

Bringing Empire Back In: Territoriality, Difference, and Theorizing Modern State Formation After the Imperial Turn

Today sociologists readily acknowledge American empire (e.g. Go 2011; Jung and Kwon 2013), but this has not always been the case. Although early Americans commonly referred to their revolutionary political experiment in imperial terms (Onuf 2000, 2012), and despite empire's prominence in the early social sciences (Connell 2007; Go 2020; Steinmetz 2023), for decades scholars did not analyze the United States as an empire. Instead, scholars interested in American state formation took their cues from the post-World War II political sociology literature on the state (Evans, Rueschemeyer, and Skocpol 1985; Mann 1984; Skocpol 1979). This literature directed scholars to analyze modern state formation as the expansion and bureaucratization of public administration.¹ Applying this Weberian perspective, scholars identified the central puzzle of American political development as the late emergence of centralized, bureaucratic state authority (Skowronek 1982; Skocpol 1992; Weber 1958), and the particularly hidden or delegated form of state power that developed (Balogh 2009; Novak 2008). Scholars from Weber onwards attributed this situation to “the high degree of democracy in the United States—a ‘New Country’” (1958: 110).

¹ This decision to eschew empire in the analysis of American state formation reflects the elision of empire in the Weberian framework that is dominant in studies of American political development and conceptualizations of the modern state more generally. When sociology was re-imagined as the value-free study of industrial society in the post-World War II period, empire—which had both lost its appeal as a civilizing mission and taken on too many negative normative connotations—was written out of its disciplinary history (Connell 1997; Steinmetz 2023). Significantly for scholars of the modern state, Max Weber was only canonized in this post-World War II reconstruction (Connell 1997). It was in this intellectual milieu that foundational debates on the role of the state took place (e.g. Milliband and Poulantzas; Skocpol 1979; Mann 1984) and crystallized in the Weberian conceptualization of the modern state. At the same moment, early studies in American political development also adopted explicitly Weberian definitions of the state (e.g. Skowronek 1982: 5 fn. 2; Skocpol 1992: 43 fn. 92) and focused their attention on explaining the expansion of rationalized, bureaucratized public policy making in the United States.

However, this dominant Weberian lens imposes an overly teleological understanding of modern state formation based on a European model shorn of its imperial appendages that directs scholars' attention to a narrow range of historical dynamics as significant while sidelining others (see Chakrabarty 2000 for a critique). A Weberian framework obscures how the bureaucratization of public administration was part of a broader transformation in the organization of power from territorially expansive and fragmented empires of difference (Benton 2009; Barkey 2008; Steinmetz 2014), to the modern ideal of contiguous nation-states: one state representing one people, congruent with and even represented by its national territory—a geographical metonym that Immerwahr (2015) has called the nation's "logo map" (see also Anderson 2006). By restoring empire in this way this article contributes to the political sociology literature on the state as well as the growing body of sociological work asking how centering empire challenges scholars' understandings of the origins and dynamics of modernity (Go 2009) in domains ranging from the construction of race and gender (Jung and Kwon 2013; McKay, Vinyeta, Norgaard 2020; quisumbing king 2018), to the civil sphere (Hammer 2020), and knowledge production (Connell 2007; Go 2020; Hammer 2020). The United States' status as simultaneously one of the first nations founded in anti-colonial struggle and an aspiring empire in its own right makes it a particularly significant site from which to observe this transition.²

When the United States Constitution was ratified in 1789, it marked the founding of what would become the world's first and oldest federal state—a model for democratic governance that

² In arguing that the United States is a unique and historically significant case of state formation, this article is not trying to argue that the United States was an exceptional case of political and economic development that stands outside of standard explanatory frameworks. Instead, by identifying exactly how empire and settler colonialism manifested in the United States, this article is better able to use these concepts to put the case of the United States in conversation with other cases of state formation throughout the nineteenth century. Doing so provincializes the United States and allows scholars to more clearly recognize the often convoluted ways in which empire and republicanism intersected in the United States (Chakrabarty 2000; Link and Maggor 2020).

has been adopted the world over (Stepan 1999). The imperial roots of this federal state, however, have been largely ignored. While existing scholarship has investigated the conditions under which federal states can be constituted (Riker 1987, Ziblatt 2006), analyzed the stability of federalism's institutional form and its effects on public policy (Figueiredo, Jr. and Weingast 2005; Rodden 2002; Tiebout 1956), and evaluated its opportunities for democratically managing multinational polities (Stepan, Linz, and Yadav 2011), this literature has not sufficiently problematized federalism as the historical successor to empire (although see Ablavsky 2020).

Namely, by apportioning sovereignty *geographically*, federalism made territorial expansion and uneven economic development politically sensitive in a new way. Under imperialism, where relationships between the metropole and colonial outposts were negotiated on a case-by-case basis, the addition of new territorial subunits or changes in the relative strength of territorial subunits did not necessarily have implications for the stability of the state as a whole. It was expected that colonies would be politically subordinated to the center and that colonies would not necessarily be equal to one another. United States federalism turned this expectation on its head. In the United States, to strike the federal bargain necessary to bring the sovereign states together under first the Articles of Confederation and then the Constitution, the United States enshrined equality between the states (Riker 1987: 17-42)—what Alfred Stepan (1999) calls “symmetrical” federalism—thereby denying the asymmetries of imperial rule. However, because states were formally equal to one another, the addition of new territorial subunits on equal political footing, or changes in the relative power of each, would have implications for the balance of power in the federal state as a whole.

This study examines the legislative debates surrounding the first transcontinental railroad to demonstrate how restoring empire to scholars' understanding of modern state formation can make visible the spatial mismatches between polity and economy that unexpectedly emerged and persist to this day in the transition from empires to nation-states. In the antebellum period, federalism was not able to resolve debates over slavery. Instead, by using what I call here the "scalar fix" of making slavery an issue of states' rights, federalism allowed early Americans to sidestep the question of slavery *except* in cases of territorial expansion when the incorporation of new states became contingent on maintaining the balance of power between free and slave states. In the run-up to the Civil War, the case of the first transcontinental railroad demonstrates the limits of federalist systems to make decisions over land. Legislators debated authorizing the first transcontinental railroad for over decade, moving through three phases in their deliberations: *imperial expansion*, *sectional realignment*, and finally *existential stalemate*. Ultimately, the 1862 Pacific Railway Act could only be passed after the outbreak of the Civil War when Southern interests were removed from Congress. While under empire one solution would be for a minority to rule by fiat, the nested and geographically defined nature of sovereignty under federalism produced tensions between different geographically based interests. The same structures of federalism allowed these conflicts to be side stepped through scalar fixes but not resolved.

This paper concludes by discussing how centering the territorialization of politics in nation-states illuminates the spatial mismatch between capitalism and democracy and can shed new light on the dynamics of nationalism, economic populism, and anti-elitism that characterize political dynamics today.

Works Cited

- Ablavsky, Gregory. 2020. "Two Federalist Constitutions of Empire." *Fordham Law Review* 89: 1677-1706.
- 2019. "Empire States: The Coming of Dual Federalism." *Yale Law Journal* 128:1792-1868.
- Allen, Kiernan. 2017. *Max Weber: Sociologist of Empire*. London: Pluto Press.
- Anderson, Benedict. 2006. *Imagined Communities*. Revised ed. London: Verso.
- Balogh, Brian. 2009. *A Government Out of Sight*. Cambridge: Cambridge University Press.
- Barkey, Karen. 2008. *Empire of Difference*. Cambridge: Cambridge University Press.
- Bensel, Richard. 1991. *Yankee Leviathan*. Cambridge: Cambridge University Press.
- Benton, Laura. 2010. *A Search for Sovereignty*. Cambridge: Cambridge University Press.
- Blackhawk 2018. "Petitioning and the Making of the Administrative State." *Yale Law Journal* 127(6): 1448-1741.
- 2019. "Federal Indian Law as Paradigm within Public Law." *Harvard Law Review* 132(7): 1787-1877.
- Blackhawk, Maggie, Daniel Carpenter, Tobias Resch, and Benjamin Schneer. 2021. "Congressional Representation by Petition: Assessing the Voices of the Voteless in a Comprehensive New Database, 1789–1949." *Legislative Studies Quarterly* 46(3): 817-849.
- Bourdieu, Pierre. 1994. "Rethinking the State." *Sociological Theory* 12(1): 1-18.
- 2015. *On the State*. Patrick Champagne et al., eds. David Fernbach, trans. Cambridge: Polity Press.
- Carpenter, Daniel. 2001. *The Forging of Bureaucratic Autonomy*. Princeton: Princeton University Press.
- 2021. *Democracy by Petition*. Cambridge, MA: Harvard University Press.
- Connell, Raewyn. 1997. "Why is Classical Theory Classical?" *American Journal of Sociology* 102(6): 1511-1557.
- Edling, Max. 2021. "United States Expansion and Incorporation in the Long Nineteenth-century." *Journal of Imperial and Commonwealth History* 49(3): 431-458.
- Ekbladh, David. 2010. *Great American Mission*. Princeton: Princeton University Press.
- Ford, Lisa. 2010. *Settler Sovereignty*. Cambridge, MA: Harvard University Press.
- Foucault, Michel. 2009. *Security, Territory, Population*. London: Picador.
- Frymer, Paul. 2014. "A Rush and a Push and the Land Is Ours." *Perspectives on Politics* 12(1): 119-144.
- 2017. *Building An American Empire*. Princeton: Princeton University Press.
- Glenn, Evelyn Nakano. 2015. "Settler Colonialism as Structure." *Sociology of Race and Ethnicity* 1(1) 54–74.
- Go, Julian. 2009. The "New Sociology of Empire." *Sociology Compass* 3(5): 775-788.
- 2011. *Patterns of Empire*. Cambridge: Cambridge University Press.
- 2020. "Race, Empire, and Epistemic Exclusion." *Sociological Theory* 38(2): 79-100.
- Hammer, Ricarda. 2020. "Decolonizing the Civil Sphere." *Sociological Theory* 38(2) 101–121.

- Jung, Moon-Kie and Yaejoon Kwon. 2013. "Theorizing the US Racial State." *Sociology Compass* 7(11): 927-940.
- Maier, Charles. 2000. "Consigning the Twentieth Century to History." *American Historical Review* 105(3): 807-831.
- 2016. *Once Within Borders*. Cambridge, MA: Belknap.
- Mann, Michael. 1984. "The autonomous power of the state." *European Journal of Sociology* 25(2): 185-213.
- 2012. *The Sources of Social Power*. vol. 2. Cambridge: Cambridge University Press.
- Mitchell, Timothy. 1998. "Fixing the Economy." *Cultural Studies* 12(1): 82-101.
- Novak, William. 2008. "The Myth of the "Weak" American State." *American Historical Review* 113(3): 752-772.
- Onuf, Peter. 2000. *Jefferson's Empire*. Charlottesville: University of Virginia Press.
- 2019. *Statehood and Union*. Notre Dame: University of Notre Dame Press.
- Riker, William. 1987. *The Development of American Federalism*. Boston: Kluwer Academic Publishers
- Rodden, Jonathan. 2010. "The Geographic Distribution of Political Preferences." *Annual Review of Political Science* 13: 321-340.
- Pickhardt, Michael. 2006. "Fifty Years after Samuelson's "The Pure Theory of Public Expenditure" *Journal of the History of Economic Thought* 28(4): 439-460.
- Sneddon, Christopher. 2015. *Concrete Revolution*. Chicago: University of Chicago Press. Publishers.
- Steinmetz, George. 2014. "The Sociology of Empires, Colonies, and Postcolonialism." *Annual Review of Sociology* 40: 77-103.
- 2017. "The Octopus and the *Hekatonkheire*: On Many-Armed States and Tentacular Empires." In *The Many Hands of the State*. Kimberly Morgan and Ann Orloff, eds. New York: Cambridge University Press. 369-394.
- Stepan, Alfred. 1999. "Federalism and Democracy." *Journal of Democracy* 10(4): 19-33.
- Tiebout, Charles. 1956. "A Pure Theory of Local Expenditures." *Journal of Political Economy* 64(5): 416-424.
- Weber, Max. 1958. *From Max Weber*. Hans Gerth and C. Wright Mills, trans. New York: Oxford University Press.
- Volden, Craig. 2004. "Origin, Operation, and Significance: The Federalism of William H. Riker." *Publius* 34(4): 89-107.
- Yadav, Yogendra, Juan J. Linz, and Alfred Stepan. 2011. *Crafting State-Nations*. Baltimore: Johns Hopkins University Press.
- Ziblatt, Daniel. 2006. *Structuring the State*. Princeton: Princeton University Press.