires, Past and Present: The Relevance of Empire as an Analytic Concept', in Noel Parker (ed.), *Empire and International Order* (Farnham: Ashgate, 2013), pp. 19-40; Daniel H. Nexon and Thomas Wright, 'What's at Stake in the American Empire Debate', *American Political Science Review* 101:2 (2007), pp. 253-71; Daniel H. Nexon, *Struggle for Power in Early Modern Europe*, chapter 4; Alexander J. Motyl, 'Thinking About Empire', in Karen Barkey and Mark von Hagen (eds.), *After Empire: Multiethnic Societies and Nation-Building: The Soviet Union and the Russian, Ottoman, and Habsburg Empires* (Boulder: Westview Press, 1997), pp. 19-29; and Christian Reus-Smit, *Individual Rights and the Making of the International System* (Cambridge: Cambridge University Press, 2013), chapter 2 and especially p. 41. See also Michael W. Doyle, *Empires* (Ithaca: Cornell University Press, 1986); Martin Shaw, 'Post-Imperial and Quasi-Imperial: State and Empire in the Global Era', *Millennium: Journal of International Studies* 31:2 (2002), especially pp. 329-30; and Yannis A. Stivachtis, 'The English School and the concept of 'empire': theoretical and practical/political implications', *Global Discourse* 3:1 (2013), pp. 129-35.

[28] Within the British imperial context, see Peter Burroughs, 'Imperial Institutions and the Government of Empire', in Andrew Porter (ed.), *The Oxford History of the British Empire: Volume 3: The Nineteenth Century* (Oxford: Oxford University Press, 1999), pp. 170-97. See also Barry Buzan and George Lawson, *The Global Transformation: History, Modernity and the Making of International Relations* (Cambridge: Cambridge University Press, 2015), pp. 131-3.

[29] Ann Laura Stoler, 'On Degrees of Imperial Sovereignty', *Public Culture* 18:1 (2006), especially pp. 135-9.

Social logics and international entities

This thesis seeks to explain the properties of a set of international entities – the semi-sovereigns of the long-nineteenth century – in a way that takes seriously their socially-constructed, historically-constructed nature, and to account for variations between members of that set, of the sort outlined above. I argue that these polities and their various characteristics can be seen as manifestations of four social logics, each comprising social relations, processes and practices, and background norms and concepts.[30] Individually, and together in different combinations, these logics produce (features of) international entities. In this section, I will outline the theoretical foundations of this argument, drawing primarily on Jackson and Nexon's 'processual relationism' (and 'relational' IR theory more broadly), alongside the approach to historical sociology in Mann's *Sources of Social Power*.[31]

The core claim of processual relationism is that social (including international) 'entities' are produced by relations and processes. Instead of starting with a given set of entities, and using their characteristics to explain patterns of social relations, the latter are instead invoked to account for the former. 'Treating units as bundles of processes allows the theorist to examine how changes in relations simultaneously alter (to tremendously varying degrees) the nature of units'.[32]

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[30] Again, the idea of a 'social logic' comes from John M. Hobson and J. C. Sharman, 'The Enduring Place of Hierarchy in World Politics: Tracing the Social Logics of Hierarchy and Political Change', *European Journal of International Relations* 11:1 (2005), pp. 63-98.

[31] Patrick Thaddeus Jackson and Daniel H. Nexon, 'Relations Before States: Substance, Process, and the Study of World Politics', *European Journal of International Relations* 5:3 (1999), pp. 291-332; Michael Mann, *The Sources of Social Power, Volume 2: The Rise of Classes and Nation-States, 1760-1914* (New edition, Cambridge: Cambridge University Press, 2012). For more on relationism, see Daniel Nexon, 'Relationism and New Systems Theory', in Mathias Albert, Lars-Erik Cederman, and Alexander Wendt (eds.), *New Systems Theories of World Politics* (Houndmills: Palgrave Macmillan, 2010), pp. 99-126; Yosef Lapid, 'Identities, Borders, Orders: Nudging International Relations Theory in a New Direction', in Mathias Albert, David Jacobson, and Yosef Lapid (eds.), *Identities, Borders, Orders: Rethinking International Relations Theory* (Minneapolis: University of Minnesota Press, 2001), pp. 3-5; David M. McCourt, 'Practice Theory and Relationism as the New Constructivism', *International Studies Quarterly* 60:3 (2016), pp. 475-85.

[32] Jackson and Nexon, 'Relations Before States', p. 308. See also Lars-Erik Cederman and Christopher Daase, 'Endogenizing corporate identities: The next step in constructivist IR theory', in Stefano Guzzini and Anna Leander (eds.), *Constructivism and International Relations: Alexander Wendt and his critics* (London and New York: Routledge, 2006), pp. 118-39, and Jackson, 'Civilizations as Actors'.

Of course, these units then go on to have relations, and the appropriate visual metaphor is less a straight line (from relations, to units) than a spiral: relations shape units, which have relations, which shape units, etc. The point is not that starting with entities and thereby explaining relations/processes is invalid. Rather, both entity-first and relations-/processes-first approaches have value, and which is pursued depends on the object of one's explanation.

Processual relationism has both 'constitutive' and 'causal' dimensions.[33] Entities *manifest* relations and processes, and this is a constitutive argument, concerning what something is, and what makes it so.[34] Thus we can treat units '*as* bundles of processes' [my emphasis] and thereby account for various features of those units. In addition, processual relationism can also accommodate causal arguments: not ones of 'the independent and dependent variable variety', but ones in which 'configurations of processes give rise to new configurations'.[35] Which is to say, we can study how '*changes* in relations simultaneously *alter*…the nature of units', a cause producing an effect [again, my emphasis].

There are clear parallels between Jackson and Nexon's arguments, and the foundations of Mann's historical sociology. Mann explains concrete social outcomes in terms of the operation and interaction of four 'power networks' ('ideological', 'economic', 'military', and 'political'). Mann's model is one of the 'sources of social power and the organizations embodying them'.[36] These various forms of power can be thought of as different kinds of social relation, which produce particular sets of institutions, as 'Each power source generates distinct organizational forms'.[37]

This thesis rests on similar ontological foundations: various social logics produce features of semi-sovereign polities. A social logic essentially captures a particular way, or set of

[33] McCourt, 'Practice Theory and Relationism as the New Constructivism', pp. 478, 480-1.
[34] On constitutive arguments, see Alexander Wendt, *Social Theory of International Politics* (Cambridge: Cambridge University Press, 1999), pp. 77-88.
[35] Jackson and Nexon, 'Relations Before States', p. 306.
[36] Mann, *Sources of Social Power, Volume 2*, p. 10.
[37] Ibid., p. 7.

ways, in which social and political actors may stand vis-à-vis one another, and interact with one another. They consist of the following:

(1) *Social relations*

> At the core of social logics are different kinds of social relation. These have a 'formal' component – managerial relations, for example, are partially characterized by the hierarchical position of a manager with respect to some subject or subjects. At the same time, I am equally interested in what we could call the 'content' of different kinds of relation.[38] Managerial relations and relations of suzerainty are both hierarchical, but managers and suzerains interact with their respective subordinates in different ways. The remaining components of a social logic will help us fill out this content.

(2) *Processes and practices*

> Relations are not static; they are realized and reproduced dynamically, through social processes and practices. Processes can be defined as 'causally or functionally linked set of occurrences or events which produce a 'change in the complexion of reality''.[39] (1) and (2) thus have a two-way connection: processes take place in the context of already-existing patterns of relations, but may also, over time, alter the character of those relations themselves. Relations are similarly animated by social 'practices' – 'socially meaningful patterns of action' – which 'practice-turn' IR theorists conceive of as

[38] On this form/content distinction, see Nexon, 'Relationism and New Systems Theory', pp. 111-3.
[39] Jackson and Nexon, 'Relations Before States', p. 302.

'constitutive of interaction processes'.[40] The idea of 'agency' helps us differentiate practices from processes. Practices have an 'agential' component: they are connected to groups of practitioners.[41] Processes, by contrast, need not: while some, which would encompass practices, are 'owned' – 'attributable to a particular 'doer'' – other process are 'un-owned' (i.e., not so attributable).[42]

(3) *Background norms and concepts*

Relations, processes, and practices are situated within broader normative landscapes.[43] Background norms and concepts give relations, processes, and practices meaning, and may lend them legitimacy. Again, the relationship between these norms and concepts, and components (1) and (2), is dynamic: the latter can only be understood in the context of the former, but changing social relations/practices/processes can also involve or produce a reconfiguration of that normative backdrop.

In the empirical chapters which follow, I will fill out these categories for each of my four logics, and then show how these relations, processes, practices, norms, and concepts produced various (features of) semi-sovereign polities. In the remainder of this section, keeping to more theoretical matters, I will explore four further aspects of this argument, and draw some contrasts with

[40] Emanuel Adler and Vincent Pouliot, 'International practices', *International Theory* 3:1 (2011), pp. 4, 20. See also Cornelia Navari, 'The concept of practice in the English School', *European Journal of International Relations* 17:4 (2011), pp. 611-30. On the complementarity of relationism and the 'practice-turn', see McCourt, 'Practice Theory and Relationism as the New Constructivism'.
[41] Adler and Pouliot, 'International practices', pp. 16-7.
[42] Jackson and Nexon, 'Relations Before States', p. 302.
[43] Adler and Pouliot stress that 'practice rests on *background knowledge*, which it embodies, enacts, and reifies all at once'. 'International practices', p. 7. Relatedly, on the normative bases of 'forms of rule', Peter Haldén, *Stability Without Statehood: Lessons from Europe's History before the Sovereign State* (Houndmills: Palgrave Macmillan, 2011), pp. 20-1, 24.

alternative approaches in IR theory. First, my social logics are *ideal-typical*. Second, my argument stresses the *normative* bases of semi-sovereignty. Third, it nevertheless cuts across the divide between '*material*' and '*ideational*' factors. Finally, it is a *relational*, as opposed to *systemic* argument.

Ideal types

Each social logic captures a particular kind of interaction. When I describe them as 'logics', I mean to convey that their components – relations, processes, practices, norms, and concepts – fit together in a coherent way. I do not mean that they have been deductively derived through reasoning from a set of assumed axioms; they are 'logics' in a different sense to, say, various kinds of rational choice theory. Instead, the contents of each specific social logic – what makes up law, or management – has been generalized out of empirical, historical work. They should be thought of as ideal types.

Ideal types are 'the *scholar's* construction, abstractions derived from empirical observation, which are used to highlight variations in empirical phenomena by means of imputation from comparison'; they are not 'abstractions that are fixed and timeless'.[44] From this definition, we can extract three important features of ideal types. First, they are *abstractions*, deliberate simplifications of complexity. Because they 'are based on the deliberately one-sided accentuation of a particular point of view, they are not attempts to approximate reality, still less to capture it in its entirety'.[45] Second, however, these abstractions are *grounded historically*. They are, at least in part, constructed inductively, and their scope of application might therefore be limited only to specific historical contexts. They certainly have a relatively general character, being supposed to represent types, rather than specific instances of those types. But, at the same

[44] Leonard Seabrooke, 'Why Political Economy Needs Historical Sociology', *International Politics* 44:4 (2007), p. 405.
[45] Edward Keene, 'International Society as an Ideal Type', in Cornelia Navari (ed.), *Theorising International Society: English School Methods* (Houndmills: Palgrave Macmillan, 2009), p. 107.

time, they are not strictly transhistorical, and they might not apply universally, across every context. Ideal-typification provides a way to 'balance the goals of *taking historical particulars seriously* with *producing generalizable propositions*'; to get at the 'patterned mess' of society through 'impure generalizations'.[46] Third, ideal types are consciously *constructed by the scholar*. Constructing ideal types involves 'organizing certain aspects of social life into internally consistent, logical constructs'.[47] This process of construction proceeds by bringing value-judgements to bear on the historical record as we encounter it: not in terms of approving/disapproving of the values embedded in some pattern of social activity, but in appraising the '*relevance* of a phenomenon to the values that are embedded in a culture'.[48]

The normative bases of semi-sovereignty

This thesis draws attention to the normative dimensions of different modes of social interaction, baked in to the definition of social logics, which include background norms and concepts among their components.

This interest dovetails neatly with my use of ideal types as explanatory devices. Ideal-typical accounts are underpinned by a philosophy of action in which behaviour comprises 'belief-driven actions that are informed (not determined) by conventions and norms'.[49] In a sense, each logic can be viewed as a representation – albeit a stylized, abstracted, and hence ideal-typical representation – of a certain worldview, and of the kinds of behaviour that fit into that worldview.

At this point, it is worthwhile contrasting my argument – and the sort of argument that it is – with some alternatives from IR theory. Krasner explains violations of sovereignty, which

[46] Nexon, *Struggle for Power in Early Modern Europe*, p. 61; Mann, *Sources of Social Power, Volume 2*, p. 4.
[47] George Lawson, 'The Eternal Divide? History and International Relations', *European Journal of International Relations* 18:2 (2012), p. 219.
[48] Keene, 'International Society as an Ideal Type', p. 107.
[49] Seabrooke, 'Why Political Economy Needs Historical Sociology', p. 403. See, similarly, Keene, 'International Society as an Ideal Type', p. 110.

would include instances of semi-sovereignty, by characterizing sovereignty as 'organized hypocrisy'.[50] He contends that 'the principles associated with both Westphalian and international legal sovereignty have always been violated'.[51] This is so, Krasner argues, because 'the international system is an environment in which the logics of consequences dominate the logics of appropriateness'.[52] International actors do not have to be, and so are not, as concerned with rule-following as actors in other realms, and they opt to pursue their own interests wherever they can. In turn, this works to the advantage of the powerful, who are best placed to seek gains for themselves at the expense of others.[53]

It is important not to present a straw-man version of Krasner's argument. He usefully notes that some violations of sovereignty occur with the consent of those whose sovereignty is violated, where those arrangements are 'Pareto-improving', making everyone involved better off.[54] They are not only or always impositions by the strong on the weak. Second, it would be unreasonable to pretend actors never behave in the way Krasner expects. For example, discussing the benefits of assuming a protectorate, rather than full sovereignty over the Ionian Islands, Britain's Foreign Secretary, Castlereagh, argued that essentially the same result could be achieved, without 'doing violence to the prejudices of the People, much less involving ourselves in any controversy with them upon the nature of the assurances given to them in the name of Great Britain'.[55] Krasner argues that 'Stronger states can pick and choose among different rules selecting the one that best suits their instrumental objectives', and this seems to be exactly what was happening here.[56]

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[50] Stephen D. Krasner, *Sovereignty: Organized Hypocrisy* (Princeton: Princeton University Press, 1999).
[51] Ibid., p. 24. These refer, respectively, to 'territoriality and the exclusion of domestic actors from external authority structures', and international-legal 'recognition'. To these, Krasner also adds two further types of sovereignty ('domestic' and 'interdependence'). Ibid., pp. 9-24.
[52] Ibid., p. 6.
[53] Ibid., p. 6.
[54] Ibid., pp. 25-30.
[55] See Castlereagh's letter to Liverpool, 24 September 1815, quoted in J. J. Tumelty, 'The Ionian Islands Under British Administration, 1815-1864', PhD Thesis, University of Cambridge, 1952, p. 20. I am grateful to Michael Tumelty for permission to quote from and cite this thesis.
[56] Krasner, *Sovereignty*, p. 6.

Nevertheless, Krasner's argument turns on the purported primacy of consequentialist over norm-guided behaviour, and on this point we depart. Even powerful international actors cannot always act in a durably hypocritical manner, continuing to say one thing and do another.[57] When actors strategically select rules that serve their immediate purposes, they are simultaneously making moves in 'language games', with the implication that these moves – and the responses of other actors – alter the 'context' of their interaction, in ways that can be hard to disregard down the line.[58] More importantly, logics of appropriateness are also positively implicated in limitations and restrictions on sovereignty; various alternative configurations of rights can be seen as legitimate, even required, in different normative environments. Albert and Brock argue that Krasner's strategy involves 'summarizing all the different phenomena…that do not fit the Westphalian model as *violations* of the model that serve to uphold the model…The way Krasner uses his empirical illustrations of violations of the Westphalian model does not address the question to what extent violations are changing quantitatively and qualitatively'.[59] I do not take this to mean that Krasner fails to recognize the many ways by which sovereignty might be violated. Certainly, this would not be an especially persuasive charge, given that his book is structured around these different sorts of violation, from the those associated with the 'minority rights' regime, to 'sovereign lending'.[60] More convincing is the critique that these are all presented as instances of the *same* basic type of behaviour – the (typically hypocritical) pursuit of interests – as opposed to the working out of *different*, normatively-charged logics.

[57] See Martha Finnemore, 'Legitimacy, hypocrisy, and the social structure of unipolarity: why being a unipole isn't all it's cracked up to be', in G. John Ikenberry, Michael Mastanduno and William C. Wohlforth (eds.), *International Relations Theory and the Consequences of Unipolarity* (Cambridge: Cambridge University Press, 2011), pp. 83-96.
[58] For a useful statement of this position, see K. M. Fierke, 'Links Across the Abyss: Language and Logic in International Relations', *International Studies Quarterly* 46:3 (2002), especially pp. 348-51.
[59] Mathias Albert and Lothar Brock, 'What Keeps Westphalia Together? Normative Differentiation in the Modern System of States', in Albert, Jacobson, and Lapid, *Identities, Borders, Orders*, p. 40. See also Glanville, *Sovereignty and the Responsibility to Protect*, pp. 15-6.
[60] Krasner, *Sovereignty*.

My argument differs similarly from Lake's rationalist, contractual account of international hierarchy.[61] Lake conceives of hierarchies as bilateral bargains, in which one actor cedes some of its sovereignty to another: the latter provides 'political order' in return for compliance by the former. Concepts of 'authority', 'legitimacy', and the 'right'/'duty' to command/obey figure prominently in Lake's account, and this puts some space between his and Krasner's, wherein powerful actors were portrayed as flagrantly disregarding concerns of this sort.[62] That said, the microfoundations of Lake's argument are very similar to Krasner's: Lake's international actors likewise act in consequentialist fashion, and hierarchy is durable insofar as and because it serves the interests of both the dominant and subordinate parties. Stable hierarchies are equilibria, 'self-enforcing' contracts.[63] Indeed, the distance between their views has closed even further in Krasner's later work, in which he actively recommends establishing arrangements of 'shared' sovereignty with form of a 'self-enforcing equilibrium'.[64] Given these parallels, it follows that Lake's argument has some of the same limitations as Krasner's, and departs from mine at similar points.[65]

[61] Lake, *Hierarchy in International Relations*. See, similarly, Alexander Cooley and Hendrik Spruyt, *Contracting States: Sovereign Transfers in International Relations* (Princeton and Oxford: Princeton University Press, 2009).
[62] Lake, *Hierarchy in International Relations*.
[63] Ibid., p. 30.
[64] Stephen D. Krasner, 'The Hole in the Whole: Sovereignty, Shared Sovereignty, and International Law', *Michigan Journal of International Law* 25:4 (2004), p. 1085. For commentary on the evolution of Krasner's views, see Joseph Camilleri, 'Sovereignty Discourse and Practice – Past and Future', in Trudy Jacobsen, Charles Sampford and Ramesh Thakur (eds.), *Re-envisioning Sovereignty* (Aldershot: Ashgate, 2008), p. 39.
[65] For an acknowledgement on Lake's part, that norms have no real place in his theory, and a critique on this point by MacDonald, see their correspondence in Paul K. MacDonald and David A. Lake, 'The Role of Hierarchy in International Politics', *International Security* 32:4 (2008), pp. 171-80.

A material and *ideational explanation*

While this thesis draws attention to the normative components of the social logics, and thus the normative bases of semi-sovereignty, it does not focus exclusively on 'ideas', as opposed to purportedly 'material' factors, nor give the former explanatory primacy over the latter.[66]

It has been argued that emphasizing forces of one kind – material or ideational – over the other produces less compelling explanations of international phenomena that drawing on both.[67] I agree. However, this thesis does not simply combine factors of both sorts, while upholding the ontological distinction between them. It is true that one component of social logics (background norms and concepts) is purely ideational. The others, however, are not, but neither are they strictly material; they are both, *simultaneously*. As practice-turn theorists insist, one of the payoffs of working with 'practice' as an analytical category is that it allows the scholar to 'overcome dichotomies', including material/ideational.[68] Practices 'simultaneously embody, act out, and possibly reify background knowledge and discourse in and on the material world'.[69] Social relations also have material and ideational aspects. They connect entities in a concrete sense, while also embodying certain principles, in terms of which those entities stand vis-à-vis one another.[70] If these components exist across the material/ideational divide, it follows that social logics, taken as wholes, must too. Again, there are clear connections with Mann, whose 'model of power ultimately abandons the distinction between ideas and materiality in favour or one between "ideas and practices combined" (or "action and structure combined") in each of the four power networks'.[71]

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[66] Relational and practice-theoretic arguments typically cut across the material/ideational divide. See McCourt, 'Practice Theory and Relationism as the New Constructivism', pp. 477-8, 480.
[67] Georg Sørensen, 'The Case for Combining Material Forces and Ideas in the Study of IR', *European Journal of International Relations* 14:1 (2008), pp. 5-32.
[68] Adler and Pouliot, 'International practices', pp. 14-5.
[69] Ibid., p. 4.
[70] The same is true of social processes. Nexon, 'Relationism and New Systems Theory', p. 101.
[71] Mann, *Sources of Social Power, Volume 2*, p. xvi. Discussing institutions in historical-sociological perspective, Lawson similarly states that they 'operate at the nexus of the material and social worlds...As such, the can be understood as conjunctions of social construction and material forces'. George Lawson,

I would happily describe the overall thrust of thesis as 'constructivist'.[72] Some readers might be surprised by that characterization, insofar as constructivism is often associated with the supposed primacy of ideas. Yet, following Barkin, I take constructivism to be fundamentally about 'intersubjectivity' and 'co-constitution' – i.e., the shared making of the social world – which in no way requires that it be set up in opposition to 'materialism'.[73] The material/ideational distinction is also frequently superimposed onto that between 'rationalism' and constructivism, again inappropriately, and not least because rational-choice arguments typically give pride of place to non-material factors, like preferences and information.[74] Thus, there is nothing to stop my arguments having a material component, despite the fact that they are not based on rational-choice foundations. It is not an exclusive or predominant focus on ideas that gives this thesis its constructivist orientation, but its focus on social and historical *construction* – on how things come to exist, and why they assume certain forms.

A relational, not systemic, explanation

This thesis is underpinned by a relational ontology and, as we've seen, this sets it apart from studies which take the properties of international entities as given, and go from there. It also distinguishes it from studies which start with an international 'system', and explain international phenomena in terms of the features of that system, or system-level mechanisms. In fact, relational approaches differ from systemic ones in much the same way, objecting as they do to the of reification of social entities, be they actors *or* systems.[75]

'The Promise of Historical Sociology in International Relations', *International Studies Review* 8:3 (2006), p. 414.

[72] Echoing McCourt, 'Practice Theory and Relationism as the New Constructivism'.

[73] J. Samuel Barkin, *Realist Constructivism: Rethinking International Relations Theory* (Cambridge: Cambridge University Press, 2010), pp. 26-9, 36-8. See also McCourt, 'Practice Theory and Relationism as the New Constructivism', pp. 477-8.

[74] James Fearon and Alexander Wendt, 'Rationalism *v.* Constructivism: A Skeptical View', in Walter Carlsnaes, Thomas Risse, and Beth A. Simmons (eds.), *Handbook of International Relations* (London: SAGE, 2002), pp. 58-9.

[75] Nexon, 'Relationism and New Systems Theory', pp. 103-7.

Once more, there are strong parallels with Mann's historical sociology. He explicitly contrasts his model with 'one of a social system, divided into four "subsystems," "levels," "dimensions," or any other of the geometric terms favoured by social theorists'.[76] Indeed, *The Sources of Social Power* is replete with comments to this effect: that '"societies" are not unitary or systemic'; that social conflict 'is rarely systemic'; that change and development 'was not unitary or systemic, "internal" to a single social organism'.[77]

The relational/systemic distinction is admittedly quite abstract, but it turns out to have important implications. Pinning down one's ontological foundations matters, because certain arguments are – and are not – compatible with different starting points. System-level forces and mechanisms do not fit comfortably into relational accounts, and thus this thesis argues against systemic explanations for the emergence of semi-sovereign polities or variations between them.

This sets my argument apart from at least some versions of what we might call 'differentiation theory'. Recently, IR theorists have begun using the idea of 'differentiation' to think through the structure of international society, and how its members stand with respect to one another.[78] As well as constructing analytic typologies, which map out different varieties of differentiation, scholars working on this topic also frequently use the concept in a more explanatory sense, to account for *how and why* international society becomes structured in a certain way, and/or how and why polities look different from one another.

There is much to like about the general thrust of this work, and this thesis can easily be read as an argument about how semi-sovereign polities came to be differentiated their fully-

[76] Mann, *Sources of Social Power, Volume 2*, p. 10.
[77] Ibid., pp. ix, 77, 738. See also the critique of historical IR scholarship that frames its cases as 'closed systems', in Richard Little, 'Reconfiguring International Political Space: The Significance of World History', in Yale H. Ferguson and R. J. Barry Jones (eds.), *Political Space: Frontiers of Change and Governance in a Globalizing World* (Albany: State University of New York Press, 2002), pp. 56-7.
[78] For examples, see Barry Buzan and Mathias Albert, 'Differentiation: A sociological approach to international relations theory', *European Journal of International Relations* 16:3 (2012), pp. 315-37; Donnelly, 'Rethinking political structures'; Mathias Albert, Barry Buzan, and Michael Zürn (eds.), *Bringing Sociology to International Relations: World Politics as Differentiation Theory* (Cambridge: Cambridge University Press, 2013); Edward Keene, 'The Standard of 'Civilisation', the Expansion Thesis, and the 19th-century International Social Space', *Millennium: Journal of International Studies* 42:3 (2014), pp. 651-73.

sovereign and non-sovereign counterparts, as well as from each another. That said, not all differentiation theories are alike, and we can draw a rough distinction between more systemic, and more relational variants of differentiation theory, the latter of which complement my argument better than the former. The best example of the latter is Keene's study of international social stratification, and the various forms of 'stratificatory' differentiation which structure international society. Keene and I work from similar ontological foundations, even as we invoke different explanatory mechanisms – Keene focussing more on who associates with whom, and how frequently, drawing on Bottero's analysis of social stratification as 'differential association'.[79]

Other differentiation theories are systemic in character. For example, Viola argues that 'recognition criteria' produce a distinction between perceived 'like' and 'unlike' kinds with 'distributional consequences'.[80] As Keene notes, this argument turns on, and indeed aims to explain, 'system inclusion and exclusion'.[81] Some writers refer to system-level mechanisms to explain when and why alternative modes of differentiation – 'segmentary', or 'stratificatiory', or 'functional' – predominate over others.[82] Indeed, some differentiation theorists treat international systems in exactly the way that gives relationists pause, and it is not hard to find discussions of how 'systems chose selectively and autonomously how irritations from their environment influence and possible readjust their operations', or characterizations of the state as 'a form of the political system's self-description to organize and observe its communication'.[83]

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[79] Ibid., drawing on Wendy Bottero, *Stratification: social division and inequality* (London: Routledge, 2005).
[80] Lora Anne Viola, 'Stratificatory differentiation as a constitutive principle of the international system', in Albert, Buzan, and Zürn, *Bringing Sociology to International Relations*, pp. 112-31. Along similar lines, see Richard W. Mansbach and Franke Wilmer, 'War, Violence, and the Westphalian State System as a Moral Community', in Albert, Jacobson and Lapid, *Identities, Borders, Orders*, pp. 54-6.
[81] Keene, 'The Standard of 'Civilisation', the Expansion Thesis, and the 19th-century International Social Space', p. 652.
[82] Buzan and Albert, 'Differentiation: A sociological approach'.
[83] Jan Helmig and Oliver Kessler, 'Space, Boundaries, and the Problem of Order: A View from Systems Theory', *International Political Sociology* 1:3 (2007), pp. 243-4. Similarly, see Oliver Kessler, 'Toward a Sociology of the International? International Relations between Anarchy and World Society', *International Political Sociology* 3:1 (2009), pp. 87-108.

Nexon argues that claims that 'systems reproduce and transform themselves through their own elements', or that 'differentiation serves as a master process that proceeds under its own force', are incompatible with relationism, and so this sort of differentiation theory fits awkwardly with my argument here.[84] The most important, and unsurprising, reason for this is our contrasting points of departure, ontologically. In addition, it is not clear that the explanatory factors found in systemic differentiation theory would be of much help in answering the questions that interest me. It is one thing to use systemic mechanisms to account for broad, epochal shifts from one mode of differentiation to another, but it is far less clear how these could explain the different experiences of polities within a given historical period. The concepts used by systemic differentiation theorists apply at such a macro level that we have to pull in lower-level mechanisms to complement them, or leave almost all the heavy lifting to empirical work.

An example will help clarify this point. Differentiation theory is used in an article by Haldén, on 'non-sovereign' (what I would call semi-sovereign) polities in the nineteenth-century Balkans.[85] Yet, while this provides a way of setting up the inquiry, Haldén's core explanatory factor – levels of 'trust' between the 'great powers' – is imported from outside the theory, and explicitly acknowledged to be a 'contingent' factor.[86] Moreover, Haldén is not a *purely* systemic theorist, and certainly does not reify international systems, but even his systemic inclinations do appear to shape colours how he applies differentiation, as well as contingent factors like trust.[87] Trust is defined as 'social category that is an attribute of relations and of systems', but it is explicitly not used in a 'constructivist' sense, which latter view certainly could and arguably

[84] Nexon, 'Relationism and New Systems Theory', p. 119.
[85] Peter Haldén, 'A non-sovereign modernity: attempts to engineer stability in the Balkans, 1820-90', *Review of International Studies* 39:2 (2013), pp. 337-59.
[86] Ibid., pp. 343, 358.
[87] A broadly systemic argument is blended with relational insights in Haldén, *Stability Without Statehood*, especially chapter 1. There are some points of connection between the idea of a social logic, and Haldén's notion of 'forms of rule', particularly insofar as the latter include 'logics of action' (ibid., p. 2). However, Haldén primarily uses the latter to denote types of system or entity, such as 'compound republics', 'empires', and 'states' (ibid, pp. 22-6). By contrast, I still conceive of these more as objects of explanation, and social logics as more generic styles of interaction used to explain their features. Aspects of multiple logics may be manifested in multiple of Haldén's forms of rule.

should follow naturally from a relational starting point.[88] Instead, he essentially focuses on system-wide distributions of trust. The difficulty is that it is hard then to account for the different treatment of different polities, at similar points in time, and by similar actors. Haldén argues that high levels of trust resulted in the constitution of non-sovereign polities in the Balkans; low levels, sovereign ones. In the early 1830s, distrust produced a sovereign Greece.[89] Yet at about the same point in time, the great powers agreed that Belgium should be neutralized, and rendered semi-sovereign (see chapter three). Since neutralization was, in large part, a response to the other powers' worries concerns about French expansionism, one could retain the view that trust, generally, was low at the time, but then the connection between sovereign and 'non-sovereign' arrangements, and levels of trust, becomes less clear.[90]

Four logics in interaction

In this thesis, international entities – the semi-sovereigns of the long-nineteenth century – are understood to manifest social logics, complexes of relations, processes, practices, norms and concepts. Yet a given polity will rarely, if ever, embody just one logic. As explained above, my logics are ideal types: they are rooted in historical study, and they capture normative outlooks important to the historical actors so studied, but they are, nonetheless, abstractions. Empirical reality is more complex than any of these abstractions can (or should attempt to) fully capture, and it would be unreasonable to expect that any concrete, actually-existing entity will perfectly manifest one and only one ideal type. Moreover, being separate ideal types, each logic can be understood on its own, as distinct from and autonomous of the others. In reality, however, their components interact: elements of one logic (concepts or processes, for example) may influence

[88] Haldén, 'non-sovereign modernity', p. 344.
[89] Ibid., pp. 346-7
[90] One response might be to exclude France from the set of powers dealing with Belgium, but it is hard to see why this move would be legitimate, given that France was just as much a participant as the others in the relevant deliberations. See chapter 3.

how elements of another play out. For example, aspects of cultural differentiation could shape the goals or course of management, and nudge managerial processes, like intervention, in directions which they may not, otherwise, have taken.

Variations among semi-sovereigns are thus conceived of as manifestations of my four logics, individually *and in interaction*. Theoretical support for this claim can again be found in relational IR theory and historical sociology, and especially their emphasis on 'configurations', and configurational approaches to explanation. 'A configuration is simply a particular pattern of ties and/or processes', or 'an aggregation of processes'.[91] Aggregation can take place at various levels, and each logic can therefore be thought of as a configuration, being a combination of components, like relations and processes, arranged in a certain way. Likewise, entire logics – or some set of components, taken from across multiple logics – can also just as easily be combined and configured into different permutations. Explanations of social outcomes, including the features of entities, may then take a configurational form: we account for these outcomes by drawing attention to which features of which logics are combined, and in what ways. Social change can similarly be thought of as reconfiguration, as the rearrangement of aggregated relations, processes, practices, norms and concepts. This neatly complements an ideal-typical approach to explanation, in which 'change in history is viewed as recombinant'.[92]

A few illustrations of configurational explanations, taken from historical sociology, should help make the abstract idea of a configuration more concrete. Buzan and Lawson characterize the nineteenth-century 'global transformation' as a 'complex configuration of industrialization, rational-state building and ideologies of progress'.[93] Sassen interprets large-scale social change, from the Middle Ages onwards, with reference to 'assemblages' of 'territory', 'authority' and 'rights'. These three categories 'assume specific contents, shapes, and interdependencies in each historical formation', which arrangements give rise to alternative

[91] Jackson and Nexon, 'Relations Before States', p. 304, and pp. 304-7 more broadly.
[92] Seabrooke, 'Why Political Economy Needs Historical Sociology', p. 406.
[93] Buzan and Lawson, *Global Transformation*, p. 1.

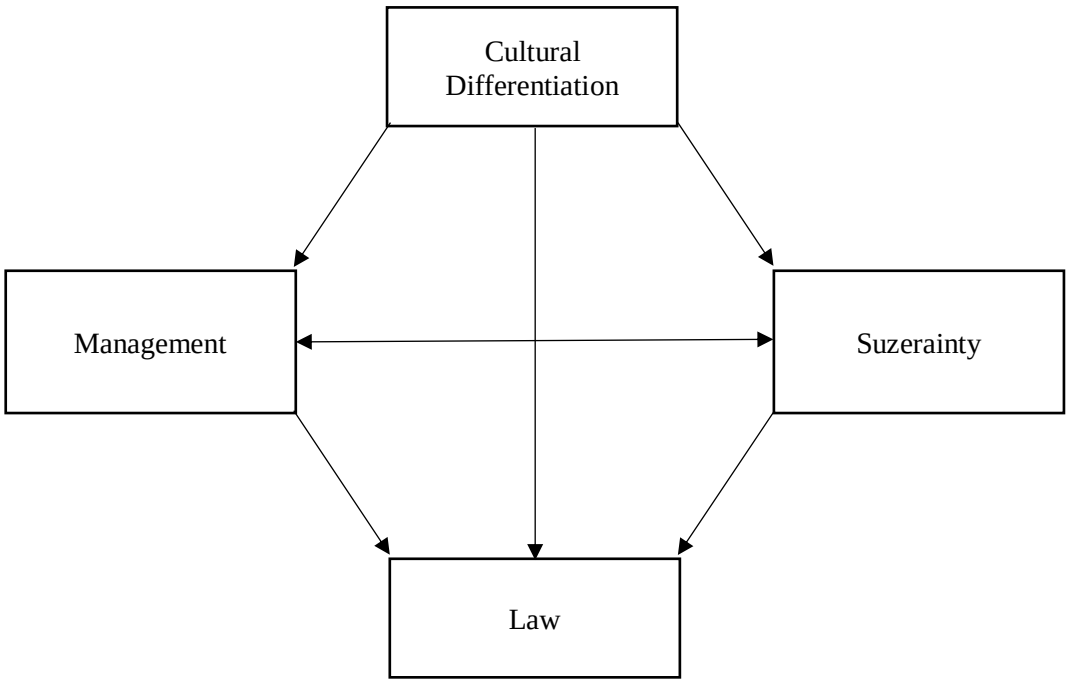
modes of social and political organization.[94] And, to return to Mann, he argues that 'which [organizational] means are chosen, and in which combinations, will depend on continuous interaction between what power configurations are historically given and what emerges within and among them', describing the 'sources of social power and the organizations embodying them' as 'impure and "promiscuous."'[95] Mann's power networks are 'overlapping, intersecting, and entwining', and the properties of organizations reflect these overlaps, intersections, and entwinements.[96] Discussing state development, for example, he contends that 'States rarely embody *x rather than y*…These *x*s and *y*s did not clash head-on. They slid through and around each other, the solutions to crises over each having consequences, some unintended, for the other.'[97]

How, then, do my social logics interact to produce variations among semi-sovereigns? Of the four, law is the most 'directly' implicated in polities' constitution as semi-sovereign: they were semi-sovereign because they were legally describable as such. *All* such entities bore rights – fewer than fully-sovereign polities, more than non-sovereign ones – and which rights they possessed and lacked, and how these rights were arranged, were functions of law. Two entities could be alike in every respect but the rights they held, and this would be enough to make only one of them semi-sovereign.

That said, law alone cannot provide us with a comprehensive or satisfying account of variations among semi-sovereigns. While law provides leverage on differences between these polities in terms of their rights, it gives us less purchase on variation in the basic, rights-bearing entity, or on the characteristics of the institutional environments within which these entities were situated. Furthermore, even variations in polities' rights are not fully explicable with reference to the legal logic. Rights were apportioned through legal processes and mechanisms, and legal

[94] Saskia Sassen, *Territory, Authority, Rights: From Medieval to Global Assemblages* (Princeton and Oxford: Princeton University Press, 2006), p. 4.
[95] Mann, *Sources of Social Power, Volume 2*, p. 10.
[96] Ibid., p. ix.
[97] Ibid., p. 80.

norms and concepts lent meaning and implications to the different relationships that thereby arose. However, to understand when, where, and why particular arrangement of rights were established, we also need to appeal to motivations and considerations from outside law, that nonetheless affected how legal activity played out. Thus, as well as shaping the institutions which semi-sovereign polities were comprised, and which they were embedded within, management, suzerainty, and cultural differentiation also influenced which rights were affixed to which entities, under which circumstances. The following diagram represents these interactions visually.



Starting from the top, cultural differentiation could inflect the operation of all three of the other logics. Management is structured around relations of control, animated by processes and practices of intervention and regulation. Cultural concerns influenced when and where bids for control would be launched. They shaped whether control was, or was perceived as having to be, tight or loose, and they gave purpose to interventions, as well as attempts to regulate them.

To be clear, influence does not imply wholesale determination.[98] Even in situations where it was heavily influenced by cultural differentiation, management cannot be reduced to it, and it remained a distinctive social logic in its own right. The arrows in the diagram above do not, therefore, represent causation: it is not that management was *caused* by cultural differentiation. Nor do they represent primacy, in the sense of some logics being epiphenomenal of others. Instead, they indicate pathways, through which the logics worked with or through each other, while retaining their distinctive, autonomous character.

Cultural differentiation influenced the other two logics in similar fashion. It coloured the contents of claims to symbolic supremacy made by (would-be) suzerains, and informed the style and course of rituals, ceremonies, and representations through which symbolic relationships of majesty and dereference were produced, reproduced, sustained, and challenged. Cultural concerns also more directly influenced who was (perceived as) entitled to legal subjectivity, and thus who was capable of bearing rights, and particular sets of rights were often fit to polities on the basis of supposedly relevant cultural characteristics.[99]

Law was also shaped by both management and suzerainty. Rights were often allocated in the context of, and to help maintain, ongoing relations of control between managers and subjects, or (re)distributed as part of attempts to establish such relations. Law could facilitate – or constrain – social and international interventions, or be used to regulate other actors' ability to carry out interventions, by restricting their sovereignty rights. Likewise, entities constituted by relations of suzerainty and deference typically bore statuses and titles, which represented and flowed from suzerains' claimed – and acknowledged – superiority over their subordinates. Rights, jurisdictions, and elements of international personality were often attached to these statuses, and hence were structured, and often limited, by their reflection of an ongoing relationship of majesty and deference.

[98] Complementing the argument of Christian Reus-Smit, 'International Law and the Mediation of Culture', *Ethics and International Affairs* 28:1 (2014), pp. 65-82.
[99] Again, complementing ibid.

From the opposite perspective, none of management, suzerainty, or cultural differentiation could produce semi-sovereignty without working through law. A polity could only be constituted as semi-sovereign when relations of control or majesty, not to mention cultural biases and preconceptions, were *legalized*: translated into arrangements of rights.[100] This could be achieved through interpretation – when legal theorists read a polity's status through a legal lens, and (re)described it using lawyerly language – and/or by encoding an entity's rights in a legal instrument, such as a treaty.

Finally, management and suzerainty themselves interacted, as indicated by the horizontal arrow. Both are built around hierarchical relations of a similar structure, situating managers above subjects, and suzerains above vassals. While the logics (and these types of relation) are qualitatively distinct – which is to say, they differ in *content* – there is therefore an interesting formal parallel between them. Noticing this parallel reveals some potential configurations between management and suzerainty. Sometimes, the two logics 'synced up', when relations of majesty and deference were turned into relations of control (or vice versa), and their standing as a suzerain provided an additional source of authority to managers, buttressing their control and making their interventions more likely to succeed. At other times, however, they could come apart – as when separate actors occupied the positions of manager and suzerain – potentially undercutting one another as a result.

International hierarchies

Comparing managerial and suzerain relations in this way, and drawing attention to their formal similarities, reveals the implications of this thesis's argument for IR theorists' growing interest

[100] Although they define and apply it differently, on the broad idea of 'legalization' see Kenneth W. Abbott, Robert O. Keohane, Andrew Moravcsik, Anne-Marie Slaughter, and Duncan Snidal, 'The Concept of Legalization', *International Organization* 54:3 (2000), pp. 401-19.

in the origins, nature, and effects of international 'hierarchies'.[101] Indeed, we can think of the semi-sovereigns as hierarchically-situated polities, and it should therefore come as no surprise that several IR theorists have included them within their typologies, mapping out alternative modes of hierarchy or international social 'stratification'.[102]

In line with the theoretical positions outlined above, I conceive of hierarchy as a formal property of social relations, positioning entities with respect to each other. Characterizing hierarchy in this manner has two important implications. First, because social logics are constructed around relations, they may contain elements of hierarchy. To be clear, since each logic also includes processes, practices, norms, and concepts, it would be wrong to characterize them *as* hierarchies – to wholly reduce them to their hierarchical (relational) components. Moreover, their relational cores may not, or may not always, have a hierarchical form, or be hierarchical in the same ways. Yet, insofar as, and to the extent that, they encompass relations of this sort, social logics incorporate international hierarchies. Second, being properties of relations, and therefore of my social logics, hierarchies are implicated in the characteristics of international (including semi-sovereign) entities. From the claim that relations are productive and constitutive of entities, it follows that hierarchies will shape, and be embodied in, aspects of polities and variations between them.[103]

Hierarchy can be understood in several different ways, including as ranks (or in Donnelly's phrase, 'ranked orders') and as 'legitimate authority', which Bially Mattern and

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[101] The two most significant, path-breaking studies on this topic are Hobson and Sharman, 'Enduring Place of Hierarchy' and Lake, *Hierarchy in International Relations*. It's worth noting, however, that this line of inquiry does have a longer lineage, represented by such diverse works as Robert Gilpin, *War and Change in World Politics* (Cambridge: Cambridge University Press, 1981) and Adam Watson, *The Evolution of International Society: A Comparative Historical Analysis* (London and New York: Routledge, 1992). For an excellent overview of this research programme, see Janice Bially Mattern and Ayşe Zarakol, 'Hierarchies in World Politics', *International Organization* 70:3 (2016), pp. 623-54.

[102] Donnelly, 'Sovereign Inequalities and Hierarchy in Anarchy'; Keene, 'The Standard of 'Civilisation', the Expansion Thesis, and the 19th-century International Social Space'.

[103] As Bially Mattern and Zarakol put it, they follow a 'logic of productivity'. 'Hierarchies in World Politics', pp. 640-3. Note, though, that the distinctions between 'anarchy' and 'hierarchy', and between 'similar' and 'different' units, do not map 1:1, since units might be unlike for reasons that have nothing to do with relating to one another hierarchically. See Barry Buzan, Charles Jones, and Richard Little, *The Logic of Anarchy* (New York: Columbia University Press, 1993), pp. 38-45.

Zarakol refer to as 'broad' and 'narrow' renditions of the concept, respectively.[104] Thought of as *ranks*, hierarchies involve the classification of entities with respect to some criterion or set of criteria, where these criteria yield ordinal categories.[105] The set of entities so classified could be large or small: hierarchies could rank every member of international society, or just some subset thereof. Hierarchy, so defined, 'concerns *the ordering of actors as superior or inferior to one another in socially important respects*'.[106] For instance, in the long-nineteenth century (and since) polities have been grouped into different tiers of 'power', whereby 'great' powers outranked 'middle' powers, which in turn outranked 'lesser' powers. The distinction between purportedly 'civilized' and 'uncivilized' societies similarity ordered them, as superior and inferior, in that period.[107] With the proliferation of specialized 'ratings and rankings organizations', more contemporary examples abound.[108]

Ranks are social constructs, and in different historical contexts, polities have been arrayed according to different principles.[109] Background norms and concepts inform the content of social relations: 'As actors take on meaning by being ranked and assessed in relation to other actors, norms help to constitute actors relationally and hierarchically'.[110] Historically, new ideas thus produced new modes of classification. For example, around the late-eighteenth century, the rise of journalistic commentary on international affairs, and developments in statistical science,

[104] Bially Mattern and Zarakol, 'Hierarchies in World Politics', pp. 627-31. Donnelly, 'Rethinking political structures', pp. 58-70.
[105] See ibid., pp. 58-70; Bially Mattern and Zarakol, 'Hierarchies in World Politics', pp. 629-31. Hierarchies of rank could alternatively be described as hierarchies of 'status'. Status is defined, and distinguished from some cognate concepts, including 'authority', in Deborah Welch Larson, T. V. Paul, and William C. Wohlforth, 'Status and World Order', in Deborah Welch Larson, T. V. Paul, and William C. Wohlforth (eds.), *Status in World Politics* (Cambridge: Cambridge University Press, 2014), pp. 7-16.
[106] Ann E. Towns, *Women and States: Norms and Hierarchies in International Society* (Cambridge: Cambridge University Press, 2010), pp. 44-5.
[107] Keene, 'The Standard of 'Civilisation', the Expansion Thesis, and the 19th-century International Social Space', pp. 663-4.
[108] Alexander Cooley, 'The emerging politics of international rankings and ratings: A framework for analysis', in Alexander Cooley and Jack Snyder (eds.), *Ranking the World: Grading States as a Tool of Global Governance* (Cambridge: Cambridge University Press, 2015), pp. 1-38.
[109] Evan Luard, *Types of International Society* (New York: The Free Press, 1976), chapter 9. Bially Mattern and Zarakol thus refer to their broad conception of hierarchy as '(*intersubjectively*) organized inequality' [my emphasis]. 'Hierarchies in World Politics', p. 629.
[110] Towns, *Women and States*, p. 46.

made categorizing and ranking states as types of 'power' meaningful, in a way that it had not previously been.[111]

Moreover, rank-hierarchies are normatively and materially consequential. Differences in rank may influence how actors are treated by others, or have 'distributional consequences', shaping their ability to access to 'goods and resources' of various kinds.[112] As an illustration, consider the anti-slave-trade treaties made between Britain and a range of other international actors. The sorts of deals the latter were able to make with Britain were influenced by where those polities sat on the 'civilizational' hierarchy; ranks had direct and meaningful consequences.[113]

Alternatively, hierarchy can be conceptualized as *authority*.[114] The simplest kinds of authority-hierarchy are bilateral relationships between a 'dominant' and 'subordinate' party, where the former has some capacity to make demands on the latter, with the expectation that they will be met.[115] In this fashion, Lake conceptualizes hierarchy as 'a variable defined by the authority of the ruler over an increasing number of issues otherwise reserved to the ruled', where rulers' authority is acknowledged as 'rightful' or 'legitimate' by their subordinates.[116]

Relationships of authority do not only or always take this bilateral form, however. They are often aggregated into longer chains and channels, which approximate to various authority structures.[117] Patterns of authority may also be difficult or impossible to decompose into bilateral relationships without obscuring their distinctive character. For example, Ikenberry contrasts 'rule

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[111] Edward Keene, 'The naming of powers', *Cooperation and Conflict* 48:2 (2013), pp. 268-82.
[112] Viola, 'Stratificatory differentiation as a constitutive principle', pp. 117, 122.
[113] Edward Keene, 'A Case Study of the Construction of International Hierarchy: British Treaty-Making Against the Slave Trade in the Early Nineteenth Century', *International Organization* 61:2 (2007), pp. 311-39.
[114] Bially Mattern and Zarakol, 'Hierarchies in World Politics', pp. 627-9.
[115] This is how they are treated in Lake, *Hierarchy in International Relations*; see especially p. 61. Lake recognizes that there may be multiple 'dominant' actors per subordinate, but disaggregates these clusters into bilateral relationships: one dominant actor has authority over some set of issue-areas; another over another set (ibid., p. 51). Yet he does distinguish patterns of bilateral hierarchies from both 'federal'/'supranational' ones, and modes of 'networked governance', acknowledging that neither can be adequately captured by his model (ibid., pp. 178-80).
[116] Ibid., pp. 3, 8, 17-9, 45.
[117] Alexander Cooley, *Logics of Hierarchy* (Ithaca: Cornell University Press, 2005).

through rules' and 'rule through relationships', arguing that the contemporary United States exercises its authority in and through multilateral sets of rules, and not just through bilateral ties.[118]

As we saw earlier in this chapter, Lake's theory of hierarchy rests on rationalist foundations: he conceives of relationships of authority as contracts, durable because they satisfy the interests of the involved parties.[119] However, authority-hierarchies do not *have* to be conceptualized in this way. In line with my earlier arguments, I understand 'authority' and 'legitimacy' more in terms of their normative bases and historically-specific meanings; from this perspective, hierarchies are substantially produced and sustained by 'logics of appropriateness'.[120]

Legal ranks, legal authority

Having sketched out the distinction between hierarchy as ranks, and hierarchy as authority, we can now put it to work as an interpretive tool. By applying it to different sorts of social relation,

[118] G. John Ikenberry, *Liberal Leviathan: The Origins, Crisis, and Transformation of the American World Order* (Princeton and Oxford: Princeton University Press, 2011), chapter 3.

[119] For broadly similar views, see Ahsan I. Butt, 'Anarchy and Hierarchy in International Relations: Examining South America's War-Prone Decade, 1932-41', *International Organization* 67:3 (2013), pp. 575-607; Katja Weber, 'Hierarchy Amidst Anarchy: A Transaction Costs Approach to International Security Cooperation', *International Studies Quarterly* 41:2 (1997), pp. 321-40; David C. Kang, 'The theoretical roots of hierarchy in international relations', *Australian Journal of International Affairs* 58:3 (2004), pp. 337-52.

[120] Perspectives on hierarchy, more in line with my own, are expressed in Alexander Wendt and Daniel Friedheim, 'Hierarchy under anarchy: informal empire and the East German state', in Biersteker and Weber, *State Sovereignty as Social Construct*, pp. 240-77; Hobson and Sharman, 'Enduring Place of Hierarchy'; Towns, *Women and States*; and MacDonald's remarks in MacDonald and Lake, 'Role of Hierarchy in International Politics'. An analysis of hierarchy which highlights logics of appropriateness is J. C. Sharman, 'International hierarchies and contemporary imperial governance: A tale of three kingdoms', *European Journal of International Relations* 19:2 (2013), pp. 189-207. My understanding of legitimacy is informed by Ian Clark, *Legitimacy in International Society* (Oxford: Oxford University Press, 2005); Ian Clark, *International Legitimacy and World Society* (Oxford: Oxford University Press, 2007); Christian Reus-Smit, 'International Crises of Legitimacy', *International Politics* 44:2/3 (2007), pp. 157-74; Adam Watson, *Hegemony & History* (London and New York: Routledge, 2007), especially pp. 84, 54-63.

we can get a handle on whether, and in what ways, they are hierarchical, and therefore make comparisons between hierarchies of various kinds.

Let's start with law. As I'll explain in more detail in the next chapter, legal relations position legal subjects with respect to each other, on the basis of the rights those subjects hold. A legal relationship can be described as authority-hierarchy when some actor has rights over another, or when the latter has ceded rights to the former. Some semi-sovereigns were, therefore, clearly in subordinate positions in legal authority-hierarchies. Protecting powers, for example, had rights over their protectorates, being empowered to command them to act, or to simply act on their behalf. In other cases, however, the matter was more complicated, and it is far from clear that all semi-sovereigns were similarly subordinate, at least not in the same direct sense. For example, neutralized states lost some portion of their external sovereignty, but without transferring that lost portion to any other actor, and no-one thereby gained any rights in or over them. It could be argued that, because they guaranteed the arrangement, and could therefore enforce it in the final instance, the great powers had a kind of diffuse authority over neutralized states. But they were not directly under a superior's authority, in the way that protectorates were.[121]

Law could also rank international entities, and so, provided they were placed in a ranked tier, we can still say of polities that they were positioned within a hierarchy – even when they did not exercise direct authority over, or were not under the direct authority of, another. While sovereignty is often used to refer to a package of rights, it is also a 'status', that denotes a certain 'legal standing' in international society.[122] These two aspects of sovereignty are, of course, related: holding the rights entails bearing the status, and vice versa.[123] It is useful to distinguish the two, however, since seeing sovereignty as a status helps us understand the ranking role of

[121] Noted in Oppenheim, *International Law* (1st edition), v. 1, p. 142.
[122] Wouter G. Werner and Jaap H. de Wilde, 'The Endurance of Sovereignty', *European Journal of International Relations* 7:3 (2001), p. 297; Jackson, 'Sovereignty in World Politics', p. 453.
[123] Hence Jackson describes sovereignty as 'a status, i.e., a legal standing, and thus a right to participate and to engage in relations and to make agreements with other sovereign states.' Ibid., p. 453.

law. Thus, semi-sovereign polities, by virtue of having fewer rights than their sovereign counterparts, had an inferior status: the former were ranked below the latter from an international-legal perspective.[124] This point pertains as much to semi-sovereigns that were not under some other actor's direct authority, as to those that were, which in turn demonstrates the value of keeping both authority and rank in the picture, rather than restrictively conceptualizing hierarchy as one or the other.

Managerial, suzerain, and cultural hierarchies

Important though law is, this thesis does not take a narrowly legal perspective on semi-sovereignty, or, for that matter, on international hierarchy. It appeals to multiple logics, each built around social relations of different sorts. It is possible that each of these relations could have a hierarchical form, and that each logic could therefore contain elements of hierarchy. That turns out, indeed, to be the case, but managerial, suzerain, and cultural relations are not all hierarchical to the same extents, or in the same ways.

The logic of management involves relations of control, which have the following form: a manager controls a subject within some domain. These are hierarchical in both senses outlined above. Managers have authority over their subjects: a durable and socially-accepted relationship of control rests, almost by definition, on a foundation of authority. Managers also outrank their

[124] My treatment of sovereign and semi-sovereign polities here is slightly different to Keene's in 'The Standard of 'Civilisation', the Expansion Thesis, and the 19th-century International Social Space'. Keene distinguishes stratification by 'authority' and 'status', but includes the sovereign/semi-sovereign distinction only in the former category. Gradations of status – encompassing different levels of 'civilisation', as well as 'dynastic' titles – are defined in terms of 'esteem' or 'social honour' (ibid., p. 664). By contrast, my understanding of status is more in line with that in Larson, Paul, and Wohlforth, for whom it refers to 'ranking on a hierarchy', and is conceptually distinguished from 'prestige' and 'honor' (although, in practice, prestige and honour may be associated with or follow from particular statuses). See 'Status and World Order', p. 16. It follows from this that the sovereign/semi-sovereign distinction can also be a matter of status (rank), and not simply authority. Moreover, sovereign status could be a source of prestige/honour, and it is perfectly plausible that being rendered semi- or non-sovereign could be seen as a slight. At the very least, it is not obvious that one's civilizational or dynastic standing would necessarily carry more 'esteem' than one's sovereign status.

subjects, and the former may control the latter through actors of intermediate rank. Managerial relations thus correspond quite neatly to Onuf and Klink's 'bureaucratic' conception of hierarchy, wherein 'directive-rules' are issued from the top, down. For Onuf and Klink, 'relations of *bureaux*, or offices, form the typical pattern of super- and subordination, but always in ranks, such that each office is both subordinate to the one(s) above it and superordinate to the ones below'.[125] Management therefore represents a of coincidence of rank- and authority-hierarchies, each entailing the another.

Earlier on I noted a formal parallel between management and suzerainty, and it should therefore come as no surprise that the latter also encompasses hierarchies of rank and authority. Rather than exercising control, ideal-typical suzerains claim symbolic supremacy over subordinates.[126] Suzerainty generates, and is structured around, gradations of rank, reflecting actors' symbolic standing vis-à-vis each other. As Wight argues, suzerains also have a kind of 'authority' over their subordinates, enabling them to 'confer status on' their subordinates.[127] The suzerain-vassal relationship between, say, a king and a duke who recognizes their majesty, is thus of a different character to the mere distinction in rank between a randomly-selected king, and a duke with whom they have no particular ties or interactions. Formally, suzerain relations, like managerial ones, are hierarchical in both senses, although what ranks and authority look like (their content) is different across the two logics.

Last, consider cultural differentiation. This logic differs from the previous two in two respects. First, whereas relations of control, and of majesty and deference, are necessarily hierarchical, cultural relations are not. Various models of nationhood, national identity, and nationalism (discussed in chapter five) influenced the form taken by a number semi-sovereign

[125] Nicholas Greenwood Onuf, *World of Our Making: Rules and Rule in Social Theory and International Relations* (Columbia: University of South Carolina Press, 1989), p. 211 (quotation from a chapter co-authored with Frank F. Klink).
[126] Wendt and Friedheim contrast 'feudal' to 'legal-bureaucratic' forms of hierarchy, and though I would disaggregate the latter (to correspond to the separate legal and managerial logics), the former captures the basic idea of suzerainty relatively well. 'Hierarchy under anarchy', p. 252.
[127] Martin Wight, *Systems of States* (ed. Hedley Bull; Leicester: Leicester University Press, 1977), p. 23.

polities, but they did not all obviously imply hierarchy. By contrast, ideas associated with 'civilization', and the distinction between purportedly 'civilized' and 'uncivilized' societies, did. The point is not, then, that cultural relations were never hierarchical: *sometimes* they were, and sometimes they were not, and it is this which distinguishes them from their managerial and suzerain counterparts, which could not but be so. Second, where cultural relations were hierarchical, these were hierarchies of rank. They could ground or produce subsequent hierarchies of authority, but they did not themselves involve authority. To be a manager *just is* to have authority over a subject, but while supposedly more civilized societies outranked less civilized ones, the former did not *by definition* have authority over the latter. This civilizational disparity might be converted into a relationship of authority, but only through interaction between the logics: perhaps by influencing patterns of management, or providing a basis for allocating rights.

One final point follows from this observation. Just as the logics fit together into various configurations, so too do their hierarchical components. Polities constituted by multiple logics may thus sit at the intersection of several hierarchies, and their forms will manifest those hierarchies in combination.[128] Moreover, in the same way that some logics shaped the operation of others, according to the pathways of interaction mapped out in the previous section, some hierarchies may work with, work through, or influence other hierarchies. The cultural-managerial and cultural-legal examples given in the previous paragraph illustrate this point, and I'll flesh out this idea further in later chapters. Importantly, these pathways are like those between the logics more generally, representing channels of interaction, rather than primacy: while civilizational standing may influence the legal position polities end up in, the latter is not wholly determined by, or reducible to, cultural differentiation. Although they interact, the social logics are distinct ideal types, and the hierarchies they encompass therefore have some autonomy from one another.

[128] Note the parallel with the intersecting axes of stratification in Keene, 'The Standard of 'Civilisation', the Expansion Thesis, and the 19th-century International Social Space'.

Concluding remarks

This thesis invokes four social logics to account for the properties of, and variations between, semi-sovereign polities. Relational IR theory (especially 'processual relationism', as formulated by Jackson and Nexon) and ideas from historical sociology (particularly Mann's theory of social power) provide the theoretical foundations for this argument. From these perspectives, relations and processes are prior to entities and organizations: the latter embody or manifest the former, and through appeals to the former, we can explain (changes to) the latter.

As I define them, social logics comprise relations, processes and practices, and background norms and concepts. Thought of as ideal types, the logics capture different and distinct kinds of social interaction. Underpinning this definition is a relational ontology, distinguishing my argument from more systemic theories, and inclining me towards a conception of hierarchy as a property of social relations, which characterizes the relational cores of each logic to different extents and in different ways. Furthermore, since the logics contain normative content, we can think of them as representing alternative standards of appropriate behaviour, and an argument based on them will therefore have a rather different character to more rationalist ones, which explain outcomes in terms of interest-satisfaction.

In practice, the logics did not work in isolation. Elements of multiple logics interacted, working with and through one another, in a variety of configurations. Law most 'directly' constituted polities as semi-sovereign, but on their own, legal relations, practices, processes, norms and concepts cannot provide us with a robust or satisfying account of variations in semi-sovereignty. The allocation of rights was typically influenced by managerial goals, symbolic claims to majesty, and/or cultural biases and preconceptions. From the opposite perspective, management, suzerainty, and cultural differentiation were unable to constitute polities as semi-sovereign without the intervention of law – without being translated into rights. Cultural differentiation also worked with management and suzerainty, shaping the intensity and character

or control, informing the purposes of interventions, and influencing the character of the rituals, ceremonies, and practices thorough which suzerainty was demanded and maintained, and deference performed or withheld. Moreover, management and suzerainty themselves interacted, hierarchies of control and symbolic standing sometimes syncing up, and at other times coming apart.

The remainder of this thesis shows how these logics worked, individually and in combination, to produce semi-sovereign entities of varying sorts. Since it intervened most directly to render polities semi-sovereign, we'll begin with law, and go from there.

[2]: Law

As we saw in the previous chapter, a lot of the variation between semi-sovereign polities was legal: they had different rights, and belonged to a range of different legal categories. Indeed, the term 'semi-sovereignty' came from international law – it arose out of a distinctively 'lawyerly' way of looking at the world, and the concept depended on this worldview for its intelligibility. It should thus come as little surprise that law plays an important part in my account of these polities and their various characteristics.

In this thesis, law is understood as distinct social logic. These are organized around social relations, and in this case, *recognized legal subjects* stand in relation to one another in terms of their '*rights*'.[1] Comparing which rights they possessed or lacked is one way of distinguishing international entities: fully-sovereign polities have more rights than semi-sovereign ones, which have more rights than wholly non-sovereign ones; various types of semi-sovereign may have more, fewer, or different rights, compared to each other. As well as serving as grounds for comparisons, relations of rights might directly connect polities: one (say, a protecting power) might have rights *over* – not just more rights *than* – another, under its protection. Acting according to the legal logic involves making claims on the basis of one's (and others') acknowledged rights, or attempting to alter these configurations of rights in the first place. Note lastly that these relations obtain only between accepted legal subjects, empowered by their recognized subjectivity to bear rights in the first place.[2]

[1] Edward Keene, 'The Standard of 'Civilisation', the Expansion Thesis, and the 19th-century International Social Space', *Millennium: Journal of International Studies* 42:3 (2014), p. 664. Although he situates it within a very specific, Marxist set of categories, there are also parallels to the 'legal form', defined by Miéville as 'the form of a particular kind of *relationship*', in which 'The bearer of abstract rights is the subject'. China Miéville, *Between Equal Rights: A Marxist Theory of International Law* (Leiden and Boston: Brill, 2005), pp. 84, 184. On types of (in)equalities of rights, see Edwin DeWitt Dickinson, *The Equality of States in International Law* (Cambridge: Harvard University Press, 1920), chapter 1.
[2] Robert A. Klein, *Sovereign equality among states: the history of an idea* (Toronto and Buffalo: University of Toronto Press, 1974), p. 7.

Mapping out relations of rights will not suffice, however, if we want to put the legal logic to explanatory work. This exercise will not take us much beyond the description, already accomplished in chapter one, where we saw that semi-sovereign polities could be characterized in terms of their rights and the legal statuses they bore. Our task now is to push the argument forward: to explain how and why they ended up in those positions. In part, we'll appeal to the other three logics to answer that question. Yet we can also begin to trace where semi-sovereign polities came from *without* having to look outside law. To see why, recall that social logics are not exhausted by their relational cores: they also comprise *practices and processes*, and *background norms and concepts*. Shifting our focus to these, we'll show where legal categories came from, and how concrete entities were placed into these categories: rather than simply reproducing a descriptive map, we can historicize it, and explain how it was applied.

Consider, first, background norms and concepts. The idea of semi-sovereignty, its sub-types, and their meanings and applications were not givens: they were products of specific historical contexts, and contested even within those contexts. They were related to, and to some degree derived from, other concepts – like sovereignty *simpliciter*, the state, and international society – each of which had their own particular meanings in particular periods, and for particular groups and individuals. As Reus-Smit puts it, sovereignty has never been an 'independent, self-referential value', but instead, 'encased within larger complexes of metavalues, encoded within broader constitutive frameworks'.[3]

Legal theory defined these ideas, and provided the terrain on which their meaning was debated. As well as using concepts in specific ways, legal theorists made substantive arguments which connected them up. Foundational ideas – ways of thinking about rights; criteria for who could count as a legal subject – opened up and closed off possibilities further down these argumentative chains. To take an example from later in the chapter: if a writer contended that

[3] Christian Reus-Smit, *The Moral Purpose of the State: Culture, Social Identity, and Institutional Rationality in International Relations* (Princeton: Princeton University Press, 1999), p. 6.

only by transferring a right to another actor, could that right be said to have been truly forfeited, then only certain types of polity (those which had transferred their rights) could be described as semi-sovereign. We ought not, however, to think of these sets of concepts as completely closed, deterministic systems, where some prior definition necessarily produced a fixed conclusion: the legal writers of the long-nineteenth century often combined concepts in surprising and creative ways; sometimes, they even did so imprecisely or inconsistently.[4] Alongside substantive theoretical arguments, the methodological norms of jurisprudence – how legal theorizing was done – shaped how ideas were formulated and applied. 'Constructions like 'sovereignty' were part of larger juridical systems; they thus had to be consistent according to the methodological standards of the discipline', and the same was also true of derivative ideas, like semi-sovereignty.[5]

Regarding the semi-sovereign polities which are the empirical subject of this thesis, legal theory's role was *constitutive*: it helped make them what they were.[6] First, it gave us the idea of semi-sovereignty, and its sub-types – the descriptive maps and typologies discussed in chapter one. We can therefore look to legal theory to understand how these maps worked, where they came from, and why they contained the categories that they did. By analysing the prior concepts, substantive arguments, and jurisprudential methodologies that undergirded and produced them, we can account for these sets of categories in a genuinely explanatory sense, rather than merely reproducing them. Second, lawyers organized and labelled individual polities according to these schemes of classification; jurisprudence thus constituted *particular* semi-sovereigns as such. Once again, we can make this point truly explanatory by connecting decisions to classify a certain entity, in a certain way, back up to the criteria used in making these judgements. Recognizing the constitutive work done by legal theory also helps us pin down how the logic operated in

[4] Miloš Vec, 'From the Congress of Vienna to the Paris Peace Treaties of 1919', in Bardo Fassbender and Anne Peters (eds.), *The Oxford Handbook of the History of International Law* (Oxford: Oxford University Press, 2012), p. 672.
[5] Ibid., p. 672.
[6] On the constitutive role of international law more generally, see Christian Reus-Smit, 'International Law and the Mediation of Culture', *Ethics and International Affairs* 28:1 (2014), p. 66.

interaction with the other three. Through interpretation, legal theorists translated extant polities' capacities for action, and relationships with other entities, into distributions of rights, classified them based on scholarly criteria, and singled them out as (kinds of) semi-sovereign.

Law's role in producing variations in semi-sovereignty was not exhausted by the constitutive work of legal theory, however, and background norms and concepts were not the only relevant components of the legal logic. There was also a wider world of *legal practice*. In this, a wider range of actors engaged in distinctively legal activities, with concrete effects which were at least to some degree independent of, and which certainly cannot be wholly reduced to, how jurisprudence interpreted them. That said, empirically, if not analytically, it is impossible to completely disentangle legal theory and practice. For one, legal scholars *were* practitioners: they lived active professional lives, sometimes working directly with statespeople.[7] More broadly, they did not do their academic work in a vacuum. They were attentive to wider developments in international relations, and, particularly during the long-nineteenth century, used international-legal instruments drawn up by statespeople (treaties, conventions, etc.) as sources for their arguments.[8] At the same time, theorists organized, interpreted, and theorized about legal practices, thereby contributing to their meaning and significance.

As we'll see towards the end of this chapter, four kinds of legal practice were relevant to the production of semi-sovereigns: recognition, treaty-making, the issuing of constitutions, and the legal capabilities of the great powers (including to recognize polities, and make and enforce treaties). These allocated rights, and fixed entities as legal subjects. By appealing to these practices, we can again explain how polities came to occupy various positions within typologies

[7] For a good account of lawyers' activities in this capacity, albeit one with a focus on the late-nineteenth century, see Martti Koskenniemi, *The Gentle Civilizer of Nations: The Rise and Fall of International Law 1870-1960* (Cambridge: Cambridge University Press, 2001), especially chapter 1. A closer look at Travers Twiss's activity at the Berlin Conference 1884-5 is provided in Casper Sylvest, ''Our passion for legality': international law and imperialism in late nineteenth-century Britain', *Review of International Studies* 34:3 (2008), pp. 408-15. Being practitioners helped theorists' classificatory work to have direct, concrete effects: 'If international lawyers agreed that a polity was not a sovereign state, this was not only an act of ideological closure, it was also a juridical *decree*: without being accorded the rights of sovereignty, a polity was *not sovereign*'. Miéville, *Between Equal Rights*, p. 242.

[8] Vec, 'From the Congress of Vienna to the Paris Peace Treaties', p. 668.

of semi-sovereignty, without having to draw on elements from outside the legal logic. Furthermore, these practices provided another pathway via which elements of the other logics could be legalized. A treaty could (re)express control or symbolic supremacy in terms of rights, which could facilitate – or constrain – those relations of management or suzerainty, and turn the subordinate polities therein into *bona fide* semi-sovereigns.

This chapter proceeds through three substantive sections. The first two consider the constitutive role of legal theory, showing how contested and changing juridical norms and concepts produced different ways of thinking about and conceptualizing semi-sovereignty, as well as adjacent and derivative concepts, and classifying and categorizing particular polities in terms of these concepts. Section one examines what sorts of entities were considered eligible for legal subjectivity, and how their supposed natures, as entities of different types, influenced whether and in what capacities they could count as semi-sovereign. The second section considers the other dimensions of legal relations – rights – and again demonstrates how different understandings of sovereign rights shaped alternative interpretations of semi-sovereignty, in general, as well as whether specific polities were described as semi-, fully- or non-sovereign. Section three then turns to legal practice – and the theory-practice relationship – with a focus on the practices identified above.

Legal theory and the legal subjectivity of semi-sovereigns

One of the ways polities became semi-sovereigns, of different sorts, was being interpreted and classified as such in legal theory. In part, these interpretations and classifications were done on the basis of rights: jurists made judgements as to which rights polities held and lacked – as well as which rights they had to hold or lack to count as semi-sovereign, or as a specific kind of semi-sovereign – and placed the former in the latter categories, accordingly. Recall, however, that legal relations were not just relations of rights: they were relations obtaining between

acknowledged legal subjects, whose subjectivity allowed them to be rights-bearers. In addition to classifying polities in terms of rights, legal theorists also made arguments about what sorts of legal subjects, if any, they were. When it came to semi-sovereignty, they wrote about, and often disagreed over, which entities could and did bear that status, and how their ability to do so was influenced by their natures *as entities of different sorts.*

On the basis of a range of primary texts from the period, this section explores changing and contested depictions of semi-sovereigns as legal subjects, with the next turning to rights. I begin with the jurist Georg Friedrich von Martens's class of 'demi-sovereign states and princes', using these to exemplify a distinctively eighteenth-century way of classifying polities, whose sovereignty was limited without being wholly non-existent. Then, I explore the methodological and theoretical underpinnings of this category, making brief comparisons with some earlier writers on sovereignty (Hugo Grotius, and Samuel von Pufendorf) to illustrate how changes in broader jurisprudential norms and concepts shaped changing schemes of categorization. Third, I show how, into the nineteenth-century proper, new typologies of semi-sovereignty were created, encompassing different kinds of semi-sovereign. Next, I explain that these new semi-sovereigns were for the most part discrete states, as opposed to the heterogeneous set of actors included in Martens's set of demi-sovereigns. The remainder of the section then runs through three further points: nineteenth-century jurists were ambivalent as to whether the components of empires could be considered semi-sovereign; changing conceptions of demi-/semi-sovereignty fit into changing legal definitions of 'international society'; and nineteenth-century jurists conceptualized semi-sovereigns as partial international (legal) persons, in contrast to earlier ways of thinking about international personality.

The 'demi-sovereign states and princes' of Europe

Although earlier writers had considered how sovereignty might become impaired or divided, or what implications these arrangements might have, it was only in the eighteenth century that a group of German legal theorists demarcated a specific class of semi-/demi-sovereign polities, distinguished as such from the rest of international society. Among these scholars was Georg Friedrich von Martens, whose *Summary of the Law of Nations* contained a precise, specific, and apparently exhaustive list of the 'demi-sovereign states and princes' of Europe.[9] The states were:

> 1. The States of the Empire.
> 2. The body of immediate Nobility in Germany, and some other immediate Lords.
> 3. The immediate Princes of Italy who yet acknowledge their submission to the Empire.
> 4. The Duke of Courland and Semigal.
> 5. The Princes of Wallachia and Moldavia.
> 6. The towns of Danzig, of Thorn, and of Bien.[10]

While, 'AMONG the demi-sovereign princes, there are only the electors of the Germanic Empire who are entitled to royal honours'.[11] As well as listing these entities, Martens also explained what made them demi-sovereign:

[9] Other members of this group included Moser and Klüber. See Dickinson, *The Equality of States*, pp. 93-4; Bengt Broms, *The Doctrine of Equality of States as Applied in International Organizations* (Vammala: Vammalan Kirjapaino Oy, 1959), p. 41; P. H. Kooijmans, *The Doctrine of the Legal Equality of States: An Inquiry into the Foundations of International Law* (Leyden: A.W. Sythoff, 1964), p. 90.
[10] Georg Friedrich de Martens, *Summary of the Law of Nations, Founded on the Treaties and Customs of the Modern Nations of Europe, with a list of the principal treaties, concluded since the year 1748 down to the present time, indicating the works in which they are to be found* (trans. William Cobbett; Philadelphia: Thomas Bradford, 1795), p. 31.
[11] Ibid., p. 31.

> It may, and does, happen, however, that the different members of *composed* states acquire a right, not only of governing solely in their own internal affairs, but of treating, of their own accord, with foreign powers; provided always that they adhere to the restrictions that their bonds of union and submission impose. Such members of states have, then, a right to treat each other, and to be treated by other powers, as independent states; and ought to be looked upon as immediate members of the society of sovereign states. Nevertheless, their sovereignty not being entire has given rise to the distinction of *sovereign* and *demi-sovereign* states[12]

In part, they were defined in terms of their rights, 'to treat each other, and to be treated by other powers, as independent states'. This was not the only criterion, however. The demi-sovereigns were also particular kinds of entity: parts of larger wholes, 'composed states' such as the German/Holy Roman Empire, Polish-Lithuanian Commonwealth, and Ottoman Empire.

Moreover, demi-sovereignty, and the demi-sovereigns, were differentiated from other concepts and types of polity. The first was 'partial sovereignty', by which Martens meant wider patterns of extra-territorial jurisdiction. Partial sovereignty obtained in a much broader set of cases than just the demi-sovereign polities, although it was particularly relevant in the latter, especially in parts of the German Empire.[13] Second, he contended that 'mere alliances of protection, tribute or vassalage, which a state may contract with another, do not hinder it from continuing perfectly sovereign'.[14] Martens thus defined the general category of demi-sovereignty, contrasted this category to cognate ones, and filled that category out with what he perceived to be every empirical instance of it, in the international society of his day.

Methodology, theory, and demi-sovereignty

As stated above, Martens and his contemporaries were not the first writers to recognize, discuss, or theorize about limited sovereignty, and nor would they be the last to do so. For example, in the seventeenth century, Hugo Grotius argued that a 'Partition of Sovereignty…may happen

[12] Ibid., pp. 24-5.
[13] Ibid., pp. 119-20.
[14] Ibid., pp. 23-4.

sometimes', including in an unequal alliance, when 'Usurpation [of power] is changed at last into Right, by the tacit Concession of those who suffer it… then those who had been Allies become Subjects, or at least there is made a Partition of Sovereignty'.[15] More than Grotius, Samuel von Pufendorf had a sceptical attitude towards divided or restricted sovereignty, and strongly discouraged entering into arrangements which would divide or restrict it.[16] Nevertheless, he recognized that these arrangements could and did arise. Certain constitutional limitations on sovereign power were acceptable, because they did not institute a higher authority above the sovereign.[17] However, some parties to 'unequal alliances' did have their sovereignty genuinely, meaningfully impaired by those alliances.[18] Furthermore, Pufendorf distinguished between 'regular' and 'irregular' states: in the former, 'sovereignty is so concentrated in one subject that, originating in one will, it pervades all the parts and affairs of the state, undivided and unimpaired'; not so in the latter.[19]

The notion of limited sovereignty was not, therefore, entirely new in the eighteenth century. However, Martens handled this idea differently to both Grotius and Pufendorf, and the latter two did not define and demarcate a class of demi- or otherwise semi-sovereigns in the same

[15] Hugo Grotius, *The Rights of War and Peace* (ed. Richard Tuck; Indianapolis: Liberty Fund Inc., 2005, 3 vols.), v. 1, p. 330. My discussion of Grotius here draws heavily on Edward Keene, *Beyond the Anarchical Society*: *Grotius, Colonialism and Order in World Politics* (Cambridge: Cambridge University Press, 2002), chapter 2. See also Dickinson, *Equality of States*, chapter 2.

[16] See comments on his theory of the state, below.

[17] Leonard Krieger, *The Politics of Discretion: Pufendorf and the Acceptance of International Law* (Chicago and London: University of Chicago Press, 1965), pp. 144-7; David Boucher, 'Resurrecting Pufendorf and capturing the Westphalian moment', *Review of International Studies* 27:4 (2001), pp. 568-9. For an interesting take on the philosophical foundations of this point, see Ben Holland, 'Pufendorf's Theory of Facultative Sovereignty: On the Configuration of the Soul of the State', *History of Political Thought* 33:3 (2012), pp. 427-54.

[18] Samuel Pufendorf, *On the Duty of Man and Citizen* (ed. James Tully, trans. Michael Silverthorne; Cambridge: Cambridge University Press, 1991), p. 174.

[19] Ibid., p. 142. For commentary, see Krieger, *Politics of Discretion*, pp. 156-64; Boucher, 'Resurrecting Pufendorf', p. 570; Peter Schröder, 'The Constitution of the Holy Roman Empire after 1648: Samuel Pufendorf's Assessment in his *Monzambano*', *The Historical Journal* 42:4 (1999), pp. 961-83. Pufendorf also introduced one more relevant concept, as part of this discussion: 'systems of states'. These could emerge when 'states permanently intertwine for purposes of the common object of security'. Members of such a system they 'renounce the intention of exercising some portions of their sovereign power, above all those which concern external defence', but they do not thereby *lose* that sovereignty; they merely decide not to *exercise* some portion of it. See ibid., p. 571; Pufendorf, *Duty of Man and Citizen*, p. 145; Murray Forsyth, *Unions of States: The Theory and Practice of Confederation* (Leicester: Leicester University Press, 1981), pp. 79-84.

way he did. Martens differed to these seventeenth-century theorists on matters of methodology (the way concepts were constructed, and applied empirically) and substantive theory (how concepts were concretely defined, and connected as parts of arguments). Making comparisons on these points will enable us to see how alternative, and changing, jurisprudential norms and concepts produced varying schemes of categorization.

Martens's methodology was 'empirical' and 'historical'.[20] Certainly, both Grotius and Pufendorf paid attention to empirical matters, and Pufendorf even wrote several works of history towards the end of his career.[21] Where they departed was in how they went about doing empirical/historical work – the *particular* methodological approaches they favoured. For one, Martens was especially preoccupied with categorization itself – with 'classifications, divisions, and subdivisions', and in this, he 'adhered to an eighteenth-century notion of science', based on the construction of typologies.[22] This was not simply about delineating different types of phenomena; it also required enumerating instances of those phenomena. From this perspective, it makes sense that Martens would demarcate and populate a distinct class of demi-sovereigns. By contrast, while the discussion of partitions of sovereignty in Grotius's *Rights of War and Peace* contains many empirical examples, they are not presented in a remotely similar way.[23] They appear chosen to demonstrate the plausibility of divisions of sovereignty, and of Grotius's interpretation of the principles of the law of nations. Many come from the ancient world, a completely different context to the one in which Grotius was writing. Martens's demi-sovereigns, on the other hand, were all contemporary to him, part of a snapshot of the international society of his time.

Although his cases were contemporary, Martens's general approach to jurisprudence was historical, and these two aspects in fact came together, as he took seriously the historical

[20] Martti Koskenniemi, 'Into Positivism: Georg Friedrich von Martens (1756-1821) and Modern International Law', *Constellations* 15:2 (2008), p. 196.
[21] Krieger, *Politics of Discretion*, chapter 6.
[22] Koskenniemi, 'Into Positivism', p. 197. For a good discussion of this style of inquiry, see Jens Bartelson, *A Genealogy of Sovereignty* (Cambridge: Cambridge University Press, 1995), chapter 5.
[23] Grotius, *Rights of War and Peace*, v. 1, pp. 318-335.

specificity and situatedness of eighteenth-century international society. He derived the principles of the law of nations through empirical work: the collection and comparison of treaties, through which the historical trajectories of those principles could be traced.[24] He has, therefore, traditionally been described as a legal 'positivist', prioritizing instruments of positive law over say, natural reason, as a source of international law.[25] It's easy to become unproductively hung up on whether he was a true positivist, or represented some more 'synthetic' combination of positivism and natural law, but it does seem to me that there *was* something of a 'manifesto in favour of positivism' in the *Summary*.[26]

This empirical strategy for arriving at the contents of the law of nations had a counterpart, for determining the characteristics of the polities that comprised international society. Martens derived the properties of states by starting with concrete legal instruments:

> In comparing, then, the public positive law of several states, whose constitutions are more or less alike, for instance that of the different states of the German Empire, or that of the powers of Europe, we may form, by abstraction, a general public law of the Germanic States, or the powers of Europe; and of this science the private rights of the princes of Germany, or of Europe, make a part[27]

The properties of a composed state, like the German Empire, could be determined through comparing constitutions in a systematic way, and abstracting out general characteristics on the basis of these comparisons. Martens's methodology thus intersected with his substantive theory of the state, and in a sense stood in for the latter, insofar as there were few abstract arguments about the origins and features of states (or other polities) in the *Summary*. On this point, a

[24] Koskenniemi, 'Into Positivism', pp. 194-5.
[25] For an example of the traditional interpretation, see Arthur Nussbaum, *A Concise History of the Law of Nations* (New York: The Macmillan Company, 1962), pp. 179-85.
[26] See Wilhelm G. Grewe, *The Epochs of International Law* (trans. and rev. Michael Byers; Berlin, New York: Walter de Gruyter, 2000), pp. 352-9 and Koskenniemi, 'Into Positivism', p. 196, for revisionist takes, and Martens's remarks on positive law in the *Summary of the Law of Nations*, pp. 2-5, in light of these.
[27] Ibid., p. 1.

comparison between Martens's composed states and Pufendorf's irregular states is revealing, not least because they applied these concepts to similar entities, most notably the German Empire.[28]

Pufendorf developed a detailed theory of sovereignty and the state. Its foundation was the claim that all social institutions have a specific function, or an end towards which they are directed: for the state, this was 'security'. This purpose influenced the properties of sovereignty: it was to be 'supreme' (permitting no higher political authority) and 'indivisible', because otherwise the security of the sovereign's subjects would be jeopardized.[29] If the constituent powers of sovereignty were divided, 'the government will be defective and unfitted to achieve the end of a state'.[30] Occasionally, we can find similar-sounding remarks in Martens's *Summary* – that 'acts of sovereignty tend to one and the same object, the good of the state', for example.[31] Yet the overall texture of his account is very different to Pufendorf's, and abstract arguments about the nature of the state shaped Martens's treatment of sovereignty, and of the acceptability of restricted or divided sovereignty, to a much lesser extent and in a much less restrictive way.[32]

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[28] Samuel Pufendorf, *The Present State of Germany*, (ed. Michael J. Seidler, trans. Edmund Bohun; Indianapolis: Liberty Fund, Inc., 2007); Koskenniemi, 'Into Positivism', p. 191; Schröder, 'Constitution of the Holy Roman Empire'. They thus fell into a long line of thinkers who wrote about the Empire's structure: see Julian H. Franklin, 'Sovereignty and the mixed constitution: Bodin and his critics', in Burns, *The Cambridge History of Political Thought, 1450-1700*, pp. 298-328. On the importance of the Empire as an eighteenth-century reference point, see also Peter M. R. Stirk, 'The Westphalian model and sovereign equality', *Review of International Studies* 38:3 (2012), pp. 648-9.

[29] Pufendorf outlined his theory of the state in *Duty of Man and Citizen*, book 2, especially chapters 5-8, 11. For commentary, see Krieger, *Politics of Discretion*, especially chapters 4-5; David Boucher, *Political Theories of International Relations: from Thucydides to the Present* (Oxford: Oxford University Press, 1998), chapter 10; Andrew Linklater, *Men and Citizens in the Theory of International Relations* (2nd edition: Houndmills: Macmillan, 1990), chapter 4; Ian Hunter, *Rival Enlightenments: Civil and Metaphysical Philosophy in Early Modern Germany* (Cambridge: Cambridge University Press, 2001), chapter 4; Alfred Dufour, 'Pufendorf', in J. H. Burns (ed.), *The Cambridge History of Political Thought, 1450-1700* (Cambridge: Cambridge University Press, 1991), pp. 561-88; Jens Bartelson, 'Sovereignty and the Personality of the State', in Robert Schuett and Peter M. R. Stirk (eds.). *The Concept of the State in International Relations: Philosophy, Sovereignty, Cosmopolitanism* (Edinburgh: Edinburgh University Press, 2015), pp. 90-2; Thomas Behme, 'Pufendorf's Doctrine of Sovereignty and its Natural Law Foundations', in Ian Hunter and David Saunders (eds.), *Natural Law and Civil Sovereignty: Moral Rights and State Authority in Early Modern Political Thought* (Houndmills: Palgrave Macmillan, 2002), pp. 43-58; Istvan Hont, 'The language of sociability and commerce: Samuel Pufendorf and the theoretical foundations of the 'Four-Stages Theory', in Anthony Pagden (ed.), *The Languages of Political Thought in Early-Modern Europe* (Cambridge: Cambridge University Press, 1987), pp. 253-76.

[30] Pufendorf, *Duty of Man and Citizen*, p. 141.

[31] Martens, *Summary of the Law of Nations*, p. 81.

[32] Relatedly, see the comparisons between Pufendorf and another eighteenth-century positivist, Moser, in Miéville, *Between Equal Rights*, pp. 191-4.

One way of framing Pufendorf's worries about such divisions is as essentially normative: sovereignty *ought* not to be carved up, nor rendered less than supreme, even though in practice it might be. This interpretation is accurate enough, as far as it goes, but it risks obscuring the fact that Pufendorf's objections were also ontological – about what sorts of entities states *were*. He described states as 'moral persons', and by this he did not mean that a state was 'fictitious legal entity, but a real autonomous moral person with the capacity to will, deliberate and pursue purposes'.[33] This was an intelligible proposition because it was based on a broader theory of 'moral entities', which explained the conditions for the existence, and how they might vary.[34] For Pufendorf, the meanings and implications of the state's moral personhood, and sovereignty, were mutually-implicated: sovereignty was the state-as-person's 'characteristic power', 'the soul that animates the person of the state'.[35]

Pufendorf argued that divisions of sovereignty had corrosive effects on state personhood – if sovereignty was the soul of the state, breaking it down would wrench apart the state's unitary selfhood. Irregular states were incoherent, unstable, and liable to decay and decline: 'the Health of Natural Bodies, and the Strength and Ability of Artificial Composures results from the Harmony of their Parts and their Connexion or Union with one another' and 'so also *Moral Bodies* or *Societies* are to be esteemed strong or weak, as the Parts of which they are composed, are found well or ill formed and united together'.[36] At times, Martens described the state 'moral being', but again, little of Pufendorf's theoretical apparatus carried through to his writing, or meaningfully restricted how he defined and used his concepts.[37]

Let's pause to draw together the arguments of this section, so far. Martens picked out a distinct class of demi-sovereigns, defined in terms of their rights, but also by what sorts of entities

[33] Boucher, 'Resurrecting Pufendorf', p. 567. See also Dufour, 'Pufendorf', p. 537, and Bartelson, 'Sovereignty and the Personality of the State', pp. 90-2.
[34] See Dufour, 'Pufendorf', pp. 564-5 and Hunter, *Rival Enlightenments*, pp. 164-8, for overviews of this ontology.
[35] Dufour pp. 574, 576; Boucher, *Political Theories of International Relations*, p. 237.
[36] Pufendorf, *Present State of Germany*, p. 159.
[37] Martens, *Summary of the Law of Nations*, p. 2.

they were: parts of composed states. He handled cases of limited sovereignty differently to earlier writers, like Grotius and Pufendorf, and in part, these differences were due to methodology. However, these methodological matters also intersected with substantive theoretical ones: about how to conceptualize polities of various kinds, and what the implications of their purported natures were. Pufendorf's underlying theory of the state and sovereignty – and its foundation, in turn, in his understanding of moral personhood – inclined him towards a distinction between regular and irregular states. Martens did not share many of Pufendorf's preoccupations, and one could even argue that his empiricist methodology substituted for an abstract theory of the state: he began by comparing concrete legal instruments, and from there, made more general statements about the different kinds of polity that made up eighteenth-century international society. Thus, contested and changing ways of thinking about polities as legal subjects influenced how those subjects were categorized; the background norms and concepts of jurisprudence shaped schemes of classification, in turn making it meaningful to speak of particular entities as belonging to this or that type. This would remain the case into the nineteenth century proper, where rather than the demi-sovereign members of composed states, it became common to speak of various modes of semi-sovereignty, predominantly understood as configurations of rights between discrete states.

Nineteenth-century typologies

One of the most striking features of nineteenth-century discussions of semi-sovereignty, and analogous and cognate concepts (half-, or part-, or not-full-sovereignty), is jurists' interest in constructing typologies.[38] Legal texts from the period were not content merely with presenting the idea of semi-sovereignty; they sought to identify, compare, and contrast different *sorts* of semi-sovereign polity.

[38] For more on their contents of these typologies, I direct the reader back to chapter 1.

This indicates some basic methodological continuities with Martens, who, as we have seen, constructed his picture of European international society by grouping its members into sets. Yet these methodological continuities were accompanied by substantive, theoretical changes: nineteenth-century typologies were made up of new categories, and those categories were in turn populated with different, specific polities.

Some of these specific polities did not appear in Martens's *Summary* because they did not exist (at least, in their nineteenth-century forms) when that text was written. For example, the protectorates over Cracow (Kraków) and the Ionian Islands, the German Confederation, and neutralized Belgium only came into being in the early-nineteenth century. Yet the shift in how these polities were discussed was not merely an automatic response to changing empirical circumstances; it was also a product of developments at the *conceptual* level, which affected how those new polities were characterized.

Martens's demi-sovereigns were defined by their membership in composed states; polities that were not parts of composed states did not count as demi-sovereign. By contrast, in the nineteenth century, more, and more varied, arrangements were grouped under the banner of semi-sovereignty, many of which looked nothing like membership in a composed state. Neutralized polities, for example, were not part of any other entity: they simply lacked an important external sovereignty.[39] Jurists from this period insisted that there were many different sub-types of semi-sovereignty, and their typologies encompassed not only neutralized states, but polities like protectorates, vassal states, and states in confederal union.[40]

Further evidence that this shift was conceptual – and not just a response to 'real-world' developments – comes from how protectorates were handled in legal theory. Martens dismissed treaties of protection as irrelevant to his discussion of demi-sovereignty. That he explicitly

[39] Thomas Joseph Lawrence, *The Principles of International Law* (2nd edition, London; New York: Macmillan, c. 1895), p. 76.
[40] For a couple of different typologies, see ibid., pp. 68-77, John Westlake, *International Law* (2nd edition, Cambridge: Cambridge University Press, 1910-3, 2 vols.), v. 1, chapter 3; L. Oppenheim, *International Law: A Treatise* (1st edition, London, New York, and Bombay: Longmans, Green, and Co., 1905-6, 2 vols.), v. 1, chapters 5-8.

discussed such arrangements makes it clear that his treatment of them was a matter of interpretation: it was not that protectorates did not exist in the eighteenth century.[41] While many nineteenth-century writers did not think that protectorates were always semi-sovereign, framing them in essentially tautological language (protection only restricted sovereignty when it restricted sovereignty), they were at least more comfortable with the idea that they might be so.[42]

Certainly, not everyone agreed on how to organize the different kinds of semi-sovereign. Thomas Lawrence, for example, developed a tripartite typology of 'part-sovereigns' ('suzerainty', '*Staatenbund*' [confederal union], 'neutralization'), which interestingly did not include protectorates.[43] In direct disagreement, Lassa Oppenheim argued that neutralized states and the members of *confederal* unions were essentially *fully*-sovereign.[44] Moreover, particular lawyers fit these various forms into overarching conceptual structures in particular ways: for instance, Oppenheim described vassals as '*half*-sovereign', and the members of *federal* unions as '*part*-sovereign'.[45] Yet, for all these debates were important, they do not trouble the basic point, that nineteenth-century semi-sovereignty encompassed a panoply of polity-types, and that legal theory did constitutive work, by generating typologies within which those polities were categorized.

[41] Indeed, they are discussed at some length in Emer de Vattel, *The Law of Nations, Or, Principles of the Law of Nature, applied to the Conduct and Affairs of Nations and Sovereigns, with Three Early Essays on the Origin and Nature of Natural Law and on Luxury* (eds. Béla Kapossy and Richard Whatmore; Indianapolis: Liberty Fund, Inc., 2008), pp. 83, 207-10, 339, 355, 370-1. For a discussion of the changing treatment of protectorates, historically, see T. Baty, 'Protectorates and Mandates', *British Year Book of International Law* 2 (1921), pp. 109-15.
[42] Westlake, *International Law*, v.1, p. 23; Robert Phillimore, *Commentaries upon International Law* (Philadelphia: T. & J. W. Johnson, Law Booksellers, 1854-61, 4 vols.), v. 1, pp. 103-5. On debates between lawyers, regarding how to classify different sorts of protectorate, see J. H. W. Verzijl, *International Law in Historical Perspective, Part 2: International Persons* (Leiden: A. W. Sijthoff, 1969), p. 415.
[43] Lawrence, *Principles of International Law*, pp. 68-77.
[44] Oppenheim, *International Law* (1st edition), v. 1, pp. 128, 142.
[45] Ibid., v. 1, p. 134.

Martens's list of demi-sovereigns contained a wide variety of actors, from the 'States of the Empire, to the 'Duke of Courland and Semigal', to the 'towns of Danzig, of Thorn, and of Bien'. He did attempt to sub-divide them into 'states' and 'princes'. But this did little to meaningfully partition the set: indeed, princes (the 'Princes of Wallachia and Moldavia') were even listed among the states! Most likely thanks to his empiricist methodology, Martens's didn't appear particularly vexed by this fact; certainly, he voiced no such concerns in the *Summary*.

In a way, the semi-sovereigns of the nineteenth century were more similar to each other, than they were to Martens's cases, or than Martens's cases were to each other. Although they were increasingly differentiated, in the typological sense outlined above, the *range of entities* that could qualify as semi-sovereign was actually narrowed down. As opposed to a heterogeneous collection of states, nobles, dukes, princes, and towns, nineteenth-century lawyers increasingly depicted the semi-sovereigns of their day as discrete states.

Again, this was partially a reflection of the changing empirical context – by the time they were writing, many of Martens's examples no longer existed, and the new polities that had taken their place looked substantially different to their precursors. This is why a purely legal account of semi-sovereignty is insufficient, and why we instead need to integrate multiple logics together into a more comprehensive one; indeed, we'll reconsider this same shift from another angle, in the next chapter.

Yet this was *also* a conceptual development, a change in how international society and its members were imagined and portrayed in legal theory. For one, lawyers asserted, more and more strongly, that states were the 'primary' – even only – subjects of international law.[46] This change was not instantaneous: in the mid-century, Henry Wheaton accepted that individuals

[46] This theme is discussed in Antonio Cassese, 'States: Rise and Decline of the Primary Subjects of the International Community', in Fassbender and Peters, *Oxford Handbook of the History of International Law*, pp. 49-70, although Cassese dates the shift earlier, around 1648.

might for some purposes become international legal subjects, and even later, non-state actors were occasionally accorded legal subjectivity.[47] But, more and more exclusively, the entities it became permissible to talk about were states. Thus, Robert Phillimore could write that 'States are the proper, primary, and immediate subjects of International Law', and later, Oppenheim that 'sovereign States exclusively are International Persons' (with the exception of the League of Nations, following the First World War).[48] The appearance of 'sovereign' in that definition might seem to muddy the waters, but insofar as Oppenheim immediately noted that 'not-full' sovereign states might also have legal subjectivity, it is clear that statehood, not sovereignty, was doing the real theoretical work here.[49]

The way 'states' were defined also restricted the sorts of polities to which the label could be applied. These jurists did not offer much, if anything, in the way of an 'internal' theory of the state, and they were largely uninterested in domestic state structures and how they developed.[50] The criteria that made for a state included: encompassing a sufficiently large number of people; constituting a permanent political association; comprising a defined territory; and having some sort of governmental apparatus (of whatever form).[51] These criteria yielded a particular image of a state, as a discrete unit, situated in space and enduring through time.[52]

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[47] Henry Wheaton, *Elements of International Law* (6th edition, ed. William Beach Lawrence, Boston: Little, Brown and Company, 1855), pp. 27-9; Lawrence, *Principles of International Law*, pp. 82-3; Sylvest, ''Our passion for legality'', pp. 408-15.

[48] Phillimore, *Commentaries upon International Law*, v. 1, p. 93; Oppenheim, *International Law* (1st edition), v. 1, p. 99; Lassa Oppenheim, *International Law: A Treatise* (3rd edition, ed. Ronald F. Roxburgh; reissued, Clark, New Jersey: The Lawbook Exchange, Ltd., 2005 [London; New York: Longmans, Green and Co., 1920-1], 2 vols.), v. 1, p. 125.

[49] Oppenheim, *International Law* (1st edition), v. 1, p. 99.

[50] Phillimore, *Commentaries upon International Law*, v. 1, p. 93; Travers Twiss, *The Law of Nations Considered as Independent Political Communities* (Oxford: Oxford University Press and London: Longman, Green, Longman, and Roberts, 1861-3, 2 vols.), v.1, pp. 16-7. See also Vec, 'From the Congress of Vienna to the Paris Peace Treaties of 1919', p. 657.

[51] Phillimore, *Commentaries upon International Law*, v. 1, p. 94; Thomas Erskine Holland, *Lectures on International Law* (eds. Thomas Alfred Walker and Wyndham Legh Walker; London: Sweet and Maxwell, 1933), p. 57; Thomas Alfred Walker, *A Manual of Public International Law* (Cambridge: Cambridge University Press, 1895), p. 1; William Edward Hall, *A Treatise on International Law* (2nd edition, Oxford: Clarendon Press, 1884), p. 17; Oppenheim, *International Law* (1st edition), v. 1, pp. 100-1.

[52] Grewe, *Epochs of International Law*, p. 326; Antony Anghie, 'Finding the Peripheries: Sovereignty and Colonialism in Nineteenth-Century International Law', *Harvard International Law Journal* 40:1 (1999), pp. 26-7.

Such was the pull of this way of thinking about states, that it put some theorists off working with the concept of semi-sovereignty altogether. Travers Twiss argued that the concept was a holdover from 'another system of political law', concerned with how 'Princes and States of the Germanic Empire stood in former days relatively to the Emperor as their Suzerain or Supreme Lord'. It should not, he claimed, 'find a place within a system of law which is concerned only with the external relations, which States bear to one another as *independent* political communities'.[53] Some of Twiss's reservations about the idea came out of his understanding of rights, which we'll examine shortly, but his doubts were also informed by scepticism about taking a concept that made sense in one context, and applying it in another.[54] Although other writers did not share these reservations, they generally operated with a similar image of the state in mind – just one they were more comfortable modifying into its various semi-sovereign forms.

Semi-sovereignty and empire

This emphasis on semi-sovereign states raises a further question: how did the component parts of empires figure in this image of international relations, and could those parts count as semi-sovereign?[55] The answer is subtle. Lawyers certainly dwelled extensively on the status of these entities, and sometimes, some were considered to be *bona fide* semi-sovereigns. Often, however, they classified components of empires as wholly non-sovereign entities, if they considered them to be meaningful entities at all. Yet in justifying these interpretations, they tended to appeal less to their position within empires *per se*, than to other features – like said polities not counting as states. So, *in principle*, there was little to stop a polity governed through superordinate imperial

[53] Twiss, *Law of Nations*, v. 1, p. 25.
[54] Which is not to say that he simply ignored less-than-fully sovereign polities. See discussion of Twiss's remarks on Protected States, below. Sylvest, ''Our passion for legality'', pp. 412-3, also notes that Twiss did argue in favour of the assumption of rights by a non-state actor (Leopold II's 'International Association', operating in the Congo region) in an imperial context.
[55] See Matthew Craven, 'Colonialism and Domination', in Fassbender and Peters, *Oxford Handbook of the History of International Law*, pp. 862-88, for a good, general overview of the themes of empire and colonialism in international legal history.

institutions counting as semi-sovereign, even if many such *specific* polities were not categorized as such.

Pure colonies were typically accorded no separate international existence in nineteenth-century legal thought. Leone Levi stated, fairly representatively, that 'A State includes all its colonies and dependencies'.[56] On that interpretation, a colony could not be a semi-sovereign polity, since it was not a polity in its own right at all.

However, some polities, clearly parts of empires, were treated as distinct units. Consider, for example, the category of 'colonial protectorates', a product of European imperialism in sub-Saharan Africa in the late-nineteenth century. They were treated somewhat like colonies, without quite being colonies in a pure sense, and they were a kind of protectorate, but distinguished (both at the time, and in more critical scholarship after the fact) from protectorates proper, or 'protected states'.[57] These were *at most* an edge case of semi-sovereignty, and usually characterized as non-sovereign, rather than semi-sovereign. In part that was a function of their rights: lacking external and often internal sovereignty, they tended to fall outside the set of semi-sovereigns, on either of the interpretations of that set discussed in the next section.[58]

But they were also excluded for another, more basic reason: the polities over which these protectorates were exercised were not considered to be states. John Westlake described them as 'so-called protectorates over uncivilised regions in which there is no state to be protected'; Oppenheim distinguished 'so-called protectorates over African tribes' from those 'exercised over

[56] Leone Levi, *International Law with Materials for a Code of International Law* (London: Kegan Paul, Trench & Co., 1887), p. 80. See similarly Phillimore, *Commentaries upon International Law*, v. 1, p. 93; Henry Wager Halleck, *International Law; or, Rules Regulating the Intercourse of States in Peace and War* (New York: D. Van Nostrand, 1861), p. 65; Richard Wildman, *Institutes of International Law* (London: William Benning & Co., Law Booksellers, 1849-50, 2 vols.), v. 1, p. 40.

[57] For a definition of colonial as contrasted to non-colonial protectorates, see Westlake, *International Law*, v. 1, pp. 24, 121-7. See also Martin Wight, *British Colonial Constitutions* (Oxford: Clarendon Press, 1952), pp. 8-9 and, from more critical perspectives, C. H. Alexandrowicz, *The European-African Confrontation: A Study in Treaty-Making* (Leiden: A. W. Sijthoff, 1973), pp. 69-70, 80 and Anghie, 'Finding the Peripheries', pp. 53-6.

[58] Verzijl argues they 'were governed exclusively by the public law (colonial legislation) of the colonizing State and had no standing in public international law'. *International Law in Historical Perspective, Part 2*, p. 414.

real States'.[59] Accurately or not, these African polities were portrayed as deviating from the image of the state as a discrete unit.[60] Westlake contended that there was no 'territorial sovereignty' in sub-Saharan Africa, prior to 'extension' over it by Europeans, and ideas like '*territorium nullius*' were widely used to denote a purported absence, there, of *imperium* over a defined space.[61]

Where the components of empires were perceived to be states, they could be portrayed as semi-sovereign more easily. For example, the Ionian Islands, under British protection, were integrated into the British Empire and governed through the Colonial Office. Yet the Islands, taken together, were often characterized as a protectorate *simpliciter* – even with hindsight, when the idea of a colonial protectorate was already in place.[62] The Indian 'Princely States' were a more ambiguous case. Some jurists did classify them as semi-sovereign; others did not.[63] They were generally considered to be true states, however, so if their (semi-)sovereignty was called into question, it was for other reasons. For example, Westlake did *not* think it was appropriate to call them semi-sovereign, but argued this point on the basis of their lack of rights, and their supposed non-membership in international society; he did not dispute their statehood. Their standing vis-à-vis Imperial Britain 'was not that kind of veiled or suspended sovereignty which

[59] Westlake, *International Law*, v. 1, p. 24; Oppenheim, *International Law*, (3rd edition) v. 1, p. 168. See also Oppenheim, *International Law*, (1st edition) v. 1, p. 140; Lauren Benton, *A Search for Sovereignty: Law and Geography in European Empires, 1400-1900* (Cambridge: Cambridge University Press, 2010), p. 266.

[60] Alexandrowicz contends that this was depiction was indeed inaccurate: *European-African Confrontation*, p. 7.

[61] John Westlake, *Chapters on International Law*, in *The Collected Papers of John Westlake on Public International Law* (ed. Lassa Oppenheim; Cambridge: Cambridge University Press, 1914), pp. 136-8. For commentary, see Matthew Craven, 'The Invention of a Tradition: Westlake, the Berlin Conference and the Historicisation of International Law', in Luigi Nuzzo and Miloš Vec (eds.), *Contextualizing International Law: The Birth of a Discipline* (Frankfurt am Main: Vittorio Klostermann, 2012), pp. 363-402. For a definition of '*territorium nullius*', as the term was used at the time, see Andrew Fitzmaurice, 'Liberalism and Empire in Nineteenth-Century International Law', *American Historical Review* 117:1 (2012), pp. 130-2.

[62] Oppenheim, *International Law* (1st edition), v. 1, p. 139. Baty notes that the Ionian arrangement was the 'parent of a series of protectorates of a new type', although this was not always clear or agreed upon at the time. Baty, 'Protectorates and Mandates', p. 112.

[63] Levi, *International Law*, p. 83; *contra* Hall, *Treatise on International Law*, p. 28; Lawrence, *Principles of International Law*, pp. 68-9; Westlake, *Chapters*, pp. 200, 223.

occurs in the case of a protectorate over an uncivilised region: it was a relation existing towards a state, though one enjoying what I have called another civilisation than ours'.[64]

International society

'International society', along with analogous ideas like the 'Family of Nations', was an important concept in international-legal scholarship in the long-nineteenth century. Typically, only polities that lay within the boundaries of this society, however defined, were attributed true legal subjectivity. Lacking such subjectivity, polities judged by lawyers to lie unambiguously outside international society could not be even semi-sovereign: they were attributed no international standing, no sovereignty of any sort.

Martens's demi-sovereigns were located within, or at least along the borderlines of, European international society. In line with his general approach to the law of nations, discussed earlier, he defined this society in terms of its *history*:

> the resemblance in manners and religion, the intercourse of commerce, the frequency of treaties of all sorts, and the ties of blood between sovereigns, have so multiplied the relations between each particular state and the rest, that one may consider Europe (particularly the Christian states of it) as a society of nations and states, each of which has its laws, its customs, and its maxims, but which it cannot put in execution without observing a great deal of delicacy towards the rest of the society[65]

Martens characterized international society as a temporal community, which had developed over time into its current form. Increasing cultural similarity and denser and more frequent patterns of concrete interaction (commerce, treaties, blood ties) between states had brought into being a society between them. Moreover, the boundaries of that society were fluid, shifting according to those changing ties: at the time of his writing, it included the United States of America, while the

[64] Ibid., pp. 207-8. For commentary on the legal position of the Princely States, see Benton, *Search for Sovereignty*, pp. 238-64; pp. 239-40, 266 discuss Westlake's views specifically.
[65] Martens, *Summary of the Law of Nations*, pp. 27-8.

Ottoman Empire lay in a liminal position, along its boundaries.[66] In Koskenniemi's interpretation of Martens's arguments, the collected European states appear as 'a transcendental condition, the *a priori* from which the rest of the chapters emerge'.[67] I am not convinced, however, that Martens made even this concession to natural-law thinking: the states of Europe were not imported into his system in transcendental fashion; they came into being and came together through earthly, historical processes.

How international society was defined therefore mattered. For Martens, the definition was broadly geographic, and he explicitly preferred to speak of the law of *Europe*, as opposed to the '*law of civilized nations*, which is too vague.'[68] While he did recognize interaction between Europe and non-European polities, he was 'reluctant to extend his concept of a positive European law of nations to a wider field'.[69] Over the nineteenth-century, the concept of 'civilization' displaced this more regional definition; civilized polities, wherever they were located, could be full subjects of international law and members of international society.[70] International society

[66] Ibid., p. 5. This was a common perspective on the Ottoman Empire in the late-eighteenth century; see also Robert Ward, *An Enquiry into the Foundation and History of the Law of Nations in Europe, from the Time of the Greeks and Romans, to the Age of Grotius* (London: printed by A. Strahan and W. Woodfall, for J. Butterworth, 1795, 2 vols.), v. 1, pp. 162-3. Thomas Naff, 'The Ottoman Empire and the European States System', in Hedley Bull and Adam Watson (eds.), *The Expansion of International Society* (Oxford: Clarendon Press, 1984), pp. 143-69, and Iver B. Neumann and Jennifer M. Welsh, 'The Other in European self-definition: an addendum to the literature on international society', *Review of International Studies* 17:4 (1991), pp. 327-48, provide general overviews of the Empire's historical position with respect to 'Europe', and Karl-Heinz Ziegler, 'The peace treaties of the Ottoman Empire with European Christian powers', in Randall Lesaffer (ed.), *Peace Treaties and International Law in European History* (Cambridge: Cambridge University Press, 2004), pp. 347-60, provides evidence of increasingly legalized interaction between the Empire and more unambiguously European polities.

[67] Cf. Koskenniemi, 'Into Positivism', p. 196.

[68] Martens, *Summary of the Law of Nations*, p. 5.

[69] Charles Henry Alexandrowicz, *An Introduction to the History of the Law of Nations in the East Indies (16th, 17th and 18th Centuries)* (Oxford: Clarendon Press, 1967), p. 161.

[70] Gerrit W. Gong, *The Standard of "Civilization" in International Society* (Oxford: Clarendon Press, 1984), chapter 3. For more, see Keene, *Beyond the Anarchical Society*, especially chapter 4; Brett Bowden, 'The Colonial Origins of International Law: European Expansion and the Classical Standard of Civilization', *Journal of the History of International Law* 7:1 (2005), pp. 1-23; Anghie, 'Finding the Peripheries'; Miéville, *Between Equal Rights*, pp. 243-8; Jennifer Pitts, 'Boundaries of Victorian International Law', in Duncan Bell (ed.), *Victorian Visions of Global Order: Empire and International Relations in Nineteenth Century Political Thought* (Cambridge: Cambridge University Press, 2007), pp. 67-88; Liliana Obregón, 'The Civilized and the Uncivilized', in Fassbender and Peters, *Oxford Handbook of the History of International Law*, pp. 917-39; Siba N'Zatioula Grovogui, *Sovereigns, Quasi Sovereigns, and Africans: Race and Self-Determination in International Law* (Minneapolis: University of Minnesota Press, 1996).

remained a historical concept, but one that – particularly later in the nineteenth century – was cast in terms of an increasingly explicit 'evolutionary' philosophy of history, affixed to connotations of moral progress.[71]

At least in principle, this development made it easier to include non-European polities among the semi-sovereigns, and so entities like Egypt, the Transvaal/South African Republic, and the Indian Princely States could more straightforwardly be placed in that category. Typically, however, the concrete implications of the move from geography to civilization, as the main criterion for membership in international society, were less pronounced, and descriptions of non-European polities as lying outside intentional society remained commonplace.[72]

Hence Westlake argued that the Indian Princely States were not properly semi-sovereign, and part of his reasoning was that India, under the authority of the British Empire, was 'a world of itself', almost a *sui generis* region, disconnected from international society more broadly. One was perfectly free to describe the states as 'semi-sovereign', said Westlake, but only if that term was given a distinctively Indian meaning, as opposed to the one applied to members of international society proper: i.e., 'on condition that the homonymy is not made a lever for introducing international conceptions'.[73] Westlake was not alone in making this sort of argument. While Twiss, as we have seen, did not use the language of semi-sovereignty, he did distinguish between what he called 'Protected Independent States', and 'Protected Dependent States', and the latter group included the Princely States, 'which are not members of the Family of Nations'.[74] It was not just the Princely States that were treated in this manner. For Oppenheim, protected

[71] On nineteenth-century legal 'historicism', see Martti Koskenniemi, *From Apology to Utopia: The Structure of International Legal Argument* (Cambridge: Cambridge University Press, 2005), pp. 144-8. On the evolutionary underpinnings of much of this legal thought, see Casper Sylvest, 'International Law in Nineteenth-Century Britain', *British Yearbook of International Law* 75:1 (2004), pp. 9-70 and Casper Sylvest, 'The foundations of Victorian international law', in Bell, *Victorian Visions of Global Order*, pp. 47-66. These ideas interfaced with broader currents in political theory; see Duncan Bell and Casper Sylvest, 'International Society in Victorian Political Thought: T. H. Green, Herbert Spencer, and Henry Sidgwick', *Modern Intellectual History* 3:2 (2006), pp. 207-38.
[72] As many of the works cited on the previous page acknowledge.
[73] Westlake, *International Law*, v. 1, p. 42; John Westlake, 'The Native States of India (1910)', in *Collected Papers*, p. 627.
[74] Twiss, *Law of Nations*, v. 1, p. 27.

states like Egypt were 'of such a civilisation as would not admit them to full membership of the Family of Nations, apart from the protectorate under which they now are. It may therefore be questioned whether they have any real position within the Family of Nations at all'.[75] While the idea of semi-sovereignty was more straightforwardly extendable outside of Europe in the nineteenth century – and indeed so extended – the change in how non-European polities were classified was far less marked than we might have expected.

International (legal) persons

Changing conceptions of international society were accompanied by new ways of characterizing states-as-persons. Occasionally, one can still references to the 'moral personhood' of states in nineteenth-century legal writing.[76] Sometimes these were briefly fleshed out by attributing to states attributes like a will and an understanding, and to that extent they represent a holdover from the ideas of Pufendorf and his more immediate successors, like Vattel.[77] Generally, however, little of this ontological apparatus carried through to the nineteenth century. Even some writers with strong sympathies towards natural law moved away from these earlier views: Twiss, for example, was uncomfortable with Pufendorf's '*metaphysical*' idea of moral personhood, arguing that it will 'afford no assistance in an inquiry to which the *real* or *constituent* elements of a State are the subject of investigation'.[78]

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[75] Oppenheim, *International Law* (3rd edition), v. 1, p. 168. See also Oppenheim, *International Law*, (1st edition), v. 1, p. 139.

[76] James Kent, *Commentaries on American Law* (1st edition, New York: O Halsted, 1828-1830, 4 vols.), v. 1, p. 3; Sheldon Amos, *Lectures on International Law: Delivered in the Middle Temple Hall to the Students of the Inns of Court* (Stevens and Sons: London, 1874), p. 8; Levi, *International Law*, p. 79; Halleck, *International Law*, p. 63.

[77] Ibid., p. 63. On Vattel's use of moral personhood, see Ben Holland, 'The moral person of the state: Emer de Vattel and the foundations of international legal order', *History of European Ideas* 37:4 (2011), pp. 438-45, and Bartelson, 'Sovereignty and the Personality of the State', pp. 92-4.

[78] Twiss, *Law of Nations*, v. 1, pp. 4-5. On Twiss's natural-law inclinations, see Andrew Fitzmaurice, 'The Resilience of Natural Law in the Writings of Sir Travers Twiss', in Ian Hall and Lisa Hill (eds.), *British International Thinkers from Hobbes to Namier* (Houndmills: Palgrave Macmillan, 2009), pp. 137-60, and Michael Lobban, 'English Approaches to International Law in the Nineteenth Century', in Matthew Craven, Malgosia Fitzmaurice and Maria Vogiatzi (eds.), *Time, History and International Law* (Leiden: Martinus Nijhoff Publishers, 2007), p. 81.

Over the nineteenth century, the idea of moral personhood faded out of relevance, being replaced by a new notion of state personality, international (legal) personhood.[79] At its core, international personhood meant international actorhood: an international person was able to exert agency on the international stage. Three features of this concept are especially important. One: it easily allowed for ideas like partial or 'imperfect' personhood, since these would simply be entities that were able to exert only limited international agency.[80] Two: one could make this move without running into the problems associated with lesser or degenerate moral personhood – of the sort that plagued Pufendorf's irregular states – since the latter's normative/ontological concerns did not constrain how this notion of international personhood was applied. Three: how polities were conceptualized as different kinds of international agents intersected with (without quite reducing to) issues related to the rights they possessed, and how these rights were interpreted theoretically.

Rights and the classification of semi-sovereigns

Semi-sovereign polities were defined as such on the basis of the rights they possessed, the rights they lacked, and, if appropriate, the rights other polities exercised over them or on their behalf. By translating them into configurations of rights, managerial, cultural, and/or suzerain relationships became legal ones, and the polities that these logics produced became describable as semi-sovereign. Some of this legalization was accomplished through instruments like treaties and constitutions, but legal theory also played its part. Jurists interpreted the legal positions of polities, arguing that they did (or did not) meaningfully possess certain sovereignty rights. These interpretations sometimes proceeded on the basis of what was written in treaties and constitutions, but could also take account of departures from the terms of those instruments – as

[79] Verzijl discusses the meaning of 'international personhood' and its connection to legal subjectivity at some length, but does not really historicize the nineteenth-century conception or explore its differences with earlier notions of personhood. Verzijl, *International Law in Historical Perspective, Part 2*, pp. 1-17.
[80] Oppenheim, *International Law* (1st edition), v. 1, p. 99.

in cases where polities could no longer be said to meaningfully have, or be able to exercise, the rights they had been allocated by those instruments. Interpretation also had a classificatory dimension, sorting entities into categories, defined in terms of their members' rights.

Leaving the discussion of legal instruments until later, this section will analyse how semi-sovereignty, its sub-types, and instantiations of those types were conceived of in terms of rights, and thereby further establish the constitutive work done by legal theory. First, I'll show how already by the time Martens wrote his *Summary*, a firm distinction between 'internal' and 'external' sovereignty was developing, and then how this crystallized in the mid-nineteenth century. Second, I'll link this to semi-sovereignty, contrasting two nineteenth-century interpretations of the concept in terms of these two types of sovereignty. Third, I'll consider two subsidiary debates about rights, and show how these led to polities being classified in different ways. Finally, I'll take another look at the ideas of international personhood and agency, and how they related to distributions of rights between polities.

Internal and external sovereignty

In *On the Duty of Man and Citizen*, when Pufendorf enumerated the constituent powers of sovereignty, he presented them as essentially undifferentiated. Some were to do with what we would call domestic politics (like deciding disputes between citizens); others with what we would call international relations (like forming alliances).[81] But they were not separated out in any theoretical sense, and they all had the same origins: the processes through which the state and sovereignty came into being.

We *can* find, in scholarship within this broad tradition, firmer distinctions between these types of rights. For example, in the mid-eighteenth century, Johann Gottlieb Heineccius contrasted the 'immanent' and the 'transeunt' rights of sovereignty, which essentially covered

[81] Pufendorf, *Duty of Man and Citizen*, p. 140.

domestic and foreign policy, respectively.[82] Yet they remained situated within a holistic, integrative, natural-law account of sovereignty, the state, and social institutions more generally. By the time we get to Martens, we can find a pretty clear statement of the distinction:

> ALL acts of sovereignty tend to one and the same object, the good of the state; but we ought to distinguish the different means that are made use of to accomplish this object, and consider them as so many particular rights collectively placed in the hands of the sovereign. Thus then, we may distinguish those which concern the internal government from those which concern the external…[83]

As the first part of this passage shows, these rights were still characterized by a basic unity, but at least when it came to their referents, they were clearly divided into those which were internally- and externally-oriented. Moreover, while Martens did discuss several inwardly-focused sovereignty rights, like the 'supreme police', the 'legislative power', and the 'right of granting privileges', he was less interested in cataloguing these rights for their own sake, than considering how sovereigns could behave towards foreigners who found themselves within their jurisdictions.[84] Martens's *Summary* focused far more on the international dimensions of sovereignty, but without either totally marginalizing internal sovereignty, or completely breaking these kinds of sovereignty apart.

Such a move was shortly made, however. Over the early-to-mid-nineteenth century, Henry Wheaton developed a clear, theoretical distinction between internal and external sovereignty.[85] It was worked it out, over time, in a way we can clearly trace: the distinction is nowhere to be found in the first edition of his textbook, but is there by the third:

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[82] Johann Gottlieb Heineccius, *A Methodical System of Universal Law: Or, the Laws of Nature and Nations, with Supplements and a Discourse by George Turnbull* (eds. Thomas Ahnert and Peter Schröder; trans. George Turnbull; Indianapolis: Liberty Fund Inc., 2008), chapters 8-9.
[83] Martens, *Summary of the Law of Nations*, p. 81.
[84] Ibid., book 2, chapter 3.
[85] Emmanuelle Jouannet, *The Liberal-Welfarist Law of Nations: A History of International Law* (trans. Christopher Sutcliffe; Cambridge: Cambridge University Press, 2012), pp. 121-2.

> Internal Sovereignty is that which is inherent in the people of any State, or vested in its ruler, by its municipal constitution or fundamental laws. This is the object of what has been called internal public law, *droit public interne*, but which may more properly be termed constitutional law.
>
> External Sovereignty consists in the independence of one political society, in respect to all other political societies...the law by which it is regulated has, therefore, been called external public law, *droit public externe*, but may more properly be termed international law.[86]

Note three features of these definitions. One: internal and external now refer to qualitatively different types of sovereignty. Two: these types have different origins. Regarding internal sovereignty, Wheaton argued that 'The existence of the State *de facto* is sufficient, in this respect, to establish its [internal] sovereignty *de jure*. It is a State because it exists'.[87] He offered nothing like the theories of the state and sovereignty in Pufendorf's writings, and was unconcerned by similar ontological or normative considerations (that the state must pursue security, for instance, and that the powers of sovereignty should be mobilized to this purpose). Importantly, external sovereignty had a different basis: while 'The internal sovereignty of a State does not, in any degree, depend upon its recognition by other States', external sovereignty, 'may require recognition by other States in order to render it perfect and complete'.[88] Three: internal sovereignty was, strictly speaking, irrelevant to international law.[89] Now, on this point Wheaton appeared to break with his own prescriptions, insofar as he frequently offered interpretations of various polities' internal sovereignty.[90] But the theoretical move was an important one, shaping what we'll see was the foremost (if not only) interpretation of semi-sovereignty in the period.

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[86] Henry Wheaton, *Elements of International Law* (3rd edition, Philadelphia: Lea and Blanchard, 1846), p. 55. Compare with Henry Wheaton, *Elements of International Law: with a Sketch of the History of the Science* (1st edition, London: B. Fellowes, 1836, 2 vols.), v. 1, p. 62.
[87] Wheaton, *Elements of International Law* (3rd edition), p. 56.
[88] Ibid., pp. 56-7. For a discussion of Wheaton's theory of recognition as it relates to the internal/external split, see C. H. Alexandrowicz, 'The Theory of Recognition *in Fieri*', *British Year Book of International Law* 34, pp. 194-5. There is an important, subtle difference between this view and that laid out in Bartelson, 'Sovereignty and the Personality of the State', p. 96. Bartelson argues that recognition theory 'presupposes that states already are persons by virtue of being externally sovereign in the sense described by Vattel'. However, at least for Wheaton, it was *internal* sovereignty that came prior to recognition.
[89] Vec, 'From the Congress of Vienna to the Paris Peace Treaties of 1919', p. 657.
[90] See, for example, the discussion of the German Confederation in Wheaton, *Elements of International Law* (3rd edition), pp. 80-92.

Finally, we should recognize that there were two ways of defining external sovereignty, and that Wheaton shifted between these uses, at best subtly, and at worst imprecisely. The first is as *independence*. Wheaton defined it like this in the passage quoted above. The second is as *externally-oriented rights*, or rights to do things with respect to other states, rather than one's own population. The difficulty is that these two conceptions do not quite equate to each other. State A gaining the right to interfere in State B's *internal* affairs could easily be construed as a violation of B's independence, and thus of its *external* sovereignty, on the first definition.[91] It would not, however, on the second, insofar as B retains all its outwardly-pointing rights. If Wheaton only ever used the idea in the former sense, there would be no interpretive problem here; the difficulty is that he *also* used it in the latter sense, particularly when it came to applying the concept to specific, empirical examples. He argued, for instance, that the members of the German Confederation did not have their external sovereignty compromised by their membership in the union, and cited as evidence their ability to interact with other states and contract alliances: i.e., their externally-oriented rights.[92]

[91] This definition of external sovereignty is akin to Krasner's conception of 'Westphalian sovereignty' (later, 'Vattelian sovereignty'), elaborated in contradistinction to 'domestic sovereignty'. He asserts that a state's Westphalian sovereignty 'is violated when external actors influence or determine domestic authority structures', whereas domestic sovereignty concerns the organization of 'public authority…within the state', and the effectiveness thereof. Krasner notes that 'The Westphalian sovereignty of an ineffective state would not necessarily be compromised', because 'Domestic leaders might continue to exclude external actors'. Stephen D. Krasner, *Sovereignty: Organized Hypocrisy* (Princeton: Princeton University Press, 1999), pp. 11-2, 20-2. Representative examples of his later work are Stephen D. Krasner, 'The Hole in the Whole: Sovereignty, Shared Sovereignty, and International Law', *Michigan Journal of International Law* 25:4 (2004), pp. 1075-1102, and Stephen D. Krasner, 'Sharing Sovereignty: New Institutions for Collapsed and Failed States', *International Security* 29:2 (2004), pp. 85-120. He is drawing here on the Vattelian notion of sovereign states as independent states, discussed in Stéphane Beaulac, 'Emer de Vattel and the Externalization of Sovereignty', *Journal of the History of International Law* 5:2 (2003), pp. 237-92. Holsti draws a similar distinction to Krasner: sovereignty 'refers, internally, to supreme authority within a defined territorial realm', whereas its 'external aspect' is 'that the state has constitutional independence'. K. J. Holsti, *Taming the Sovereigns: Institutional Change in World Politics* (Cambridge: Cambridge University Press, 2004), p. 113, drawing on Alan James, *Sovereign Statehood: The Basis of International Society* (London: Allen & Unwin, 1986), p. 25, for the idea of 'constitutional independence'. Likewise, Dickinson treats as separate 'Internal Limitations upon the Equality of States' – the 'result of the state's own organic constitution' – and 'External Limitations', which may affect domestic affairs. Dickson, *Equality of States*, chapters 6-7.

[92] Wheaton, *Elements of International Law* (3rd edition), p. 85.

External sovereignty, semi-sovereignty

The separation of internal and external sovereignty in turn helped define semi-sovereignty, although exactly how these concepts were fitted together remained a matter of contestation (as well as occasional imprecision).

Earlier on, we saw that Martens's demi-sovereigns had 'a right…of treating, of their own accord, with foreign powers; provided always that they adhere to the restrictions that their bonds of union and submission impose'. Thus, alongside belonging to a composed state, having some degree of external sovereignty – at least to the extent that Martens worked with this as a distinct category – made the demi-sovereigns demi-sovereign.

With Wheaton, the connection between external and semi-sovereignty became tighter still, as he defined the former concept more clearly, and as more clearly distinct from its internal counterpart.[93] In the first edition of his *Elements of International Law*, he noted that states' sovereignty might be 'limited and qualified in various degrees', but did not use the term semi-sovereignty to describe such situations.[94] Yet, in the third edition, we do find that term, although it is used with some reservations:

> As no State can properly be considered at once sovereign and subject, so no State can, with strict propriety, be considered as half or imperfectly supreme. But as some States are by special compact, dependent on others in respect to the exercise of certain rights essential to perfect external sovereignty, such States have been termed semi-sovereign States.[95]

By the sixth edition of the *Elements*, even this slight hesitation was gone.[96] Semi-sovereign states were states without perfect external sovereignty, and this remained the basic view throughout the rest of the century.

[93] Broms, *Doctrine of Equality of States*, p. 43.
[94] Wheaton, *Elements of International Law* (1st edition), v. 1, p. 62.
[95] Wheaton, *Elements of International Law* (3rd edition), p. 67.
[96] Henry Wheaton, *Elements of International Law* (6th edition), p. 45.

That said, from Wheaton onwards, there were two subtly different uses of the term, and individual writers sometimes even alternated, inconsistently, between them. On one account, semi-sovereigns had either internal or external sovereignty; one half, but not the other.[97] On this reading, a polity with no external sovereignty, but complete internal sovereignty, would count as semi-sovereign. At one point Westlake gave this definition, writing that a state 'may be supreme over its own subjects, but not being an independent member of the international society, it will not be externally sovereign, and its position is described as one of semi-sovereignty'.[98]

Others located the decisive split *within* external sovereignty, as opposed to between internal and external sovereignty. On this interpretation, semi-sovereign polities would have *some* external sovereignty; those with none were instead wholly non-sovereign. But that external sovereignty would be restricted, and in some instances, severely so.[99] Lawrence subscribed to this view, defining 'part-sovereign' polities as those '*in which the domestic rulers possess a portion only of the powers of external sovereignty, the remainder being exercised by some other political body, or even suspended altogether*'.[100] In fact, in a different text to the one quoted above, Westlake *also* defined semi-sovereigns like this. In his *Chapters on International Law*, he claimed that 'a state is sovereign which demeans itself as independent; a state is semi-sovereign to the extent of the foreign relations which the degree of its practical dependence allows it; and is non-existent if no foreign relations are allowed it'.[101]

Which interpretation one used mattered, in that different polities would be classified as semi-sovereign according to each. The former was more inclusive, allowing in polities with *no* external sovereignty, whereas these were excluded by the latter. In many ways the latter chimes better with Wheaton's arguments. He described semi-sovereigns not as lacking external

[97] This is the sense in which Broms interprets semi-sovereignty, ascribing this view to Wheaton. Broms, *Doctrine of Equality of States*, p. 43.
[98] Westlake, *International Law*, v. 1, p. 21.
[99] Hence one writer described the Ionian Islands as approaching the 'vanishing point of international personality'. Dickinson, *Equality of States*, p. 242.
[100] Lawrence, *Principles of International Law*, p. 68.
[101] Westlake, *Chapters*, p. 223.

sovereignty, but as lacking 'perfect' external sovereignty. Moreover, he dismissed internal sovereignty as strictly irrelevant to international law, even if he did not consistently follow through on that point. In this light, note that Lawrence's definition of part-sovereignty was paired with a strong restatement of this idea, and an explicit dismissal of the 'internal-but-not-external-sovereignty' interpretation: 'When the powers thus shared concern internal affairs, International Law has nothing to do with the case; neither has it when the home government deals with internal affairs, and the other government possesses complete control of foreign relations'.[102]

Finally, do recognize that semi-sovereign polities *might* have had restricted or impaired internal sovereignty, too. Even the 'partial-*external*-sovereignty' interpretation, according to which internal sovereignty was strictly irrelevant to international law, did not preclude such limitations: it simply entailed that they were of no consequence for determining a polity's full-, semi-, or non-sovereign status. That limitations on their internal sovereignty were incidental to their semi-sovereign status did not mean that they could not be severe or, in many cases, important, and we'll therefore also consider such limitations in the case studies, in subsequent chapters.

Further debates about rights

Different ways of thinking about rights produced different schemes of classification, as the alternative interpretations contrasted above demonstrate, and as two further debates illustrate.

The first of these turned on a purported distinction between losing rights, and constraints merely existing on the exercise of those rights. According to the general view in the period, semi-sovereign polities lost some (but not all) of their rights, more or less durably. We noted earlier that Twiss was uncomfortable with the language of semi-sovereignty, and that while that was in part because of his doubts about its applicability to relations between discrete states, it was also

[102] Lawrence, *Principles of International Law*, p. 67.

due to how he thought about rights. He did not accept that polities that others called semi-sovereign had in fact lost any rights, such that they would truly warrant that label. Instead, he argued that constraints only existed on the *exercise* of those rights.[103] Specifically, he claimed that the 'international rights of the States, which rank in this category [i.e., which are allegedly semi-sovereign], are in *substance* as complete as those of any other independent State, and it is only in the *mode* in which those rights are exercised that a distinction is found to exist'.[104] The substance/mode distinction has a long history in philosophy, but as Twiss applied it, it entailed that the essential core of 'independence' (which concept he appealed to more frequently than 'sovereignty') persisted in these polities, and that its manifestation in different ways did not erode that core in any deeper sense.[105] So, where others would interpret at least some protectorates as cases of semi-sovereignty (and other protectorates, particularly later in the century, as simply non-sovereign), Twiss instead labelled them 'Protected Independent States', and their non-sovereign analogues, 'Protected Dependent States'. 'Protected Independent States' retained their essential independence, but how they exercised it – the mode said independence assumed – was constrained by legal instruments; they thus had a kind of 'Conventional Independence' (independence exercised according to some convention).[106]

Even among writers who *were* comfortable with the basic idea of semi-sovereignty, whether particular types of polity belonged in that set remained disputed. Consider neutralized states. For Lawrence, these were unambiguously part-sovereign. They had lost the right to make non-defensive war; falling short of the complete set of external sovereignty rights, they could not be described as fully-sovereign.[107] By contrast, Westlake argued that neutralization 'is merely an

[103] Without making too much of the point – since Twiss and Pufendorf were writing in different historical and intellectual contexts – it's still worth noting the parallel with the latter's 'systems of states', which also implied limits on only the *exercise* of sovereignty.
[104] Twiss, *Law of Nations*, v. 1, pp. 25-6.
[105] Howard Robinson, 'Substance', in Edward N. Zalta (ed.), *The Stanford Encyclopedia of Philosophy* (Spring 2014 Edition), available at http://plato.stanford.edu/archives/spr2014/entries/substance/ (accessed 18 June 2016). More historically, see Hunter, *Rival Enlightenments*, especially chapters 1, 3; Krieger, *Politics of Discretion*, p. 45.
[106] Twiss, *Law of Nations*, v. 1, p. 26.
[107] Lawrence, *Principles of International Law*, pp. 76-7.

undertaking not to do certain things, and no more impairs sovereignty than does an undertaking not to intervene in a particular war, or not to levy more than particular rates of duty on importations from a given country'.[108] His point here was similar to Twiss's, above: neutralized states were merely constrained in how they exercised their sovereignty. But it also explicitly involved another (not unrelated) distinction, between a right merely being impaired or even lost outright, versus being transferred to another actor. On Westlake's account, forfeiting a right must involve transferring it to some other party, since 'for every part of the civilised world the full powers of sovereignty should exist'. As they apply to each polity, every relevant right must be held by some actor: either the polity in question itself, or another. To describe neutralized states as semi-sovereign, it 'would be necessary to point out in what superior state, or in what federal system of states, the powers of sovereignty wanting to it were to be found'.[109] Not only did different ways of thinking about rights shape whether jurists worked with the idea of semi-sovereignty in the first place; they also influenced how that idea was applied, and which entities it could, and could not, be applied to.

Rights, agency, and personhood

Like Westlake, Oppenheim argued that 'a neutralised State is as fully sovereign as any not neutralised State'.[110] Yet, perhaps surprisingly, he was ambivalent on the question of neutralised states' international personhood. On the one hand, he expressed scepticism towards the view that they are 'not International Persons of the same position within the Family of Nations as other States'. But he *also* argued that 'permanent neutralisation alters the condition of a State so much that it thereby becomes an International Person of a particular kind'.[111]

[108] Westlake, *International Law*, v. 1, pp. 28-89.
[109] Ibid., v.1, p. 29.
[110] Oppenheim, *International Law* (1st edition), v. 1, p. 142.
[111] Ibid., v. 1, pp. 117, 142.

It will be recalled that international personhood could connote actorhood or agency. Since external sovereignty rights afforded polities the ability to interact with each other, possessing such rights entailed having international agency – and lacking them meant, proportionately, lacking such agency. At least where semi-sovereignty was defined as 'partial external sovereignty' (although *not* when it was defined as 'internal-but-not-external-sovereignty'), semi-sovereigns were, by definition, partial international persons. Yet the reverse did not necessarily follow: not all full-sovereigns were standard international persons. Since their capacity for action was constrained, neutralized states were not international agents in the same sense as their non-neutralized counterparts – which, at least as Oppenheim saw it, did not contradict their continued, complete sovereignty.

Consider also, in this light, Oppenheim's discussion of confederal unions, the members of which he also characterized as basically fully-sovereign. He argued that, for the most part, 'the union of Confederated States is not an International Person', but acknowledged that 'it is for some parts so treated on account of its representing the compound power of the full sovereign member-States'. Crucially, to the extent that the central body might, in some cases, assume international personhood, this was because it possessed 'an International Power which does not in the least affect the full sovereignty of the member-States'.[112] International agency 'doubled up', such that its occasional exercise by the confederation as a whole did not take away from the agency of the states.[113] The ideas of (semi-)sovereignty and (partial) personhood were thus intimately related, but the latter did not quite reduce to the former, encompassing as it could a broader range of polities.

[112] Ibid., v. 1, p. 128.
[113] Verzijl argues that the members of confederal unions might 'lose [some of] their sovereignty', but that their membership of such unions does not entail 'losing their individual legal personality'. This is, in a sense, the inverse of Oppenheim's argument, but it similarly reveals that neither personhood nor sovereignty reduced to one another. Verzijl, *International Law in Historical Perspective, Part 2*, p. 159.

Legal practices

Law's role in producing various semi-sovereign polities is not exhausted by the constitutive work done by legal theory. Several legal practices, in which a much broader set of actors – including statespeople and diplomats – participated, could alter the sovereign status of polities, or redefine the set of rights attached to them. These practices were not simply products of scholars' theoretical innovations; they had a real, concrete existence outside those writers' texts and theories, and worked (at least partially) independently of them to define and change the characteristics of international entities. Yet the writers, discussed above, also speculated on these practices, identifying them, and explaining how they effected outcomes. Jurisprudence included 'theories of practice', which integrated these two aspects of law and bound them together into a coherent social logic. In this section I will therefore consider several practices as they existed outside the writings of legal theorists, and as they were discussed therein.

Recognition

For Wheaton, as we saw in the previous section, external sovereignty 'may require recognition by other States in order to render it perfect and incomplete'. This nicely exemplifies theoretical statements *about* legal practices: Wheaton picked out a particular practice (recognition), specified its effects (rendering states' external sovereignty perfect and complete), and thereby connected it to other concepts in his theoretical apparatus (such as external, as distinguished from internal sovereignty).

Recognition was not simply a theoretical construct, however; it was a concrete practice, that polities and their representatives participated in, whereby 'new' states (and other polities) were acknowledged to be international entities by extant members of international society. It evolved historically, and while groups of polities had dealt with the problem of admitting new

members and transacting with outsiders for longer, the practice of recognizing such entities only assumed its modern form around the start of the long-nineteenth century.[114]

As Wheaton put it, recognition might be required for 'perfect and complete' external sovereignty. Since semi-sovereigns were defined by their imperfect and incomplete external sovereignty, one might expect this to have been the product of some kind of recognition deficit. Surprisingly, however, this was not really so. Beyond Wheaton's initial presentation of the relationship between recognition and external sovereignty, it did not do much substantive work for him in generating semi-sovereigns' semi-sovereignty. Instead, treaty-making was the primary mechanism by which polities' rights were restricted, and their sovereignty rendered imperfect.

Yet this does not mean we should completely dismiss recognition, as irrelevant to the issue of semi-sovereignty. Certain polities came into being, or were at least reconstituted as new or different international persons, in such a way as rendered them semi-sovereign from the point of their inception or reconstitution. We can think of them as being recognized *as* semi-sovereign, admitted into international society as a particular kind of member. Belgium – neutralized at the same time as it was granted independence from the Netherlands, over the 1830s – is a good example.[115]

More generally, recognition was the mechanism by which polities were made and remained members of international society. Typically, it was thought that entities had to be parts of that society, and hence legal subjects, in order to have semi-sovereign status (see above). Instruments like treaties modified polities' rights, whereas recognition fixed their subjectivity. Rather than directly restricting sovereignty, then, recognition functioned more indirectly, producing and sustaining an international society of legal subjects, on which the modern conception of semi-sovereignty depended.[116]

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[114] Mikulas Fabry, *Recognizing States: International Society & the Establishment of New States Since 1776* (Oxford: Oxford University Press, 2010). On how the theory of practice developed, see Alexandrowicz, 'Theory of Recognition *in Fieri*'. Observations on how the practice figured in imperial expansion can be found throughout Anghie, 'Finding the Peripheries'.
[115] Fabry, *Recognizing States*, pp. 80-5.
[116] Again, see remarks throughout Anghie, 'Finding the Peripheries'.

Treaties

For Wheaton, it was not in fact recognition, but treaty-making, which most directly produced limited or restricted sovereignty. He stated that:

> The coordinate sovereignty of a particular state is not impaired by its occasional obedience to the commands of other states, or even the habitual influence exercised by them over its councils. It is only when this obedience, or this influence, assumes the form of express compact, that the sovereignty of the state, inferior in power, is legally affected by its connexion with the other.[117]

'Occasional obedience', being only transitory, was not sufficient to change the sovereign status of a polity, which change had to have a relatively enduring, if not permanent, character. While 'habitual influence' would pass this temporal test, it still failed to do the job. For Wheaton, such influence did not have a distinctively legal character, which was only imparted to *de facto* relationships of authority when they were translated and formalized in a legal instrument, or 'express compact'.[118]

Like recognition, treaty-making was a practice, widely participated in, and not simply a legal-theoretic concept. It arguably underwent something of a 'revolution' over the nineteenth century, with more treaties being made than before, and for new purposes.[119] The formation of new semi-sovereigns in this period, and changes in the rights held by and statuses ascribed to

[117] Wheaton, *Elements of International Law* (1st edition), v. 1, pp. 62-3. This language remained present through subsequent editions of the text, as Wheaton elaborated his theory of recognition and his conceptualization of semi-sovereignty in terms of external sovereignty. Thus, his views on the role of treaties were unaffected by these other innovations. Compare ibid., with Wheaton, *Elements of International Law* (3rd edition), p. 67, and Wheaton, *Elements of International Law* (6th edition), p. 45.
[118] Contrast this to Lawrence's remarks in *Principles of International Law*, p. 68. In general, Lawrence was happier than many other lawyers to acknowledge the legal significance of *de facto* relationships of authority. See also, in this respect his essay on the 'Primacy of the Great Powers', in Thomas Joseph Lawrence, *Essays on Some Disputed Questions in Modern International Law*, (Cambridge: Deighton Bell and Co., 1885), pp. 208-33.
[119] Edward Keene, 'The Treaty-Making Revolution of the Nineteenth Century', *International History Review* 34:3 (2012), pp. 475-500.

those entities, were the direct results of treaty-making. There are at least three ways in which treaties of different sorts could produce (changes to) such polities.

First, consider arrangements of the following form: polity A cedes rights R to polity B, in a treaty – or a similar legal device, like an agreement or convention – to which A and B are the parties. The polity which thereby becomes semi-sovereign (polity A) is a signatory of the treaty, which treaty directly modifies its rights. Some treaty between A and B, whereby A merely gave up rights, without transferring them to B would, by definition, have a slightly different form, but it would also have these two properties: the polity that became semi-sovereign would be a signatory; the treaty would directly impair its rights. Examples of this sort of arrangement include the 1881 Pretoria and 1884 London Conventions, between Britain and the Transvaal/South African Republic.[120] These were directly negotiated and signed between these two parties, and they involved the cession of external sovereignty rights by the Transvaal/Republic to Britain. While it is arguable that they did not strictly produce semi-sovereigns, for the reasons discussed earlier, treaties of colonial protection between European and African polities also took this form.[121]

Second, large multi- or plurilateral treaties could render polities semi-sovereign, even without those polities being direct parties to those treaties. Although, as we have seen, Twiss did not like the concept of semi-sovereignty, he usefully contrasted two ways 'Protected Independent States' could come to exist. The first was via a bilateral treaty between a protector and a protected state – a treaty of the sort outlined just above. The other was a 'general treaty amongst the European powers, under which the Protecting Power has undertaken to protect the weaker State, and the other Powers have engaged themselves to hold political intercourse with the weaker State only through the medium of the Protecting Power.'[122] A good illustration of this kind of treaty is

[120] The text of which is printed in D. M. Schreuder, *Gladstone and Kruger: Liberal Government and Colonial 'Home Rule' 1880-85* (London: Routledge and Kegan Press, 1969), appendices 1-2 (pp. 489-502).
[121] Covered well in Alexandrowicz, *European-African Confrontation*, chapter 5.
[122] Twiss, *Law of Nations*, v. 1, p. 27.

the Final Act of the Congress of Vienna (1815), which redefined the status of polities across post-Napoleonic Europe, making some, like Cracow (Kraków), placed under the joint protection of Russia, Austria, and Prussia, semi-sovereign. Many of the affected polities (including Cracow) were not signatories of the treaty, or full participants in the negotiations leading up to it.[123]

These treaties differed to those of the first sort in one respect (the polities constituted as semi-sovereign were parties to the first, and not the second), but they were similar in that they referred to particular polities, and modified their sovereign rights directly. A third type of relevant treaty differed in this respect as well. Multilateral or plurilateral treaties could create general legal frameworks, laying out the principles by which polities could become different sorts of semi-sovereigns, without actually constituting particular polities as such. Subsequent legal devices, which referred to these frameworks, could then directly alter the sovereign status of *specific* international entities. For example, the Act issued by the participants at the Berlin Conference (1884-5), convened by European powers to tackle perceived challenges associated with the colonization of sub-Saharan Africa, laid out rules for the declaration of colonial protectorates.[124] Yet many of these protectorates came into being only after the Conference (as opposed to being directly constituted by the Act), including as a result of bilateral treaty-making between European protecting powers and the African polities over which they extended their authority.[125]

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[123] For the text, see Edward Hertslet (ed.), *The Map of Europe by Treaty; Showing the Various Political and Territorial Changes which have Taken Place since the General Peace of 1814, with Numerous Maps and Notes* (London: Butterworths, Harrison, 1875, 4 vols.), v. 1, pp. 208-7. Do note that many other treaties/instruments, narrower in scope and with fewer signatories, were 'incorporated' into the Act.

[124] The Act is described as 'a major piece of rule-creation to guide colonial policy' in Holsti, *Taming the Sovereigns*, p. 247. Many works touch on the discussions regarding colonial protectorates at Berlin, including Grovogui, *Sovereigns, Quasi Sovereigns, and Africans*, chapter 3; W. Ross Johnston, *Sovereignty and Protection: A Study of British Jurisdictional Imperialism in the Late Nineteenth Century* (Durham, NC: Duke University Press, 1973), chapter 6; Alexandrowicz, *European-African Confrontation*, chapter 1; Jörg Fisch, 'Africa as *terra nullius*: The Berlin Conference and International Law' in Stig Förster, Wolfgang J. Mommsen, and Ronald Robinson (eds.), *Bismarck, Europe, and Africa: The Berlin Africa Conference 1884-1885 and the Onset of Partition* (Oxford: Oxford University Press, 1988), pp. 347-75; J. C. Anene, *Southern Nigeria in Transition 1885-1906: Theory and Practice in a Colonial Protectorate* (Cambridge: Cambridge University Press, 1966), pp. 61-2; Miéville, *Between Equal Rights*, pp. 250-6; Peter Burroughs, 'Imperial Institutions and the Government of Empire', in Andrew Porter (ed.), *The Oxford History of the British Empire: Volume 3: The Nineteenth Century* (Oxford: Oxford University Press, 1999), p. 193.

[125] Again, see Alexandrowicz, *European-African Confrontation*, chapter 5.

Constitutions

It could be argued that there was a constitutional 'revolution' – not unlike the so-called 'treaty-making revolution' – in this period: from the early-nineteenth century, more constitutions were issued by major states, and calls for constitutional settlements were made even where they did not materialize.[126] While treaties were probably the most important of the legal instruments which distributed sovereign rights, they were not the only relevant ones; constitutions also had this effect.

For Wheaton, constitutional law was to internal sovereignty as international law was to external.[127] Constitutions configured authority within polities (most obviously, states) and distributed rights and powers across their constituent institutions (monarchs, administrative bodies, legislatures, etc.), while treaties arranged external sovereignty rights between polities.[128] Given Wheaton's claim that internal sovereignty (and hence constitutional law) were irrelevant to his subject, one might be led to think that constitutions would not be relevant to the issue of semi-sovereignty.

In fact, however, lawyers did discuss the provisions of constitutions when considering semi-sovereigns. Indeed, when he moved from general statements like those above, to the examination of specific polities' legal statuses, Wheaton himself did so: he quoted extensively, for example, from various constitutional documents pertaining to the post-1815 German Confederation, relying on these as a key source for interpreting the international position of the union and its members.[129]

Constitutions were relevant to the characteristics of semi-sovereigns, again in three ways. First, they could encode external restrictions on internal sovereignty, where polity A exercises

[126] Brian E. Vick, *The Congress of Vienna: Power and Politics After Napoleon* (Cambridge MA: Harvard University Press, 2014), p. 233, and chapter 6 more generally; Keene, 'Treaty-Making Revolution'.
[127] See previous section.
[128] I.e., affecting Krasner's 'domestic sovereignty'.
[129] Wheaton, *Elements of International Law* (1st edition), v. 1, pp. 69-86.

authority over some portion of polity B's internal affairs. Whether these were strictly relevant to the legal classification of polities as semi-sovereign was open to question: as explained above, if external sovereignty meant independence, then these restrictions could be understood as limitations thereon; if it meant externally-oriented rights, then they would not. Either way, however, the internally-oriented rights of many semi-sovereign polities were limited or transferred to other entities, even if this was not always that important to lawyers in classifying them. If we want to account for the properties of these polities more comprehensively – and apply some critical pressure to, as opposed to merely reproducing, jurists' classificatory schemas – then we ought to pay attention to these limitations, too. One constitution which restricted rights like this is the Ionian Islands', which accorded the British High Commissioner and their subordinates substantial authority over Ionian affairs.[130]Another was that of the 'Kingdom' of Poland, a new polity established at the Congress of Vienna, in what was often described as an 'anomalous' union with Russia, with the Tsar ruling as its King.[131]

Second, constitutions could more straightforwardly express limitations on polities' external sovereignty, understood simply as outwards-facing rights. For example, its constitution specified that, while the Kingdom of Poland would have its own army, useable only in specific circumstances, it would have to pursue a 'common' foreign policy with Russia, and that policy would be directed by the Tsar, although *qua* King.[132] While arguably not without some external sovereignty of its own, the Kingdom was clearly limited in its capacity as an international agent, and the constitution specified how, and to what extent.

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[130] I discuss the process of constitutional design in the Islands in the next chapter.

[131] Wheaton, *Elements of International Law* (1st edition), v. 1, p. 66; Phillimore, *Commentaries upon International Law*, v. 1, p. 103. The constitution of the Kingdom is printed in Angela T. Pienkos, *The Imperfect Autocrat: Grand Duke Constantine Pavlovich and the Polish Congress Kingdom* (Boulder: East European Monographs; New York: Columbia University Press, 1987), pp. 157-72.

[132] Norman Davies, *God's Playground: A History of Poland, Volume II: 1795 to the Present* (2nd edition, Oxford: Oxford University Press, 2005), p. 227; Piotr S. Wandycz, *The Lands of Partitioned Poland, 1795-1918* (Seattle and London: University of Washington Press, 1974), p. 75; Pienkos, *Imperfect Autocrat*, p. 29; W. H. Zawadzki, *A Man of Honour: Adam Czartoryski as a Statesman of Russia and Poland 1795-1831* (Oxford: Clarendon Press, 1993), p. 262.

Third, constitutional instruments applied not just to states, but to other polities, including higher-order ones within which semi-sovereigns were embedded. Hence, even if these were primarily inwards-looking, configuring authority within the higher-order polity, they would still have implications for the sovereignty of the member polities. The various constitutional documents dealing with German Confederation, as a whole, exemplify this well.[133]

In practice, constitutions often worked to allocate sovereign rights in combination with treaties, rather than the two belonging to totally distinct worlds of law. Treaties might incorporate the texts of constitutions: thus the first constitution for the German Confederation was included within the Final Act of the Congress of Vienna.[134] Alternatively, the legal positions into which treaties placed polities vis-à-vis one another could also shape processes of constitutional design: Britain, by virtue of being made protector of the Ionian Islands, was able to influence (indeed, more or less dictate) the contents of the Ionian constitution.[135]

The great powers

Haldén has convincingly argued that the great powers were able to remodel other polities, including to decide whether or not they would have access to the full panoply of sovereign rights.[136] How exactly they were able to do this remains to be specified in detail, however. Across this and the next chapter, I will catalogue some of the powers' capabilities and prerogatives, with respect to semi-sovereigns, on the basis of the logics to which those capabilities and prerogatives belonged. Social logics are fundamentally about styles of interaction – relations, processes and practices, background norms and concepts – and there is nothing to stop the same actors sometimes acting in one style – i.e., according to one logic – and sometimes in another. At times,

[133] For the initial Confederal constitution, subsequently revised, see Hertslet, *Map of Europe by Treaty*, v. 1, pp. 200-7.
[134] Ibid., v. 1, pp. 200-7, 243-8.
[135] See chapter 3 for more.
[136] Peter Haldén, 'A non-sovereign modernity: attempts to engineer stability in the Balkans, 1820-90', *Review of International Studies* 39:2 (2013), pp. 337-59.

therefore, the powers acted *managerially* – attempting, directly or indirectly, to control subjects. Interventions, by the powers, into the affairs of other polities, are the most obvious example of such behaviour, to which I'll return in chapter three.

Yet the powers also had several distinctively *legal* capabilities, some of which correspond to the practices outlined above.[137] First, they were the foremost *recognizers* in international society. When it came to admitting new states into the 'family of nations', or to some sub-group within it, Lawrence argued that the powers 'speak in the name of Europe, and bind it by their decisions'.[138] Furthermore, they had a privileged *treaty-making role*. As we saw above, one kind of treaty, identified by Twiss, was made 'amongst the European Powers', but nevertheless had implications for polities outside that group, which were not direct signatories. General treaties of this sort have been described as 'lawmaking treaties', and Lawrence accordingly characterized the powers as assuming 'legislative functions, as when by the neutralization of Switzerland, Belgium and Luxemburg, [they] virtually imposed new rights, and obligations on states who may be brought into contact with them'.[139] Finally, the great powers acted as international legal *enforcers*. Even writers who were sceptical about according the powers a large legal role were happy to admit that they might serve to guarantee settlements, like those by which states were neutralized.[140]

Concluding remarks

Of the four logics, law is the one which most 'directly' constituted semi-sovereign polities as such. Semi-sovereign entities were differentiated from one another on the basis of their rights, and the legal forms they assumed; without international law, it is hard to see how this whole way

[137] A good study of the legal position of the powers is Gerry Simpson, *Great Powers and Outlaw States: Unequal Sovereigns in the International Legal Order* (Cambridge: Cambridge University Press, 2004).
[138] Lawrence, *Essays*, pp. 231-2.
[139] Ibid., p. 228; Nussbaum, *Concise History of the Law of Nations*, p. 198.
[140] Oppenheim, *International Law* (1st edition), v. 1, p. 141.

of characterizing international entities could have existed in the first place. While the other logics generated various of these polities' institutional properties, and even provided motivations and rationales for the restriction of their sovereignty, those polities could not actually assume semi-sovereign status until law had intervened, and managerial, cultural, and/or suzerain relations were translated into relationships of rights between valid legal subjects.

Law provides us with a descriptive map, specifying how semi-sovereign polities varied from each other, and their fully- or non-sovereign counterparts – i.e., delineating what it is this thesis seeks to account for. But it was also *productive* of semi-sovereign polities, and by appealing to aspects of the legal logic, we could account for how different entities ended up in different semi-sovereign positions. Over the course of this chapter, we put law to genuinely explanatory work.

For one, law included background norms and concepts, which made semi-sovereignty an intelligible notion, and inclined legal theorists to categorize and classify polities as (different kinds of) semi-sovereign, with the criteria that informed those classifications following from their more general theoretical and/or methodological orientations. Legal discourse thus did constitutive work: by providing frameworks, within which they could be called semi-sovereign, and providing the conceptual foundations for such descriptions, law helped make these entities what they were. Across two sections of this chapter, I laid out the conceptual, theoretical, and methodological background which underpinned the late-eighteenth-century notion of 'demi-sovereignty', and then showed how semi-sovereignty as it was used in the nineteenth century built on and departed from that notion. Distinctively nineteenth-century ideas of – and criteria for – valid legal subjectivity, as well as theories about rights and how they could be allocated, produced a conception of semi-sovereignty as configurations of external sovereignty rights between discrete states.

We also saw that law encompassed a number of processes and practices, within which a broader range of actors than legal scholars participated, and which also helped produce semi-

sovereigns in their semi-sovereignty. Recognition fixed polities' legal subjectivity, enabling them to be proper bearers of sovereign rights. Said rights were then allocated, modified, and redistributed through legal instruments, including treaties and constitutions. In the production of semi-sovereigns, through recognition and treaty-making, the great powers played a privileged role, often realigning the rights of polities who did not get much, if any, of a say in their fate.

Between these background norms and concepts, and these practices and processes, law gave rise to particular sorts of international entities. It did so, however, partially, incompletely, and always in interaction with at least some of the other logics. Polities like the Duchy of Courland and the Kingdom of Poland, like Belgium and the Transvaal/South African Republic, did not just exist because lawyers declared that they did, or even because of what was written in treaties. They were individuals, or collective actors, often embedded within broader institutional frameworks, whose actorhood and relationships to one another cannot be captured with recourse to law alone. Likewise, unpacking the legal logic does not, in most cases, yield a completely satisfying account of why certain rights were attached to certain international entities, even if it takes us some of the way towards one. It is, therefore, time to expand out our multi-part, configurational argument, beginning with the second logic: management.

[3]: Management

Without the legal concepts and devices explored in the previous chapter, it is doubtful that semi-sovereignty would be intelligible to us as analysts of international society, or (perhaps more importantly) to the historical actors who used, and acted on the basis of, the idea in the long-nineteenth century itself. Law alone, however, cannot provide a complete account of variations between semi-sovereign polities. It is one thing to understand why particular legal categories were meaningful, or how processes and practices like treaty-making could act as mechanisms for the application of those categories to particular polities. But it is another to explain why those categories were applied to those polities: why, for example, a certain state was neutralized, or another came under protectorate. Once these legal relations were in place, moreover, they often empowered some actors to govern others, but simply pointing to those relations will not suffice as an interpretation of how and why particular patterns, approaches, or styles of government were favoured in different contexts: why some protected states, for example, were governed more intensively and more penetratively by their protecting powers than others. Finally, while legal concepts partially constitute different sorts of entities as such, they do not do so entirely: to understand why certain semi-sovereigns were states, as opposed to other kinds of polity, requires recourse to a broader range of processes of institutional development. For these reasons, it is necessary to combine multiple social logics in the form of a configurational argument. This chapter introduces the second of the four – management.

Management is fundamentally about relations of control, the processes and practices that produce and sustain them, and the norms and concepts that give them purpose. Managers administer. They intervene in the lives of subjects, and regulate the ability of others to carry out similar interventions. This does not simply presume actors to do the managing, and subjects to be controlled. Rather, according to the relational ontology laid out in chapter one, the

establishment, negotiation, and reproduction of relations of control generate, and change, social and political entities, which settle into the positions of manager and subject.

At the core of social logics are social relations. In the case of management, these are relations of *control*. Precisely, managerial relations obtain when a *manager* controls a *subject* within some *domain*. That domain could be a space, or an issue area. In the next section of this chapter, we'll see that in the nineteenth century, management 'by, though, and in the state' (an arrangement in which the state is both manager and domain, actor and space) crystallized as one of the primary manifestations of this logic. It is not the only possible permutation, however, and alternative configurations of managers, subjects, and domains coexisted with it, sometimes undercutting and sometimes supporting each other.

My logic of management has a number of parallels with Giddens's 'administrative power'.[1] Administrative power involves 'marshalling authoritative resources', which in turn refer to 'domination over the activities of human beings themselves'.[2] Interfering in or exercising control over human activity therefore constitutes the exercise of administrative power. In similar fashion to the correspondence of managerial relations with domains, Giddens invokes 'locales…within which systemic aspects of interaction and social relations are concentrated'.[3] Finally, equating the exercise of administrative power to the ''political' aspect of organizations', and contraposing this not simply to law, but also 'economic institutions' and 'symbolic orders/modes of discourse', Giddens asserts the conceptual independence of administration and law (even as the two often developed, historically, in tandem).[4] Without endorsing the claim that administration is uniquely political (versus implicitly apolitical legal or symbolic orders), I share with Giddens a desire to separate out my social logics – his aspects of organizations –

[1] As developed in Anthony Giddens, *The Nation-State and Violence: Volume Two of A Contemporary Critique of Historical Materialism* (Cambridge: Polity Press, 1985).
[2] Ibid., pp. 7, 19.
[3] Ibid., pp. 12-3.
[4] Ibid., pp. 19, 95.

conceptually, treating them as ideal types, which do not reduce to each other, even as aspects interact in practice.

Law can stabilize and facilitate management. From the starting point of already-constructed managerial relations, or managerial relations under construction, law can work to lock these in, fixing them by re-expressing them in terms of rights. Once those rights have been encoded, law may then facilitate the maintenance and/or expansion of management, allowing managers to draw on the legitimacy associated with acting in accordance with their legally-recognized rights. At the same time, law may also constrain (would-be) managers, demarcating the areas in which they may rightfully intervene, and delegitimizing attempts to intervene outside those areas.

So far, I have focused on the relations at the core of the logic of management. Social logics also contain processes and practices which animate these relations, enabling them to be constructed and sustained them over time. The first of these is *intervention*. Interventions are bids to control some aspect of a subject's affairs. Crucially, I do not simply mean international intervention – by a state, in the affairs of another – but a broader category of actions, which encompasses but does not reduce to this inter-state variant. Just as important are social interventions, by some state (or other manager) in the lives of the populations over which they assert control. In chapter one, I argued against including intervention in a typology of forms of semi-sovereignty, though I insisted that it was still relevant to understanding the emergence of and variation between semi-sovereign polities.[5] This chapter explores the theoretical and historical relevance of different kinds of interventions to those questions.

While my perspective on intervention is somewhat broader than is typical in IR, I do draw on a number of insights from studies of the practice. Weber argues that intervention is productive: that the idea of sovereign stateness is worked out through the practice of intervention

[5] The was because intervention itself is not a status or a distribution of rights and, methodologically, processes and practices (as parts of social logics) ought to be kept distinct from that which they are mobilized to explain.

and the discourses surrounding it.[6] Following Keene, Finnemore, and Lawson and Tardelli, I argue that the generic notion of intervention plays out in particular ways historically, which need to be compared and contextualized accordingly.[7] Although we make our arguments in our own ways and with our own emphases, we come at the idea of intervention from a shared, historical-sociological sensibility.

To intervention, we should add *regulation*. We could use this to mean something a little like intervention: i.e., the regulation of aspects of subjects' lives. However, using the term in that sort of way that risks imprecision, or at best redundancy, so I'll use it to denote something more specific. Regulation is a meta-practice, the management of intervention. It is about deciding who gets to intervene, how, towards whom, in what circumstances, and to what ends.

Management is purposive: it is directed towards some set of valued goals.[8] It is not 'purely' instrumental behaviour, if that is understood to mean empty of normative content. However, the purposes of management cannot be specified *a priori*: they must be extracted from historical study, and doing so will involve filling out the last component of the logic: management's background norms and concepts.

How does management relate to semi-sovereignty – how does its operation, and its resolution into alternative institutional configurations, produce variations between semi-sovereign polities? Through three pathways. First, with recourse to management we can explain variations and changes in the kinds of 'basic entity' which bore sovereign rights. By this, I mean the marked shift from the era of Georg Friedrich von Martens – whose 'demi-sovereign states and princes' comprised a heterogeneous group of actors – to the nineteenth century proper, where

[6] Cynthia Weber, *Simulating Sovereignty: Intervention, the State and Symbolic Exchange* (Cambridge: Cambridge University Press, 1995).
[7] Edward Keene, 'International hierarchy and the origins of the modern practice of intervention', *Review of International Studies* 39:5 (2013), pp. 1077-90; Martha Finnemore, *The Purpose of Intervention: Changing Beliefs about the Use of Force* (Ithaca: Cornell University Press, 2003); George Lawson and Luca Tardelli, 'The past, present, and future of intervention', *Review of International Studies* 39:5 (2013), pp. 1233-1253.
[8] My understanding of purposivity is inspired by both Finnemore, *Purpose of Intervention*, and Christian Reus-Smit, *The Moral Purpose of the State: Culture, Social Identity, and Institutional Rationality in International Relations* (Princeton: Princeton University Press, 1999).

most semi-sovereigns were either discrete, bounded states, or state-like entities which shared with them many properties. The intensification of management, its resolution into a particular form (management 'by, through, and in the state'), and the reconfiguration of its relationship with the logic of suzerainty produced a new set of semi-sovereign polities in the early-nineteenth century.

Management *also* helps explain why these states were not fully-sovereign. The states that became managers of their own populations could also themselves become subjects – as a result of the same sorts of processes and practices, and to promote the same broad (and sometimes the very same, particular) purposes and goals. The second pathway thus takes one process/practice – cross-boundary intervention – and connects this to one type of restriction on sovereignty – to a polity's *internal* sovereignty. Different kinds of boundaries, and the broad institutional environments which they carve up; different goals inspiring different kinds of intervention; and the different sorts of targets of those interventions: these produced variations in the extent of internal sovereignty held or lost, and which specific rights fell into which categories.

Third, restrictions on internal and *external* sovereignty are produced by regulation. Particular restrictions on a polity's capacity for external action – which, again, could be wide or narrow, general or very particular – often stemmed from a desire, held by some other actor(s) asserting themselves as managers, to limit or prevent interventions, where those interventions would contradict their goals and ambitions.

This chapter proceeds through three substantive sections, corresponding to these pathways. Section one examines a shift in the 'basic entities' bearing sovereign rights, focusing on a critical period of transition between the late-eighteenth and early-nineteenth centuries. Using a variety of cases to illustrate the argument, I account for this shift in terms of the operation and ascendancy of the management, its resolution into a particular form (management by, through, and in the state), and this logic's changing relationship to another (suzerainty). In section two, I

explore the implications of cross-boundary intervention for the sovereign status of the members of the German Confederation, the Ionian Islands under British protection, and the colonial protectorates established in late-nineteenth century sub-Saharan Africa. In the final section, I show how the neutralization of states like Belgium, and restrictions on the foreign policy autonomy the Transvaal/South African Republic, represent manifestations of the managerial practice of regulation.

Semi-sovereign states

In chapter one, we saw that semi-sovereign polities varied in at least two relevant ways: in terms of the rights they possessed and lacked, and in terms of the institutions they comprised and within which they were embedded. This section focuses on the latter sort of variation, considering the different kinds of basic entity that bore (partial) sovereign rights, and how the nature of these entities changed. More specifically, I argue that a major shift took place between the late-eighteenth and early-nineteenth centuries, as Martens's 'demi-sovereign states and princes' were replaced by a new group of semi-sovereigns. More so than their predecessors, these new polities were bounded, centralized entities, made up of institutions that enabled them to carry out more effective social interventions. They approximated, to a greater extent and less ambiguously than Martens's demi-sovereigns, to the image of what we might call *managerial states*.[9] To be clear: this did not entail that they were fully-sovereign, nor did it mean that other actors were unable to command them or interfere their affairs, including through wider structures, inside which these

[9] The argument of this section aligns with, and develops ideas found in, Andreas Osiander, *Before the State: Systemic Political Change in the West from the Greeks to the French Revolution* (Oxford: Oxford University Press, 2007), Friedrich Kratochwil, 'Of Systems, Boundaries, and Territoriality: An Inquiry into the Formation of the State System', *World Politics* 39:1 (1986), pp. 27-52, and Peter Haldén, 'A non-sovereign modernity: attempts to engineer stability in the Balkans, 1820-90', *Review of International Studies* 39:2 (2013), pp. 337-59. More generally, the 'transformation of political units', which included the construction of 'rational states', was a core component of the nineteenth-century 'global transformation.' Barry Buzan and George Lawson, *The Global Transformation: History, Modernity and the Making of International Relations* (Cambridge: Cambridge University Press, 2015), chapter 5.

semi-sovereign states might still be situated. But it did mean they were a new sort of semi-sovereign polity – and as we'll see in the second half of this chapter, their characteristics as such influenced how and why their sovereign rights were restricted.

Over the course of this section, I will explain in more detail what this shift involved, and interpret it in terms of the operation and ascendency of the logic of management, as well as its reconfiguration with suzerainty. I'll begin by tracing out, theoretically, how management produces and changes the characteristics of international entities, focusing on one form into which managerial relations, processes, practices, norms and concepts may coalesce: management by, through, and in the state. Next, I'll outline, in more detail, the aforementioned transition, from late-eighteenth century polities to early-nineteenth century ones. The rest of this section then interprets this transition, with reference to the ascendant logic of management, and its changing relationship with suzerainty.

Management by, through, and in the state

Managerial relations obtain when a manager controls some subject(s), within a particular domain. While this is quite an abstract way of putting things, it alerts us to the fact that management can resolve out into a range of forms, varying with how the categories are filled out. Management by, through, and in the state – the subject of this section – is one, but not the only one, and we'll also consider international, cross-boundary variants later in this chapter.

In this instance, manager and domain coincide, and the state, as 'centre and territory', occupies both roles simultaneously.[10] This straightforwardly gives us the 'by' and the 'in'. The 'through' comes from the fact that states are not just actors and spaces, but also structures for action, comprising institutions through which the work of governance is carried out.[11] Indeed,

[10] Michael Mann, *The Sources of Social Power, Volume 2: The Rise of Classes and Nation-States, 1760-1914* (New edition, Cambridge: Cambridge University Press, 2012), p. 56.
[11] On the distinction between the state's 'structural' and 'actor' properties, see Alexander Wendt and Daniel Friedheim, 'Hierarchy under anarchy: informal empire and the East German state', in Thomas J.

states are actors insofar as these clusters of institutions are reified into entities, and agency is ascribed to them in a 'socially sustainable manner'.[12]

From this, we can derive three properties of managerial states: 'centralization', 'reach', and 'boundedness'.[13] Centralization refers to the state *qua* manager: to its coherence as a collective actor. Reach is subtly different, pointing to management 'through' the state – it denotes the state's capacity to touch the lives of its subjects; to dependably conduct effective and wide-ranging social interventions.[14] Last, boundedness refers to the state as a domain or space, indicating to what extent it can be represented as a circumscribed unit with a defined 'inside' and 'outside'.[15]

None of these are properties that entities either have, or do not have, in a binary sense: rather than centralized or decentralized, for example, it is better to speak of entities as *more or less* centralized. The managerial state form is therefore one to which polities may approximate, without having to embody perfectly or exclusively. This is not a problem. Indeed, it fits well with

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Biersteker and Cynthia Weber (eds.), *State Sovereignty as Social Construct* (Cambridge: Cambridge University Press, 1996), p. 246.

[12] Patrick Thaddeus Jackson, 'Civilizations as Actors: A Transactional Account', in Martin Hall and Patrick Thaddeus Jackson (eds.), *Civilizational Identity: The Production and Reproduction of "Civilizations" in International Relations* (Houndmills: Palgrave Macmillan, 2007), p. 33.

[13] Centralization is an important aspect of the state, as Osiander characterizes it in *Before the State*.

[14] For a good statement of the distinction between 'centralization' and 'reach', see Marc Raeff, *The Well-Ordered Police State: Social and Institutional Change through Law in the Germanies and Russia, 1600-1800* (New Haven and London: Yale University Press, 1983), pp. 45-6, 152.

[15] Peter Haldén points to (not) having a clear 'inside' and 'outside' as a feature distinguishing republics and states in *Stability Without Statehood: Lessons from Europe's History before the Sovereign State* (Houndmills: Palgrave Macmillan, 2011), p. 32, although he also notes that republics' members may be variably 'territorially bounded'. Similarly, we see boundedness as a core aspect of statehood in Osiander, *Before the State* (see especially pp. 10-17), as well as Giddens, *Nation-State and Violence* (p. 13). For historical and theoretical accounts of different modes of territoriality, see Jordan Branch, *The Cartographic State: Maps, Territory, and the Origins of Sovereignty* (Cambridge: Cambridge University Press, 2014); Richard T. Ford, 'Law's Territory (A History of Jurisdiction)', *Michigan Law Review* 97:4 (1999), pp. 843-930; Malcolm Anderson, *Frontiers: Territory and State Formation in the Modern World* (Cambridge: Polity Press, 1996), especially chapter 1; Michael Keating, *Rescaling the European State: The Making of Territory and the Rise of the Meso* (Oxford: Oxford University Press, 2013); Alexander B. Murphy, 'The sovereign state system as political-territorial ideal: historical and contemporary considerations', in Biersteker and Weber, *State Sovereignty as Social Construct*, pp. 81-120; K. J. Holsti, *Taming the Sovereigns: Institutional Change in World Politics* (Cambridge: Cambridge University Press, 2004), chapter 3; Kratochwil, 'Of Systems, Boundaries, and Territoriality'. For the view that a spatial distinction between 'inside' and 'outside' is fundamental to the modernist imaginary of IR, see R. B. J. Walker, *Inside/Outside: International Relations as Political Theory* (Cambridge: Cambridge University Press, 1993).

the processual-relational ontology underpinning this thesis, outlined in chapter one, according to which the properties of entities are not fixed, but malleable and reconstructible.[16] From this perspective, we can do more than simply interpret states as managers and domains for management; we can also appeal to the logic of management to account for how and why states become more centralized, far-reaching, and bounded, dynamically and historically.

Thus, the assertion of control by would-be managers, including embryonic states, over those they seek to render subjects, can alter the characteristics of both. I do not simply mean that pre-existing entities are thereby pulled into the categories of manager and subject, although that might happen. Rather, those entities may take on new or changed features, in a more concrete sense. To see how, consider the two managerial processes/practices – intervention and regulation. The pursuit of social interventions and the construction of institutions to channel them are dynamically related: interventionary ambitions motivate their construction; once constructed, they enable more, and more wide-ranging interventions. One property of states (reach) is thus a manifestation of one aspect of the managerial logic (intervention), and as developing managers seek to effect increasingly ambitious interventions, we should expect their reach to expand accordingly.[17] Centralization, by contrast, is less about the content, scope, or frequency of social interventions, than how they are coordinated, and who gets to carry them out. It is therefore a reflection, less of intervention *per se*, than the meta-practice of regulation.

My argument here is informed and inspired by Mann's notion of 'caging': the process by which individuals and groups are corralled into social and political units.[18] Discussing moves towards state-formation before 1792, Mann argues that 'Most persons would probably prefer to continue ignoring the state. Now, willy-nilly, they were "caged," politicized, and "naturalized"

[16] See the characterization of states as 'projects' in Patrick Thaddeus Jackson and Daniel H. Nexon, 'Relations Before States: Substance, Process, and the Study of World Politics', *European Journal of International Relations* 5:3 (1999), pp. 307-8.
[17] Although of course, other factors may interrupt, interfere with, or block this development.
[18] Mann, *Sources of Social Power, Volume 2*, pp. 8, 20, 72, 224, 250, 252, 482, 505, 558, 598, 734, 775, 797.

by state fiscal extractions'.[19] Interventionary bids by emergent states reframed the political position of these individuals, although neither instantly nor completely. These bids did not only produce 'caged' subjects, however; they also produced the cage itself, the bars of which became more and more inflexible.

The crystallization of states as managers and as bounded domains were thus interrelated and mutually-reinforcing developments. On the one hand, states' increased capacity for governance allows them to redefine physical space: to engage in 'practices and activities which produce the effect of a completed state by inscribing boundaries which constitute an inside and outside'.[20] From the other perspective, Giddens describes 'nation-states' as 'power containers', 'circumscribed arenas for the *generation* of administrative power' [my emphasis].[21] The external boundaries of managerial states – as well as internal boundaries, demarcating areas within them – represent administrative zones, a conception of political space, distinctive to management as a social logic.[22]

Semi-sovereigns, old and new

The concepts and arguments outlined above illustrate the productive relationship between the logic of management, and the characteristics of polities, which embody it. They are not just of theoretical interest, however: we can also put them to interpretive work, using them to structure historical narratives and comparisons.

[19] Ibid., p. 20.
[20] Richard Devetak, 'Incomplete states: theories and practices of statecraft', in John MacMillan and Andrew Linklater (eds.), *Boundaries in Question: New Directions in International Relations* (London: Pinter Publishers, 1995), p. 30.
[21] Giddens, *Nation-State and Violence*, p. 13.
[22] On the relationship between internal boundaries and administration, see Anderson, *Frontiers*, chapter 4; Keating, *Rescaling the European State*, especially pp. 41-5; Ford, 'Law's Territory'.

In particular, they will help us make sense of a striking change in the nature of semi-sovereign polities, that occurred between the late-eighteenth and early-nineteenth centuries. First, recall Martens's list of 'demi-sovereign states':

> 1. The States of the Empire.
> 2. The body of immediate Nobility in Germany, and some other immediate Lords.
> 3. The immediate Princes of Italy who yet acknowledge their submission to the Empire.
> 4. The Duke of Courland and Semigal.
> 5. The Princes of Wallachia and Moldavia.
> 6. The towns of Danzig, of Thorn, and of Bien.[23]

To which were added the 'demi-sovereign princes', 'the electors of the Germanic Empire who are entitled to royal honours'.[24]

Per Martens's jurisprudence – discussed in the previous chapter – these entities were parts of/subordinated to broader wholes, or 'composed states'. In four out of seven cases, this was the German/Holy Roman Empire. For several others, it was the Polish-Lithuanian Commonwealth. The 'Duke of Courland and Semigal' was a vassal of the Polish-Lithuanian King, holding the Duchy in return for the performance of fealty to the Crown.[25] Two of the towns – Danzig (Gdańsk) and Thorn (Toruń) – were part of the Commonwealth, until its dissolution in 1795.[26] Specifically, they belonged to the province of Royal Prussia (distinct from the Hohenzollern Kingdom of Prussia), and formed the focal points of provincial politics after its third major city, Elbing (Elbląg) came under Hohenzollern rule as part of the 'First Partition' of

[23] Georg Friedrich de Martens, *Summary of the Law of Nations, Founded on the Treaties and Customs of the Modern Nations of Europe, with a list of the principal treaties, concluded since the year 1748 down to the present time, indicating the works in which they are to be found* (trans. William Cobbett, Philadelphia: Thomas Bradford, 1795), p. 31.
[24] Ibid., p. 31.
[25] Evan Luard, *The Balance of Power: The System of International Relations, 1648-1815* (Houndmills: Macmillan, 1992), pp. 117-8; Alexander V. Berkis, *The History of the Duchy of Courland (1561-1795)* (Towson: The Paul M. Harrod Company, 1969); J. H. W. Verzijl, *International Law in Historical Perspective, Part 2: International Persons* (Leiden: A. W. Sijthoff, 1969), pp. 351-2.
[26] Although the translation of Martens's text is dated 1795, the original French edition was published in 1789 – so, at the initial time of writing, Danzig and Thorn remained part of the Commonwealth.

Poland in 1772.[27] The Princes of Moldavia and Wallachia were vassals of the Ottoman Sultan.[28] Bien (Bienne/Biel) was associated with the pre-1798 Swiss Confederation, a decentred 'network', originally formed through a series of alliances between medieval communities, within which 'full' and 'associated' members had different statuses and rights.[29]

Shortly after Martens first published his *Summary*, most of these polities entities ceased to exist, at least in these forms, and a host of new semi-sovereigns took their place.[30] The German Empire was broken apart in 1806, and at the Congress of Vienna (1814-5), a new German Confederation was set up, the members of which were sometimes described as semi-sovereign.[31] Likewise, the Polish-Lithuanian Commonwealth was dismantled over the late-eighteenth century, ceasing to exist after the 'Third Partition' of Poland (1795).[32] Poland was also reorganized at Vienna, being split into administrative zones, incorporated into Austria, Russia, and Prussia, and two discrete, but not fully-sovereign polities: Cracow (Kraków), neutralized and placed under the joint protection of those three powers, and the 'Kingdom' of Poland, which was ruled by the Russian Tsar, and had only limited international personality, but was not entirely

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[27] Karin Friedrich, *The Other Prussia: Royal Prussia, Poland and Liberty, 1569-1772* (Cambridge: Cambridge University Press, 2000), p. 214.

[28] Barbara Jelavich, *History of the Balkans: Eighteenth and Nineteenth Centuries* (Cambridge: Cambridge University Press, 1983), pp. 99-111; see further references in chapter 4 of this thesis.

[29] On Bien, see Leo Schelbert (ed.), *Historical Dictionary of Switzerland* (2nd edition, Lanham: Rowman & Littlefield, 2014), pp. 49-50. On the Confederation, see Andreas Osiander, *Before the State*, pp. 488-90, and Peter H. Wilson, *From Reich to Revolution: German History, 1558-1806* (Houndmills: Palgrave Macmillan, 2004), pp. 250-1, as well as Oliver Zimmer, *A Contested Nation: History, Memory and Nationalism in Switzerland, 1761-1891* (Cambridge: Cambridge University Press, 2003), chapter 1; Verzijl, *International Law in Historical Perspective, Part 2*, pp. 162-6; Murray Forsyth, *Unions of States: The Theory and Practice of Confederation* (Leicester: Leicester University Press, 1981), pp. 18-25.

[30] Moldavia and Wallachia continued to exist, although how they were organized did change over the century – see the discussion in chapter 4. Moreover, other not-fully-sovereign polities, like Andorra, endured in basically their existing form, but only as remnants of the '*ancien regime*' that 'survived' by 'historical accident'. Osiander, *Before the State*, p. 479; see also Stephen D. Krasner, *Sovereignty: Organized Hypocrisy* (Princeton: Princeton University Press, 1999), pp. 228-30.

[31] On the end of the Empire, see the essays in Alan Forrest and Peter H. Wilson (eds.), *The Bee and the Eagle: Napoleonic France and the End of the Holy Roman Empire, 1806* (Houndmills: Palgrave Macmillan, 2009). The best overviews of the Confederation are Peter Haldén, 'Republican continuities in the Vienna Order and the German Confederation (1815-66)', *European Journal of International Relations* 19:2 (2013), pp. 281-304; Frederick K. Lister, *The Later Security Confederations: The American, "New" Swiss, and German Unions* (Westport, C.T.; London: Greenwood Press, 2001), chapter 4; Forsyth, *Unions of States*, pp. 43-51. For an outline of the deliberations at the Vienna, see Paul W. Schroeder, *The Transformation of European Politics, 1763-1848* (Oxford: Clarendon Press, 1994), pp. 538-47.

[32] On the last years of the Commonwealth, see Daniel Stone, *The Polish-Lithuanian State, 1386-1795* (Seattle and London: University of Washington Press, 2001), chapter 17.

subsumed into the Russian Empire.[33] A new Swiss Confederation was also established at the Congress, and the town of Bienne was incorporated into the canton of Berne as part of that process.[34]

In addition, several more polities were constituted as semi-sovereign in the early-nineteenth century, the predecessors of which were not included in Martens's list. The Ionian Islands, off Greece, were placed under British protection from 1815, for example, and governed through the Colonial Office.[35] Likewise, over the 1830s, the Southern (Belgian) Provinces of the United Netherlands were separated off into a distinct polity of their own, following a revolt that started in Brussels, in response to the heavy-handed way these provinces had been ruled since their incorporation into the Netherlands at Vienna. At the London Conference, convened to deal with the Belgian question, it was determined that while a separate Belgian state should be formed, it was to be permanently neutralized.[36] Thus as Haldén argues, 'A chief component of the stability of the Vienna Order was that strategic parts of Europe did not consist of autonomous and fully sovereign states'.[37]

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[33] Piotr S. Wandycz, *The Lands of Partitioned Poland, 1795-1918* (Seattle and London: University of Washington Press, 1974), chapter 4.

[34] Edward Hertslet (ed.), *The Map of Europe by Treaty; Showing the Various Political and Territorial Changes which have Taken Place since the General Peace of 1814, with Numerous Maps and Notes* (London: Butterworths, Harrison, 1875, 4 vols.), v. 1, p. 255. Overviews of the Confederation's structure are Lister, *Later Security Confederations*, chapter 3; Forsyth, *Unions of States*, pp. 25-30.

[35] Three general discussions of the character and activities of the British Imperial administration are J. J. Tumelty, 'The Ionian Islands Under British Administration, 1815-1864', PhD Thesis, University of Cambridge, 1952; Michael Pratt, *Britain's Greek Empire: Reflections on the history of the Ionian Islands from the fall of Byzantium* (London: Rex Collings, 1978); Maria Paschalidi, 'Constructing Ionian Identities: The Ionian Islands in British Official Discourses; 1815-1864', PhD Thesis, University College London, 2009.

[36] For details, see John W. Rooney, Jr., *Revolt in the Netherlands: Brussels – 1830* (Lawrence, Kans.: Coronado Press, 1982); J. S. Fishman, *Diplomacy and Revolution: The London Conference of 1830 and the Belgian Revolt* (Amsterdam: CHEV, 1988); Jonathan Helmreich, *Belgium and Europe: A Study in Small Power Diplomacy* (The Hague: Mouton & Co, 1976), chapters 2-3; Jan Andrzej Betley, *Belgium and Poland in International Relations, 1830-1831* (s'-Gravenhage: Mouton & Co., 1960); Daniel H. Thomas, *The Guarantee of Belgian Independence and Neutrality in European Diplomacy, 1830's-1930's* (Kingston, R. I.: D. H. Thomas Publishing, 1983), chapter 2; Matthew Rendall, 'A Qualified Success for Collective Security: The Concert of Europe and the Belgian Crisis, 1831', *Diplomacy & Statecraft* 18:2 (2007), pp. 271-95; E. H. Kossmann, *The Low Countries, 1780-1940* (Oxford: Oxford University Press, 1978), chapters 3-4.

[37] Haldén, 'Republican continuities in the Vienna Order', p. 298.

Not all these entities endured through to the end of the long-nineteenth century. Britain gave up its protectorate over the Ionian Islands in 1864, and the German Confederation was disbanded in 1866. As part of Austrian, Prussian and Russian responses to the activities of revolutionary movements, the distinct, semi-sovereign polities in Poland lost their separate existence: in 1832, an 'Organic Statute' replaced the Kingdom's constitution and reduced its autonomy, all remnants of which it then lost in 1864; Cracow was incorporated into Austria in 1846.[38] Yet, more semi-sovereigns continued to come into being, including late into the period, and not only in Europe. For instance, the sovereignty of the Transvaal/South African Republic (*Zuid-Afrikaansche Republiek*), a settler state in southern Africa, was restricted, without being wholly nullified, by the Pretoria and London Conventions, signed with Britain in 1881 and 1884 respectively.[39]

All these polities had features peculiar to them, and to the different contexts in which they existed. That said, we can broadly separate them into two groups: Martens's eighteenth-century demi-sovereigns, and the semi-sovereign polities of the nineteenth century proper. The basis for grouping them so is not the periods to which they belonged *per se*, however. Rather, these two sets comprised different sorts of rights-bearing entities. While Martens's demi-sovereigns were a diverse bunch of actors, the new semi-sovereigns of the nineteenth-century were overwhelmingly more centralized, far-reaching, and bounded. At the start of the nineteenth century, a clear (if not quite instantaneous) shift set in, towards a more managerial-statist mode of semi-sovereignty.

[38] For summaries of these events, see Norman Davies, *God's Playground: A History of Poland, Volume II: 1795 to the Present* (2nd edition, Oxford: Oxford University Press, 2005), chapters 13-6 and Wandycz, *Lands of Partitioned Poland*, part 2.
[39] The contents and contexts of these Conventions are discussed in section 3 of this chapter.

Demi-sovereignty, management, and suzerainty

Strictly speaking, this chapter is not about lawyers' concepts and arguments, but we can nevertheless use these as a point of departure, for thinking about salient aspects of the polities they were writing about. Returning to Martens's demi-sovereigns, the concept of the state comes in at two levels: some of these polities were classified as 'states', and they were understood in terms of their standing vis-à-vis larger 'composed states'.

As I explained in chapter one, the best way of capturing variations between semi-sovereignty is tacking between what Jackson describes as 'participant' and 'scholarly' approaches to specification. From the first of these perspectives, then, we need to take the description of these demi-sovereign and composed states, *as states*, seriously. At the same time, we ought also to put pressure on, and critically interrogate, this way of characterizing these entities. While there is a sense in which these polities could be described as states – because they were so described – they did not approximate well to what we have labelled *managerial* states, defined by their centralization, reach, and boundedness.

Consider, first, the German/Holy Roman Empire and its sub-units. As a whole, the Empire did not correspond closely at all to the image of a managerial state. It was not a centralized polity, comprising as it did a vast number of actors with overlapping prerogatives.[40] While its institutions were not ineffectual *per se*, and were even 'undergoing a renaissance during the last third of the eighteenth century', Imperial-level administrative bodies did not significantly or durably reach down into 'everyday politics'.[41] Moreover, the Emperor exercised authority over disparate subjects, and so the Empire was hard to depict as a neatly bounded entity.[42] It has

[40] Osiander, *Before the* State, p. 451. The relationships between these actors are mapped out nicely in Wilson, *Reich to Revolution*, p. 10.
[41] Peter H. Wilson, 'The Meaning of Empire in Central Europe around 1800', in Forrest and Wilson, *Bee and the Eagle*, p. 25; Christof Dipper, 'Government and Administration: Everyday Politics in the Holy Roman Empire', in John Brewer and Eckhart Hellmuth (eds.), *Rethinking Leviathan: The Eighteenth-Century State in Britain and Germany* (Oxford: Oxford University Press, 1999), pp. 203-23.
[42] Branch, *Cartographic State*, pp. 26-7.

therefore been argued that the Empire 'lacked the capacity to engage in meaningful state-formation of the kind associated with absolutism', and that it took the form of a 'compound republic', irreducible to a 'state' or 'states-system'.[43]

Unsurprisingly, there was much more variation at the sub-Imperial level. Certain Imperial subjects – the 'immediate' nobility, between the Emperor and whom no intermediate lords stood – 'coalesced into a distinct group of territorial lords', and state-development proceeded furthest in some of these lords' domains.[44] Yet there remained limits to even their centralization, reach, and boundedness. Indeed, even the domains of the most powerful Imperial nobles, like the Kings of Prussia, 'did not form a centralized, unified state until after the end of the *ancien régime*'. They 'consisted of no less than nine distinct non-contiguous dominions or clusters of dominions', and their 'central administration' was 'minute', at least relative to nineteenth-century ones.[45]

We can appeal to the social logics of management, and suzerainty, to explain why these entities looked this way. Note first that the Empire was a hierarchical structure under the emperor's overlordship, but not his direct control'.[46] It was not organized around top-down relations of administration, and certainly, 'No emperor tried to transform the Reich into a centralised national monarchy'.[47] Managerial ambitions *were* more pronounced in some of the Empire's sub-territories, but unevenly so.[48] Background norms and concepts associated with the 'German sciences of state', such as 'cameralism' and '*Polizeiwissenschaft*', advocated the promotion of popular 'happiness', mandated wide-ranging social 'interventions' on that basis, and called for the construction of more robust institutions to facilitate these. Typically, however,

[43] Michael Rowe, 'The Political Culture of the Holy Roman Empire on the Eve of its Destruction', in Forrest and Wilson, *Bee and the Eagle*, p. 43; Peter Haldén, *Stability Without Statehood*, chapter 3.
[44] Wilson, *Reich to Revolution*, p. 30.
[45] Osiander, *Before the State*, pp. 453-4, 458.
[46] Wilson, *Reich to Revolution*, p. 10.
[47] Ibid., p. 11.
[48] Ibid., chapter 6.

there remained a large gap between theory and practice, and these doctrines' visions were at best imperfectly realized.[49]

The Empire and its subordinate territories thus reflected the logic of management to a limited, if variable, extent. They did not manifest (or not manifest) that logic in isolation, however. Rather, the Empire and its parts represented a specific entanglement of management and suzerainty, such that prior relations of majesty and deference acted as a brake on the extension of control, by either the Emperor or the immediate nobility.

In this light, note first, that Martens attempted to separate his demi-sovereigns into 'states' and 'princes', and second, that he struggled to actually thereby separate them into coherent and mutually-exclusive groups – not least because the set of states contained princes, as well as dukes and nobles. Again, we are not directly concerned with Martens's arguments here, but the limitations of his states/princes distinction serve to alert us to the fact that these demi-sovereigns simultaneously had statist *and* princely (or otherwise class-based) aspects. If their statist elements, such as they were, reflected management, then their princely (etc.) ones manifested the logic of suzerainty – symbolic hierarchies of status and authority. These hierarchies are the subject of chapter four, but they are worth considering more briefly here, since they influenced the properties of – and influenced how management influenced the properties of – these eighteenth-century demi-sovereigns.

From this point of view, the Empire can be interpreted as a collection of princes (as well as a range of other lords and 'corporate groups'), 'ranked according to aristocratic status'.[50] Indeed, it has been argued that the Empire was 'primarily a symbolic community', and that 'the

[49] Covered well in David F. Lindenfeld, *The Practical Imagination: The German Sciences of State in the Nineteenth Century* (Chicago and London: University of Chicago Press, 1997), especially chapter 1; Raeff, *Well-Ordered Police State*, part 2; Diethelm Klippel, 'Reasonable Aims of Civil Society: Concerns of the State in German Political Theory in the Eighteenth and Early Nineteenth Centuries', in Brewer and Hellmuth, *Rethinking Leviathan*, pp. 71-98; Dipper, 'Government and Administration'.
[50] Haldén, *Stability Without Statehood*, p. 52. On 'corporate groups', see also Sheilagh Ogilvie, 'The State in Germany: A Non-Prussian View', in Brewer and Hellmuth, *Rethinking Leviathan*, pp. 167-202.

weakness of the [Imperial] crown far from rendered it unimportant in German politics. Its main function was to embody and bestow legitimacy'.[51]

In chapter one, I pointed out some formal parallels between management and suzerainty – as both encompassed hierarchies of rank and authority – and suggested that managerial and suzerain relations could either complement or undercut one another, depending on whether and how they synced up.[52] One's symbolic standing could thus serve as a fungible source of authority, enabling the construction of, and buttressing, relations of control. To some extent, this occurred within the Empire, as the special status of the immediate nobility allowed them to build up (at least relatively) robust administrations. Generally, however, lines of control had to be negotiated within, and did not sync up neatly with, broader patterns of majesty and deference: thus, even powerful sub-Imperial lords had to account for the status of the Emperor above, as well as lesser lords and other actors below, all of which statuses had rights and jurisdictions attached to them.[53] This relational structure acted as an impediment on the concentration of control under any of these actors.[54]

The Polish-Lithuanian Commonwealth admits of a similar interpretation.[55] As a whole, the Commonwealth was hugely 'decentralised', 'an enormous hybrid which had failed to develop the organization and machinery necessary to cope with its diversities and size'.[56] Lines of control

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[51] Matthew Levinger, *Enlightened Nationalism: The Transformation of Prussian Political Culture, 1806-1848* (Oxford: Oxford University Press, 2000), p. 24; Osiander, *Before the State*, p. 451.
[52] There are some parallels with Keene's assertion that early-modern 'precedence' rankings did not map to the distribution of capabilities or intervention rights, in Keene, 'International hierarchy and the origins of the modern practice of intervention', pp. 1083-5.
[53] Wilson, *Reich to Revolution*, p. 10. More precisely, this was actually a law-suzerainty configuration, as opposed to a manifestation of suzerainty *simpliciter*. This configuration is analysed in more detail in chapter 4.
[54] Again, this aligns well with Haldén's characterization of the Empire as 'republican', in *Stability Without Statehood*.
[55] On the similarities and differences between the Empire and Commonwealth, see Michael G. Müller, 'Republicanism versus Monarchy? Government by Estates in Poland-Lithuania and the Holy Roman Empire, Sixteenth to Eighteenth Centuries', in Manfred Hildermeier (ed.), *Historical Concepts between Eastern and Western Europe* (New York and Oxford: Berghahn Books, 2007), pp. 35-47 and R. J. W. Evans, 'The Polish-Lithuanian Monarchy in International Context', in Richard Butterwick (ed.), *The Polish-Lithuanian Monarchy in European Context, c. 1500-1795* (Houndmills: Palgrave, 2001), pp. 28-9.
[56] Luard, *Balance of Power*, p. 30; Jerzy Lukowski, *Liberty's Folly: The Polish-Lithuanian Commonwealth in the eighteenth century, 1679-1795* (London and New York: Routledge, 1991), p. 4.

from what centre there was were weak. To be clear, this was not necessarily perceived as a problem, and doctrines popular among the Commonwealth's nobles, the *szlachta*, amounted to arguments against increasing centralization and reach.[57] Not only did the polity's organization not manifest the logic of management to a significant degree; it also embodied elements of suzerainty that cut against the intensification of central control. Like the Emperor, the monarch could command 'intense formal respect'. Yet it was *szlachta* who were the preeminent social and political class, and as such the 'organs of state could be allowed to function only as a ritualized machinery for the manifestation of the *szlachta*'s position and privileges'.[58]

This configuration of logics helps us understand the forms, not just the Commonwealth as a whole, but of its subordinate demi-sovereigns, too. The Dukes of Courland were vassals of the Crown, and while some Dukes did attempt to expand the scope of the administrative apparatuses under them, these efforts were fitful and inchoate, and sometimes constrained by interference from the suzerain.[59] The towns of Royal Prussia were squarely situated within a province of the Commonwealth. They were not really administrative zones, and certainly not 'independent city-states'. Indeed, Martens picking them out as especially demi-sovereign may well have reflected a common, though mistaken, impetus to analogize them to Imperial 'free cities'.[60] Moreover, the cities were represented as 'burgher' communities, with a distinctive urban status that fit into the broader suzerain structure of the Commonwealth. The cities' advocates took pains to defend the 'liberty' and 'liberties' associated with this status, again acting as a countervailing force against intervention.[61]

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[57] Müller, 'Republicanism versus Monarchy?, pp. 37-41, and Benedict Wagner-Rundell, 'Liberty, Virtue and the Chosen People: British and Polish Republicanism in the Early Eighteenth Century', in Richard Unger, with Jakub Basista (ed.) *Britain and Poland-Lithuania: Contact and Comparison from the Middle Ages to 1795* (Leiden and Boston: Brill, 2008), pp. 197-214.
[58] Lukowski, *Liberty's Folly*, p. 86.
[59] Berkis, *History of the Duchy of Courland*, especially chapter 3.
[60] Friedrich, *Other Prussia*, pp. 63, 65-6, 78; Antoni Mączak, 'The structure of power in the Commonwealth of the sixteenth and seventeenth centuries', in J. K. Fedororwicz, with Maria Bogucka and Henryk Samsonowicz (eds.), *A Republic of Nobles: Studies in Polish History to 1864* (Cambridge: Cambridge University Press, 1982), p. 116.
[61] Friedrich, *Other Prussia*, chapter 5.

To draw these points together, Martens's demi-sovereigns were a diverse set of polities, and even those with more pronounced 'statist' aspects were not particularly centralized, far-reaching, or neatly bounded. To understand how and why this was so, we invoked the social logic of management, and its relationship with that of suzerainty. Control from what centres there were remained limited. In some cases, attempts were made to expand and intensify it (as in the domains of the more powerful German Imperial lords), but bids to this effect were often pursued half-heartedly, and in some cases strongly opposed. At any rate, prior modes of suzerainty mostly acted as a constraint on these attempts, where patterns of majesty and deference did not align neatly with the relationships of control would-be administrators sought to institute.

Nineteenth-century semi-sovereigns

Very early into the nineteenth century, striking changes had already occurred on these fronts, and the period from the French Revolution and Partitions of Poland, through the Napoleonic Wars and the Congress of Vienna, thus represents a critical historical juncture. For a start, old political structures were pulled apart, and new ones put in their place: most importantly, neither the Polish-Lithuanian Commonwealth nor the German Empire existed, after 1795 and 1806, respectively. This meant that relationships of suzerainty, which had hitherto restricted the expansion of control by, through, and in the state, would no longer have such a such an effect.

More positively, this period also saw the expansion and intensification of management itself. A major step-change occurred in Napoleonic France and the wider Napoleonic Empire, which developments to some extent built off ideas and practices associated with the French Revolution.[62] Institutional change in the Napoleonic period aimed at and 'involved a renegotiation of the relations between state and society', such that the former would be more

[62] The normative bases of the Revolution are discussed in Mlada Bukovansky, *Legitimacy and Power Politics: The American and French Revolutions in International Political Culture* (Princeton and Oxford: Princeton University Press, 2002), chapter 5.

'authoritative' over, and 'penetrative' into, the latter.[63] The construction of a more 'hierarchical and centralised' 'model of administration' was thereby envisaged, motivated, and legitimated.[64] These ideas and developments were not confined to France itself, but were widely exported, through a combination of imposition, adaptation, and emulation.[65] Likewise, the Partitions of Poland did not simply mean the deconstruction of the Commonwealth, as the partitioners (Austria, Russia, and Prussia) set up new institutions in the territories they acquired. These, too, manifested managerial ambitions. Thus, in the Habsburg zone, 'Galicia', the priority was 'the creation of a new administration, displacing the remnants of the former Polish government and establishing a province that could be aligned and integrated with the other Habsburg lands'.[66] Indeed, these Revolutionary-Napoleonic and Polish narratives intersected, not least when Napoleon extended his authority over the Prussian partition zone, after 1807, setting up a new Duchy of Warsaw modelled on France.[67]

These trends were consolidated at the end of the Napoleonic Wars. Politics around 1815 was dominated by 'an uneasy consensus between moderate liberals and reform conservatives'.[68] Among their shared assumptions were the legitimacy and desirability of interventions that would promote popular welfare, and of governance through a 'highly centralised state, run by a powerful, professional bureaucracy, through a standard system of justice, finance and administration'.[69] Indeed, 'reaction', which called for transitions in these directions to be rolled

[63] David Laven and Lucy Riall, 'Restoration Government and the Legacy of Napoleon', in David Laven and Lucy Riall (eds.), *Napoleon's Legacy: Problems of Government in Restoration Europe* (Oxford; New York: Berg, 2000), p. 4.
[64] Stuart Woolf, *Napoleon's Integration of Europe* (London and New York: Routledge, 1991), p. 100.
[65] Ibid. These principles were even applied outside Europe, as in French-occupied Egypt. See Darrell Dykstra, 'The French Occupation of Egypt, 1798-1801', in M. W. Daly (ed.), *The Cambridge History of Egypt, Volume 2: Modern Egypt from 1517 to the End of the Twentieth Century* (Cambridge: Cambridge University Press, 1998), pp. 113-38.
[66] Larry Wolff, *The Idea of Galicia: History and Fantasy in Habsburg Political Culture* (Stanford: Stanford University Press, 2010), p. 17.
[67] Davies, *God's Kingdom, Volume 2*, chapter 12; Wandycz, *Lands of Partitioned Poland*, chapter 3.
[68] Brian E. Vick, *The Congress of Vienna: Power and Politics after Napoleon* (Cambridge MA: Harvard University Press, 2014), p. 240.
[69] Ibid., pp. 233, 240; Michael Broers, *Europe after Napoleon: Revolution, reaction and romanticism, 1814-1848* (Manchester and New York: Manchester University Press, 1996), p. 27.

back, was only a fringe ideology at the time.[70] Thus, the Congress of Vienna did not herald a 'restoration', a backwards-looking period of 'negation', or a substantial rejection of the Napoleonic heritage.[71] Mainstream politics in this period *did* have a pronounced anti-revolutionary bias, but this actually dovetailed neatly with its managerial-statist aspects. Statespeople frequently projected ambitious aims onto revolutionary movements, imagining capital-R 'Revolution' as a fundamental threat to the new state/society relationship, and attempts to crack down on these movements often involved calls for the further expansion of state authority.[72]

The ascendance of management by, through, and in the state was accompanied and facilitated by a reconfiguration of this logic with suzerainty. The end of the Empire and Commonwealth did not mean the end of symbolic hierarchies of majesty and deference more generally; in fact, a renewed emphasis was given to these in and after 1815. What changed was the *form* they ought to take. Rather than the complex webs of statuses and chains of authority, suzerainty was to be concentrated in the persons of monarchs.[73] In turn, this brought the logic into much closer alignment with management. Monarchs stood, simultaneously, as bearers of supreme majesty and the heads of burgeoning administrations, their positions as suzerains and managers complementing and reinforcing one another.

This reconfiguration had clear implications for the forms taken by polities, across and to an extent even outside Europe.[74] They became more centralized and further-reaching, their institutions reflecting managerial purposes. Furthermore, they became more clearly delineated

[70] Ibid., chapter 4.
[71] Osiander, *Before the State*, p. 484; Branch, *Cartographic State*, p. 32; Levinger, *Enlightened Nationalism*, p. 152; *contra* Reus-Smit, *Moral Purpose of the State*, pp. 134-40.
[72] Pamela M. Pilbeam, 'Revolutionary movements in western Europe, 1814-30', in Pamela M. Pilbeam (ed.), *Themes in Modern European History, 1780-1830* (London and New York: Routledge, 1995), p. 126; Fred Halliday, *Revolution and World Politics: The Rise and Fall of the Sixth Great Power* (Houndmills: Macmillan, 1999), pp. 32-5, 195-6, 212-3; Carsten Holbraad, *The Concert of Europe: A Study in German and British International Theory, 1815-1914* (London: Longman, 1970), especially pp. 15-44; Buzan and Lawson, *Global Transformation*, pp. 139-40.
[73] Andreas Osiander, *The States System of Europe, 1640-1990: Peacemaking and the Conditions of International Stability* (Oxford: Clarendon Press, 1994), pp. 207-21.
[74] Again, Egypt is a good, non-European example.

spatially: the Final Act of the Congress of Vienna was the first major peace treaty in which polities were defined as having hard, linear boundaries.[75] This was a general shift, one that affected more polities than the new semi-sovereign ones constituted at the time. But it did affect them, producing a set of entities that approximated far more closely to the image of managerial states, despite not possessing what lawyers considered the complete set of sovereign rights.

Consider the members of the new German Confederation, which included the great powers, Austria and Prussia, a number of 'middle powers', and several more, smaller polities.[76] These entities could still be interpreted in terms of the states/princes duality, although these aspects ceased to be in *tension*, like they were within the Empire. Thus, the Vienna Act described the components of the Confederation as both 'Sovereign Princes and Free Towns' *and* 'Confederated States', for example, and even though I am more inclined to emphasize their differences, the organization of Confederation did exhibit some 'republican continuities' with the German/Holy Roman Empire.[77] Moreover, in line with their wide disparities in size and power, it should be no surprise that some members of the Confederation (like the towns) hewed less closely to the image of managerial states than others.

In line with the relational underpinnings of this thesis, however, there is no reason to expect changes in the complexion of polities to be binary or instantaneous, and we can accept all these points while still making the argument that, on the whole, the organization of the Confederation's members reflected the ascendancy of management by, through, and in the state. Indeed, if they displayed 'continuities', these were principally with the parts of the Napoleonic Confederation of the Rhine, rather than old Empire.[78] Unlike its post-1815 counterpart, this

[75] Branch, *Cartographic State*, pp. 135-8.
[76] On the middle powers, see Carsten Holbraad, *Middle Powers in International Politics* (London: Macmillan, 1984), pp. 27-33; Haldén, 'Republican continuities in the Vienna Order', pp. 287-8.
[77] Ibid., p. 289; Hertslet, *Map of Europe by Treaty*, v. 1, p. 243.
[78] Lister, *Later Security Confederations*, p. 126; William O. Shanahan, 'A Neglected Source of German Nationalism: The Confederation of the Rhine, 1806-1813', in Michael Palumbo and William O. Shanahan (eds.), *Nationalism: Essays in Honor of Louis L. Snyder* (Westport: Greenwood Press, 1981), pp. 121-2; Michael John, 'The Napoleonic Legacy and Problems of Restoration in Central Europe: The German Confederation', in Laven and Riall, *Napoleon's Legacy*, pp. 83-96; cf. Haldén, 'Republican continuities in the Vienna Order'.

Napoleonic-era union did not have much in the way of Confederal-level institutions. Its creation, however, signalled changes in the makeup of its members, which were reorganized and simplified territorially, and empowered to govern their subjects more effectively, in the hope this would render them more reliable allies for France.[79]

Some territorial adjustments notwithstanding, 'most of Napoleon's territorial reforms were retained after his departure', and the members of the post-Vienna Confederation continued to constitute relatively bounded domains.[80] Their centralization and reach continued to increase, too, and by 1866, the nine largest German states (outside of the great powers), mostly had 'working constitutions, parliaments, and increasingly concentrated and specialized modern bureaucratic administrative structures'.[81] These polities did not only embody management by, through, and in the state; they also clearly reflected its more complementary relationship with suzerainty. Germany was organized around the 'monarchical principle', and within the units of the Confederation, monarchs blended the performance of their own royal majesty with the inculcation of statist loyalties and identities.[82]

The new Polish semi-sovereigns, that came into being at the same time, can be interpreted similarly. Of the two, Cracow is admittedly the harder case, and it would be a stretch to portray the small republic's very 'liberal' institutions as an invasive, socially-penetrative administrative apparatus.[83] Yet even it was, at the very least, bounded, with defined borders that

[79] Studies of Confederation of the Rhine and its members include Shanahan, 'Neglected Source of German Nationalism'; John, 'Napoleonic Legacy and the Problems of Restoration'; Hans A. Schmitt, 'Germany without Prussia: A Closer Look at the Confederation of the Rhine', *German Studies Review* 6:1 (1983), pp. 9-39; Frederick C. Schneid, 'Kings, Clients and Satellites in the Napoleonic Imperium', *Journal of Strategic Studies* 31:4 (2008), pp. 584-90; Andreas Fahrmeir, 'Centralisation versus Particularism in the 'Third Germany', in Michael Rowe (ed.), *Collaboration and Resistance in Napoleonic Europe: State-formation in an Age of Upheaval, c. 1800-1815* (Houndmills: Palgrave Macmillan, 2003), pp. 107-20; John Breuilly, 'Napoleonic Germany and State-formation', in ibid., pp. 121-52; Lister, *Later Security Confederations*, pp. 124-5.
[80] Ibid., p. 126.
[81] Daniel Ziblatt, *Structuring the State: The Formation of Italy and Germany and the Puzzle of Federalism* (Princeton and Oxford: Princeton University Press, 2006), p. 117. See also Abigail Green, *Fatherlands: State-Building and Nationhood in Nineteenth-Century Germany* (Cambridge: Cambridge University Press, 2001), chapter 1.
[82] Haldén, 'Republican continuities in the Vienna Order', pp. 293-4; Green, *Fatherlands*, chapters 2, 3, 7.
[83] Davies, *God's Kingdom, Volume 2*, p. 246.

encompassed territory outside the city proper.[84] The Vienna Final Act described it as 'Independent', which given its status as a neutralized protectorate, clearly did not imply full-sovereignty: instead, it seems to have denoted that Cracow would be a free-standing, discrete polity.[85] In this regard, it represented a different model of urban politics than did the cities of Royal Prussia, which were not distinct entities, but embedded within the Commonwealth. While the Kingdom was ruled by the Russian Tsar, it was also a discrete, bounded domain, and its citizens were citizens of the Kingdom, not Russia.[86] Moreover, Tsar Alexander I subscribed to the liberal-conservatism of the age, in all its tensions, blending tight hierarchies of control with at least a purported attentiveness to the interests of his Polish subjects.[87] The Kingdom had centralized and far-reaching institutions, which built very directly on those of its immediate precursor, the Napoleonic-era Duchy of Warsaw.[88] It was given a constitution, to enable Alexander to 'act more effectively in promoting what he considered the welfare of his subjects on the basis of a rationalized administrative structure and a detailed description of the functions and activities of the principal branches of government'.[89]

I have focused on the German and Polish examples, because they allow for clear, before-and-after comparisons with their counterparts in Martens's list of demi-sovereigns, but my argument applies more broadly. The Ionian Islands, for example, had several rulers before coming under British protection, including a series of medieval suzerains, the Venetian Republic, France, the Ottoman Empire, and Russia.[90] Over time, and particularly with the institutions introduced by the Ottomans Empire and Russia, on which the British directly built, there was 'a clear tendency away from the principle of loose federation, and toward the creation of a unitary

[84] Wandycz, *Lands of Partitioned Poland*, p. 72.
[85] Hertslet, *Map of Europe by Treaty*, v.1, p. 218.
[86] Wandycz, *Lands of Partitioned Poland*, p. 74.
[87] Vick, *Congress of Vienna*, p. 284.
[88] Andrezj Nieuwazny, 'The Polish Kingdom (1815-30): Continuity or Change?', in Laven and Riall, *Napoleon's Legacy*, pp. 115-28.
[89] Edward C. Thaden, with Marianna Forster Thaden, *Russia's Western Borderlands, 1710-1870* (Princeton: Princeton University Press, 1984), p. 71.
[90] For a good overview of this early history, see W. D. Wrigley, *The Diplomatic Significance of Ionian Neutrality, 1821-31* (New York: Peter Lang, 1988), pp. 4-64.

state with a strong government'.[91] While the late-eighteenth to the early-nineteenth century was the clearest and most important turning point in the rise of management by, through, and in the state, these developments continued throughout the century, outside as well as within Europe, and hence influenced the forms of several more semi-sovereigns, some of which we'll examine later in this chapter and thesis.[92]

In conclusion, one of the ways semi-sovereign polities varied was in terms of the basic entities which bore sovereign rights, which are illustrated clearly by the differences between Martens's cases, and the semi-sovereigns which came into being in the nineteenth century proper. That shift could be interpreted as from less to more centralized, far-reaching, and bounded polities, and explained with reference to the intensification and expansion of the logic of management, and the changing way it was configured with the logic of suzerainty. This yielded a set of semi-sovereigns that we could describe as managerial states. How, though, are we to explain the semi-sovereignty of these polities – the fact that, whatever their institutional forms, they lacked the full set of sovereign rights? In part, we can appeal to the logic of management in response to this question, as well. To do so, we must recognize that management by, through, and in the state was not the only shape into which relations of control, processes and practices of intervention and regulation, and their supporting norms and concepts could resolve.

Boundaries, interventions, and internal sovereignty

One managerial process/practice manifested in varieties of semi-sovereignty was intervention, not directed by states-as-actors towards subjects within those states, as domains, but across boundaries – either borders, or levels. Dickinson argues that intervention is 'the corollary of

[91] George Yannoulopoulos, 'State and Society in the Ionian Islands', in Richard Clegg (ed.), *Balkan Society in the Age of Greek Independence* (London: Macmillan, 1981), pp. 54-5.
[92] Mann, *Sources of Social Power, Volume 2*, chapters 11-4; Charles S. Maier, 'Consigning the Twentieth Century to History: Alternative Narratives for the Modern Era', *American Historical Review* 105:3 (2000), pp. 807-31.

many of the limitations' on the 'equality of states', and in this section, I'll explore exactly how and it what ways cross-boundary intervention and different modes of semi-sovereignty were related.[93] Specifically, the crystallization of states as domains rendered them spaces into which intervening actors could enter. Cross-boundary intervention, when converted into and/or proceeding from distributions of rights, entailed limitations on target polities' *internal* sovereignty.

Let's begin by noting that, while the nineteenth century witnessed the ascendency of management by, through, and in the state, managerial relations were not completely enclosed within their new, statist 'cages'. Since the boundaries of the state-as-domain were produced relationally, they required work to sustain, were susceptible to change, and did not necessarily form impenetrable 'hard shells'.[94] As Devetak puts it, 'boundaries and totalities are neither complete nor fixed'; 'there is statecraft, but there is no completed state'.[95]

Two kinds of boundaries are relevant to us here. The first are *borders*: the lines that separated nineteenth-century states from one another as managerial domains.[96] The other are *levels*, distinguishing tiers of collective organization, whereby lower-order actors/spaces are 'nested' within higher-order ones.[97] To make this less abstract, consider a union like the German Confederation. Borders separated the individual member-states; levels divided those states from the Confederation, considered as a collective actor. The Confederation, as a whole, also had territorial borders, which did not map perfectly to the area covered by the individual states,

[93] Edwin DeWitt Dickinson, *The Equality of States in International Law* (Cambridge, MA: Harvard University Press, 1920), p. 262.
[94] John H. Herz, *The Nation-State and the Crisis of World Politics* (New York: David McKay Company, Inc., 1976), especially chapter 3.
[95] Devetak, 'Incomplete states', pp. 32-3.
[96] See especially Kratochwil, 'Of Systems, Boundaries, and Territoriality', and Giddens, *Nation-State and Violence*, pp. 49-50.
[97] Yale H. Ferguson and Richard W. Mansbach, 'Polities Past and Present', *Millennium: Journal of International Studies* 37:2 (2008), p. 375.

aggregated together: some Prussian territory, for example, was not included in Confederal space.[98]

It is no accident that international intervention emerged as a concept and practice at the same time as management resolved into its nineteenth-century, statist form.[99] The consolidation of managerial states as actors, created new potential 'interveners', but more importantly, it also created domains, delimited by these two types of boundary – spaces to intervene *in*. Thus, while we agree on the general periodization, Keene and I emphasize different factors in the emergence of this mode of international intervention. Keene draws attention to the concurrent development of the 'great powers' as a category of international actor, which powers could then conduct interventions.[100] I do not dispute that great power status developed around the same time, materializing over the late-eighteenth century, and being consolidated in the early-nineteenth, with the Congress of Vienna.[101] Nor do I disagree that the powers were well placed to conduct cross-boundary interventions, because of their military resources, but also their special status, and the various factors which allowed them to bear that status.[102] That said, while the powers were among the paramount interveners in international society, intervention across boundaries

[98] See the map in Brian E. Vick, *Defining Germany: The 1848 Frankfurt Parliamentarians and National* Identity (Cambridge MA and London: Harvard University Press, 2002), p. xii.
[99] Lawson and Tardelli, 'past, present and future of intervention'; Finnemore, *Purpose of Intervention*, p. 10; Keene, 'International hierarchy and the origins of the modern practice of intervention'.
[100] Ibid.
[101] The literature on the great powers and their history is enormous, but see Kratochwil, 'Of Systems, Boundaries, and Territoriality', pp. 43-4; Robert A. Klein, *Sovereign equality among states: the history of an idea* (Toronto and Buffalo: University of Toronto Press, 1974), chapter 2; Gerry Simpson, *Great Powers and Outlaw States: Unequal Sovereigns in the International Legal Order* (Cambridge: Cambridge University Press, 2004), chapter 4; Nick Bisley, *Great Powers in the Changing International Order* (Boulder and London: Lynne Rienner, 2012), chapter 2.
[102] An essentially 'English School' approach to the great powers. The classic account is Hedley Bull, *The Anarchical Society: A Study of Order in World Politics* (New York: Columbia University Press, 2002 [1977]), chapter 9. Non-military factors influencing great power status included 'governance', 'civilization', and 'prestige'. On governance, see Iver B. Neumann, 'Russia as a great power, 1815-2007', *Journal of International Relations and Development* 11:2 (2008), pp. 128-51. For suggestive insights on civilization and power, see Bruce Buchan, 'Civilisation, Sovereignty and War: The Scottish Enlightenment and International Relations', *International Relations* 20:2 (2006), pp. 175-9. On prestige, see Neumann, 'Russia as a great power', p. 130 and Georgios Varouxakis, ''Great' versus 'small' nations: size and national greatness in Victorian political thought', in Duncan Bell (ed.), *Victorian Visions of Global Order: Empire and International Relations in Nineteenth-Century Political Thought* (Cambridge: Cambridge University Press, 2007), pp. 136-58.

was not their exclusive prerogative. Below, we'll see entities that were not great powers (like the German Confederation, taken as a whole), or which were, but intervened in their other capacities (like Britain, *qua* imperial power), carrying out interventions across boundaries.

Not only did cross-boundary intervention, as it developed in the nineteenth century, rely on the parallel development of management by, through, and in the state: they were often motivated by shared purposes. For example, in the early-to-mid century, Austria's (interventionist) Metternich conceived of Europe as 'interdependent politically, and composed of the same class elements', thinking more in terms of a 'precarious balance of [social] forces' than a 'solid balance of [inter-state] power'.[103] Within their specific domains, states might fail to maintain and contain that balance of forces; international intervention was thus called for 'as a regulating force between increasingly invasive transnational social forces and increasingly rigid political boundaries'.[104]

Confederal union and empire: varieties of intervention

Different kinds of boundary structured and were structured by different patterns of intervention. In this sub-section, I'll illustrate this point by comparing interventions within a confederal union (the German Confederation) and intra-imperial interventions (in the Ionian Islands, and the colonial protectorates set up later in the nineteenth century).

We have already examined the German Confederation from the perspective of its members' institutions; let's turn now to its confederal-level structures. At one level, Confederal institutions organized relations between its members: for example, mediating the settlement of disputes between them.[105] Relations also obtained, however, between the parts and the whole; between members of the union, and the 'German Confederation' as an actor itself. The

[103] Alan Sked, 'The Metternich System, 1815-48', in Alan Sked (ed.), *Europe's Balance of Power, 1815-1848* (London and Basingstoke: Macmillan, 1979), p. 114; Holbraad, *Concert of Europe*, p. 30.
[104] Lawson and Tardelli, 'past, present and future of intervention', p. 1237.
[105] The mechanisms for which are outlined in Lister, *Later Security Confederations*, pp. 142-3.

Confederation's actorhood arose in the same way as states' – the ascription of agency to it in a 'socially sustainable manner'.[106] This agency was partially conceptualized vis-à-vis non-German polities, with which the Confederation was capable of interacting diplomatically and militarily: it had 'international personhood', of the sort discussed in chapter two.[107]

But it could also act vis-à-vis its component states: Confederal interventions could penetrate across boundaries (in this case, levels), into its components polities, considered as domains. Thus, it was formally empowered to 'take measures to preserve or to restore peace, security, and order within a member state, whether such measures were requested by the government of the member state in question or not', alongside making and enforcing Confederal-level legislation.[108]

Importantly, the actorhood of the Confederation did not reduce to that of its great-power members, or its interventions to great-power intervention. Since decision-making between the parts of the union could authorize or block intervention by the whole, influential members were able to shape its activity, and Austria in particular sought to push the Confederation in a more interventionist direction.[109] Yet the acting entity was not Austria and/or Prussia, but the union-as-actor. And neither great power could totally command Confederal behaviour: not only did they variably compete and cooperate with each other, they also needed (and did not always receive) the backing of the other members, who could technically outvote them in the Confederal Diet.[110]

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[106] Jackson, 'Civilizations as Actors', p. 33.
[107] Haldén, 'Republican continuities in the Vienna Order', pp. 291-2; Lister, *Later Security Confederations*, pp. 163-4; Forsyth, *Unions of States*, p. 50.
[108] Ibid., pp. 50-1. More details on these abilities of the Confederation are provided in Lister, *Later Security Confederations*, chapter 4 and Haldén, 'Republican continuities in the Vienna Order'.
[109] Robert D. Billinger, Jr., *Metternich and the German Question: States' Rights and Federal Duties, 1820-1834* (Newark: University of Delaware Press; London and Toronto: Associated University Presses, 1991).
[110] Again, see ibid. for a good account of these dynamics. On the purpose of voting rules – to limit the influence of the great powers – see Forsyth, *Unions of States*, pp. 47-8. Thus it was not the case that 'Austrian domination over vital aspects of the domestic politics of the German states was mostly uncontested', *contra* the argument in Peter J. Katzenstein, *Disjointed Partners: Austria and Germany since 1815* (Berkeley: University of California Press, 1976), pp. 41-2.

Cross-boundary intervention also obtained between Britain and the 'protected' Ionian Islands, which relationship had both structural parallels and differences compared with the German case. This can more straightforwardly be thought of as intervention across borders, separating the British state and the Islands. One could also, simultaneously, envisage the relationship as one between a part and whole – intervention across levels – since the Islands were embedded within the broader institutional environment of the British Empire, constituting a sub-polity into which Imperial Britain penetrated. Thus the Islands were governed out of the Colonial Office, and their administration headed up by a 'High Commissioner', a class of official found throughout the Empire.[111] These were cross-boundary institutions, connecting Britain and its protectorate; the Empire and one of its component parts. While Britain was a great power, it was more in its capacity as an imperial power that it thus managed the protectorate.

Relations of control between Britain and the Islands' population were tighter than those between the German Confederation and the subjects of its constituent states. In the former case, government was almost entirely directed by British officials; indeed, the first High Commissioner, Sir Thomas Maitland, argued that administrative institutions were set up so as 'to give us pretty nearly all the real power'.[112] Social interventions were regular and their scope broad; Maitland claimed 'The only chance of increased prosperity, wealth, or industry, will rest solely and alone on the interference, constant, steady and temperate of the Protecting Power'.[113] Subsequent High Commissioners had slightly different approaches to government, but at least for the first three decades of the protectorate (which endured until 1864), there were also many

[111] On High Commissioners, see John Benyon, 'Overlords of Empire? British 'Proconsular Imperialism' in Comparative Perspective', *Journal of Imperial and Commonwealth History* 19:2 (1991), pp. 164-202. On the 'imperial circuits' along which administrators travelled, see Sakis Gekas, 'Colonial migrants and the making of a British Mediterranean', *European Review of History* 19:1 (2012), p. 78.
[112] Maitland to Banbury, 3 May 1816, quoted in Thomas W. Gallant, *Experiencing Dominion: Culture, Identity, and Power in the British Mediterranean* (Notre Dame, Indiana: University of Notre Dame Press, 2002), p. 8.
[113] Maitland to the Primary Council, 3 Feb 1817, quoted in Tumelty, 'Ionian Islands Under British Administration', p. 33.

continuities in their approaches.[114] It is fair to say that, in Germany, member-states retained more control over the lives of their subjects, and to an extent, this reflects a different relationship between parts and wholes across the two cases. Whereas the goals of 'whole' in the German case reflected the outcome of deliberations between the parts, which even powerful members were not guaranteed to dominate, there was (deliberately) less opportunity for input from the Islands to affect British Imperial administrators' behaviour. In chapter five, we'll see that cultural preconceptions help explain why the Islands were governed in such a penetrative fashion.

Relatedly, consider again the 'colonial protectorates' established across sub-Saharan Africa in the late-nineteenth century. These were envisaged as low-cost, low-effort solutions to extending imperial authority over African space, and colonial protection was not, at first, thought to entail tight control over internal affairs, or institutions akin to those of colonies proper.[115] Often, however – and often fairly quickly – relations of control were tightened, and more and more penetrative interventions launched by imperial powers.[116] This led a prominent British Imperial administrator to argue that, in these polities, 'Powers of administration coequal with

[114] Hence it is reasonable to treat 1815-48 as one basically continuous phase, as in Gerassimos Pagratis, 'The Ionian Islands under British "Protection" (1815-1864)', in Carmel Vassallo and Michela D'Angelo (eds.), *Anglo-Saxons in the Mediterranean: Commerce, Politics and Ideas (XVII-XX Centuries)* (Msida: Malta University Press, 2007), pp. 134-41. For a good analysis of the *differences* between Commissioners' approaches, see Paschalidi, 'Constructing Ionian Identities'.

[115] Peter Burroughs, 'Imperial Institutions and the Government of Empire', in Andrew Porter (ed.), *The Oxford History of the British Empire: Volume 3: The Nineteenth Century* (Oxford: Oxford University Press, 1999), pp. 190-1. This motive is stressed – indeed, generalized to imperial institutions across Africa more generally – in Jeffrey Herbst, *States and Power in Africa: Comparative Lessons in Authority and Control* (Princeton: Princeton University Press, 2000), chapter 3.

[116] Burroughs, 'Imperial Institutions and the Government of Empire', p. 190. On these dynamics in (what became) Southern Nigeria, see J. C. Anene, *Southern Nigeria in Transition 1885-1906: Theory and Practice in a Colonial Protectorate* (Cambridge: Cambridge University Press, 1966), especially chapters 5-7. Similar trends can be observed in the German protectorate in South West Africa: see Siba N'Zatioula Grovogui, *Sovereigns, Quasi Sovereigns, and Africans: Race and Self-Determination in International Law* (Minneapolis: University of Minnesota Press, 1996), chapter 3. This development could imply limitations to African polities' internal sovereignty: see Jörg Fisch, 'Africa as *terra nullius*: The Berlin Conference and International Law' in Stig Förster, Wolfgang J. Mommsen, and Ronald Robinson (eds.), *Bismarck, Europe, and Africa: The Berlin Africa Conference 1884-1885 and the Onset of Partition* (Oxford: Oxford University Press, 1988), pp. 364-5.

those of a colony have been assumed', and the protectorate/colony distinction 'has become attenuated almost to invisibility'.[117]

Cross-boundary management and management by, through, and in the state

At the start of this section, I noted that the crystallization of states as managerial domains allowed for a new mode of cross-boundary intervention, whereby outside actors penetrate into those domains. Management by, through, and in the state, and cross-boundary intervention, are related beyond an aspect of the latter being a precondition for the former. For one, they were often motivated by the same purposes: so, interventions in the German Confederation were directed against revolutionary movements within member polities.[118] These two varieties of management could thus be complementary – interventions into a state might buttress that state's control over its subjects. This point relies on the distinction between states-as-actors and states-as-domains: an intervention might offer support to a state-as-actor, even as it cuts into it as a domain.

Hence, in Germany, advocates of more Confederal intervention often appealed to this sort of argument, adding to it that the claim that interventions could preserve the managerial-suzerain configuration that placed strong monarchs at the head of robust states. When push came to shove, other members of the union often accepted this argument – but not always, or without reluctance. This is important, alerting us to the fact that cross-boundary management was not objectively good for states or their subjects, and definitely not always perceived as such. Many German states and their rulers were suspicious of an activist Confederation, seeking to block its interventions or water down its intervention-capacity wherever possible. Their 'particularist' leanings often inclined them towards vigilant defences of their own constitutions and the administrative structures they enshrined, these being held to as barriers against Confederal

[117] F. D. Lugard, *The Dual Mandate in British Tropical Africa* (Edinburgh and London: William Blackwood and Sons, 1922), pp. 35, 37.
[118] Forsyth, *Unions of States*, p. 42; Billinger, *Metternich and the German Question*, pp. 21-3, 49, 83, 88-9; Haldén, 'Republican continuities in the Vienna Order', p. 294

meddling. Thus, from its early years onwards, a constant tension between 'states' rights' and 'federal duties' ran through German politics.[119] The relationship between management by, through, and in the state, and across boundaries, was therefore ambivalent, neither wholly antithetical nor wholly complementary.[120]

Imperial cases also exhibited these dynamics, and the construction of states and empires often went hand-in-hand.[121] We've already seen that the Ionian Islands moved towards 'a unitary state with a strong government', and the rationale for this is 'not difficult to find. Colonial government had to be centralised for mainly administrative purposes'.[122] We can say something similar regarding colonial protectorates, although it's important to be cautious with our terminology. Observers from the period often claimed that the African polities over which protectorates were constructed were not states; their judgements both reflected culturally- and racially-charged assumptions (see chapter five), and were taken to have normative and legal consequences, meaning these polities were denied the status of 'true' semi-sovereigns (see chapter two). However, one need not endorse these assumptions, or accept their supposed implications, to recognize the construction of new administrative structures and domains in the areas across which colonial protectorates were extended. Separate African polities were knitted together into broader territorial units, in turn defined by linear boundaries, reflecting the managerial conception of political space.[123] New administrative institutions were also layered

[119] The best account of this ebb and flow, on which this paragraph is based, is Billinger, *Metternich and the German Question*.
[120] And since that cross-boundary management could be legalized into semi-sovereignty, it follows that limits to states' rights *could* (though did not necessarily) support their control over subjects. This chimes with ideas in Stephen D. Krasner, 'Sharing Sovereignty: New Institutions for Collapsed and Failed States', *International Security* 29:2 (2004), pp. 85-120 and Robert O. Keohane, 'Political authority after intervention: gradations in sovereignty', in J. L. Holzgrefe and Robert O. Keohane, (eds.) *Humanitarian Intervention: Ethical, Legal, and Political Dilemmas* (Cambridge: Cambridge University Press, 2003), pp. 275-98.
[121] Buzan and Lawson, *Global Transformation*, pp. 130-8.
[122] Yannoulopoulos, 'State and Society in the Ionian Islands', pp. 54-5.
[123] For example, the British Oil Rivers Protectorate/Niger Coast Protectorate/Protectorate of Southern Nigeria was exercised over the domains of several 'indigenous rulers', and territorially reorganized on multiple occasions. Anene, *Southern Nigeria in Transition*, pp. 72, 205, 214. On the broader restructuring of sub-Saharan Africa according to principles of territoriality, ascendant in Europe, see Branch, *Cartographic State*, pp. 116-8.

atop these, centres from which interventions were launched.[124] Even as mechanisms of 'decentralisation' were used to expedite governance – the construction of 'Native Councils', for example – these tied subjects to new, imperial centres; indeed, they are best understood as tools for increasing the reach of those centres.[125]

Interventions, law, and sovereignty

If intervention is not a status but a process, and a component of the logic of management at that, it follows that the semi-sovereignty of intervened-in polities is not automatically entailed. For cross-boundary management to produce semi-sovereignty, it must be legalized: (re)described in terms of allocations of rights.

One pathway through which legalization occurred was the interpretation of managerial relationships through a juridical lens. Legal theory and legal theorists, of the kind discussed in chapter two, did work of this sort, discussing (changing) patterns on intervention in terms of (changing) distributions of rights. So interpreted, cross-boundary management entailed impaired *internal* sovereignty.[126] Since states are both actors and domains, sustained interventions by external actors into a state-as-domain can imply a loss of, or the sharing of, that state's rights (as actor) within that domain.

It's crucial to reemphasize that legal theorists did not always agree that intervened-in polities were semi-sovereign, and that individual lawyers even equivocated on this point. Thus Wheaton, discussing the German Confederation, claimed that

[124] Thus, in South West Africa, German administrators developed 'a highly centralized and authoritarian colonial state'. Grovogui, *Sovereigns, Quasi Sovereigns, and Africans*, p. 101.
[125] Luard, *Dual Mandate*, chapter 4; Anene, *Southern Nigeria in Transition*, pp. 252-64.
[126] At least when defined as internally-oriented (versus externally-oriented) rights. See chapter 2 on this.

> Notwithstanding the great mass of powers thus given to the Diet, and the numerous restraints imposed upon the exercise of internal sovereignty, by the individual States of which the Union is composed, it does not appear that the Germanic confederation can be distinguished, in this respect, from an ordinary equal alliance between independent Sovereigns, except by its permanence, and by the greater number and complication of the objects it is intended to embrace.[127]

He therefore insisted on the essential sovereignty of the confederated states, while also acknowledging real constraints on their internal sovereignty. While it does not square the circle wholly satisfactorily, one way to approach judgments of this sort is to recall that lawyers (and Wheaton in particular) tended to stress the centrality of impaired *external* sovereignty as constitutive of semi-sovereignty, even as they frequently acknowledged that such polities' internal sovereignty may also be impaired, or distributed across multiple rights-holders. At any rate, the fact that lawyers did not automatically judge that cross-boundary intervention implied semi-sovereignty highlights the independent work being done by the logics of law and management, although in interaction.

Legal instruments like treaties and constitutions provided another pathway for legalization. Since legal theorists drew on these for their sources and offered their own interpretations of them, the two pathways did meet, but they also functioned to some extent separately. Treaties could empower actors to engage in managerial activity, and while constitutions were typically more relevant to management by, through, and in the state, they could also lock-in rights to intervene across boundaries.[128] For example, although the rights granted to a protecting power were not uncontroversial (see below), in the Ionian case Britain was technically able to 'govern the protectorate like a colony', because of how treaties defined the two polities' respective positions – and because of how the underdefinition of these positions,

[127] Henry Wheaton, *Elements of International Law* (3rd edition, Philadelphia: Lea and Blanchard, 1846), p. 84.
[128] In different ways, the constitutional documents drawn up for the German Confederation and Kingdom of Poland did this.

through ‘vague and obscure’ terms, allowed the protecting state room for manoeuvre.[129] Indeed, legal devices could interact: thus, from its position as specified by treaty, Britain designed a new constitution for the Islands, issued in 1817, making more concrete its powers of intervention and cementing its managerial authority, in a way that the less detailed treaty, alone, did not quite do.[130] Legal instruments – treaties, as well as devices like the British ‘Foreign Jurisdiction Act’ – were also used in the construction of colonial protectorates and their extension over African polities.[131] Importantly, law and management empowered one another dynamically: thus, as British authority over its Oil Rivers Protectorate and the polities contained therein expanded, its legal basis was shored up as administrators set out to ‘amend and extend’ the relevant treaties.[132]

However, law did not simply follow from and/or facilitate management; it could also constrain it, providing a resource for those who sought to undermine relationships of control. In the Ionian case, the protectorate was made more ‘vulnerable’ because it ‘derived its legitimacy through a European arrangement’.[133] Although around the Congress of Vienna, the specific meaning of ‘protection’ was vague, it was generally understood not to imply the transfer of ‘full sovereignty’, or colonial-style government.[134] Advocates of Ionian independence, who had nevertheless been persuaded to accept a British protectorate, did so on the basis of this belief. As it became clear what British rule would actually look like, they thus quickly asserted that Britain

[129] David Hannell, ‘The Ionian Islands under the British Protectorate: Social and Economic Problems’, *Journal of Modern Greek Studies* 7:1 (1989), p. 108. On underdefinition and vagueness, see Tumelty, ‘Ionian Islands Under British Administration’, p. 23; Paschalidi, ‘Constructing Ionian Identities’, p. 83.
[130] On the process of constitutional design, see ibid., pp. 89-107, and Tumelty, ‘Ionian Islands Under British Administration’, chapter 2.
[131] On treaties, see C. H. Alexandrowicz, *The European-African Confrontation: A Study in Treaty-Making* (Leiden: A. W. Sijthoff, 1973), chapter 5. On the Foreign Jurisdiction Act, see W. Ross Johnston, *Sovereignty and Protection: A Study of British Jurisdictional Imperialism in the Late Nineteenth Century* (Durham, NC: Duke University Press, 1973) and C. Newbury, ‘‘Treaty, Grant, Usage and Sufferance’: The Origins of British Colonial Protectorates’, in G. A. Wood and P. S. O’ Connor (eds.), *W. P. Morrell: A Tribute* (University of Otago Press, 1973), pp. 69-84.
[132] Anene, *Southern Nigeria in Transition*, p. 139.
[133] Robert Holland, *Blue-Water Empire: The British in the Mediterranean since 1800* (London: Allen Lane, 2012), p. 30.
[134] Robert Holland, ‘Patterns of Anglo-Hellenism: A ‘Colonial’ Connection?’, *Journal of Imperial and Commonwealth History* 36:3 (2008), p. 385; Tumelty, ‘Ionian Islands Under British Administration’, pp. 17-20.

had failed to uphold their treaty commitments.[135] Two forms of resistance to the Ionian administration developed, with slightly different relationships to law.[136] One called for reforms to the constitution, disputing more the form than the presence of British authority.[137] Another asserted that the protectorate had no valid legal basis, because 'the 1815 Treaty establishing the Protectorate had been concluded without the participation or consent of the Ionian people'.[138] Over time, the latter started to eclipse the former, such that even a major constitutional reform effort led by William Gladstone, as 'Extraordinary High Commissioner' in the late-1850s, did little to satisfy opponents of the regime.[139] External actors, too, put pressure on Britain to manage the Islands in the spirit (if not letter) of its treaty-obligations. Discipline in the wake of riots on the island of Cephalonia in 1848-9, for example, produced widespread condemnation and criticism – such coercion perceived as inappropriate in a polity whose status was safeguarded by treaty.[140]

Regarding colonial protectorates, too, there were real constraints on how far treaties could support interventions. Often treaties had provisions limiting encroachments on internal sovereignty, which proved difficult to just wave away, although sometimes they were simply ignored, or at least revised later on, as noted above.[141] From a different perspective, some lawyers and administrators (themselves in culturally-charged fashions) claimed that the representatives of African polities, who had made these treaties, lacked the capacity to do so, and as such the

[135] Ibid., p. 34; Paschalidi, 'Constructing Ionian Identities', pp. 123-9.
[136] Ibid., p. 238; Bruce Knox, 'British Policy and the Ionian Islands, 1847-1864: Nationalism and Imperial Administration', *English Historical Review* 99:392 (1984), p. 508.
[137] Tumelty, 'Ionian Islands Under British Administration', pp. 137-8.
[138] Eleni Calligas, 'Radical nationalism in the British Protectorate of the Ionian Islands (1815-1864)', in Roderick Beaton and David Ricks (eds.), *The Making of Modern Greece: Nationalism, Romanticism, and the Uses of the Past (1797-1896)* (Farnham: Ashgate, 2009), p. 155. See also Pagratis, 'Ionian Islands under British "Protection"', p. 143.
[139] The best accounts of which are Robert Holland and Diana Markides, *The British and the Hellenes: Struggles for Mastery in the Eastern Mediterranean, 1850-1960* (Oxford: Oxford University Press, 2006), chapter 2, and Paschalidi, 'Constructing Ionian Identities', pp. 281-307.
[140] David Hannell, 'A Case of Bad Publicity: Britain and the Ionian Islands, 1848-51', *European History Quarterly* 17:2 (1987), especially p. 138.
[141] Anene, *Southern Nigeria in Transition*, pp. 110-1. See also Fisch, 'Africa as *terra nullius*', pp. 364-5.

treaties could not legitimate control over them.[142] To be clear, though, this did not always entail an anti-imperial stance: often, these figures supported imperial control, arguing just that it needed a different normative basis. The colonial governor, Lugard, for example, asserted that it was 'more justifiable for the European Powers frankly to found their title to intervention upon force'.[143]

Regulation

The second managerial process/practice with implications for semi-sovereignty is regulation. This is best thought of as a meta-practice, the management *of* interventions (versus of subjects *through* interventions). Regulation involves deciding who gets to intervene, against whom, how, when, where and in what circumstances. The relationship between intervention and regulation is often mediated by law, where legal instruments encode which actors have which intervention capacities. Constitutions are the simplest examples, defining the remits and capacities of the central state and its constituent institutions, mediating regulation and intervention, by, through, and in the state.

The previous section demonstrated that and how intervention extended from within-state to cross-boundary cases. Can we say something similar about regulation? Yes. First, we can interpret the roles of international-legal devices (like treaties) mapped out in the previous section – translating relations of control into relations of rights, facilitating and empowering interventions, at times also constraining them – from this perspective. To view these as

[142] Ibid., p. 366. See, for example, the doubts expressed in John Westlake, *International Law* (2nd edition, Cambridge: Cambridge University Press, 1910-3, 2 vols.), v.1, p. 123. For commentary, see Matthew Craven, 'The Invention of a Tradition: Westlake, the Berlin Conference and the Historicisation of International Law', in Luigi Nuzzo and Miloš Vec (eds.), *Contextualizing International Law: The Birth of a Discipline* (Frankfurt am Main: Vittorio Klostermann, 2012), pp. 363-402, and Antony Anghie, 'Finding the Peripheries: Sovereignty and Colonialism in Nineteenth-Century International Law', *Harvard International Law Journal* 40:1 (1999), especially pp. 36-49. Grovogui, *Sovereigns, Quasi Sovereigns, and Africans*, p. 87, notes the basis of colonial protection in consent.
[143] Lugard, *Dual Mandate*, p. 17.

embodying a regulatory impulse is perfectly valid, although it does not take us much further, in substance, from the arguments of the last section.

We can advance, however, by considering the international-legal notion of *guarantee*. Guarantee is concerned with fixing things in place, holding them constant by asserting their permanency in international law, and providing some mechanism for enforcing this.[144] The work of enforcement was typically done by the great powers *qua* great powers, but it did not have to be.

Guarantees may limit sovereignty, depending on what precisely has been guaranteed. For example, polities' constitutions might be guaranteed by external actors: if so, this prevents those polities (or others) from redefining those constitutions.[145] They are fixed in place; the regulatory work done by those constitutions is therefore buttressed by external regulation, in the form of the guarantee. Moreover, insofar as guarantees of this sort restrict the freedom of their referent polities, preventing them from reconstituting their own administrative structures, this sort of guarantee emerges as an *external* constraint on *internal* sovereignty.

This therefore extends regulation to the international level, but the management that is being regulated is still of the within-state variety.[146] But management also extends to cross-boundary intervention, and this too, can be regulated internationally: where polities' capacity to act across boundaries is restricted, and these restrictions are put into the language of rights, their *external* sovereignty is limited. Consider, for example, a special case guarantee: neutralization.

[144] Aligning with the emphasis on 'stability' in Haldén, *Stability Without Statehood*, 'a non-sovereign modernity', and 'Republican continuities in the Vienna Order'

[145] For a succinct definition, and a discussion of eighteenth-century variants, see Luard, *Balance of Power*, pp. 122-4.

[146] A *partial* exception to this are cases where constitutions refer to higher-order polities, like confederal unions, within which states or other polities (perhaps with their own constitutions) are embedded. Even then, however, the object of regulation is management within the boundaries of these unions, with guarantees made by actors *outside* the unions.

Neutralization in nineteenth-century Europe

In the nineteenth century, it was accepted that states generally had the right to go to war (in instances beyond self-defence); neutralized polities lacked that right.[147] This was a kind of guarantee because their neutralized status was 'guaranteed', and some lawyers insisted this had to be done by the 'great powers'.[148] Where constitutional guarantee restricted the internal sovereignty of a polity, guaranteed neutralization restricted their external sovereignty. More than simply preventing neutralized polities from going to war, however, neutralization also entailed the restriction of other polities' ability to carry out interventions into neutralized ones. Indeed, in some cases this was the primary purpose of neutralizing them, their own loss of an external sovereignty right merely a by-product.

To understand this, we have to return to the dual character of states as actors and spaces, managers and domains. To make a state-as-space neutral, that state had to be made into a neutral actor, since it might otherwise involve itself in conflicts to which others would then respond. Fixing the boundaries of a polity, preventing others from intervening across those boundaries, and limiting that first polity's ability to act internationally all went hand-in-hand.[149]

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[147] For a succinct definition, see Thomas Joseph Lawrence, *The Principles of International Law* (2nd edition, London; New York: Macmillan, c. 1895), pp. 76-7. Two general accounts of neutralization are Cyrus French Wicker, *Neutralization* (London, New York, and Toronto: Oxford University Press, 1911) and Cyril E. Black, Richard A. Falk, Klaus Knorr, and Oran R. Young, *Neutralization and World Politics* (Princeton: Princeton University Press, 1968).

[148] Ibid., p. xi.

[149] Ibid., p. xi. For a discussion of neutralization in the context of 'boundaries', see Kratochwil, 'Of Systems, Boundaries, and Territoriality', pp. 36-7, 41. Holsti thus argues that the nineteenth-century great powers created 'neutral buffer states'; see K. J. Holsti, 'Governance without government: polyarchy in nineteenth-century European politics', in James N. Rosenau and Ernst-Otto Czempiel (eds.), *Governance Without Government: Order and Change in World Politics* (Cambridge: Cambridge University Press, 1992), p. 46. Haldén similarly notes that the powers created 'non-sovereign...buffers'; see 'non-sovereign modernity', especially p. 342. Along the same lines, see Louise Richardson, 'The Concert of Europe and Security Management in the Nineteenth Century', in Helga Haftendorn, Robert O. Keohane, and Celeste A. Wallander (eds.) *Imperfect Unions: Security Institutions over Time and Space* (Oxford: Oxford University Press, 1999), p. 52, and remarks on buffers in Kratochwil, 'Of Systems, Boundaries, and Territoriality', especially p. 40. Creating a 'buffer-State' was mentioned as a possible motive for neutralization in Lassa Oppenheim, *International Law: A Treatise* (3rd edition, ed. Ronald F. Roxburgh; reissued, Clark, New Jersey: The Lawbook Exchange, Ltd., 2005 [London; New York: Longmans, Green and Co., 1920-1], 2 vols.), v. 1, p. 172.

For example, alongside its constitution, the neutrality of Switzerland was guaranteed in 1815. Remarking on this arrangement, Bonjour astutely identifies the connection between neutral actors and neutral spaces: 'Should Swiss territory be violated – that is the meaning of the guarantee – the guarantors commit themselves to restoring its integrity, for territorial integrity is of the substance of neutrality. Thus a territorial guarantee expands into a guarantee of neutrality'.[150]

A similar impetus lay behind the neutralization of Belgium, when it was granted independence from the United Netherlands. In its original wording (later simplified), the relevant protocol stated that Belgium 'shall form a perpetually neutral state. The Five Powers guarantee to it that perpetual neutrality, as well as the integrity and inviolability of its territory, within the above mentioned limits'; it 'shall be bound to observe the same neutrality towards all other states'.[151] References to 'neutrality', 'integrity', and 'inviolability' were not coincidental: neutralization aimed to constitute Belgium as a space that would not be penetrated from the outside.

This in turn resulted from a suspicion, held on the part of the remaining powers, towards France. The United Netherlands had originally been set up as a large, unitary state in order to serve as a barrier against expansion by a resurgent France, post-1815.[152] In the 1830s, the other powers were still worried by this possibility, and not entirely unfairly, since there remained pronounced, revisionist sentiments among French statespeople, which encompassed interests in, and in possibly even acquiring part of, Belgium.[153] French preferences over the future of the Belgian polity make sense in this light. For a time, French representatives at the London Conference accepted the idea of neutralization, but only as part of a broader proposal in which

[150] Edgar Bonjour, *Swiss Neutrality: Its History and Meaning* (trans. Mary Hottinger; London: George Allen & Unwin Ltd, 1946), p. 61.
[151] Thomas, *Guarantee of Belgian Independence and Neutrality*, p. 20.
[152] Kossman, *Low Countries*, p. 110; Helmreich, *Belgium and Europe*, p. 9; Thomas, *Guarantee of Belgian Independence and Neutrality*, pp. 15-6.
[153] Ibid., p. 20; Roger Bullen, 'France and Europe, 1815-48: the Problems of Defeat and Recovery', in Sked, *Europe's Balance of Power*, especially pp. 136, 139-40.

Belgium would be organized on a federal model. Since this could allow France to more easily pick off a part of Belgium in the future, the others rejected this suggestion in favour of unitary statehood. At that point, tellingly, France turned against neutralization.[154]

Ironically, the neutral status of a polity like Belgium could only be enforced, in the final instance, by intervention or war.[155] Overall, however, the purpose of neutralization in this case (and the Swiss one) was not so much to prevent the neutralized polity engaging in aggressive war, than to obviate patterns of cross-boundary intervention and/or aggression that might, otherwise, have arisen. Whereas in the previous section, semi-sovereignty was produced by converting cross-boundary intervention into distributions of rights, here it was about limiting intervention, and arranging rights to achieve this goal.

Regulation often involved the restriction of only *specific* rights. Belgium, for example, retained not only full internal sovereignty, but much of its external sovereignty, too. It could still make treaties, and even wage war in self-defence. Neutralization was in part about ensuring Belgium's long-term viability as a state – protecting it from France – and according it substantial external sovereignty would serve the same goal, allowing it, for example, to make commercial agreements.[156] Furthermore, Belgium's rights were only impaired, not redistributed; no-one had the right to make war it its name. Again, this makes sense: if the aim was to pull Belgium out of the orbit of international competition, giving its rights to another state would undercut this goal.

Swiss and Belgian neutralization proceeded slightly differently: Swiss neutralization was desired by the Confederated cantons, and affirmed by the great powers; Belgian was decided on (though not exactly imposed, in that the Dutch and Belgian delegations had to accept the settlement) by the powers, at the London Conference. Both can be interpreted, however, as

[154] Helmreich, *Belgium and Europe*, p. 17; see also Thomas, *Guarantee of Belgian Independence and Neutrality*, pp. 22-7.
[155] For discussion of debates over what was required to enforce Belgian neutrality, see ibid., chapter 3.
[156] Helmreich, *Belgium and Europe*, pp. 63-9. From a more critical perspective, Siba N. Grovogui, 'Regimes of Sovereignty: International Morality and the African Condition', *European Journal of International Relations* 8:3 (2002), pp. 326-9, notes how neutralizing Belgium so as to ensure its viability enabled it to accrue colonial possessions.

regulatory work done by the 'Concert of Europe'. While different scholars date the period of the Concert of Europe differently, and emphasise different features thereof, many of the assumptions guiding this general approach to international organization filtered through to regulation in both cases.[157] That said, like intervention, regulation was not the exclusive prerogative of the European great powers *qua* European great powers, acting in Concert. It was also pursued in imperial contexts, as the next example demonstrates.[158]

Regulation in southern Africa

The Transvaal/South African Republic was a settler polity in southern Africa, sometimes subordinate to the British Empire, in different capacitates, at different points in the nineteenth century. The immediate history of the Transvaal/Republic began with the 'Great Trek', a mass movement of Dutch-Afrikaners out of the British Cape Colony from 1834.[159] Attempts to extend British 'jurisdiction' over these settlers notwithstanding, *de facto* autonomous polities began to form.[160] Then, the 1852 'Sand River Convention' officially granted self-government to 'emigrant farmers beyond the Vaal River', exercised at first by a plurality of loosely-connected Afrikaner polities: only in the 1860s were some of these knitted together into a coherent Republic.[161] Britain

[157] This fits with the emphasis placed on the great powers in Haldén, 'non-sovereign modernity'. There is a massive literature on the Concert; for a few takes, see Ian Clark, *The hierarchy of states: Reform and resistance in the international order* (Cambridge: Cambridge University Press, 1989), chapter 6; Holsti, 'Governance without government'; Richardson, 'Concert of Europe and Security Management'; Matthias Schulz, '"Defenders of the Right? Diplomatic Practice and International Law in the 19th century: An Historian's Perspective', in Nuzzo and Vec, *Constructing International Law*, pp. 251-75.

[158] In this I follow Kratochwil's discussion of European and imperial cases, although not his emphasis on the 'location' of, versus the 'type of exchange mediated by' boundaries in those cases, respectively: 'Of Systems, Boundaries, and Territoriality', pp. 36-7.

[159] Christopher Saunders and Iain R. Smith, 'Southern Africa, 1795-1910', in Porter, *Oxford History of the British Empire, Volume 3*, p. 601; Alan Lester, *From Colonization to Democracy: A New Historical Geography of South Africa* (London and New York: I. B. Tauris, 1996), pp. 63-4.

[160] John Laband, *The Transvaal Rebellion: The First Boer War, 1880-1881* (Harlow: Pearson, 2005), p. 12.

[161] Edward Hertslet (ed.), *The Map of Africa by Treaty* (3rd edition [reprint], London: Frank Cass & Co., 1909 [1967], 3 vols.), v. 3, p. 222. Norman Etherington, Patrick Harries, and Bernard K. Mbenga, 'From Colonial Hegemonies to Imperial Conquest', in Carolyn Hamilton, Bernard K. Mbenga, and Robert Ross (eds.), *The Cambridge History of South Africa: Volume 1: From Early Times to 1885* (Cambridge, Cambridge University Press, 2009), pp. 337-8, 369; Laband, *Transvaal Rebellion*, pp. 13-4; D. M.

tried, but failed, to persuade the Republic to participate in a 'confederal' administrative union, which would comprise British colonies and independent settler states.[162] In 1877, Britain annexed the Republic, restyling it the 'Transvaal Colony', but this arrangement shortly collapsed, with an armed rising (1880-1) forcing the British to cede direct control over the polity.[163] From 1881-1902, the polity existed as a discrete state, not directly administered by British imperial agents, albeit with its sovereignty constrained by the 1881 Pretoria and 1884 London Conventions.

By the terms of the 1881 Pretoria Convention, the colony was reconstituted as a separate state (the 'Transvaal State'), and granted 'complete self-government, subject to the suzerainty of Her Majesty'. I'll explore what was entailed by this 'suzerainty' in the next chapter; for now, suffice to say it entailed a position of symbolic subordination, related to British attempts to construct and maintain a broader sphere of regional supremacy. This symbolic status was paired with substantive restrictions on the Transvaal's sovereignty: Britain retained control of the Transvaal's 'external affairs', and was able to move troops through its territory. Limits (to be enforced by a British 'Resident') were placed on acceptable conduct towards the 'natives' within and along its borders. Thus, the state's internal and external sovereignty were limited. The terms of the polity's subordination were rewritten in 1884. These revisions touched on symbolic matters (the state regained the name 'South African Republic'), but also substantive rights. Restrictions on the latter were slackened, compared to 1881 – beyond gaining more internal freedom vis-à-vis 'native' affairs, the state was empowered to conduct its own external relations. However, Britain retained a veto over treaties made by the Republic, except those with another

Schreuder, *The Scramble for Southern Africa, 1877-1895: The politics of partition reappraised* (Cambridge: Cambridge University Press, 1980), p. 49.

[162] Clement Francis Goodfellow, *Great Britain and South African Confederation* (Cape Town: Oxford University Press, 1966); see also R. L. Cope, 'Local Imperatives and Imperial Policy: The Sources of Lord Carnarvon's South African Confederation Policy', *International Journal of African Historical Studies*, 20:4 (1987), pp. 601-26; Bruce A. Knox, 'The Rise of Colonial Federation as an Object of British Policy, 1850-1870', *Journal of British Studies* 11:1 (1971), pp. 92-112.

[163] Schreuder, *Scramble for Southern Africa*, pp. 13, 72-4, 83-7. See Laband, *Transvaal Rebellion*, on the military action.

Afrikaner state (the Orange Free State) and hence the Republic still lacked full external sovereignty.[164]

These rights-restrictions represented management in its regulatory dimension – the Conventions mediated, legally, British attempts to define and restrict other polities' capacities to engage in interventions, including across boundaries. This was a response to the dynamic quality of southern-African polities, individually and taken together. Not only did the region contain a diverse array of polities – arguably 'as many contrasting forms of government as have ever been juxtaposed within a single sub-continent' – these polities also expanded, contracted, and changed in character over even short periods of time.[165]

This was particularly true of Afrikaner polities. The 'borders to their political units were somewhat elastic – determined more by the movement and settlement of the pastoral burghers than any constitutional convention'.[166] This pattern of creeping settlement endured into the late-century: in the 1880s, the 'amoeba-like expansion and segmentation' of the Transvaal/Republic resulted in the formation of tiny, offshoot polities (Stellaland, Goshen, the New Republic).[167] As part of this process, setter polities often extended themselves into and over indigenous ones, producing conflict.[168]

To be clear, regional dynamism was not simply an outcome of republican expansion. British territories, like the Cape Colony, also expanded and contracted over time, and were

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[164] The text of these conventions is printed in D. M. Schreuder, *Gladstone and Kruger: Liberal Government and Colonial 'Home Rule' 1880-85* (London: Routledge and Kegan Press, 1969), appendices 1-2 (pp. 489-502). For commentary, see ibid., chapters 4, 7; Saunders and Smith, 'Southern Africa', p. 608; Schreuder, *The Scramble for Southern Africa*, pp. 86-91; Leonard Thompson, 'Great Britain and the Afrikaner Republics, 1870-1899', in Monica Wilson and Leonard Thompson (eds.), *The Oxford History of South Africa* (Oxford: Clarendon Press, 1969/71, 2 vols.), v. 2, pp. 300, 308; Casper Sylvest, ''Our passion for legality': international law and imperialism in late nineteenth-century Britain', *Review of International Studies* 34:3 (2008), p. 418; Colin Newbury, 'Great Britain and the Partition of Africa, 1870-1914', in Porter, *Oxford History of the British Empire, Volume 3*, pp. 629-30.

[165] Goodfellow, *Britain and South African Confederation*, p. 10.

[166] Schreuder, *Scramble for Southern Africa*, p. 49.

[167] Ibid., p. 18.

[168] As between the Republic and the Pedi. See Stanley Trapido, 'Imperialism, Settler Identities, and Colonial Capitalism: The Hundred-Year Origins of the 1899 South African War', in Robert Ross, Anne Kelk Mager, and Bill Nasson (eds.), *The Cambridge History of South Africa, Volume 2: 1885-1994* (Cambridge: Cambridge University Press, 2011), p. 72; Saunders and Smith, 'Southern Africa', p. 606; Laband, *Transvaal Rebellion*, pp. 18-9.

repeatedly rearranged territorially; conflict recurred along their borderlands, too.[169] Yet insofar as we want to account for the arrangements applied to the Transvaal, we are justified zeroing in on British responses to its behaviour. The post-1852 history of British relations with the Transvaal/Republic is to a significant extent one of the former's attempts to restrict the latter's capacity to either alter its boundaries, or act across them. Both the confederation proposals, and the annexation of the Transvaal, can be interpreted as strategies for achieving those goals.[170]

This purpose is revealed in the terms of the Conventions. Restrictions on the Transvaal/Republic's capacity to engage in foreign relations, and limitations on how it could interact with the African polities with which it overlapped, represented attempts to define patterns of intervention in the region and to align them more with British interests. Other aspects of the Conventions emerge as relevant in this light, too: for example, redefining and fixing the borders of the Transvaal/Republic.[171]

The Transvaal's rights, especially from 1881-4, were more substantially restricted than Belgium's. And Britain *gained* some degree of control over the external activity of the Transvaal/Republic: the latter did not simply lose rights or the ability to exercise rights; these rights were redistributed. These differences reflected variations between the contexts and purposes underpinning regulation. In Belgium, the point was to prevent great-power conflict in general, and French revisionism in particular; if a power directly assumed some of Belgium's external sovereignty, Belgium could have as easily been implicated in, as removed from, great-power competition. It is true that some other imperial powers, especially Germany, were active in late-nineteenth century southern Africa, but for the most part, and indeed in reaction to this

[169] On the politics of the early-nineteenth-century eastern-Cape frontier, see Alan Lester, *Imperial Networks: Creating identities in nineteenth-century South Africa and Britain* (London and New York: Routledge, 2001). On early-mid century territorial change, see Etherington, Harries, and Mbenga, 'From Colonial Hegemonies to Imperial Conquest', pp. 320-35; Saunders and Smith, 'Southern Africa', pp. 601-3. For a list of the additions to the Cape made in the 1870s *alone*, see Schreuder, *Scramble for Southern Africa*, p. 31.

[170] On Britain's overarching aim of controlling the Transvaal, see John W. Lyon, *British Objectives in the Transvaal, 1877-1884* (Amherst: Amherst College Press, 1962).

[171] The boundary question was particularly important in negotiations leading up to the London Convention, as conveyed in Schreuder, *Gladstone and Kruger*, chapter 7.

encroachment, Britain viewed the region as essentially its own.[172] In this context, there were fewer obstacles to the assumption of direct British control over the Transvaal/Republic's external relations.

Concluding remarks

This chapter introduced the logic of management, comprising relations of control, processes and practices of intervention and regulation, and a number of historically-specific background norms and concepts which gave these purposes and goals in different contexts. I invoked this logic to account for the constitution of and variations between semi-sovereigns, through three pathways.

First, the ascendency of management produced a shift in the basic entities deemed, legally, to be semi-sovereign. As these polities became more centralized, far-reaching, and bounded, it became more meaningful to speak of semi-sovereign states, as opposed to a heterogeneous set of rights-bearing actors. Even if to somewhat varying extents, the states of Germany, the parts of the old Polish-Lithuanian Commonwealth, the Ionian Islands – even, in a way, the late-nineteenth century 'colonial protectorates' – all manifested this shift.

Second, as this development worked itself out, new modes of cross-boundary intervention arose, which when legalized could yield polities with impaired internal sovereignty. I explained how this operated across a number of institutional and regional contexts, comparing Germany, the Ionian Islands, and the colonial protectorates, and tracking throughout the interactions and connections between management and law.

Third, through the meta-practice of regulation – determining who gets to intervene and in what circumstances – the logic of management could produce restrictions on external as well as internal sovereignty. The neutralization of Switzerland and Belgium and the Conventions regime applied to the Transvaal/South African Republic served as illustrations, and contextual

[172] On Germany, see Schreuder, *Scramble for Southern Africa*, chapters 3-5.

differences helped account for why different groups of external sovereignty rights were restricted, and how, across the cases.

Finally, in the spirit of a configurational argument, I drew attention to interactions between management and other of my social logics throughout the chapter. Built around hierarchical relationships, although of different kinds, management and suzerainty could become entangled in different permutations. They might undercut one another, or complement each other, and we saw examples of both in the cases above. Moreover, relations of control, and processes and practices of intervention and regulation, need not be legalized. That said, they might be, and where they are, they could be both facilitated *and* constrained by their translation into the language of rights and sovereignty.

[4]: Suzerainty

The subject of this chapter is suzerainty, a style of interaction in which some actors claim supremacy over others, demand acquiescence to that supremacy, and its performance and affirmation, discursively and practically.[1] We briefly touched on this logic in the previous chapter, where we noted its changing relationship with an ascendant management, as the eighteenth gave way to the nineteenth century. Now, it is time to examine it on its own terms and in more detail, and to explain precisely how it worked to shape semi-sovereign polities.

Social logics have relations at their core, and this one is no different. The foundation of suzerainty are relations of '*majesty and deference*'.[2] Claims to majesty are made by suzerains and would-be suzerains, and their enduring and stable acceptance produces subordinate actors: vassals, tributaries, and homage-payers. The suzerain-subordinate relationship is open, however, to renegotiation, resistance, and collapse: claims to majesty need not be met with deference, and vassals may seek to redefine or reduce the extent of suzerains' supremacy. Changes in the relational position of specific entities vis-à-vis each other could alter the properties of those entities, a point as applicable to suzerainty as to the rest of my social logics.

The relational core of suzerainty is a kind of hierarchy, in which claimants to majesty positioned themselves as superior, to those over whom they claimed that majesty. Recalling a distinction from chapter one, suzerain hierarchies involved elements of both ranking and authority.

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[1] Here I principally draw on Wight's famous definition of a 'suzerain state-system', as well as Lake's claim that the subordinate actors in international hierarchies demonstrate 'symbolic obeisance' towards their superiors, and Khong's analysis of different 'tributary systems'. See Martin Wight, *Systems of States* (ed. Hedley Bull; Leicester: Leicester University Press, 1977), pp. 23-4; David A. Lake, *Hierarchy in International Relations* (Ithaca and London: Cornell University Press, 2009), pp. 165-74; Yuen Foong Khong, 'The American Tributary System', *Chinese Journal of International Politics* 6:1 (2013), pp. 1-47.

[2] Wight defined 'suzerain state-systems' in part in terms of suzerains 'exacting tribute or other marks of deference'. Wight, *Systems of States*, p. 23. Deference was framed as the counterpart of 'majesty' by Pufendorf, who identified, as one sort of 'unequal treaty', those in which 'one of the allies is required to treat the majesty of the other ally with deference', Samuel Pufendorf, *On the Duty of Man and Citizen* (ed. James Tully, trans. Michael Silverthorne; Cambridge: Cambridge University Press, 1991), p. 174.

Suzerains outranked vassals, and often these relationships were expressed in terms of more specific differences in status, as the entities and actors which belonged to such hierarchies typically bore titles, labels, and symbols which reflected their positions vis-à-vis one another. In instances of suzerainty, these statuses and the entities which bore them were connected to one another in a specific sense, which was both a product of, and reaffirmed, the direct subordination of some actors to others. To make this point a little clearer, consider the following two types of case.[3] In the first, a king – and it could be any king, such as the King of France – outranks a duke, whose duchy is not part of that king's domains: say, the Duke of Courland. Certainly, the relationship between these figures was still hierarchical, because kings generically outranked dukes. Interactions between such generically 'stratified' actors – as in disputes over diplomatic etiquette – were shaped by these differences of rank, and by upgrading or altering one's status, one could change the terms of those interactions.[4] Cases of this sort were subtly different to suzerainty, however. To understand why, contrast the positions of the Duke of Courland with respect to the King of France, and the King of Poland-Lithuania. The latter King did not only outrank the Duke because kings *qua* kings outranked dukes *qua* dukes. Rather, a specific tie of majesty claimed over the Duke, and subordination performed towards the King, connected these two entities, such that the Duke was stably positioned as the King's vassal.

From one perspective, this distinction is between two sorts of rank-hierarchy, one more narrow and specific than the other. However, suzerainty also involves elements of authority, and

[3] This distinction, and my comparison here, draw on Edward Keene, 'International hierarchy and the origins of the modern practice of intervention', *Review of International Studies* 39:5 (2013), pp. 1083-5.
[4] Edward Keene, 'The Standard of 'Civilisation', the Expansion Thesis, and the 19th-century International Social Space', *Millennium: Journal of International Studies* 42:3 (2014), pp. 663-4. Disputes over etiquette were especially fraught during early-modern period: see Evan Luard, *The Balance of Power: The System of International Relations, 1648-1815* (Houndmills: Macmillan, 1992), pp. 133-4 and M. S. Anderson, *The Rise of Modern Diplomacy, 1450-1919* (London: Longman, 1993), pp. 56-67. Attempts were made to clarify the rules pertaining to such questions at and after the Congress of Vienna, though even these revised rules continued to entrench hierarchies of rank: see Mai'a K. Davis Cross, *The European Diplomatic Corps: Diplomats and International Cooperation from Westphalia to Maastricht* (Houndmills: Palgrave Macmillan, 2007), p. 76. On the upgrading of titles, see Andreas Osiander, *Before the State: Systemic Political Change in the West from the Greeks to the French Revolution* (Oxford: Oxford University Press, 2007), pp. 485-6; Michael Kaiser, 'A Matter of Survival: Bavaria Becomes a Kingdom', in Alan Forrest and Peter H. Wilson (eds.), *The Bee and the Eagle: Napoleonic France and the End of the Holy Roman Empire, 1806* (Houndmills: Palgrave Macmillan, 2009), pp. 94-111.

indeed this is part of what distinguished *suzerain status gradation* from its more general counterpart. Relationships of suzerainty were not simply structured by, or reducible to, the differences in rank between actors they connected; they were also productive of those actors and of the particular statuses they bore, and as the terms of suzerainty shifted, so could the latter. These shifts, in turn, reflected (changing) relationships of authority between (would-be) suzerains and their subordinates. On this point, I therefore broadly follow Wight's argument, that in suzerain state-systems, suzerains are the 'sole source of legitimate authority, conferring status on the rest'.[5] Suzerains could alter the positions of their subordinates, and bestow titles, statuses, and other symbols of suzerainty. Importantly, their authority did not reduce a legal or managerial one, although it could translate into either, by interaction between logics.[6] Instead, it was particular to the logic of suzerainty: it was a symbolic authority, one which dynamically followed from and allowed its holders to claim and demand social respect and the acknowledgement of a superior status.[7]

On this basis we can compare and contrast managerial and suzerain relations. Both have a similar basic structure, in that both are hierarchical, positioning managers over subjects, suzerains over vassals. But they have a qualitatively distinct character: they are *about* different kinds of interaction; they have similar forms, but different contents. Management is less about symbolic predominance than control and administration. Via Weber, Wendt and Friedheim distinguish between 'feudal' and 'legal-bureaucratic' modes of 'authority'.[8] I would argue for

[5] Wight, *Systems of States*, p. 23. Do note, however, that Wight's argument is about systems, and not just patterns of relations. I do not follow him in claiming that suzerains are the *sole* sources of authority in systems, as my discussions of longer and cross-cutting chains of majesty and deference, in the next section, and configurations of suzerainty and management, towards the end of this chapter, should make clear.
[6] Keene, 'International hierarchy and the origins of the modern practice of intervention', p. 1085, notes that lords may have had the right to intervene in the affairs of vassals, but 'not necessarily so'.
[7] There are some parallels with Bourdieu's idea of 'symbolic capital' here, and in particular his claim that it is implicated in struggles over 'the power to nominate' and over 'legitimate *naming*'. See Pierre Bourdieu, 'The Social Space and the Genesis of Groups', *Theory and Society* 14:6 (1985), pp. 731-5. That said, Bourdieu's overall set of categories (e.g., forms of capital) is sufficiently different from my four-logic framework that it is difficult to simply transpose parts of his apparatus wholesale.
[8] Alexander Wendt and Daniel Friedheim, 'Hierarchy under anarchy: informal empire and the East German state', in Thomas J. Biersteker and Cynthia Weber (eds.), *State Sovereignty as Social Construct* (Cambridge: Cambridge University Press, 1996), p. 252.

removing the 'legal' from the second of these terms, since both 'feudal' and 'bureaucratic' authority can be legalized, and law has the standing of an autonomous logic in my framework. But, provided we first make that move, the feudal/bureaucratic distinction maps well onto mine between suzerainty and management.

Like other the other relations I consider, those of majesty and deference are constructed and reconstructed dynamically, with implications for the entities they connect. As usual, this dynamism was supplied by processes and practices. The first of these involve the manipulation of statuses, names, and titles – the symbols of suzerainty. From above, suzerains and would-be suzerains may claim particular statuses for themselves, and bequeath statuses to, or modify the statuses of, those over whom they (wish to) assert their majesty. From below, subordinate actors may accept these markers, or look to contest them, seeking to change or upgrade their titles or alter the auras and implications associated with them.

Second, suzerainty involves the symbolic performance of majesty and deference. We can think of this in terms of the paying of homage or 'tribute'.[9] Some contemporary scholars distinguish 'tributary' from 'suzerain' systems or arrangements, though I believe this distinction to be overstated – or, more precisely, believe it is important to be clear at which level we are drawing these distinctions.[10] It certainly is true that, descriptively, a variety of different labels were used to describe the legal situation of polities. Certain legal theorists did separate 'vassal' from 'tributary' states, and in various geographical and historical contexts, these categories could have subtly different juridical connotations: thus Ottoman legal concepts like 'homage-payer', 'tributary', 'vassalage' had slightly different emphases to 'suzerainty', as the latter was used in treaties pertaining to the Empire's subordinates, from the early-nineteenth century.[11]

[9] Wight, *Systems of States*, p. 23.
[10] Zhang Yongjin and Barry Buzan, 'The Tributary System as International Society in Theory and Practice', *Chinese Journal of International Politics* 5:1 (2012), p. 27.
[11] Leone Levi, *International Law with Materials for a Code of International Law* (London: Kegan Paul, Trench & Co., 1887), p. 83; Viorel Panaite, 'The Legal and Political Status of Wallachia and Moldavia in Relation to the Ottoman Porte', in Gábor Kármán and Lovro Kunčević (eds.), *The European Tributary States of the Ottoman Empire in the Sixteenth and Seventeenth Centuries* (Leiden: Brill, 2013), pp. 19-20.

It's important that we take this historical context, and these distinctions, seriously. That said, we should also distinguish between suzerainty as a descriptive term in international law, and as an explanatory logic, irreducible to law. I'll return to this distinction shortly, when I explain how suzerainty (*qua* logic) was implicated in the production of polities as semi-sovereign. For now, it will suffice to note that here I am using tribute-paying to denote a process/practice that may or may not be legalized.

Understood as such, tribute-paying (or homage-/fealty-paying) involves affirming or reaffirming one's subordination to a suzerain or claimant to suzerainty. Sometimes it is conceptualized in narrow, 'material' terms: the provision of money or goods. But it could also take other forms, from participating in 'rituals', to replicating the institutions of the suzerain – anything that signalled acceptance of the latter's superiority.[12] In all cases, tribute-paying was in fact symbolically-loaded, both ideational *and* material: even monetary payments were actions that communicated meaning, reaffirming subordinates' subordination.

These processes and practices – the manipulation of symbols of suzerainty, and the performance of majesty and deference through tribute-paying – were shaped by contextually-specific background norms and concepts. These yielded particular status orders: different titles and offices could be found within the orbit of the Polish-Lithuanian Commonwealth, the Holy Roman Empire, the Ottoman Empire, and the British Empire. They shaped the specific practices – particular modes of paying tribute – by which suzerainty was sustained (or challenged). And, as we'll see in the next chapter, they also provided a nodal point, a channel by which cultural differentiation could influence the language, procedures, and imagery associated with these practices and ceremonies.

That covers the basic components of the suzerain logic. However, this chapter is less about suzerainty *per se*, than the ways it was implicated in the constitution of semi-sovereign

[12] For one such, expansive definition of tribute, which draws attention to these two forms in particular, see Khong, 'American Tributary System'. See also Wight, *Systems of States*, p. 23.

polities, and like management, it had this effect by working in interaction with law. The markers of relationships of suzerainty – titles, statuses, labels and names – may, although need not necessarily, have attached to them rights and jurisdictions. These jurisdictions are often limited in scope, and it is typical for suzerains to have rights over, or over the subjects of, their subordinates. Moreover, they depend on the suzerain relationship and its endurance: the Dukes of Courland were able to exercise rights over their subjects by virtue of grants from the Polish-Lithuanian King, and a redefinition of that relationship or its collapse could change the scope of, or extinguish, their jurisdictions. Alongside jurisdictions, external-sovereignty rights (elements of international personality) may similarly be attached to titles and statuses. The legal writer, William Hall, argued that under suzerainty, one 'has those rights only which have been expressly granted to it, and the assumption of larger powers of external action than those which have been distinctly conceded to it is an act of rebellion against the sovereign', which nicely captures the dependent quality of these rights.[13]

As we saw in chapter one, and as I flagged up earlier in this chapter, polities under suzerainty, vassals, and even more specifically, 'vassal states', were kinds of semi-sovereign described by legal theorists. Suzerainty thus had a descriptive as well as explanatory meaning: it could refer to the polities, the properties of which I want to account for, or to a social logic that helps account for their properties, and their semi-sovereignty. Delineating these two meanings will help us see the independent work done by law in constituting polities under suzerainty as semi-sovereign.

For Oppenheim, vassal states were defined in comparison to protectorates: both lacked external sovereignty rights, but whereas vassals might have *no* international personality, true protectorates always had *some*.[14] This was a straightforwardly international-legal definition, based as it was on configurations of sovereign rights, and can thus be neatly distinguished from

[13] William Edward Hall, *A Treatise on International Law* (2nd edition, Oxford: Clarendon Press, 1884), p. 29.
[14] L. Oppenheim, *International Law: A Treatise* (1st edition, London, New York, and Bombay: Longmans, Green, and Co., 1905-6, 2 vols.), v. 1, pp. 138-9.

suzerainty as used here, in an explanatory sense. Another definition of suzerainty was more relational and processual. Westlake argued that '"Suzerain" and "vassal" are terms of mediaeval origin, and strictly imply two relations which the feudal system in its full development united': a 'personal' relationship of 'fidelity', and a 'proprietary' one, in which goods or services are offered up to the suzerain.[15] This aligns much more closely with the way I use the idea, and the parallels with Wendt and Friedheim's 'feudal' hierarchies should not escape notice.[16] If this were baked into the legal definition of suzerains *qua* semi-sovereigns, this would be a problem, blurring as it would the distinction between a type of semi-sovereignty and a logic used to account for it, or at least between the legal and suzerain logics. Westlake made one further move, however. He argued that polities under suzerainty (defined as above) were *not* necessarily semi-sovereign, although they might be. Putting aside the accuracy, or otherwise, of his interpretation of the Holy Roman Empire, note his claim that

> a modern description of a state as subject to a suzerainty does not by itself shut it out from any of the rights that were enjoyed by the states of the Holy Roman Empire, which were internationally accepted as sovereign states, and were so called, while they recognised the empire as their suzerain power[17]

On this account, suzerainty does not reduce to law, and relationships of majesty and deference, just like relations of control, must be legalized if they are to produce semi-sovereign polities.[18]

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[15] John Westlake, *International Law* (2nd edition, Cambridge: Cambridge University Press, 1910-3, 2 vols.), v. 1, p. 25.

[16] See also Edwin DeWitt Dickinson, *The Equality of States in International Law* (Cambridge: Harvard University Press, 1920), p. 236, and J. H. W. Verzijl, *International Law in Historical Perspective, Part 2: International Persons* (Leiden: A. W. Sijthoff, 1969), pp. 339, 359. Oppenheim also noted this definition; see *International Law* (1st edition), p. 134.

[17] John Westlake, *Chapters on International Law*, in *The Collected Papers of John Westlake on Public International Law* (ed. Lassa Oppenheim, Cambridge: Cambridge University Press, 1914), p. 90.

[18] Verzijl arguably blurs these rights-based and feudal-relational definitions, but even he frames limits to vassals' rights as 'legal implications in the international field of the now obsolete status of vassalage'. Examples of such limits are summarized in his *International Law in Historical Perspective, Part 2*, pp. 361-7. Going back further, Pufendorf explicitly characterized those 'unequal treaties' whereby 'one of the allies is required to treat the majesty of the other ally with deference', as creating 'permanent burdens which involve no loss of sovereignty'. Pufendorf, *On the Duty of Man and Citizen*, p. 174. Likewise, Grotius distinguished between alliances which impinged on 'Power and Jurisdiction', versus 'Reverence and Dignity'. Hugo Grotius, *The Rights of War and Peace* (ed. Richard Tuck; Indianapolis: Liberty Fund Inc., 2005, 3 vols.), v. 1, pp. 320-1.

The remainder of this chapter consists of four substantive sections. Section one examines relationships of suzerainty, and especially their connections to distributions of rights. I show how claims to majesty and deference produced ranked arrangements of status-bearing actors, and how these were legalized and relegalized, so as to constitute those actors as semi-sovereign. Several examples, from a range of time periods and regions, illustrate these processes: the Duchy of Courland, the Principalities of Moldavia and Wallachia, Egypt, the Transvaal/South African Republic, and the Indian Princely States. The second section turns to tribute and performance, comparing various fora in which, and means by which, suzerainty was reaffirmed and challenged. Section three looks at the conceptions of political space associated with this logic. Finally, section four revisits the subject of interactions between suzerainty and management, mapping out various configurations of suzerainty and management by, through, and in the state, as well as management across boundaries.

Suzerainty, statuses, jurisdictions, and rights

Elements of social logics are manifested in the properties of entities and actors. In this case, stable relationships of majesty and deference produce enduring symbols of those relationships: statuses, labels, and titles, which reflect the authority of suzerains over their subordinates and entail differences of rank. Since we've already referred to it to illustrate several theoretical points, let's first return to the Dukes/Duchy of Courland, using this case to tease out how suzerain relations produce status gradations, and how these are then implicated in the constitution of polities as semi-sovereign.

The Duchy of Courland (sometimes referred to as the Duchy of Courland and Semigallia) came into being as a distinct entity, in 1561, when it was formed out of the wreckage of the Livonian Confederacy, a political union which had developed, over the prior two centuries,

within the Holy Roman Empire.[19] Gotthard Kettler, who had been 'Master of the Livonian Order' at the point of its dissolution, and would become the first Duke, had to pledge homage to the Polish-Lithuanian King in order to obtain that new title.[20] Thus, from the point of its inception, the Duchy was always defined by its relationship to its suzerain King, and the title of Duke a measure of Kettler's international standing. The Duchy existed for centuries, by virtue of the endurance of this relationship, until it was subsumed into Russia as part of the 'Third Partition of Poland', in 1795.[21]

Attached to these titles were rights and jurisdictions, spelled out in legal instruments. The '*Pacta Subjectionis*' (1561), which granted to Kettler 'Courland and Semigallia in fief as a duchy', was a sort of constitutional document, allocating privileges to the Duchy's nobles and confirming the laws that were to apply within it.[22] An additional instrument, a '*Lehnbrief*' (1579) issued by the King, further clarified ducal rights, including 'the Duke's right of coinage, the right of the Duke to alienate his estates, and the recognition of Gotthard's highest jurisdiction in Courland'. At the same time, it reaffirmed the King's suzerainty, and 'imposed on Duke Gotthard the same feudal services as on the Duke of Eastern and Ducal Prussia'.[23] In the early-sixteenth century, a further constitutional document, the '*Formula Regiminis*', was developed by the Commonwealth's assembly (*Sejm*), 'in conjunction with the representatives of the Courlander nobles'. It too accorded to the Dukes 'certain rights or regalia of the sovereign – the rights of customs, highways, post, strand, and the privilege to issue orders'.[24] Rights and jurisdictions were attached to the symbols of suzerainty, and these could be rearticulated and modified within the context of an ongoing suzerain-vassal relationship.

[19] Alexander V. Berkis, *The History of the Duchy of Courland (1561-1795)* (Towson: The Paul M. Harrod Company, 1969), pp. 2-5.
[20] Ibid., p. 6.
[21] Ibid., chapter 11.
[22] Ibid., pp. 6-7.
[23] Ibid., p. 7.
[24] Ibid., pp. 26-7.

Because these distributions of rights were embedded within a prior relationship of suzerainty, they translated into partial sovereignty: thus, as we saw in chapters two and three, Martens listed the Duchy among his class of 'demi-sovereign states'.[25] The King retained rights in the Duchy, and the Dukes' jurisdictions were conditional and revocable. Although the Duchy was granted as a hereditary office in 1561, the *Pacta Subjectionis* noted that, in the event of 'the extinction of the direct male line, the Duchy of Courland would be incorporated with Poland' – as a baseline, the Duchy fell under the King's authority, given to the Dukes only under specific conditions.[26] More than once, the *Sejm* or King stripped Dukes of their titles. During one such episode, the appointment of a new Duke to the vacated office was accompanied by additional restrictions on the rights attached to that office.[27]

Beyond simple, bilateral relationships, the logic of suzerainty could involve complex chains of majesty and deference. Thus the Dukes had suzerainty (and rights) over their own subordinate nobles, whose rights were also codified in the same devices which allocated jurisdiction to the Dukes. The nobles and Dukes had their own disputes, and the Polish-Lithuanian King and *Sejm* frequently involved themselves in these, or were invited to adjudicate them. Importantly, these chains of suzerainty opened up various strategies and courses of action to those located at different points within them. From above, Polish-Lithuanian Kings variously sided with the Dukes and the Courlander nobles in their disputes. Suspicious of the increasing assertiveness of the nobility throughout the Commonwealth, Kings sought to shore up Ducal authority over the Duchy's nobles, to signal to the Polish-Lithuanian nobles that they ought to know their place.[28] On other occasions, however, the Kings sought to keep the Dukes within their limits, to prevent them from lessening or even breaking free of the bonds of their suzerain

[25] Georg Friedrich de Martens, *Summary of the Law of Nations, Founded on the Treaties and Customs of the Modern Nations of Europe, with a list of the principal treaties, concluded since the year 1748 down to the present time, indicating the works in which they are to be found* (trans. William Cobbett, Philadelphia: Thomas Bradford, 1795), p. 31.
[26] Berkis, *History of the Duchy of Courland*, p. 6.
[27] Ibid., pp. 25-6, 238.
[28] Ibid., p. 275.

authority, as the Dukes often sought to do.[29] Corollary strategies were pursued by actors at other points in these chains. From the middle, Dukes had to negotiate between the King and their subordinate nobles, and from below, nobles looked to play off the Dukes and Kings against one another. As we saw in chapter three, more complex suzerain relations, of this sort, could limit the ability of actors at various levels to convert their symbolic authority into direct control.

Moldavia and Wallachia

Of Martens's cases, there are two we have not yet considered in any detail: the Princes/Principalities of Moldavia and Wallachia. These Balkan polities were subordinate to the Ottoman Empire, the latter's suzerainty over both being locked in from the early-sixteenth century, although it did not remain wholly uncontested thereafter.[30]

The Princes' statuses, to which were attached rights and jurisdictions, were defined by their relationship to the Ottoman Sultan. Until the eighteenth century, the local aristocracy (the *boyars*) elected the Princes (or *voievods*); these elections were then approved by the Sultan, to whom the *voievods* performed deference.[31] In this period, the Principalities were left considerably autonomous, although that autonomy 'could exist only within another state – in this case, the Ottoman Empire – and not outside of it', and the Porte (Ottoman centre) did interfere in Princely elections.[32] 'The power in the country lay in three centres: the prince, the boyars, and the Porte', and in this there is a clear parallel to the chains of suzerainty and deference we mapped out in

[29] Ibid., p. 25. For an example of Ducal desires to lessen the King's authority over them, see ibid., pp. 42, 93-4, 114.
[30] Peter F. Sugar, *Southeastern Europe under Ottoman Rule, 1354-1804* (Seattle and London: University of Washington Press, 1977), p. 115.
[31] Ibid., p. 134; Barbara Jelavich, *History of the Balkans: Eighteenth and Nineteenth Centuries* (Cambridge: Cambridge University Press, 1983), pp. 100-1; Virginia H. Aksan, 'Whose Territory and Whose Peasants? Ottoman Boundaries on the Danube in the 1760s', in Frederick F. Anscombe (ed.), *The Ottoman Balkans, 1750-1830* (Princeton: Markus Wiener Publishers, 2006), p. 63.
[32] Panaite, 'Legal and Political Status of Wallachia and Moldavia', p. 20; Jelavich, *History of the Balkans: Eighteenth and Nineteenth Centuries*, p. 101.

and around the Duchy of Courland: the Princes, *boyars*, and Porte corresponding roughly to Dukes, nobles, and Kings. [33]

This relationship between the Principalities and the Porte was redefined in the early-eighteenth century. New figureheads were installed in Moldavia and Wallachia: no longer elected *voievods*, 'the new type of master, who was appointed but not elected, was considered only a governor, *hospodar*'.[34] They were put in place to serve as 'agents of the Ottoman government sent to guard the interests of the suzerain', after the Principalities had thrown their lot in with Russia, with the Prince of Moldavia concluding a formal treaty in 1711, by which 'Moldavia would become an independent state under the protection of the tsar'.[35] These *hospodars* were chosen from the 'Phanariot' class, a group centred on several prominent, culturally-'Greek' families, influential in the politics and society of Istanbul, and which encompassed their networks of associates throughout the Ottoman domains.[36] Although the Empire still claimed suzerainty over the Principalities through the Phanariot period, this was paired with more direct lines of management; the Phanariot *hospodars* were under 'direct Ottoman control'.[37]

While the specific titles and symbols of suzerainty changed, claims to majesty and deference were not simply replaced by relations of control. This is important, because many *boyars* used the language of suzerainty to resist the Phanariot regime. Members of the local aristocracy called for the Porte to make good on the 'capitulations' it had made to Moldavia and Wallachia: historic grants of rights and privileges, which ought to be respected and protected.[38] One aspect of this strategy involved courting Russian assistance, Russia being happy to pose as the defender of these rights.[39] Despite that, the strategy involved working within the terms of

[33] Ibid., p. 100.
[34] Sugar, *Southeastern Europe under Ottoman Rule*, p. 134.
[35] Jelavich, *History of the Balkans: Eighteenth and Nineteenth Centuries*, pp. 101-2.
[36] Sugar, *Southeastern Europe under Ottoman Rule*, p. 133-4
[37] Jelavich, *History of the Balkans: Eighteenth and Nineteenth Centuries*, p. 102.
[38] Victor Taki, 'The Russian Protectorate in the Danubian Principalities: Legacies of the Eastern Question in Contemporary Russian-Romanian Relations', in Lucien J. Frary and Mara Kozelsky (eds.), *Russian-Ottoman Borderlands: The Eastern Question Reconsidered* (Madison: The University of Wisconsin Press, 2014), p. 41.
[39] Ibid., pp. 41-2; Panaite, 'Legal and Political Status of Wallachia and Moldavia', p. 35.

Ottoman suzerainty, insofar as that suzerainty was the precondition for the grant of those rights, and for their continued relevance, such as it was. While some did campaign for independence, and/or Russian or Austrian protection, other *boyars* 'were willing to consider the retention of Ottoman suzerainty, but on the condition that the political authority in the Principalities be returned to their hands'.[40] Indeed, by the early-nineteenth century, Russian involvement was beginning to appear more burdensome than Ottoman rule, and the Ottomans turned to styling themselves as the true guarantors of the capitulations, often with *boyar* support.[41]

The period of Russian influence in Moldavia and Wallachia lasted from 1774 to 1856, during which the rights attached to the Principalities were redefined through a succession of legal devices: the Treaty of Kuchuk Kainarji (1774), the Convention of Akkerman (1826), the Treaty of Adrianople (1829), the Convention of St. Petersburg (1834), and the Convention of Balta Liman (1849).[42] Two further phases followed. In 1856, during the peace process that concluded the Crimean War, the position of Moldavia and Wallachia, and the rights they possessed and the Porte held over them, were again modified. The Principalities remained under Ottoman suzerainty, however, although as interpreted and 'guaranteed' by the great powers.[43] Finally, during this period of guaranteed suzerainty, the two Principalities came under personal (and, increasingly, institutional) union, after one individual, Alexander Cuza, was elected to rule both Moldavia and Wallachia.[44] In 1878, provided they adhered to certain conditions, they – now amalgamated as Romania – received independent statehood.[45]

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[40] Jelavich, *History of the Balkans: Eighteenth and Nineteenth Centuries*, pp. 105, 208.
[41] Taki, 'Russian Protectorate in the Danubian Principalities', p. 43.
[42] Jelavich, *History of the Balkans: Eighteenth and Nineteenth Centuries*, pp. 110-1, 265, 268, 273-4; Stephen D. Krasner, *Sovereignty: Organized Hypocrisy* (Princeton: Princeton University Press, 1999), pp. 167-8. These instruments are also detailed in Verzijl, *International Law in Historical Perspective, Part 2*, pp. 374-6.
[43] Ibid., pp. 376-7; Jelavich, *History of the Balkans: Eighteenth and Nineteenth Centuries*, p. 287; Krasner, *Sovereignty*, pp. 168-9; Peter Haldén, 'A non-sovereign modernity: attempts to engineer stability in the Balkans, 1820-90', *Review of International Studies* 39:2 (2013), pp. 348-52.
[44] Verzijl, *International Law in Historical Perspective, Part 2*, p. 377; Jelavich, *History of the Balkans: Eighteenth and Nineteenth Centuries*, pp. 291-2.
[45] Ibid., p. 360; Krasner, *Sovereignty*, pp. 87-8; Haldén, 'non-sovereign modernity', p. 353; Verzijl, *International Law in Historical Perspective, Part 2*, p. 378.

Egypt

The Ottoman Sultan claimed suzerainty over other actors, not listed among Martens's cases, but characterized by later jurists as semi-sovereign polities. Consider Egypt. I'll focus on the period following the French occupation of Egypt (1798-1802) during the Revolutionary Wars, but it's important to recognize that for centuries prior, Egypt had been among the Ottoman domains, and that this influenced how the post-1802 period played out.[46]

The famous Muhammad ʿAli rose to power in the wake of this occupation, gaining the Ottoman title *wali* in 1805. The combination of the overarching Ottoman context, and the external shock of the occupation, which shook up the configuration of local and Imperial authority in Egypt, made this possible.[47] Muhammad ʿAli came to Egypt with the Ottoman army, dispatched to deal with France, as something of an outsider to local politics, though an insider from the broader Imperial perspective. In becoming *wali*, he navigated and played off various factions, including the *mamluk* households which dominated local politics, different groups within the divided Ottoman military, and the local religious elite.[48] Even the *mamluk* households, which often stood as a countervailing force to the Ottoman centre, cannot quite be characterized as purely local entities, contraposed to Imperial ones. Before Muhammad ʿAli arrived on the scene, the 'households, the Ottoman regiments, and the Ottoman administrative apparatus had merged into a single system controlled by men holding the rank of *bey*'.[49]

In part, Muhammad ʿAli and his successors had influence over and within Egypt because of their standing vis-à-vis other 'local' actors, but they relied on the titles and statuses they

[46] Darrell Dykstra, 'The French occupation of Egypt, 1798-1801', in M. W. Daly (ed.), *The Cambridge History of Egypt, Volume 2: Modern Egypt from 1517 to the End of the Twentieth Century* (Cambridge: Cambridge University Press, 1998), pp. 113-38.
[47] I have followed the transliterations in Daly, *Cambridge History of Egypt, Volume 2*.
[48] For accounts of his rise, see Khaled Fahmy, 'The era of Muhammad ʿAli Pasha, 1805-1848', in Daly, *Cambridge History of Egypt, Volume 2*, pp. 139-44; Afaf Lutfi Al-Sayyid Marsot, *Egypt in the reign of Muhammad Ali* (Cambridge: Cambridge University Press, 1984), chapter 3.
[49] Ehud R. Toledano, *State and Society in Mid-Nineteenth-Century Egypt* (Cambridge: Cambridge University Press, 1990), p. 4.

received from the Sultan, which drew meaning in the context of a relationship of suzerainty. Several features of suzerain status gradation are particularly important in the Egyptian case. First, titles were allocated to different figures in various combinations and permutations. For example, Muhammad ʿAli was referred to not simply as *wali*, but also as *pasha*, a more general title held throughout the Empire.[50] Second, titles implied different levels of prestige. One of Muhammad ʿAli's successors, Ismaʿil, who held office from 1867-79, following ʿAbbas (1848-54) and Saʿid (1854-63), managed to upgrade his title, from *wali* to *khedive*, the latter significantly outranking the former.[51] Third, strategies from above were formulated to exploit these status gradations. At one point, Muhammad ʿAli's son Ibrahim was made a 'three-tail pasha…and governor of the Hijaz', meaning he would technically outrank his father, in a (failed) attempt to 'sow dissension' between the two.[52]

As usual, rights and jurisdictions were attached to these titles. Just as specific titles and statuses could be compounded in variable permutations, so too could the jurisdictions affixed to them.[53] Consider the following example, from 1833. In that year, the so-called 'Peace of Kutahia' was concluded, bringing to a close a period of military conflict between Muhammad ʿAli's Egypt and the Sultan's army. The causes and course of the fighting will be examined later in this chapter, but the settlement itself is interesting. The Sultan restored Muhammad ʿAli 'in his *wilaya* of Egypt in addition to granting him the Hijaz and Crete. Ibrahim was named as *wali* of the Syrian *wilayas* of Acre, Damascus, Tripoli, and Aleppo. In addition Ibrahim was named as *muhassil*, that is tax-collector, of the province of Adana in southern Anatolia'.[54] These jurisdictions varied

[50] Fahmy, 'era of Muhammad ʿAli Pasha', p. 139. In the eighteenth century, the Porte began to use *pasha* to refer to officials in the other North African societies under its authority: see Asma Moalla, *The Regency of Tunis and the Ottoman Porte, 1777-1814: Army and government of a North African eyalēt at the end of the eighteenth century* (London: RoutledgeCurzon, 2004), p. 37.
[51] F. Robert Hunter, 'Egypt under the successors of Muhammad ʿAli', in Daly, *Cambridge History of Egypt, Volume 2*, p. 193.
[52] Al-Sayyid Marsot, *Egypt in the reign of Muhammad Ali*, p. 203. Differences in rank between *pashas* were signified by the number of 'tails' they possessed.
[53] In addition to the below, see also Verzijl, *International Law in Historical Perspective, Part 2*, pp. 393-5.
[54] Fahmy, 'era of Muhammad ʿAli Pasha', p. 168.

by both type and referent, and the implications of titles and the scope of the rights accompanying them could change over time. In 1841, Muhammad ʿAli's title of *wali* and the authority entailed thereby was guaranteed for his lifetime and made hereditary by the Sultan via a *firman*, or decree.[55] Ismaʿil obtaining the title of *khedive* was part of broader redefinition of his status, which included new rights and prerogatives. He obtained the ability to himself grant titles, and received some markers of international personality, being empowered to make treaties.[56]

These rights depended on their overarching suzerain context, just like in the previous two case studies. Titles were granted by and in the name of Sultan, and endured by virtue of the latter's authority. The grants of 1833, for example, were conditional on their annual confirmation by the Sultan, and therefore revocable.[57] The 1841 *firman* did imply that this direct confirmation was no longer required, but the title *wali* (like *khedive*) was an Ottoman one that only made sense within the enduring Sultan-*wali* relationship. Importantly, the repeated redefinition of the rights allocated to title-bearers was a variation within an ongoing relationship of majesty and deference, and speaks again to the importance of analytically separating suzerainty from law; symbolic supremacy from the (variable) distributions of rights that could follow from it.

Egypt remained under Ottoman suzerainty until 1914. Not altogether unlike Russian involvement in Moldavia and Wallachia, external, non-Ottoman powers began to intervene in Egypt from the late-nineteenth century. In 1875-6, Egypt entered a period of bankruptcy, and European-dominated financial institutions (the *Caisse de la Dette Publique*, and the Anglo-French Dual Control) were set up to manage the economy; Ismaʿil was deposed. A revolt which began within the army ('the ʿUrabi revolution') was the precursor to a British military occupation, from 1882, followed by a period of informal British influence on the functioning and design of Egyptian institutions, sometimes referred to as the 'Veiled Protectorate'.[58] Ottoman

[55] Ibid., p. 175.
[56] Hunter, 'Egypt under the successors of Muhammad ʿAli', p. 193.
[57] Fahmy, 'era of Muhammad ʿAli Pasha', p. 168.
[58] Peter Mansfield, *The British in Egypt* (London: Weidenfeld and Nicolson, 1971), p. 58; Selim Deringil, 'The Ottoman Response to the Egyptian Crisis of 1881-82', *Middle Eastern Studies* 24:1 (1988), p. 20. Accounts of the events of these years include Afaf Lutfi al-Sayyid-Marsot, 'The British Occupation of

suzerainty endured during this period, ending only with the outbreak of the First World War, when Britain and the Empire found themselves on opposite sides, and the former declared a protectorate over Egypt.[59] This phase lasted until 1922, when Britain unilaterally declared Egypt 'independent' (although the presence of four 'Reserved Points' in the declaration, concerning important issues such as defence, makes it hard to see this as a transition to full sovereignty).[60] In 1936, a proper Anglo-Egyptian treaty was concluded, removing more of this apparatus of British control.[61]

Suzerainties, old and new

It is tempting to see suzerainty as an 'old' logic, a holdover from pre- or early-modern international society, dislodged over the long-nineteenth century by an ascendant management, and this interpretation does have some plausibility. Chapter three demonstrated how, in the period during which management by, through, and in the state intensified, several instantiations of suzerainty were picked apart. Furthermore, the case studies canvassed above all showed suzerainties giving way. Yet, while the Duchy of Courland died with the Polish-Lithuanian Commonwealth, Moldavia, Wallachia, and Egypt remained under Ottoman suzerainty for most

Egypt from 1882', in Andrew Porter (ed.), *The Oxford History of the British Empire, Volume 3: The Nineteenth Century* (Oxford: Oxford University Press, 1999), p. 651-64; M. W. Daly, 'The British occupation, 1882-1922' in Daly, *Cambridge History of Egypt, Volume 2*, pp. 239-51; Michael W. Doyle, *Empires* (Ithaca: Cornell University Press, 1986), pp. 211-7; Hunter, 'Egypt under the successors of Muhammad ʿAli', pp. 194-6; Krasner, *Sovereignty*, pp. 137-9; Donald Malcolm Reid, 'The ʿUrabi revolution and the British conquest, 1879-1882', in Daly, *Cambridge History of Egypt, Volume 2*, pp. 217-38; Verzijl, *International Law in Historical Perspective, Part 2*, pp. 395-8; Colin Newbury, 'Great Britain and the Partition of Africa, 1870-1914', in Porter, *Oxford History of the British Empire, Volume 3*, pp. 632-4.

[59] Daly, 'British occupation', pp. 245-6; Verzijl, *International Law in Historical Perspective, Part 2*, p. 427.

[60] The best account of this period is John Darwin, *Britain, Egypt and the Middle East: Imperial policy in the aftermath of war 1918-1922* (London: Macmillan, 1981). See also Daly, 'British occupation', pp. 245-51

[61] John Darwin, 'An Undeclared Empire: The British in the Middle East, 1918-39', *Journal of Imperial and Commonwealth History* 27:2 (1999), pp. 170-1; Verzijl, *International Law in Historical Perspective*, pp. 428-34.

(or in Egypt's case, all) of the nineteenth century.[62] This alone cautions us against framing suzerainty as a non-modern logic. More than simply enduring, however, new suzerainties were also actively constructed during the period. Consider, in this light, two final examples: British Imperial supremacy over the Indian 'Princely States', and their rulers, and over the Transvaal/South African Republic, during the period of the Pretoria Convention, a case study we considered, from a different angle, in the previous chapter.

Alongside areas it more directly governed, Britain exercised authority over a large number of Indian 'Princes', and the states they ruled were sometimes (though not always) described by lawyers as semi-sovereign.[63] Britain began constructing these relationships of authority in the mid-to-late eighteenth century, via treaties of alliance with individual Indian polities. As the eighteenth became the nineteenth century, these treaties began to involve restrictions on the sovereignty of those polities; by the 1820s, 'the relationships inscribed in the treaties had changed. The British now aggressively declared themselves the superior power'.[64]

In addition to concrete restrictions on rights, Britain also claimed a broader, and vaguer, authority over the Princes, which it often used to justify encroachments on sovereignty (and which therefore had a kind of priority over those specific encroachments). This was styled in the language of 'paramountcy', and sometimes, although less commonly, 'suzerainty', and it denoted suzerainty in my general, explanatory sense – that is, a claim to majesty, a symbolic supremacy.[65]

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[62] Technically, the Duchy was revived by France in 1812, but one year later was reincorporated into Russia. See Berkis, *History of the Duchy of Courland*, pp. 299-300.

[63] Compare Westlake, 'Native States of India', in *Collected Papers*, p. 627, with Levi, *International Law with Materials for a Code of International Law* p. 83. See Lauren Benton, *A Search for Sovereignty: Law and Geography in European Empires, 1400-1900* (Cambridge: Cambridge University Press, 2010), pp. 238-64 for a good discussion of these entities' legal positions.

[64] Barbara N. Ramusack, *The New Cambridge History of India: The Indian Princes and their States* (Cambridge: Cambridge University Press, 2004), pp. 65-80 for the chronology; p. 80 for the quotation. See also Robin Jeffrey, 'Introduction', in Robin Jeffrey (ed.), *People, Princes and Paramount Power: Society and Politics in the Indian Princely States* (Delhi: Oxford University Press, 1978), pp. 2-10, and John Westlake, *Chapters* in *Collected Papers*, chapter 10, for interesting remarks.

[65] Ramusack, *Indian Princes and their States*, pp. 55-6, 97; Edward Keene, *Beyond the Anarchical Society: Grotius, Colonialism and Order in World Politics* (Cambridge: Cambridge University Press, 2002), pp. 91-2; Wight, *Systems of States*, p. 24.

Thus, as in the previous case studies, British authority over the Princely States involved suzerain status gradation, the allocation of titles, labels, and markers, which symbolically reflected and sustained relationships of majesty and deference. The titles bequeathed by the British had a distinctively 'feudal' hue; images not just of monarchy, but of hierarchy, service, knighthood, and honour were common, exemplified by bodies like the 'Order of the Star of India'.[66] Thus was established 'a linear hierarchic order in which princes now owed fealty and obedience to their liege lord, the empress'; 'Victorian-Feudal' imagery was prevalent in British-Imperial ceremonial.[67] Although this involved the mobilization of pre-modern tropes, and attempts to implant pre-modern-European modes of social stratification into India, this strategy was pursued in the emphatically modern context of nineteenth-century imperialism. Understood as an 'invented tradition', and in the context of the reassertion of monarchy and monarchic symbolism in Britain itself, this instance of suzerainty emerges not as a pre-modern holdover, but a strategy for navigating modernity using the imagery of an imagined past.[68]

As we saw in chapter three, the 1881 Pretoria Convention, which reconstituted the Transvaal Colony as the Transvaal State, contained concrete restrictions on the polity's sovereign rights and described that polity as under the 'suzerainty of Her Majesty'.[69] The relationship between these two provisions was not clearly defined.[70] Sometimes, British officials spoke as if they were basically equivalent, suzerainty meaning a division of sovereign powers.[71] Elsewhere, however, it was implied that suzerainty – while supporting a transfer of sovereignty – did not

[66] Ramusack, *Indian Princes and their States*, pp. 90-2, 111-2; Ulrike von Hirschhausen, 'The Limits of Ornament: Representing Monarchy in Great Britain and India in the Nineteenth and Early Twentieth Century', in Jörn Leonhard and Ulrike von Hirschhausen (eds.), *Comparing Empires: Encounters and Transfers in the Long Nineteenth Century* (Göttingen: Vandenhoeck & Ruprecht, 2011), pp. 219-36; Bernard Cohn, 'Representing Authority in Victorian India', in Eric Hobsbawm and Terence Ranger (eds.), *The Invention of Tradition* (Cambridge: Cambridge University Press, 1992 [1983]), pp. 165-209.
[67] Ibid., p. 199; Ramusack, *Indian Princes and their States*, p. 92.
[68] Cohn, 'Representing Authority'; von Hirschhausen, 'Limits of Ornament', pp. 219-26.
[69] Printed in D. M. Schreuder, *Gladstone and Kruger: Liberal Government and Colonial 'Home Rule' 1880-85* (London: Routledge and Kegan Press, 1969), pp. 489.
[70] Ibid., p. 220.
[71] Ibid., pp. 219, 221.

quite mean this, but something prior and broader.[72] For example, Kimberley (then-Secretary of State for the Colonies) argued that 'the Transvalers will be in a sense British subjects…insomuch as they will be subject to British suzerainty' but 'in the technical sense they will not be "British subjects" in which term is implied subjection to sovereignty'.[73]

Taking a wider view, encompassing the 1881 and 1884 Conventions, this emerges as the most plausible interpretation of suzerainty's meaning and purpose in the southern African context. Firstly, note that the 1884 London Convention also contained some restrictions on the sovereignty rights of the Republic, but did *not* mention suzerainty.[74] However, those restrictions were less severe than those of 1881; thus, it is arguable that the subjection of the Transvaal to British suzerainty supported more burdensome limitations of sovereignty, even where it did not quite equate to those limitations. Yet the picture is further complicated by the insistence, by many representatives of Britain, that even though there was no explicit suzerainty clause in the 1884 Convention, that suzerainty had not actually been revoked.[75] If true, that would imply that various – more (1881) or less (1884) – restrictions on sovereignty rights were compatible with the idea. Attempting to determine whether suzerainty was 'really' retained, post-1884, is difficult, though, and arguably obscures the more important point: that this was a matter of contestation at the time. One historian has argued that, to justify their claim, the British resorted to 'propositions that were political rather than legal in character', including 'that Britain was the paramount power with special rights and interests throughout South Africa'.[76] While we might wonder what exactly a political-versus-legal proposition involves, this writer's basic point is astute: Britain's assertion of suzerainty over the Transvaal/Republic was about something more – something other – than

[72] Relatedly, jurists did *not* always classify the Transvaal as a vassal state or a state under suzerainty; some argued instead that it was a protectorate. For example, see Westlake, *International Law*, v. 1, p. 27. Verzijl defends this interpretation in *International Law in Historical Perspective, Part 2*, p. 425.
[73] Schreuder, *Gladstone and Kruger*, pp. 219-20.
[74] Leonard Thompson, 'Great Britain and the Afrikaner Republics, 1870-1899', in Monica Wilson and Leonard Thompson (eds.), *The Oxford History of South Africa* (Oxford: Clarendon Press, 1969/71, 2 vols.), v. 2, p. 308. See the Convention text, printed in Schreuder, *Gladstone and Kruger*, pp. 498-502.
[75] Ibid., pp. 429-34; Thompson, 'Great Britain and the Afrikaner Republics', p. 322.
[76] Ibid., p. 322.

rights, treaties, and the facts of international law. Suzerainty therefore indicated a position of symbolic subjection, which was translatable, but not reducible, into concrete and modifiable limitations on sovereignty.

In these regards, British suzerainty over the Transvaal/Republic was not dissimilar to paramountcy in the Indian context. The feudal imagery that accompanied the latter was not, however, replicated in southern Africa, and notwithstanding some (standard and fairly unremarkable) monarchical language in the Conventions – which spoke of the suzerainty 'of Her Majesty' – there were no subordinate 'princes' here. This suzerainty did come with its own symbols and markers, however, revealed in contestation over which name was appropriate for the subordinate polity. In 1881, the Transvaal Colony became the Transvaal State. In 1884, the Afrikaner delegates, seeking to revise the Pretoria Convention's terms, demanded the use of the name 'South African Republic', its name before 1877. When that demand was accepted, Kruger, then-President of the Transvaal/Republic, 'assumed [in 1884] that the suzerainty would be abolished with…the return to its old status as the 'South African Republic'', the polity's name an emblem of its standing vis-à-vis Britain.[77]

Performing majesty and deference

Variations in the rights held by semi-sovereigns thus often followed dynamic shifts in the nature of suzerains' relationships with the subordinates, which were reflected by new statuses and titles, to which rights and jurisdictions were attached. The classic means by which relationships of suzerainty were enacted, sustained, and renegotiated was the paying of tribute, where that took the form of money or goods, offered by subordinates to those who claimed authority over them. Both the Moldavian and Wallachian Princes, and the Egyptian *walis*, had tributary obligations of

[77] Schreuder, *Gladstone and Kruger*, p. 430.

this sort.[78] These typically took the form of a regular, annual payment, although the amount demanded could vary. Over the years there were marked 'fluctuations' in the tribute demanded from Moldavia and Wallachia, and as the terms of the suzerain-vassal relationship were redefined, so too were the Princes' tributary obligations.[79] One of the reasons that the period of Russian influence was so important in the history of the Principalities was that the level of tribute they would have to provide was fixed, and some of the Porte's other economic privileges in and over Moldavia and Wallachia were restricted.[80]

Alongside regular payments, tribute-payers often offered money or goods to their suzerains, in symbolically-significant ways or on significant occasions. For example, 'gifts' were made to the Porte whenever a new Prince took office in the Principalities, which could in practice be 'a much heavier imposition than the basic tribute payment', since new Princes rotated in regularly.[81] Even the regular, standard payments were symbolically-charged – performances of deference, neither purely material nor ideational phenomena – but these 'gifts' reveal that duality even more clearly, being part of the ceremonial whereby Princely authority (and, by implication Ottoman suzerainty) were confirmed.

Indeed, an expanded understanding of tribute-paying would encompass all practices which symbolically affirmed, sustained, reproduced – and possibly redefined – relations of majesty and deference.[82] 'Rituals' and ceremonies were moments at which suzerain-subordinate relationships were renegotiated.[83] For instance, grand, official gatherings – referred to either as 'assemblages' or, to co-opt the style of the old Mughal Empire, '*durbars*' – were fora at which British majesty over the Indian Princely states was performed, and deference demanded; they

[78] Sugar, *Southeastern Europe under Ottoman Rule*, p. 121; Fahmy, 'era of Muhammad ʿAli Pasha', p. 168.
[79] Sugar, *Southeastern Europe under Ottoman Rule*, pp. 121-2; Jelavich, *History of the Balkans: Eighteenth and Nineteenth Centuries*, pp. 99-100.
[80] Ibid., pp. 111, 264-5, 268.
[81] Sugar, *Southeastern Europe under Ottoman Rule*, p. 122.
[82] See, again, Wight, *Systems of States*, p. 23; Khong, 'American Tributary System'.
[83] Ibid., pp. 11-2, 23-7.

'encoded British ideas about their relationships with Indian princes'.[84] The earlier of these, in particular, featured lots of 'medieval' imagery, and although this would be slightly deemphasized by the early-twentieth century, 'personal acts of homage to the representative of the Crown [were made] an imperative feature of the [1903] *Durbar*, thereby emphasizing hierarchy and distance between British rulers and Indian princes'.[85]

Rituals and ceremonies were not only a means of sustaining suzerain hierarchies, however: they could also be sites of resistance. For example, during the 1911 *durbar*, a display of perceived disrespect towards the Crown by the Gaekwar of Baroda caused much controversy. At the time, the significance of this episode was magnified by how it was portrayed in the media, but regardless of whether more was made of it than had been intended, the reaction is itself telling.[86] Smooth ceremonial would durably sustain symbolic hierarchies; interruptions, challenges, and departures from the script could destabilize them, in ways that were unsurprisingly alarming from the suzerain's point of view.

Symbolic relationships of suzerainty were not only negotiated at major ceremonies; they were also represented on a day-to-day basis. Some Egyptian *walis*, for example, chose to model their courts on those of the Ottoman Sultan.[87] ʿAbbas recognized 'A major component in the legitimacy of the Mehmet Ali dynasty…derived from the charisma of the Ottoman sultans'. It was hence 'necessary to demonstrate the continuous flow of symbolic support even in times of strained relations between Istanbul and Cairo', and ʿAbbas was 'perfectly happy to pose as a "sub-monarch" to the sultan', designing his palaces and court to reflect that status.[88] Egypt was thus presented as simultaneously like, connected to, and subordinate to the Porte. On an even

[84] Ramusack, *Indian Princes and their States*, p. 90; see also Cohn, 'Representing Authority', and von Hirschhausen, 'Limits of Ornament'.
[85] Ibid., pp. 228, 230-1.
[86] Ibid., pp. 233-4.
[87] Similarly, Khong notes that subordinate entities in the American tributary system replicate, and have been pressured to replicate, the institutions of the United States. 'American Tributary System', pp. 21-3.
[88] Toledano, *State and Society in Mid-Nineteenth-Century Egypt*, pp. 50-5.

more quotidian level, gestures such as 'minting only Ottoman coins' were not trivial: they reaffirmed the status and majesty of the suzerain in a tangible, everyday manner.[89]

One last means of performing deference was fighting in support of the suzerain.[90] In the 1680s, the Duke of Courland supported Poland-Lithuania in a war against the Ottomans, despite not being technically required to do so, helping keep suzerain and vassal on good terms.[91] Muhammad ʿAli similarly fought at the behest of the Sultan during the early-nineteenth century. In 1811, the Sultan enlisted the *wali* to send a force to the Hijaz, in order to put down a challenge – military and religious – from the Wahhabis, over whom he claimed authority.[92] Whether or not Muhammad ʿAli responded to this demand out of genuine loyalty to his suzerain, he nevertheless believed that the achievements of his campaigns 'provided enough evidence of his effort in defending the sultan's authority'.[93] Likewise, in 1827, the Sultan called upon Muhammad ʿAli for assistance in putting down the revolution in Greece, and the *wali* (begrudgingly) acquiesced to this demand.[94]

As we saw above, ceremonies and rituals offered channels for challenging the supremacy of the suzerain, as well as affirming it, and the same was true of military action. Vassals might decline to answer calls for assistance from their superiors, as the Duke of Courland did in the 1670s, refusing to assist the Polish-Lithuanian monarchy in a war against the Ottomans. Both the King and the *Sejm* condemned the Duke for this failure, and shortly afterwards the Duke fell more into line, offering funds and soldiers to support the Commonwealth war effort.[95] Beyond simply refusing to positively support their suzerains, their subordinates might even turn their

[89] Fahmy, 'era of Muhammad ʿAli Pasha', p. 146.
[90] The main example used by Lake in his discussion of 'symbolic obeisance'. Lake, *Hierarchy in International Relations*, pp. 165-74.
[91] Berkis, *History of the Duchy of Courland*, p. 185.
[92] Hassan Ahmed Ibrahim, 'The Egyptian empire, 1805-1882', in Daly, *Cambridge History of Egypt, Volume 2*, pp. 198-201; Al-Sayyid Marsot, *Egypt in the reign of Muhammad Ali*, pp. 198-203; Fahmy, 'era of Muhammad ʿAli Pasha', p. 150.
[93] Ibid., p. 150; cf. Ibrahim, 'Egyptian Empire', p. 200.
[94] Fahmy, 'era of Muhammad ʿAli Pasha', pp. 157-60; for further details, see Al-Sayyid Marsot, *Egypt in the reign of Muhammad Ali*, pp. 206-18.
[95] Berkis, *History of the Duchy of Courland*, p. 160.

armed forces against them. From 1831-3, and 1839-41, campaigns were waged in Syria by the Egyptian army, against the Sultan's. The *wali*'s relative satisfaction with the final peace terms reveals what was at stake in this episode. In the run-up to the 1833 hiatus, Muhammad ʿAli's son, Ibrahim, pressured his father to push for full independence, but he was reluctant to go that far: 'the Pasha was at heart an Ottoman in an Ottoman world', and 'could still not contemplate independence'.[96] In 1841 he was able to win a more substantial set of concessions than he had received in 1833. This was still not complete independence, but the destruction of his connection with the Sultan was not Muhammad ʿAli's primary goal, in either stage of the conflict. His core ambition had been instead to change that connection's meaning and its legal implications, and insofar as he achieved this, the second stage of the Syrian campaign should be seen as a relatively successful act of resistance.[97]

Suzerain spaces

Both the social logics examined in the preceding chapters were associated with conceptions of political space, aspects of which were manifested by polities: an international society of legal persons; the administrative zones and boundaries of management. In chapter five, we'll see that this was also true of cultural differentiation, which conjured images of variably diffuse communities of national identification, and spaces defined by their level or style of civilization.

We can make a similar point about suzerainty, even though this might initially seem counter-intuitive. Since suzerainty reflects and produces ranked arrangements of title-bearing entities, one might imagine it as an essentially aspatial logic: an abstract table of actors, organized by their status. That abstract image, however, better captures general differences in rank, which did not necessarily involve direct ties of suzerainty and subordination: comparisons and

[96] Fahmy, 'era of Muhammad ʿAli Pasha', p. 167.
[97] Ibid., p. 176.

competition between actors that float freely in international space; *any* king as compared with *any* duke, etc. As we saw in the introduction to this chapter, however, specifically *suzerain* status gradation also involves relations of symbolic authority which produce and sustain differences of rank: thus the Ottoman Sultan outranked the Egyptian *wali*/*khedive* because the former was empowered to bequeath that title to the latter, and that difference in status in turn affirmed and reproduced that relationship of authority.

This point, while subtle, is the key which unlocks the spatial dimension of the suzerain logic. Ranked actors under suzerainty pay deference to another, who claims majesty over them, and those claims to majesty are often extended across space, within which their subordinates lie. Befitting the symbolic quality of suzerainty, as contrasts with the direct control implied by management, these spaces are typically broader and less neatly bounded than administrative zones. The appropriate image is thus of 'frontiers', diffuse and shading away gradually, as opposed to 'borders'.[98]

The Ottoman Sultan therefore claimed majesty over a broad political space, one that, internally, was differentiated, but also fluid and continuous. Hence 'The tributary territories of the Ottoman Empire operated as zones of influence under Ottoman suzerainty': Moldavia and Wallachia (and Egypt) did not lie clearly outside Ottoman space, even though they sat as increasingly distinct and well-defined entities within it.[99] Through to the early-nineteenth century, Ottoman sources characterized the Principalities as parts of – inside – the Empire, and even as, under Russian and then great power influence, encoded in treaties, Moldavia and Wallachia were increasingly envisioned as separate states, they were still situated within a broad,

[98] Friedrich Kratochwil, 'Of Systems, Boundaries, and Territoriality: An Inquiry into the Formation of the State System', *World Politics* 39:1 (1986), pp. 27-52; David Ludden, 'The Process of Empire: Frontiers and Borderlands', in Peter Fibiger Bang and C. A. Bayly (eds.), *Tributary Empires in Global History* (Houndmills: Palgrave Macmillan, 2011), pp. 132-50; Anthony Giddens, *The Nation-State and Violence: Volume Two of a Contemporary Critique of Historical Materialism* (Cambridge: Polity Press, 1985), pp. 49-50. Alternatively, these are sometimes characterized as diffuse 'concentric circles': see Khong, 'American Tributary System', p. 11.

[99] Aksan, 'Whose Territory and Whose Peasants?', p. 76.

suzerain sphere.[100] As I'll argue in the next section, this narrative was not one in which Ottoman suzerainty and its spatial corollary gave way, but rather a story in which the characteristics of the polities within that enduring suzerain space were altered by the crystallization of management inside, and insertions of management into, that overarching zone over which Ottoman supremacy was continuously claimed.

Ottoman space was, therefore, 'in many ways a continuum stretching out from the fully integrated central provinces to autonomous provinces, client kingdoms or vassals, and Muslim or non-Muslim neighbours'.[101] Strictly-demarcated internal borders, of the sort associated with management, only came into view over the course of the nineteenth century, and arguably only set in fully in the early-twentieth.[102]

Egypt, however more defined it became as an administrative entity, following the state-building reforms of Muhammad ʿAli and his successors (see below), lay on this continuum until, in 1914, it was pulled completely out of the Ottoman orbit. We can get a good handle on Egypt's position by reconsidering the campaigns undertaken by the Egyptian military, introduced in the previous section. Dispatching a force to the Hijaz, in response to the Sultan's call, was an action launched within Ottoman space: the Sultan claimed suzerainty over Egypt and the Hijaz both, and thus asked one of its vassals to help bring others, increasingly recalcitrant, into line. Indeed, asking this of Muhammad ʿAli fit 'established precedent; since the extension of Ottoman suzerainty over the Arab lands, the affairs of the Hijaz had usually been overseen by the Ottoman governor of Egypt'.[103] Even where Muhammad ʿAli acted 'on his own initiative and account' (as when he authorized an invasion of the Sudan in 1820), action was still 'officially undertaken in

[100] Panaite, 'Legal and Political Status of Wallachia and Moldavia'. Haldén argues that after 1856, the Principalities were 'nested in the Ottoman Empire, which was in turn nested in the European states-system': Haldén, 'non-sovereign modernity', p. 349. This development was sometimes noted in legal commentaries: see, for example, Dickinson, *Equality of States in International Law*, pp. 233-6.
[101] Amira K. Bennison, 'The Ottoman Empire and its Precedents from the Perspective of English School Theory', in Barry Buzan and Ana Gonzalez-Pelaez (eds.), *International Society and the Middle East: English School Theory at the Regional Level* (Houndmills: Palgrave Macmillan, 2009), p. 54.
[102] Ibid., pp. 59-60; A. Nuri Yurdusev, 'The Middle East Encounter with the Expansion of International Society', in Buzan and Gonzalez-Palaez, *International Society and the Middle East*, p. 81.
[103] Ibrahim, 'Egyptian empire', p. 200.

the name of the Ottoman sultan', and 'the territories acquired were formally annexed to his dominions'.[104]

During these campaigns, Egyptian leaders managed to amass networks of influence and authority of their own. After fighting against the Wahhabis in the Hijaz, the Egyptian army continued onto Yemen (also under Ottoman suzerainty), and Muhammad ʿAli concluded a treaty with the *imam* in 1819. As part of this arrangement, the imam was to pay their own tribute, which the *wali* justified by asserting that 'former imams had been tributaries of the Porte through the pasha of Egypt'.[105] An Egyptian 'mini-empire' was therefore constructed within the broader Ottoman space.[106] Relationships of suzerainty and deference were nested within one another, 'fractal' replications within similar but larger wholes.[107]

This model of political space was not unique to the Ottoman Empire. Britain, for example, claimed supremacy over the entire southern African region: 'as in India, British metropolitan authorities saw themselves as possessors of 'over-rule' throughout Southern Africa'.[108] What this specifically meant, and what the limits of that regional 'over-rule' were supposed to be, were left somewhat vague, not unlike the more specific suzerainty Britain claimed over the Transvaal. In turn, this zone was embedded within even broader, even less well-defined visions for a 'wider African empire', elaborated through analogies with the United States' Monroe Doctrine.[109]

These claims were in part directed towards other, non-African powers, to whom Britain wanted to deny influence in the region.[110] But they were also directed towards polities within

[104] Ibid., pp. 204-5.
[105] Ibid., p. 202.
[106] Toledano, *State and Society in Mid-Nineteenth-Century Egypt*, p. 90.
[107] Daniel H. Nexon, *The Struggle for Power in Early Modern Europe: Religious Conflict, Dynastic Empires & International Change* (Princeton and Oxford: Princeton University Press, 2009), p. 103.
[108] D. M. Schreuder, *The Scramble for Southern Africa, 1877-1895: The politics of partition reappraised* (Cambridge: Cambridge University Press, 1980), p. 14.
[109] Clement Francis Goodfellow, *Great Britain and South African Confederation* (Cape Town: Oxford University Press, 1966), pp. 116-7.
[110] In this respect, the British paramountcy resembled a 'sphere of influence', as the term was used at the time: see Hannis Taylor, 'Spheres of Influence and Protectorates', *American Law Review* 41 (1907), p. 98, for one definition from the period.

southern Africa itself, and shaped Britain's attitude and behaviour towards even nominally independent states there. Thus, the Afrikaner republics' 'independence was limited in theory by British claims to paramountcy in the region'.[111] This applied to the Transvaal, but also more broadly, extending additionally to the Orange Free State, with which Britain did not have agreements akin to the Pretoria or London Conventions. During negotiations in 1876, concerning confederation schemes, British officials chose to deal with the Free State's President Brand primarily through the Colonial, rather than the Foreign Office, so as not to imply ''an indirect recognition' of the Free State's 'entire independence' of the British South African paramountcy'.[112]

Britain's narrower claim to suzerainty over the Transvaal – either as explicitly affirmed in the Pretoria Convention, or as asserted even after it was left out of the London Convention – was part and parcel, and makes sense within this context, of this broader bid for a paramount position in and over southern Africa. Indeed, one can arrange these British claims in order of breadth and specificity: from a continent-wide vision for supremacy, to a regional paramountcy, to a polity-specific suzerainty, the meaning of which latter was contested and the implications of which (in terms of rights) were variable.

Suzerainty, management, and 'vassal states'

So far in this chapter, I have shown how relationships of majesty and deference operate; explained how they produce and are structured by titles and statuses, to which rights and jurisdictions may be attached; enumerated several of the processes and practices by which they are reproduced, sustained, and challenged; and described the model of political space with which

[111] Hedley Bull, 'European States and African Political Communities', in Hedley Bull and Adam Watson (eds.), *The Expansion of International Society* (Oxford: Clarendon Press, 1984), p. 102. See also John Benyon, *Proconsul and Paramountcy in South Africa: The High Commission, British Supremacy, and the Sub-Continent, 1806-1910* (Pietermaritzburg: University of Natal Press, 1980).
[112] Goodfellow, *Great Britain and South African Confederation*, p. 97.

they are associated. In the background, however, two questions have lingered, raised in passing without being confronted directly. First: what sorts of entities are mediated by these relationships, and bear the statuses associated with them? Is the Transvaal/Republic the same sort of entity as the Duke of Courland? And second: what are the implications of variation on this count for the spatial aspects of suzerainty? In the previous section, I suggested that one could tell a story in which Moldavia and Wallachia became more clearly distinct polities, while remaining within the field of authority claimed by the Sultan. To the extent that such a narrative is compelling, how are we to interpret said change?

This last section addresses these outstanding issues. I argue that variations and shifts of the sort outlined above reflect different combinations and configurations of suzerainty and management. Let's begin by recalling the distinction between rights-bearing 'princes' and 'states'. In chapter three, I argued that Martens's 'demi-sovereigns' were difficult to classify as one or the other; that they ambiguously and ambivalently had princely (or otherwise class-based) and statist aspects. In turn, I interpreted this as the result of a configuration between an emergent management and an ongoing suzerainty, the latter to some extent supporting the former – in, for example, the domains of the premier, 'immediate' German nobility – but undercutting it as much, if not more. In this section, various further permutations of these two logics will be considered and mapped out, and their implications explored.

The idea of a 'vassal state' reflects a specific combination of these logics. The markers of suzerainty – titles, statuses, and other emblems that reflect an entity's standing vis-à-vis a superior – could, in principle, be affixed to all sorts of basic entities. They are often 'princes', or other individuals (dukes, *khedives*, etc.), but they do not have to be. They could also be collective actors, which would include states. When a polity that bears these markers, and continues to defer to the symbolic supremacy of another, becomes increasingly centralized, far-reaching, and/or bounded – when, more and more, it manifests management by, through, and in the state – it approximates to the form of a vassal state. It is important that we frame this as a point to which

entities can approach, rather than a binary matter (where a polity is either unambiguously a 'vassal state' or it is not), because this allows to account for changes to the make-up of vassals that, nevertheless, remained ambiguously statist and 'princely'.

Probably the clearest example of a vassal state, or statist vassal, is the Transvaal/Republic. There was nothing princely about this polity; indeed, it was an avowed 'republic', where republicanism did not denote a layered system of 'corporations', amenable to divisions of sovereignty, but was in fact pitched against British suzerainty and the semi-sovereignty of the Transvaal, and in favour of independent, maximally-sovereign statehood.[113] Hence representatives of the Transvaal strove to recover the old name, South African Republic, as part and parcel of revising down the provisions of the 1881 Convention.

However, the other cases considered in this chapter were more ambiguous, appearing differently when viewed from different angles. The Dukes, or Duchy of Courland; the Princes/*voievods*/*hospodars*, or Principalities of Moldavia and Wallachia; the *walis*/*khedives*, or Egypt; the Indian Princes or 'Princely States': all could be seen as title-bearing individuals, and/or subordinate polities – collective actors defined by their institutions and territories. Without ever displacing the former, the latter interpretation typically became more compelling over time, as managerial relations bubbled up within, and were extended through and projected into overarching zones of suzerain authority.

Suzerainty, management, and institutional change

Across several of this chapter's case studies, actors, who continued to pay deference to suzerains' claims to majesty, also asserted control over their own subjects (indeed, 'caging' them *as* subjects), constructed around themselves more centralized, far-reaching institutions, and defined

[113] Compare with Peter Haldén, *Stability Without Statehood: Lessons from Europe's History before the Sovereign State* (Houndmills: Palgrave Macmillan, 2011), p. 33; Peter Haldén, 'Republican continuities in the Vienna Order and the German Confederation (1815-66)', *European Journal of International Relations* 19:2 (2013), p. 285.

more clearly the domains within which said control was asserted.[114] Management by, through, and in the state thus crystallized, gradually, within, and from beneath, overarching zones of suzerain authority.

The Dukes of Courland – particularly James, ruling in the seventeenth century – attempted to construct more robust apparatuses for controlling their subjects and intervening in their lives. James's primary interests were 'to establish absolutism, to subordinate the interests of his Courlander nobles to the interests of the state, to achieve a complete independence from Poland'.[115] He did not completely achieve any of these goals, but nevertheless did oversee wide-ranging reforms.[116] These developments were inchoate and fitful, however, and their achievements reversible, as James himself discovered when his state-building initiatives were set back, following an invasion and occupation of Courland by Sweden at the end of the 1650s.[117] Moreover, whatever were James's, or the other Dukes' ambitions, the Duchy remained under Polish-Lithuanian suzerainty; any moves towards management, ultimately realized or not, were made within the context of that relationship and did not displace it.

The intensification of management in Moldavia and Wallachia was a protracted process, as was the institutional change it entailed. Three moments stand out. The Phanariot period is typically associated not with effective management, but 'corruption' and 'increasing turmoil and internal anarchy'.[118] Yet, in large part to address these issues, reforms were embarked upon from the mid-eighteenth century, the goals of the most famous of the reforming Phanariots, Constantine Mavrocordat, being to 'centralize the administration and bring it into direct contact with the mass of the population'.[119] In this, he drew on and expanded administrative reforms that had been applied in a portion of Wallachia, during the period when it had been annexed by

[114] The notion of 'caging' again coming from Michael Mann, *The Sources of Social Power, Volume 2: The Rise of Classes and Nation-States, 1760-1914* (New edition, Cambridge: Cambridge University Press, 2012).
[115] Berkis, *History of the Duchy of Courland*, p. 42.
[116] Ibid., chapter 3.
[117] Ibid., pp. 122-3, 130-9.
[118] Jelavich, *History of the Balkans: Eighteenth and Nineteenth Centuries*, p. 103.
[119] Ibid., p. 106.

Austria (from 1718-39). Next, in the wake of the Convention of Akkerman and Treaty of Adrianople, the administration was redesigned in the early-1830s, on the basis of new 'Organic Statues'. Drawn up under Russian influence (on which more later), these 'established a system of government based on the best examples of current administrative practice as seen by a conservative, monarchical, but enlightened leadership'.[120] Finally, the election of Alexander Cuza to rule both the Principalities in 1858-9 inaugurated another round of institutional redesign. Their administrative apparatuses were united, and he drew upon Napoleonic-French models in shaping the character of these institutions.[121]

It is notable that the 1856 Treaty of Paris, in which Empire's suzerainty over the Principalities was re-expressed and guaranteed by the great powers, through a multilateral treaty, cuts between the second and third of these phases. While more important from an international-legal perspective, and as an example of the powers using their legal capabilities (see chapter two) to redefine the terms of polities' semi-sovereignty, it did also have implications for the administrative institutions of the Principalities.[122] In many ways, however, institutional change in Moldavia and Wallachia was promoted more directly by individual external actors (like Russia, before 1856), and/or 'local' reformers, sometimes but not always working together. The third phase of institutional reforms proceeded at Cuza's initiative, and several of the powers were in fact deeply suspicious of them, although they were ultimately forced to accept them as *fait accomplis*.[123]

Turning to Egypt, under Muhammad ʿAli 'a more efficient system of administration was instituted with a clear chain of command, at the top of which was the Pasha himself'. Reforms were implemented at both 'central' and 'provincial' levels of government: at the centre, new 'deliberative councils' and 'bureaucratic departments' were put in place; Egypt was split into

[120] Ibid., p. 266.
[121] Ibid., pp. 292, 294.
[122] See discussion of the treaty in Haldén, 'non-sovereign modernity', pp. 348-52; see also Krasner, *Sovereignty*, p. 169.
[123] Jelavich, *History of the Balkans: Eighteenth and Nineteenth Centuries*, pp. 291-2.

'departments', and provincial officials were organized in a 'rigid hierarchical structure'.[124] These reforms therefore amounted to increases in both centralization and reach. Although each *wali* had their own preferences and inclinations, this project more or less continued under Muhammad ʿAli's successors.[125]

In promoting these developments, reformers did consciously draw on western European models, particularly from the Napoleonic period – which as we saw in chapter three, was the moment of a major step-change in the ascendancy of management by, through, and in the state. Cuza, in the Principalities, built on such precedents, as did Muhammad ʿAli in Egypt, who consciously oversaw the implementation of prescriptions drawn up, but not realized, by the occupying French (1798-1802).[126] That said, we ought to emphasize how much these administrative reforms were pursued at the initiative of local leaders. They deliberately borrowed blueprints from elsewhere, modified them to fit their own contexts, and hybridized them with other, including Ottoman, models.[127] Later in the century, when Egypt was under military occupation and informal British influence, Egyptian leaders took the lead in partially 'Europeanizing' institutions, rather than having new ones simply imposed upon them.[128] Emphasizing the work done by non-European actors allows us to track the very real changes that took place in these polities, without thereby making a completely, uncritically Eurocentric argument.

[124] Fahmy, 'era of Muhammad ʿAli Pasha', pp. 162-3.
[125] Even under ʿAbbas, less enamoured with European-style institutions than his predecessors or successors, most of Muhammad ʿAli's governing apparatus was retained; see Hunter, 'Egypt under the successors of Muhammad ʿAli', p. 186.
[126] Fahmy, 'era of Muhammad ʿAli Pasha', p. 148.
[127] The structure of the Egyptian army, for example, blended Ottoman and French elements. Ibid., pp. 154-5; see Al-Sayyid Marsot, *Egypt in the reign of Muhammad Ali*, pp. 126-30 for more details on reforms to the military.
[128] B. A. Roberson, 'Law, Power and the Expansion of International Society', in Cornelia Navari (ed.), *Theorising International Society: English School Methods* (Houndmills: Palgrave Macmillan, 2009), pp. 189-208; Nathan J. Brown, 'Retrospective: Law and Imperialism: Egypt in Comparative Perspective', *Law & Society Review* 29:1 (1995), pp. 103-26.

Relations of majesty and control

Various permutations of management and suzerainty are possible: the relationship between the two logics is open-ended, and they can be combined, configured and arranged in several different ways. The previous section explored one such permutation, wherein one actor claims suzerainty over another, and the *latter actor* then builds up and exercises control over some subjects – management developing under and within suzerainty. Consider now a different configuration, in which the *same actor* that claims majesty over another also extents control over and through (i.e., over the subjects of) that other. It's important to stress that, in cases of this sort, suzerains are also managers, because next we'll turn to cases where these relations came apart again: where control was asserted over subjects under the suzerainty of a third party; where management was projected into someone else's zone of suzerain authority.

For an illustration, consider the Principalities during the Phanariot period. As noted earlier, in the eighteenth century the status of the rulers of Moldavia and Wallachia shifted, being now appointed rather than merely approved by the Porte. They 'were under direct Ottoman control', and their 'main duty was to exercise the wishes of the central government'.[129] They were supposed 'to assure control of the area against foreign intrigue and intervention and to deliver huge sums of money back to the Porte for its military and civilian needs.'[130] The Principalities did not cease to be under Ottoman suzerainty – that logic was not *displaced* – but chains of control, from the Porte downwards, were redefined and strengthened within the context of that ongoing suzerainty. This shift had a spatial aspect, too: although Moldavia and Wallachia remained 'zones of influence under Ottoman suzerainty', the installation of the Phanariot governors aimed 'to clarify or extend Ottoman power into the territory in more concrete ways', on the principle of 'fixed boundaries'.[131]

[129] Sugar, *Southeastern Europe under Ottoman Rule*, p. 134; Jelavich, *History of the Balkans: Eighteenth and Nineteenth Centuries*, p. 102.
[130] Ibid., p. 102.
[131] Aksan, 'Whose Territory and Whose Peasants?', p. 76.

Thus the territorial developments, in which Moldavia and Wallachia became more clearly discrete polities (still under Ottoman suzerainty) were underway before the period of Russian influence and the redefinition of the Principalities' legal status in 1856. And they were part and parcel of the extension of management over and into Moldavia and Wallachia, of 'an attempt to clarify or extend Ottoman power into the territory in more concrete ways'. Institutional reforms at the local level, like those pursued by Mavrocordat, complemented this shift (although more direct Ottoman control also opened some avenues for corruption, noted above, which to an extent undermined attempts to make administration more effective).

In southern Africa, Britain sought to extend and tighten up its control over the polities which fell within its claimed suzerain sphere. I argued, in chapter three, that specific restrictions on the Transvaal's rights in the 1881 and 1884 Conventions aimed to regulate the actions of that polity, and thus to moderate the region's broader dynamism. This was one episode in a longer history, in which Britain experimented with various means of 'controlling' both the Transvaal, in particular, and southern Africa, in general, including confederation schemes and the annexation of the Transvaal as a colony in 1881.[132] Some British agents seemed to feel that bolstering the administrative capacity of the Transvaal might facilitate this goal, believing this might help anchor a more durable British paramountcy. For example, when Theophilius Shepstone proclaimed, in 1877, that the Republic had been annexed and was hitherto to be known as the Transvaal Colony, 'worried greatly over the consequence of a Transvaal collapse', and expressed dismay at the state of administration there.[133] Britain tried out a range of managerial devices, attempts to translate its claim to supremacy over southern Africa and its constituent parts into durable relations of control.

[132] John W. Lyon, *British Objectives in the Transvaal, 1877-1884* (Amherst: Amherst College Press, 1962).
[133] Schreuder, *Scramble for Southern Africa*, p. 72. Ironically, Shepstone's administration was in fact quite ineffective: see Bridget Theron, 'Theophilus Shepstone and the Transvaal Colony, 1877-1879', *Kleio* 34:1 (2002), pp. 104-27.

Suzerain spheres, managerial insertions

Consider one last configuration, in which relationships (and spaces) of suzerainty are intersected by management. In cases of this type, a third party intervenes in the lives of and attempts to control some subjects, who continue to pay homage to a separate suzerain.

From the late-eighteenth to the mid-nineteenth century, Russia acted as this sort of third party with respect to Moldavia and Wallachia. The Treaty of Kuchuk Kainarji in 1774, between Russia and the Ottoman Empire, inaugurated the main period of Russian influence in the Principalities.[134] It accorded to Russia concrete interventionary rights, which were upheld and expanded in subsequent agreements made in the early-nineteenth century. These allowed for Russian interference, and the 1826 Convention of Akkerman empowered Russia to play a significant part in the redesign of the Principalities' political institutions, and the Organic Statutes of the 1830s were drawn up under Russian guidance.[135] In chapter three, I argued that, at least in some circumstances, management across boundaries could reinforce management by, through, and in the state, and this is one example of such complementarity. Importantly, this does not mean that Russian involvement was *objectively* good for Moldavia, Wallachia, and those who lived there – indeed, it was widely resented – but only that it facilitated the institutional changes of the Organic Statutes period.[136]

In Egypt, a similar role was played by Britain (and to a lesser extent, and for less time, France). As I outlined in section two, Anglo-French-directed financial institutions were established to regulate the Egyptian economy in the 1870s, and the European powers' influence expanded beyond this issue-area to encompass government and politics more broadly. 1882 was a pivotal moment in this narrative, when the British occupied Egypt militarily. France did not participate in this action, and left the scene at this point, but Britain remained a key player in

[134] Jelavich, *History of the Balkans: Eighteenth and Nineteenth Centuries*, pp. 264-5. See also Krasner, *Sovereignty*, pp. 167-8.
[135] Jelavich, *History of the Balkans: Eighteenth and Nineteenth Centuries*, pp. 69-70, 264-71.
[136] Ibid., pp. 271-2; Taki, 'Russian Protectorate in the Danubian Principalities', pp. 44-7.

Egyptian affairs: the country remained under prolonged military occupation, and informal British advisers were attached to government departments, overseeing institutional change.[137]

Although the British and French engineered the deposition of Ismaʿil as *khedive*, the position itself endured, both before and after the occupation. Egypt remained, technically, under the authority of the *khedive*, who in turn continued to pay deference to the Sultan. Not only did the European powers work through this arrangement, they actively tried to shore up its legitimacy. Immediately before the British bombardment, they and the French issued a 'Joint Note', which communicated their 'determination to uphold khedival authority' and British military action was supposed to signify the same.[138] Afterwards, the British tended to prioritize maintaining a working relationship with the *khedive*, and their support for reforms to the political system was conditioned, and limited, in light of this.[139] Priorities did ebb and flow as personnel switched in and out, but the general preference remained to support, rather than to challenge, the Ottoman framework into which they had inserted themselves.[140] Intentions do not always equal outcomes, however, and despite these proclaimed goals, European activity often ended up undermining the authority of the *khedive* and Sultan, and it was sometimes, not unreasonably, resented by those it was allegedly helping.[141] At any rate, it was useful to the British (and French) to leverage the authority of the *khedive* and, by implication, Sultan, which obviated much of the need to legitimate their presence in Egypt more directly.

This is thrown into relief by events after 1914, when Britain could no longer depend on the already-established authority of the Ottoman Empire for cover. Britain's first move was to redefine the legal status of Egypt, declaring over it a protectorate.[142] Until this point, Egypt had

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[137] al-Sayyid-Marsot, 'British Occupation of Egypt', p. 655. For further references on these years, see section 2, above.
[138] Reid, ''Urabi revolution and the British conquest', p. 228.
[139] Darwin, *Britain, Egypt and the Middle East*, p. 55.
[140] Ibid., pp. 56-9; Daly, 'British occupation', pp. 243-4.
[141] al-Sayyid-Marsot, 'British Occupation of Egypt', pp. 653-4; Daly, 'British occupation', p. 243; Deringil, 'Ottoman Response', p. 7.
[142] Some advocated for simply annexing Egypt, but ultimately a protectorate form won out. See Darwin, *Britain, Egypt and the Middle East*, pp. 61-5.

a well-defined legal relationship with the Ottoman Empire, but not with Britain, and several jurists, who wrote between the start of the occupation and the outbreak of the First World War, had been unsure what to make of its position, describing it as 'anomalous'.[143] Declaring a protectorate was one way to clarify matters and to give Britain's presence a firmer foundation – much needed, now that it could not rely on Ottoman cooperation.

Nevertheless, this foundation remained shakier than British officials would have liked. The protectorate had simply been declared, not based on a proper, negotiated treaty. Some, including the Colonial Secretary, Milner, therefore proposed replacing the declared protectorate with a 'contractual' arrangement after the end of the war, as part of a broader strategy for responding to episodes of disorder associated with the nationalist *Wafd* organization. Alongside this transition to a new basis, a smaller substantive British role in Egypt was also envisaged. However, it proved difficult to establish a contract that would suit all the relevant parties, and so Britain pursued its goal of scaling back its administrative activities by unilaterally declaring Egypt 'independent' (with some caveats) in 1922. A real treaty was eventually signed, but not until 1936.[144] We can thus see that law became especially important – and reaching a sure and sustainable legal basis for the Anglo-Egyptian relationship became imperative – after 1914. Before, Britain had been able to work through a prior and ongoing Ottoman suzerainty over Egypt, which had allowed it to manage the country 'behind the scenes', and without having to ground its presence in rights, allocated by and affirmed in international-legal instruments. Now, some alternative source of legitimacy was required: hence the manipulation of Egypt's legal position, and subsequent attempts to redefine it in terms of a mutually-satisfactory contract.[145]

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[143] Westlake, *International Law*, v. 1, pp. 26-7; Thomas Joseph Lawrence, *The Principles of International Law* (2nd edition, London; New York: Macmillan, c. 1895), p. 71.

[144] Darwin, *Britain, Egypt and the Middle East*, pp. 87-95; Verzijl, *International Law in Historical Perspective, Part 2*, pp. 427-34.

[145] Although the precise legal categories applied to the polity were different (it was annexed in 1914, and made into a Crown Colony in 1925), an essentially similar strategy was pursued by Britain with regard to Cyprus which, since 1878, it had managed, without the island ceasing to be under Ottoman suzerainty. See Robert Holland and Diana Markides, *The British and the Hellenes: Struggles for Mastery in the Eastern Mediterranean, 1850-1960* (Oxford: Oxford University Press, 2006), pp. 177-83.

Concluding remarks

At the core of suzerainty are relations of majesty and deference. Like management, suzerainty involves hierarchical relations, but where they share this form, the two logics differ in their contents. Management is fundamentally about control and administration; suzerainty is about symbolic claims to supremacy, more 'feudal' than 'bureaucratic' in character.

Accordingly, those who claim this sort of supremacy, and those over whom it is claimed, bear markers, statuses and titles, reflecting their standings vis-à-vis each other. Importantly, these statuses and their meanings are produced, sustained – and sometimes redefined – within the context of these relationships: the position of, say, an Egyptian *wali*, and the implications of this title, only make sense in terms of their subordination to the Ottoman Sultan. Alone, paying deference to a suzerain does not *necessarily* constitute the deferential actor as semi-sovereign (or sovereign, or non-sovereign). Frequently, however, rights, jurisdictions, and elements of international personality are attached to the statuses, titles, and offices, which in turn flow from relationships of suzerainty, along the lines summarized immediately above. Insofar as these jurisdictions were often partial, and sets of rights with very specific referents were attached to titles, these clusters of rights often fell short of the image of full-sovereignty, as the jurists of the period understood it. Moreover, these jurisdictions were dependent: they existed because suzerains granted them, and they could be restricted or withdrawn at their behest. Like management, suzerainty had to be legalized – translated into the language of rights – to generate semi-sovereigns.

That suzerainty involved symbolic hierarchies did not mean it lacked a concrete, even material, dimension. Majesty was claimed, and deference was (or was not) offered in response. Processes and practices – the performance of suzerainty – animated the logic, sustaining it across time, and the various means by which majesty and deference were performed were simultaneously ideational and material: actions, conveying meaning. The paying of literal,

monetary tribute; grand rituals and ceremonies; banal, day-to-day references to the authority of the suzerain: these modes of performance affirmed vassals' subordinate standing, and even provided opportunities to subvert, challenge, and undo that subordination.

Like its counterpart logics, a particular image of political space is associated with suzerainty. Suzerains have authority over their subordinates, and this authority is typically projected geographically. Yet, as social logics interact, their spatial corollaries also overlap and combine, and the crystallization of administrative zones within, and insertion of management, across boundaries, into prior suzerain spaces illustrated this phenomenon, and particular kinds of semi-sovereign (like 'vassal states') were interpreted as embodying these hybrid configurations.

[5]: Cultural Differentiation

With three of the four logics now examined, we have made much headway towards a comprehensive account of the characteristics of and variations between the long-nineteenth century's semi-sovereign polities. Some lingering questions remain, however. In particular, we do not yet have an answer to why the three logics we have considered, thus far, played out in different ways, in different contexts. Take, management, for example. We have established relations of control could be tight or loose, and that interventions could be frequent, wide-ranging, successful, or none of the above. But it hasn't been obvious when or where we are to expect these variations. Nor has it always been clear why certain institutions were favoured as media for control, and channels for intervention: why, for instance, certain semi-sovereigns were embedded in imperial environments. We can appeal to the purposive nature of management for part of the answer, but to some extent this defers the question: what factors informed its purposes and goals, in which contexts? Similarly, we might reasonably wonder why certain rights were affixed to certain polities, what made subordinates more or less likely to defer to the majesty of suzerains, or why particular suzerainties produced, and were structured by, different frameworks of titles and statuses.

To flesh out this part of the explanation, this chapter turns to a fourth logic: cultural differentiation.[1] At its heart are relations between, and which produce, communities associated with particular ways of life and differentiated from one another on that basis. Processes and practices of representation help construct them as such, and two further processes – the *fitting* of

[1] There are parallels between this and the 'logic of culture' as it figures in Yannis A. Stivachtis, *The Enlargement of International Society: Culture Versus Anarchy and Greece's Entry into International Society* (Houndmills: Macmillan, 1998). However, Stivachtis assesses the relevance of culture for understanding states' entry into international society, defined in terms of recognized sovereign statehood, and conceptualized with reference to the English School, system/society distinction. I am instead interested in how it shaped polities' semi-sovereignty, and our applications of our logics differ accordingly. Similarly, Stivachtis contrasts culture to, and argues for the priority of, the 'logic of anarchy', whereas cultural differentiation intersects with a different set of logics in this thesis.

rights, institutions, and statuses to (representatives of) those communities, and the subsequent use of fit institutions to *transform* aspects of those communities – allow those representations to influence the form taken by polities, in interaction with the other logics. Background norms and concepts point to important axes of cultural differentiation in specific historical contexts. In the long-nineteenth century, ideas associated with nations, nationhood, and national sentiments, and 'civilization' and civilizations, were especially important, to international politics in general, and variations between semi-sovereigns in particular.

It was interactively, through fitting and transformation, that cultural differentiation influenced semi-sovereign polities' forms. With law, culturally-charged presentations of groups and societies affected whether and to what extent they were viewed as *bona fide* legal subjects, and which rights would be apportioned, or fit to them, through legal devices like treaties and constitutions.[2] With management, they influenced the specific design of administrative institutions, while transformative ambitions supplied purpose to, and informed the conduct of, social interventions. Finally, with suzerainty, statuses and titles were fit to subordinates, in line with their supposed cultural characteristics, while cultural contexts shaped the ritual contexts of claims to majesty, and influenced how accommodating vassals might be towards (would-be) suzerains and their demands.

In one sense, cultural differentiation worked in the background; being less 'directly' implicated in the constitution of semi-sovereigns as such, one could argue its role was less important. From another perspective, though, it arguably had primacy, since it shaped how the other three played out. That point is equally valid, though we ought to qualify it by noting that cultural differentiation *shaped without determining* the course of law, management, and suzerainty, and that other logics could work more autonomously: for example, managerial relations were often given purpose by national and civilizational ideas, but they were not always,

[2] Echoing some of the arguments in Christian Reus-Smit, 'International Law and the Mediation of Culture', *Ethics and International Affairs* 28:1 (2014), pp. 65-82.

and other ambitions (like the promotion of popular welfare, discussed in chapter three) did not reduce to cultural transformation/conservation.[3] Since there is something to both perspectives, I will decline to adjudicate the question of primacy. It is enough to map out how cultural differentiation did its work, through the others, without arguing that one logic or another was more fundamental.

This chapter proceeds through three substantive sections. The first lays out the components of the logic in more detail. The remaining two sections are organized around the two background concepts – the nation and 'civilization', respectively. Section two compares three models of nationhood – the 'nation-state' model, the 'diffuse-nation' model, and the 'anti-national model' – and demonstrates how each was implicated in the production of semi-sovereign polities. Belgium illustrates the first; Germany and Poland, at least immediately after 1815, the second; and Poland (especially after 1831) and the Ionian Islands, the third. The final section turns to civilization, focusing particularly on its interactions with law and management, through two pathways – the legal standard of civilization, and civilizing missions. I show how the concept of civilization influenced the form taken by polities, via these pathways, illustrating them first with the colonial protectorates set up across sub-Saharan Africa towards the end of the nineteenth century. Then, I consider some more ambiguously represented polities, looking in particular at semi-sovereigns found in liminal regions like Eastern Europe and the Mediterranean.

The logic

Social logics have social relations at their core, and this one is no different. When I describe this as a cultural logic, I mean that it involves relationships between (and which help produce) groups defined in terms of certain ways of life, and by the reification of those ways of life into socially-meaningful categories of association. For an example – calling forward slightly, to the

[3] Again, with parallels to the non-determinist argument in ibid.

background norms and concepts discussed below – consider nations: not simply as synonymous with states, but as communities of identification based on purported national characters and histories, sustained through the discursive and practical reaffirmation of those characters and histories.

The first point to stress, then, is that these groups are social and historical constructs, and thus are amenable to study from a processual-relational perspective. The work of construction is done through 'representational practices', whereby characteristics and qualities are ascribed to groups, emphasized and de-emphasized, and linked together into more or less coherent wholes; that process of linking, plus modes of 'classification' and the circulation of 'presuppositions' work to constitute those groups as groups in the first place.[4]

My use of 'differentiation' to characterize this logic is intended to signal my focus on how such groups relate to, and stand vis-à-vis, one another, which is implicated in their construction through representational practices.[5] Here, differentiation highlights three things. One is outcomes: the production of groups, either as different instantiations of the same type (e.g., specific nations, like Poland versus Germany), or different sub-types of the same broad type (e.g., different sorts of nation), or different types altogether (e.g., national versus non-national communities). The second is processes: the work done to differentiate these instantiations/types, and to sustain that differentiation. And the third is starting points – cultural communities appear differently from alternative perspectives, and processes that emanate from those starting points are shaped accordingly. Below, we'll see that Russian, Austrian and Prussian, and Polish perspectives on Polish nationhood around 1815 differed to each other (and were somewhat contested internally, too), and that the configuration of processes those starting

[4] Roxanne Lynn Doty, *Imperial Encounters: The Politics of Representation in North-South Relations* (Minneapolis: University of Minnesota Press, 1996), pp. 10-2. My claims about linking are also based on the remarks on 'yoking', in Patrick Thaddeus Jackson and Daniel H. Nexon, 'Relations Before States: Substance, Process, and the Study of World Politics', *European Journal of International Relations* 5:3 (1999), pp. 312-7.

[5] There are some points of connection with the emphasis on 'diversity' within culture, in Reus-Smit, 'International Law and the Mediation of Culture', pp. 72-3.

points gave rise to had concrete implications for the resulting institutional manifestations of the idea of the Polish nation.

That said, we should note that differentiation does not necessarily mean the diametric 'othering' of groups: subtler, including complementary, relationships are perfectly possible too. Vick puts this well: 'identities are not defined solely by assertions of difference between groups perceived as "others". Identities also form through nested relationships within overarching, ever more inclusive hierarchies of attachment'.[6] Note that even this involves a kind of differentiation, insofar as there are meaningful distinctions between these nested levels. But more straightforward 'sameness' is relevant too, being the corollary of differentiated groups: if Poland is different to Germany, the members of either group are similar by virtue of being part of those groups (although of course what it means to be a member may be contested). Thus Doty highlights how representational practices may follow either 'the logic of difference' or 'the logic of equivalence', and stresses that the two often work together: in 'imperial encounters', differentiating 'colonizer' and 'colonized', 'the logic of equivalence is simultaneously at work, however, in that each of the contents of these differential elements [*specific* 'differences in skin color, custom/culture, dress, and language'] is equivalent to the others in terms of their common differentiation between colonizer and colonized'.[7]

So much for the relational core of cultural differentiation. Like the others, this logic also encompassed processes and practices, including the representation practices discussed just above, and the two interactive processes – fitting and transformation – which capture how cultural differentiation worked with law, management, and suzerainty.

From different perspectives, groups are constructed and perceived in different ways: certain characteristics are emphasized or deemphasized, those characteristics are interpreted and understood variably, and a range of implications might be held to follow from them. *Fitting*

[6] Brian E. Vick, *The Congress of Vienna: Power and Politics after Napoleon* (Cambridge MA: Harvard University Press, 2014), p. 272.
[7] Doty, *Imperial Encounters*, pp. 11-2.

occurs when some feature is attached to a society or group, on the basis of these characteristics, by those empowered to do so. These features could be rights, administrative institutions, or statuses and titles – corresponding, respectively, to law, management, and suzerainty. Furthermore, the idea that certain actors may be more or less empowered to do this fitting speaks further to the connections between the logics: having managerial or suzerain authority, or a privileged position to distribute rights, enabled particular actors to fit features to groups; those lacking such advantaged positions tended to have their visions for the futures of cultural communities marginalized. This also reaffirms the importance of differentiated starting points. If certain actors are better placed to fit rights/institutions/statuses, then their perceptions and appraisals of target cultural communities will have more influence on the rights/institutions/statuses the latter end up with.

Once in place, institutional apparatuses may facilitate the *transformation* of groups managed through those institutions. The desire to alter the properties of a group might supply purpose to social interventions; those interventions are mediated through administrative channels. In addition, favourable distributions of rights may make it easier to pursue transformative projects, and sometimes the redefinition of titles and statuses might have a transformative dimension. For the most part, however, this was a pathway connecting cultural differentiation and management. Specifically, the way transformation connects these logics is the inverse of fitting: while the latter essentially goes from cultural differentiation to management (from constructions of cultural groups, to the institutions fit to those groups), the former starts with managers and managerial apparatuses in place, using these to effect cultural change. Over time, the relationship between these processes (and configurations of cultural differentiation with management) can take on a dynamic character: fitting, leading to transformation, leading to refitting, etc. Note, last, that transformation also has a subsidiary process – *conservation* – whereby managers attempt to hold back cultural change rather than promote it. Although the intended effects are different, this process operates in essentially the same way.

Cultural differentiation is animated by and made concrete in historically-specific contexts, through background norms and concepts. In the long-nineteenth century, and with reference to semi-sovereign polities, two were particularly important: the '*nation*', and '*civilization*'. Others could of course be added to this list, but these two are the most relevant to the particular empirical subject of this thesis, and the need to trade breadth off against depth inclines me towards focusing in some detail on these two, rather than superficially on many others.[8]

The idea of the nation typically picks out cultural commonalities shared by its members, such as traditions, or common histories and mythologies. At the same time, it is often used refer to complexes of political institutions – even specific polities – and national and nationalist ideologies often emphasize and celebrate purportedly distinctive features of those institutions and polities. Understood as competing visions, this amounts to the classic distinction between 'cultural' or even 'ethnographic', and 'civic' variants of nationalism. Often, however – particularly in the long-nineteenth century, when modern conceptions of the nation were still forming – these two visions blurred into one another, and aspects of them were consciously or unconsciously mixed together. Referring to Germany, though the point extends much further, Vick argues that 'notions of nationhood spun gyroscopically between these two poles': if analytically separable, then empirically interwoven.[9] Far from muddying the waters, this premise is crucial if cultural differentiation is to do the explanatory work I want it to. The hybrid character of the concept implied in-built channels, connecting cultural matters to law, management, and suzerainty, and therefore allowing cultural differentiation to shape the form of semi-sovereign polities in a way that would otherwise have been hard to account for.[10]

[8] Just to be clear, my discussion of these concepts, what they could have meant, and what behaviours they legitimated and motivated, should not be construed as an endorsement of those definitions or behaviours.
[9] Brian E. Vick, *Defining Germany: The 1848 Frankfurt Parliamentarians and National Identity* (Cambridge, MA, and London: Harvard University Press, 2002), pp. 21-2.
[10] On law, see ibid., pp. 28-9.

The idea of 'civilization' has been the subject of considerable attention within IR, particularly in the subject's more historical-sociological corners. It is common to distinguish between two variants of the concept – civilization in the 'singular', and civilizations in the 'plural' – and while my focus is predominantly going to be on the former, both are of relevance to my concerns in this chapter (and thesis), so it will be worth quickly running through definitions of the two, in turn.[11]

Understood in its singular sense, civilization was used to denote modernity, and a socially advanced state: 'civilized' communities were more developed than 'uncivilized' ones. This conception crystallized in the eighteenth century, particularly in French and British political economy and historiography, and was firmly embedded in nineteenth-century political thought. The idea had connotations of 'progress', and was often wedded to stadial, evolutionary, and/or teleological conceptions of history.[12] However, its specific meaning and implications were highly contested, and various criteria were used (and challenged) as alternative indicators of societies' levels of civilization.[13] Its implications, too, were variable: how a purportedly more civilized community ought to act towards a supposedly less civilized one, for example, was a matter of debate.[14]

This conception of civilization has been particularly important to IR scholars because of its 'stratificatory' dimension: arranging societies according to their level of civilization was a way in which nineteenth-century political actors made sense of their world, and this 'standard of

[11] Peter J. Katzenstein, 'A world of plural and pluralist civilizations: multiple actors, traditions, and practices', in Peter J. Katzenstein (ed.), *Civilizations in World Politics: Plural and pluralist perspectives* (London and New York: Routledge, 2010), p. 1.
[12] Brett Bowden, *The Empire of Civilization: The Evolution of an Imperial Idea* (Chicago: University of Chicago Press, 2009), provides an excellent overview of the concept's history. See especially chapters 2-3.
[13] For a list of the indicators found in the mainstream international law of the period, see Gerrit W. Gong, *The Standard of "Civilization" in International Society* (Oxford: Clarendon Press, 1984), pp. 14-5.
[14] For an example of such a debate, see Andrew Phillips, 'Saving civilization from empire: Belligerency, pacifism, and the two faces of civilization during the Second Opium War', *European Journal of International Relations* 18:1 (2012), pp. 5-27.

civilization' amounted to a hierarchal picture of international society.[15] This worldview went on to legitimate differential treatment of differentially-ranked communities, and the ways in which the standard of civilization drove and legitimated imperialism have been especially highlighted by historically-minded IR theorists.[16]

In their plural sense, civilizations refer to 'loosely coupled, internally differentiated, elite-centered social systems that are integrated into a global context'.[17] They be socially reified into entities (even actors) just like any other collective organizational form, but they also contain sub-units – be they 'states, polities, and empires', or narrower cultural communities like nations.[18]

Plural civilizations need not be opposed to singular civilization. Individual civilizational actors, or subordinate entities acting, in ways shaped by, or on behalf of, the civilizational complexes within which they are embedded, may seek to promote elsewhere their own civilization, and the ways of life and social practices associated with it. Insofar as these take on more universalizing ambitions – as 'British' or 'French civilization' slips into 'western civilization', and then into 'civilization' *simpliciter* – the gap between the two conceptions narrows. While civilizations and nations are distinct conceptually, empirically they may map

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[15] Constituting one instantiation of one kind of 'stratification' in Edward Keene, 'The Standard of 'Civilisation', the Expansion Thesis, and the 19th-century International Social Space', *Millennium: Journal of International Studies* 42:3 (2014), pp. 651-73. The idea of civilization has a prominent place in the path-breaking study of hierarchy, John M. Hobson and J. C. Sharman, 'The Enduring Place of Hierarchy in World Politics: Tracing the Social Logics of Hierarchy and Political Change', *European Journal of International Relations* 11:1 (2005); see p. 89. The classic text on the 'standard' is Gong, *Standard of "Civilization"*.

[16] The best study of which is Edward Keene, *Beyond the Anarchical Society: Grotius, Colonialism and Order in World Politics* (Cambridge: Cambridge University Press, 2002). See also Siba N'Zatioula Grovogui, *Sovereigns, Quasi Sovereigns, and Africans: Race and Self-Determination in International Law* (Minneapolis: University of Minnesota Press, 1996); Doty, *Imperial Encounters*; Paul Keal, *European Conquest and the Rights of Indigenous Peoples: The Moral Backwardness of International Society* (Cambridge: Cambridge University Press, 2003); Edward Keene, 'A Case Study of the Construction of International Hierarchy: British Treaty-Making Against the Slave Trade in the Early Nineteenth Century', *International Organization* 61:2 (2007), pp. 311-39; David Strang, 'Contested sovereignty: the social construction of colonial imperialism', in Thomas J. Biersteker and Cynthia Weber, *State Sovereignty as Social Construct* (Cambridge: Cambridge University Press, 1996), especially around pp. 32-3.

[17] Katzenstein, 'world of plural and pluralist civilizations', p. 5.

[18] Ibid., p. 24; Patrick Thaddeus Jackson, 'Civilizations as Actors: A Transactional Account', in Martin Hall and Patrick Thaddeus Jackson (eds.), *Civilizational Identity: The Production and Reproduction of "Civilizations" in International Relations* (Houndmills: Palgrave Macmillan, 2007), pp. 33-49.

more or less closely to one another: thus 'civilization', 'western civilization', 'European civilization', and 'British civilization' represent ways of hooking the concepts together in progressively tighter fashion. We'll observe several interactions between the mobilization of national and civilizational ideas in the cases studies, below.

Like nationhood, civilization is a cultural-political concept. Certain definitions of civilization, and indicators of groups' civilizational status, reflected more or less cultural versus political/institutional properties, but these tended to be knitted together to some degree. For example, the international lawyer, Westlake, hewed more towards the latter conception, arguing that 'government' (basically, modern statist institutions on the European model) was the principal measure of civilization. This was contraposed to 'mental or moral characteristics', or 'domestic and social habits', of the sort upon which 'a traveler may remark'. Even here, however, 'social' was explicitly used in a 'narrow' sense, admitting the relevance of 'non-narrow' social features (referring, vaguely, to the living of a 'complex life'), and inflecting how 'uncivilized' approaches to government were construed in the first place.[19] Again, the cultural-political quality of civilization is important, in that it suggests pathways by which cultural differentiation could interface with the other social logics, which would jointly resolve out into different sorts of polity, treated differently.

Nations

'The nation' was one of the most important cultural-political concepts in the nineteenth century.[20] This section will demonstrate how different conceptions of nationhood and nationality help account for variations between semi-sovereigns. Two empirical premises are foundational. One

[19] John Westlake, *Chapters on International Law*, in *The Collected Papers of John Westlake on Public International Law* (ed. Lassa Oppenheim, Cambridge: Cambridge University Press, 1914), pp. 143-5.
[20] Thus 'nationalism' is one of the main 'ideologies of progress' picked out in Barry Buzan and George Lawson, *The Global Transformation: History, Modernity and the Making of International Relations* (Cambridge: Cambridge University Press, 2015), pp. 114-8.

is the general importance of national sentiments, even in the early part of the century. Second, these ideas could have various institutional implications: indeed, in the early-century, models other than the 'nation-state' were as important as – arguably more important than – a straightforwardly statist manifestation of nationhood.[21]

These national norms and concepts shaped nineteenth-century semi-sovereigns principally through the other three logics, and via the practices and processes – fitting and transforming – outlined above. Consider fitting, firstly with respect to the relationship between cultural differentiation and law. To the extent that the 'rights of nations' were valued, law provided mechanisms for realizing and allocating these rights.[22] Different models of nationhood were acknowledged, and appropriate configurations of rights attached to polities in response; rights were 'fit' to nations. Cultural differentiation also interfaced with management, again via fitting, as administrative structures and spaces were attached to areas of national identification. Finally, whether and in what ways they could convincingly represent a national community, and how important their capacity to do so was, influenced how successfully and reliably claimants to suzerainty could demand deference, from the groups over whom they claimed that suzerainty. National communities often also found themselves targets for transformation, where managerial relations and social interventions sought to manipulate and/or inculcate national (or rival) identities.

We can get a handle not only on how these processes worked, but also on their implications for variations in semi-sovereignty, by contrasting different models, in which conceptions of nationhood interfaced with the other logics and resolved into polities of various forms.

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[21] Brian E. Vick, *The Congress of Vienna: Power and Politics after Napoleon* (Cambridge MA: Harvard University Press, 2014), pp. 266-7. On mid-century developments, see the essays in Laurence Cole (ed.), *Different Paths to the Nation: Regional and National Identities in Central Europe and Italy, 1830-70* (Houndmills: Palgrave Macmillan, 2007).
[22] Vick, *Congress of Vienna*, p. 234.

The nation-state model

The first is the classic *nation-state* model. Here, constructions of nationhood provide both legitimacy and direction to management by, through, and in the state, thereby supporting states' interventions into the lives of their subjects. Giddens claims that 'Nationalism is certainly not wholly ideology. But it does tend to be linked in definite ways to the administrative unification of the state'.[23] While even this point is perhaps overstated, it captures the thrust of this model, in which the boundaries of the state as an administrative entity map to categories of identification, well. Since this is a model, concrete cases will only approximate to it, but even in the early part of the nineteenth century we can find examples which do.

Belgium is one such case. National sentiments nudged the polity towards assuming a statist form upon independence from the Netherlands. Importantly, however, those ideas, such as they were before or even early on in the events of the 1830 revolt, did not always suggest that form: they evolved over time, interacting with elements of the logic of management.

After 1815, the United Netherlands had itself been legitimated on the basis of an 'official' national ideology: a 'humanist' one, 'common to North and South', based on 'history and language'.[24] In an example of attempted 'transformation', we should note that the Dutch state aimed not simply to promote this variant of nationalism, but in doing so to modify existing patterns of cultural differentiation, particularly within the new Southern (Belgian) Provinces. In particular, King William 'regarded the proclivity for French culture found in the Southern Provinces as the most serious obstacle he had to overcome in amalgamating his kingdom'.[25] The promotion of Flemish and Dutch at the expense of French, and attempts to ''Dutchify' Belgium'

[23] Anthony Giddens, *The Nation-State and Violence: Volume Two of a Contemporary Critique of Historical Materialism* (Cambridge: Polity Press, 1985), p. 212.
[24] E. H. Kossmann, *The Low Countries, 1780-1940* (Oxford: Oxford University Press, 1978), pp. 111, 121.
[25] John W. Rooney, Jr., *Revolt in the Netherlands: Brussels – 1830* (Lawrence: Coronado Press, 1982), p. 3.

through the school system, generated opposition in the Southern (Belgian) Provinces, although it was not at first overwhelming.[26]

Alternative, 'Romantic' nationalisms developed in response, with particular appeal in the Southern Provinces.[27] Prior to the events of 1830, an explicitly cultural politics surrounding language, education, and the idea of the nation was already working to structure divides within the state. This is important context, since 'the beliefs of each section that it was different' provided the groundwork for the 'rupture of 1830'.[28]

Nevertheless, from a Belgian perspective, these sentiments were not, at first, widely taken to mandate strict separation from the Netherlands. That perspective became more forcefully articulated by more people over the course of the revolution, in response to the handling of those events by the state and its representatives. Thus the initial petition by the city's notables to the King, outlining their grievances, was 'mild and filled with protestations of loyalty for the dynasty'; it did not call for independence.[29] Certainly, the primary demand *did* soon shift, to 'administrative, legislative, and judicial separation'.[30] But this itself did not necessarily entail statehood, and a 'moderate' position, advocating only 'separation under the dynasty' and reforms including 'free use of the French language', remained sustainable for some time yet.[31] Not even all 'radicals' advocated for statehood: some favoured the incorporation of the Southern Provinces into France.[32] The wider European context would never have allowed for this, but that some found it appealing illustrates the various paths that Belgium might, in principle, have taken.

From one angle, the move to separatism can be interpreted in terms of the managerial logic, as bids for tighter state control – in the Southern Provinces in the years running up to the

[26] Kossmann, *Low Countries*, pp. 123-4; Rooney, *Revolt in the Netherlands*, pp. 6-8; Jonathan E. Helmreich, *Belgium and Europe: A Study in Small Power Diplomacy* (The Hague: Mouton & Co, 1976), p. 12.
[27] Kossmann, *Low Countries*, pp. 138-40.
[28] Rooney, *Revolt in the Netherlands*, p. 5.
[29] Ibid., p. 34.
[30] Ibid., p. 42.
[31] Ibid., pp. 57-8.
[32] Ibid., p. 58.

1830 revolt, as well as during that episode itself – gave impetus to countervailing forces, which sought to resist and undermine that control. This managerial narrative interfaced with a cultural one – the amplification and mobilization of national ideas – which in turn pushed the representatives of the revolt towards more 'radical' notions of separation. When a military force led by Prince Frederick was sent to Brussels in September 1830, 'Secession, the minimal claim of a small group of extremists who had abandoned all hope of better things, assumed intense emotional significance, and was transformed into the ideal of national independence and liberty'.[33]

The actual fitting of institutions to Belgium only took place as a result of the deliberations of the London Conference, and for a time the delegates considered a number of options for realizing the polity's 'future independence', without committing firmly to any.[34] Since the conflicting parties had to accept the settlement – it was not simply imposed on them – the culturally-inflected, secessionist desires of the Belgian belligerents did not determine the outcome, but they did constrain which options were viable.

Cultural differentiation informed the direction not just of management, but of suzerainty, too. As the state cracked down on the rebellion, and as that rebellion's goals were hitched increasingly tightly to crystallizing notions of national identity, the Orange dynasty's claims to majesty became less and less well received. This closed off a dynastic option as a complement to statehood (a Belgian state, ruled by a member of the House of Orange-Nassau), or an alternative to it. This was contemplated in October 1830, when the King offered Prince William 'suzerainty' over Belgium. Some prominent Belgians were willing give this a try, since the Prince had openly acknowledged them to be a 'separate nation', but the 'provisional government' was persuaded to reject the dynasty. Regardless, the King chastised his son for concessions to Belgian nationhood and stripped him of his title over Belgium.[35] In November, the 'exclusion' of the

[33] Kossmann, *Low Countries*, p. 154.
[34] Jan Andrzej Betley, *Belgium and Poland in International Relations, 1830-1831* (s'-Gravenhage: Mouton & Co., 1960), pp. 69-70.
[35] For details of this episode, see Rooney, *Revolt in the Netherlands*, pp. 159-70.

House from Belgium was declared: 'The opponent of the revolt was William of Orange; to accept his son as king would compromise the very Belgian identity of the rebellion'.[36] When the London Conference turned to selecting a monarch for Belgium, some among the great powers pushed for a member of the Orange family, but this proved a non-starter, and Leopold of Saxe-Coburg was selected instead.[37]

Thus, national sentiments, as they intersected with the Netherlands' attempts to tighten their control over the recalcitrant Southern Provinces, pushed Belgium towards independence, and a statist model thereof. Indeed, Belgian nationalism, as it developed in the immediate, post-independence period, was celebratory of its 'modernity' and 'constitution': of the polity's embodiment of the ideals of nineteenth-century statehood, especially their more liberal aspects.[38]

We have mapped out the connection between cultural differentiation, in its national guise; management by, through, and in the state; and the capacity of the Orange dynasty to enjoy enduring symbolic authority. This gives us a good account of the basic institutional form of the Belgian polity. How, though, does this relate to its semi-sovereignty? So far, we have mostly considered the rationales for the impairment and/or distribution of rights across polities. But semi-sovereigns were not simply non-sovereign: they had *some* sovereign rights, and some of the polities in this set had many, falling only just shy of fully-sovereign status. We ought, therefore, also to look at these entities from that point of view, asking not why they lacked rights, but why they gained or held onto them.

As we saw in chapter three, Belgium lost a little external sovereignty, which we accounted for in terms of regulation. Except for these specific external sovereignty rights, however, Belgium remained essentially sovereign, especially when it came to internally-directed rights. The same factors which bent Belgium's path towards statehood, and away from an

[36] Helmreich, *Belgium and Europe*, pp. 18-9.
[37] Ibid., pp. 18-24; Daniel H. Thomas, *The Guarantee of Belgian Independence and Neutrality in European Diplomacy, 1830's-1930's* (Kingston, R. I.: D. H. Thomas Publishing, 1983), p. 28.
[38] Marnix Beyen, 'Belgium: A Nation that Failed to be Ethic', in Linas Eriksonas and Leos Müller (eds.), *Statehood Before and Beyond Ethnicity: Minor States in Northern and Eastern Europe, 1600-2000* (Brussels: P.I.E.-Peter Lang, 2005), pp. 343-4.

enduring relationship with the Orange dynasty, also implied that the polity would receive substantial (particularly internal) sovereignty. For example, some kind of arrangement whereby the Netherlands was able to conduct cross-boundary interventions, legalized into a distribution of sovereign rights across the two polities, would not fly for the same reasons a dynastic union was rejected.

Crucially, however, these factors did not preclude neutralization, whereby, no rights were redistributed, merely impaired. Indeed, in subsequent decades, Belgium's neutralized status was not poorly received, at least across the board. Certainly, some in the country viewed neutralization as 'an unjustified limitation on its [Belgium's] sovereignty'.[39] Others, however, sought to turn it into a 'strength', framing neutrality as 'a kind of mission', emblematic of a distinctive international role Belgium could carve out for itself.[40]

Belgium is an important reminder that we ought not to overlook cases where nations *did* align with states as administrative structures, which polities retained substantially more sovereignty than they lost. It would be easy to neglect these because they do not depart that much from the traditional image of sovereign nation-states. But it was still possible for such cases to lie within the set of semi-sovereigns, and their properties need to be accounted for just as do those of the more 'obviously' semi-sovereign ones.

Diffuse nations

In the Belgian case, state institutions and significant, though not full, sovereign rights were fit to a national community. Other permutations were also viable in the same period, however, and it was perfectly possible for national sentiments to be taken seriously while interfacing differently with management and/or law. On the *diffuse nations* model, nations were understood as broad

[39] Cyril E. Black, Richard A. Falk, Klaus Knorr, and Oran R. Young, *Neutralization and World Politics* (Princeton: Princeton University Press, 1968), p. 25.
[40] Kossmann, *Low Countries*, pp. 220-1.

cultural communities, spatially extended beyond the confines of particular states. More than the nation-state model, we would expect diffuse nations to correspond with semi-sovereign polities: states might have to share rights with institutions that map to wider national units, or have their rights configured so as to ensure the protection of national communities within their domains. Although in different ways, we'll see this borne out in the case studies below.

Germany approximated fairly well to this model in the early-to-mid nineteenth century. At the Congress of Vienna, a German nation-state was not created, but a robust German Confederation was. Conceptions of the German nation were not the only factor behind the creation of the Confederation, but they did inflect thinking at Vienna: the goal of giving Germany a 'federal constitution…partly resulted from belief in the prevalence of German national sentiment and of a German national movement that would not be satisfied with less'.[41]

The wrinkle in the fitting of institutions to nations came, in Germany, from the relationship between this diffuse German nation, and loyalties cultivated at the state level. German nationhood had an ambivalent relationship to 'particularist' ideas, referring to specific states and/or monarchs. On the one hand, they could be alternative and competing beacons for loyalty, buttressing the states, and counterbalancing the accretion of too much managerial authority or too many rights at the Confederal level. Alternatively, and often at the same time, they were not incompatible with simultaneous loyalty to the overall German nation, provided the institutions and rights accorded to the latter remained limited. Indeed, German rulers were happy to harness 'Germanness' to bolster their own authority, acknowledging the 'interdependence of German and particularist identities and interests'.[42] A further twist came from the occasional presentation of this configuration not as statist, versus, national identity, but as two levels of national identity, wherein the states were framed as themselves (potentially) nations, or vaguely-

[41] Vick, *Congress of Vienna*, p. 270.

[42] Abigail Green, *Fatherlands: State-Building and Nationhood in Nineteenth-Century Germany* (Cambridge: Cambridge University Press, 2001), pp. 267-70. See also Andreas Fahrmeir, 'National Colours and National Identity in Early Nineteenth-Century Germany', in David Laven and Lucy Riall (eds.), *Napoleon's Legacy: Problems of Government in Restoration Europe* (Oxford; New York: Berg, 2000), especially p. 209.

defined but nation-like 'fatherlands'.[43] Indeed, equivocating on this point could be productive, from a ruler's perspective, insofar as it allowed them to tap into the legitimacy of nationhood without directly alienating representatives of, and sympathizers with, German national movements.[44]

Cultural differentiation did not produce semi-sovereign German polities directly, but it did inform the construction of managerial structures – states and the Confederation as a whole – and distributions of rights in Germany. German-national and statist loyalties shaped management and law at both levels, and their ambivalent relationship was an obstacle to either level overwhelming the other.

At least in immediately after 1815, Poland also corresponded to this model, although institutions were fit to the Polish nation differently than to the German. Interestingly, some participants at the Congress of Vienna advocated for a Polish nation-state. Britain's delegates, especially the Foreign Secretary, Lord Castlereagh, repeatedly expressed a first-preference for an independent Polish state, that would ideally map as closely to the old Commonwealth as possible. This was preferred to the formation of a Polish Kingdom under the Tsar, and/or repartition.[45] Other powers' preferences meant British goals were infeasible, but they do give a sense of the different possibilities in play at the time.

The outcome of the Congress was a diffuse nation. As we saw in chapter three, the territory of the old Commonwealth was again split up, reflecting a combination of Castlereagh's less-preferred options – a Kingdom under the Tsar, and repartition. At the same time, efforts were made to ensure that the layout of Polish space as a whole, and its components,

[43] Green, *Fatherlands*; Matthew Levinger, *Enlightened Nationalism: The Transformation of Prussian Political Culture, 1806-1848* (Oxford: Oxford University Press, 2000), pp. 63-4, 224.
[44] Ibid., pp. 63-4.
[45] See the documents printed in C. K. Webster (ed.), *British Diplomacy, 1813-1815: Select Documents Dealing with the Reconstruction of Europe* (London: G. Bell and Sons Ltd., 1921), especially on pp. 192, 198, 200, 208-9, 210-1, 214, 287-8.

acknowledged the existence of the Polish nation, and gave it its (perceived) due in terms of rights and institutions.[46]

What that entailed was contested. Aware that partition was practically unavoidable, Castlereagh nonetheless pushed strongly for Austria, Prussia, and Russia to 'treat as Poles' their Polish subjects, critiquing attempts to govern them by 'counteracting all their habits and usages as a people'.[47] In his own way, Tsar Alexander I also 'understood and respected the strength of Polish national feelings', and he was nudged towards this perspective by one of his advisers, Czartoryski, who had a strong sense of Polish identity, and 'considered nationality as the ultimate basis of political legitimacy'.[48] Others, however, did not share this view: Prussia and Austria were willing to acknowledge Polish nationality, but only to a much more limited extent.[49]

Thus, the map of Poland, as it was redrawn at Vienna, did reflect a fitting of institutions and rights to a genuinely, though variably, respected Polish nation. From a zoomed-out perspective, the fact the settlement produced Cracow and the Kingdom – states in their own right – as opposed to simply reincorporating all Polish territory into Russia, Prussia, and Austria, is evidence of this.[50]

The individual components were also structured in acknowledgement of Polish nationhood, although here variations were very pronounced. The Final Act of the Congress insisted that 'The Poles, who are respective subjects of Russia, Austria, and Prussia, shall obtain a Representation and National Institutions', but the specific nature of these provisions was underdefined: these powers were explicitly left free to determine what concessions would be 'expedient and proper to grant'.[51]

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[46] Vick, *Congress of Vienna*, pp. 281-2.
[47] 'Circular to the Plenipotentiaries of the Conference', 12 January 1815, printed in Webster, *British Diplomacy*, pp. 287-8.
[48] W. H. Zawadzki, *A Man of Honour: Adam Czartoryski as a Statesman of Russia and Poland 1795-1831* (Oxford: Clarendon Press, 1993), pp. 236, 243. See also Vick, *Congress of Vienna*, pp. 283-4.
[49] Ibid., pp. 287-8.
[50] For comments to this effect regarding Cracow, see ibid., pp. 319-20.
[51] Edward Hertslet (ed.), *The Map of Europe by Treaty; Showing the Various Political and Territorial Changes which have Taken Place since the General Peace of 1814, with Numerous Maps and Notes*

Meaningful allowances for Polish nationhood were made in the Kingdom: the Tsar 'seemed genuinely interested in the liberal experiment in the kingdom', and 'The first Sejm [Assembly] of the kingdom opened in 1818 in an atmosphere of mutual trust between Alexander and the Poles'.[52] However, in Habsburg Galicia, an assembly, 'merely a token representative body', was all the Polish nation received.[53] Prussia administered two separate zones: one (the Grand Duchy of Posen) got a fairly 'autonomous' regime, but the other (West Prussia), did not, and there, Polish subjects received 'no special rights or privileges', and 'Systematic germanization was the rule rather than the exception'.[54]

The diffuse nation model as it applied to Poland made for a diverse set of polities, including some semi-sovereigns. None had the full package of sovereign rights, but some really did have substantial sovereignty, such as Cracow, which was given substantial rein to govern itself, despite the presence of 'residents' representing the three protecting powers.[55] Even the incorporated zones might be governed more or less intensively, depending on how much ground the particular state in question gave to Polish nationality.

The anti-national model

A final model only acknowledges national communities and sentiments in a negative sense. In these cases, polities' structures do not reflect or align with these communities and sentiments,

(London: Butterworths, Harrison, 1875, 4 vols.), v. 1, p. 216. See also Stephen D. Krasner, *Sovereignty: Organized Hypocrisy* (Princeton: Princeton University Press, 1999), pp. 31, 83.

[52] Piotr S. Wandycz, *The Lands of Partitioned Poland, 1795-1918* (Seattle and London: University of Washington Press, 1974), pp. 77, 82.

[53] Ibid., p. 72

[54] Ibid., pp. 68-9. For more on the Grand Duchy of Posen, see William W. Hagen, *Germans, Poles, and Jews: The Nationality Conflict in the Prussian East, 1772-1914* (Chicago and London: University of Chicago Press, 1980), pp. 78-85, and see Gregor Thum, 'Megalomania and Angst: The Nineteenth-Century Mythicization of Germany's Eastern Borderlands', in Omer Bartov and Eric D. Weitz (eds.), *Shatterzone of Empires: Coexistence and Violence in the German, Habsburg, Russian, and Ottoman Borderlands* (Bloomington and Indianapolis: Indiana University Press, 2013), pp. 44-5 for further commentary on the Duchy versus West Prussia.

[55] Norman Davies, *God's Playground: A History of Poland, Volume II: 1795 to the Present* (2nd edition, Oxford: Oxford University Press, 2005), pp. 246-7.

and the former are not used to realize or protect the latter. More than this, they may even be designed to restrict the expression of nationality, and inculcate non-national alternatives to national identities. This model blends elements of fitting and transformation more than the others, and these are often related dynamically: institutions may be redesigned over time, or refit, to effect desired transformations in the complexion of a cultural community and reflect the progress of those transformations.

At times, this model bears some similarities to the nation-state model, albeit essentially from the opposite perspective. If a managerial polity tries to co-opt representations of the nation to buttress its own authority, this might involve the denial of the separate character of its subject communities, and the pursuit of transformations that would bring them more into line with the state's 'official' nationalism. In fact, we've already seen an example: the Netherlands' bids to promote a shared national identity and erase alternative ones in the Southern Provinces. From one point of view, this was an effort to align the polity (the Netherlands as a whole) more closely to the nation-state model. But it also had anti-national aspects, involving a refusal to fit institutions to, coupled with positive efforts to transform, national sentiments in the Southern Provinces. Anti-nationalism is not always the nation-state model in reverse, however. Modes of identification which did not correspond to specific national categories, and were consciously pitched in opposition to them, might also be promoted by managers.

Over the decades following 1815, the parts of Poland ceased to broadly reflect the diffuse nation model, approximating more and more to the anti-national model. This helps account for the move away from the diverse set of polities constituted at Vienna. In chapter three, we discussed this shift in the context of nineteenth-century patterns of revolution and response: Russian, Austrian, and Prussian attempts to tighten control over their Polish subjects stimulated revolutionary movements, which were in turn met with stricter control. Here, we'll see how that dynamic intersected with, and was to some extent driven by, cultural differentiation: shifts away from acknowledging and protecting national expression produced resentment; revolutions took

on explicitly national iconography and nationalist aims; and processes of refitting and transformation followed.

Early, mutual satisfaction with the structure of the Kingdom and the attitude of the state towards its subjects did not endure. Already by 1820, censorship had been introduced, and restrictions on the membership of political societies followed.[56] For the most part these represented moves away from the more liberal aspects of administration in the Kingdom, but they also implied a 'repression' of 'national feeling'.[57] This tendency only accelerated when the comparatively illiberal Nicholas I – 'no Polonophile' – took the throne in 1825.[58] The revolt that broke out in 1830 thus began as 'a revolutionary coup and was at first represented as a national manifestation against an autocracy that had violated the constitution…[and] became a national struggle for independence with revolutionary elements inherent in it'.[59] Refitting and transformation followed. As we saw in chapter three, the constitution was replaced, and the Kingdom lost its separate statehood. Administratively, it was 'brought more into line with the empire': institutions supposed to reflect its distinctive 'Polish' character were stripped away.[60] This meshed with a broader trend towards a more totalizing, 'official nationality' in Russia at large, and while transformation was not immediately pursued, reforms to language and other policy 'opened the gates to russification'.[61] A slight 'thaw' in the government of the Kingdom did little to arrest this trend, and further revolutionary activity in the 1860s was met with an even firmer response.[62] Post-1831 changes were even starker in the 'western *guberniias*' – the areas

[56] Zawadzki, *Man of Honour*, pp. 279, 283; Wandycz, *Lands of Partitioned Poland*, pp. 83-6; Angela T. Pienkos, *The Imperfect Autocrat: Grand Duke Constantine Pavlovich and the Polish Congress Kingdom* (Boulder: East European Monographs; New York: Columbia University Press, 1987), pp. 54-6.
[57] Ibid., p. 53.
[58] Davies, *God's Playground Volume II*, pp. 230-1; Wandycz, *Lands of Partitioned Poland*, p. 87; Edward C. Thaden, with Marianna Forster Thaden, *Russia's Western Borderlands, 1710-1870* (Princeton: Princeton University Press, 1984), p. 77.
[59] Ibid., pp. 116-7. See also Zawadzki, *Man of Honour*, pp. 318-9.
[60] Wandycz, *Lands of Partitioned Poland*, p. 122.
[61] Iver B. Neumann, *Russia and the Idea of Europe: A study in identity and international relations* (London and New York: Routledge, 1996), p. 25; Wandycz, *Lands of Partitioned Poland*, p. 122. Pressures for – and the limits to – 'Russification' are charted in Thaden, *Russia's Western Borderlands*, chapter 8.
[62] Davies, *God's Playground*, chapter 16.

straightforwardly incorporated into Russia in 1815, including old Commonwealth territory in Lithuania. 'Cultural russification' and administrative reform aimed to 'speed up their absorption into Russia'.[63]

Elsewhere in Poland, trends were similar. Initially, in the Prussian-ruled Grand Duchy of Posen, gestures were made towards governance in a 'conciliatory spirit', notwithstanding 'an influx of German officials and the increasing use of the German language in public life and secondary education'.[64] Certainly, 'Germanization' was rejected by the administration before 1830, and the distinct nationality of the state's subjects in the Duchy was recognized (although that courtesy was not extended to residents of West Prussia).[65] The participation of Prussian-governed Poles in the 1830-1 revolt changed the situation in the Duchy markedly.[66] Now, 'German manners' were to be inculcated in the population, in a 'concentrated effort to lend to it [the Duchy] a German rather than Polish character'.[67] This ebbed and flowed a bit over subsequent decades, but the Duchy would not regain the sort of autonomy it had been allowed in the immediate wake of the Congress of Vienna.[68]

In Austrian-ruled Galicia, too, the anti-national model was the order of the day, more or less from the off. A representative body had been set up as a gesture towards Polish nationality, and there was always a 'balance of regional, ethnic-national, and supranational appeals' in the way the region was talked about.[69] But even right after 1815, Galicia hewed more to the anti-national than the diffuse nation model – and without reflecting the nation-state model in reverse. Rather than an Austrian or German identity being imposed on Galicia, at first Habsburg

[63] Wandycz, *Lands of Partitioned Poland*, p. 125. See also Zawadzki, *Man of Honour*, p. 319. These areas are examined in Thaden, *Russia's Western Borderlands*, chapter 7.
[64] Hagen, *Germans, Poles, and Jews*, pp. 78, 84-5. See also Wandycz, *Lands of Partitioned Poland*, pp. 68-9.
[65] Hagen, *Germans, Poles, and Jews*, p. 82.
[66] Ibid., p. 86.
[67] Ibid., pp. 87, 89.
[68] Ibid., pp. 91-5, 104-111.
[69] Vick, *Congress of Vienna*, p. 276.

administrators attempted to construct for it a distinctly 'Galician' identity.[70] In part this was to facilitate imperial rule, but it was also a response to the presence of other national groups, as 'nascent competition between Polish and Ruthenian national claims upon the Galician cultural space' produced 'tense ideological negotiation'.[71]

Later, Habsburg governors did experiment with some alternative strategies. Unrest in 1846, when a 'national government' was set up in Cracow, led to two changes. First, Cracow was incorporated into Austrian Galicia.[72] Second, attempts were now made to 'Germanize' Galicia, and these accompanied tighter central control.[73] However, around 1867, this trend was bucked, when Galicia was allowed substantial autonomy from the Habsburg centre. Even this involved 'intersecting and overlapping references to Galicia, Austria, and Poland', rather than being construed as a straightforward expression of Polish nationality, but it enabled the reconstruction of Galicia as 'a national sanctuary for the preservation of Polish national culture'.[74] This is the one noteworthy exception to a general shift in nineteenth-century Poland, away from a diverse set of polities reflecting a diffuse nation model, to more similar, and more tightly controlled, zones of management embodying the anti-national model.

That model also applies well to the Ionian Islands under British protection. Insofar as it concentrated authority under the High Commissioner and involved no meaningful popular representation, the political system set up after 1815 offered no positive response to national sentiments on the Islands, such as they were. Ionian society in fact remained structured around cultural divisions, mapping roughly to the Islands' class structure, which reflected the history

[70] Larry Wolff, *The Idea of Galicia: History and Fantasy in Habsburg Political Culture* (Stanford: Stanford University Press, 2010), p. 80.
[71] Ibid., p. 65. Ruthenian national identity was asserted and mobilized increasingly boldly, especially in the mid-century. See ibid., pp. 114-20; Ivan L. Rudnytsky, 'The Ukrainians in Galicia Under Austrian Rule' in Andrei S. Markovits and Frank E. Sysyn (eds.), *Nationbuilding and the Politics of Nationalism: Essays on Austrian Galicia* (Cambridge MA: Harvard University Press, 1982), pp. 23-67; Iryna Vushko, *The Politics of Cultural Retreat: Imperial Bureaucracy in Austrian Galicia, 1772-1867* (New Haven: Yale University Press, 2015), chapter 6.
[72] Wolff, *Idea of Galicia*, pp. 141, 147.
[73] Ibid., p. 152.
[74] Ibid., p. 215.

and geography of the polity: although situated off Greece, and connected culturally to the mainland, the Islands had been ruled by Venice through the early-modern period.[75] The nobility and townspeople remained 'Italianate' in several respects, including language.[76] British administrators failed to fully comprehend the hold of Venetian culture on the Islands, even working to undermine it – for example, by promoting the Greek language in place of Italian.[77]

However much the British sought to undermine aspects of Venetian-Italian culture, they were alarmed by expressions of Ionian sympathy for the Greek national cause, during the war of independence waged against Greece's Ottoman rulers, and for a long time refused to alter the complexion of their rule in response to it: the first High Commissioner, Maitland, 'cracked down hard on Hellenic enthusiasm in the Islands', and those in the administration with 'philhellenic' leanings thus came into conflict with the office.[78] 'Neutrality' was imposed on the Islands, in order to limit their involvement in the conflict.[79]

When Greece became independent of the Ottoman Empire, this 'provided a viable alternative for the Islands that obviated the need for British protection'.[80] A nationalist movement calling for an end to the protectorate, and union with Greece developed thereafter.[81] So long as

[75] Michael Pratt, *Britain's Greek Empire: Reflections on the history of the Ionian Islands from the fall of Byzantium* (London: Rex Collings, 1978), p. 60. Paschalidi notes that 'not all Ionians perceived themselves to be Greeks and not all the British believed they were'. Maria Paschalidi, 'Constructing Ionian Identities: The Ionian Islands in British Official Discourses; 1815-1864', PhD Thesis, University College London, 2009, p. 24.
[76] David Hannell, 'The Ionian Islands under the British Protectorate: Social and Economic Problems', *Journal of Modern Greek Studies* 7:1 (1989), pp. 109-10.
[77] Maria Fusaro, 'Representation in Practice: The Myth of Venice and the British Protectorate in the Ionian Islands (1801-1864)', in Melissa Calaresu, Filippo de Vivo, and Joan-Pau Rubiés (eds.), *Exploring Cultural History: Essays in Honour of Peter Burke* (Farnham: Ashgate, 2010), pp. 318-21; Peter Mackridge, 'Venise après Venise: official languages in the Ionian Islands, 1797-1864', *Byzantine and Modern Greek Studies* 38:1 (2014), p. 88.
[78] Robert Holland, *Blue-Water Empire: The British in the Mediterranean since 1800* (London: Allen Lane, 2012), p. 40; W. David Wrigley, 'Dissension in the Ionian Islands: Colonel Charles James Napier and the Commissioners', *Balkan Studies* 16:2 (1975), pp. 11-22. For a good account of how British administrators represented Ionian involvement in the conflict, see Paschalidi, 'Constructing Ionian Identities', pp. 129-37.
[79] W. D. Wrigley, *The Diplomatic Significance of Ionian Neutrality, 1821-31* (New York: Peter Lang, 1988).
[80] Eleni Calligas, 'Radical nationalism in the British Protectorate of the Ionian Islands (1815-1864)' in Roderick Beaton and David Ricks (eds.), *The Making of Modern Greece: Nationalism, Romanticism, and the Uses of the Past (1797-1896)* (Farnham: Ashgate, 2009), p. 155.
[81] Ibid.

it could, Britain refused to accept the premises of this movement. This was even true of a figure like Gladstone, with well-known sympathies for 'Hellenic' culture, when he served in the Islands as Extraordinary High Commissioner in the 1850s. He argued that the movement rested on 'a phantasm or a dream'; the only future achievable for the Islands 'was not the ideal one of Hellenic aspiration, but that made feasible by the immutable facts enshrined in the Public Law of Europe'.[82] In chapter three, we saw that law could be a resource for challenging British authority in the Islands; here, we see the opposite could also be true. As long as it rested on the denial of national sentiments, the protectorate would lack legitimacy in the eyes of its subjects, and in the end, it was abandoned, an anti-national model proving unsustainable in a Europe after Greek independence.[83]

Putting these models into comparative perspective, we can see that each of the three implies progressively less sovereignty, in turn. Belgium, adhering to the nation-state model, had substantial (especially internal) sovereignty. The polities approximating to the diffuse nation model had more significant restrictions on their sovereign rights, but several – particularly the German states, and Cracow – nevertheless held onto many. Then, the Ionian Islands, under anti-national, imperial management, was a protectorate run as if a colony, with its internal sovereignty comprised to an extent that surprised many at the time. In Poland, too, the assertion of anti-national attitudes meant tighter management from the Austrian, Russian, and Prussian centres, as a configuration of semi-sovereign polities and non-sovereign incorporated territories gave way to the latter exclusively.

[82] Robert Holland and Diana Markides, *The British and the Hellenes: Struggles for Mastery in the Eastern Mediterranean* (Oxford: Oxford University Press, 2009), p. 29.
[83] Bruce Knox, 'British Policy and the Ionian Islands, 1847-1864: Nationalism and Imperial Administration', *English Historical Review*, 99:392 (1984), p. 528. Though do note that other factors also influenced the decision to abandon the Islands; see Paschalidi, 'Constructing Ionian Identities', pp. 342-52.

Civilization

'Civilization' was the other cultural concept, most relevant to semi-sovereignty in the nineteenth century. Its importance has been driven home by IR scholarship, and alongside the distinction between great and other powers, work on the 'standard of civilization' probably constitutes the most well-developed literature on nineteenth-century international hierarchies.

To avoid simply retreading this ground, it will help to situate the concept within the broader framework of my multi-logic, configurational argument. Like nationhood and nationality, the idea of civilization shaped semi-sovereigns by working with and inflecting law, management, and suzerainty. In this section, I will mostly focus on the first two of these three pathways, simply because there are fewer interesting points to make about interactions between suzerainty, and cultural differentiation in its civilizational guise.

Nevertheless, it's worth at least briefly noting how this third configuration could arise and work. The sets of ranked statuses and titles produced by different suzerainties, and the rituals through which those suzerainties were negotiated, reproduced, or challenged, reflected the wider cultural contexts in which suzerains and their subordinates were located, and the ways that each perceived the positions of the others within them.

An example will help make this point clearer. The presentation of assemblages/*durbars* in India, for example, encoded not merely British notions of their supremacy over the Princes, but assumptions, images, and stereotypes about India's constituent cultural groups. The assemblage of 1877 therefore reflected a 'contradiction in the British theory of Indian sociology', between a characterization of 'India in historical terms as a feudal society consisting of lords, chiefs and peasants', and as a changing society which was composed of communities', which 'could be large and somewhat amorphous, such as Hindu/Muslim/Sikh/Christian/Animist…vaguely regional…castes…or based on educational and

occupational criteria, that is, westernized Indians'.[84] This contradiction – essentially, between stasis and backwardness, on the one hand, and change on the other – can be parsed out in terms of the concept of civilization: not just in its plural sense (India as another civilization), but its singular one, which connoted progressive modernity.

In 1877, British officials sought to redefine their relationship with their Indian subordinates in light of this contradiction, by playing up feudal imagery and protocol.[85] For the most part, this was an exercise in fitting: the contents of the assemblage, as well as the statuses, and the signifiers of those statuses, attached to the Princes, were influenced by these different pictures of Indian society and culture.[86] One could argue, moreover, that there were also some elements of transformation (or conservation), since the British emphasized one set of images of India, and in so doing sought to accentuate the characteristics highlighted in those images. In this case, the imagery was feudal, even medieval, and we can interpret the ceremonial of 1877 as an attempt to restyle India, its Princes, and their domains, accordingly. In part because this was not especially successful, the signifiers of status were modified, and refit, over time: thus, the 1903 ceremony, now styed as a *durbar*, featured much more ''Indo-Saracenic' than 'Victorian Feudal'' imagery.[87]

It is important to recognize that these sorts of interactions, between cultural differentiation and suzerainty, did take place. However, in the case studies below I'll focus less on these, than configurations between cultural differentiation, understood in terms of civilization, and law and management. We can think of the law-civilization nexus in terms of the 'legal standard of civilization', whereby purportedly uncivilized polities were denied legal subjectivity

[84] Bernard Cohn, 'Representing Authority in Victorian India', in Eric Hobsbawm and Terence Ranger (eds.), *The Invention of Tradition* (Cambridge: Cambridge University Press, 1992 [1983]), p. 190.
[85] Ibid., pp. 185-207.
[86] Recall that British supremacy over the Princes was expressed through 'feudal' language and symbols. See Barbara N. Ramusack, *The New Cambridge History of India: The Indian Princes and their States* (Cambridge: Cambridge University Press, 2004), pp. 89-92, 96, 111-2.
[87] Cohn, 'Representing Authority in Victorian India', p. 208; Ulrike von Hirschhausen, 'The Limits of Ornament: Representing Monarchy in Great Britain and India in the Nineteenth and Early Twentieth Century', in Jörn Leonhard and Ulrike von Hirschhausen (eds.), *Comparing Empires: Encounters and Transfers in the Long Nineteenth Century* (Göttingen: Vandenhoeck & Ruprecht, 2011), pp. 230-1.

(and hence rights), as we noted in the chapter two.[88] Management-civilization then provides a way to parse the idea of a 'civilizing mission'.[89] Civilizing missions are interventions given purpose by perceived civilizational disparities; they are typically more intense, sustained, and penetrative than they would otherwise have been. Again, these two configurations – the legal standard, and civilizing missions – can be interpreted in terms of fitting and transforming (and/or conserving). Rights, and administrative apparatuses, were fit on the basis of societies' (lack of) civilization, from the perspective of those empowered to fit them so. As with nationhood, transformation occurred more through management than law, in this instance being a goal of civilizing missions.

My treatment of civilization therefore frames it in terms of the features of cultural differentiation as a logic more generally, and then embeds that within a configurational account of multiple logics, interacting. This helps us put the concept in its place. On one view, represented by Keene's early work, nineteenth-century patterns of semi-sovereignty are primarily a feature of, and driven by, the 'order of civilization'.[90] Here, I present a more qualified argument. Cultural differentiation does not reduce to civilization – it also involves national identity – so even if *the logic* were primary, we would still want to temper an argument strongly linking semi-sovereignty to civilization. Second, as ideal types, each logic has some autonomy; ideas about civilization shaped how law and management played out, but to variable extents, and not always. Sometimes, those other logics did their work with little-to-no input from them: it would be a stretch, for example, to interpret Belgium's loss of some external sovereignty in terms of the legal standard of civilization, much less a civilizing mission. Contextualizing the idea within my multi-logic

[88] Reus-Smit briefly mentions the 'standard' in 'International Law and the Mediation of Culture', pp. 71, 73-4.
[89] Two good, comparative treatments of 'civilizing missions' are Andrew Phillips, 'Civilizing Missions and the Rise of International Hierarchies in Early-Modern Asia', *Millennium: Journal of International Studies* 42:3 (2014), pp. 697-717, and Bowden, *Empire of Civilization*, chapter 6.
[90] To be clear, Keene has since moved away from this argument: compare Keene, *Beyond the Anarchical Society*, to Keene, 'The Standard of 'Civilisation', the Expansion Thesis, and the 19th-century International Social Space'.

account provides the basis for a middle-ground position, wherein civilization is relevant but not fundamental to variations in semi-sovereignty.

This section looks first at colonial protectorates. The polities these were set up over were perceived and portrayed by European imperialists as, pretty much unambiguously, 'uncivilized', and so by examining these, we can trace out very clearly how the legal standard of civilization and civilizing missions could shape the forms and sovereign status of polities. Next, I'll pause to consider the spatial picture of international society typically associated with the idea of civilization, in which the distinction between civilized and uncivilized societies mapped onto a geographical one, between Europe and non-Europe. The remainder of the section then turns to civilizing missions in, and the legal positions of, more ambiguously represented polities, located in regions that defied easy classification in terms of this spatial framework: various parts of Poland, in Eastern Europe, and British protectorates in the Mediterranean.

Colonial protectorates, the standard of civilization, and civilizing missions

Recall, from chapter two, that colonial protectorates were typically considered to be wholly non-sovereign, and at most, they were edge cases of semi-sovereignty. Two related factors, beyond simply their lack of rights, inclined jurists towards this judgement: the polities over which colonial protectorates were set up were not deemed to be states, and they were not considered members of international society. Appraisals of these entities' levels of civilization were implicated in both of these arguments. Straightforwardly, civilization was used as a criterion for membership in international society: not meeting the 'standard' entailed non-membership. In addition, as we saw at the start of this chapter, civilization was sometimes conceived in terms of 'government', and on that reading, not being states entailed being uncivilized (and vice versa).[91]

[91] This also means these two points – non-membership in international society, and non-statehood – were connected, insofar as the latter could be taken to entail non-civilization, and thus the former. Note that this was not always the case, however, and non-membership did not necessarily entail non-statehood. For instance, Westlake accepted that the Indian 'Native [or Princely] States' were states, but he did not consider

These descriptive characterizations of African polities, to some extent, and their purported legal and moral implications, especially, reflected cultural biases. There was no *necessary* reason these polities should not have qualified as subjects of international law; this was a theoretical move, not an empirical fact. Indeed, there was something of a contradiction between legal theory and legal practice on this point, as on this view, the treaty-making capacity of these polities was cast into doubt, even as treaties were being used to restrict their sovereignty.[92]

When it came to rights, these polities had no external sovereignty, and (over time) lost more and more of their internal sovereignty too.[93] In part their loss of external sovereignty, encoded in treaties, reflected a desire on the part of protecting powers to control cross-boundary activity: to engage in regulation, in the language of chapter three. But it also reflected and reinforced a belief that these polities were not and could not be international persons. Their loss of internal sovereignty was a more vexed matter (especially given that early treaties tended to promise them these rights) and represented a legalization of increasingly wide-ranging and penetrative management. This could proceed by amending treaties, and/or through legal theory, insofar as observers characterized these polities as having no real sovereignty, no matter what the treaties said.[94] To understand the relationship between civilization and internal sovereignty, we have to recognize that it was mediated through management, and turn our attention to civilizing missions.

Management and cultural differentiation interacted through two processes: fitting administrative apparatuses to societies' purported characteristics, and attempting to transform/conserve those characteristics through those apparatuses. One might expect to have

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them members of international society. See Westlake, *Chapters*, in *Collected Papers*, chapter 10; Westlake, *International Law*, v. 1, pp. 41-3; John Westlake, 'The Native States of India', in *Collected Papers*, pp. 620-32.

[92] As discussed in chapter three.

[93] The core argument of C. A. Alexandrowicz, *The European-African Confrontation: A Study in Treaty Making* (Leiden: A. W. Sijthoff, 1973), pp. 62-83.

[94] Jörg Fisch, 'Africa as *terra nullius*: The Berlin Conference and International Law' in Stig Förster, Wolfgang J. Mommsen, and Ronald Robinson (eds.), *Bismarck, Europe, and Africa: The Berlin Africa Conference 1884-1885 and the Onset of Partition* (Oxford: Oxford University Press, 1988), pp. 364-5.

seen assertive civilizing missions in colonial protectorates, since European imperial administrators typically viewed the societies, over which these protectorates were declared, as unambiguously uncivilized. On the other hand, the initial vision for these polities – that imperial governments would do less than in colonies proper – could have inclined administrators in the opposite direction. Moreover, the stress on 'tutelage', on 'developing' societies in Africa at and around the Berlin Conference in 1884-5, was tempered by something of an impetus to conserve 'native' culture and institutions, protecting them alongside or instead of transforming them.[95]

The pursuit of civilizing missions was not a foregone conclusion, then, but nevertheless they were pursued, and even advocates of more hands-off administration tended to justify these as promoting syntheses of cultural transformation and conservation, not pure conservation. For example, the British colonial governor Lugard (famous for his advocacy of 'indirect rule') in fact argued for 'a single Government in which the native chiefs have well-defined duties and an acknowledged status equally with British officials', and laid out a series of restrictions that should be placed on the former by the latter.[96] He claimed that 'institutions and methods, in order to command success and promote the happiness and welfare of the people, must be deep-rooted in their traditions and prejudices', while at the same time the interests of 'good government' called for the retention of considerable power by the British Governor.[97] Lugard did not argue for keeping 'protected' societies in their current state. His disagreement with other imperial administrators was over means, not ends, and he was comfortable with the idea of effecting transformations in subject societies, albeit by 'evolution', not 'revolution'.[98] But gradual transformation is still transformation, and so indirect rule did not equate to cultural conservation.

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[95] William Bain, *Between Anarchy and Society: Trusteeship and the Obligations of Power* (Oxford: Oxford University Press, 2003), chapter 3; Grovogui, *Sovereigns, Quasi Sovereigns, and Africans*, pp. 78-83; Karuna Mantena, 'Social Theory in the Age of Empire', in Sankar Muthu (ed.), *Empire and Modern Political Thought* (Cambridge: Cambridge University Press, 2012), pp. 345-7.
[96] F. D. Lugard, *The Dual Mandate in British Tropical Africa* (Edinburgh and London: William Blackwood and Sons, 1922), p. 203, 205-7. For commentary on Lugard's views, see Bain, *Between Anarchy and Society*, pp. 59-62.
[97] Lugard, *Dual Mandate*, pp. 207, 211.
[98] Ibid., p. 194.

Furthermore, note that Lugard's prescriptions regarding fitting and transformation were coupled with a sceptical attitude towards the sovereignty that colonial protectorates had, or ought to have. This itself followed from the idea of a civilizing mission: thus 'The moment at which the civilised Powers of the world have asserted the unequivocal right and obligation of the more advanced races to assume responsibility for the backward races seems an appropriate one to brush aside these archaic and anomalous distinctions' between protectorates and colonies.[99]

In practice, expanded administrative apparatuses were instituted in colonial protectorates, as we saw in chapter three. The 'Native Councils' and 'Native Courts' established in Britain's Niger Coast Protectorate were part and parcel of the reconstruction of government in that region, and served as a way of stabilizing control, even 'undermining traditional authorities', by linking local actors more definitively to the central administration.[100] They aimed to 'rectify the deficiencies of indigenous institutions and gear them to the task of promoting civilisation'.[101] This arrangement hewed fairly close to the model mapped out by Lugard, but other administrators envisaged even firmer management of colonial protectorates. Writing after leaving office, Charles Eliot, High Commissioner in the East African Protectorate from 1901-4, asserted that 'the African races will greatly improve under a civilised and beneficent rule, offering them adequate protection against man and nature, is clear; but it is not so clear what degree of development we may expect'.[102] This was paired, however, not just with a sceptical attitude towards the potential of administration by 'natives', but a call for mass white settlement and land appropriation, to radically change the demographics of the Protectorate.[103]

Although Eliot clearly desired more rapid and more extreme transformation, even Lugard advocated for social and cultural change, albeit of a more gradual sort. Civilizing missions took hold in colonial protectorates, influencing the construction of new administrative

[99] Ibid., p. 38.
[100] J. C. Anene, *Southern Nigeria in Transition, 1885-1906: Theory and Practice in a Colonial Protectorate* (Cambridge: Cambridge University, 1966), p. 264, and chapter 7 more generally.
[101] Ibid., p. 252.
[102] Charles Eliot, *The East Africa Protectorate* (London: Edward Arnold, 1905), p. 99.
[103] Ibid., pp. 103-4, 197.

institutions within them and motivating social interventions. In turn, these drove the tightening relations of imperial control which were legally interpreted in terms of (progressively) less internal sovereignty.

Civilization, Europe and the spaces of international society

The nineteenth-century idea of civilization was usually associated with a spatial conception of international society, oriented around a distinction between Europe and non-Europe, which allegedly mapped to the distinction between civilized and uncivilized societies. Since the concept of civilization was implicated in the production of semi-sovereign polities, patterns of semi-sovereignty have also been interpreted in terms of this spatial binary. Thus, one influential account has understandings of civilization, and activities shaped by those understandings, as the crucial factor shaping semi-sovereigns, and accordingly presents semi-sovereignty as primarily an extra-European phenomenon. That study recognizes that some European semi-sovereigns did exist, but variously declines to comment on their civilizational standing, as it was perceived at the time, or portrays them as having been seen as essentially civilized.[104]

I do not dispute that the distinction between Europe and non-Europe did a lot of work to structure how civilization was thought about in the nineteenth century, and vice versa. However, there remained all sorts of spaces and polities that were hard to classify using the 'bifocal lens' of civilized/uncivilized, and difficult to accommodate within this binary conception of space.[105] Not all supposedly (un)civilized polities were (non-)European, and unhooking these distinctions

[104] The argument presented in Keene, *Beyond the Anarchical Society*. The components of Germany are presented as anomalous, 'civilized' semi-sovereigns on p. 115. Poland and the Ionian Islands are mentioned as European semi-sovereigns on p. 105, although their civilizational status is not directly discussed one way or the other.

[105] Duncan Bell, 'Empire and imperialism', in Gareth Stedman Jones and Gregory Claeys (eds.), *The Cambridge History of Nineteenth-Century Political Thought* (Cambridge: Cambridge University Press, 2011), p. 867.

will help us see how much and what work civilization did in constituting semi-sovereigns beyond, around, and within Europe.[106]

First, note that even *outside* Europe, regions comprised diverse societies and groups, and these societies were, in turn, often represented in complex or ambiguous ways. A good example is southern Africa. For one, it encompassed an enormous variety of groups – both indigenous and settler communities – each of which might be perceived differently by others within, or outside, the region. Moreover, specific groups were portrayed in ambiguous and changing ways. Consider, in this light, British depictions of the Transvaal Afrikaners. That they were at best 'semi-civilised' was a long-standing British Imperial trope, one which informed how British statespeople and administrators approached the Transvaal, be it as a more or less independent polity, or a colony.[107] Hence, Owen Lanyon, who oversaw the administration of the Transvaal (as a colony) between 1879 and 1881, described its Afrikaner citizens as 'stunted and backward as far as material, cultural and personal growth' were concerned.[108]

This depiction of this group was complicated, however, by at least three factors. For a start, while 'viewed by British imperialists as inferior culturally…Afrikaners were accepted as part of the white community, ideally to be assimilated into the superior British civilization'.[109] British and Afrikaners were thus characterized as like, racially, and unlike, civilizationally, which spoke to the difficulty of sustaining a simple equation of civilization and 'Europeanness'.[110] Relatedly, their supposed lack of civilization had a certain fluidity about it, often being framed

[106] Miéville goes as far as to claim that the crucial antithesis of 'civilised' was '*semi*-civilised' – those states which were neither beyond the purview of law, nor sovereign, but 'quasi-sovereign'.' However, he still has non-European entities, such as polities in North Africa and Asia, in mind here, as opposed to the (arguably) European cases I look at below. China Miéville, *Between Equal Rights*, pp. 247-8.
[107] Bridget Theron, 'Civilising Colonial Communities: Owen Lanyon's Imperialism in Southern Africa in the Late Nineteenth Century', *South African Historical Journal* 49:1 (2003), p. 29. The development of these tropes from the late-eighteenth century is covered in Michael Streak, *The Afrikaner as Viewed by the English, 1795-1854* (Cape Town: C. Struik (Pty) Ltd., 1974).
[108] Theron, 'Civilising Colonial Communities', p. 46.
[109] Audie Klotz, 'The Imperial Self: a perspective on Anglo-America from South Africa, India, and Ireland', in Peter J. Katzenstein (ed.), *Anglo-America and Its Discontents: Civilizational identities beyond West and East* (London and New York: Routledge, 2012), p. 91.
[110] Ibid., p. 87.

less as a fixed quality, than something that had become more pronounced over time. The military officer, Garnet Wolseley, thus remarked in 1879 that 'These Transvaal Boers are the only white race I know of that has steadily been going back towards barbarism. They seem to be influenced by some savage instinct which causes them to fly from civilization'.[111] Last, even within Britain, these representations did not go uncontested, nor did their implications. Indeed, even those who agreed that the Afrikaners were comparatively uncivilized did not always share British Imperial administrators' views about what that entailed. Hence, in 1879, one Member of Parliament 'pleaded that the isolated Boer should not be judged by European standards of civilization', and from this perspective criticized the annexation of the Transvaal two years prior.[112] The Transvaal Afrikaners were therefore depicted as racially and historically European, but as perhaps less so culturally, and certainly as different to the British in this sense. There was a complex and ambiguous relationship between their purported level of civilization, and the extent and nature of their Europeanness, despite the fact that southern Africa, as a whole, was obviously outside Europe.

Second, forms of 'cultural imperialism' also existed *within* Europe, and along its borderlands.[113] Discourses of civilizational disparity worked to structure these spaces, too, and were relevant to the semi-sovereignty of several polities located within these areas – even though it could sometimes prove more difficult to use these ideas to justify encroachments on their sovereign rights, at least compared to those of clearly non-European polities, like the ones over which colonial protectorates were declared. The borderlands of Europe are especially interesting in this light, because they acutely reveal the tensions running through different permutations of geography, civilization, and sovereignty, being ambivalently characterized as European and non-

[111] Quoted in John Laband, *The Transvaal Rebellion: The First Boer War, 1880-1881* (Harlow: Pearson, 2005), p. 33.
[112] Arthur Davey, *The British Pro-Boers, 1877-1902* (Cape Town: Tafelberg, 1978), p. 16.
[113] Michael Broers, *The Napoleonic Empire in Italy, 1796-1814: Cultural Imperialism in a European Context?* (Houndmills: Palgrave Macmillan, 2005).

European, civilized and uncivilized, and containing sovereign, semi-sovereign, and non-sovereign polities variously.

Poland: civilizing missions in Eastern Europe

One such liminal space was 'Eastern Europe'. The idea that there existed a distinct, Eastern European region developed historically, over the eighteenth century, and was well established by the nineteenth.[114] At its core was 'a paradox of simultaneous inclusion and exclusion, Europe but not Europe': 'Eastern Europe defined Western Europe by contrast, as the Orient defined the Occident, but was also made to mediate between Europe and the Occident'.[115] It was an area characterized by ambiguity: about its borders, which were hard to define with precision, and about its level of civilization, which was contested.[116] While not considered wholly uncivilized, Eastern Europe did connote backwardness and underdevelopment to many eighteenth-century observers. Referring to a prominent German view, Liulevicius argues 'the East' was primarily perceived as 'not a location, but a state of being: an alleged condition of disorganization or underdevelopment'.[117]

Poland, and the polities that made it up at various points in time, was situated by many observers, especially from the west, within this spatial construct, and accordingly portrayed as backward and underdeveloped. This inflected the behaviour of external actors towards Poland, which often assumed the form of the cultural-managerial hybrids we have called civilizing missions.

Consider Prussian and Austrian actions towards Poland from the late-eighteenth through the nineteenth centuries. The eighteenth-century 'Partitions', in which both powers were active

[114] The classic text on this discourse is Larry Wolff, *Inventing Eastern Europe: The Map of Civilization on the Mind of the Enlightenment* (Stanford: Stanford University Press, 1994).
[115] Ibid., p. 7.
[116] Ibid., pp. 4, 7.
[117] Vejas Gabriel Liulevicius, *The German Myth of the East: 1800 to the Present* (Oxford: Oxford University Press, 2009), p. 3.

participants, were motivated by a number of factors, including geostrategic ones. But the tropes – of 'disorder, chaos, and disorganization', of 'the absence of rational ordering' – used to describe Poland meshed with and lent support to the actions of the partitioners.[118] From the German perspective these tropes were often bundled together under the umbrella concept of 'Polish management', which affords us an opportunity to dwell a little more on the relationship between the themes of this chapter, and chapter three.[119] There, I argued that the Polish-Lithuanian Commonwealth was limited in its centralization, reach, and boundedness. In one sense, these tropes captured this fact, but they also interpreted it in a culturally-blinkered manner, and bolted onto it action-guiding implications. For one, the Commonwealth was not that atypical in this regard: the institutions of German polities also fell short of those envisaged by managerial doctrines like *Polizeiwissenschaft*. And within the Commonwealth, the nobility often celebrated their polity's institutions, characterizing its decentralization and limited reach as positive features. Cultural differentiation provided a frame for re-reading management, on the basis of tropes that fit comfortably into long-developing characterizations of Poland, in particular, and Eastern Europe, in general.

In the Partitions period, Prussian and Austrian civilizing missions involved processes of fitting and transformation. Partition itself was an example of fitting: the reduction and ultimate destruction of the Commonwealth, and the subordination of its residents to the new administrations of the partitioning powers. For example, the Austrian zone, Galicia, was 'Conceived as a figment of the Habsburg imperial imagination' and 'made into a plausible provincial entity whose cultural representations confirmed its territorial reality': representations of the places and people brought under Habsburg authority suggested and legitimated apparatuses for administering them.[120] New managers sought to use these structures to effect transformations. Thus 'Galicia, as an invented entity, could be considered to possess no proper history, and was

[118] Ibid., p. 51; Kristin Kopp, *Germany's Wild East: Constructing Poland as Colonial Space* (Ann Arbor: University of Michigan Press, 2012), p. 15.
[119] Liulevicius, *German Myth of the East*, p. 51.
[120] Wolff, *Idea of Galicia*, p. 14.

therefore the perfect target for systematic enlightened transformation'.[121] Prussia treated its acquisitions in similar fashion, and Frederick the Great made his transformative ambitions clear when he remarked on the amount of 'work to be done' in and on his new Polish territories.[122]

The Napoleonic period and the subsequent rearrangement of Poland at the Congress of Vienna interrupted these processes, and, at least in some areas, there was a slight move away from these transformative projects after 1815. The Prussian-ruled Grand Duchy of Posen was allowed meaningful autonomy during its first decade and a half of existence, and the government spurned enforced cultural change. On the whole, Poles in Prussia were not considered an 'out-group' until after 1830, and especially after 1848.[123] That said, treatment of Prussia's Polish subjects did vary regionally, and those who lived in West Prussia, rather than the Duchy, were targeted by a much more assertive civilizing mission. The former territory was portrayed as a 'cultural frontier', where difference was amplified; a 'borderland', 'where the German nation pursued its own civilizing mission, be it in spreading European civilization to the east, or defending it against assaults from there'.[124] This spoke to the difficulties in pinning down the extent of 'Eastern Europe', producing an 'anxiety of impermanence' about its boundaries and a concern that 'that the border to the Outside might actually be located within German space itself'.[125]

The immediate post-1815 period also constituted less of an interlude in Galicia, with the Habsburg administration insisting on 'perfect continuity' between the Partitions-era and post-Vienna versions of the region.[126] Over time, these civilizing missions intensified, such that the aforementioned Prussian reservations about how far to promote transformation were increasingly displaced by a much more assertive rhetoric, not just from conservative administrators, but some

[121] Ibid., p. 20. For comparative detail on strategies employed by Habsburg administrators, see Vushko, *Politics of Cultural Retreat*, chapter 2.
[122] Liulevicius, *German Myth of the East*, p. 42.
[123] Levinger, *Enlightened Nationalism*, pp. 115, 120-3.
[124] Thum, 'Megalomania and Angst', pp. 43, 45.
[125] Kopp, *Germany's Wild East*, pp. 11-2.
[126] Wolff, *Idea of Galicia*, p. 81.

reformers and revolutionaries, too. Often, the argument was made that the 'Poles were not a valid nation…because they did not belong to that group of humanity able to achieve progress on its own. Destined to remain un(der)developed without external intervention, Polish space would be best served by bringing it under German guardianship'.[127] German liberals dwelled upon mechanisms for bringing 'western, German civilization to the benighted East', framing 'Germanization as a ticket to civilizational advancement'.[128]

It's important to acknowledge that these transformative missions were not always described in the language of civilization: distinctively German concepts, such as '*Bildung*' and '*Kultur*' were also used to communicate these purposes. *Bildung* connoted 'education' and/or 'cultivation' – the shaping of character.[129] Likewise, *Kultur* 'carried associations that ranged all the way from the cultivation of land to the cultivation of the spirit, and always retained an implication of the organic'.[130] Putting more emphasis on the intellect and spirit, these concepts were not quite equivalent to 'civilization' as used in English and French.[131] Yet one should not overstate the incompatibility between them, and they could be complementary, working in the same direction, towards the promotion of cultural transformation.[132] Indeed, the distinction between civilization 'in-the-singular' and civilizations 'in-the-plural' is useful here: spreading German *Bildung*/*Kultur* can be interpreted as promoting specifically German civilization. Even if this still differed from the more universalizing, Anglo-French idea, it was nonetheless held to imply modernity and progress, vis-à-vis the backwardness inscribed upon Eastern Europe.

This alerts us to the connections between nationhood and civilization, and in fact these two concepts interacted in salient ways. Especially where civilizations were invoked in their

[127] Kopp, *Germany's Wild East*, p. 18.
[128] Vick, *Defining Germany*, p. 200; Thum, 'Megalomania and Angst', p. 48. See further discussion in Vick, *Defining Germany*, pp. 149-58, 192-200.
[129] Levinger, *Enlightened Nationalism*, pp. 28, 29, 72, 92, 185, 199, 201; Liulevicius, *German Myth of the East*, p. 47.
[130] Ibid., p. 47.
[131] Keene, *Beyond the Anarchical Society*, p. 116; Bowden, *Empire of Civilization*, pp. 34-9.
[132] Ibid., p. 39. For examples of connections between *Kultur*/*Bildung*, civilization, and transformation, see Vick, *Defining Germany*, pp. 58-61, 134-6, 142, 153-6, 200.

plural sense, they were easily interpretable as broad ways of life associated with specific national groups. It is not surprising that emboldened German nationalism, in the mid-century, went hand-in-hand with the more vigorous promotion of civilizing missions towards Poland, which entailed and were supported by decreasing enthusiasm for the protection of the Polish nation. This civilizational narrative therefore complements, and was practically intertwined with, the shift from a diffuse nation to an anti-national model, and from a more to a less diverse set of polities. Even exceptions to that national trend align with this argument about civilization: 'the idea of civilization in the nineteenth century could be construed to include the rights of nationality, humanity, and justice, and the corollary rights of the crownlands to provincial autonomy', which construal favoured the granting of autonomy to Galicia in the 1860s.[133]

Within Poland, constructions of 'the nation' were mobilized in response to the idea and implications of Polish 'backwardness'.[134] Already in the dying days of the Commonwealth, they could serve as a resistor, a 'counterbalance' to 'an ever larger set of manifestations of Western civilization in Poland', to ideas that were 'anti-national', because 'not organically produced on Polish soil'.[135] Alternative permutations were possible, however: Polish 'occidentalists' sought syntheses of the (Polish) nation and (western) civilization. They accepted their intermediate position as part of 'Eastern Europe', and thus the notion that Poland was 'immature in its development'. At the same time, they argued that, being among the westernmost members of that region, and thus intermediate in yet another sense, they 'had a mission to pass on the rays of Western light further to the East'.[136]

So far, this account has omitted one crucial component: an assessment of the Russian perspective. Considering this reminds us that spaces look different from alternative points of view. Russia had a particularly vexed relationship towards Eastern Europe, having been located

[133] Wolff, *Idea of Galicia*, p. 217.
[134] R. J. W. Evans, *Austria, Hungary, and the Habsburgs: Central Europe, c. 1683-1867* (Oxford: Oxford University Press, 2006), p. 104.
[135] Jerzy Jedlicki, *A Suburb of Europe: Nineteenth-century Polish Approaches to Western Civilization* (English edition, Budapest: Central European University Press, 1999), pp. 20-1.
[136] Ibid., pp. 13, 28.

within the region as it was constructed over the eighteenth century.[137] Indeed, for a long time, it was considered a somewhat 'Asiatic' polity. Over the eighteenth century it had started to become more widely viewed as European, principally as a result of 'westernizing' reforms carried out under the auspices of Peter I and Catherine II, but it was still not unambiguously perceived as such even into the nineteenth century, and Russian statespeople continued to display anxieties about their position in international society.[138]

Russia's involvement in the eighteenth-century Partitions betrayed some of these anxieties. Catherine II, then on the throne, 'was German by origin…and she too was susceptible to the idea of Russia's Oriental barbarism, which justified her enlightened despotism'.[139] She aimed to pull Russia out of that purported 'barbarism' – to establish it as a 'European' power – and her Polish policy can be interpreted as an extension of this impulse: assuming control over her first piece of the Commonwealth in 1772, Catherine actively 'cultivated her image as a European sovereign'.[140]

However, Russia's ambivalent position in and with respect to Eastern Europe could incline Russian statespeople towards different understandings of civilization, and different attitudes towards Poland. Around the Congress of Vienna, Tsar Alexander I certainly did receive advice (for example, from the Prussian, Stein) to the effect that 'the Poles…were still not mature enough politically to enjoy full independence'.[141] But this was tempered by other considerations. For the Tsar, Poland could be viewed as 'a Slavic country like Russia itself, but one that was seen as more 'civilized' and developed, more 'European' than Russia'. Acquiring some portion of territory – indeed, styling himself King of Poland – was a way to 'civilize' his own state;

[137] See frequent references to Russia throughout Wolff, *Inventing Eastern Europe*.
[138] Adam Watson, 'Russia and the European States System', in Hedley Bull and Adam Watson (eds.), *The Expansion of International Society* (Oxford: Clarendon Press, 1984), pp. 67-72; Iver B. Neumann and Vincent Pouliot, 'Untimely Russia: Hysteresis in Russian-Western Relations over the Past Millennium', *Security Studies* 20:1 (2011), pp. 128-9; Neumann, *Russia and the Idea of Europe*, especially chapter 2.
[139] Wolff, *Inventing Eastern Europe*, p. 129.
[140] Steven Seegel, *Mapping Europe's Borderlands: Russian Cartography in the Age of Empire* (Chicago: Chicago University Press, 2012), p. 34.
[141] Zawadzki, *Man of Honour*, p. 235.

'Poland would be Russia's foot in the European door'.[142] His adviser, Czartorsyki, additionally emphasized that 'by supporting Polish institutions Alexander would ensure for himself and for Russia the moral leadership of the civilized world'.[143] On these understandings, the promotion of civilization in Russia entailed not cultural transformation in, or the denial of autonomy to Poland: rather, setting up a separate Polish Kingdom and respecting its distinct character would promote civilized modernity.

As we have seen, Russia soon moved away from supporting the institutional expression of Polish national identity. Compared to the Prussian and Austrian cases, it is more of a stretch to see this as a civilizing mission, as opposed to simply a move from the diffuse nation to an anti-national model. But it certainly signalled an abandonment of more complementary views of civilization and the nation. And we can find elements of civilizing ambitions in Russian activity in the region. A recent study of Russian-sponsored cartography highlights Russia's assertion of its 'right to map and explore, Columbus-like, "barbaric" lands and peoples and place them into a "civilized" frame of reference'.[144] Even where Russia turned away from embracing the sort of progressive modernity associated with the Anglo-French conception of civilization, and the German views outlined above, it's worth noting that the Russian doctrine of 'official nationality', adumbrated after 1825, was meant 'to serve as the preservative of Russia as a member of true European civilization against the insidious ravages of false, so-called European civilization represented by the French revolution, liberalism, and secularism'.[145]

'Eastern Europe', as the idea was constructed and contested historically, represented an ambiguous space, that looked different from alternative perspectives. Regarding such a space, the implications and demands of civilization were variable. The concept could promote

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[142] Andreas Osiander, *The States System of Europe, 1640-1990: Peacemaking and the Conditions of International Stability* (Oxford: Clarendon Press, 1994), p. 181.
[143] Zawadzki, *Man of Honour*, p. 246.
[144] Seegel, *Mapping Europe's Borderlands*, p. 76. There are parallels between this strategy – attempting to 'Europeanize' by civilizing others – and the dynamics described, with reference to an East Asian case study, in Shogo Suzuki, 'Japan's Socialization into Janus-Faced European International Society', *European Journal of International Relations* 11:1 (2005), pp. 137-64.
[145] Neumann, *Russia and the Idea of Europe*, pp. 20, 25-6, quoting B. H Sumner.

safeguards for national identity, dovetailing with the application of a diffuse nation model to Poland, manifesting as a diverse set of polities including free-standing semi-sovereigns. However, even in the early-nineteenth century, it could also be taken to mandate civilizing missions, which picked up where the eighteenth-century Partitions left off. These accelerated and intensified over time, complementing the shift to an anti-national model, the withdrawal of autonomy from the components of Poland, and the death of the Polish semi-sovereigns as polities in their own right.

The Mediterranean: civilizing missions in and beyond the Ionian Islands

We can now briefly draw comparisons with similar dynamics that unfolded in another liminal region – 'the Mediterranean'. Like Eastern Europe, the Mediterranean was simultaneously constructed 'as a European and non-European space'; it too was an ambiguously defined area within and around which neat geographical or civilizational lines were difficult to draw.[146]

The activities of more straightforwardly 'European' polities in and towards the area reflected this ambiguity. European international society was restructured over the nineteenth century, with the assertion of management by, through, and in the state as an organizational principle. Elements of this trend obtained in the Mediterranean, but were often skewed in particular directions, befitting the ambivalent ways in which the region was represented. For example, over the period, the British constructed and reconstructed a Mediterranean imperial order, which shaped the direction of state-building in polities like the Ionian Islands, Malta, and Cyprus.[147]

[146] Manuel Borutta and Sakis Gekas, 'A Colonial Sea: the Mediterranean, 1798-1956', *European Review of History* 19:1 (2012), p. 8. I was invited to attend a workshop, on the subject of 'Re-imagining Democracy in the Mediterranean, 1750-1860', in Oxford, 25-6 September 2015, and am grateful to the other participants, who helped me clarify my own thoughts on the region.
[147] Holland, *Blue-Water Empire*.

These specific polities were characterized in similar ways to the broader region in which they were situated.[148] Between long-standing connections to mainland, Ottoman-controlled Greece, and the legacies of several centuries of Venetian rule, the Ionian Islands appeared as a sort of 'bridge between East and West'; their populations as having neither an 'intuitively nor manifestly obvious oriental or occidental identity'.[149] One the one hand, it was hard to deny Ionians' 'Europeanness', or relationship to 'the universally acknowledged forefathers of Western civilization: the ancient Greeks'.[150] At the same time, their British protectors graded them below western Europeans on the 'standard of civilization', and frequently described them as 'barbarians'.[151] Colonial tropes of backwardness and underdevelopment, and even comparisons to 'Asiatic corruption', circulated among British officials from the inception of the administration.[152]

If we focus first on this latter point, it is clear that the Islands were subjected to a cultural-managerial 'civilizing mission'.[153] Institutions were fit to the polity on the basis on Ionian society's supposed underdevelopment, and the premise that 'the Ionian nobility was unfit and incapable of achieving self-rule'.[154] Thus, on a general level, the Islands were integrated into the overall framework of the British Empire, and more specifically, immense authority was concentrated under the High Commissioner, and Ionian involvement in government and legislation rendered negligible. These institutions were then used to effect transformations. Proposed agricultural reforms, for example, were based on classic colonial premises: 'Ionians

[148] See also the discussion of Greece in Stivachtis, *Enlargement of International Society*, part 2.
[149] Pratt, *Britain's Greek Empire*, p. 60; Thomas W. Gallant, *Experiencing Dominion: Culture, Identity, and Power in the British Mediterranean* (Notre Dame, Indiana: University of Notre Dame Press, 2002), p. 18.
[150] Fusaro, 'Representation in Practice', pp. 315-6.
[151] Ibid., p. 316. An excellent account of the application of the 'standard of civilization' to the Islanders is Gallant, *Experiencing Dominion*.
[152] Maitland to Liston, 15 Jan 1816, quoted in J. J. Tumelty, 'The Ionian Islands Under British Administration, 1815-1864', PhD Thesis, University of Cambridge, 1952, p. 28. Ambiguities in how the Islands were represented geographically, and how these representations aligned (or did not) with their purported level of civilization, are highlighted throughout Paschalidi, 'Constructing Ionian Identities'.
[153] Under some High Commissioners especially: see ibid., pp. 155-66.
[154] Gallant, *Experiencing Dominion*, p. 35.

were not merely backward and ignorant farmers, they were lazy ones too'.[155] These reforms were not implemented successfully, but the ambition was there – and their failure to meet these ambitions stemmed partially from a misreading of the society they aimed to transform, with administrators' presuppositions obscuring the features that stood in the way of their success.[156]

All the same, the pursuit of this civilizing mission was not straightforward, because of the ambiguous position of the Islands, the tensions and inconsistencies in how they, and the broader Mediterranean, were constructed, and lingering doubts about how a European – or at least arguably European – society ought to be treated.[157] British officials mobilized 'analogies' to other peoples in an attempt to navigate these tensions.[158] These were not always easy to sustain, however: during the 1850s, for example, the full annexation of two Islands was contemplated, but not followed through with because, 'whereas annexing African Hottentots might be straightforward enough, annexing Greeks was altogether a more awkward proposition'.[159]

Resistance to the protectorate involved challenges to this civilizing mission, which mission was based on the idea that British rule, being potentially transformative, would promote social development and progress on the Islands. Radical-nationalist opponents of the regime inverted this premise. The protectorate was a naked instance of 'foreign rule', claimed the radical press, which has 'always been the gravest, most dangerous, most fatal of all' ills, 'because its interests lie in the stagnation, retrogression or destruction of society'.[160]

This rhetorical move, made by those who sought union with Greece, and opposed the anti-national model imposed on the Islands, demonstrates how, as in Poland, civilization and the nation became entangled in the Ionian context. Britain's civilizing mission, and its imposition of an anti-national model, mostly went hand-in-hand, supporting one another. Their premises were

[155] Tumelty, 'Ionian Islands Under British Administration', pp. 89-90.
[156] Fusaro, 'Representation in Practice', pp. 318, 321.
[157] These tensions are treated well in Gallant, *Experiencing Dominion*, and Paschalidi, 'Constructing Ionian Identities'.
[158] Gallant, *Experiencing Dominion*, chapter 2.
[159] Holland, *Blue-Water Empire*, p. 85.
[160] Calligas, 'Radical nationalism', pp. 155-6.

complementary: the limited political capacity of the Ionian population, be it to govern themselves or to realize national ambitions. Both weighed in favour of heavy-handed management, and against according the Islands meaningful internal sovereignty. But they could also come apart. We saw in chapter three that resistance to the protectorate took two guises: a more moderate, reformist variant, and a radical-nationalist one. Gladstone, leading the reform mission in the 1850s, was willing to make concessions to the former but not the latter. His justifications for constitutional reform hinged on the claim that 'no method of dealing with a civilized community can be satisfactory which does not make provision for its political action as well as its social state.'[161] He relaxed the administration's assumptions regarding Ionian society's level of civilization, while refusing to concede the national issue.[162]

The liminal position of the Islands, embedded within the also-liminal Mediterranean region, enabled the British administrators to represent it as less-than-fully-civilized, but also constrained and undercut those very representations. Britain's civilizing mission intersected with the anti-national model imposed on the Islands, but neither completely reduced to the other. Importantly, similar dynamics obtained elsewhere in the region. In Cyprus, under British protection from 1878 until its annexation in 1914, administrators behaved similarly and acted on the basis of similar precepts, although the more complex distribution of ethnic and national groups on that island made for subtly different interactions between civilization and national identity.[163]

It's worth noting that where civilizing missions were more pronounced – like in the Islands, or as they intensified in mid-century Poland – the internal sovereignty of polities was increasingly compromised. This should not be too surprising, considering that cross-boundary

[161] Quoted in Pratt, *Britain's Greek Empire*, p. 146.
[162] For more detail on Gladstone's judgement of Ionians' civilization, see Paschalidi, 'Constructing Ionian Identities', pp. 294-307. An earlier program of reform, under High Commissioner Seaton, was similarly motivated; see ibid., chapter 4.
[163] Gail Dallas Hook, *Protectorate Cyprus: British Imperial Power Before World War I* (London: I. B. Tauris, 2015). For more on the political system set up in Cyprus, see Holland and Markides, *British and the Hellenes*, chapter 7.

interventions produce restrictions on internal sovereignty, as we saw in chapter three. Given that, and the fact that the transformative ambitions of civilizing missions gave impetus to such interventions, it makes sense that such missions would be incompatible with the retention of substantial internal sovereignty by their targets. When it came to fitting, negative judgements as to groups' capacities for self-government similarly implied less internal sovereignty. Appeals to civilization therefore tended to push polities away from semi- and towards non-sovereignty, with colonial protectorates being the clearest example, typically judged to crossed the line, into the non-sovereign category. That said, where those missions were limited, or undercut by countervailing pressures, it was possible for their target polities to lie just on the other side of the divide. This is why liminal areas – where ambiguous representations blunted the force of aggressive civilization – are the best place to look for such cases.

Law, civilization, and 'European' semi-sovereigns

Our discussion of these Eastern European and Mediterranean cases has mostly focused on civilization as it interacted with management. Before closing out this section, it is worth considering the relationship between these civilizing missions and the legal standard of civilization, and drawing a few comparisons between the legal positions of semi-sovereign polities in these regions, and the colonial protectorates we examined earlier.

The production and contents of certain legal devices reflected the civilizational ranking of these polities and reinforced the civilizing missions carried out by their managers. Thus the Ionian constitution, designed by British administrators after they had already been installed as representatives of the protecting power, shored up the High Commissioner's authority and confirmed that avenues for Ionian participation in government would be minimal. The constitution legalized firm management, placed substantial rights of internal sovereignty in British hands, and generally aligned with the depiction of the Islands' inhabitants as uncivilized.

However, in chapter three we saw that other legal devices – international treaties – were used by opponents of the protectorate to demand changes to the character of the administration and the terms of the constitution: their specification that the Islands were to be a protectorate was deemed incompatible with such restrictions on internal sovereignty. One way to think through this tension is as reflecting the ambiguities in how these polities, and the regions of which they were part, were represented. If the Ionian constitution, redistributing internal sovereignty, reflected assumptions about Ionians' supposedly uncivilized aspects, the Islands' treatment at and around the Congress of Vienna, and the treaty provisions that resulted, were emblematic of the difficulties in wholly characterizing them using that frame.

It is true that the Congress discussed issues relating to Europe and the 'wider world', including the regulation of slave-trading, but for the most part, extra-European matters were discussed informally – and this was true of questions pertaining to the Mediterranean and Eastern Europe, including parts of the Balkans under Ottoman authority, the Empire not being a participant at the Congress.[164] By contrast, the Islands (and, for that matter, Poland) were discussed formally and in a concrete, detailed way.[165] These polities were treated more like 'unambiguously' European ones, and provisions for their future were more like those detailing the composition of Germany, or the United Netherlands, than the protocol on slave-trading.[166]

My contention, then, is that these polities were not, from a legal point of view, considered as 'outside' international society, and this represents a point of contrast to the treatment of colonial protectorates later on.[167] It is anachronistic to project the distinction between 'protected states' and 'colonial protectorates' back onto the early-nineteenth century, but it is telling that when a later lawyer like Oppenheim classified then-historical cases, the Ionian Islands and

[164] Ian Clark, *International Legitimacy and World Society* (Oxford: Oxford University Press, 2007), chapter 2; Vick, *Congress of Vienna*, chapter 5.
[165] See ibid., p. 230, for a comparison of the Islands to other 'Greek' matters in these respects.
[166] Protocol printed in Hertslet, *Map of Europe by Treaty*, v. 1, pp. 294-5.
[167] Indeed, in legal theory, the standard only fully crystallized in the mid-century, which helps us understand why the Islands were not excluded from international society, for failing to meet that standard, around 1815. See Gong, *Standard of "Civilization"*, p. 54; Miéville, *Between Equal Rights*, pp. 243-8.

Cracow were described simple protectorates, distinguished from their colonial counterparts and even protected states 'of such a civilisation as would not admit them as full members of the Family of Nations' – and despite the Islands being governed out of the Colonial Office.[168]

The Islands were not distinguished from a colonial protectorate by the nature of the administrative institutions installed by the protecting power, but by meeting the legal standard of civilization: being considered a state and being acknowledged as a member of international society. This is an important point, because the international-legal treatment of a polity like the Islands reflected a different estimate of its civilization than the actions and attitudes of British administrators. Interactions between cultural differentiation, law and management did not, therefore, always push in the same direction, especially when it came to societies and polities that it was hard to characterize as uncivilized without controversy.

Concluding remarks

This chapter has demonstrated the relevance of cultural differentiation to the semi-sovereign polities of the nineteenth century. It has shown how various permutations of two important concepts – the nation and civilization – worked to shape, without determining, the forms taken by those polities. Three aspects of this argument are especially worth recapitulating.

First, I drew attention to variable, ambivalent and/or contested constructions of these two concepts, their meanings, and their implications. In the national case, three different models were contrasted, some of which were themselves instantiated in different ways: in Poland, the diffuse nation model made for a mixture of free-standing states, and nationality protections within predominantly non-Polish polities, whereas in the German case it manifested in the relationship between the states and overarching Confederal institutions. Regarding civilization, I

[168] L. Oppenheim, *International Law: A Treatise* (1st edition, London, New York, and Bombay: Longmans, Green, and Co., 1905-6, 2 vols.), v. 1, pp. 139-40.

predominantly focused on ambiguous and intermediate spaces, simple representations of which (and of the polities within) were hard to sustain, and which were constructed differently from alternative starting points. In both cases, I eschewed working with simple binaries – nation/not-nation, or civilized/uncivilized. Since the empirical focus of this thesis is on semi-sovereign – rather than sovereign versus non-sovereign – polities, and specifically on the wide variation within that category, it was important to explore a fuller range of representations, particularly intermediate ones.

Second, I laid out the processes by which cultural representations of communities, groups, and societies, produced these polities: the fitting of rights, institutions and statuses, according to those representations, and subsequent attempts to transform or conserve aspects of those communities. Fitting and transformation were enabled by the hybrid, cultural-political character of both the nation and civilization, which allowed them to shape organizational forms to an extent that might not have been true of other, culturally-, though less politically-salient concepts.

Third, I emphasized interactions between logics. Indeed, as far as its relevance to semi-sovereignty went, cultural differentiation primarily worked through the others. Distributions of rights, administrative institutions, and the signifiers of status and the ritual forms through which these were negotiated, were all shaped by, and fit on the basis of, culturally-charged presuppositions and representations. Moreover, managerial relations, in particular, were driven and given purpose by ambitions in the cultural sphere, resulting in the pursuit of civilizing missions and interventions which sought to redefine national identities.

Conclusion

This thesis sought to account for the properties of, and explain variations between, the semi-sovereign polities of the long-nineteenth century. These entities were distinguished from both fully-sovereign and wholly non-sovereign ones; occupying the wide intermediate space between these two poles, they differed markedly from one another, too. Semi-sovereigns bore different legal statuses; possessed and lacked different rights, arranged in different ways; and comprised, and could be situated within, different organizations and institutions.

Through exploring these variations, the thesis made contributions to two active lines of inquiry in contemporary IR theory. For one, IR is increasingly alert to and interested in mapping out different axes of 'unit heterogeneity': showing in what ways and why international entities were, and have been, unlike each other.[1] Second, more and more scholars have turned their attention to comparing, contrasting, and tracing out the origins and effects of international hierarchies. Indeed, as hierarchies entail some degree of difference between the entities they arrange, there is considerable overlap between these two research programmes.[2] Differing vis-à-vis one another, and being always situated hierarchically, albeit to variable extents, the semi-sovereigns of the long-nineteenth century gave us ample purchase on both these sets of questions.

Alongside these theoretical debates, this thesis also contributes to the turn towards historical sociology, which has recently been picking up steam within IR. Work on the 'global transformation' has sought not only to identify the sweeping changes that took place in and to nineteenth-century international society, and their legacies for international relations since, but, just as importantly, to refocus IR *as a discipline* around that transformation, that period, and historical approaches to both.[3] As much by virtue of my methodologies and approaches, as the

[1] David A. Lake, 'The State and International Relations', in Christian Reus-Smit and Duncan Snidal (eds.), *The Oxford Handbook of International Relations* (Oxford: Oxford University Press, 2008), pp. 53-4.
[2] Conveyed by their discussion, together, in ibid., pp. 53-6.
[3] Barry Buzan and George Lawson, *The Global Transformation: History, Modernity and the Making of International Relations* (Cambridge: Cambridge University Press, 2015), especially pp. 326-333.

specific empirical subject to which I have applied them, this thesis would fit comfortably into an IR so reoriented.

Across five substantive chapters, I accounted for variations among these polities in terms of four social logics: law, management, suzerainty, and cultural differentiation. In this short conclusion, I will not recap every argument, from every chapter, in detail, or go back over every aspect of each case study. The four empirical chapters covered a lot of historical material, often in quite fine detail. As we reach the end of the thesis, it will serve us well to zoom out again: to take in the basic shape of the overall argument, and to think through its implications for, and points of connection to, some more general theoretical and historical questions. This conclusion comprises three sections. The first concerns the relationship between social logics and semi-sovereign polities: I review what social logics are, what they comprise, and how they produce and shape international entities. Section two turns to interactions between the logics, and highlights the holistic, configurational character of my argument. Finally, section three considers some of the wider implications of the argument for how we might think about international society, and its members, from a historical-sociological perspective.

Social logics: the core of the argument

This thesis conceived of polities as manifesting and embodying prior social logics. Having spent the bulk of the preceding pages examining these logics empirically, it will now serve us well to reconsider what these were, and what work they did, more generally and theoretically.[4]

Social logics represent varieties of interaction, and as such they are built around relations of different sorts. As I outlined at length in chapter one, the argument of this thesis is explicitly founded upon 'relational' IR theory, which appeals to relations to explain features of the entities

[4] Rather than providing references for every point again, I direct the reader back to the footnotes in the previous chapters, and especially chapter 1.

they connect. We saw that law, for example, positioned entities with respect to one another in terms of their rights, whereas at the centre of management were relations of control. Relations of various sorts arranged polities in a formal, almost geometric sense: hence management entailed that managers stood over and above subjects, within a certain domain. But they also, and arguably more importantly, varied in terms of their content. Although they might of course interact, relations of, say, management and cultural differentiation concerned different aspects of international life, and one could not simply be reduced to or read off the other.

These relations may be hierarchical, potentially ordering polities by authority and/or ranks. In fact, all four of my logics had hierarchical elements, although not always to the same extents or in the same ways. From a legal point of view, semi-sovereigns were ranked below their fully-sovereign counterparts, by virtue of having fewer rights than them, but because only some semi-sovereigns actually transferred their rights to other polities, they were more variably positioned in terms of authority. Both management and suzerainty necessarily involved differences of rank, and both managers *qua* managers and suzerains *qua* suzerains had authority over their subordinates, albeit different sorts of authority. Cultural differentiation did not always involve hierarchy at all; it was perfectly possible for images and representations of societies to be related to each other in ways that did not entail superiority or inferiority. However, they *could*, as was the case with the distinction between purportedly more and less civilized societies. When cultural differentiation did have a hierarchical aspect, it involved ranks, and although they might be taken to support the extension of control or the redistribution of rights, these relationships were not themselves ones of authority.

Central though relations are, they are not all there is to social logics. They have a dynamic quality, which comes from the processes and practices that carry, sustain, and modify them across time. Intervention and regulation, in their various forms, did not only follow from pre-existing relations of control; they also drove their expansion, solidifying the position of managers and subjects as they became more durable, ambitious, and reliably successful. For example,

management by, through, and in the state crystallized as the product of interventionary bids from emergent centres. Different logics encompassed different processes and practices, corresponding to their various relational cores. Thus, suzerain hierarchies were not (re)produced through intervention and regulation, but through tribute-paying, claims to majesty, and the ritual affirmation of deference.

Arguably more than any other logic, however, it is law that demonstrates most clearly the importance of processes and practices. Law had a slightly different character to the other three, because of how it figured at both the descriptive and explanatory levels. Semi-sovereigns could be placed into a range of legal sub-categories, and one of the principal ways they varied was in terms of which rights they held and lacked. Boiling the legal logic down to relations (of rights) makes it hard to put to genuinely explanatory work; it would enable us to reproduce descriptive typologies of semi-sovereignty, but little more. Yet, by adding processes and practices like recognition and treaty-making – which fixed entities' legal subjectivity, and allocated rights to and between those legal subjects – we could invoke law to explain how polities became particular kinds of semi-sovereign, not just to capture their semi-sovereignty descriptively.

The logics also include background norms and concepts, giving specific meanings and moral weight to their other components. Relations, processes, and practices resolved out in specific ways from context to context, and we looked to these norms and concepts to help us pin these down, make comparisons between them, and trace their historical trajectories. For example, bodies of thought such as *Polizeiwissenschaft* and post-Napoleonic, statist liberal-conservatism expressed the purposes of management, and recommended institutional channels for pursuing them. Several axes of cultural differentiation were salient in the long-nineteenth century, with nationhood and civilization (and alternative understandings of each) being especially important.

As with processes and practices, appealing to norms and concepts also helped us elevate law into an explanatory logic. Semi-sovereignty meant different things to different people at

different times, and they applied the concept and classified polities as (not) semi-sovereign accordingly. These definitions and applications were shaped, in turn, by jurisprudential methodologies, and background concepts, including alternative conceptions of sovereignty *simpliciter*, the state, international society, and rights. With recourse to these, we could unpack why certain polities were described in certain terms, while keeping change and contestation within that legal discourse in our sights as well. That is to say: we were able to highlight the constitutive role of legal theory; how it shaped what the entities it referred to were.

More generally, including these among the components of the logics meant drawing attention to the normative bases of semi-sovereignty. This put some distance between my argument and other perspectives on sovereignty and hierarchy, which give pride of place to the consequentialist pursuit of interests, and downplay the behaviour-shaping, and especially the productive, roles of normative and conceptual frameworks. Indeed, I argued not simply for the normativity of semi-sovereignty, but its foundation in multiple normativities, associated with the various logics. That said, mine should not be read as a purely or predominantly 'ideational' argument. The logics were at once normative and practical, ideational and material. For example, while norms and concepts supplied them with purpose, relations of control were extended, maintained, and challenged in concrete and tangible ways; interventions occurred in the 'material' world, even though ideas shaped what they meant, how they were understood, and in which circumstances they were appropriate.

I invoked these social logics to account for the properties of and variations between a range of semi-sovereign entities. In processual-relational fashion, these polities were understood as manifesting or embodying elements of the logics. This claim was partially constitutive: a statement about what these entities were. Yet since the logics had dynamic aspects – processes and practices, as well as contested and shifting background norms and concepts, and any changes to relations these might produce – the argument also had a causal dimension. Prior logics gave rise to, and changed the complexion of, semi-sovereign polities. Rights were applied and

reapplied to old and new legal subjects, variably described as semi-sovereign – or not – as legal discourse evolved. Control could become more, or less, ambitious or durable, with implications for standings of managers, subjects, and the institutional channels connecting the two. Relationships between suzerains and their subordinates were productive of, and not only structured by, gradations of status, and ceremonial could be a site for affirming or disputing the suzerain's supremacy. And as the images and representations associated with societies changed over time, rights, statuses, and institutions were fit to them, and could subsequently be turned to transforming them further still.

Interactions: the shape of the argument

As it developed the argument that semi-sovereigns manifested social logics, this thesis made another major claim: that the four logics and their components interacted, working with and through one another. To get a handle on the properties of individual semi-sovereigns, we had to recognize that they reflected these combinations and permutations. This made sense, since the logics were framed from the start as ideal types: historically-grounded abstractions, but abstractions nonetheless. A concrete entity will not correspond perfectly or purely to any one ideal type, and so thinking in terms of interactions, permutations, and hybrids was the best way to keep these ideal types conceptually distinct, while maximizing the amount of leverage they could give us on the (often quite idiosyncratic) polities we set out to study.

Sometimes, elements of all four logics were brought to bear on a case study, or a closely related set of cases. Consider again, for example, various parts of Poland, or the Polish-Lithuanian Commonwealth: some of Martens's 'demi-sovereigns', like the Duchy of Courland and the towns of Royal Prussia, and then Cracow (Kraków) and the Kingdom. Law entered in, as usual, at two levels. These entities were categorized by legal theorists – according to different schemes of classification, underpinned by various methodologies and substantive theories –

which helped establish them as semi-sovereign. Moreover, legal devices, which included treaties, but also instruments like the Kingdom's constitution and subsequent statutes, more directly defined these entities' rights and the rights of others over them. Next, the sorts of entities these were – as well as which rights were affixed to them and why – were influenced by suzerainty, management, and combinations of the two. The Commonwealth, and its subordinates, were structured around aspects of both, but suzerainty especially. Cracow and the Kingdom, by contrast, were shaped by the more general, post-Napoleonic, ascendancy of management. Prior relationships of suzerainty were pushed to the side, and such new ones as did emerge (like the Tsar/King's over the Kingdom) were aligned much more clearly with patterns of control. Finally, both rights and institutions were fit, around 1815, to correspond with representations of Poland as a nation, and as a society with a certain civilizational standing. Over time, these were refit as these representations and their supposed implications changed, and, increasingly, attempts were made to effect cultural change in various parts of Poland.

Highlighting interaction was not only about adding more explanatory factors in order to produce a more complete or comprehensive account, however. My purpose was as much, if not more, to consider *how* the logics and their components fit together, and it is in this sense that I described my argument as 'configurational'. Both quite abstractly, and as they were reflected by the various case studies, I sought to map out different pathways of interaction between the logics, and demonstrate how they might complement, undercut, or work though each other. If the individual logics encompass relationships of hierarchy, then combining them in a configurational argument alerts us to relationships of *hierarchies*.

Law constituted polities as semi-sovereign most directly. Consider two entities, identical in every respect but their legal standing. Counterfactually, we could imagine a non-neutralized Belgium, and contrast it to the actual, neutralized one. Or, we could conceive of a hypothetical Transvaal/South African Republic, which did not come under the Pretoria and London Conventions, again contrasting this to the real version. As these pairwise comparisons reveal,

law had to have a place in my account of semi-sovereignty. For a polity to be rendered semi-sovereign, it had to be interpreted (or at least interpretable) as such in legal theory, and/or have its rights restricted or redistributed through a legal instrument, like a treaty.

These thought experiments might also be taken to imply law's sufficiency: law was enough to explain the differences between the sovereign and semi-sovereign versions of these polities. However, the purpose of this thesis was to explain real – not counterfactual – variations, between actual semi-sovereigns of different sorts: to compare, and leverage comparisons between, Belgium and the Transvaal (and the Ionian Islands, and Egypt, etc.). We thus had to inquire into why certain polities were interpreted as certain kinds of semi-sovereign, and why particular sets of rights were allocated to particular entities. Law could help us answer those questions, but it could not do the job on its own. Management, suzerainty, and cultural differentiation were legalized – translated into relationships of rights – and we therefore had to look to the former to properly explain the latter. Law could facilitate (or constrain) the expansion and maintenance of control; durable patterns of intervention could imply limitations to their targets' internal sovereignty; regulation was often pursued through legal restrictions on polities' external sovereignty rights. Jurisdictions, rights, and elements of international personality were attached to the titles and statuses which were produced by, and structured by, relationships of suzerainty. And cultural presuppositions and biases influenced who could be perceived as a legal subject, and whether and to what extent they could bear sovereign rights.

The remaining three logics did not only interface with law, however; they also interacted with one another. Across chapters three and four, we examined a range of management-suzerainty permutations. These two logics encompassed hierarchical relations, similar in form but different in content, and they could straightforwardly complement each other, when the same actors successfully claimed majesty and exercised control. For example, in increasingly centralized, monarchical states – prominent in Europe after 1815 – rulers were increasingly able to convert their symbolic standing into tighter control over their subjects, and drew on the former

to buttress the latter. At other times, however, these hierarchies failed to sync up, and could serve as brakes on each other; the pre-Napoleonic demi-sovereigns exemplified this permutation well. The spatial extents of managerial domains and suzerain spheres did not necessarily coincide, opening up several, more specific possibilities for interaction between the logics, and for polities to manifest those interactions. For example, 'vassal states' represented the crystallization of management by, through, and in the state, while that state and/or its rulers remained under another's suzerainty, and situated within area over which the latter claimed that supremacy. Several of the polities examined in chapter four, such as Egypt, illustrated this nicely. Zones of suzerainty were also intersected by relations of control in their cross-boundary guise. Again, manager and suzerain could be one and the same actor: the Ottoman centre frequently attempted (with variable success) to control its vassals; Britain sought to regulate the activity of the Transvaal/Republic, while it claimed paramountcy over southern Africa more broadly. Alternatively, or additionally, different actors might occupy these roles; hence Britain (and to a lesser extent France) participated in the management of Egypt, but without seeking to dismantle Ottoman suzerainty over the country until the First World War.

Just as cultural differentiation influenced how legal subjectivity and rights were allocated, so too did it shape how management and suzerainty were instantiated, from case to case. Suzerain status orders reflected categories that were, or were assumed to be, culturally salient: recall, for example, how the British imagined, represented, and arranged the Indian Princes and Princely States. The managerial apparatuses used to govern various societies were often fit to those societies, on the basis of cultural characteristics they were perceived to have or that were projected onto them. Likewise, these representations gave purpose to interventions, including 'civilizing missions', which aimed to effect cultural change. Cultural differentiation was a distinct logic, and in no sense derivative of the others. Yet, at least as it was implicated in the forms assumed by semi-sovereign polities, it principally worked in the background, through the other three, nudging and inflecting how they played out.

International historical sociology: the argument in perspective

In the introduction, I described my approach to IR as historical-sociological. This was less a specific methodology or method, I contended, than a sensibility or orientation: a conviction that international society is best studied historically. Having now made my more specific arguments about the long-nineteenth century's semi-sovereigns, and the social logics that gave rise to them, I want to close by circling back around to this theme. What sort of historical picture does this thesis leave us with, and how might we think about the history of international society in light of its claims?

Most obviously, the thesis drew attention to the semi-sovereign polities of the period. Even if these polities were, in a sense, anomalous, at least when compared with the rest of international society, I maintain that they were important, as entities in their own right, and as reminders of how varied the members of international society have been. In that sense, then, this thesis painted a picture of nineteenth-century international society as one of *heterogeneous units*.[5] It was important to highlight these differences, not least because it affirms Buzan and Lawson's emphasis on the 'transformation of political units', as a central pillar of the 'global transformation'.[6]

However, these differences were just the point of departure for the thesis, the bulk of which sought to explain them. If we turn, instead, on the elements of that explanation, a different (though complementary) picture of international society emerges. In the spirit of processual relationism – per Jackson and Nexon's insistence on studying 'relations before states' – this portrait is not primarily one of heterogonous units, but of heterogeneous *modes of interaction*, with the social logics as its subjects.[7] I would argue that the most promising sort of international

[5] Complementing the image presented in works like Andrew Phillips and J. C. Sharman, *International Order in Diversity: War, Trade and Rule in the Indian Ocean* (Cambridge: Cambridge University Press, 2015).
[6] Buzan and Lawson, *Global Transformation*, chapter 5.
[7] Patrick Thaddeus Jackson and Daniel H. Nexon, 'Relations Before States: Substance, Process, and the Study of World Politics', *European Journal of International Relations* 5:3 (1999), pp. 291-332.

historical sociology would take these as its building blocks, and in these final pages of the thesis, I'll sketch out some of the main features of such an approach, and explore some of its advantages.

First, modes of interaction have histories of their own, which we can chart, compare, and contrast. In the context of this thesis, it was not just the individual semi-sovereigns which changed and developed historically; the logics did, too. For example, we can track the trajectory of management across the eras of *Polizeiwissenchaft* and cameralism, the construction of the Napoleonic empire, and the post-Napoleonic adaptation of ideas and institutions from those periods. Over time, managerial ambitions grew, they were legitimated in new ways, and they resolved out in new forms, including management by, through, and in the state, and cross-boundary intervention. Likewise, over the period the meanings of legal concepts shifted, new legal practices emerged, and existing ones were taken up more widely and for new purposes. This perspective on the logics (or modes of interaction more broadly) fits neatly with conceptualizing them ideal-typically – ideal types being abstractions that are nevertheless grounded in history, and which encode the meaning and significance of practices and patterns of organization to those who participated in them.

Second, change is conceived of as reconfiguration. Different modes of interaction may stand in different relationships to one another, or fit together in different ways. These configurations shift over time, and by tracking these shifts we can construct new histories of international society. Sometimes, these will look like narratives of rise and decline. For example, in Mann's history of power, some power sources become more, and others less important. He argues that 'during the eighteenth century, two sources of social power, the economic and the military, predominated in determining Western social structure', that, 'into the nineteenth century…economic and political power sources began to dominate', and that 'Ideological power relations were of declining and lesser power significance during the period'.[8] Likewise, in this

[8] Michael Mann, *The Sources of Social Power, Volume 2: The Rise of Classes and Nation-States, 1760-1914* (New edition, Cambridge: Cambridge University Press, 2012), pp. 1-2.

thesis, I noted that the managerial logic became more important over the long-nineteenth century, and that this sometimes accompanied the deconstruction of earlier forms of suzerainty. That said, reconfiguration is not just about the relative weight of different sources of power, social logics, or other modes of interaction. It is as much, if not more, about how they slot together, and how these arrangements change. For example, to qualify the point I just reiterated, suzerainty did not disappear over the long-nineteenth century; indeed, new claims to suzerainty were being made late into the period.[9] Rather, it was primarily the *ways* it interacted with management which changed: the two often synced up more than they previously had, and where management expanded under enduring umbrellas of suzerainty, this gave rise to new types of entity, like vassal states.

Third, this perspective allows us to comprehend change at multiple scales. Back in the introduction, I followed Lawson, arguing that historical sociology adds its greatest value at the 'meso-level' of explanation.[10] Yet, starting from meso-level forces, like my four logics, we can easily move up and down the scale, to account for developments at both the macro- and micro-levels. If the histories of individual modes of interaction (of law or management, for example) represent changes at the meso-level, then mapping out broader configurations and reconfigurations of these can give us leverage on developments at the level of international society as a whole. At the same time, I argued that particular entities did not just embody the logics individually, but combined. Configurations were thus manifested at the micro-level, and as the properties of polities changed, they reflected reconfigurations on a small-scale. One of the payoffs of this approach to historical sociology is, therefore, its ability to capture developments at a number of levels, and to draw connections between them: to hook micro-level changes up to meso-level forces, themselves arranged into wider, macro-level patterns.

[9] Similarly, Mann stresses that the relative decline of ideological power over the long-nineteenth century 'does not render it insignificant', and notes that, at times, it played an 'essential and autonomous part' in social change. Ibid., p. 35.
[10] George Lawson, 'The Promise of Historical Sociology in International Relations', *International Studies Review* 8:3 (2006), pp. 397-423.

Fourth, this approach opens up new perspectives on international history and 'political space'.[11] Many international processes have both temporal *and* spatial aspects: to claim that international society 'expanded', for instance, is as much, and simultaneously, to make a claim about geography as chronology.[12] From this point of view, to say that alternative modes of interaction have their own histories implies that they may be associated with distinct conceptions and images of political space. This was, in fact, true for each of my four logics. Law conjured up the image of a bounded society of recognized legal subjects. Management was associated with delimited domains of control, or administrative zones. Suzerains often claimed symbolic supremacy over spheres of authority with imprecise radiuses. Areas of cultural similarity and difference included more or less diffuse national communities, and spaces defined by their supposed level of civilization. Furthermore, it follows from my arguments about configurations that these dimensions of the logics could be combined, recombined and arranged in various ways. Likewise, individual entities reflected these spatial composites: recall again, for example, how polities like the Transvaal/Republic were at once legal subjects and administrative units, embedded within wider zones of suzerainty and spaces of cultural differentiation.

This thesis started by recognizing the diverse units that have made up modern international society, and from there, developed an argument about the modes of interaction – the social logics – that produced these entities, in their variation. From this perspective, the semi-sovereign polities of the long-nineteenth century no longer appeared as mere curiosities that are perhaps interesting, but of little importance to international relations, historical or otherwise. Rather, they served as vantage points, from which we could perceive the broader logics of law, management, suzerainty, and cultural differentiation, tracing out their contents, their effects, and

[11] For discussions of political space from a variety of angles, see the essays in Yale H. Ferguson and R. H. Barry Jones (eds.), *Political Space: Frontiers of Change and Governance in a Globalizing World* (Albany: State University of New York Press, 2002).
[12] Hedley Bull and Adam Watson (eds.), *The Expansion of International Society* (Oxford: Clarendon Press, 1984). For a critique of this concept, which makes the case for a different way of envisaging international 'social space', see Edward Keene, 'The Standard of 'Civilisation', the Expansion Thesis, and the 19th-century International Social Space', *Millennium: Journal of International Studies* 42:3 (2014), pp. 651-73.

their entanglements with one another. Of course, these logics shaped the characteristics of polities other than the semi-sovereigns: many fully-sovereign polities approximated to the form of managerial statehood, for example, and the idea of civilization informed the treatment of wholly non-sovereign colonies by imperial powers. Focusing our attention on other entities might even have alerted us to the importance of other logics, or different combinations thereof. Yet, because there was so much between the entities in and along the limits of the set of semi-sovereigns, and precisely because these polities had often quite idiosyncratic, even 'anomalous' features, they revealed, with particular clarity, the multiple logics productive of international entities, and the multiple points of contact between them.

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