

City.State: Critique of Scalar Thought

ENGIN F. ISIN

The Open University, Milton Keynes, UK

ABSTRACT *The scalar thought that undergirds our understanding of modern bodies politic (cities, regions, nations, states, leagues, federations) assumes exclusive, hierarchical and ahistorical relationships among and between these bodies and conceals their fluid, multiple and overlapping forms of existence. This essay offers some critical reflections on the historical origins of scalar thought and suggests that thinking about bodies politic and belonging in different ways is necessary to consider citizenship beyond the state.*

Introduction

To address the question of citizenship beyond the state, we need to reflect upon the relationship between the city and the state. This may be surprising since “beyond the state” is often understood as “above the state” as in world or cosmopolitan scale. Because the city is “within” the state, beyond the state would include the city but would be “farther” and “above” it. I would like to question that intuitive understanding by beginning with the city rather than anything farther and above the state. Ferguson & Gupta (2005) have used “verticality” and “encompassment” to identify two metaphors to illustrate how we reify states. They argue that the metaphors of verticality and encompassment “work together to produce a taken-for-granted spatial and scalar image of a state that both sits above and contains its localities, regions and communities” (2005, p. 106). Whether conceptualized as “urban” or “national”, *modern* citizenship is bound up with the question of the state and we need to reflect upon the kinds of bodies politic that the city and state are. That is a difficult task for many reasons, not the least of which is its historical complexity. To simplify matters I should like to focus on “scalar thought”, which is a way of representing and instituting relations between the city and the state at least in *modern* politics and law as if these relations were *exclusive* (i.e. contiguous and non-overlapping), *hierarchical* (i.e. nested and tiered), and *ahistorical* (Sack, 1980; 1986). Scalar thought represents these bodies as though all exist in actual spaces as such at a given scale of representation. Just because these bodies can be represented by scale in cartographic terms, the assumption is that these bodies exist in the form in which they are represented. Scalar thought conceals the difference between actual (physical and material) and virtual (symbolic, imaginary and ideal) states in which bodies politic exist.

Correspondence Address: Engin F. Isin, Politics and International Studies (POLIS), Centre for Citizenship, Identities and Governance, The Open University, Milton Keynes MK7 6AA, UK. E-mail: E.F.Isin@open.ac.uk

1362-1025 Print/1469-3593 Online/07/020211-18 © 2007 Taylor & Francis

DOI: 10.1080/13621020701262644

While I am concerned with developing a critique of scalar thought, the aim of the essay is to strongly suggest that *only* the city exists as *both* actual and virtual spaces. The city is *actual* in the sense that once it comes into being it is permanent (until it is destroyed completely it maintains its capacity to exist), solid and enduring, even when it is transformed. The actual city embodies things (buildings, roads, infrastructure, uses) as well as bodies within intrinsically related and proximate arrangements that constitute its physicality and materiality. The actual city is *urbs*. The city is also *virtual* in the sense that it is an association that exists beyond the actual bodies and things that constitute it. The virtual city is *civitas*. The relationship between *urbs* and *civitas* is complex as they are neither reducible to each other nor fully overlapping. *Civitas* can often extend beyond *urbs* and *urbs* can take different forms. When we use the term the city, we imply, wittingly or unwittingly, both spaces of the city. As Fustel de Coulanges (1864) demonstrated, this distinction is as old as the city itself and has always given rise to ambiguities in social, political and legal thought as regards the referred object when one uses the term city. Yet, to maintain the distinction is vitally important in understanding the kind of body the city is and how it differs from other bodies. The argument I put forward maintains that distinction and considers all other bodies such as states, nations, empires, leagues and federations not as actual but *only* as virtual spaces that exist in ephemeral, fluid, impermanent and transient states. These virtual bodies are assemblages that are kept together by practices organized around and grounded in the city. Such virtual political spaces can always collapse and disappear over a relatively short or long period of time but the city as an actual space cannot collapse and disappear even when it is totally destroyed and even when its virtual space collapses. (The irony of the so-called “lost cities” such as Troy, Atlantis, Knossos, Nineveh, or Copan is that they are not lost. We know about them. We search for them. Often we find them.) To argue that nations, states and empires are virtual spaces does not mean that they are unreal or do not have real effects or they are simply imagined. I shall draw upon Deleuze (1994, p. 208ff; 2002, p. 148ff) and Derrida (1994, p. 133ff) to maintain that virtual should not be opposed to real but to actual. Both virtual and actual are real but in different ways. That virtual spaces such as states and nations are inexistent does not mean that they are not real or that they are simply imagined. Their inexistence means that they do not exist in themselves but only in representations and effects. When we are investigating inexistent bodies, we aim to access their realities through these representations and effects. The map of a state as a body politic does not prove that that state exists in the way in which the map represents it. In fact, the map is one of the symbols with which the state is constructed as a virtual space. Neil Smith (1992: 64ff) called this process social production of geographic scale. I shall also draw upon anthropologists and geographers in developing a critique of scale understood as a metric to represent verticality and encompassment (Amin, 2002; Collinge, 2005; 2006; Ferguson & Gupta, 2005; Marston, 2000; Marston *et al.*, 2005; Massey, 2004; Sharma & Gupta, 2006; Smith, 1992, 1995, 2004; Taylor, 2005). I shall argue that hyphenated bodies politic such as city-state or nation-state are also virtual spaces with no actual spaces corresponding to them. Hannah Arendt emphasized the disastrous consequences of what she called the conquest of the state by the nation (Arendt, 1951, p. 275; 2005, p. 208). I shall return to the impossibility of that hyphenated body politic, nation-state, at the end of the essay.

I have already touched upon essential concepts with which I will argue that the city is different from other bodies: actual, virtual, existent, inexistent, *urbs* and *civitas*. I shall return to these concepts with a broader conception of “historical ontology”, but let me

dwell on “bodies politic” for a moment. I use this term in the way in which it was used in medieval and early modern political thought to designate any group that claimed, struggled for and secured *de facto* rights (Isin, 1992). Such groups included guilds, universities and cities. The “bodies politic and corporate” was a designation that indicated not only the rights that were exercised as group rights but also indicated an entity that could act in the politico-legal realm as a person, albeit a fictitious person, hence the term *ficta persona*. The concept has a compelling legal history including whether that legal person was “real” or “artificial” (Radin, 1932), but for our purposes let it suffice to emphasize that the difference between actual and the virtual will have resonance with the difference between artificial and natural persons (Dewey, 1926; Tamen, 1998). As I shall illustrate later, legal scholarship has shown that sovereignty of the state was articulated by following the medieval and early modern theories of corporations (Canning, 1988). I shall develop a relationship between the emergence and development of discourses on scale, on the one hand, and corporations, on the other. I shall then draw the important implications of this relationship for citizenship and for understanding the spaces of rights and obligations through bodies social as distinct from but related to bodies politic.

URL: An Apparatus of Containment

I tried to capture what I mean by “scalar” in a simple formula in the title of this essay with a notation that has become ubiquitous in the age of the Internet. The uniform resource locator (URL), which is also known as the web address, is the syntax for the location and access to resources on the Internet. It represents a scalar codification of a resource on the Internet. It locates it from the most broad toward the specific, with each scale separated by a dot. If, for example, the domain were education, a specific university in that domain would be identified as university dot education. The Domain Name System (DNS) enables users to find resources on the Internet. Every computer on the Internet has a unique address called Internet Protocol address. That address uses numbers that identify various domains in scalar form. So, for example, York University has IP address 130.63.236.137. Because IP addresses are impossible to remember for more than a few sites, the DNS allows a recognizable domain name to represent them. So *www.yorku.ca* becomes an identifier for 130.63.236.137. Anyway, since everyone is familiar (perhaps all too familiar) with this method of accessing resources we do not need to further dwell upon it, but it emphasizes that it represents the logic of scalar thought very well. It attempts to identify objects in domains and codifies them as non-overlapping, mutually exclusive and contiguous bodies. It does this for reasons of efficiency, order and access but it also represents, as witnessed by intense struggles over its codification and symbolization, an “apparatus of containment” in the sense that it *attempts* to make it possible to control and govern flows of bits (images, sounds, words) on the Internet. While domain name appears a technical issue, it is indeed a contested political and social process to attempt to govern the Internet. Having come into being as “apparatus of dissemination”, the Internet also spawns practices that aim to transform it into “apparatus of containment”. I suggest that what the URL attempts to represent is the logic of scalar thought that undergirds the modern system of states or at least our understanding of it.

The URL does this in imperfect and incomplete ways and that will be precisely my point for critically reflecting on scalar thought. While it attempts to represent a scalar system, the URL also exposes how the messy politics of flows of bits gets in the way of its ostensibly

rational scalar representation. So, for example, while Harvard University will be identified as Harvard.edu, York University will be identified as Yorku.ca. Now, we can figure out that YorkU is in Canada but what kind of resource is it? By contrast, Cambridge University will be identified as cam.ac.uk, which is probably the most rational because we can tell that it is in the UK and it is academic. (It is interesting that the only state without a domain identifier is the USA ostensibly because the Internet originated there.) Similar inconsistencies, incongruities and irregularities can also be found in other domains such as organizations and governments. The upshot is that despite the rational attempt to develop a comprehensive and uniform system of codification and create an apparatus of containment, it remains incomplete, inconsistent and, more importantly, contestable.

The URL exemplifies the logic of scalar thought both in its success and failure. While it codifies a system of exclusive and hierarchical relations, it also fails to contain its vicissitudes, complexities and overflows. It also helps us understand the logic that undergirds the contemporary relations between cities and states as hierarchically structured, mutually exclusive and non-overlapping, that is to say, scalar relations. For scalar thought scale is a generalized apparatus of capture. Scalar thought arises from the will to regulate, control, govern and thus capture the infinite varieties of flow through space. The production of geographic scale as a way of representing flows in space is the outcome of social and political struggles of forces to govern each other through space (Smith, 1992). The URL is one among many other equally ubiquitous and imperceptible mechanisms by which scales as *exclusive*, *hierarchical* and *ahistorical* spaces are produced and instituted. Collinge (2006, p. 249) gives other examples: postal organization of territorial states, maintenance of street signs that state agencies erect to produce thresholds between and within spaces, organization of state bureaucracies, collection, collation and representation of statistical data by state agencies, and representations by intellectuals and intelligentsia. Scott provides further examples: cadastral lists and surveys, maps, censuses, surnames, and standard units measurement. Scott argues that by simplification, abstraction and standardization, the modern state

... attempts with varying success to create a terrain and a population with precisely those standardized characteristics that will be easiest to monitor, count, assess, and manage. The utopian, immanent, and continually frustrated goal of the modern state is to reduce the chaotic, disorderly, constantly changing social reality beneath it to something more closely resembling the administrative grid of its observations. Much of the statecraft of the late eighteenth and nineteenth centuries was devoted to this project. (Scott, 1998, pp. 81–82)

Among all these ritualized practices, instituting scale as lived experience becomes indispensable. However, it does not mean that scale exists as an independent reality outside such practices and lived experiences that it organized. Rather, scale becomes an apparatus of capture that holds together various practices that constitute the state as a virtual body politic (or *ficta persona*).

The Birth of Scalar Thought

While it is tempting to focus on more recent changes in spatializations (e.g. globalization) as the source and grounds for critiquing scalar thought especially as it pertains to the city

and state relationship, its history lies deeper and requires an appreciation of its birth and deployment as a “technology of government”. With the origins of modernity in the West (roughly between the 1780s and the 1830s) the dominant mode of thought and practice about the relationship between the city and the state has become scalar. I would like to provide a brief sketch of this history but let me first express the elements that constitute scalar thought. Scalar thought was gradually articulated in three principles: that the city and state always existed as distinct and opposing bodies (ahistoricity); that these two bodies constitute an exclusive relationship (exclusivity); and that it is a hierarchical relationship, that is to say, the state is the creator of all other scales, which are nested and tiered within it (hierarchy). Ahistoricity enables the claim that history featured always two major contestants, the city and the state. This is what Fernand Braudel (1984) claimed and Charles Tilly (1994) often endorsed albeit critically. The underlying assumption in such claims is that the *kinds* of bodies that the city and the state are have not changed through time but that the relationships between them have. The city and state appear as recognizable and identifiable objects rather than radically changing bodies and scalar thought certainly overlooks the possibility that what maintains their continuity may well be discourse, language and knowledge, which are all means of virtualization. Exclusivity makes us believe that these two bodies are ontologically identical, but mutually exclusive actors whose acts are juxtaposed against each other. When there is no state, a hyphenated phrase is invented to refer to the city as city-state to signify this ontological identity. The city becomes the state writ small and the state becomes the city writ large with identical features and in conflict with each other. Hierarchy makes us believe that the state is always the upper scale with the sovereign right to create other scales including the city. Thus, the sovereignty of the state is understood as territorial sovereignty, like a container, which *excludes* the possibility of any other container with identical sovereign rights. The sovereign rights such as monopoly of violence, control of geographic mobility and movement and exclusion or inclusion in membership signified by the passport become indivisible and substantial rights for a given territory (Bartelson, 1995; Torpey, 2000). While these principles were articulated in the late eighteenth and early nineteenth centuries, the history of its articulation involved three or four, what we might call, moments. It is best to tell this story through those moments.

As Sacks and other contributors to this issue have described, the first moment can be seen already during the sixteenth and seventeenth centuries when dominant groups consolidated state territories, established sovereignty and codified laws of incorporation to make it impossible for medieval corporations such as cities, guilds and universities to function legally as autonomous bodies. Following Otto von Gierke (1900, 1934, 1939, 1977, 1990), generations of legal historians such as Maitland (1898, 1900, 2003a, b, c), Ullmann (1968, 1988), Frug (1980), Williams (1985) and Black (1984) have studied that period when sovereignty of the state eliminated all bodies politic and corporate between the state and individual as the only two remaining “sovereign bodies”. This moment can be called the birth of scalar thought because all its three principles were already articulated in incipient form. All these principles were articulated into the law of corporations in all early modern European states (Kantorowicz, 1957). The law no longer recognized legal persons (bodies politic) such as guilds, universities and cities as agents capable of acting autonomously. The early modern and modern politico-legal thought, by instituting the state as the supreme artificial person, created a scalar relationship between the state and other bodies politic and corporate that was *exclusive, hierarchical and ahistorical*.

It should also be mentioned that the legislative, administrative and judicial organization of the medieval church between the twelfth and sixteenth centuries was certainly a precursor to the birth of scalar thought (Berman, 1983, pp. 113–114). Associated with the rise of sovereignty of the state was the emergence of what Henri Lefebvre (1974) called “abstract space”. Lefebvre emphasized the hierarchization, homogenization and exclusivity of space by abstraction in modernity: representing space with a metric. The rise of abstract space in turn was what made space governable: the political arithmetic and concern with state territory in the seventeenth and eighteenth centuries were significantly associated with the new ability to represent space as abstraction (Elden, 2004). Thus, scale as a metric of representation became an apparatus of capture associated with abstract space instituted by corporate bodies. Thus, the relationship between the emergence and development of practices of scale and of theories of corporations are closely related. The organization of the church had already contained these incipient principles of scale and incorporation (or incorporation through scale).

The second moment of the birth of scalar thought was colonization. During the sixteenth and seventeenth centuries the deterritorialization and reterritorialization of space by Spanish, French, Portuguese and Dutch colonial practices and authorities instituted scalar systems of settlement, which continued relentlessly. British colonization in America but especially in Canada and Australia consolidated these experiences and experiments to institute scalar systems of territorialization or settlement (Beer, 1922). Colonial discourse is awash with the need for systematic settlement as abstract space (which arises from scalar thought) at the core of which resides a town or village, surrounded by a township and several townships constituting a county and several counties constituting a province and several provinces constituting a governmental system (Wood, 1982). The constitution possibly drawn up for Carolina by John Locke in 1669 illustrates how systematic scalar thought was becoming through colonization (Thorpe, 1909, vol. 5, p. 2772). Essentially, all settler societies colonized by European empires conform to these principles. The entire period of colonization, if not the systems that followed it in the US, Canada and Australia, incessantly problematized the question of the proper relationship between these scales of jurisdiction and their appropriate powers as created corporations. In fact, this juridico-legal question of the relationship between various scales and their corporate powers are still the most urgent and pressing questions in these federal systems today (Baud & Schendel, 1997). Thus, colonization and the subsequent settler societies have established a crucial relationship between scale and incorporation (or incorporation through scale).

The birth of scalar thought simultaneously involved imposing a rational system of territorial administration in Europe on an already existing patchwork of overlapping and contested spaces (Spruyt, 1994; Taylor, 2003). Yet this rationalization of administration and government has proved elusive. (Colonization by empires is often considered an outward movement of territorial conquest, but it can also be considered as an inward movement of social regulation inspired by lessons learned from governing at a distance.) This is not to say that it was not attempted with special resolve. Constitutional histories of France and England alone provide convincing evidence for rationalizing the relationship between various jurisdictional scales and their constitution. This question has been perhaps one of the most problematized, debated and “reformed” issues in English law since the seventeenth century in successive waves up to the present. Jeremy Bentham’s Constitutional Code where the perfect state is divided into districts, subdistricts and trisubdistricts is a remarkable exemplification of the scalar thought and abstract space that

pervade modern thought about the state and its cities as “units of administration” or “levels of government” (Bentham, 1989).

Perhaps the latest moments of scalar thought are exemplified by the emergence of international leagues and federations since the end of World War II. More recently, with the formation of the European Union (EU), scalar thought was presented with a new scale and thus a new problem (Painter, 2002; Smith, 2003; Taylor, 2004). Unlike its constituent unitary states, the EU has had to deal with at least three scales of governing the union and their juridico-legal status and the question persists (Taylor, 2002). Much of what constitutes the so-called question of subsidiarity (responsibilities of each jurisdiction or scale) is about untangling the constituted scales of Europe: city, nation, state and the union (Bermann, 1994).

I suggested that scalar thought about space in general and about the relationship between the city and state in particular is specifically modern and Western but with early modern lineages. Before the eighteenth century, for various reasons that would be too complex to enter into here, it is difficult to find a form of thought that constitutes spaces and territories as nested and tiered scales with historicity, exclusivity and hierarchy let alone codifying them into juridico-legal systems. The most systematic and comprehensive law before modernity, the Roman law, as far as I understand and know, is devoid of these principles (Berman, 1983). Instead, Roman law regulating the relationship between the “empire” and its cities very much revolves around the relationship between Rome and other cities. So there is not a hierarchical and exclusive relationship in Roman law between a separately constituted empire and its cities. Similarly, as I mentioned earlier, the organization of the medieval European church and its jurisdiction in hierarchical and exclusive ways can be considered as the incipient forms of scalar thought. Nevertheless, the church never acquired the dominant territorial form of the state and was not able to impose its rule over vast territories in hierarchical and exclusive ways (Spruyt, 1994, 2005). It was the early modern and modern states that were able to enact the consolidation of territories in such ways (Poggi, 1978; Strayer, 1970). To institute the state as an assemblage requires apparatuses of capture that will territorialize flows and reterritorialize those that escape its capture and always threaten it with deterritorialization.

Scale: An Apparatus of Capture

It is important, therefore, to understand how scalar thought gave rise to scale as an apparatus of capture with historical and juridico-political foundations. Scalar thought produces scale as an apparatus of capture because scale is not merely a way of seeing the world *merely* produced by intellectuals, intelligentsia, scholars, literati and cognoscenti. Rather, it has been legally and politically instituted by creating nested and tiered hierarchies with exclusive territorial domains that grounded the formation of legitimate authorities for the appropriation of various forms of capital such as economic, social, symbolic and cultural by different social groups (Bourdieu, 1983, 1984). That scalar thought can and must be critiqued does not imply that scale instituted by juridico-political forms can be simply abandoned (Marston *et al.*, 2005). Scale may not have the analytical rigour and stability that is demanded of it by scholars but that would point up precisely its effectiveness in transmitting, containing, controlling, regulating and instantiating power relations. It is also only in a limited sense a “materially real frame of social action” (Smith, 2003, p. 228). Thus, scale is an object of contestation precisely because it works

as an apparatus of capture. Objects of contestation always have unstable, malleable and fluid meanings. Scholars disagreeing about its meaning, two “levels” of government struggling over their “share” of taxes; a federal government seeking new division of responsibilities from its constituent jurisdictions; the European Union enlargement process, are all manifestations albeit with different consequences, of scale as an apparatus of capture. Moreover, scalar thought assembles scalar practices through which the principles of *ahistoricity*, *hierarchy* and *exclusivity* are instituted with real effects that in turn would have us invest in the solidity, permanence and significance of its symbols: borders, boundaries, territories, checkpoints, controls and regulations. Just because these symbols help make in-existent bodies hang together does not mean that either the symbols or bodies are without realities with experiences, effects and affects. The aim of critique of scalar thought is to reveal the effects of existent and in-existent bodies and different forms of capital (social, symbolic, cultural, economic) through which they are produced.

Scaling Citizenship

When citizenship is understood as a juridico-legal status, obviously it pertains to a territory in which that status is held. If we see through the gaze of scalar thought there would indeed be no ambiguity or trouble in that understanding. Obviously, in scalar thought the state is the territory in which citizenship is held and since citizenship is universal regardless of where one is in that territory, there can be no legal rights or obligations arising from any other scale than the state (Smith, 2004). Or, when it is accepted that now sovereign states are less effective in containing politics and culture, then the question becomes which container will contain them (Taylor, 2002, 2003). As soon as we begin to shift the question of rights and obligations from the juridico-legal site into social, cultural, ethical, aesthetic and indeed political sites, scalar thought comes up against severe limits and limitations (Massey, 2004). Barry Hindess has shown effectively how citizenship, which is ostensibly a contained state institution, has become a strategy and technology of governing global movement of peoples (Hindess, 2005). Just as the URL cannot capture the vicissitudes of negotiations amongst various actors across the globe in designating access codes, scalar thought is helpless and rootless in giving an account of the complex patterns of belonging that undergird contemporary spaces of belonging, government and identity as Ramos and other authors in this issue have also argued. That is because bodies social always overflow, decode and recode the bodies politic that are created and maintained to contain them.

I have emphasized that scale and incorporation are related. Another effect of scale as apparatus of capture is its ability to institute a specific body politic to which it refers as the agent of an action. This has the consequence of establishing a symbolic legitimacy especially for the state. Thus, such entities as the state and nation often acquire personalities that act: states dominate, wage war, punish, discipline, control, create and produce. Now, in certain cases this is, of course, true but, as I have argued, those cases are juridico-political. It is in the juridico-political site that nation and state as bodies politic are enabled to act as legal persons, but that does not mean that we can then ascribe social agency to them. There are irreducible differences between bodies politic and social. The difference Maitland maintained between moral and legal personality is pertinent here (Maitland, 2003a). Similarly, Weber rightly insisted on distinguishing legal and social acts (Weber, 1978). He emphasized that such legal bodies as cities and states could

be considered actors in law because they have legal personalities constituted in law but it would be a mistake to assume that they are also bodies social. The body social of a city, state or nation cannot coincide with its body politic instituted in law. The acts of bodies social overflow bodies politic. By contrast, discourses on scale and on incorporation constitute states and cities as actors regardless of the specific individuals who govern and inhabit them. When bodies social act, their relations always overflow, recode and decode territories that define such bodies politic as jurisdictions. Yet, states and nations consistently appear as social actors in everyday and scholarly language. This is not because, as Brenner notes (2000, pp. 367–368), reification of scale is already embedded in everyday language, but because discourses produce that reification.

To sum up, if citizenship is as much about belonging, identity and social status as juridico-legal status, it then cannot be contained within its juridico-legal *bodies*. Citizenship decodes and recodes these bodies and traverses their rigid and inflexible constitution. How citizenship overflows and how these overflows constitute citizenship through struggles of social groups are questions of investigation that scalar thought with its principles of hierarchy, exclusivity and ahistoricity will not and cannot ask. Instead, scalar thought constantly urges the return to juridico-political constitution of the citizen and the state or some other container, considering anything in “between” and “beyond” (assuming that there are two bodies) as subordinate, fictional and hierarchical.

Historical Ontology of Bodies Politic and Bodies Social

How do we then proceed without scalar thought in investigating sites of citizenship? I am convinced that we have to develop a new image of thought where the city and state are not identical but radically different bodies politic. Geographers and anthropologists now insist that we need a different ontological understanding of spaces (Amin, 2002; Collinge, 2006; Curry, 2005; Ferguson & Gupta, 2005; Hansen & Stepputat, 2001, 2005; Marston, 2000; Marston *et al.*, 2005; Ó Tuathail, 1996; Smith, 2004). While this work is immensely useful, I also think that the question should be posed as a generalized question of the historical formation of bodies politic rather than spaces and their geometry or topology. Otherwise, investigations remain narrowly focused on geometric spaces independent from various social groups that constitute them (and their historical principles of formation). Whether “flat” or “social”, such ontological investigations must be resolutely grounded in the formation of bodies politic. Ontological investigations ought to resist becoming metaphysical and remain resolutely historical. While I am sympathetic to the interpretation Collinge (2005, 2006) provided of Deleuze & Guattari (1980), I am troubled by how Deleuze is being inflected with a metaphysical orientation where he himself aimed to remain resolutely anti-metaphysical. It is an important signpost that Deleuze (1994, pp. 64–65) developed his conception of the difference between actual and virtual building upon Heidegger’s conception of ontological difference (see Badiou, 2000, pp. 43–53), which was meant to overcome, or at least call into question, metaphysics. While it will be debated whether Heidegger was successful, Deleuze often defined himself a “transcendental empiricist” indicating his anti-metaphysical stance. This stance also inspired Foucault to define his own work as “historical ontology” (Elden, 2003; Foucault, 1997). Ian Hacking (2002) further developed the concept historical ontology as the study of historical formation of objects such as ideas, classes, groups and bodies. Hacking considered things, classifications, ideas, kinds of people and institutions as examples

of historical beings that can be studied ontologically (2002, p. 5). As such, historical ontology involves investigations of beings created by social groups and their struggles (2002, p. 23). I cannot go into further discussion of Deleuze, Foucault or Hacking, whose work always provided guidance to my studies. Before I provide a brief sketch of a historical ontology of the city as a kind of body distinct from other bodies politic (Isin, 2002), I shall critique a celebrated account of an image of thought about the city offered by Deleuze & Guattari (1980).

It may appear that the historical ontology I suggest here is further inspired by or even follows Deleuze and Guattari's (1980, pp. 351–423, 474–500) distinction between smooth and striated space. For all their inventiveness in *Thousand Plateaus*, Deleuze and Guattari commit a significant mistake in reducing the city to the state and state to the city by considering both as identical to the state-form or *Urstaat* (Deleuze & Guattari, 1980, p. 360). It is worth going into some detail to contrast their conclusion with mine. As is well known, fundamental to their argument is that societies exist in two forms of spaces: striated and smooth. The striated space is a space of domination where the state creates a metric to divide, conquer, order, regulate and control movement in that space. The striated space is the space of domination, government and regulation. As such, it is very close to what I called the scalar space. By contrast, the smooth space is a space without metric, or at least a recognizable one. It is the space of nomadic as opposed to sedentary forces and it represents movement, flow and tactility. While Deleuze and Guattari do not consider “scalar” as a fundamental metric of space with which it is rendered visible and articulable—hence controllable—their discussion of the difference between smooth and striated spaces has clear affinities with what I suggest here. Consider, for example, their focus on chess and Go as games with radically different constitutions of space (Deleuze & Guattari, 1980, pp. 352–353). Chess is a game of the state. Chess space is striated because players with fixed properties play it within an absolute space with fixed boundaries. By contrast, Go is played with pieces with no fixed properties on an open space. Go space is smooth. The properties of the smooth space emerge out of confrontations of pieces and their relationships. While chess codes and decodes space, Go territorializes, deterritorializes and reterritorializes space in the sense of tactile occupation, movement and revaluation. Deleuze and Guattari consider “[t]he *nomos* of Go against the State of chess, *nomos* against *polis*” (Deleuze & Guattari, 1980, p. 353). By considering polis as the state writ small and state as polis writ large, Deleuze and Guattari unfortunately reproduce modern scalar thought about the equivalence of the city and the state. Both city and state become equivalent to any juridico-politically instituted entity with no ontological difference between them. While they also seem to recognize that the city and the state “are not the same thing” (1980, p. 432), this is not pursued further. At one point, they point out that the city may be considered as what they call a “transconsistent network” as opposed to the state, which they refer to as “intraconsistent network” (1980, p. 433). They think the city as a transconsistent phenomenon resonates with other cities thus forming a network-form while the state makes resonate other orders such as ethnic, linguistic, moral, economic and technological particularities. There is some merit in this designation but they then continue to assume that the state is polis writ large. The essential difference for Deleuze and Guattari is between the nomad that appropriates smooth space and the sedentary that occupies the striated space. The nomad constitutes an absolute exteriority to the state (or the city as there is no difference between them for Deleuze and Guattari) and its striated space.

By contrast, I would suggest that to maintain an ontological difference between the city and other bodies such as the state would make it unnecessary to imagine a nomadic space organized as war machine that is absolutely exterior to the state (Deleuze & Guattari, 1980, p. 355). The war machine is actually not exterior to the state. The state emanates from the city, organized through it and assembled by it. The state as assemblage always aims to capture the city by force and violence. It is the city that is the original war machine and the history of the state has been about capturing it. To imagine that the war machine exists exterior to the state in a nomadic space is to misunderstand the city as though it is the state. Consider, for example, the so-called barbarian invasions of the Roman Empire during the third to sixth centuries. The Germanic tribes were quintessential nomadic warriors but it can be argued that it was only after their conversion to Christianity and adoption of sedentary settlements (i.e. cities) that they became a genuine threat to the empire (Heather, 2006). While Deleuze and Guattari draw upon Mumford (1961), in my view the contribution of Mumford was to have illustrated that the city *was* the war machine that was eventually conquered by dominant groups that consolidated themselves *as* the state.

We can argue further and illustrate that indeed even the concept of a war machine is inadequate to capture the complex interaction of smooth and striated spaces (Isin, 2002). To associate the war machine with nomads who are ostensibly exterior to the state and whose deterritorialization and reterritorialization create smooth spaces is problematic for two distinct but related reasons. First, to juxtapose a striated space of the state against the smooth space of the nomad creates a binary and dichotomous image of the spaces (rather than seeing them internally related) that I think goes against even the best intentions of Deleuze and Guattari, and, more importantly, Deleuze's earlier work. Second, to assert that the smooth space constitutes an absolute exteriority of the state results in giving the state a permanence and fluidity that it simply lacks. Deleuze and Guattari reproduce the very image of thought they set out to critique. If both striated and smooth spaces are assemblages then it is problematic to give the state a permanent, solid and durable existence and the nomad as the warrior that calls it into question from outside.

Unlike Deleuze and Guattari, I have concluded that indeed the city *is* a difference machine, a machine that generates difference between and among bodies always constituting themselves as social forces. The work of Bill Hillier has given me useful images with which to think about how bodies are formed in space though I am uncertain about our ability to represent them graphically or diagrammatically (Hillier, 1996; Hillier & Hanson, 1984). Yet, it is imperative that we think about actual and virtual spaces through the forces that create and assemble them. Juridico-political spaces such as regions, states, empires, leagues and federations are effects of the city created as virtual bodies rather than being solid and permanent. To say that these are virtual bodies does not mean that they are not real. The opposite of virtual is not real but actual. As both Deleuze and Derrida, albeit in different ways, argued, both actual and virtual are real (Deleuze, 1994, pp. 208–214; Derrida, 1994, pp. 133–139). These concepts already implicate each other and one would be impossible without the other. To say that a body such as state or nation exists as virtual does not mean that it has no real existence. The assemblage of the state as a space is realized through borders, controls, walls, checkpoints, taxation, education, passports and other *real* means and effects but the state as an actual entity does not exist.

If indeed only the city exists as *both* actual and virtual spaces, how do we understand states, nations, empires, regions not as actual bodies but assemblages held together

as virtual bodies by images, practices, symbols and other things produced in and through the city? It follows that the state and its sovereignty are enacted through the city and that no state, nation or empire can come into being without forming itself through the city via various symbolic and material practices. The state is enacted and invented through the city. In fact, all other bodies that have been hypostatized, fetishized and ontologized such as states, empires, republics and leagues are not bodies as such but are virtualized and assembled through the city. (That is why maintaining these bodies requires various strategies and technologies ranging from nationalism and territorialism to militarism. If these bodies have solidity, permanence and significance accorded to them, which is the way modern scalar thought understands them, then there would not be any need for all these routines and practices to enact them.) However, modern scalar thought has created hypostatized and fetishized ways of understanding these as existent bodies so much so that arguing, as I would, that they have never existed *as such* might be considered scandalous. Yet, to argue that they are inexistent bodies *as such* does not mean that they do not exist at all but highlights the fact that such bodies are held and strung together, assembled, administered, managed, produced, idealized, imagined, legitimated and defended through those activities and practices that can only be organized through cities. That they are inexistent means that these bodies are fluid, impermanent, flexible, changing “states” understood as conditions and manners of existing. We find in world history plenty of examples of cities existing without empires, leagues, states, republics and other such bodies but, to my knowledge, there were no bodies politic in world history without cities organizing, arranging, assembling and holding it together, and always tenuously and precariously (Finer, 1997). Understanding the ontological difference between the city and its virtual spaces (regions, states, nations, empires, federations, leagues and principalities) becomes vital. All these spaces are virtual spaces of the city as inexistent bodies assembled together through practices organized in the city.

How do we investigate the formation of virtual spaces from actual spaces? The forces that create both actual and virtual spaces are, strictly speaking, power relations that pass through and generate bodies politic and social. Without a sociological, political and psychoanalytical understanding of the formation of bodies it is impossible to generate concepts to understand actual and virtual spaces. Such an analysis regards the formation of bodies politic and social as fundamental but dynamic processes through which beings articulate themselves. Through *orientations*, *strategies* and *technologies* as forms of being political, beings develop *solidaristic*, *agonistic* and *alienating* relationships. I maintain that these *forms* and *modes* constitute ontological ways of being political in the sense that being thrown into them is not a matter of conscious choice or contract (Isin, 2002). It is through these forms and modes that beings articulate themselves as *citizens*, *strangers*, *outsiders* and *aliens* as possible ways of being as identities and differences. It is therefore impossible to investigate “citizenship”, as that name that citizens—as distinguished from strangers, outsiders and aliens—have given themselves, without investigating the spaces created through orientations, strategies and technologies that are available for deployment in producing solidaristic, agonistic and alienating multiplicities and intensities that give birth to bodies politic and social. I maintain that each space is a moment that should not be understood as merely temporal but also as spatial ways of being political. Each moment is constituted as a consequence of analysis and does not exist as such but only through this analysis. Each moment crystallizes itself as that space which is called the city. I have argued that the city should not be imagined as merely a material or physical place but

as a force field that functions as a difference machine that enables the assemblage of other spaces. The city is a difference machine because groups are not formed outside the machine and encounter each within the city, but the city assembles, generates, distributes and differentiates these differences, incorporates them within strategies and technologies, and elicits, interpellates, adjures and incites them. We need to recognize that the city is not a container where already formed differences (e.g. slave, craftsman, merchant, woman, warrior, bourgeois, queer) arrive in the city and encounter each other. Such differences are generated and assembled *in* and *through* the city. Thus, I insist that the city is a difference machine insofar as it is understood as that space which is constituted by the dialogical encounter of groups formed and generated immanently in the process of taking up positions, orienting themselves for and against each other, inventing and assembling strategies and technologies, mobilizing various forms of capital and making claims to that space that is objectified or materialized “the city”. The city is a primordial space of citizenship because being a citizen means being *of* the city (Isin, 2002, p. 283). Therefore I argue that the city is neither a background to these struggles *against which* groups wage, nor is it a foreground *for which* groups struggle for hegemony. Rather, the city is the battleground *through which* groups define their identity, stake their claims, wage their battles and articulate citizenship rights, obligations and principles (Isin, 2002, pp. 283–284). Rather than seeing the city and state as identical ontological bodies as Deleuze and Guattari appear to do, I consider the city as the site of history (Heidegger, 1959, pp. 152–153) and an ontologically different body from states, empires, leagues and federations that are inexistent bodies that are held together in ephemeral, fluid, impermanent and transient ways in and through the city (Elden, 2001).

If we follow this image of thought about the city and recognize that bodies such as states, empires and republics are its virtual forms, then the question of whether citizenship is of the city or state or empire or republic or federation becomes a different question for there is no state, empire, republic or federal citizenship without the city. The city is the body politic through which the citizen is made and state, empire, republic or federation is, constructed, assembled, administered, managed, produced, idealized, imagined, legitimated and defended. Some readers may protest that considering the city as the primordial body politic I am neglecting other spaces such as rural, suburban and abject spaces such as refugee camps (Isin & Rygiel, 2007). That would be the case if I were referring only to the actual city rather than the city as both actual and virtual body politic. The city as a body politic assembles all other spaces within its orbit and creates spaces of influence, presence and domination.

Conclusion: Citizenship Beyond the State

To address the question of citizenship beyond the state, this background discussion is necessary but not sufficient. We still have to call into question another modern social construct: nation hyphenated state. What that construct that equates the state with the nation achieves is to conflate citizenship with nationality. That is to say, citizenship as nationality legitimizes and naturalizes the assumption that to every state belongs a nation and to every nation a state. However one defines a nation (whether through language, race, ethnicity, culture or any combination thereof), it is incredulous that there ever was a nation-state, that is to say, a state assembled together and administered, imagined and constructed and which corresponded to a singular, if not homogeneous, nation.

As I mentioned, Arendt understood this exceptionally well and insisted on maintaining a conception of state without a nation by demonstrating the disastrous consequences of believing that social construct (Arendt, 1951, p. 275ff; 2005, pp. 208–210). When we assume that nationality is citizenship what we accept is that there is a nation that corresponds to a state. Ironically, that assumption as an imaginary has been created symbolically through the city in the modern period. As shown by other contributors to this issue, far from being opposed to national citizenship, urban citizenship has been the building block of national citizenship, but it is only if we insist on scalar thought that we consider urban and national citizenship as opposing principles (Amin, 2002). Similarly, it is only if we insist on scalar thought that the term city stands for a territorially bounded and spatially enclosed juridical entity. By contrast, I insisted on seeing the city both as *urbs* and *civitas* to indicate the irreducibility of the city to one or the other.

I began this essay with a caution against conceiving cosmopolitan as a scale. The debate over cosmopolitanism has been mired in difficulties arising from considering it as a scale associated with a world state even when a world state is not envisioned. It is as if cosmopolitanism refers to a singular scalar space as the world state or “international” arrangements and nothing else. To assume that citizenship beyond the state means yet another hyphenated body politic called cosmopolitan appears flawed to me. Just as it is flawed to consider urban and national citizenship as the same thing on two different scales (or as hyphenated bodies such as city-state or nation-state), since cities, nations and states are such different bodies politic, it is equally flawed to consider the national and the cosmopolitan as nested, tiered, hierarchical and exclusive scales of citizenship. By contrast, the ethic of hospitality that Derrida (1997) recovers from Biblical “cities of refuge” was persistent in many episodes of history. The medieval European tradition of granting legal citizenship to a “refugee” after a year-and-one-day residence in the city is an example. When Derrida (2001) suggested “cities of refuge”, I believe he was advocating not an ethics of autonomous bodies politic but of cosmopolitan forgiveness through which citizens can disagree with various bodies politic and still remain as citizens. But such an act should be neither interpreted as “multi-level” citizenship nor cosmopolitan if that concept alludes to a scale rather than an ethic. Modern scalar thought inhibits and interdicts citizens from enacting themselves across and beyond borders that it creates, and maintains and controls their belonging with scale as an apparatus of capture. The state and nation, which are always founded and held together by force and violence, cannot be the image of thought that can underpin cosmopolitanism. By contrast, the city is grounded in dissensus and disagreement because its actual and virtual forms call each other into question.

Modern scalar thought is oriented toward cultivating a singular loyalty, belonging and patriotism and aims to control, regulate, administer and govern all other affective belongings, identification and attachments of its citizens. Yet, it cannot manage to do this precisely because of multiple loyalties, attachments and identifications that activate the citizen. Scalar thought contains the citizen but the citizen resists this containment because being a citizen is always more than being a member of the state or nation; and that is why it is always beyond the reach and capture of the state or nation. Investigating citizenship beyond the state would require overcoming scalar thought as incorporation, but this does not mean abandoning scale as an object of analysis. Understanding genealogies of scale as an apparatus of capture enables us to grasp how identities, differences and belongings are assembled across and through sites as consequences of struggles between and among social groups and how the city—both as *urbs* and *civitas*, actual and the virtual—becomes the site of these struggles.

Acknowledgements

The seeds of this paper were sown in a response to critics (Isin, 2005). I would like to thank critics Gearóid Ó Tuathail and Stuart Elden for their insightful questions (Elden, 2005; Ó Tuathail, 2005). I am grateful to Trevor Stack and Andrew Gordon for inviting me to a workshop to develop and present those ideas to a distinguished group of historians. They also read and commented on an earlier draft with great skill and care. Evelyn Ruppert and four anonymous reviewers provided insightful readings and useful comments on earlier drafts. I am grateful to Neil Smith and Gearóid Ó Tuathail for providing close readings and critical thoughts. I endeavoured to respond to them and the essay benefited greatly from our dialogues. Peter Nyers read closely an earlier version and drew my attention to Deleuze and Guattari's (1980, pp. 432–434) discussion of the difference between the city and state in *Thousand Plateaus*. In addition to all this help, I also benefited from at least two generations of graduate students in Citizenship Studies Media Lab (CSML) at York University. While I would like to consider this essay a collaborative work, I alone am responsible for any errors of fact or interpretation.

References

- Amin, A. (2002) Spatialities of globalisation, *Environment and Planning A*, 34, pp. 385–399.
- Arendt, H. (1951) *The Origins of Totalitarianism* (New York: Harcourt Brace Jovanovich).
- Arendt, H. (2005 [1946]) The Nation, in: *Essays in Understanding 1930–1954: Formation, Exile, and Totalitarianism*, pp. 206–211 (New York: Schocken Books).
- Badiou, A. (2000 [1997]) *Deleuze: The Clamor of Being. Theory Out of Bounds*, vol. 16 (Minneapolis, MN: University of Minnesota Press).
- Bartelson, J. (1995) *A Genealogy of Sovereignty. Cambridge Studies in International Relations* (Cambridge: Cambridge University Press).
- Baud, M. & V. W. Schendel (1997) Toward a comparative history of borderlands, *Journal of World History*, 8(2), pp. 211–242.
- Beer, G. L. (1922) *The Origins of the British Colonial System: 1578–1660* (New York: Macmillan).
- Bentham, J. (1989) in: P. Schofield (Ed.) *First Principles Preparatory to Constitutional Code* (Oxford: Clarendon Press).
- Berman, H. J. (1983) *Law and Revolution: The Formation of Western Legal Tradition* (Cambridge, MA: Harvard University Press).
- Bermann, G. A. (1994) Taking subsidiarity seriously: federalism in the European Community and the United States, *Columbia Law Review*, 94(2), pp. 332–456.
- Black, A. (1984) *Guilds and Civil Society in European Political Thought from the Twelfth Century to the Present* (Ithaca, NY: Cornell University Press).
- Bourdieu, P. (1983) The forms of capital, in: J. G. Richardson (Ed.) *Handbook of Theory and Research for the Sociology of Education*, pp. 241–258 (New York: Greenwood Press).
- Bourdieu, P. (1984) Social space and the genesis of “classes”, in: *Language and Symbolic* (Cambridge, MA: Harvard University Press).
- Braudel, F. (1984) *The Perspective of the World. Civilization and Capitalism 15th–18th Century*, vol. 3 (New York: Harper and Row Publishers).
- Brenner, N. (2000) The urban question as a scale question: reflections on Henri Lefebvre, urban theory and the politics of scale, *International Journal of Urban and Regional Research*, 24(2), pp. 361–378.
- Canning, J. P. (1988) Law, sovereignty and corporation theory, in: J. H. Burns (Ed.) 1300–1450, *The Cambridge History of Medieval Political Thought, 350–1450*, pp. 454–476 (Cambridge: Cambridge University Press).
- Collinge, C. (2005) *The différence* between society and space: nested scales and the returns of spatial fetishism, *Environment and Planning D: Society and Space*, 23, pp. 189–206.
- Collinge, C. (2006) Flat ontology and the deconstruction of scale: a response to Marston, Jones and Woodward, *Transactions of the Institute of British Geographers*, 31, pp. 244–251.
- Curry, M. R. (2005) Toward a geography of a world without maps: lessons from Ptolemy and postal codes, *Annals of the Association of American Geographers*, 95(3), pp. 680–691.
- Deleuze, G. (1994 [1968]) *Difference and Repetition* P. Patton (Trans.) (New York: Columbia University Press).
- Deleuze, G. (2002 [1977]) The actual and the virtual, in: C. Parnet (Ed.) *Dialogues II* (New York: Columbia University Press).
- Deleuze, G. & Guattari, F. (1980) *A Thousand Plateaus* (Minneapolis, MN: University of Minnesota Press).

- Derrida, J. (1994) *Specters of Marx: The State of the Debt, the Work of Mourning, and the New International* P. Kamuf (Trans.) (London: Routledge).
- Derrida, J. (1997) *Of Hospitality* A. Dufourmantelle (Trans.) (Stanford, CA: Stanford University Press).
- Derrida, J. (2001) *On Cosmopolitanism and Forgiveness. Thinking in Action* M. Dooley & M. Hughes (Trans.) (London: Routledge).
- Dewey, J. (1926) The historic background of corporate legal personality, *The Yale Law Journal*, 35(6), pp. 655–673.
- Elden, S. (2001) *Mapping the Present: Heidegger, Foucault, and the Project of a Spatial History* (London: Continuum).
- Elden, S. (2003) Reading genealogy as historical ontology, in: A. Milchman & A. Rosenberg (Eds), *Foucault and Heidegger: Critical Encounters*, pp. 187–205 (Minneapolis, MN: University of Minnesota Press).
- Elden, S. (2004) *Understanding Henri Lefebvre: Theory and the Possible. Continuum Studies in Philosophy* (London: Continuum).
- Elden, S. (2005) Genealogy, ontology and the political: three conceptual questions to Engin Isin, *Political Geography*, 24(3), pp. 355–359.
- Ferguson, J. & Gupta, A. (2005) Spatializing states: toward an ethnography of neoliberal governmentality, in: J. X. Inda (Ed.) *Anthropologies of Modernity: Foucault, Governmentality, and Life Politics*, pp. 105–131 (Malden, MA: Blackwell Publishers).
- Finer, S. E. (1997) *The History of Government from the Earliest Times. 1: Ancient Monarchies and Empires. 2: The Intermediate Ages. 3: Empires, Monarchies, and the Modern State* (Oxford: Oxford University Press).
- Foucault, M. (1997) What is enlightenment? in: *Ethics: Subjectivity and Truth. The Essential Works of Michel Foucault, 1954–1984*, pp. 303–320 (New York: New Press).
- Frug, G. E. (1980) The city as a legal concept, *Harvard Law Review*, 93(6), pp. 1057–1154.
- Fustel de Coulanges, N. D. (1864) *The Ancient City: A Study on the Religion, Laws, and Institutions of Greece and Rome* W. Small (Trans.) (New York: Doubleday Anchor Books).
- Gierke, O. (1900) *Political Theories of the Middle Age* F.W. Maitland (Trans.) (Cambridge: Cambridge University Press).
- Gierke, O. (1934) *Natural Law and the Theory of Society, 1500–1800* (Cambridge: Cambridge University Press).
- Gierke, O. (1939) *The Development of Political Theory* (London: Unwin).
- Gierke, O. (1977) *Associations and Law* (Toronto: University of Toronto Press).
- Gierke, O. (1990) A. Black (Ed.) *Community in Historical Perspective* M. Fischer (Trans.) (Cambridge: Cambridge University Press).
- Hacking, I. (2002) *Historical Ontology* (Cambridge, MA: Harvard University Press).
- Hansen, T. B. & Stepputat, F. (Eds) (2001) *States of Imagination: Ethnographic Explorations of the Postcolonial State* (Durham, NC: Duke University Press).
- Hansen, T. B. & Stepputat, F. (Eds) (2005) *Sovereign Bodies: Citizens, Migrants, and States in the Postcolonial World* (Princeton, NJ: Princeton University Press).
- Heather, P. J. (2006) *The Fall of the Roman Empire: A New History of Rome and the Barbarians* (New York: Oxford University Press).
- Heidegger, M. (1959) *Introduction to Metaphysics* G. Fried & R. Polt (Trans.) (New Haven, CT: Yale University Press).
- Hillier, B. (1996) *Space Is the Machine: A Configurational Theory of Architecture* (Cambridge: Cambridge University Press).
- Hillier, B. & Hanson, J. (1984) *The Social Logic of Space* (Cambridge: Cambridge University Press).
- Hindess, B. (2005) Citizenship and empire, in: T. B. Hansen & F. Stepputat (Eds) *Sovereign Bodies: Citizens, Migrants, and States in the Postcolonial World*, pp. 241–256 (Princeton, NJ: Princeton University Press).
- Isin, E. F. (1992) *Cities without Citizens: Modernity of the City as a Corporation* (Montreal: Black Rose Books).
- Isin, E. F. (2002) *Being Political: Genealogies of Citizenship* (Minneapolis, MN: University of Minnesota Press).
- Isin, E. F. (2005) Engaging, being, political, *Political Geography*, 24, pp. 373–387.
- Isin, E. F. & Rygiel, K. (2007) Abject spaces: frontiers, zones, camps, in: E. Dauphinee & C. Masters (Eds) *Logics of Biopower and the War on Terror* (Basingstoke: Palgrave).
- Kantorowicz, E. H. (1957) *The King's Two Bodies* (Princeton, NJ: Princeton University Press).
- Lefebvre, H. (1974) *The Production of Space* D. Nicholson-Smith (Trans.) (Oxford: Blackwell).
- Maitland, F. W. (1898) *Township and Borough* (Cambridge: Cambridge University Press).
- Maitland, F. W. (1900) Introduction, in: O. Gierke (Ed.), pp. vii–xlv (Cambridge: Cambridge University Press).

- Maitland, F. W. (2003a [1905]) Moral personality and legal personality, in: D. Runciman & M. Ryan (Eds) *State, Trust, and Corporation*, pp. 62–74 (Cambridge: Cambridge University Press).
- Maitland, F. W. (2003b [1900]) The corporation sole, in: D. Runciman & M. Ryan (Eds) *State, Trust, and Corporation*, pp. 9–31 (Cambridge: Cambridge University Press).
- Maitland, F. W. (2003c [1901]) The crown as corporation, in: D. Runciman & M. Ryan (Eds) *State, Trust, and Corporation*, pp. 32–51 (Cambridge: Cambridge University Press).
- Marston, S. A. (2000) The social construction of scale, *Progress in Human Geography*, 24, pp. 219–242.
- Marston, S. A., Jones, J. P. & Woodward, K. (2005) Human geography without scale, *Transactions of the Institute of British Geographers NS*, 30, pp. 416–432.
- Massey, D. (2004) Geographies of responsibility, *Geografiska Annaler B*, 86(1), pp. 5–18.
- Mumford, L. (1961) *The City in History: Its Origins, Its Transformations, and Its Prospects* (London: Harcourt Brace Jovanovich).
- Tuathail, Ó. G. (1996) *Critical Geopolitics: The Politics of Writing Global Space* (London: Routledge).
- Tuathail, Ó. G. (2005) Comments on Engin Isin's *Being Political: Genealogies of Citizenship, Political Geography*, 24(3), pp. 365–372.
- Painter, J. (2002) Multi-level citizenship, identity and regions in contemporary Europe, in: J. Anderson (Ed.) *Transnational Democracy: Political Spaces and Border Crossings*, pp. 93–110 (London: Routledge).
- Poggi, G. (1978) *The Development of the Modern State: A Sociological Introduction* (Stanford, CA: Stanford University Press).
- Radin, M. (1932) The endless problem of corporate personality, *Columbia Law Review*, 32(4), pp. 643–667.
- Sack, R. D. (1980) *Concepts of Space in Social Thought: A Geographic Perspective* (London: Macmillan).
- Sack, R. D. (1986) *Human Territoriality: Its Theory and History* (Cambridge: Cambridge University Press).
- Scott, J. C. (1998) *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (New Haven, CT: Yale University Press).
- Sharma, A. & Gupta, A. (2006) Rethinking theories of the state in an age of globalization, in: A. Sharma & A. Gupta (Eds) *The Anthropology of the State: A Reader*, pp. 1–41 (Oxford: Blackwell).
- Smith, N. (1992) Contours of a spatialized politics: homeless vehicles and the production of geographical scale, *Social Text*, 33, pp. 54–81.
- Smith, N. (1995) Remaking scale: competition and cooperation in prenational and postnational Europe, in: H. Eskelinen & F. Snickars (Eds) *Competitive European Peripheries. Advancing Spatial Science* (Berlin: Springer).
- Smith, N. (2003) Remaking scale: competition and cooperation in pre-national and post-national Europe, in: N. Brenner (Ed.) *State/Space: A Reader*, pp. 227–238 (Malden, MA: Blackwell).
- Smith, N. (2004) Scale bending and the fate of the national, in: E. S. Sheppard & R. B. McMaster (Eds) *Scale and Geographic Inquiry: Nature, Society, and Method*, pp. 192–212 (Malden, MA: Blackwell).
- Spruyt, H. (1994) *The Sovereign State and Its Competitors: An Analysis of Systems Change. Princeton Studies in International History and Politics* (Princeton, NJ: Princeton University Press).
- Spruyt, H. (2005) *Ending Empire: Contested Sovereignty and Territorial Partition. Cornell Studies in Political Economy* (Ithaca, NY: Cornell University Press).
- Strayer, J. R. (1970) *On the Medieval Origins of the Modern State* (Princeton, NJ: Princeton University Press).
- Tamen, M. (1998) Kinds of persons, kinds of rights, kinds of bodies, *Cardozo Studies in Law and Literature*, 10(1), pp. 1–32.
- Taylor, P. J. (2002) Relocating the demos, in: J. Anderson (Ed.) *Transnational Democracy: Political Spaces and Border Crossings*, pp. 236–244 (London: Routledge).
- Taylor, P. J. (2003) The state as container: territoriality in the modern world-system, in: N. Brenner (Ed.) *State/Space: A Reader*, pp. 101–114 (Malden, MA: Blackwell).
- Taylor, P. J. (2004) Is there a Europe of cities? World cities and the limitations of geographical scale analysis, in: E. S. Sheppard & R. B. McMaster (Eds) *Scale and Geographic Inquiry: Nature, Society, and Method*, pp. 213–235 (Malden, MA: Blackwell).
- Taylor, P. J. (2005) Problematizing city/state relations: towards a geohistorical understanding of contemporary globalization. *GaWC Research Bulletin*, 197(A). <http://www.lboro.ac.uk/gawc/rb/rb197.html> (20 October 2006): Globalisation and World Cities (GaWC).
- Thorpe, F. N. (Ed.) (1909) *The Federal and State Constitutions, Colonial Charters, and Other Organic Laws of the State, Territories, and Colonies Now or Heretofore Forming the United States of America*, 7 vols (Washington, DC: US Government Printing Office).

- Tilly, C. (1994) Entanglements of European cities and states, in: C. Tilly & W. P. Blockmans (Eds) *Cities and the Rise of States in Europe, A.D. 1000 to 1800*, pp. 1–27 (Boulder: Westview Press).
- Torpey, J. C. (2000) *The Invention of the Passport: Surveillance, Citizenship, and the State*. *Cambridge Studies in Law and Society* (Cambridge: Cambridge University Press).
- Ullmann, W. (1968) Juristic obstacles to the emergence of the concept of state in the Middle Ages, *Annali di Storia diritto Annali di Storia diritto*, 12–13, pp. 43–64.
- Ullmann, W. (1988) The medieval theory of legal and illegal organizations, in: G. Garnett (Ed.) *Law and Jurisdiction in the Middle Ages* (London: Variorum Reprints).
- Weber, M. (1978 [1921]), in: G. Roth & C. Wittich (Eds) *Economy and Society: An Outline of Interpretive Sociology*, 2 vols (Berkeley, CA: University of California Press).
- Williams, J. C. (1985) The invention of the municipal corporation: a case study in legal change, *American University Law Review*, 34, pp. 369–438.
- Wood, D. J. (1982) Grand design on the fringes of empire: new towns for British North America, *Canadian Geographer*, 26(3), pp. 243–254.