Paper presented at the sixth SGIR Pan-European Conference on International Relations Turin 12 - 15 September 2007 (first draft – comments are welcome)

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50 Ways to Change a Concept: Current Arguments about the State and Sovereignty

> "There are 50 ways to leave your lover" (Simon & Garfunkel)
> "I never can say goodbye" (Gloria Gaynor)

1. Introduction

While scientific studies of international relations tend to think of concepts merely as a means for substantive theorizing about political reality, and to strive for precise definitions, scholars influenced by ordinary language philosophy put emphasis on their political nature: Concepts as, e.g., security, war or terrorism are understood as an important part of political reality and as "essentially contested". In short, such concepts (are applied in order to) legitimize certain agents, actions, and ambitions as well as (to) disqualify others. "If the so-called 'war against terrorism' has shown one thing", Christopher Daase writes, "then, how to make politics with words: How the concept 'war' has been politically used to mobilize a whole apparatus, which has been developed for the case of a conventional military attack, for the fight against an unconventional enemy."[1]

Yet the relationship between words and the world is still open to puzzlement. Consider, for example, the security concept. By drawing on a constructivist approach to meaning which implies that there are no objective and neutral criteria for what security really is or what counts as a threat, the Copenhagen School argues that security is best treated as a speech act. In a word, labelling something a security issue, or a threat to security, respectively, assigns importance to it and justifies the use of extraordinary means. Of course this is an oversimplification. But my point, here, is simply that such an account presents us with a paradox. On the one hand, the concept of security is flexible insofar as the criteria for its application are quite fuzzy or virtually non-existent since almost everything can be labelled a security issue. On the other hand, the concept of security is inflexible insofar as its normative

[1] Christopher Daase, "Krieg und politische Gewalt: Konzeptionelle Innovationen und theoretischer Fortschritt", in: Gunter Hellmann, Klaus Dieter Wolf, and Michael Zürn (eds.), *Die neuen Internationalen Beziehungen. Forschungsstand und Perspektiven in Deutschland.*Krieg (Baden-Baden: Nomos, 2003), 163 (my translation).

force is taken for granted. Now, rather than taking it as a problem, such a mixture of flexibility and inflexibility might be seen as necessary for concepts to function as a constitutive part of social reality at all. The explanation, then, could read that the indefinite propositional content of security makes it possible to label something a security issue which previously has not been labelled as such, and that the fixed normative implications of security enable political agents to treat it by means which have not been acceptable before.

Yet, while it might be reasonable to claim that a modification or manipulation of political reality must be grounded in something that is, in one way or another, given (in our case: the legitimizing force of security), the account outlined above is not very satisfactory. This is so, roughly speaking, because simply labelling something a security issue hardly makes it into a security issue. Otherwise it would be equally feasible to block the use of extraordinary means simply by naming security a matter of complete unimportance. More generally speaking, even if we proceed from the assumption that concepts are produced by the linguistic activities of agents, it would make little sense to assume that these practices consist merely in naming and labelling.

Whether concepts and conceptual change should be viewed as a product of actions at all is an open question. However, in the following, I take this stance: Whilst concepts enable and confine certain practices, they are in turn constructed (transformed and maintained) by the activities of speakers. Hence, the paper aims at a (provisional) survey of ways to change a concept. In the second section I will use the case of security in order to try to say something more about the relationship of words and the world and to do justice to the Copenhagen School as well. The third section focuses on current (more or less deliberate) attempts – namely speech acts of social agents – to change the concepts of the state and sovereignty or the relationship between them and other concepts, respectively.

2. Words and World

> Glendower: I can call spirits from the vasty deep.
> Hotspur: Why, so can I, or so can any man; But will they come when you do call for them?
> (Shakespeare, *Henry IV*)

In my introduction, I have outlined a picture of securitization which is rather a caricature of the works concerned. However, there are statements in the relevant literature which might seduce one into saying that security as a speech act means naming or labelling something a security issue and, thereby, effectuating particular consequences. In a review article on the

academic conceptualization of security, Steve Smith describes the idea of security as a speech act as follows: "By this he [Ole Waever] means that labelling something as a security issue imbues it with a sense of importance and urgency that legitimizes the use of special measures outside of the usual political process to deal with it."[2] Mark Neocleous, again, applies a quite similar vocabulary when he opposes the association of securitization with an intensification of politics and denounces its de-politicizing dimension: "Labelling an issue a security problem", he writes, "enables the state to curb criticism, shut off debate, undermine civil liberties and, if necessary, destroy those individuals which offer political opposition to the system that produces the insecurity in the first place – groups, that is, which try to politicize rather than securitize the issue".[3]

The authors of the securitization approach themselves, arguably, also contribute to an impression of securitization as acts of labelling or naming, respectively. '*In naming a certain development a security problem, the 'state' can claim a special right*, one that will, in the final instance, always be defined by the state and its elites.'[4] Or as Ole Waever puts it in a book co-authored with Barry Buzan: "The very act of labelling something a security issue – or a threat – transforms the issue and it is therefore in the political process of securitization that distinct security dynamics originate."[5] And to quote a more detailed account of Waever's vision of security:

> What then *is* security? With the help of language theory, we can regard "security" as a *speech act*. In this usage, security is not of interest as a sign that refers to something more real; the utterance *itself* is the act. By saying it, something is done (as in betting, giving a promise, naming a ship). By uttering "security," a state-representative moves a particular development into a specific area, and thereby claims a special right to use whatever means are necessary to block it."[6]

However, on the one hand, the Copenhagen School wants to inquire into the "practice" (or "process") of securitization, rather than simply pointing to speech acts of labelling or naming something a security issue: "Who can 'do' or 'speak' security successfully, on what issues,

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[2] Steve Smith, "The Increasing Insecurity of Security Studies: Conceptualizing Security in the Last Twenty Years", in: Stuart Croft and Terry Terriff (eds.), *Critical Reflections on Security and Change* (London: Frank Class 2000), 85.

[3] Mark Neocleous, "Against Security", *Radical Philosophy* 100 (2000), 13

[4] Ole Waever, "Securitization and Desecuritization", in: Ronnie D. Lipschutz (ed.), *On Security* (New York: Columbia University Press 1995), 54

[5] Barry Buzan and Ole Waever, *Regions and Power. The Structure of International Security*, Cambridge: Cambridge University Press 2003, 71

[6] Waever, "Securitization and Desecuritization", 55

under what conditions, and with what effects?"[7] That is to say, the research programme "aims to gain an increasingly precise understanding of who securitizes, on what issues (threats), for whom (referent objects), with what results, and, not least, under what conditions (that is, what explains when securitization is successful).'[8] Now, to strive for an understanding of who can utter security successfully and what conditions explain when securitization is successful, by implication, makes only sense if one assumes that a speech act might also fail – naming and labelling are not enough in so far that success depends on who is uttering security and under what conditions.

On the other hand, the Copenhagen School also explicitly reject an idea of speech acts as causes which automatically bring about certain effects (presumably: the transformation of an issue, a special right of agents, the use of extraordinary measures). "It is important to note", Buzan, Waever and de Wilde write, "that the security speech-act is not defined by uttering the word *security*." Rather, it is some sort of invocation of a certain situation which calls for the use of particular means. "What is essential is the designation of an existential threat requiring emergency action or special measures and the acceptance of that designation by a significant audience."[9] One might even come to the conclusion that acceptance is the whole point: "The issue is securitized – becomes a security issue, a part of what is 'security' – if the relevant audience accepts this claim and thus grants the actor a right to violate rules that otherwise would bind."[10] Of course the Copenhagen School does not suggest that securitization is the outcome of an 'ideal speech situation'. For Buzan, Waever, and de Wilde, "accept does not necessarily mean in civilized, dominance-free discussion; it only means that an order always rests on coercion as well as on consent". Yet, since "securitization can never only be imposed, there is some need to argue one's case."[11]

> Successful securitization is not decided by the securitizer but by the audience of the security speech-act: does the audience accept that something is an existential threat or a shared value? Thus security (as with all politics) ultimately rests neither with the objects nor with the subjects but among the subjects.[12]

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[7] Barry Buzan, Ole Waever, and Jaap de Wilde, *Security: A New Framework for Analysis* (Boulder, CO: Lynne Rienner 1998), 27.
[8] Buzan, Waever, and de Wilde, *Security*, 32.
[9] Buzan, Waever, and de Wilde, 27.
[10] Ole Waever, "The EU as a security actor. Reflections from a pessimistic constructivist on post-sovereign security orders", in Morten Kelstrup and Michael Williams (eds.), *International Relations Theory and the Politics of European Integration. Power, Security, and Community* (London, New York: Routledge, 2000), 251.
[11] Buzan, Waever, and de Wilde, 23.
[12] Buzan, Waever, and de Wilde, 31.

How can we construe the relations between words and world with this approach? I believe it is quite apparent that both acceptance and success of the security speech act do not hinge on whether it represents certain aspects of the world either correctly or incorrectly. According to Buzan, Waever, and de Wilde, security is a "self-referential practice", and "it is in this practice that the issue becomes a security issue."[13] Nevertheless, the world seems to have some impact on acceptance as well as success since it is important who can speak security and under what conditions. These speaker-positions and conditions might be taken as socially pre-constituted. The security speech-act, in turn, has (maybe unintended) consequences on the world if a relevant audience indeed accept that something is a security issue and if securitization is successful. Whether the "referent objects" become more secure by securitization does not define success. Perhaps, we can rather describe the account in the vocabulary of 'speech act theory': The locutionary act is uttering security (saying something); the illocutionary act consists in moving a particular development into the field of security, and thereby claiming a special right to use whatever means are necessary to block it (doing something by saying something); and the perlocutionary effect is the acceptance of the right to violate rules that otherwise would bind, the use of extraordinary means, and so on.

Yet, the question remains of how one can account for the success of security speech acts. For the Copenhagen School, if my understanding is correct, the performative success is not guaranteed by the intention of the speaker or the "securitizer", respectively. Acceptance of a relevant audience seems more to the point. But to explain success by referring to the fact that an audience indeed accept a security speech act would not only be something which hardly be called an explanation at all (since the explanation would read that the securitization of a particular issue is successful because people securitize this issue), but would also miss an account of the perfomative power of security speech acts. One point of departure, here, is to focus on the conditions for the successful issuing of security. According to Buzan, Waever, and de Wilde, the conditions

> for a successful speech-act fall into two categories: (1) the internal, linguistic-grammatical – to follow the rules of the act (or, as Austin argues, accepted conventional procedures must exist, and the act hast to be executed according to these procedures); and (2) the external, contextual and social – to hold a position from which the act can be made ("The particular persons and circumstances in a given case must be appropriate for the invocation of the particular procedure invoked").[14]

[13] Buzan, Waever, and de Wilde, 24.
[14] Buzan, Waever, and de Wilde, 32.

With regard to the second category, at least the position from which the speech-act 'security' can be made is not hard to find: State representatives can move a particular development into a specific area, and thereby claim a special right, one that will, according to Waever, in the final instance, always be defined by the state and its elites. "By definition, something is a security problem when the elites declare it to be so."[15] This statement should not, in my view, be misread as a continuation of state-centrism. Rather, the privileged position of the state and its elites is an intrinsic part of the "language-game" of security.[16]

This point brings us back to the concept of security: "Security, as with any other concept, carries with it a history and a set of connotations that it cannot escape. At the heart of the concept we still find something to do with defense and the state." Hence, as Waever goes on to explain, "as a result addressing an issue in security terms still evokes an image of threat-defense, allocating to the state an important role in addressing it." This is true, because "as concepts, neither individual security nor international security exist", whereas the "security of the state is the name of an ongoing debate, a tradition, an established set of practices".[17] In other words, if an issue is a security problem, then the state is privileged.

> Critics normally address the *what* or *who* that threatens, or the *whom* to be secured; they never ask whether a phenomenon *should* be treated in terms of security because they do not look into "securityness" as such, asking what is particular to security, in contrast to non-security; modes of dealing with particular issues. By working with the assumption that security is a goal to be maximized, critics eliminate other, potentially more useful ways of conceptualizing the problems being addressed.[18]

In a nutshell, the concept of security does not only carry with it a set of connotations, but can be understood as a specific field (of practice) with particular modes of dealing with problems, typical operations, and distinct dynamics. "The game has a whole inner logic to it and, when approaching it from some specific field, one should remain aware of the effects of having an issue codified in the language of security."[19] This point could be illustrated with the warning of a hasty reframing of environmental issues made by Lothar Brock already in the early 1990's – "defining environmental issues in terms of security risks is in itself a risky operation

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[15] Waever, "Securitization and Desecuritization", 54.
[16] See Waever, "Securitization and Desecuritization", 50-1.
[17] Waever, "Securitization and Desecuritization", 47-8.
[18] Waever, "Securitization and Desecuritization", 57.
[19] Waever, "Securitization and Desecuritization", 75.

… we may end up contributing more to the militarization of environmental politics than to the demilitarization of security politics".[20] Figuratively speaking, the question is not so much if the sprit of security will come when we call for it, but rather how to get rid of it. However, the authors of the Copenhagen School are, according to Waever, "quite resolute in declining a judgement on correct or in-correct securitization (this is ultimately a political act and thus on the responsibility of the actor doing it)."[21]

While I do sympathize with that stance, the performative power of speaking security is still a puzzle to me. On the one hand, what hinders people fom devaluating security? Here, in my reading, the answer of the securitization approach would be that that the connotation of importance is intrinsic to the concept of security. Yet, even if this is indeed the case, people might attempt to downgrade the significance of security in relation to other concepts as, for example, freedom, democracy, or politics. And how do "securitizers" counter such attempts if not simply by 'crying wooolf' (security)? On the other hand, the question remains of how "elites" move certain issues into the field of security. Put differently, this is the question of how the concept of security can be broadened (or narrowed) in terms of what count as a threat to security.

One reading[22] of the securitization approach could be that the state representatives are in a position to define whether something is in fact a security issue because this position is, again, an inherent aspect of the "language-game" of security. Then, declaring an issue a security issue resembles the convention of marriage performed by a priest. Yet, in the case of marriage we do not find only an audience, but also two people saying "I do". In some way, they and not (only) the priest (and the audience) testify the 'truth of love' – they do jump into the field of marriage; of course in many cases not voluntary, but it is, 'normally', not the priest who moves them in the field of marriage. Moreover, 'normally', we do not strive for explanations of successful marriage (in terms of the act of marriage, the success of married life is another matter). Or the interpretation might read that state representatives are in a position to define security because it is the sovereign state who decides. Then, however, if we do not want to take this position as an objective (entirely un-contestable) fact, the power of securitization becomes a derivate of the concepts of sovereignty and the state. Now, one

[20] Lothar Brock, "Security through Defending the Environment: An Illusion?" in: Elise Boulding (ed.), *New Agendas for Peace Research. Conflict and Security Reexamined* (Boulder: Lynne Rynner, 1992), 98.

[21] Ole Waever, "Securitizing Sectors? Reply to Eriksson," *Cooperation and Conflict* 34, no. 3 (1999), 337.

[22] In the following, I draw on Stanley Cavell, *Must We Mean What We Say?*, Updated Edition (Cambridge: Cambridge University Press 1976); Nicholas G. Onuf, *World of Our Making* (Columbia, SC: Columbia University Press 1989); Joseph Lima and Tracy B. Strong, "Telling the Dancer from the Dance: On the Relevance of the Ordinary for Political Thought,"in: Andrew Norris (ed.), *The Claim to Community. Essays on Stanley Cavell and Political Philosophy* (Stanford: Stanford University Press 2006), 58-79; and Stanley Cavell, "The Incessance and the Absence of the Political", in: Norris, *The Claim to Community*, 263-317.

might think that security as a speech act is a 'true' performative act, one that not only securitizes a particular issue, but also, at the very same time, constitutes the condition of its own success, that is to say, of the authority of the "securitizer". Simply put, the state declares a situation of security that is such a situation due to the authority of the state, while the authority of the state rests on the fact that the situation is a security situation. Yet, such an account would not only resemble certain accounts of the "problematique" of the state and sovereignty, but would also be in danger of think of securitizing as one 'mechanism' or 'trick'.

In my view, such interpretations are imbued with an understanding of language that is at risk to reduce performative language to acts of labelling or declaring and to reproduce a distinction between "constative" and "performative" utterances by suggesting that (security) speech acts cannot be adequate to reality, or, maybe better, that adequation to reality is not a relevant matter for analyzing securitization. But people do refer to reality; a reality, which is, or can be understood as, pre-constituted and pre-conceptualized. Hence, in the following, I rather take up the signpost that "there is some need to argue one's case."

3. Doing something to sovereignty and the state

One, and perhaps even the most important, inspiration to political thought that comes from the works of Ludwig Wittgenstein and J.L. Austin is an understanding of language as a "plural activity"[23], "a mode of action".[24] However, the implications are difficult to access.[25] What can be emphasized is the claim that the existence of perfomative verbs should not obstruct our view from a broader picture of perfomative language, and that words can be seen as "tools with widely varying purposes and uses".[26]

If this is true, then any understanding of a general term is not just a matter of grasping and applying a definition. As James Tully goes on to explain the argument by Wittgenstein: "The model of applying a rule or theory to particular cases cannot account for the phenomenon of understanding the meaning of a general term and so being able to use it and to give reasons and explanations for its use in various contexts." A second argument reads that there is no essential feature in the uses of a general term (or a concept) to be found, since the "actual criteria for the application of a general political term are too various, indeterminate,

[23] Francois Debrix, "Language, Nonfoundationalism, International Relations," in Debrix (ed.), *Language, Agency, and Politics in a Constructed World* (Armonk N.Y.), 8.
[24] Lima and Strong, 71.
[25] That is meant to say not so much that others failed to so, but rather that I struggling with it.
[26] Lima and Strong, 71.

and hence open to unpredictable extension to be explicated in terms of an implicit or transcendental set of rules or theory."[27] A survey of political languages and concepts thus consists in a survey, of linguistic activities "performed by speakers and writers as participants in language games," that is to say, actors

> are approached as engaged in the intersubjective activities of exchanging reasons and justifications over the contested uses of the descriptive and normative concepts by which the problematic practice and its form of subjectivity are characterized and disputed. The exchange of reasons in this broad sense of practices of argumentation is both communicative and strategic, involving reason and rhetoric; conviction and persuasion. Participants exchange practical reasons over the contested criteria for the application of concepts in question (sense), including the concepts of 'reason' and 'reasonable', the circumstances that warrant the application of the criteria, the range of reference of the concepts, and their evaluative force, to argue for their solutions and against others.[28]

In the following, I will focus on arguments about the concepts of sovereignty and the state, and especially on the ways in which speakers give reasons for and against this or that use (practices of argumentation). This is not meant to say that speakers only argue about words, at least not in the sense, that this is the (whole) point of the activities, which rather consists in having some effect on the world (via the interlocutors). Yet if someone asserts, for example, that development cooperation is an important instrument for crisis prevention, than he relates certain concepts.

Benjamin Ferencz, a former prosecutor in the *Nürnberg* Trials, argued with regard to the creation of an International Criminal Court (ICC) that "outdated notions of sovereignty must not block acceptance of rules of the road needed to enhance the security of people everywhere by deterring wars of aggression, genocide and the horrible crimes against humanity that continue to deface the human landscape."[29] What is interesting about this argumentation (which, according to my information, has been frequently used at conferences and meetings on the ICC), here, is the statement that notions can – or in fact do – block something. Moreover, there are various notions of sovereignty, not just one, and what they block is acceptance. By contextualizing the argument in debates and struggles about the ICC, the interpretation could read that Ferencz responds to objections from agents of different states to

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[27] James Tully, "Political Philosophy as a Critical Activity", *Political Theory 4 (*2002), 542-3.
[28] Tully, „Political Philosophy", 542.
[29] Benjamin B. Ferencz, "The Development of International Humanitarian Law", in: *Human Rights Worldwide*, November (1999), 9.

different (proposed) rules of the Rome Statute; objections which rely on various outdated notions of sovereignty. However, the argument consists not only in evaluating these notions as "outdated", but also in confronting a present that is represented (at least indirectly) as a remnant from the past with a "road" to a better future, one that is needed "to enhance the security of people everywhere by deterring" certain "crimes". Thus becoming related with "crimes", uttering "security" (and "deterring") might not necessarily mean framing these issues as security issues.

Ferencz does not turn the positive connotation or "speech-act potential"[30] of sovereignty into a negative one. How could he, and find any acceptance by an audience that encompasses, not at least, representatives of sovereign states? Rather he multiplies the notion (or concept) of sovereignty, which enables him to claim that there are outdated "notions" (or one may say aspects) of sovereignty which block a way of deterring "wars of aggression", "genocide" and "horrible crimes against humanity". Waever says that much "can be analyzed if we simply give up the assumption that security is, necessarily, a *positive* phenomenon."[31] For me, it is hard to see how we can not acknowledge that wars of aggression, genocide and horrible crimes against humanity are negative phenomena. Of course, words are tools with widely varying uses, and the reference to "horrible crimes against humanity" can be used to justify and mobilize a "war of aggression", and that is something to be analysed.

> The Kosovo conflict represents in several respects a caesura. At that point, the world community did no longer accept that war is waged against the own population and that terror and expulsion are used as a means of politics. As General Secretary Kofi Anan said in his brilliant and grounding (*wegweisenden*) speech at the 55th Commission on human rights, no government has the right to hide behind the principle of state sovereignty in order to violate human rights. The non-interference in domestic affairs must not longer be misused as a protection for dictators and murders.[32]

In his speech at the General assembly of the United Nations in September 1999, the German Minister of Foreign Affairs, Joschka Fischer, designated outdated aspects of sovereignty. In that case we can find something that might be called a 'true', but violent, performance. The

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[30] In the work of Quentin Skinner and other authors the evaluative dimension of descriptive-evaluative words is called speech-act potential and "may be positive or negative, serving to commend or condemn, approve or disapprove". James Tully, "The Pen is a Mighty Sword", in: Tully (ed.), *Meaning and Context. Quentin Skinner and his Critics* (Princeton: Princeton University Press 1988), 13.

[31] Waever, "Securitization and Desecuritization", 57.

[32] Joschka Fischer, "Erste Rede des Bundesministers des Auswärtigen Joschka Fischer vor der Generalversammlung der Vereinten Nationen am 22.9.1999 in New York", documented in *Internationale Politik* 12 (1999), 104 (my translation).

“Kosovo conflict” (Fischer) is represented as a turning point at which a “world community” no longer accepted a “war” waged by a government against the “own population”, while the use of military force – or “war”, “war of aggression” – on the side of the NATO had not been authorized by the conventionalized authority of international society, that is, the (Security Council of) the United Nations. But I can’t believe that this is the way how the world works: Neither has the Kosovo war been effectuated in this way, nor can one act rule us all. However, that is not to say that the words of Fischer are utterly unimportant. And one might say that Fischer compensates the missing authorization of the NATO by the United Nations with a quotation (or judgement) of the General Secretary.

> In the name of protecting state sovereignty, international law traditionally prohibited states from intervening in one another’s affairs, with military force or otherwise. But members of the human rights and humanitarian protection communities came to realize that, in light of the humanitarian catastrophes of the 1990’s, from famine to genocide to ethnic cleansing, those principles will not do.[33]

The reference to the voices of certain speakers is a practice of argumentation in a broader sense, not only for compensation. Here Lee Feinstein and Anne-Marie Slaughter, devalue traditional, highly conventionalized rules by referring to the world. Yet assessment is claimed via the judgements of reputable agencies. In quite similar ways, Feinstein and Slaughter come to a description of the world which allows for a claim that formalized rules are in an urgent need of change, or, even more, are not valid any longer.

> “We live in a world of old rules and new threats. This period did not begin on September 11, 2001. Before then, politicians and public figures were already lacing their millennium speeches with calls for a new global financial architecture, new definitions of national self-interest and humanitarian intervention, and new ways of organizing international institutions. They recognized that the existing rules and institutions created to address the economic, political, and security problems of the last century were inadequate fore solving a new generation of threats to world order; failed states, regional economic crises, sovereign bankruptcies, the spread of HIV/Aids and other new viruses, global warming, the rise of global criminal networks, and trafficking in arms, money, and drugs.”[34]

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[33] Lee Feinstein and Anne-Marie Slaughter, “A Duty to Prevent”, *Foreign Affairs*, January/February (2004), 136.
[34] Feinstein and Slaughter, 138.

The word sovereignty is not used in this quotation. However, one could say that there are "family resemblances" (Wittgenstein) of (non-)intervention and sovereignty. The argument might also be interpreted as a nearly all-encompassing securitization in terms of threats to security. One practice or mode of argumentation is quite simple: The world has changed, thus our former judgements are no longer valid and we have to 'fit' our rules to the new realities. Time and history can be employed in various ways. Michael W. Reisman argues that the term sovereignty must be considered as an "anachronism" when it applies indiscriminately to every state and government:

> With the words 'We the people', the American Revolution inaugurated the concept of the popular will as the theoretical and operational source of political authority. On its heels, the French Revolution and the advent of subsequent democratic governments confirmed the concept. Political legitimacy henceforth was to derive from popular support; governmental authority was based on the consent of the people in their territory in which a government purported to exercise power. At first only for those states in the vanguard of modern politics, later for more and more states, the sovereignty of the sovereign became the sovereignty of the people: popular sovereignty.[35]

Here, the range of application of a concept (sovereignty) is limited by referring to a linear (and presumably positive) historical development. In other words, the sovereign equality of states is refused by referring to s seemingly unequivocal concept ("popular sovereignty"). Of course, several "things" are taken for granted, e.g., "the people". By referring to the realties in the world 'out there' as well as to the expression of "the people" that are represented by "democratic" governments – by de-composing and re-composing the descriptive-evaluative concept of sovereignty – a way of discrimination between states becomes constituted: "The international system remains uncomfortable distinguishing one country from another, but such distinctions are already embedded in the UN system and they should be emphasized as the basis for effective international action with the dangers we now face."[36]

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[35] Michael W. Reisman, "Sovereignty and Human Rights in Contemporary International Law," Gregory H. Fox and Brad B. Roth (ed.), *Democratic Government and International Law* (Cambridge: Cambridge University Press 2000), 240.
[36] Feinstein and Slaughter, 149.

4. Conclusion

To change a concept is not to make it disappear. The arguments quoted here do supposedly reproduce the constitutive concepts of sovereignty and the state rather than to challenge them. I have not given anything like a systematic survey of practices to change a concept. On the one hand, there might be any number of ways of changing a concept. On the other hand, an approach that re-constructs categories of speech acts, rules, rule, agency, reasoning, and so on, as Nicholas Onuf has done, might be helpful, not least for addressing arrangements of rules and asymmetric relations of power. I find his constructivist or constitutive approach extremely helpful.

However, his vision of speech acts, while not re-producing the narrow understanding of language as present in the work of John Searle[37], focuses on performative verbs (or "assertive speech acts", "directives" and "commissives", respectively). Moreover, the securitization approach simply uses the words "labelling" and "naming". But while we can say: 'I, hereby, assert that' or 'I, hereby, promise', as Stanley Cavell takes up a notion from Austin, "one cannot say (it is not English to say) 'I convince you,' just like that." That is to say, "perlocutionary effects are not thus named: By saying I convince (or seduce, or astonish) you' I do not convince or seduce or astonish you."[38]

Practices of convincing and seducing are an important part of the social world, and so is truth (not with a 'capital T'). There is, certainly, more to the concepts of sovereignty and the state than that which can be addressed, hopefully, with an approach as provisionally outlined here. However, to locate them in a stream of practices might be understood not (only) as a careless understatement of their real significance, but (also) as an ironic acknowledgement of their elusive contingency. And if visions of political practices or community beyond the limiting conceptions of sovereignty and the state can be imagined and lived, then the power to do so lies presumably in language as "form(s) of *life*" (Wittgenstein).

[37] Onuf, *World of Our Making*, 92-94.
[38] Cavell, "The Incessance and the Absence of the Political", 271.