THE PROBLEM OF SOVEREIGNTY: NATIONS, CORPORATIONS AND POWER
RELATIONS

Andrew Davis

A dissertation submitted to the faculty at the University of North Carolina at Chapel Hill in
partial fulfillment for the degree of Doctor of Philosophy in the Department of
Communication.

Chapel Hill
2018

Approved by:

Lawrence Grossberg

Michael Hardt

Christian Lundberg

Torin Monahan

Michael Palm

ABSTRACT

Andrew Davis: The Problem of Sovereignty: Nations, Corporations and Power Relations
(Under the direction of Lawrence Grossberg)

The contemporary moment is characterized by a multitude of crises, which I argue are the result of the historical transformation of sovereignty. While sovereignty exerts itself through different forms in different socio-historical contexts, it is fundamentally a question of the organization, relations, mechanisms, and operations of power. Within the context of the United States in the 21st century, the question of sovereignty is best addressed in relation to two narratives that are commonly offered to explain this context and its multiple crisis. The first—neoliberalism—understands the current era as being characterized by the reorganization of economic, political and social life to operate according to market forces. The second—fascism—is theorized primarily as an ideology or particular type of political regime, and is often used in popular discourse as a slur against one's political adversaries, regardless of their actual politics.

This dissertation reframes these narratives in order to provide a better understanding of the current moment. Regarding neoliberalism, I turn our attention away from "the market" to the dominance of the business corporation in the organization of social and power relations. The current moment is better understood as the era of corporism—a condition whereby economic, political and social relations are organized according to the sovereignty of the business corporation in relation to the nation-state. This is supported by an

examination of three institutions/phenomena (i.e. ALEC, DARPA and the Singularity) that indicate the assertion of corporate sovereignty in 21st century America.

I then turn to the question of fascism, considering a set of theories that do not usually inform political scholarship in order to demonstrate the continued relevance of understanding the crises we face as a form of fascism, without lapsing into unfounded name-calling. This is supported by a re-examination of ALEC, DARPA and the Singularity, and an examination of the private military and security industry (PMSI), that indicate the fascist character of these forces of corporate sovereignty. By reframing these narratives, I demonstrate the transformation of power relations between the U.S. nation-state and legal form of the business corporation as a crisis in the transformation of sovereign power.

To two who departed during the writing of this—Stuart Hall and Anthony Bourdain.
Your influence looms large, far greater than words can capture.
And to one who arrived—my nephew, Christian Andrew Brinkley.
May you live healthy, happy, long, and with love.

ACKNOWLEDGMENTS

TABLE OF CONTENTS

INTRODUCTION: THE STATE OF DISUNION

To suggest that we are in the midst of a crisis seems simultaneously understated yet hackneyed. It can often feel as though we are bearing witness to an unprecedented multiplication and intensification of crises—political, economic, racialized, gendered, ecological, religious—that can only be resolved (or, more accurately, temporarily ameliorated) in an expedient fashion before the next crisis demands attention. In order to understand these crises, we develop narratives about where we are and how we got here; we deploy concepts and theories to make sense of our collective failure to solve our most pressing concerns. In the following pages, I unpack two narratives that are commonly deployed to explain the contemporary moment and its multiple crises.

The first of these—neoliberalism—conceptualizes the current era as being broadly characterized by the reorganization and realignment of economic, political and social life to operate according to the workings of the market, with "market" understood as the realm of free, competitive economic activity. I challenge this narrative by arguing that, with a few exceptions, much of the scholarship on neoliberalism does not do enough to account for the role of the corporation, the institution that has had (and continues to have) a dominant role in constructing, shaping and determining economic markets. I argue that the concept of neoliberalism (while useful in many respects) is insufficient for understanding the role of the corporation in the current moment. Following the lead of Carolyn Hardin, I argue that the era commonly referred to as neoliberal is better understood as the era of corporism—a

1

contextually-specific cultural relation between the nation-state and the corporation whereby rights, security and even individual subjectivities are framed primarily in reference to the rights, security and status of the corporation as a legally-recognized person.

The second narrative I unpack is that of fascism. While a substantial body of work has been dedicated to theorizing fascism, use of the term *fascist* in public discourse to account for crises in American political and cultural life is woefully disconnected from theory. More often than not, the term is used to accuse one's political and cultural adversaries of right-wing or vaguely authoritarian actions, agendas or impulses. Regrettably, such indiscriminate usage has hindered our ability to recognize actual instances of fascism when they do appear. As such, I revisit theories of fascism that do not often inform the work found in political theory in order to demonstrate the continued relevance of understanding the crises we face as a form of fascism.

The crises of the current moment are not unprecedented; they are the rearticulation of crises (equally multiple and intense) that were ostensibly resolved in other moments. Looking back, the modern era can be thought of as an agglomeration of overlapping crises, the temporary resolution of which assures their reappearance in other contexts. So much of the work of cultural studies (the tradition of which I consider my research to be part) are attempts to grapple with the multiple, overlapping crises that characterize particular socio-historical contexts. Within this perspective, Lawrence Grossberg has suggested that "the contemporary conjuncture is, above all, characterized by struggles over the very possibilities of modernity" ("Modernity and Commensuration", 297). While I agree that many of the contradictions and struggles of this conjuncture are overdetermined by crises of modernity, the research that forms the basis for my argument here suggests that the contemporary

conjuncture is also characterized by a crisis of sovereignty that both precedes and exceeds the question of modernity.

The concept of sovereignty has evolved over time (Bartelson), with two understandings of the term currently dominant in scholarly literature. Work on international relations relies extensively on what is referred to as the Westphalian model of sovereignty, which (taking as its starting point the Peace of Westphalia in 1648) defines sovereignty in terms of the right of a given nation-state to govern its internationally-recognized territory and population without interference from other nation-states (Glanville). Critical theoretical work, on the other hand, often invokes the work of Giorgio Agamben, who (working from the early legalistic work of Carl Schmitt) defines sovereignty as the authority to create the *ban*—the exception to law—and the authority to abandon sovereign responsibility to a population in order to preserve the security of the political community. In other words, the sovereign is the one who can establish and transgress the "boundaries of law" (Joshua Barkan 7).

In the following pages, I follow an understanding of sovereignty that runs counter to both of these. Working from the later metaphysical considerations of Schmitt and the earlier work of Thomas Hobbes, I understand sovereignty in older, religious terms of "the highest, legally independent, underived power" (Schmitt, *Political Theology* 17). Sovereignty is understood in this sense as the network—the very totality—of power within which dominant institutions (e.g. nation-states, corporations, inter- and supra-national organizations) vie for and negotiate over ultimate authority in a variety of overlapping spatio-temporal contexts within a global system of economic production, distribution and consumption, political and

social institutions, and cultural practices, as well as legal frameworks. Sovereignty is the authority over the conditions of possibility within the world.

This understanding of sovereignty is treated in more detail in Chapter 3. What is important to consider at this moment are the crises that lead me to such an understanding. As demonstrated in the following pages, when considering the cultural, economic and political crises of the current era, my attention is consistently drawn back to two of the dominant institutions of modernity—the nation-state and the business corporation—and what the relationship between these two institutions can tell us about where we are and how we got here. Indeed, the evolution of this relationship over the course of modern history speaks not only to this crisis of sovereignty writ large, but also to the multiplication of this crisis into the various overlapping crises that characterize the contemporary conjuncture. In order to contextualize this, let us consider a particular crisis that is evidenced by the 2016 U.S. presidential election. Although this election does not necessarily constitute a crisis in and of itself, it does represent a turning point in a particular crisis of what is often referred to as the era of neoliberalism. Moreover, it gestures toward the conceptual and theoretical tools required to better understand the transformation of power relations in the present moment.

The United States of America has found itself woefully ill-equipped to grapple with the ramifications of the 2016 presidential election cycle. For those pleased with the outcome, the election initially seemed to have resolved a crisis of American democracy by bringing into the Oval Office a president willing to dismantle the status quo, bring populist representation back to the process of federal governance, and secure American interests against those of its global competitors. Why have Trump's most ardent supporters not become disillusioned given the administration's failure to achieve its campaign promises

4

(e.g. repealing the Affordable Care Act and building a wall at the U.S./Mexico border), its consistent inconsistency on issues of national security and economic policy (e.g. recent waffling on disarmament talks with North Korea and economic sanctions against Chinese businesses), and its outright reversal on issues important to its electoral base (e.g. reconsidering withdrawal from the Trans Pacific Partnership, as well as increased deficit spending and foreign military entanglements)? For many others, however, the election raised many questions about our national culture that we seem unprepared to answer, and challenged many deeply-held assumptions about the strength of American democracy. How are we supposed to interpret this election cycle, which subjected us to (and made us complicit in) a barrage of vitriol from Democratic and Republican candidates alike? What are we to make of that constant onslaught of accusations ranging from the demonstrable (i.e. that particular candidates were temperamentally unfit, misogynist, or criminally negligent) to the blatantly-false-yet-somehow-still-believable-to-some-segments-of-the-population (e.g. that particular candidates were running a child sex ring out of the basement of a pizza parlor or had family members responsible for the Zodiac murders and the Kennedy assassination)? What integrity is left to the American electoral process in the wake of confirmation from U.S. intelligence agencies of Russian interference in the general election through acts of cyberespionage intended to discredit one of the candidates, and the purchasing of ad space on social network platforms designed to exacerbate partisan factionalism among the American electorate (Isaac and Shane; United States, Office of the Director of National Intelligence)?[1] Did the 2016 election cycle—for many, an ignominious reality-TV-sideshow—finally reveal

---

[1] The irony of American outrage over Russian interference in the election given the history of U.S. intelligence agencies interfering in the domestic workings of other nation-sates is duly noted. That history, however, is beyond the scope of the argument at hand.

(in profound yet profoundly banal and occasionally petty ways) the vicious, atavistic

weirdness that lies in the dark heart of American political culture?

Well, yes and no. On the one hand, there is cause for legitimate concern. We are in

the midst of a crisis. Demagoguery, authoritarian populism, racism, xenophobia, misogyny,

misinformation, and outright lies seem to have won the day. However, nothing can be gained

from lapsing into apocalyptic melodrama (however understandable such a reaction might be).

Take a step back; take a deep breath; assess the lay of the land. Because the only surprising

thing about this election is the fact that so many Americans were surprised. The bare tragi-

comic fact of the matter is that we should have seen this coming. As Nicos Poulantzas once

noted, "Marx, following Hegel, said that history can sometimes repeat itself: but what the

first time was tragedy, is the second time farce. The formulation is striking, but it is true in

one sense only: There are such things as black comedies" (Poulantzas 358). While Poulantzas

was referring to the rise of classical Fascism, his observation is equally useful for beginning a

conversation about the contemporary crisis of American political life.[2] The crisis with which

we are now confronted is, in fact, not entirely new (even if quite novel). It is the

reappearance of historical forces that have (in various articulations) plagued the U.S. nation-

state from the colonial era through the Cold War up to the present moment.[3]

---

[2] Capitalizing the term "fascism" when referring to classical Fascism (i.e. Mussolini's regime and Nazism) yet leaving it lower-case when referring to fascism as a general phenomenon is consistent with the work on fascism in political theory.

[3] *Articulation* refers to the contingent convergence of particular forces (i.e. of culture, economics, politics and social problems) in a socio-historical context to produce contradictions of power that are constitutive of a crisis. Additionally, *articulation* refers to the analytic practice of assembling a context that highlights the contingent convergence of particular forces that characterizes a specific conjuncture. As such, "articulation can be understood as a way of characterizing a social formation without falling into the twin traps of reductionism and essentialism" (Slack 113).

In fact, two of the major themes of the 2016 election constitute the stark reappearance (albeit in rearticulated forms) of problems from centuries past—one, a problem that is commonly mistaken as being relatively recent in its development; the other, a problem that is commonly mistaken as having been overcome by a previous generation. The former—*corporate sovereignty*—refers to the influence of corporate capitalism within and against the workings of democratic politics and governance, with such influence enabled by the evolution of the relationship between the nation-state and the legal form of the business corporation over the course of modern history; the latter is the problem with which Poulantzas was concerned: *fascism*.

The issues of corporate sovereignty and fascism arose in public discourse during the election cycle, but without much significance or seriousness attached to them. Accusations regarding Hillary Clinton's relationship to Wall Street and the corporate elite were bandied about only slightly more frequently than claims that Donald Trump is, in essence, a fascist. It would not be difficult to demonstrate the relevance of corporate sovereignty to the 2016 election by pointing to Clinton's political record of advancing a neoliberal agenda favorable to the corporate and financial elite, or by drawing attention to Trump's history of suspect business dealings through his corporate network. Nor would it be difficult to demonstrate the relevance of fascism to the election by simply comparing the traits Trump exhibits, the values he embodies, the policies he advocates and the things he says with the commonly-accepted characteristics of classical Fascism—and then be done with the matter. This was, in fact, done during the election by politicians, journalists and comedians alike ("Donald Trump's Fascist Week"; Kassam).

But to focus on the actions of individuals is to miss the systemic character of the problem. The issue here is not the behavior of particular people. Clinton's political record and Trump's personal business dealings are not in-and-of-themselves significant. They gain significance only when considered within the socio-historical context of cultural, economic and political developments. Corporate sovereignty is about the mechanisms and operations of a system of power that creates the conditions of possibility for people and institutions to behave in specific ways. And characterizing the current president as a fascist misses the point on two counts: 1) it repeats a mistake that is all-too-common in American political life: the branding of one's political adversaries as "fascist"; and 2) it mistakes the effects for the causes. The upsurge of racist, anti-democratic authoritarian populism that is only partially responsible for the election of Donald Trump is better understood as the effect of the mechanisms and operations of corporate sovereignty that have characterized power in the U.S. nation-state since long before 2016 and will (in all likelihood) far outlast this particular presidency.

I believe that fascism is better analyzed through corporate sovereignty, the evolving relationship between the nation-state and the legal form of the business corporation—a relationship that has shaped political, economic and cultural life in the United States for its entire history. This development—specified and concretized in the following pages—has largely produced the crisis we are now experiencing. The crisis of American democracy in the present moment is not about any one election cycle; it is about the mechanisms by which a corporate oligarchy comprised of political and economic elites construct and assert power through a system of crony capitalism, partisan politics and technocracy. Martin Gilens and Benjamin Page demonstrated the existence of such a system through an analysis of public

policy debates and decisions, concluding that while "economic elites and organized interest groups representing business interests have substantial independent impacts on United States government policy" (Gilens and Page 565), "the preferences of the average American appear to have only a miniscule, near-zero, statistically non-significant impact on public policy" (Gilens and Page 575). Of course, it is not sufficient to simply cite one study as evidence for one's argument. That is what the following pages are for: to trace out—for all we have are traces—the particular mechanisms and operations of this system of power.

      We need to broaden our focus (both historically and contemporaneously) in order to understand how this system came to be and how it currently functions. What are the mechanisms and operations by which the power embodied in such a system currently organizes and overdetermines society? In order to assess the historically- and culturally-specific mechanisms and operations of power within the context of the U.S. nation-state, I propose connecting *corporate sovereignty* and *fascism* in an analysis that addresses the epochal origins, organic overdeterminations and conjunctural articulations of power in 21st-century America.[4] The current crisis of representative democracy in the United States is best understood as the resolution of a crisis of corporate sovereignty into a conjunctural form of fascism, with such a transformation gesturing towards a potential transformation in the much longer transformation of sovereignty itself.

---

[4] The term "organic" is often used to refer to the "epoch" (i.e. long-term historical periods such as Modernity). I, however, understand the organic as a level of abstraction between the conjuncture and the epoch. A comprehensive explanation of my use of the terms "organic" and "conjunctural" is offered in Chapter 1. In the most basic (though admittedly not simple) terms, "organic" refers to the historical development of multiple crises that call particular conjunctures "into existence in the first instance" (Grossberg, "Wrestling with the Angels" 4). "Conjuncture" refers to "the terrain on which a struggle 'over a new reality' is carried out" on a level of abstraction "between the particular situation and the epoch" (ibid), with such a struggle (in my use of the term) being overdetermined by a crisis.

This statement requires an explanation of a particular vocabulary and set of research practices that have come to be identified with the intellectual project of cultural studies, as enacted at the now-defunct Centre for Contemporary Cultural Studies at the University of Birmingham in England. Chapter 1 explains the practice of my own argument—*conjunctural analysis*—as a way of thinking through the mechanisms and operations of power as they become articulated through the crises and contradictions that characterize a particular conjuncture. This chapter enumerates the concepts (e.g. context, articulation, conjuncture, organic) taken up by cultural studies, and then explains the practice of conjunctural analysis as informed by the practical application of these concepts.

Following Chapter 1, my argument is divided into two parts. Part I (comprised of Chapters 2 and 3) seeks to transform our understanding of the contemporary conjuncture from being characterized as neoliberal to functioning as an era of corporism in order to demonstrate how corporate sovereignty operates as an organic form through which an epochal crisis of sovereignty overdetermines this conjuncture. Chapter 2 discusses how the contemporary conjuncture is generally characterized in critical scholarship as the era of neoliberalism. I demonstrate that *neoliberalism* is of limited analytical value in that it does not include a sufficient account of the role of the corporation in the development of the crisis that now confronts us. The chapter then considers *corporism* as being better suited to the task at hand, providing a reading of the "neoliberal era" that focuses on the relationship between the nation-state and the legal form of the business corporation. Chapter 2 concludes with an historical overview of the evolution of the relationship between the nation-state and the corporation in the United States in order to demonstrate how we arrived at the era of corporism. This history traces the organic construction and assertion of corporate sovereignty

in the United States, through which the crisis of sovereignty overdetermines the current conjuncture.[5]

Chapter 3 develops this further by explaining how *corporate sovereignty* and *sovereignty* have been conceptually developed in scholarship, allowing me to situate my argument within existing debates about both the nature of sovereignty and the role of the corporation in contemporary society, while also providing an entry point for considering corporate sovereignty as a contextually-articulated field of forces. If we cannot properly analyze these mechanisms and operations, we have little ground for offering practical solutions to the contradictions of democratic governance with which we are now faced, and to the emergent mode of power organizing them.

I then address three "signposts" that indicate the assertion of corporate sovereignty in the era of corporism and demonstrate how the crisis of sovereignty manifests conjuncturally through the articulation of particular relations of force. They ultimately lend support to my argument that the mechanisms and operations of corporate sovereignty in the current context are being potentially resolved into a conjuncturally-specific mode of fascism. Each of these signposts represents a particular institution or phenomenon (i.e. the American Legislative Exchange Council, the Defense Advanced Research Projects Agency, and the Singularity) that exemplifies a particular relation of force that, taken together, constitute corporate sovereignty as an organic form and fascism as a conjuncture. By *relation of force*, I mean a vector in a network of power that encompasses a particular set of culturally-specific yet analytically-abstracted practices and phenomena (e.g. political-economy, technology, desire).

---

[5] This is not to suggest that sovereignty is the only crisis that overdetermines the current conjuncture, just the crisis most pertinent to my argument. If one were (for example) concerned with the current state of race relations in the United States, *slavery* would constitute a potential crisis.

The first signpost is the role of the American Legislative Exchange Council (ALEC) in American governance. Formed in 1973, ALEC is legally a 501(c)3 non-profit charitable organization. While ALEC claims that it is a non-partisan, democratically representative organization, the right-wing make-up of its legislative membership and the veto powers held by its corporate membership tell another story. Practically speaking, ALEC is a consortium of corporate executives and mostly right-wing state legislators who meet privately to draft "model legislation" that is then introduced into state legislatures. Exploiting both the federalist system of governance expressed in the 10th Amendment of the U.S. Constitution and the process for amending the Constitution as established in Article 5, ALEC has been able to advance a legislative agenda on the state level—including minimum wage caps, restrictions on local and county governments, right-to-work laws, voter ID requirements, limitations on women's reproductive rights, shifting public money to private schools, and Stand Your Ground laws—that the political right has been unable to enact on a federal level. I will argue that such actions constitute a political-economic force of corporate sovereignty, with ALEC playing a dominant role in redesigning the relationship between the corporation and the nation-state whereby corporate executives exert a dominant influence over public policy and the configuration of the government.

The second signpost is the role of the Defense Advanced Research Projects Agency (DARPA) in the corporate and academic development of technology. Established in 1957 as the Advanced Research Projects Agency (ARPA), DARPA serves as the research-and-development (R&D) and venture capital arm of the Department of Defense (DoD). For the past sixty years, DARPA has financed a significant portion of the major scientific and technological innovations in the United States, thereby playing a dominant role in

determining which types of research and development will be pursued in both academic and corporate labs. The myth of technological progress in America relies heavily on promoting the image of the entrepreneur and private economic investment, with the nation-state as an impediment to capitalist development and technological innovation. Most of this technological innovation, however, is enabled and at least partially funded by DARPA for the benefit of both corporate capital and the military. Moreover, major Silicon Valley corporations such as Facebook and Google have recently redesigned their own facilities in the image of DARPA: retooling and reorganizing their R&D labs to function more like DARPA by focusing on a wide array of high-risk/high-return projects with both military and consumer applications, using short-term contracts for employees working on these projects to incentivize quick turn-around, and developing research collaborations with universities. This is being achieved, for example, through the work of Regina Dugan—former chief of DARPA—who served as head of Google's Advanced Technology and Projects Group before going to Facebook in April 2016 to run the company's R&D lab (Guynn, "Facebook's 'Area 404'"; Guynn, "Facebook's Secret Building"; Miller; Patterson). I will argue that the organization of technological development by DARPA constitutes a technological/ technocratic force of corporate sovereignty, with the agency and its corporate partners responsible for redesigning the relationship between the military and the corporation whereby military forces become corporatized and technology corporations become increasingly militarized.

The third signpost is what is referred to in futurist discourse as the Singularity—the belief that humanity is rapidly approaching an event horizon in which machine intelligence (i.e. artificial general intelligence) will surpass human intelligence, thereby making humanity

biologically obsolete. The term was popularized in a technological context by science-fiction author Vernor Vinge, who predicted that "the Singularity will occur when technological progress powered by self-improving artificial intelligence (A.I.) becomes so rapid that it speeds beyond our ability to foresee or control its outcomes" (Bailey 46). Today, many futurists and corporate executives actually advocate for the onset of the Singularity, while also working on technologies to mitigate the obsolescence of humanity that will supposedly follow in its wake. Relatedly, in addition to developing A.I., major technology corporations are also working to solve the problem of human mortality—through nanotechnology and the uploading of human consciousness into computer networks—so as to make deities of these men and the corporations they lead. In this sense, the Singularity (as a metaphysical, corporate and social principle) constitutes a desiring force of corporate sovereignty, with those working to actualize the Singularity responsible for redirecting our socio-psychological desire for immortality into a corporate network of artificial intelligence.

It is important to bear in mind that the division of these forces (i.e. of political economy, technology and desire) is purely analytic. The work of ALEC is as much a question of desire as it is of political economy. The work of DARPA is as much a question of political economy as it is of technology. The push for the Singularity is as much a question of technology as it is of desire. The analytical distinction between these forces is secondary to their utility in allowing us to grapple with the contradictions and crises of power with which we are confronted in the current context. What constitutes them as functioning as a particular crisis of sovereignty is their articulation to each other as a set of contradictions that characterize a mode of power in the evolution of the relationship between the legal form of

the business corporation and the nation-state. The purpose of discussing these signposts is to indicate the potential for the current conjuncture to be resolved by a (re)turn to fascism.

Part II (comprised of Chapters 4 and 5) considers fascism as a conjunctural articulation of the force relations that characterize corporate sovereignty as an organic form. Chapter 4 explains the dominant ways in which *fascism* has been understood (both theoretically and in popular usage) and considers how these understandings have prevented us from recognizing the re-appearance of fascism in the context of 21st-century America. This explanation demonstrates the utility of marginalized theories of fascism for an analysis (presented in Chapter 5) of the connection between fascism and corporate sovereignty in the current conjuncture, and brings these theories to bear on three signposts (i.e. ALEC, DARPA and the Singularity) in order to better understand the relationship between the U.S. nation-state and the legal form of the corporation than has been previously offered in scholarship, while focusing on the political-economic, technological/technocratic and socio-psychological dimensions of this relationship. These dimensions are important for the argument at hand because they demonstrate the analytical utility of considering fascism conjuncturally—as a set of relations between forces that comprise a mode of power (Deleuze)—rather than as an ideology or political movement. In this sense, I will demonstrate that ALEC and similar organizations represent an inverted re-articulation of fascist political economy. By *inverted re-articulation*, I mean that the forces of political economy that characterized classical Fascism now operate in an inverted manner. That is, in the context of classical Fascism, the forces of political economy operated through the organization of national corporations under the control of the Italian nation-state. All political-economic functions (e.g. industrial production, labor, distribution) were centralized in the nation-state through the establishment

of corporations that operated in a semi-autonomous manner. In the context of the contemporary U.S. nation-state, political-economic functions are largely organized within private corporations, which then utilize the federalist system of governance to organize the nation-state through state legislatures, as opposed to the U.S. Congress. The relationship between the nation-state and the business corporation has been inverted, but (as will be demonstrated) the fascist character of this relationship remains.

The role of DARPA in the corporate development of technology represents a distributed re-articulation of fascist relations of technology/technocracy. By *distributed re-articulation*, I mean that the forces of technology and technocracy that characterized classical Fascism have been distributed outward from the nation-state through the network of multinational corporations whose technological innovations organize social life in the United States. Under classical Fascism (particularly the Nazi regime in Germany) the chaos and in-fighting that characterized both the bureaucracy and party apparatus was largely mitigated by technocrats working across competing departments to unify technological production for the purposes of war production. In the contemporary context, technological and technocratic operations originate in a single agency of the DoD but are then distributed through private corporations for the purposes of both war production and the production of consumer technologies that increasingly determine the organization of social relationships. While the operations of technocracy and technological production have been distributed, the fascist character of these operations remains.

Finally, the Singularity represents a universalized re-articulation of fascist desire. By *universalized re-articulation*, I mean that the forces of socio-psychological desire that characterized classical Fascism have become universalized from the rebirth of a racialized

national community through the nation-state to the rebirth of humankind (those who can afford it, at least) through artificial general intelligence as structured through the business corporation. Both of these articulations center on the problem of human mortality, with the risk of ontologizing particular identities and communities. Whereas classical Fascism sought immortality for the supposed national community while recognizing the inherent mortality of individuals, what we are dealing with now is the desire to make individuals immortal through networked computing systems and the transnational corporate form, with no concern for the nation. While the manifestations of socio-psychological desire have become universalized, the fascist character of these manifestations remains.

This leads to an examination of the potential emergence of a newly dominant institution of power that represents the total convergence of the nation-state and the corporation. This consideration of the private military and security industry (PMSI)—as suggested by my analysis addresses of fascism (as the inverted, distributed and universalized conjunctural re-articulation of particular forces of political economy, technology/technocracy and desire) and corporate sovereignty (as an organic form)—suggests how these forces might evolve into a more unified and totalized form of corporate sovereignty and fascism made one. Ultimately, my discussion of fascism calls into question our current understandings of *corporate sovereignty*, and demonstrates the need to reframe the relationship between the nation-state and the legal form of the business corporation, and the mechanisms and operations of power that characterize such a relationship. These problems converge in the understanding that we are dealing with a reorganization of sovereignty from that of the modern nation-state to that of transnational corporations—those nations with/in/out a state. This ultimately leads to a consideration of sovereignty itself—which I argue is always

already both corporate and a substitute for divine authority—as it pertains to the ways we conceive of (and concede to) forms of ultimate authority, and the ways in which we might want to resist such authority so as to construct new articulations, new modes of being-in-relation with the world and each other.

But to get to there from here, it is first necessary to map out the path this argument takes—to explain the analytical framework on which my argument is constructed. This requires a consideration of the cultural studies project of conjunctural analysis.

CHAPTER 1: A DEMONSTRATION OF CALCULATIONS, OR, CULTURAL STUDIES AS CONJUNCTURAL ANALYSIS

> Our method is not a principle based on fixed procedures; it is a method which is based on certain basic theoretical principles but *really* determined by the individual case and the individual situation. [The conditions that make an analysis effective] are different from case to case, and although they lead to certain valid technical generalizations, these mean little compared with the basic principle that the technique in every individual case has to be derived from the individual case and each individual situation, while at the same time one does not lose sight of the total analytical process. […] [W]hat that means, 'to 'analyze,' remains obscure. (Reich, *Character Analysis* 6-7)

Introduction

Our inability to come to terms with the present conjuncture stems partly from

academic predilections for disciplinary boundaries, theoretical and methodological

preferences, and object-oriented analyses. This chapter presents an alternative to such

predilections as found in the anti-discipline of cultural studies, which is concerned above all

else with questions of power. The mechanisms and operations of power differ from context

to context, thus requiring a question-oriented (as opposed to object-oriented) mode of

analysis. Though Wilhelm Reich was speaking specifically about the practice of

psychoanalysis, the above quote is strikingly relevant to the question of method in cultural

studies for a number of reasons. Analytically speaking, cultural studies begins with a

commitment to "radical contextuality" (Grossberg, "Wrestling with the Angels" 2)—an

understanding of reality as being contingently relational, complex, and always open to

alteration. Each question or problem with which we are concerned is necessarily

overdetermined and characterized by an open complexity wherein particular forces, objects,

people, etc., exist in contingent—non-essential, non-universal, yet also not relative—relations. As such, our mode of analysis must be determined by a commitment to understanding specific relations within specific contexts, instead of being determined by a particular theoretical or methodological commitment. In this way, "cultural studies is always making itself up, reconfiguring itself, in response to the changing configurations of power and the changing possibilities of struggle and resistance, possibility and transformation" (Grossberg, "Wrestling with the Angels" 1). Cultural studies—as the practice of conjunctural analysis—sets as its problematic a contextual system of relations of force characterized by complexity, contingency and overdetermination.[6]

Cultural studies reconfigures itself analytically from context to context through the practice of *conjunctural analysis*—"analysis which is historically and contextually specific. An exploration of the assemblage, coming together or articulation of particular forces, determinations or logics at specific times and spaces" (Barker 382). Different contexts can be overdetermined by the same vectors of force, but the ways in which these forces become articulated to each other (and the mechanisms and operations by which these forces manifest) depend on the historical and social conditions of the context itself. This chapter is dedicated to explaining this practice, as well as the applicability of conjunctural analysis to better understanding the crises of political life in the United States, by explaining the concept of *conjuncture* as developed in Marxist theory and cultural studies scholarship, the practice of *conjunctural analysis* within cultural studies, and finally the relationship between the *conjunctural* and the *organic*.

---

[6] *Problematic* refers to "the objective internal reference system" of a concept or theory that serves as a framework for the "questions commanding the answers given by" that concept or theory (Louis Althusser qtd. in Joshua Barkan 14). In framing the questions, such a reference system consequently limits the possible answers that can be generated by a given concept or theory, thus overdetermining their potential utility.

Conjuncture as Concept

The concept of *conjuncture* originated as a key political concept in Marxist theory. "As Marx and Engels [thought through] complex and historically transforming social relations in the perspective of a *revolutionary* praxis, they consistently [aimed] to produce a concrete, non-reductionist analysis of specific conjunctures and constellations […] and their structural conditions" (Koivisto and Lahtinen 268). This concept was developed by later Marxist theorists as a means of specifying "the changing forms and contingent interactions of the historical process, while remaining nonetheless anchored in a longer-term hypothesis about the general nature of process in the modern epoch" (Justin Rosenberg qtd. in Callinicos 355). The purpose of developing the concept was in part an attempt to grapple with the "manifest misalignment" between "classical deterministic and economistic Marxist models of change" and the political realities of the 20th century (Rustin 18). The development of the concept of *conjuncture* is due largely to V. I. Lenin, Antonio Gramsci, Louis Althusser and Nicos Poulantzas—all of whom were concerned with the conjuncture as both an object for concrete, historical-materialist analysis, and a point of political intervention.[7] I will consider the general contributions of each of these authors in order to demonstrate the primary components, benefits and shortcomings of this strand of Marxist thought, with an eye to how they have shaped cultural studies and its practice of conjunctural analysis.

For Lenin, the analytical and political value of *conjuncture* is located in its ability to assess "different converging or opposing tendencies" in specific historical circumstances and

---

[7] There are (as noted in Koivisto and Lahtinen) other understandings of the concept in Marxist theory, primarily: 1) as being comprised of ephemeral surface-level phenomena with the structure of capitalist production being essential; and 2) in a narrow, economistic sense as being purely descriptive of a particular historical moment. Additionally, *conjuncture* is understood in business and economics as "the mechanical interaction of law-like cycles," and is used to analyze investments, policies, historical cycles and crisis management (Jessop 12). These perspectives have no bearing, however, on the use of *conjuncture* in cultural studies.

to weigh "their relative importance" (Koivisto and Lahtinen 268), especially for the development of revolutionary political strategies capable of exploiting the fractures produced by "inter-imperialist rivalry" (Lenin qtd. in Ahmad 49). For the purposes of my particular argument, imperialism refers not just to the actions of nation-states (as Lenin would have argued), but to the actions of and rivalry between nation-states and other forms of sovereignty (including the legal form of the business corporation).

This emphasis on understanding particular social circumstances in order to develop practical political strategy carries over into the work of Gramsci, for whom conjunctures are particularly useful in examining organic movements in the historical development of capitalism. Gramsci offers an understanding of *conjuncture* as being both complex and particular to a specific formation which (although specifically economic in Gramsci's understanding) is also dependent "on cultural dimensions of the social order [for] maintaining" or disrupting "regimes of class domination and subordination" (Rustin 19). The utility of the concept is most visible when there appears to be a hegemonic struggle, with *hegemony* understood as "a field that is constantly traversed by shifting strategies seeking to produce consent, contain dissent and, last but not least, use force to produce consent" (Clarke, "Of Crises and Conjunctures" 350).

This perspective is useful in as much as it focuses our attention on two distinct yet interrelated problems: the organic development of capitalism; and the mechanisms and operations by which forms of power organize social relations through consent and (when necessary) force. In regards to the second point, there is (for Gramsci) an inextricable connection between consent and coercion as they relate to the crises and contradictions that overdetermine a conjuncture. This leads to an understanding of conjuncture in terms of "a

war of positions (of temporary alliances at multiple sites of struggle)" in the continual reorganization of power relations (Grossberg, "Does Cultural Studies Have Futures?" 13). From this perspective, a conjuncture is the level of abstraction at which "'antagonistic forces organize' and struggle over a 'new reality'" (Koivisto and Lahtinen 269). In this sense, the conjuncture serves as a starting point for analyzing a specific context of power relations, provides the means for understanding the interrelation between levels of analytical abstraction, and keeps us focused on the strategies that are most amenable to political intervention.

Althusser extends Gramsci's understanding of a conjuncture to the overdetermination of social relations by multiple forces that are not necessarily or inherently economic. Althusser argued that *conjuncture* is the central political concept in Marxist theory because it serves as an "explanatory model [that presupposes] an ever-shifting interrelationship between contending and interdependent social forces" (Rustin 19). What this means is that *conjuncture* is a valuable analytical tool because it allows us to think through the complexity of multiple forces and relations of power that, although interrelated, are not necessarily connected in an essential manner; they are contingent, pliable, and capable of being manipulated. This is because social forces are at once over- and under-determined in complex, contingent and multi-layered convergences that cannot be explained by "models of linear causal" economic determinism (ibid). For Althusser, a conjuncture is overdetermined by a general contradiction that manifests in different ways through the complex interrelations of various social forces; this contradiction operates in an historically-situated "structure in dominance," while also being a "characteristic feature of [the] history" of class struggle (Koivisto and Lahtinen 271). The connection between a contextually-situated contradiction

23

and the longer history of class struggle marks the relation between the conjunctural and the organic, in so much as organic developments brings a particular conjuncture into being as the attempt to resolve a crisis through contextually-specific articulations of various force relations.

This connection is central to the work of Poulantzas, who understood the conjuncture as the concrete situation of class struggle (in a particular historical and social context) in relation to a particular nation-state. Put simply, different regimes and crises can display similar features in different historical periods. "A concrete analysis of present conjunctures" is necessary in order to determine the ways in which these features operate within a particular crisis or regime, as well as which political strategies might work to intervene in that crisis or reformulate that regime (Poulantzas 358).

What has come out of the long tradition of Marxist thinking is an understanding of *conjuncture* as indicating

> 'the exact balance of forces, [the] state of overdetermination of the contradictions at any given moment to which political tactics must be applied.' Unlike conjuncture in the sense of fluctuation [or in the sense of ephemeral surface-level phenomena], eminently compatible with various teleological philosophies of history, the concept of conjuncture in its developed form is decisively anti-teleological, as well as firmly opposed to economic or class-reductionism. Social changes, also of a structural type, take place in and through conjunctures with many determinations. As an analytical tool, the concept of conjuncture can expand the capacity to act politically by helping to examine the conditions of a political intervention in their complexity, that is, to trace the displacements and condensations to different sorts of contradictions, and thus open up possibilities for action. (Koivisto and Lahtinen 267)

The uptake of *conjuncture* in cultural studies begins with Stuart Hall, whose work is based on (but moves decidedly beyond) the contributions of Gramsci, Althusser and Poulantzas. Hall's understanding begins with the imperative to look reality unflinchingly in the face, regardless of our theoretical presuppositions or political inclinations—to figure out

where we are, how we got here, and how to re-articulate present conditions to make better futures. Hall considered a conjuncture to be at once political, cultural, ideological and economic, rather than as determinately or predominantly economic. This move beyond the economic preoccupation of Marxist theory attempts to "grasp the 'condensation' of the contradictions that 'are moving according to very different tempos' in the 'particular historical moment' that 'defines a conjuncture'" (Koivisto and Lahtinen 274). For cultural studies, a conjuncture is characterized by "the accumulation and condensation"—the fusing "into a ruptural unity"—of *various* and *different* problems and contradictions within an existing social order, not just political ones (Hay, Hall and Grossberg 16). Moreover, a conjuncture is "a point where different temporalities—and more specifically, *the tensions, antagonisms and contradictions which they carry*—begin to come together" (Clarke, "Of Crises and Conjunctures" 342). As Hall reminds us, it is also where these temporalities fracture—with all their tensions, antagonisms and contradictions.

The conjuncture, then, must be understood in relation to the *organic*—a level of abstraction between the conjuncture and the epoch wherein multiple crises that call particular conjunctures "into existence in the first instance" develop historically (Grossberg, "Wrestling with the Angels" 4). For the purposes of my argument, what connects a conjuncture to the level of the organic is the existence of a crisis by which organic forces characterize the contradictions of a particular conjuncture. The organic "makes the concept of conjuncture into a more specific, contextually-grounded concept" because thinking in terms of organic forms and forces requires us to grapple with what is actually occurring in a particular context if we are to have hope of remaking it (ibid).

The analytical move to the conjuncture is intended to help us confront the multiplicity of determinations and contradictions at work in a specific historical formation. Confronting these determinations and contradictions helps us understand both the articulation of organic forces within which a conjuncture operates and by which a crisis calls a conjuncture into existence. This, in turn, helps us understand how the conjuncture operates within organic formations and epochal transformations. In analytical terms, "thinking conjuncturally involves 'clustering' or assembling elements into a formation. However, there is no simple unity, no single 'movement' here, evolving teleologically" (Stuart Hall qtd. in Koivisto and Lahtinen 275).

Rather than seeking causal or deterministic explanations of historical (i.e. organic) transformation in a generalized canon of theories and concepts, cultural studies focuses on the mechanisms and operations of power within specific contexts and employs a variety of concepts and theories based on their analytical value for that context. "Concepts—whether old or new—too often allow us to think we understand the world before we do. We must use concepts but only and always in conversation with the demands of the material realities of the actual" (Grossberg, "Cultural Studies and Deleuze-Guattari, Part 1" 19).

> A conjuncture is constituted by, at, and as the articulation of multiple, overlapping, competing, reinforcing, etc., lines of force and transformation, destabilization and (re-) stabilization, with differing temporalities and spatialities, producing a potentially but never actually chaotic assemblage of articulations of contradictions and contestations. Thus, it is always a kind of totality, always temporary, complex, and fragile, that one takes hold of through analytical and political work. (Grossberg, *Cultural Studies in the Future Tense* 41).

A conjuncture, then, is not something that exists as an object independently of its construction through analytical choices—choices which are at once epistemological and political. Epistemologically speaking, conjunctural analysis presupposes that "knowledge is

understood as an act within the world rather than a representation of the world" (Grossberg,

Cultural Studies in the Future Tense 57). We assemble a conjuncture through the articulation

of contingent, contradictory and fluid forces that converge in a particular problematic or set

of problematics in relation to an organic crisis. This type of intellectual practice requires a

"conjunctive logic of multiplicity" which can account for the contradictory complexity of the

operations of power on people's lives (Grossberg, "Learning from Stuart Hall" 6). The

mechanisms and operations of power upon material reality are socially and historically

provisional. "Specific historical moments are the site of entanglements between multiple

formations and tendencies," thus requiring of analysis a serious consideration of the ways in

which "the residual and the emergent" forces become articulated to "the dominant struggles"

of the context instead of focusing solely on those dominant struggles (Clarke, "Of Crises and

Conjunctures" 340). The political character of conjunctural analysis arises from this

understanding as a commitment to construct knowledge that tells a compelling narrative

about the complexity of reality (while always recognizing the inevitable failure of such a

project)—all with the expressed goal of producing change in the world. These are the

epistemological and political foundations on which the project of conjunctural analysis as

understood within cultural studies is built.

The great value of a conjunctural perspective is not simply that it allows us to analyze

complex determinate relations within specific socio-historical contexts (although it certainly

does allow this), but that such analysis can serve as a basis for understanding the relation of

the conjunctural to organic transformations in ways that avoid essentialism, teleological

determinism, and economic reductionism. Within the context of my argument, this type of

perspective allows me to analyze the question of power in the United States in the 21st

century as a conjuncturally rearticulated organization of forces of political economy, technology and desire into what I will eventually describe as an organic form of corporate sovereignty within the epochal transformation of sovereignty writ large. This dissertation, then, functions as a form of conjunctural analysis, which necessitates an explanation of the move from conjuncture as a concept to conjuncture as a mode of analysis.

Conjunctural Analysis

As with the concept of conjuncture, there are variations between Marxist and cultural studies versions of conjunctural analysis. Marxist conjunctural analysis tends to be more temporal and causal in orientation. For both Gramsci and Althusser, it is an attempt to understand the causes and movements of problems within a conjuncture while remaining "anchored in a general theory of the abstract tendencies of the capitalist mode of production" (Callinicos 355) Cultural studies, on the other hand, understands that the abstract tendencies of capitalist production are only one factor in the development of organic forms as indicative of epochal transformations (i.e. long-term historical developments such as "Modernity"). They are also only one factor in the operations and mechanisms of power as they affect "the ordinary lives of located and embodied subjects" (Stacey 45).

This is what characterizes conjunctural analysis as the work of exploring the articulation of particular forces into assemblages, with an eye to identifying "how the balance of forces is being worked on, shaped, directed in the search for a 'solution' and a 'way forward'" (Clarke, "Still Policing the Crisis?" 125). [8] Conjunctural analysis, then, is a

---

[8] *Articulation* refers to "the contingent connection of different elements that, when connected in a particular way, form a specific unity," with elements understood as ideas, things, words, institutions, practices, and/or affects (Slack and Wise 127). *Assemblage* refers to "the ways that these practices, representations, experiences, and affects articulate to take a particular dynamic form […] a particular constellation of articulations that selects, draws together, stakes out and envelops a territory that exhibits some tenacity and effectivity" (Slack and Wise 129).

theoretical-analytical-political practice (Gunkel), guided by a conjunctive logic wherein "each additional clause transforms the meanings and effects of all the previous ones" (Grossberg, *Cultural Studies in the Future Tense* 17). Taken together, these considerations direct us to the major components and operations of conjunctural analysis: context, articulation, problematic, and a concern with political utility.

It is this notion of context that indicates the strength of conjunctural analysis as practiced in cultural studies over that of Marxist traditions. To focus on a context is to be concerned with the "specificity of particular practices" in socio-historical locations (Slack 117). Within the practice of conjunctural analysis, a context is constructed through the process of "radical contextuality" (Grossberg, "Standing on a Bridge" 318)—the analytical mapping of the relations of force that produce certain conditions of power within a closure of social reality. "The work [of radical contextuality] is done by historical specificity, by understanding what is specific about certain moments, and how those moments come together, how different tendencies fuse and form a kind of [temporarily sustained] configuration of contradictions" (Hall and Back 664). As an object of analysis *context* refers to the historically specific, concrete yet contingent "organization—by power—of the social formation as a configuration of unequal positions and relations" (Grossberg, "Does Cultural Studies Have Futures?" 3).

Analytically speaking, the context is constructed as an assemblage (i.e. a specific yet contingent unity of ideas, practices, etc.) through the practice of articulation. In a basic sense, "*articulation can be understood as the contingent connection of different elements that, when connected in a particular way, form a specific unity*" (Slack and Wise 152). But this

understanding carries with it a multiplicity of implications—theoretical, epistemological and political. Theoretically speaking, articulation can be thought of as a theory of contexts, and a way of making and remaking them—a way of thinking about social formations without lapsing into forms of reductionism or essentialism (Slack). Epistemologically, articulation serves two purposes. First, the practice of articulation helps to fragment perceived unities in order to demonstrate how social structures are comprised of "correspondences, non-correspondences and contradictions" (Slack 113). The articulation of an assemblage "begins by discovering the heterogeneity, the difference, the fractures in" what is perceived to be whole. (Grossberg, *Cultural Studies in the Future Tense* 22). In other words, articulation begins with the dis-articulation of relations that have been made to seem normal, essential and/or necessary. Second, articulation becomes a project of reassembling those relations into different unities that can produce (however temporary and contingent) other (and hopefully more equitable and productive) possibilities for social relations. This practice of re-articulation serves as an attempt to resettle "the social, political, economic and cultural contradictions in any particular" context in order to analyze the conjuncture ("Editorial" 5). Articulation, then, is the epistemological process of dis-articulation and re-articulation. In this sense, articulation is a method not only of cultural studies, but also a method of constructing reality—"the project of looking at the continuous production of relations which are never guaranteed in advance" and, as such, are open to contestation and intervention (Grossberg, "Cultural Studies and/in New Worlds" 4). This speaks to the political implications of articulation, whereby articulation becomes a strategy for pushing to the forefront the mechanisms and operations of power in a given social formation in order to find tactics for intervening in and contesting those mechanisms and operations (Slack).

But in and of themselves, articulations do not constitute a context as a conjuncture. It is only when these articulations are considered as overdetermined lines of force in an assemblage of power that they can be said to constitute a conjuncture. Epistemologically, the conjuncture trains our focus on the ways in which "an organization of power is being constructed through the disarticulation and rearticulation of relations" (Grossberg, *Cultural Studies in the Future Tense* 24). After all, power is constantly being (re)produced in different contexts under different conditions through different mechanisms and operations; it is "complexly and contradictorily organized, along multiple axes and dimensions that cannot be reduced to one another" (Grossberg, *Cultural Studies in the Future Tense* 29). As such, modes of power are themselves assemblages of mechanisms, operations and terrains of struggle within and through which force relations can be articulated anew into different contexts, which highlights the necessity of maintaining a commitment to radical contextuality throughout the process of analysis.

The analytical assembling of the problematic "is what constitutes the conjuncture" in that the problematic reproduces the accumulated and condensed articulations of force of a crisis as articulated to a particular context. Although the problematic is determined through the process of conjunctural analysis, "what constitutes the unity of the conjuncture then is its problematic(s), which [are] usually lived (but not necessarily experienced per se) as a social crisis of sorts" (Grossberg, *Cultural Studies in the Future Tense* 41). One's understanding of the problematic determines the questions on can ask about "the messy and complex political realities of the world," as well as the methods and types of empirical evidence that are required to grapple with those questions (Grossberg, *Cultural Studies in the Future Tense* 52). To say that a conjuncture is constituted by a problematic is not to say that a problematic

31

is the essence of a conjuncture; any problematic is the result of a choice of how to analyze the articulation of contradictions and crises that become "lived as a singular political crisis or struggle" (ibid). The construction (at once epistemological and political) of the problematic determines the socio-historical context one then seeks to further analyze.

The insistence on radical contextuality—as a simultaneous working-through of context, articulation and problematic—leads to an understanding of conjunctural analysis as a methodological framework for mapping and constructing conjunctures through practices of dis- and re-articulation, the purpose of which is to "configure a larger structure of relationships, contradictions and contestations" (Grossberg, "Modernity and Commensuration" 313).[9] A conjuncture is not an historical moment but a "condensation, an *accumulation* of tendencies, forces, antagonisms and contradictions" (Clarke, "Of Crises and Conjunctures" 341). This type of analysis immerses us in the complexity of contingently articulated relations in hopes of mapping out the fractures, gaps and uncertainties of existing power relations.

> Mapping a conjuncture makes it possible to begin to see where and how interventions might be desirable and successful, and how different interventions might influence change in one direction or another. […] In this way, cultural studies acknowledges that scholarship does more than merely report on or describe what is supposedly already out there, but always necessarily intervenes in the production of knowledge about the struggles that constitute the social formation, thereby contributing potentially to cultural change. (Slack and Wise 218)

This is not to suggest, however, that the politics of cultural studies (as the practice of conjunctural analysis) are presupposed (Grossberg, *Cultural Studies in the Future Tense*). Instead, the political commitment of conjunctural analysis is the "attempt to understand and intervene into the relations of culture and power" (Grossberg, "Cultural Studies and/in New

---

[9] Again, "structure" is understood here as a system of processes rather than as an object.

Worlds" 2), while constantly placing "our own assumptions, observations and values to the test of empirical complexities and political possibilities" (Grossberg, "Cultural Studies and Deleuze-Guattari, Part 1" 12). Conjunctural analysis is a strategic, tactical and (hopefully) logistical politics without guarantees—one that takes stock of the relational complexity of the terrain of power, the points of weakness among lines of force that characterize the terrain, the available resources for exploiting those weaknesses, and the moves necessary for (re)producing vectors of force in ways that do not reproduce the existing power relations of subordination and domination—always with a self-reflexive humility that recognizes our own positions as limited, contingent and open to revision in light of new evidence and better perspectives. The world is complex and messy and will never fit neatly into the conceptual, theoretical or methodological constructs we try to impose upon it. No single author, no single book, no single theory, and no single method can adequately answer the questions with which conjunctural analysis demands that we grapple. Our work should be done in conversation. And we must approach that collective work with an openness to trying out different approaches and (more importantly) with a willingness to be proven wrong, to fail and be forced to try again with a different approach. Questions of power are more important than our pet theories, our pet methods, or our egos.[10]

---

[10] Thanks to my friend, colleague and collaborator Megan Wood for many productive conversations that helped me clarify these ideas.

Of course, significant criticisms have been levied against cultural studies and (by proxy) conjunctural analysis for espousing this type of knowledge production. First, cultural studies has been accused of having no method, in that "conjunctural analysis is by itself too general a procedure to yield distinctive results" (Couldry 579). I hope that the preceding pages have demonstrated that conjunctural analysis is in fact a concrete *methodological framework* for constructing "a history [or, better yet, histories] of the present" (Hall and Back 664); this is a framework that remains necessarily open so as to accommodate a multiplicity of methods, depending on what is necessitated by the given conjuncture. As with theory, methods should be chosen according to their usefulness in relation to our problematics and contexts. If we refuse to fetishize theory, why would we fetishize a particular method or methods?

Second, conjunctural analysis has been criticized for focusing too heavily on the nation-state as an object of analysis—for defining a conjuncture first and foremost by the geographical boundaries of a nation-state. While this might be true of conjunctural analysis within an explicitly Marxist tradition, work within cultural studies

A Note on the Role of Theory and Method in Cultural Studies

Although the roles of theory and method within cultural studies have been addressed, I find it necessary to conclude this chapter with the following observations. Too often, the move between theory, method and empirics in analysis is enabled by a conceptual and/or disciplinary leap of faith that allows us to avoid a certain level of intermediary work—the demonstration of the calculations involved in such a move, as well as their epistemological and political implications. This tends (however unintentionally) to reinforce a fetishization of theory in critical intellectual work, and of method in empirical work. Instead, conjunctural analysis is based on the presupposition that theory is both a "toolbox" (Hall, "Stuart Hall—Interview 2" 768) and a "necessary delay or detour" rather than an object or goal in and of itself (Hall, "Cultural Studies and Its Theoretical Legacies" 283). It serves to

stands as a refutation of this criticism (Clarke, "Of Crises and Conjunctures"; Clarke, "After Neoliberalism?"; Gilroy, *After Empire*; Gilroy, *Against Race*; Gilroy, *There Ain't No Black in the Union Jack*; Gilroy, *The Black Atlantic*; Grossberg, *Caught in the Crossfire*; Grossberg, *Cultural Studies in the Future Tense*; Grossberg, *We Gotta Get Out of this Place*; Hall, *Hard Road to Renewal*; Hall et al.; Hall, Massey, and Rustin; McRobbie, *The Aftermath of Feminism*; McRobbie, *Feminism and Youth Culture*; Morris, *Identity Anecdotes*; Morris, *Too Soon Too Late*; Newman and Clarke; Rustin; Slack and Wise). While much of this work is defined by national formations and state politics, it does not focus on the nation-state to the exclusion of other institutions and phenomena. While certainly considerate of the role of the nation-state or national formation, cultural studies has consistently since its origination engaged with other problematics—including (but not limited to) race (Gilroy, *Against Race*; Gilroy, *There Ain't No Black in the Union Jack*), the African diaspora (Gilroy, *The Black Atlantic*), globalization and discourses of multiculturalism (Gilroy, *After Empire*), popular culture (Grossberg, *We Gotta Get Out of this Place*; Morris, *Identity Anecdotes*; Morris, *Too Soon Too Late*), cultural attitudes toward and treatment of youth (Grossberg, *Caught in the Crossfire*), modern philosophy (Grossberg, *Cultural Studies in the Future Tense*), populism (Hall, *Hard Road to Renewal*), crime (Hall, et al.), gender and feminism (McRobbie, *The Aftermath of Feminism*; McRobbie, *Feminism and Youth Culture*), the discursive formation of publics (Newman and Clarke), finance (Rustin), and technology (Slack and Wise), to name just a few.
But this criticism has implications beyond simply the practice of cultural studies. To ignore or even downplay the significance of the nation-state is to grossly misunderstand modernity, as well as the crises that overdetermine particular conjunctures. The nation-state and the business corporation are the dominant institutions of modernity. The state has played (and continues to play) a central role in capitalist development in the modern era (Ahmad). To downplay its significance is to leave oneself incapable of understanding the crises we face and (consequently) of being able to construct viable solutions to those crises. As such, cultural studies (as the project of conjunctural analysis) must at least grapple with the specter of the nation-state, even if it is not afforded a privileged status in our analyses. This critique regarding the centrality of national formations has a second dimension beyond nation-state. Cultural studies is often accused of having a limited, geographically-bounded understanding of space and place. However, the works of Doreen Massey, Paul Gilroy and John Clarke have done much to rethink space in a way that does not consider places as closed, bounded entities.

ground our engagement with what newly confronts us and to let that engagement provide the ground for retheorizing. Theory is thus a practice in a double sense: it is a formal conceptual tool as well as a practicing or 'trying out' of a way of theorizing. In joining these two senses of practice, we commit to working out momentarily, temporarily 'objectified' theories, moments of 'arbitrary closure,' recognizing that in ongoing analysis of the concrete, theory must be challenged and revised. (Slack 114)

We must adapt methods and theories to historical realities. As importantly, we must also recognize our theories and methods as the products of those historical realities.

From a cultural studies perspective, there can be no theory qua theory; even that which professes to be so must be recognized as contextually contingent in the sense that any theory is only ever the product of the complexities, crises, contradictions, over- and under-determinations, and human practices of the socio-historical context within which it is developed. Any theory "which calls itself The [Theory] of anything whatsoever must be suspected a priori of erecting a false *totality* [or certainty] based on dubious absolutes which will serve *only* to mask and reinforce" the concentrations of power that conjunctural analysis aims to expose and undermine (P. L. Wilson 16). Moreover, there can be no commitment to any particular method because such a commitment presupposes that different problematics can be analyzed in the same way. The type of critical intellectual work that cultural studies strives for is "committed to the detour through theory even though it is not theory driven" (Grossberg, "Cultural Studies and/in New Worlds" 2). It is also committed to finding appropriate methods as suggested by the demands of the specific context under analysis. It necessarily follows, then, that theory and method are mutually constitutive, developing "in relation to the changing epistemological positions and political conditions as well as providing guidance for strategic intervention" (Slack 113).

What I am suggesting here is that theory and method can be articulated into each other rather than being transposed onto each other; they are imbricated rather than additive; they are a product of the specific work at hand rather than a set of pre-existing frameworks that can be transplanted from one analytical terrain to another. This is not to suggest that any form of conjunctural analysis will be completely novel. On the contrary, it draws upon pre-existing theories, methods and analyses in order to construct a narrative about "what's old, what's new—and what's rearticulated" in a given conjuncture (Grossberg paraphrasing Gramsci in Hay 87). Nor is conjunctural analysis intended to refer only to that conjuncture. It is a way of demonstrating the overdetermination of a particular context by organic formations in epochal transformation.

In this way, conjunctural analysis (at its best) can produce "machinic [rather than structural] theor[ies] of power" (Grossberg, "Cultural Studies and/in New Worlds" 7)—machinic theories that are capable of limited redeployment across contexts and/or levels of abstraction so as to constantly re-theorize the rearticulated problematics that characterize the organization of power. Whereas a structural theory of power emphasizes hierarchical social formations as relatively static, a machinic theory considers power in systemic, processual terms as contextually-articulated organizations of force relations. Conjunctural analysis is a way of answering Marx's imperative to move between levels of abstraction in order to get from the empirical to the concrete in a specific socio-historical context—always with the question of power in mind. Specifically related to my argument, this type of analytical practice helps us understand contemporary operations and mechanisms of power in a way that characterizing the current era as neoliberal cannot. This is demonstrated in the following pages.

PART I: FROM NEOLIBERALISM TO CORPORATE SOVEREIGNTY

CHAPTER 2: NEOLIBERALISM AND ITS DISCONTENTS[11]

Introduction

      Our inability to come to terms with the current state of affairs is due in part to the stories we tell about where we are and how we got here, the way we explain the context within which current crises operate and out of which they developed. This chapter addresses what has become a dominant narrative in critical scholarship and public discourse concerning the political, economic and social transformations and crises of the past few decades—a narrative centered on the concept of neoliberalism. After briefly describing the concept/story, I then identify some of the shortcomings of this narrative in order to shift the conversation from neoliberalism to an understanding of corporism. I define what is meant by *corporation* and explain how this definition allows us to understand the contemporary conjuncture as corporist rather than neoliberal. The chapter concludes with a history of the changing relationship between the U.S. nation-state and the legal form of the corporation to demonstrate: 1) the necessity of understanding the contemporary conjuncture as corporist rather than neoliberal; and 2) the construction and assertion of corporate sovereignty in the United States.

---

[11] Portions of Chapters 2 & 3 were presented (in another form) to the annual meeting of the Association of American Geographers (AAG) in San Francisco, CA, in March of 2016 as: Davis, Andrew, and Carolyn Hardin. "Overcoming the State-Market Dichotomy: Neoliberalism as Corporate Sovereignty." Some of the research and initial writing of what would become the section "Neoliberalism" was done by Hardin. It has, however, been added to and significantly rewritten by myself for inclusion here.

Neoliberalism

A wealth of scholarship in the past few decades argues that we are living in the era of neoliberalism. What this actually means varies; it can be understood alternately as the logic of governmentality (a la Foucault) "that arises as the [political] projection of the rules and regulations of market competition" (Gago 176), as a set of policies and structural reforms enacted through national governments and international organizations, or as a mode of entrepreneurial subjectivation.[12] This narrative most often posits neoliberalism as a top-down, free-market and anti-state "agenda developed by economists, put into practice by corporations, governments, and international financial institutions, and embodied in policies of deregulation, financialization, and the gutting of the welfare state" (A. Davis 173).[13] In many ways, the term has come to refer to almost any set of cultural, economic and/or political transformations occurring since the 1970s.

Despite the variety of ways in which the term is conceptualized (and the variety of disparate phenomena to which it now refers), William Davies offers a useful understanding of both the historical development of neoliberal economic thought/practices and the core characteristics shared across the various literatures concerning neoliberalism. Davies traces the foundations of neoliberal thought to the works of Ludwig von Mises and Friedrich Hayek who (among others) sought to rethink economic liberalism in response to a variety of drastic developments in the wake of the Great Depression, including "the rise of corporations, trade

---

[12] Those interested in a more detailed overview of neoliberalism should consult Colin Crouch's *The Strange Non-death of Neoliberalism*, David Harvey's *A Brief History of Neoliberalism*, and Kean Birch's *We Have Never Been Neoliberal*.

[13] Although this narrative acknowledges the role of business in the practical application of such policies, it does not account for the central role of the business corporation in the current conjuncture beyond positing it as fundamentally opposed to the functions of the nation-state. It must be noted that recent scholarship has begun to unsettle the state/market dichotomy of the dominant narrative (Birch; Crouch; Gago; Hardin; Panitch and Konings), but this trend is still nascent.

unions, social policies, regulation and state socialism," as well as "protectionism, macroeconomics, the New Deal in the United States and totalitarianism in Europe" (Davies 311). These developments troubled economic liberals, who sought a solution in retheorizing the "price system of the market" as a foundation for the political freedom they saw as being under threat (ibid.). In 1947, Hayek founded the Mont Perelin Society, a think tank dedicated to formulating non-socialist principles for organizing society. Unlike many of the people who would later develop neoliberal ideas and policies, Mises and Hayek considered themselves to be political liberals (in the classic sense) and believed that political liberalism depended on free markets.

Neoliberal thought has developed in various ways in different countries since then. From the 1930s through the 1950s, German ordo-liberalism was a dominant school of thought concerning market forces and political relations, especially in Europe. This position is characterized primarily by a belief that political rights are best guaranteed by competition in the free market, with the nation-state required "to enforce a competitive order" (Davies 312). By the 1970s, neoliberal thought had come to be dominated by an American variation developed by economists at the Chicago School of Economics, primarily Milton Friedman and George Stigler. The position of the Chicago School at the time was characterized by a "resolute belief in the capacity of economics to explain all forms of human behavior, whether inside or outside markets" (Davies 313), along with a belief in the efficiency of monopoly and a deep skepticism concerning government intervention.[14] The crises of Keynesianism and Fordism in the 1970s shifted this position into a "new paradigm of economic policy-making" (first in the United States and United Kingdom, then exported to countries such as

---

[14] Friedman and Stigler's views on monopoly are indicative of a tendency within certain variations of neoliberalism to espouse a free-market rhetoric while advocating for policies that actually hinder free markets.

40

Chile) whereby the nation-state should be mobilized to restore profit rates through legislation, privatization, deflationary and monetary policy, and the weakening of labor and trade unions (Davies 314).

Michel Foucault is largely responsible for bringing the term neoliberalism into critical theory. For Foucault, neoliberalism should be understood as the complete transformation of personal and social life according to logics of enterprise and economic performance (*The Birth of Biopolitics*). Neoliberal social life is, in this sense, regulated by private and non-state actors for the assurance of competitiveness and inequality, which are seen as guarantors of order and freedom. By the 1990s, the term *neoliberalism* had been "adopted principally by the critics of a perceived free market orthodoxy which was spreading around the world under the auspices of the 'Washington Consensus'" to refer to any number of phenomena, including (but not limited to) financialization, deregulation, increased support of the financial sector by the state, and the further dismantling of social protections and public institutions (Davies 309).

Since the global financial crisis of 2007-2009, which called into question the success of neoliberal ideology without actually leading to the rejection of neoliberal policies and practices, there has been a sort of conceptual crisis among scholars to refine and redefine the term. This has resulted in part in a multiplication of the confusion around the analytical value of *neoliberalism* as an effective tool for explaining and challenging contemporary cultural, economic and political problems. As noted by Rajesh Venugopol, "neoliberalism is now an overloaded and unwieldy term that occupies a fluid and growing terrain that expands and contracts arbitrarily across several dimensions, but which increasingly lacks firm foundations in real world referents" (171).

Despite the various positions within and critical understandings of neoliberalism, William Davies has identified several core characteristics that are shared across the various literatures. First, neoliberalism is understood as a "modernizing force" inspired by Victorian liberalism and its understanding of political freedom as linked with industrialization, capitalism and representative governance (310). Second, it is characterized by a drive to marketize, neutralize or reinvent the activities and institutions that are external to the market (e.g. universities, labor and trade unions, public administration). Third, neoliberalism views the state as an active force in the production and reproduction of "the rules of institutions and individual conduct" to accord with the "ethical and political vision" of marketization (ibid.). Finally, "competitive activity, that is, the production of inequality" forms the core of neoliberal ethics and politics (ibid.).

These characteristics converge in what Carolyn Hardin and I have argued is the analytical core of neoliberalism: the changing relationship between the nation-state and the market. While disagreements over the multiple, contingent, polymorphic and contradictory nature of neoliberalism abound, there seems to be nearly universal acceptance of neoliberalism as being fundamentally about this relationship. This assumption plays out in a number of ways across the critical literature, beginning with Foucault, who distinguished between the German ordo-liberalism and American neoliberalism mentioned above. The German variant of neoliberalism argued for a reversal of liberal governmentality, such that the state operates "under the supervision of the market rather than a market supervised by the state" (Foucault, *The Birth of Biopolitics* 116). American neoliberalism, on the other hand, argues for the total subordination of the nation-state (as well as other non-market institutions and phenomena) to the market. For Foucault, this is as much (if not more) a question of the

production of particular forms of subjectivity as it is about the production of an economic and political system.

In regards to this question of subjectivity, Foucault traces the transformations of liberalism and neoliberalism to arrive at the figure of *homo oeconomicus*— the biopolitical subject of labor and "the analytical grid of economic activity" (Foucault, *The Birth of Biopolitics* 226). Within the context of liberalism, *homo oeconomicus* stands as "the partner of exchange and the theory of utility based on a problematic of needs" (ibid); with the transformation to neoliberalism, this subject acquires status as what is now commonly known as prosumer—the confluence of production and consumption into a single subject. Within neoliberalism, *homo oeconomicus* becomes "an entrepreneur of himself [sic] […] being for himself his own capital, being for himself his own producer, being for himself the source of [his] earnings" (ibid). This subject status, coupled with the inseparability of *homo oeconomicus* from civil society, indicates the culmination of the neoliberal project of trying "to use the world market economy and the typical analyses of the market economy to decipher non-market relationships and phenomena which are not strictly and specifically economic but what we call social phenomena" (Foucault. *The Birth of Biopolitics* 240).

Beyond questions of subjectivity, Foucault's arguments concerning the overtaking of the state and the society by market forces has fueled a generation of scholars seeking to document the success of market logic. For example, Wendy Brown uses Foucault as a starting point to chronicle the economization of spheres and activities previously considered to reside outside the realm of the market, especially as they relate to the nation-state. For example, Brown considers bureaucratic best practices that have found their way from the business world into the workings of government and non-governmental organizations

(NGOs), replacing political decision-making with market logic. These practices "represent not merely the intimacy, but the consolidation of government, business, and knowledge endeavors into" a mode of power that is determined by market logic (Brown 141). This subtle but widespread "marketization of the political sphere" is the neoliberal triumph of the market over representative democracy (Brown 39).

Another use of the term *neoliberalism* to describe the current conjuncture focuses on the "Washington Consensus" mentioned above. This refers to the structural adjustments imposed on nations by the International Monetary Fund (IMF) and the World Bank; in the critical literature, this is characterized as the marketization—the imposition of market rule—on less powerful and traditionally socialist nation-states in the Global South (Venugopal). Even those arguments that reject the totalizing frameworks offered by Foucauldian and "Washington Consensus" applications of *neoliberalism* replicate the nation-state/market dichotomy described herein. While Aihwa Ong aims to dismantle the notion of "'Neoliberalism' writ large" by highlighting the contingency of the term to various contexts (14), her argument envisions neoliberalism as a "technology of government" enacted as an exception (or with exceptions) to the norm of market logic or market-oriented policy objectives (Ong 3). But neoliberalism is still, from this perspective, understood as being about the evolving relationship between traditional concerns of the nation-state (i.e. government, territory and sovereignty) and the introduction of market-driven calculations, even if the relationship varies in different contexts.

An impressive variety of work has used *neoliberalism* as a framework to examine phenomena as diverse as the reconstitution of class relations (Harvey), a transnational community of thought leaders (Mirowski), and the entrepreneurial practices of migrant

communities in Buenos Aires (Gágo). There are many disagreements and confusions over

neoliberalism, but they all seem to agree on the fundamental relationship between the nation-

state and the market. This near total acceptance of a dichotomy between the nation-state and

the market brings with it a number of related assumptions. First, because neoliberalism is

fundamentally about the changing relationship between the market and the state (in

particular, the marketization or overtaking of the state by the market), the nation-state is

assumed to be different from and opposed to the market. The state is assumed to have been at

one point an insulated domain of sovereignty unrelated to and/or unbesmirched by the

market. Marxist political-economic analyses have demonstrated time and again, however,

that the nation-state is never independent from the economy. Second, the market is assumed

to be a verifiable thing that encapsulates economic (especially capitalist) imperatives. But

"the market" is a bloated and untenable analytical construction that consistently escapes

empirical verification and critical scrutiny. The abstracted notion of the market is based not

only on an imagined continuity between ancient bazaars and the processes of production and

exchange within contemporary capitalism, but also on a homogenized understanding of

capitalism that cannot account for the sheer diversity of practices at work in the economy.

This entrenchment of the nation-state/market dichotomy in discourses on

neoliberalism is captured quite poignantly by Rajesh Venugopal as he considers the breadth

of conceptual issues carried within the term:

> Does neoliberalism imply a contraction of the state vis-à-vis the market, or just a
> different kind of state that promotes and works at the behest of markets? Is
> neoliberalism a depoliticized and technocratic fetishization of the market, or is it a
> deeply political agenda of class rule and neo-colonial domination? Is it a Leviathan
> that bludgeons its way around the world, or is it a far more subtle, mutating,
> localized, contingent force that works by transforming individual subjectivities? Is
> neoliberalism an absolute final state of being, or is it a relative category, describing a
> direction of travel? Does it represent a radical, 'paradigmatic' departure, or is it a far

more modest recalibration of state-market relations with more continuities than discontinuities with the pre-neoliberal past? (166)

We cannot answer these questions without first reframing the story we tell about where we are and how we got here. None of the accounts of neoliberalism discussed above deal in any significant manner with the institution that is responsible for constructing both markets and the framework of representative governance in the first place: the corporation. I am not the first to suggest that the literature on neoliberalism needs a more robust account of the corporation. Colin Crouch has argued that it is corporations (and not the market) that are overtaking the state. Kean Birch claims that contracts between corporations (and not market interactions) are the economic prime mover. But both still rely on an understanding of the contemporary moment as being the era of neoliberalism. If we are to take the role of the corporation seriously, we are better served in jettisoning *neoliberalism* in favor of a corporist understanding of the current conjuncture. The following section explains why.

To Corporism

As I have argued elsewhere, neoliberalism may have "outlived its usefulness as an analytical mechanism for understanding the processes, policies, and practices of contemporary capitalism. It is too amorphous, all-encompassing, and ahistorical at this point—what is the distinct character of the term if we see it everywhere, in every mode of public, private, and common life, even those we claim to resist or operate in opposition to it?" (A. Davis 174-5).

While I am concerned with the phenomena addressed in the literature on neoliberalism, I hope to regain a sense of conceptual clarity that has been muddled by our reliance on the concept of *neoliberalism*. In this understanding of the current era, the nation-state and the economy (often conflated with the nebulous and transcendent "market") are

46

posited as distinct, even opposed entities. The predominant popular (as opposed to critical) understanding of the dichotomy between politics and economics posits the nation-state as a somewhat-necessary evil that inhibits freedom within the market, which is itself posited as the guarantor of individual freedom and social betterment. The economy, moreover, is naturalized in popular discourse in such a way as to foster the belief that market economics is a fundamental and morally-sanctioned mode of organizing social relations. Both critical and popular discourse tend to construct a fictional dichotomy between politics and economics, wherein the nation-state and the economy exist independently of (and at odds with) one another. But such a distinction is empirically incorrect; it is the construct of analytical, disciplinary and even political distinctions that are themselves artificial. There is a recursive, mutually-reinforcing relationship between the economic and the political. As such, the project of cultural studies (as the practice of conjunctural analysis)—with its emphasis on relationality, contingency and radical contextuality—is better suited than much of the work on neoliberalism for analyzing the contemporary conjuncture.

Marc Eisner's *The American Political Economy: Institutional Evolution of Market & State* explicitly argues against the neoliberal characterization of a divide between the market and the state. Eisner argues that the nation-state/economy distinction prevents us from understanding that the nation-state and the economy are fundamentally intertwined.[15] There is an empirically-demonstrable mutual evolution of the American nation-state and the economy in relation with one another. Moreover, this relation is not always (or even regularly) antagonistic. The dichotomy between the economy and the nation-state that

---

[15] Eisner is not only author to highlight the mutually-constitutive relations between politics and economics. For example, Karl Polanyi's *The Great Transformation* and Aneesh Chopra's *The Innovative State* are indicative of a strong critique of the state/market dichotomy often overlooked in the literature on neoliberalism.

dominates current theory and popular understanding stems from the conflation of the market

with the economy as a whole. The market, however, is simply one economic variable—

fictional or (at most) ambiguous, heterogeneous and unverifiable—even though we tend to

treat it as if it were the fixed center of political and economic policy (Eisner). The distinction

between politics and the economy-as-market is not based on empirical phenomena, but rather

on analytical choices and political agendas. To this must be added a disciplinary dimension

resulting from

> the professionalization of the social sciences in the late nineteenth and twentieth
> centuries. Political economy [which, until that time, had understood nation-state and
> economy as being mutually constitutive] was fractured into several disciplines, most
> importantly, economics and political science. Increasingly, economists focused on
> market behavior, a world of voluntary exchanges populated by rational utility
> maximizers and governed by the price mechanism. Most political scientists, in
> contrast, studied political power, coercion, conflict, and the rules and formal
> institutions that translate political demands into public policies. While this division of
> labor may have served some important disciplinary functions, it reinforced an illusion
> that there is a clear market-state dichotomy, a line of demarcation between separate
> realms of human action governed by their own internal logics. (Eisner 5-6)

And while this long preceded neoliberalism, it indicates the historical precedents that

in many ways set the stage for current debates about the relation between economics and

politics. In order to dispel ourselves of this political, analytical and disciplinary fiction, we

need to cultivate an evolutionary and relational understanding of political economy—one

"concerned with the relationships between public and private institutions as they change in

historical time," with particular emphasis on "those moments of crisis that have occurred

periodically over the course" of modern history (Eisner 5). We need a conjunctural approach

to questions of political economy, and a re-articulated understanding of the relationship

between the nation-state and the economy as being mutually constitutive. And, I suggest, we

must reframe this relation as that between the nation-state and the corporation. What appears

as a nation-state/market dichotomy is, in fact, a nation-state/corporation matrix of power relations.

Neoliberal scholarship has largely ignored one of the most significant factors of the contemporary context: the relationship between the nation-state and the business corporation.[16] As noted by Colin Crouch (2011), scholarship on neoliberalism needs a more adequate theorization of the role of the corporation in the transformations and crises that characterize the current era. What are generally referred to as characteristics of neoliberalism (e.g. deregulation, privatization, the gutting of the welfare state, the economization of non-economic factors) are all outcomes of the evolution of American corporate capitalism—the "privileged position and subjectivity [of the capitalist corporation] relative to ownership and means of production" (Miron, p. 179), relative to labor, relative to the organization of social relationships, relative to economic markets, and (most significantly) relative to the functions of the nation-state. Kean Birch has even suggested that "neoliberalism is better defined as a financialized system of corporate monopoly" (Birch, p. 84).

In a general sense, the term "corporation" refers to a legally-recognized association of individuals—the existence, rights and liabilities of which are independent from those of the individuals who comprise its membership. A corporation can take form as a business enterprise, a non-profit charitable organization, a think tank, a municipality, or an academic institution, to name a few. For the purposes of the argument at hand, I use the term "corporation" to refer to a privately-owned limited liability capitalist business endeavor that

---

[16] Too often, the term "corporation" is invoked in a way that does not recognize the variety of corporate forms. In the following pages, I use the term to refer specifically to privately-owned business corporations, some of which are publicly traded on stock exchanges and some of which are close-held by a small number of individuals with no public issuance of stock. I am not referring here to non-profit, public, municipal or academic corporations. The one exception to this is my discussion of ALEC, which is legally a non-profit charitable corporation.

has been legally established through articles of incorporation, which may or may not be publicly traded on a stock exchange.[17]

The corporation as a legal institution has a much longer history than is generally assumed. While some scholars trace the origin of the legal form of the corporation to the Roman Empire prior to the introduction of Christianity (Williston), others trace it to the establishment of the Aberdeen (Scotland) Harbour Board and the Corporation of London in 1136—concurrent with the recognition of the "legitimacy of private property" by the Vatican (Truitt xv). Specifically concerning the business corporation, the oldest one still in existence is Stora Enso—a Swedish company established in 1347 (Truitt). However one chooses to date its origins, the corporation predates both capitalism and the modern nation-state; neither would have developed in the ways they have without the legal existence of the corporation. Indeed, it is the business corporation itself that has determined, more than any other institution, the development of political and economic power in American modernity.

The alternative narrative presented here indicates the necessity of understanding this not as the era of neoliberalism, but the era of "corporism" (Hardin 215)—a contextually-specific cultural relation between the nation-state and the corporation whereby rights, security and even individual subjectivities are framed primarily in reference to the rights, security and status of the corporation as a legally-recognized person—as the defining characteristic of the contemporary conjuncture. In Carolyn Hardin's estimation, corporism is actually the "'neo' in neoliberalism" (199). I extend this term to mean not only a cultural relation, but a political and economic one, as well, specifically as it relates to the struggle of

---

[17] The one exception to this is when I refer to the American Legislative Exchange Council (ALEC), which is legally a non-profit charitable organization. However, my use of the term still applies to ALEC in that its agenda is determined and its membership is comprised in part by executives from business corporations.

American society to redefine itself in the wake of the recent global economic crisis and the ongoing domestic political crisis. For these reasons, the following section presents a corporist (rather than neoliberal) narrative of the relationship between the United States government and the legal form of the business corporation over the pasty fifty years. Such a narrative historicizes this relationship as an organic form of corporate sovereignty in so much as the evolution of the relationship has overdetermined the (re)production and (re)articulation of cultural, economic and political power relations in the current conjuncture. The following section expands on Hardin's work by tracing the historical developments that got us to this era of corporism. It also provides a basis for considering how this political, cultural and economic relation (i.e. corporism) developed out of the construction and assertion of corporate sovereignty in the United States.

A Corporist History of the United States[18]

This section provides an historical framework for my argument that any understanding of power within the context of American modernity must provide an analytical account of the relationship between the nation-state and the legal form of the corporation. The colonial corporations that financed and organized European (most notably, British) expansion into North America (e.g. the Virginia Corporation and the Massachusetts Bay Corporation) established the framework of governance that became state legislatures, which in turn granted the geographically- and temporally-limited corporate charters of the 19th

---

[18] This history is intended only to indicate general evolutionary trends in the transformation of the relationship between the nation-state and the corporation as a way of contextualizing the analysis in Chapter 5. A wide variety of existing research covers this transformation in detail (Abbot; J.T. Adams; Beatty; Berle and Means; Bowman; Brewster; Burns; Cook, Jr.; J. P. Davis; Dewey; Domhoff; Drucker; Eisner; Gomory and Sylla; Handlin; Hurst; Lipartito and Sicilia; Livingston; Marris; McBride; McDermott; Micklethwait and Wooldridge; Mueller; Roy; Sciulli; Scott; Seavoy; Sklar, *The Corporate Reconstruction of American Capitalism*; Sklar, *The United States as a Developing Country*; Truitt; Weinstein; Williston).

51

century. Due to a number of key court cases—and culminating in the expanded scope of the 14th Amendment in the decades following the Civil War—these charters paved the way for corporate control over large sectors of finance, economic production and organization, and technological development, resulting in the conditions of power we now experience.

Rather than assume a stable corporation, I want to offer a genealogy comprised of four distinct yet overlapping eras that define the evolution of the corporate form in the United States, especially in relation to the nation-state: 1) the era of nation-building (i.e. the colonial era through the mid-19th century)—characterized by colonialism, imperialism and the formation of the nation-state, as well as a crisis of royal sovereignty; 2) the era of monopoly capital (i.e. post-Civil War through the early 20th century)—characterized by the transition from proprietary capitalism to corporate capitalism (both emergent and consolidated), as well as crises of labor and profit; 3) the era of conglomeration (i.e. post-World War II through the early 1970s)—characterized by corporate combination and expansion, as well as a crisis of capitalism itself; and 4) the era of corporism (i.e. the late 20th and early 21st centuries)— characterized by the assertion of corporate sovereignty through corporate restructuring and the multiplication of global crises. Each of these eras in American history indicates a different phase in the construction and assertion of corporate sovereignty as expressed through the evolution of the relationship between the U.S. nation-state and the corporation— with each characterized by differing forms of and contradictions between these two institutions.[19]

---

[19] My understanding of the relationship between the nation-state and the corporation—and the transformative eras of that relationship's evolution—is informed by the work of historians and legal scholars.

The Construction of Corporate Sovereignty, 1: The Era of Nation-building

This era of American history was characterized by colonialism, imperialism and the formation of the U.S. nation-state, as well as a crisis of sovereignty. Not only did European colonization of the Americas coincide with the emergence of the chartered limited liability corporation in the 16th and 17th centuries, these corporations were granted charters (first by monarchs, then by parliaments) specifically for the purposes of establishing colonial monopolies in the Americas (J. P. Davis; Micklethwait and Wooldridge; Truitt). As instruments of the royal sovereign desire to create empire, these corporations "were organized by wealthy merchants and members of the aristocracy who were given a charter by the Crown to undertake their business in designated parts of the world" (Truitt 4). These corporations were not, however, simply instruments of business. They were regarded as public agencies "to which had been confided the due regulation of foreign trade, just as domestic trades were subject to the government of the guilds" (Williston 10). Moreover, colonization required the political administration of settlers, leading to early forms of both representative governance and international relations "whether directly through national governments or indirectly through the medium of commercial corporations" (J. P. Davis 157). In addition to coordinating efforts between the royal sovereign, the aristocracy and private enterprise for the purposes of colonial and imperial expansion, these chartered companies developed representative governance within colonial assemblies for the purposes of internal organization and management. These colonial assemblies became the template for state legislatures and the federated electoral system of representation that characterizes the U.S. nation-state. In short, the corporate form became a model of representative governance in order to ameliorate the problem of sovereign rule at a distance.

53

These colonial corporations were the direct precursors to modern capitalist

corporations in that they were established on medieval principles of issuing stock to investors

in order to finance their commercial ventures, and of limited liability, which protects

investors from any financial liability beyond the amount invested, and any legal liability for

malfeasance on the part of the corporation. The main reason for combining the sale of shares

in a corporation with limited liability comes down to the fact that "colonization was so risky

that the only way to raise large sums of money from investors was to protect them"

(Micklethwait and Wooldridge 18). In addition to these characteristics inherited from the

Middle Ages, chartered companies (most notably, the British East India Company)

developed what is still a defining bureaucratic feature of the capitalist corporation: a tiered

structure of administration that divides capital and management through the establishment of

the position of governor (equivalent to the modern Chief Executive Office), a general court

(equivalent to the modern Board of Directors), a court of directors that was responsible for

day-to-day operations (equivalent to modern-day middle management), committees that

functioned as a central corporate office, and departments for accountants, clerks, office

personnel (referred to at the time as civil servants), finance, accounts, and buying and

shipping. These chartered companies (with their own administrative bureaucracies and often

their own private military forces) are an early example of outsourcing to the private sector

(Truitt). And they were always instruments of empire.

The main English corporations involved in the colonization of North America were

the Virginia Corporation (established by royal charter of James I in 1606), the Massachusetts

Bay Corporation (established by royal charter of Charles I in 1629), and Hudson's Bay

Company (established by royal charter of Charles II in 1670).[20] Colonial settlement of the United States and Canada was financed, organized and administered by British corporations. Since my argument is concerned exclusively with what is now the United States, this section focuses primarily on the Virginia Corporation and the Massachusetts Bay Corporation.

The royal charter to establish the Virginia Corporation provided monopoly trading rights to the company in the geographical area that would become the Virginia Colony. In addition to limited liability, a tiered administrative structure, and the ability to raise venture capital for its expeditions through the issuance of stock, the Virginia Corporation exhibited two additional characteristics that are now standard in the modern capitalist corporation— namely, "perpetual stock [i.e. the transfer of wealth across generations] and payment of dividends" based on corporate profits (Truitt 5). These characteristics contributed to the modern construction of the corporate practice in the sense that perpetual stock allows for an unlimited life-span, while the payment of dividends underlies corporate concerns with quarterly earnings for shareholders.

The administrative structure of the Virginia Corporation was designed to give share-holding members voting privileges equal to their shares, a role in choosing company officers, and decision-making rights regarding company policies. This "became the basis for the first government" in Jamestown in 1619—i.e. "the general assembly of the colony of Virginia"— which provided "the template for representative democracy throughout British North American colonies" (Truitt 5-6). This act of "mutual contract between the ruler and ruled" (i.e. the representative accountability of elected leaders to their constituents) against the divine right of the royal sovereign continued until 1624, when James I revoked the Virginia

---

[20] Hudson's Bay Company is "still in existence as the world's oldest multinational corporation" (Truitt 3).

Corporation's charter and the Virginia Colony became a crown colony under royal sovereign authority (Truitt 5).

The Massachusetts Bay Colony began in 1620 under very different circumstances as an experiment in proto-communism, with communal property and an equal division of wealth. A royal charter for the colony was not granted until 1629, when Governor William Bradford imposed the rule of private property. As with Virginia, the corporate organization of the chartered company in Massachusetts Bay (after the granting of a royal charter) laid the foundation for representative democratic government in the colony. The transformation of the colony into a colonial corporation had the effect of linking colonial governance with economic practices. "Political liberties were inextricably linked with private ownership of property in the Virginia and Massachusetts colonies, both having been conceived as corporations and modeled on British corporate governance practices" (Truitt 6). Also as with Virginia, the Massachusetts charter was later revoked—this time by Charles II in 1684 "for encroachment on the royal [sovereign] prerogative in founding Harvard College" (J. H. Baker 126).

Representative democracy—whether in the form of colonial assembly, state legislature or the federal electoral system—was modeled precisely on the corporate form of governance discussed here. Colonies were enabled by royal corporate charters; with the exception of Massachusetts, they were sovereign-sanctioned corporate monopolies before they were colonies and only enabled to become colonies as such because they were sanctioned by the royal sovereign through corporate charters. The history of the colonial corporation in what became the United States troubles the assumption that some originary form of the nation-state in this context predates corporate interests. Instead, the corporation

played a foundational role in the establishment of the nation-state as well as sharing the burden of building the nation as a federated system of states following the American Revolution and the Constitutional Convention. American nation-building relied heavily on "chartered corporations, endowed with special monopoly rights, to build some of the vital infrastructure of the new country—universities […], banks, churches, canals, municipalities, and roads" (Micklethwait and Wooldridge 43). In fact, "one of the less appreciated reasons for the rapid rise of the U.S. economy in the nineteenth century in comparison to other nations was the relative ease of obtaining a corporate charter in America" (Gomory and Sylla 102). Between 1790 and 1860, the number of business corporations established in the United States greatly exceeded those in any other nation; it most likely exceeded those in all other nations combined. This allowed for the establishment of a national economy, with the corporation as a vehicle for its emergence and rapid growth. "The United States thus became what might be called the first *corporation nation* (Gomory and Sylla 104).

The pervasiveness and centrality of the corporation in the 19th century is owed in part to the failure (even unwillingness) of early U.S. states to reign in the form that birthed them as colonies. The reason this responsibility fell to the states themselves instead of the federal government goes back to deep divisions within the Constitutional Convention regarding the location of sovereignty in the new republic; these divisions centered on which institution should have the power to grant corporate charters. Although James Madison proposed an amendment during the drafting of the Constitution that would give the U.S. Congress power to charter corporations in the interest of the nation-state, it was voted down. The issue was so contentious that the absence of any discussion about corporations in the Constitution was intentional (Rothkopf). Following the establishment of the U.S. nation-state, corporate

charters were generally granted by state governments for specific public works projects of limited duration, with strict legislative and judicial control over charters and contracts. But such control was not an attempt to restrict the corporations as such. It was to fit the legal form of the corporation to the experience of nation-building. The first colonies (and, later, states) to provide less restrictive corporate laws were precisely those colonies that were originally chartered corporations and had faced the most antagonism from the royal sovereign over issues of governance. Not only had these states originally existed as corporations, but they all "also faced long periods of uncertainty [in regards to the royal sovereign] with regard to their legitimacy and rights as corporations" (Kaufman 405). This experience led such states (e.g. CT, MA, NY, PA, RI) to open up access to incorporation and expand corporate privileges and rights. Of these, Massachusetts, Connecticut and Rhode Island were the first to change "incorporation from tightly controlled and limited to available to almost anyone who could afford the incorporation fee and for any purpose" (Kaufman 402).

What control did exist was intimately connected with cultural suspicion against the paternalist and communalist implications of corporate association, as well as the historical connections between the corporation and the royal sovereign. The fact that colonial corporations had been able to challenge the authority of the royal sovereign in laying the groundwork for the formation of the states themselves cannot, in this regard, be discounted.

> To fit the corporation for American service, the first task was to strip away the communal overtones, the garments of special privilege and restrictionism that still clung to it. Corporate organization was to be transmuted from the boon of a whimsical sovereign into a right which was to be readily available to all. The corporation was changed from a body politic into a *persona ficta*. As a legal person it was qualified to bear all the rights with which an age of individualism generously clothed persons of flesh and blood. (Chayes v)

However, early attempts to subjugate the rights of the corporation to the power of government quickly ran up first against the growing power of the capitalist corporation and, later, the legal implications of the *persona ficta* construction of the corporation as a legal individual. And although the explicit recognition of the corporation as a *persona ficta* would not occur until the late 19th century "in the context of the Due Process Clause of the XIV Amendment" (Chayes vii), the groundwork for such recognition was established with *The Trustees of Dartmouth College v. Woodward* in 1819, in which corporations were found by the Supreme Court to possess "private rights, so states could not rewrite their charters capriciously" (Micklethwait and Wooldridge 45).

In addition to *Dartmouth College*, several other Supreme Court decisions altered the balance of power—from states to the nation-state—concerning the legal form of the corporation. In *Head & Armory v. Providence Insurance Co.* in 1804, the Court ruled that corporations were a creation of common law, and not simply of the charters that states granted them, thus further removing corporations from state control. In *Bank of the United States v. Deveaux* in 1809, the Court extended this understanding "to create a universal definition of the corporation in American law, which had the effect of preventing state courts from developing separate understandings of what constituted a corporation (a first step toward the precedence of federal law that would later lead to decisions that would help create a national market and economy and thus corporations for continental scale)" (Rothkopf 175). Federal influence over corporate charters was extended further in 1819 with the *McCulloch v. Maryland* decision, which allowed the U.S. Congress to "charter corporations to achieve constitutionally permissible ends" even though such power had been intentionally left out of the Constitution (ibid). The net result of these decisions was to shift the question of

sovereignty (in regards to corporations) from the states to the nation-state, which would (when considered in conjunction with the *persona ficta* status of corporations) later shift the question of sovereignty to that of the corporation itself. This is the initial stage in the construction of corporate sovereignty as an organic crisis of the U.S. nation-state.

Though the early decades of the 19th century were characterized primarily by strict state control over corporate charters, the 1830s were a time of shifting legislative attitudes towards the role of corporations both in private enterprise and in relation to the states (and, by extension, the nation-state). In 1830, "the Massachusetts state legislature decided that companies did not need to be engaged in public works to be granted the privilege of limited liability" (Micklethwait and Wooldridge 46). Connecticut followed suit in 1837, when it began "to permit incorporation for general business purposes without special legislative permission" (Truitt 7). New York state and the federal government granted similar privileges in 1860. These changes allowed business corporations to direct not only the course of the Industrial Revolution in America but also the large-scale mechanization of agriculture, as well as the later shift from proprietary capitalism to the system of corporate capitalism that characterized the 20th century and continues to dominate (albeit in an evolved form) the era of corporism.

This history of the colonial era and the first half of the 19th century in the United States severely undercuts the notion of the nation-state as an entity somehow distinct from or in fundamental opposition to the capitalist corporation. Colonies were founded as corporations; corporate governance served as the model for what would become representative democracy on the state and federal levels. In this role, corporations challenged the royal sovereign, setting up the transferal of sovereignty to the nation-state. Early U.S.

restrictions on corporations were not so much about limiting the corporate form as such, but about divesting the corporate form of its monarchical and communalist vestiges. In any case, the growing economic power of the corporation and changing legislative attitudes about its role in nation-building stymied these early restrictions. Moreover, the *persona ficta* construction of the corporation won legal victories that established it in law as beyond the reach of the state, at least in limited ways. In other words, this era saw the establishment of the corporation as a viable (though interrelated) alternative to the sovereignty of both the monarch and the democratic nation-state. In the era of monopoly capital, corporate sovereignty grew exponentially as both its economic power and its legal recognition as *persona ficta* grew.

The Construction of Corporate Sovereignty, 2: The Era of Monopoly Capital

The period between 1880 and 1940 marked the end of proprietary capitalism as the dominant mode of economic production with the Industrial Revolution. Following James Livingston, this era can be characterized "by two distinct but overlapping phases […]: [the] *emergence*, ca. 1890-1920, and *consolidation*, ca. 1910-1940" of corporate capitalism (Livingston 85). In the face of crises related to both labor and the falling rate of profit, the reconstruction of "production and distribution under the aegis of the corporation" became a way for American capitalists to both "reconstitute their prerogatives and reinstate their incomes" (Livingston xv). The emergence of the corporation as the dominant form of business organization began shortly after the Civil War, concurrent with the blossoming of (in northern states, at least) the Industrial Revolution.

> The preconditions for this vast economic expansion and industrialization were a growing population; major improvements in technology […], communications (first the telegraph and later the telephone), and transportation (railroads); an open and fluid social system with no defined class structures to inhibit upward mobility (except

61

of course for slavery, which had only recently been abolished); abundant natural resources (especially land); and ample capital (especially foreign investment) to finance business expansion. (Truitt 15).

Of these, the advent of the national railroad system was perhaps the most important force in the construction of corporate sovereignty not only because of the transformations it caused regarding industry, agriculture and transportation, but also because of the transformations it led to in the American financial system, with the introductions of federal and state subsidies for railroad construction, bank credit, and corporate finance (Eisner; Scott; Seavoy). Indeed, between the 1860s and the 1890s, "Wall Street existed almost exclusively to finance the railroads" (Micklethwait and Wooldridge 61). The increase in economic scale brought about by the railroad system brought with it novel concerns in regards to corporate management and government regulation. Corporations found themselves with the need "to develop far more sophisticated managerial structures" in order to deal with expansion on a continental scale, the technological innovations required to enable such expansion, and labor issues that arose from such expansion (Eisner 44). These changes brought about by the railroad system created the necessary conditions for corporations to become trusts and monopolies because those types of large-scale, centralized organization were the only ones equipped to manage such an enterprise.

This also led to problems of corporate regulation. The Interstate Commerce Commission was established in 1886 because state governments found themselves ill-equipped to set railroad rates across state lines, which necessitated the intervention of the federal government (J. P. Davis). This year also saw the Supreme Court definitively ensconce the *persona ficta* status of the corporation in its ruling on *Santa Clara County v. Southern*

62

Pacific Railroad, the significance of which on the development of an organic crisis of

corporate sovereignty cannot be overstated.

> The Court declared without argument that the Fourteenth Amendment of the U.S. Constitution, which guarantees equal protection of the laws (and was originally intended to provide protection for actual human beings denied such protection), applied to corporations. In 1890, it used this principle to start a series of rulings over the next fifty years that were used to strike down economic and often anticorporate regulations under the Fourteenth Amendment's doctrine of substantive due process. Fifth Amendment due process and Fourth Amendment protections against unreasonable searches were added in 1893 and 1906 respectively. (Rothkopf 181)

These events not only represent the shifting of the question of sovereignty from the states to

the nation-state, but more so from the nation-state to the legal form of the corporation.

This age of monopoly capital was moreover spurred on by a concern over economic

relations between cost, price and investment returns in the expansion of markets; cultural and

social relations between labor, technology, production and ownership; and political questions

related to the convergence of these factors. The use of the legal form of the corporation as

such marked a distinct reorganization of the social form of capitalism whereby labor's

control over production (even if only at the level of the shop floor) was abolished through the

mechanization of production. This reorganization was achieved primarily through the

consolidation of competing firms and the integration of distinct industries into trusts and

monopolies, "thus to stabilize prices and reinstate reasonable profits—in other words to use

the possibilities of the corporate legal form as an answer to such questions" (Livingston 61).

The period 1898-1902 has been characterized as the "great merger wave," wherein large

corporations consolidated in order to avoid anti-trust cases (Eisner 44). The drastic increase

in mergers at this point (pushed not only by the corporations themselves, but also leading

bankers such as J.P. Morgan) irrevocably tied corporate industry to the stock market

(Micklethwait and Wooldridge). But this wave also had other repercussions, leading to the

growth of organized labor and populist unrest centered on the question of "the distribution of income between profits and wages" (Livingston 93).

In addition to the mechanization of production, the great contribution of the corporate form to business resulted from the implementation of centralized management, which could "direct the entire productive processes of an industry to achieve the lowest possible production costs, which in turn improved profits because prices did not have to be reduced, there being no [or, at least, very little] competition" (Truitt 19-20). Centralized management provided the context for scientific management as "the pure expression of the corporate solution to late-nineteenth-century overproduction and class war [over income distribution and the rights of collective labor]; for its purpose was to create a new relation between workers and the mechanical conditions of work, through which capitalist control of the labor process could be effected and labor productivity growth […] guaranteed" (Livingston 93). The standardization and expansion of production, coordination of operations under centralized management, federal and state subsidies for industry, and consolidation of companies into trusts and monopolies further transformed the private-property system of capitalism into a "corporate-property system" whereby the corporation-as-legal-individual could assert its role—in the form generally referred to as the "modern corporation"—as the dominant economic and social institution in the United States (McDermott xiv).

The creation of the modern corporation is generally credited to Alfred P. Sloan, who became president of General Motors in 1923 (Micklethwait and Wooldridge; Truitt). Among Sloan's innovations were autonomized divisions with decentralized operational mechanisms, a growth in market research and marketing, and the centralization of strategy and finance in corporate headquarters (Micklethwait and Wooldridge). However, it was not until after

World War II that the corporate restructuring introduced by Sloan became the norm for corporate organization. The rise of the modern corporate form (i.e. the "multidivisional structure" of corporate organization that characterized the era of conglomeration) was facilitated by political-economic factors occurring in the decades leading up to World War II (Truitt 31). In addition to the professionalization of management, "the symbiosis of large-scale enterprise and scientific management in the organizational complex of the large industrial corporations" (Livingston 95), and the reconciliation of labor to capital through technological innovation, the dominance of corporate capitalism was facilitated by the government's roll-back of anti-trust measures that had been implemented in the late 19th and early 20th centuries.

Government intervention during the era of monopoly capital did not represent an attempt to reassert the authority of the nation-state over that of the corporation; it was instead a nominal response to populist resistance to the growing power of trusts and monopolies. The major piece of legislation that emerged in the early part of this era was the Sherman Antitrust Act of 1890 (Truitt). Although the law was ostensibly designed to enforce competition, such enforcement was not carried out on any serious level until the government break-up of Standard Oil in 1911. This was followed by the Clayton Act in 1914, which established the Federal Trade Commission, legally prohibited monopolies, and practically enforced anti-trust measures (Livingston). Although Theodore Roosevelt, Taft and Coolidge heightened government regulation of corporate behavior, the administrations of Harding, Coolidge and Hoover encouraged (even facilitated) the recombination of businesses "not as trusts, but in more direct and sometimes sophisticated ways—through mergers and acquisitions, interlocking directorates, and other business relationships" of similar kind (Truitt 22). The

administration of Franklin Roosevelt oversaw the implementation of the Securities Act in 1933 and the Securities Exchange Act in 1934, but these legislative measures were intended for the purposes of economic stimulus instead of "antitrust enforcement against big business" (Truitt 23). Although the Wagner Act of 1935 legally recognized the right of labor unions to organize and collectively bargain with management, it did not seriously undermine the economic or political power of monopoly capital.

Indeed, this time period was characterized by a lack of enforcement (and a return to levels of corporate concentration) comparable to that of the 1880s. The reemergence of corporate monopolies during World War II was not simply an exigency of war, but New Deal policies that favored corporate capital (Eisner). If the corporation had become the dominant economic, political and social institution in the United States by World War I, then the onset of World War II positioned the corporation as the only form of business organization capable of handling not only the demands of war-time production, but also the demands of a post-war restructuring of the global economy.

The Assertion of Corporate Sovereignty, 1: The Era of Conglomeration

In the years following World War II, corporate domination of capitalist production was enhanced by two innovations: 1) the multidivisional corporate form, which resulted in part from product diversification within war-time monopolies; and 2) the conglomerate, characterized by the expansion of corporations into multiple industries—primarily through mergers and acquisitions (Dugger; Truitt). Rather than operating through monopolies or trusts, this era of corporate capitalism operated through a "federation" model of decentralized management structures (Truitt 44). This was due in large part to post-war demands for the development of foreign markets that required "the economies of scale promised in large

corporate enterprise" (Livingston 86). The utility of the corporation for such global

expansion was directly linked to the multidivisional form, which provided flexibility,

efficiency, organizational structure, and the ability to raise capital for economic growth.

Finance and investment became centralized in corporate headquarters, with divisions valued

according to their abilities to both reduce product costs through vertical integration and

maximize profits through horizontal integration and product diversification (Phillips). In this

way, post-war capitalism was characterized by the "internal capital market" of corporations

(Phillips 40)—which refers to the construction of markets through contracts between

ostensibly competing corporations, the accumulation of varying business operations within a

single corporate ownership structure, and the determination of finance allocation according to

the performance of divisions within a corporation.

Culturally speaking, American-based corporations at this time tended to operate with

a stakeholder view of balancing claims between different groups so that "for some decades

after World War II [they] were willing to accept a mix of goals; they aimed for good

products, satisfied customers, and a good effect on the community and nation, and a steady

return to shareholders" (Gomory and Sylla 107). This is often characterized as "the corporate

compromise," where what was good for large corporations such as General Motors was

generally considered as being for the benefit of the nation as a while. During this time, the

relationship between the conglomerated corporation and the nation-state reflected this view.

With the post-war increase in New Deal policies, the Taft-Hartley Act to rein in the National

Labor Relations Board, and a "new international order" based on the Marshall Plan, Bretton

Woods and the General Agreement on Tariffs & Trade (GATT) (Eisner 92), the mid-

twentieth century was an era of close ties between corporations and the U.S. nation-state—a

sort of "quasi-benevolent oligopoly" with revolving doors between business and government (John Kenneth Galbraith qtd. in Micklethwait and Wooldridge 118). The Cold War intensified this mutually-beneficial relationship, with former Ford executives running the Vietnam War through the Kennedy and Johnson administrations.

The major legal/regulatory developments of this era—GATT and the Taft-Hartley Act (both from 1947)—reflect an attempt to keep corporate/government ties mutually beneficial, and to rein in the political power of labor against business. GATT established "the modern global trading system" as a way to establish favorable trade partnerships for U.S. corporations in a context of "weak international institutions" (Rothkopf 223). The Taft-Hartley Act, on the other hand, was a response to growing political campaign contributions by labor unions. In addition to banning direct campaign contributions by unions or companies, the law also banned any expenditures by these organizations in federal elections coming "from their general treasury funds" (Rothkopf 187). Government intervention into corporate practices, however, was primarily limited to adjudication through the court system for settling contract disputes between independent businesses (Phillips). As such, this era constitutes an age of the legal form of the business corporation asserting a level of sovereignty in regards to not only the economy, but also public policy and the emerging global order.

This emerging global order was beset with a number of drastic changes toward the end of the era of conglomeration that instigated a general crisis of capitalism itself, resulting in what is commonly referred to as the era of neoliberalism as discussed in Chapter 2. These changes occurred both domestically and internationally. The devaluation of the U.S. dollar— along with price and wage freezes by the Nixon administration—made U.S. companies less

competitive than they had been in previous decades. Rampant inflation, instability in the

stock market and an energy crisis compounded the situation. In 1971, the dismantling of the

Bretton Woods Agreement delinked national currencies from the gold standard and the U.S.

dollar, which led to the commodification of currency, further destabilizing currency and

finance. Technological progress in communications and computing revolutionized global

markets in industry, finance and logistics, decentering and distributing economic power in

the international order. The global supremacy of American corporations was further

challenged by the "evolution of seaborne commerce in the form of container ships" and air

transport, both of which lowered shipping costs for companies based in other countries

(Gomory & Sylla, p. 107). This challenge was exacerbated by the formation of the European

Common Market (Livingston), as well as the massive expansion of competition from Japan

enabled by the backing of business by banks and the Japanese government through "support

and direction, [emphasizing] manufacturing for export" of innovative products, most notably

consumer technologies (Gomory & Sylla, p. 107). All told, these changes rendered the

American conglomerate model of corporate organization obsolete, offering a potential

obstacle to corporate sovereignty at the very moment of its assertion. Not surprisingly,

however, corporations and the nation-state responded to these crises, ushering in the era of

corporism.

The Assertion of Corporate Sovereignty, 2: The Era of Corporism

   Beginning roughly with the crisis of capitalism in the 1970s and continuing through

today, this era has been one of transformation in response to crises of global capital.

Corporate transformation in this era has occurred primarily through alterations to companies'

"internal management structures" (Truitt 53). This restructuring brought about what is

alternately referred to as the "post-modern" corporations (Truitt xv), or the "networked corporation" (Truitt 61)—characterized by autonomized operating units that focus primarily on technology, knowledge and service work, rather than industry. In the era of conglomeration (i.e. post-World War II through the 1960s), American corporate capitalism was focused almost exclusively on industrial production in mid-western states. This shifted in the era of corporism to technological production in Silicon Valley, service-oriented labor across the country, and financial markets in the East, as well as the exponential growth of agribusiness and post-Fordist modes of production. The technological shift was due in large part to growth in military and defense spending, as well as market growth for networked digital consumer technologies. The financial shift was directly linked to a number of factors, including the collapse of Bretton Woods, the explosion of financial markets and instruments, federal deficit spending, monetary policy and attractive interest rates for finance (Dugger). In the era of corporism, the corporation transformed into a portfolio and a brand united around a shareholder (as opposed to stakeholder) culture of profit motive. Whereas the conglomerate form of corporate organization (as the dominant corporate form following World War II) focused on diversification within production for the purposes of long-term stability, the networked postmodern corporation of the era of corporism operates as a global supply chain and production network that diversifies through mergers, acquisitions and buyouts for purposes of corporate expansion and quarterly economic growth. This has led to a paradigm wherein "corporate purpose has narrowed down to the immediate bottom line while corporate planning and administration have expanded" (Dugger xiv).

In addition to these trends, changes in military spending and the federal deficit, and in product diversification and the organization of management stand as the "major shifts in the

composition of the U.S. economy" during this era (Dugger xi). These changes had a profound effect on corporate governance. Whereas a corporation's Board of Directors is ostensibly elected by shareholders, "most members of the board are actually chosen by the management team, making the board beholden to management, even though the board is supposed to oversee management" (Dugger 12). Moreover, the diffusion of responsibility through networked organization allows management to avoid responsibility in many cases, while directors and officers are concurrently protected from liability. This type of decentralized management structure is supported by a set of interrelated changes: the move from individual stockholders to investment firms and pension funds; deregulation and computerization of financial markets; the massive increase in the number of multinational corporations since 1978; and a global network of tax havens. All of these allow corporations to transfer capital quickly and easily across national boundaries to avoid paying taxes in their country of origin, thereby reinforcing the need for federal deficit spending.

The relationship between the U.S. government and the legal form of the corporation shifts from one of mutual reinforcement in the era of conglomeration to massive government disavowal of its right to regulate business in the era of corporism, as well as the privatization of functions traditionally performed by the nation-state.[21] Until the Sebanes-Oxley Act in 2002, and corporate bailouts following the economic crisis of 2007, government intervention was limited primarily to monetary policy, combatting inflation, intervening into labor issues in favor of industry, and in regards to social issues—most notably environmental regulation and workplace conditions. The Reagan administration in particular dropped enforcement of

---

[21] It is important to note that these changes are due primarily to the financialization of the economy and massive increases in military spending, "not to the natural workings of the market" (Dugger xii). The partial privatization of the nation-state in the era of corporism has occurred most extensively in military, intelligence, policing and security, and prisons, which have nothing fundamentally to do with market forces.

anti-trust measures and ramped up deregulation efforts in order to allow for corporate

mergers and reorganizations that could face the technological and market transformations of

increased globalization (Galambos). Ideologically speaking, the push for privatization and

deregulation is credited as having gained political force through a combination of research on

economics at the University of Chicago and on public policy at the University of Virginia of

the mid-twentieth century. To this must be added, however, a number of more institutional

and material factors, most notably: 1) corporate sponsorship of conservative think tanks; 2)

the increasing amount of legislation being written by lobbyists and corporate lawyers; and 3)

coordinate efforts by the Organization for Economic Cooperation and Development (OECD),

the World Bank, and the International Monetary Fund (IMF) to break "down political and

national regulatory barriers in regard to flow of investment and ownership" so as to enable

transnational corporations from "advanced economies" to control a "*managed* system of

international [intra-firm] production" (Phillips 32), as opposed to the twentieth-century

model of corporate capitalism, which was more about coordinating market exchanges within

the global economy.

These administrative, ideological and institutional transformations were supported by

a series of Supreme Court cases that all culminated in the evisceration of the Taft-Hartley

Act as related to the assertion of corporate sovereignty through protections of corporate

speech. In 1976, the Court ruled in *Buckley v. Valeo* that money spent on elections (whether

as contributions to candidates or indirect expenditures) is a form of protected speech

(Rothkopf). This decision was extended to specifically protect corporations in 1978 in the

ruling on *First National Bank of Boston v. Bellotti*, which declared unconstitutional a

Massachusetts law that prohibited use of a company's general treasury funds to advocate in

regards to state referendums (ibid). The expansion of the political rights of a corporation was

dealt a set-back in both 1990 and 2003. In *Austin v. Michigan Chamber of Commerce*, the

Court supported the intent of Taft-Hartley by upholding a Michigan law that prohibited use

of a company's general treasury to influence the election of candidates to political office

(ibid). This stance was reinforced nearly a decade and a half later when the Court ruled in

McConnell v. FEC ruled as legal the McCain-Feingold Bipartisan Campaign Reform Act,

which in part "blocked corporations or unions from using general treasury funds to pay for

'sham issue' ads (ads that purport to limit themselves to issues but actually urge voting for or

against a particular candidate) within sixty days of a primary or a general election" (Rothkopf

189).Any hope the *Austin* and *McConnell* decisions may have inspired in the rollback of

corporate political power was dismantled in 2010, however, with the *Citizens United*

decision, which "granted corporations relatively unlimited free-speech rights to spend

corporate funds in electoral politics" (Gomory and Sylla 102)—thus asserting corporate

sovereignty through the apotheosis of the *persona ficta* that had been evolving since the early

19th century.

CHAPTER 3: CORPORATE SOVEREIGNTY AND SOVEREIGNTY

Introduction

The previous chapter offered an alternative narrative to the contemporary political-cultural-economic crises in the United States by reframing the discussion from neoliberalism to corporism. This chapter builds on that narrative by offering an explanation of how the developments leading up to corporism in the United States produced an organic form of corporate sovereignty through which a crisis of sovereignty overdetermines the current conjuncture, and offers a consideration of a set of signposts that indicate the crisis of corporate sovereignty in the current conjuncture. The purpose of this chapter is to demonstrate that the crises and contradictions we now face are the result of conjunctural articulations of relations of force (i.e. political economy, technology/technocracy and desire) in a crisis of sovereignty that operates through the organic development of corporate sovereignty.

This brings us to the concept of *corporate sovereignty*, which foregrounds the evolving nature of the corporation, as well as the evolution of the relationship between the corporation and the nation-state. By demonstrating how corporate capital, state governance and cultural practices are mutually constitutive (rather than distinct) phenomena, I seek to expand our understanding of the complex historical relations of force that characterize power in the current conjuncture. This allows for an understanding of contemporary power relations as resulting from the epochal transformation of sovereignty through an organic form of

corporate sovereignty. In order to contextualize both this transformation of sovereignty and the conjunctural re-articulation of power, the following section presents a consideration of the way corporate sovereignty is discussed in scholarly debate.

Corporate Sovereignty

Corporate sovereignty is often invoked but rarely conceptualized in any rigorous fashion. I will attempt to do so by beginning with a consideration of the ways in which researchers have invoked *corporate sovereignty*. Then, I turn to Joshua Barkan's sophisticated reconceptualization of corporate sovereignty in *Corporate Sovereignty: Law and Government under Capitalism*. This will situate my argument within existing debates about the role of the corporation in contemporary society, while also providing an entry point for considering corporate sovereignty as a set of contextually-articulated relations of force on which the contemporary crisis is being constructed.

For many authors, the legal framework by which the business corporation most effectively constructs and asserts its own practices of authority and governance through, with and against that of the nation-state, defines a new form of sovereignty—corporate sovereignty, which is distinct from that of the nation-state. The concept of corporate sovereignty has been invoked quite frequently (whether implicitly or explicitly) across popular culture and scholarly research. While popular books, films and television shows tend to present a fairly uncomplicated, dystopian perspective on the power of the corporation in modern society—for example the 1987 film *Robocop* and its 2014 remake, Joel Bakan's 2005 book *The Corporation*, the documentary of the same name based on that book, the recent television series *Incorporated*, and the 2017 movie *The Circle* (Bakan; *The Circle*; *The Corporation*; Pastor and Pastor; *Robocop* 1987; *Robocop* 2014)—recent scholarly research

offers an equally critical but more sophisticated and nuanced perspective (Joshua Barkan; T.

M. Edwards; Suarez-Villa, *Corporate Power, Oligopolies, and the Crisis of the State*;

Suarez-Villa, *Globalization and Technocapitalism*; Suarez-Villa, *Technocapitalism*;

Timberg; Wolin).

Concerns over the power of business corporations in relation to the nation-state are by

no means new. Thomas Jefferson expressed grave misgivings about the centralization of

power in the federal government, which could potentially give rise to a "government of an

Aristocracy, founded on banking institutions and monied in corporations under the guise and

cloak of their favored branches of manufactures[,] commerce and navigation, riding and

ruling over the plundered ploughman and beggared yeomanry. This will be to [the

Federalists] a next best blessing to the Monarchy of their first aim, and perhaps the surest

stepping stone to it" (Jefferson para. 2). This fear has been echoed in a variety of ways from

the early 19th century through today. The explicit connection of corporate power to the

concept of *sovereignty*, however, is (with a few exceptions) relatively recent, and largely

present only in scholarly literature. Although Sigmund Timberg noted in 1946 that the

business corporation was at that time a "newcomer to sovereign power" (Timberg 534), the

concept of *corporate sovereignty* is (to the best of my knowledge) a 21st-century

development, as evidenced by the work cited below.

Those who have written about corporate sovereignty have rightly posed the question

of corporate power in relation to the nation-state.[22] In 2001, Thomas Edwards discussed the

emergence of the "corporate nation" (T. M. Edwards 294), which represents the synthesis of

---

[22] With the exception of Barkan, none of the authors cited herein use the term *corporate sovereignty*. They do, however, grapple with the relationship between the corporation and nation-state in regards to the question of sovereignty, which makes their work relevant to the argument at hand.

"the powers of the nation-state and the TNC [i.e. transnational corporation], creating a new geopolitical entity [with its own emergent sovereignty] within the context of information geopolitics" (T. M. Edwards 308). From this perspective, the nation-state and the transnational corporation are competing sovereignties. The sovereignty of the nation-state centers on the institutional authority to manage and control a population within a distinct territory. It is legitimated by the explicit recognition of the nation-state by the international order of other sovereign nation-states. Corporate sovereignty (on the other hand) is "centered on economic control based upon virtual interconnectivity" (T. M. Edwards 293). It arises from a corporation's level of political self-determination through technological innovation and economic expansion, which are due primarily to the corporation's ability to gather, process, deploy and (ultimately) control access to information; it requires no legitimation by the international order. For Edwards, corporate sovereignty—as "the upheaval and redirection of the Westphalian model of nationality" (i.e. the political ordering of Europe as a region of sovereign states in co-existence following the Peace of Westphalia in 1648) (T. M. Edwards 293)—is a new type of sovereignty, one that emerged from the relatively recent paradigm of e-commerce. In this conceptualization, corporate sovereignty (as a form of authority based on economic and technological dominance) represents a competing form of sovereignty to that of the institutional apparatus of the modern nation-state.

Sheldon Wolin, on the other hand, frames such sovereignty as the corporate takeover of popular sovereignty (i.e. sovereignty as residing in a democratic citizenry), with such a takeover potentially resulting in a form of "inverted totalitarianism" wherein "antidemocracy, executive predominance, and elite rule are [the] basic elements" (239). For Wolin, this type of sovereignty—which "represents the *political* coming of age of corporate power and the

77

political demobilization of the citizenry" (x), with the corporation as a new sovereign—came

about as a result of the 20th-century globalization of capitalism as a system of decentralized,

multiple powers that disrupted the traditional role of the nation-state in the international

political order. The capitalist system that produces this condition is driven not only by the

incessant expansion of capital as such, but also by scientific and technological innovation

which (taken together) operate as the "dynamic powers" of corporate imperialism (Wolin

132). Politically speaking, inverted totalitarianism operates as a form of managed democracy

whereby a political system "driven by abstract totalizing powers" encourages "political

disengagement" among the citizenry by way of propaganda that originates in private media

organizations (Wolin 44). Such disengagement culminates in

> a political moment when corporate power finally sheds its identification as a purely
> economic phenomenon, confined primarily to a domestic domain of 'private
> enterprise,' and evolves into a globalizing copartnership with the state: a double
> transmutation, of corporation and state. The former becomes more political, the latter
> more market oriented. This new political amalgam works at rationalizing domestic
> policies so that it serves the needs of both corporate and state interests while
> defending and projecting those same interests into an increasingly volatile and
> competitive global environment. (Wolin 238-9)

Inverted totalitarianism is the melding of the corporation with the nation-state whereby they

exchange functions and powers so as to take over sovereignty from the populace. Wolin

posited that this corporate takeover of popular sovereignty exists in America in the current

moment as a set of tendencies that have not yet been fully realized. However, the presidential

election of 2016 may render such a guarded perspective obsolete for those invested in

Wolin's argument. The anti-democratic, authoritarian populism that is only partially

responsible for the outcome of the election, the assertion of unquestionable executive

privilege expressed in Trump's public proclamations, and the elite rule of crony capitalism

embodied in his cabinet selections all point to the conclusion that we may well be witnessing

78

the actualization of what Wolin was only willing to assess as a potential threat to democratic governance. But that remains tangential to the task at hand; we are here to assess to the relative merits and shortcomings of corporate sovereignty as a concept.

Another researcher who invokes the problem of corporate sovereignty, albeit without actually using the term is Luis Suarez-Villa, who refers to this problem alternately as "technocapitalist corporatism" (Suarez-Villa, *Technocapitalism* 4) and "neo-oligarchy" (Suarez-Villa, *Corporate Power, Oligopolies, and the Crisis of the State* 295). Technocapitalist corporatism refers to the emergent melding of technocapitalism—"a new form of capitalism that is heavily grounded on corporate power and its exploitation of technological creativity" (Suarez-Villa, *Technocapitalism* 3)—and corporatism—"the wide-ranging influence of corporate power on society, including its governance, and on nature" (Suarez-Villa, *Technocapitalism* 1-2). Neo-oligarchy refers to the combination of hegemonic oligopoly (i.e. dominant economic power residing in the hands of a small number of large corporations) and a mode of "corporatocratic governance" (i.e. the colonization of governance by the corporation, and its expression through the agendas of a small number of political and corporate elites) (Suarez-Villa, *Corporate Power, Oligopolies, and the Crisis of the State* 295). For Suarez-Villa, this form of sovereignty is more about the colonization of social relations on a global scale than it is about a problem of the nation-state per se; it is less a problem of state sovereignty than it is a problem of the ordering of social, political and economic relations amongst the global citizenry. Regardless of the term employed, Suarez Villa's argument draws our attention to "the technological rationality" of corporate sovereignty, which "combines *technique*—the rational character of technology—with the *relations of power*—the global projection of corporate power in this case—and with the

ideological dimension of technocapitalist corporate power" (Suarez-Villa, *Globalization and Technocapitalism* 4). Sovereignty, in this sense, is a parasitic mode of hierarchical control that fundamentally exploits both nature and society for its own power. This argument is in many ways a variation on Wolin's, with corporate sovereignty understood as a form of plutocracy.

The works of Edwards, Wolin, and Villa-Suarez rightly frame the question of corporate sovereignty as being both a political-economic and a technological (or technocratic) one, inasmuch as corporate sovereignty is as much a construction of political-economic and technological forces as it is a construction of the legal system. Moreover, for all these authors, corporate sovereignty is a relatively recent development. Wolin places the emergence of such sovereignty in the middle of the 20th century, when the Eurocentric geopolitical order of previous centuries was disrupted by two world wars and replaced by a new order centered on the growing economic and geopolitical power of the United States. Edwards places the emergence of corporate sovereignty much later, within the paradigm of "e-commerce" that resulted from the technological changes of the late 1990s and early 200s (T. M. Edwards 293). It is unclear exactly when Suarez-Villa locates the emergence of corporate sovereignty, but it can be reasonably assumed from his argument that this is a development of what is commonly referred to as neoliberalism—an era that is supposed to have begun in the late 20th century. What is presumed to be novel in each of these works is (as demonstrated in the previous chapter) actually much older, extending back to the colonial foundations of the United States.

Joshua Barkan's *Corporate Sovereignty: Law & Government under Capitalism* offers a different and, I believe, more useful framework for thinking through corporate sovereignty.

Barkan begins by addressing two fundamental errors in scholarship on the subject: 1) a binary logic that posits a clear, distinct demarcation between the corporation as an institution and the nation-state; and 2) the assumption that corporate intrusion into regulation, policy and politics is undue and erroneous. All of the authors cited above presuppose an essential distinction between the corporation and the nation-state. What is most significant to the argument here, however, is that this binarism relies on a particular model of nation-state sovereignty as a starting point for considering sovereignty itself. This model (taking as its starting point the Peace of Westphalia in 1648) defines sovereignty in terms of the right of a given nation-state to govern its internationally-recognized territory and population without interference from other nation-states (Glanville).

But for Barkan, "corporate power and sovereign power are *ontologically linked.* […] The Anglo-American corporation and modern political sovereignty are founded in and bound together through a principle of *legally sanctioned immunity from law*" (4). The very legal foundations of the corporation as an economic, social and political institution are precisely what give corporations the right to undermine political sovereignty in that they are granted the rights of citizenship without the concurrent responsibilities expected of human citizens. This amounts to an ontological "*doubling*" relationship between the nation-state and the corporation "in which the fate of state sovereignty and corporate power are [and always have been] conjoined and also in conflict" (ibid). This doubling operates not only on an ontological level, but in the various techniques by which each institution asserts authority, establishes order and manages populations, territories and infrastructure—in short, the ways in which each institution commands power. The corporation and the modern nation-state are mutually-constitutive and mutually-dependent for their legitimation in that "modern state

sovereignty is *founded in* and *anchored to* a figure of the corporate political body. Likewise, modern corporate power *emerges from* and *mobilizes* apparatuses of sovereignty, discipline, and government" (Joshua Barkan 6).

In order to theorize this relationship, Barkan turns to the work of Giorgio Agamben who, working from Carl Schmitt, defines sovereignty as the authority to create the *ban*—the exception to law—and the authority to abandon sovereign responsibility to a population in order to preserve the security of the political community. In other words, the sovereign is the one who can establish and transgress the "boundaries of law" (Joshua Barkan 7). Within this perspective, then, corporate sovereignty is a product of and operates at the boundaries of the nation-state—at once legitimated by and imbricated with, yet distinct from and often at odds with, the legal framework of nation-state sovereignty. It derives from the law while also playing a role in establishing the law and operating as exception to the law.

This conceptualization of corporate sovereignty is significant in a number of ways. Temporally, Barkan's research demonstrates that the problem of corporate sovereignty is by no means new, but instead constitutes a mode of sovereignty constructed through colonial practices informed by medieval imaginaries of collective property. Spatially, Barkan's rids us of the notion that that the nation-state and the corporation are in any way distinct, separate institutions, always at odds with one another. The genealogy offered in *Corporate Sovereignty* focuses on questions of law—its evolution and functions—as a way of demonstrating the ontological doubling of nation-state and corporate sovereignty. Later in this chapter, I take up Barkan's invitation to expand his genealogy beyond the framework of the law, to consider the political-economic, technological/technocratic, socio-psychological and cultural factors that play into this account of corporate sovereignty, so that we can better

understand how corporate sovereignty functions in the evolution of sovereignty. But for now, the significance of the move from neoliberalism to corporate sovereignty through corporism is found in the way it allows us to consider corporate sovereignty as an organic form of a crisis of sovereignty that overdetermines the current conjuncture. Evidence of this crisis may be most pronounced in the now-infamous *Citizens United* case that sanctioned unlimited corporate campaign expenditures and ensconced the capitalist corporation as the privileged citizen and subject of democratic governance, but this must be understood within the context of the historical construction and assertion of corporate sovereignty as an organic form—one whose claim to power was established in colonial charters and state legislatures, made robust by the Industrial Revolution, legally sanctified through the *persona ficta* of corporate legitimation by the nation-state, made essential to government and governance through the hot and cold wars of the twentieth century, and let loose to claim its centuries-delayed seat on the throne in the globalized economy of the current conjuncture.

Sovereignty

It is the notion of sovereignty itself that allowed the modern-nation state to emerge in part as a response to earlier kinship, monarchical and (most significantly) divine modes of authority and governance. If we consider the relationship between the nation-state and the corporation, this leads me to claim that the question of power in the contemporary conjuncture is ultimately a question of sovereignty. In order to demonstrate this, I need to offer some thoughts on the sovereignty of the nation-state in order to arrive at a reconsideration of sovereignty writ large.

The understanding of sovereignty related to the modern nation-state owes much to Carl Schmitt, whose work on the subject can be divided into two phases. In Schmitt's earlier

83

work, "the connection of actual power with the legally highest power is the fundamental problem of the concept of sovereignty" (Schmitt, *Political Theology* 18). It is in this sense a question of legal form and decision-making: Who possesses authority as both belonging to yet transcending the legal system? This question forms the basis for considering the sovereignty of the nation-state. "The sovereign produces and guarantees the situation [of the law] in its totality. He [sic] has the monopoly over the last decision. Therein resides the essence of the state's sovereignty, which must be juristically defined correctly, not as the monopoly to coerce or to rule, but as the monopoly to decide" (Schmitt, *Political Theology* 13). In Schmitt's later work, the question of sovereignty is considered in more philosophical terms, in so far as "power needs the sovereign body to become visible, and perceivable, at the phenomenological level while having its own *raison d'etre* from an ontological perspective" (Ragazzoni 61). This understanding of the connection between sovereignty and power brings a metaphysical implication to Schmitt's work, which before had been concerned primarily with the constitutional and legal implications of the sovereign.

> While the exercise of power—its phenomenology—is time-bound and biased by the limits of human nature, the essence of power—its ontology—transcends the physical appearance, contingent decisions, and specific actions of the holder of power. At the phenomenological level, power needs the ruler and his [sic] body; at the ontological level, power transcends both. This […] is the tragic *telos* of modernity—the point where its fragile foundations are unveiled and the façade of human sovereignty is inexorably disfigured. (Ragazzoni 67)

There is always, then, a metaphysics to politics because sovereignty is fundamentally a question of who has ultimate authority (Schmitt, *Political Theology II*). This combination of legal and metaphysical concerns becomes paramount when considering, first, the notion of nation-state sovereignty (as the primary mode of modern sovereignty). The nation-state—as the modern form of the sovereign—is that which (through recognition of its authority in an

84

international order of nation-states) makes decisions on the balance between obedience and security (Schmitt, *The Leviathan in the State Theory of Thomas Hobbes*). Nation-state sovereignty is usually understood as being the "final and absolute political authority in the political community" (F.H. Hinsley, quoted in Onuf 429), or in a given territory. It is a social construction of modernity involving a consideration of territory, population, authority and recognition (Biersteker & Weber), with the state-as-sovereign understood "in terms of authority relations which are worked out in practice" in a global system of sovereign states (Weber 11). If (as argued by Jens Bartelson) sovereignty is that which dominates the power structure in a particular socio-historical context—that which provides the conditions of possibility for power relations in that context—then state sovereignty functions as the legal and political authority over a particular territory and population.

But we can also consider sovereignty in relation to another dominant institution of the modern age—the corporation. While the main points of Joshua Barkan's contribution have already been addressed, what remains is to briefly consider two important, interrelated aspects of sovereignty that Barkan identifies. The first is that sovereignty itself is always already fundamentally corporate. The second (from Thomas Hobbes) is that political sovereignty is a secular substitute for the divine sovereign. These two aspects come together in the following perspective:

> Before the corporation had a relation with state power, and long before it had any relation to commerce or capitalism, it was a religious image that defined the relation between particular entities in subordination to a universal totality. […] The corporate form not only gave states a theological foundation but also provided a means for conceptualizing sovereignty as a superior power over both individuals and rulers that was unified *through time and across space*. (Joshua Barkan 23)

This perspective is particularly important to my analysis in Chapter 5 of the relationship between the nation-state and the corporation as it manifests through the

mechanisms and operations—the rearticulated relations of force—of fascist power in the current conjuncture. It opens a perspective on the problem of power that the Westphalian model of sovereignty (i.e. the framework that undergirds most contemporary discussions of political and corporate sovereignty) cannot accommodate. By forcing us to reassess sovereignty in older, religious terms of "the highest, legally independent, underived power" (Schmitt, *Political Theology* 17), it also forces us to confront the limitations of the concept of corporate sovereignty, even the sophisticated and nuanced form provided by Barkan. The problem here is Barkan's reliance on Agamben's definition (by way of Schmitt) of sovereignty.

While I am hesitant to make the assertion that Agamben misreads Schmitt, I will go so far as to suggest that Agamben's uptake of Schmitt (at least as deployed by Barkan) is too simplistic and does not get to the heart of Schmitt's argument. Carl Schmitt does indeed define the sovereign as "he [sic] who decides the exception" (Schmitt, *Political Theology* 5). However, this definition is based on the only-implicitly acknowledged assumption that deciding on the exception is simply a surface-level manifestation of sovereignty; it is not the exception but the authority to make a final decision that actually defines the sovereign. Because it is (as Schmitt himself asserts) "unlimited authority" that characterizes an exception (Schmitt, *Political Theology* 12); it is "the monopoly over the last decision" that constitutes sovereignty, whether that decision be ban or other (Schmitt, *Political Theology* 13). This supports an understanding of sovereignty in terms more metaphysical than legal. Schmitt, Agamben and Barkan are all concerned with the question of sovereignty in regards to the law. In this sense, then, a definition of sovereignty as the authority to decide the exception to the law is perfectly appropriate. If, however, we are to expand our concern

beyond the legal form, I suggest a return to an older definition of sovereignty, the definition against which Schmitt was arguing in the first place: "sovereignty is the highest, legally independent, underived power" (Schmitt, *Political Theology* 17).

Sovereignty is understood in this sense as the network—the very totality—of power within which dominant institutions (e.g. nation-states, corporations, inter- and supra-national organizations) vie for and negotiate over ultimate authority in a variety of overlapping spatio-temporal contexts within a global system of economic production, distribution and consumption, political and social institutions, and cultural practices, as well as legal frameworks. Sovereignty is the authority over the conditions of possibility of the world. Corporate sovereignty points us to an epochal transformation of sovereignty whereby the corporate form is attempting to construct itself as a contradictory, transcendent-yet-immanent, universal, eternal ultimate authority over all. In order to provide more specific detail as to how the contemporary conjuncture (characterized here as the era of corporism) is characterized by struggles resulting from the organic development of corporate sovereignty resulting in an organic crisis of sovereignty itself, the following section presents three signposts (or indicators) of the vectors of force that, articulated through corporate sovereignty, overdetermine this conjuncture.

Signposts of Corporate Sovereignty in the Era of Corporism

As evidenced in the previous pages, the economic power of the corporation comprises—in conjunction with the recognition of the corporation as a legal individual—a form of political power that has been enhanced in recent years by a number of legislative and judicial actions (e.g. the *Citizens United v. Federal Election Committee* Supreme Court decision in 2010) and the work of non-profit corporations and lobbying groups (e.g. the

American Legislative Exchange Council and the U.S. Chamber of Commerce). The political

and economic power engendered by these changes also produce a form of cultural power

whereby the corporation plays a dominant role in organizing society through its roles in

organizing labor, and in producing the technological innovations through which personal and

social life are increasingly organized. When analyzed in relation to both the legal recognition

of the corporation as an individual with constitutional rights *and* the contingent independence

of corporations from the control of the nation-state, the political, economic and cultural

power of the corporation comprise a new form of sovereignty that has yet to be sufficiently

addressed.

This section presents three indicators of corporate sovereignty as a way to consider

the contemporary articulations of corporate sovereignty, specifically its conjunctural

assertion as a set of articulated force relations that characterize a mode of power. Although

these conjuncturally-articulated forces are treated distinctly for the purposes of analysis (e.g.

ALEC is discussed in relation to political economy), these signposts should be considered as

a constellation of articulated mechanisms of corporate sovereignty, imbricated in a network

of power with each of the forces operating in different yet concurrent ways in all of the

institutions/phenomena under consideration. For example, although my discussion of

DARPA is analyzed primarily in regards to questions of technology/technocracy, it has (as

will be demonstrated) profound implications regarding political economy and desire. The

phenomena under consideration in this section are organized as follows: 1) a consideration of

the role of ALEC in a corporate network committed to challenging or at least rearticulating

state sovereignty to and through corporate sovereignty; 2) a consideration of the relationship

between DARPA and major Silicon Valley corporations, resulting in changing articulations

of state and corporate sovereignties, through the mediations of military agendas and technological developments; and 3) a consideration of corporate investment in the Singularity through augmented reality and artificial intelligence, as a rearticulation of temporality and desiring subjectivities, displacing the relation of citizen/state into that of consciousness/corporation.

American Legislative Exchange Council[23]

In 2010, the U.S. Supreme Court legitimated unlimited corporate political expenditures in the now-infamous *Citizens United v. Federal Election Commission* decision. Many have characterized this as a novel and disastrous intrusion of corporate capital into the practices of American democracy. As demonstrated above, however, *Citizens United v. Federal Election Commission* is merely the most recent episode in the evolving relationship between the nation-state and the corporation as a legal form. By focusing so much on this particular decision, we miss the historical evolution—one that stretches back to the colonial foundations of the country.

Moreover, the focus on *Citizens United* carries with it two key misassumptions about the problem of corporate interference in American democracy. First, such focus places primary emphasis on the role of money in political campaigns. But, as I will demonstrate, the more pervasive and pernicious influence involves private organizations engaged in drafting public policy. Second, the focus on *Citizens United* highlights the notion of corporate personhood that arose from the 14th Amendment, which provides equal protection under the

---

[23] Technically, the American Legislative Exchange Council is not a privately-owned, publicly-traded business corporation. It is a 501(c)(3) non-profit corporation. However, executives from these business corporations are heavily represented among ALEC's membership. As such, ALEC can be considered as pertinent to my argument given the fact that its agenda is the result of these business interests, and the model legislation it promotes is written and approved by its corporate members.

law for all citizens. But, two other equally important sources of the problem are actually the 10th Amendment, which expresses the federalist mode of governance as a way of ensuring states' sovereignty against that of the federal government, and Article 5, which allows for the convening of a second Constitutional Convention under particular circumstances.

In order to facilitate a richer understanding of the complex articulation of state and corporate sovereignty, I want to examine the role of the American Legislative Exchange Council (ALEC) in American politics. Legally speaking, ALEC is a 501(c)(3) non-profit, tax-exempt charitable organization (American Association for Justice; Anderson and Donchik). Practically, however, ALEC is an "ideological think tank" (Ness and Gandara 259) that brings together corporate executives and state legislators in closed-door sessions to draft "model or template bills that are introduced or promoted by ALEC members within state legislatures" (Anderson and Donchik 326). Although decades old, ALEC has only recently figured into public discourse concerning the political behavior of corporations. As such, its operations as part of the machinery of corporate sovereignty have yet to be adequately analyzed. I hope to at least begin to address this shortcoming.

In 1973, Paul Weyrich (co-founder of the Heritage Foundation and coiner of the term "Moral Majority") founded ALEC as a way of advancing conservative principles of limited government, free market economic policy and the advancement of state sovereignty over that of the nation-state (American Association for Justice; Anderson and Donchik; Butz, Fix and Mitchell). The organization's original focus was on defeating "high-profile liberal social policies, such as the passage of the Equal Rights Amendment, abortion rights, gun control, DC voting rights in Congress, and gay rights" (Hertel-Fernandez 8). In the 1980s, the organization began to have influence with the Reagan administration by combining their

social platform with an increased focus on targeted business interests. With the uptake of

ALEC policy recommendations by the Reagan administration, the organization was able to

begin its long-term strategy of shifting public policy to the political right (Anderson and

Donchik). By the 1990s, ALEC's began to publicly downplay its social platform in favor of

its pro-business agenda in order to attract corporate sponsorship (Hertel-Fernandez). In spite

of this, the organization nearly folded in the late 1990s. In 1997, ALEC was rescued by

Charles Koch with a $430,000 loan (Mayer). Koch Industries has served on the corporate

board of ALEC ever since (Graves). The significance of Charles and David Koch to ALEC's

success will be discussed in more detail shortly. Before that, however, ALEC's most recent

history and legislative projects merit discussion.

    With financial and ideological guidance from the Koch Brothers, ALEC reached peak

membership around 2004, when it "could claim nearly a third of all state legislators as

members" (Hertel-Fernandez 2). Although it does not release its corporate membership

roster, past and current members include representatives from a wide array of industries,

including Corrections Corporation of America, GEO Group, Coca Cola, Microsoft, Kraft

Foods, Hewlett Packard, Miller Coors, PepsiCo, McDonald's, Ford, Shell, BP, Google,

Facebook, eBay, Yelp, Exxon Mobil, and TransCanada Pipelines (American Association for

Justice; Burkhardt; Hamburger; Pilkington; Taylor; Verma). This last company should give

us pause because TransCanada Pipelines' membership in ALEC means that a foreign

corporation has a direct hand in writing American law. Although corporate membership often

drops in the wake of public revelations concerning ALEC's behavior (e.g. their support of

Stand Your Ground Laws in the wake of the Trayvon Martin murder), those companies that

do withdraw often rejoin after a year or two because of the immense sway ALEC has in pushing pro-corporate public policies.

On average, ALEC authors between 600 and 800 bills a year, with between 100 and 200 of those actually being passed by state legislatures (Hertel-Fernandez; Jacobs). These bills are debated by working groups in closed-door sessions at ALEC's yearly convention with absolutely no public input or oversight. Corporate members have an equal vote to legislative members and also have veto power over any measure. The actual work of crafting and lobbying for ALEC-backed legislation is done by Shook, Hardy and Bacon—a corporate defense firm with deep ties to the pharmaceutical and tobacco industries (American Association for Justice). Once a model bill is approved by ALEC for release, versions of it are given to legislative members who take it back to their home states where they implement a shotgun approach of "trying to get the exact same laws [passed in multiple states] at the exact same time. The same language, the same talking points, the same arguments" in order to overwhelm state legislatures with little time for debate (Ron Johnson, R—WI qtd. in Verma). So what types of legislation are being written, advanced and brought to enactment by this coalition of corporate executives, corporate lawyers and right-wing state legislators in the subversion of the democratic process?

ALEC's legislative agenda reads like a wish list of the far-right—gun rights, rollback of environmental regulations, voting restrictions, destruction of public sector unions, limiting the ability of citizens to sue corporations for bad practices and illegal activities, rollback of civil rights and gay rights, opposing renewable energy, privatization of prisons and immigration detention centers, restrictive immigration policies, minimum wage caps, limiting the ability of local and county governments to govern, defunding of public schools,

mandatory minimum sentencing, repeal of the estate tax, blocking public health care and insurance, cutting the federal corporate tax rate, eviscerating labor standards and deregulation of finance, industry and the economy, just to name a few (American Legislative Exchange Council; American Association for Justice; Anderson; Anderson and Donchik; Joanne Barkan; Beall; Bentele and O'Brien; Center for Media and Democracy; Dagan and Teles; Doty and Wheatly; Dreier; Duda; Fogarty, Curtis, et al.; Garrett; Garrett and Jansa; Graves; Green; Gross and Davies; Haeder and Weimer; Hess and Mai; Hogler "Constitutionalizing Paycheck Protection"; Hogler "Repeal Section 14(b) of Taft-Hartley"; Hurd and Lee; Kuykendall; Longazel, Berman and Flery-Steiner; Martin; Meagher; Milkman; Nichols; Parkison; Pilkington; Potter; Rogers and Dresser; Underwood; Warrick; Willing). As odd as it may seem, however, ALEC's legislative agenda is not the biggest cause for concern.

Since its bailout by Charles Koch in 1990s, the American Legislative Exchange Council has become the epicenter of a network of organizations—including Americans for Prosperity, Heartland Institute, Cato Institute, Aspen Institute, State Policy Network, Club for Growth, Americans for Tax Reform; Freedom Partners, Competitive Enterprise Institute, national Governors' Association, national Conference of State Legislatures, Council of State Governments, State Legislative Leaders Foundation, Citizens for Self-Governance, and Compact for America (Anderson and Donchik; Balz; Bottari; Cox, Barry and Glantz; Hayden, Garner and Hoffman; Mayer; Skocpol and Hertel-Fernandez; Taylor)—working towards the Koch brothers' ultimate objective: the rewriting of the U.S. Constitution to create a corporate state. This push began in earnest in 1995 with a "federalism" summit aimed at giving states a larger voice in federal legislation, allowing states to produce Constitutional amendments, and limiting the federal government's "ability to issue mandates on states"

93

(Balz A17). Currently, this effort (led by ALEC's Balanced Budget Amendment Task Force, Compact for America and Citizens for Self-Governance) is focused on getting states to adopt resolutions requiring the federal government to operate with a balanced budget or face a second Constitutional Convention (Armiak; Bottari; Exposed by CMD Editors; Taylor; Wines). By ALEC's figures, twenty-eight of the thirty-four required states have adopted such a resolution.[24] If the required number is reached, a Convention of States can be called (according to Article 5 of the Constitution), at which ALEC-sponsored state legislators plan to propose "a sweeping rewrite of the Constitution that would allow states to opt out of Supreme Court rulings and federal laws they don't like" (Armiak para. 13), stripping "the executive branch of the power to issue rules without congressional approval if they have an annual effect of $100 million or more" (Armiak para. 14), and overturning "the 17th Amendment, thereby stripping voters of their right to elect U.S. Senators and handing that power over to state legislators" (Armiak para. 36). Given the influence of Koch Industries and other corporate executives on ALEC and similar organizations, the calling of a Constitutional Convention of this nature would guarantee the rewriting of the U.S. Constitution according to the demands of corporate capital. In light of all of this, ALEC must be considered as a political-economic relation of force in the construction and assertion of corporate sovereignty in that the organization deploys the economic power of its corporate members to exploit and reorganize the legal and constitutional framework of the nation-state to create a corporate state, either returning the states to the status of independent corporations or reconstructing them as subsidiaries or private corporations. The following section shifts focus, examining both the ways in which a particular agency of the federal government has

---

[24] This number is seriously contested. Independent investigators claim that "valid applying resolutions" of this nature have actually been passed by no more than eleven and as few as nine states (Bottari para. 21).

and continues to reform particular capitalist corporations, and the ways in which these

changes have allowed corporations to reform particular functions of the federal government.

Defense Advanced Research Projects Agency

> "Geeks on acid, dreaming of the future. But financed by the military industrial
> complex. Complicated."   —Jonathan Taplan

The story of technological innovation and economic progress in America most often

mythologizes the role of private initiative and enterprise, with the entrepreneur and 'market

forces' cast as the heroic prime movers of such progress. Within this narrative, the nation-

state is most often cast as either villain or impediment, a lumbering institution that drains

resources from and hinders innovation in the private sector. But even the most cursory

examination of the recent history of technological innovation in America is enough to expose

such a narrative as outright fiction. Since the onset of the Cold War, in fact, the Defense

Advanced Research Projects Agency (DARPA)—the research-and-development (R&D) and

venture capital wing of the Department of Defense—has been a primary funder, facilitator

and organizer of technological innovation in this country. DARPA provides venture capital

for corporate and academic technological innovations often before private venture capitalists

are willing to risk the investment (Holden), and offers capital to tech start-ups to develop

"major contributions to the war fighter [i.e. soldier] and commercialized products useful for

both the military and civilian sector" (Defense Advanced Research Projects Agency

frontispiece). The history of DARPA exposes the fundamental imbrication of corporate and

military agendas in technological progress in the United States (Weinberger).

The agency was founded in 1958 as the Advanced Research Projects Agency

(ARPA), in response to the Soviet Union's launch of Sputnik.[25] The imbrication of corporate

---

[25] "Defense" was added to its name in 1972 (Belfiore).

and military agendas can be traced to the agency's earliest days. It was greenlit by Neil

McElroy—Secretary of Defense under President Eisenhower—and first directed by Roy

Johnson, both of whom came to government from the corporate sector; McElroy headed

Proctor & Gamble prior to government service, while Johnson had been a vice president at

General Electric (GE). As noted earlier in Chapter 2, the appointment of corporate executives

to government positions was typical of this era. And while the agency was originally tasked

with engineering projects related to space exploration, its mission soon shifted to questions of

military technology for counterinsurgency with the formation of the National Aeronautics

and Space Administration (NASA) in the same year. For example, one of ARPA's first major

projects was to establish a Combat Development and Test Center in Saigon in 1961, the aim

of which was "to develop technology suited for fighting insurgents in Vietnam's jungles"

(Weinberger 4-5). The center's projects combined technological development, social science

research and military strategy, and became the model for the Defense Department's global

counterinsurgency push—first in Southeast Asia and later spreading to the Middle East. The

centrality of ARPA to the relationship between corporate technology and military

technocracy was solidified during the Cuban Missile Crisis, when IBM's 473L computers

were first used by the Pentagon "to process real-time information" on military allocations

and operational data (Weinberger 106). The implications of these examples are two-fold: 1)

current technological progress in the United States must be analyzed within the context of

post-World War II military objectives;[26] and 2) such progress can only be understood within

the context of the relationship between the nation-state and corporate capitalism.

---

[26] Of course, this context is only part of a longer history of technological innovation being the result of objectives, intentions, purposes, agendas, needs, crises, and innovations that are not necessarily (or primarily) technological. For instance, Raymond William's work on television demonstrates the need to reject both "technological determinism" (i.e. the assumption that research and development are "self-generating" in that

These early examples are important for considering the construction and assertion of corporate sovereignty in the United States because they establish the fundamental interdependence between the nation-state and the business corporation in considering technological development and technocratic governance as a force vector in an emerging form of corporate sovereignty. Any analysis of the role of DARPA in the corporate development of technology must be considered in the context of the post-World War II national security apparatus. In the aftermath of the war, the Department of Defense—"driven by the politics of national security and by [its] belief in the competitive advantages of high technology"—began pouring unprecedented amounts of money into scientific R&D, with levels as high as $5.5 billion yearly by 1960 (Leslie 1). The vast majority of this money was funneled to defense contracting corporations, foremost among them AT&T, General Dynamics, GE, and Lockheed. All told, the Pentagon (primarily through ARPA) "accounted for about a third of all industrial R&D spending"—and three-quarters of all aerospace, computing and electronics R&D spending—in post-war America (Leslie 2).

The amount of public funds diverted to the corporate sector through defense contracts for technological innovation continued to grow until a brief decline in the 1970s. As noted by Stuart Leslie, this decline was not due to a decrease in military influence on scientific and technological innovation, however, but to increased spending by NASA, the National Institutes of Health (NIH), and the National Science Foundation (NSF). This brief decline ended with the Reagan-era defense build-up, which ultimately elevated "military spending

---

"new technologies are invented as it were in an independent sphere, and then create new societies or new human conditions") and the view of "symptomatic technology" (i.e. the assumption that particular technologies are indirect "by-products of a social process that is otherwise determined") (6). My perspective follows Williams in understanding technology "as being looked for and developed with certain purposes and practices already in mind" and as being central to these "known social needs, purposes and practices" (7).

(in constant dollars) past the record levels of the mid-1960s" (Leslie 1). From the end of the

Cold War through the late 1990s, government spending accounted for roughly one-third of

all industrial R&D funding for computing alone (National Research Council). From 2003 to

2007, the Department of Defense saw a 25% budget increase specifically related to

DARPA's mission "to solve national-level technology problems, foster high-risk/high-payoff

military technologies to enable operational dominance, and avoid technological surprise"

("Defense Space Activities").[27] As noted by none other than Eric Schmidt—former executive

chairman of Google and Alphabet, Inc.—Department of Defense spending (conducted

primarily through DARPA is directly responsible for "almost all of the scientific and

technological research that we take for granted now" (quoted in Zakaria).

Since the onset of the Cold War, the Department of Defense has been the "largest

funder of computing and communications research" (National Research Council 55), with

DARPA "providing more support for computer science research *than all other federal

agencies combined*" (National Research Council 56) [emphasis added]. The agency now

operates with approximately $3 billion in yearly funding with much of that funding

ultimately benefitting (either directly or indirectly) corporations such as Apple, AT&T,

Google, IBM, Microsoft, SpaceX and Tesla, Inc.[28] DARPA's largesse has supported a wide

---

[27] Defense spending on technological innovation is by no means limited to the corporate sector. The impact of Pentagon (most notably DARPA) funding on university research agendas has been amply demonstrated (Belfiore; Cohen; Kaplan; Leslie; Markoff, "Making Industrial Policy at the Pentagon"; Noble; Rifkin). Although not alone, Stanford and MIT have been the main benefactors of Pentagon funding. These universities have produced not only the technologies (and the science behind them) that predominate the current conjuncture, but also the business leaders that determine the course of technological innovation in Silicon Valley. Due to the scope of my argument, however, this case study is limited to a consideration of the impact of DARPA on the corporate sector.

[28] These corporations are no longer as reliant on government funding and contracts as they once were, as evidenced by two recent episodes: 1) Google's recent decision not to renew its contract with the Pentagon on the Maven project, "which uses artificial intelligence to interpret video images and could be used to improve the targeting of drone strikes" (Shane, Metz, and Wakabayashi para. 4), after protests and resignations by company employees; and 2) Apple's refusal of a court order requested by the FBI to decrypt the iPhone of Syed Rizwan

array of projects, including (but not limited to) integrated computing systems (most notably

ARPANET, the precursor to the internet), brain-machine interfacing, cognitive computing,

virtual reality, GPS, voice and facial recognition, HD flat panel display, fiber optic networks,

software engineering, robotics, cell phones, autonomous vehicles and (as will be analyzed in

more detail in the next case study) artificial intelligence (Ackerman; Belfiore; Cohen;

Council on Foreign Relations; Defense Advanced Research Projects Agency; *Defense Space

Activities*; Kaplan; Leslie; Markoff, "Acquisition Adds to Menagerie of Robots"; National

Research Council; Rifkin; Southerland; U.S. Department of Commerce). Of course, the most

publicly acknowledged project to have been realized out of DARPA funding and research is

the internet. As significant as this is, however, it is rivaled by the agency's role in developing

one of the most impactful recent innovations; "every single technology on your smart phone

was created by [DARPA] from theory to gOS [i.e. the operating system] to the touch screen"

(Council on Foreign Relations).

But this is not just about the specific projects themselves. The exportation of

DARPA's technocratic operations into the corporate sector is also of central significance. As

the de facto organizer of and investor for the majority of civilian technologies, DARPA

selects and promotes innovations that will ultimately have military use, inevitably

---

Farook—the perpetrator of the mass shooting in San Bernardino in 2015—even after the FBI first offered to pay
the company to do so (Etzioni). These examples strengthen my argument in that they indicate the assertion of
corporate sovereignty against that of the nation-state. However, Google will continue to work on other military
projects for the Pentagon that do not directly involve weapons systems (Quinn). Moreover, the FBI was
eventually able to decrypt the operating system, but only by paying $1.34 million to an undisclosed corporation
("FBI Reveal"). During their legal battle, Apple did give the FBI access to Farook's iCloud account and also
gave the agency access to emails of Artem Vaulin, owner of the largest torrent site in the world, so they could
charge him with money laundering and copyright infringement (Mansfield-Devine; Rosen). In fact, Apple
regularly helps law enforcement with "bypassing the passcodes of seized phones in response to a valid court
order and search warrants" (Potapchuck 1405). In fact, Google and Apple (along with Facebook and Uber)
"collectively employ a couple of dozen former analysts for America's spy agencies" (Yadron). These facts also
strengthen my argument in that they indicate the inextricable relationship between Silicon Valley and the
Pentagon, however contentious that relationship may sometimes be.

militarizing the development and purpose of consumer products through their necessary connection to the bureaucracy and agenda of the DoD. These technocratic functions have already spread from the DoD to Silicon Valley. Regina Dugan—former head of DARPA— went to work in Silicon Valley after being fired for violation of the agency's ethics rules for steering government contracts to RedX Defense, the family company at which Dugan had previously been CEO (Lamothe, Whitlock and Hicks). Her first position was head of Google's Advanced Technology & Projects, redesigning the company's facilities to function like DARPA by hiring engineers, scientists and artificial intelligence experts on short-term contracts (Miller). In 2016, Dugan left Google for Facebook as head of Building 8 of the Area 404 project—a highly-secretive hardware R&D lab working on virtual reality, cameras and drones (Guynn, "Facebook's 'Area 404' Open for Business"). Her mandate at Facebook is the same as at Google—to redesign their labs to function like DARPA, this time by signing research collaborations with universities (Guynn, Facebook's Secretive Building 8"). In addition to this technocratic redesign, Dugan's move from DARPA to Silicon Valley is troubling given DARPA's previous involvement with the PRISM program in 2007, which "mined and intercepted electronic communications such as video, live chat, user data, and email from many of the leading corporate technology providers," including Google and Facebook (Alimahomed 90). All of the companies involved either complied or followed court orders (Kaplan). Although the majority of these intercepted communications will prove innocuous, the sheer volume and indiscriminant scope of the data generated through corporate technologies and captured by the national security apparatus indicates complicity between state and corporate sovereignties against that of the citizenry.

The distribution of DARPA's resources and technocratic apparatus to the corporate

sector has a number of implications. As the director "of selected advanced basic and applied

research and development projects for the Department of Defense" (Office of the Federal

Register 358.2), DARPA only funds projects that will have potential military applications.

The corporate push to driverless cars was instigated by DARPA's Grand Challenge; any

advances made in automated vehicles will (while producing consumer innovations)

ultimately be put to use in automated tanks and warships. SIRI—Apple's voice-activated

personal assistant app—was first developed at MIT under DARPA's mandate for a virtual

personal battlefield assistant for soldiers in war zones. Although there has always existed a

close relationship between Silicon Valley and the DoD, the reorganization brought to Silicon

Valley by Regina Dugan further militarizes corporate R&D in terms of technocratic

functioning. This is evident in the restructuring of corporate labs to outsource R&D to small,

flexible semi-autonomous labs and universities on short-term projects, the focus on high-

risk/high-payoff projects, and promoting innovations with military as well as civilian benefits

(Holden; Tennenhouse). Recursively, "DARPA functions much like a corporate research

division in private industry that is responsible to the highest levels of corporate authority"

(Defense Advanced Research Projects Agency 11). In this, we see not only the

corporatization of the nation-state, but also the sanctioning of corporate authority to function

alongside or even to supersede that of the government—a distribution and proliferation of

corporate sovereignties at the behest of national sovereignty.

In light of all of this, DARPA must be considered as a technological/technocratic

relation of force in the construction and assertion of corporate sovereignty in that the agency

provides funding and guidance to the corporate development of technological innovation and

has distributed its technocratic functions and organization to the corporate realm. The results of these activities provide these corporations with the economic power and technological means that they require in order to function beyond the control of the nation-state, further militarizing the corporate form while also benefitting the military functions of the nation-state itself. The following section looks closer at a specific iteration of the technological innovation that is further propelling the assertion of corporate sovereignty as enabled by the relationship between Silicon Valley and DARPA.

The Singularity

One of the projects that currently dominates R&D for the major players in Silicon Valley is that of general Artificial Intelligence (AI), which refers to the goal of creating a "self-improving machine that will autonomously find design algorithms for all [human] tasks" (Aleksander 10).[29] In layperson's terms, this means mirroring in computer systems the capabilities of the human brain to create new abilities from old information. For companies like DeepMind (now a subsidiary of Alphabet, Inc.—Google's parent corporation), futurists such as Ray Kurzweil, and corporate executives including Sergey Brin and Peter Thiel, general AI looms as a Holy Grail of sorts—a fetish object of spiritual devotion that promises to deliver the faithful from the all-too-human condition of toil-until-death.[30] Current popular

---

[29] *General* AI, which (as yet) does not exist, is distinct from current forms of *narrow* AI—i.e. task-specific forms of intelligent machines that do not display general cognitive abilities beyond the data recall necessary for their programmed tasks, language understanding, autonomous forms of self-improvement completely free from human programming and intervention, or anything resembling actual consciousness. Examples of narrow AI (commonly known as "supercomputers") include IBM's Deep Blue (which defeated reigning world chess champion Garry Kasparov in 1997), IBM's Watson (which defeated two human opponents to become a *Jeopardy!* champion in 2011), and Google's AlphaGo (which defeated Go grandmaster Lee Sedol in 2016) (J. Best; Metz; Murphey).

[30] Google has made public claims that DeepMind has achieved some form of artificial general intelligence (Sample); this claim, however, has not yet been supported through publicly-available evidence or demonstrations. As such, it must be regarded skeptically.

102

and corporate discourse tends to focus on the liberatory potential of this technological object

of devotion, with consideration of the potentially diabolical (or, at least, ethically, politically

and practically problematic) implications of its development relatively marginalized to

speculative fiction and certain corners of the academy.[31] I will not contribute to this debate,

based as it is on a highly-speculative teleological binary in which both sides (with

exceptions, of course) generally tend to presume the inevitability of general AI, and ascribe

to it an evolutionary (sometimes divine) status as progressing somehow independently of

political-economic, cultural and ideological human agendas, agents and actions.

Instead, I want to draw attention to the actual mechanisms and operations of corporate

sovereignty at work in the near-obsessive push to create general AI. In this instance, such

mechanisms and operations function as a principle of desire, in both a socio-psychological

and a metaphysical sense. I discuss this dual (though hardly binary) understanding of desire

in Chapter 5. For now, however, the Singularity serves as an effective point of entry to

considering the relations between general AI and corporate sovereignty.

The term *singularity* originated in physics as a designation for the event-horizon of a

black hole (Rose). John von Neumann adapted the term to a technological context in 1958

(the same year in which ARPA was founded, coincidentally) in order to conceptualize "the

ever accelerating progress of technology and changes in the mode of human life, which gives

the appearance of approaching some essential singularity in the history of the race beyond

which human affairs, as we know them, cannot continue" (Frey 38). The term was

popularized in the early 1980s by science-fiction author Vernor Vinge, who predicted that

---

[31] One notable exception is Elon Musk (founder of SpaceX and co-founder of PayPal and Tesla, Inc.), whose public predictions concerning the possible extinction of humanity at the hands of AI are widely available.

"the Singularity will occur when technological progress powered by self-improving artificial intelligence […] becomes so rapid that it speeds beyond our ability to foresee or control its outcomes" (qtd. in Bailey 46). Since that time, the notion of the Singularity has been taken up by futurists—most notably Ray Kurzweil (*The Age of Intelligent Machines*; *The Age of Spiritual Machines*; *How to Create a Mind*; "The Next Frontier"; *The Singularity Is Near*)— to refer to the dawning of a technological epoch in which humans transcend the limits of biology by (among other means) merging with digital computer networks. In the current cultural context of the corporate-led development of general AI, "the Singularity" resonates with a sense of evolutionary inevitability concerning "the exponential progression of information technology" with which we have been confronted since the onset of the AI paradigm in 1956 at the Dartmouth Summer Project (Liebert 568), which brought together "ten scientists sharing an interest in neural nets, automata theory, and the study of intelligence" (Bostrom 5).

Put simply, the Singularity refers to the total merger of human biology and consciousness with technology in order for humans to remain relevant beyond the point when general AI surpasses human intelligence (L. R. Baker). As predicted by Kurzweil, "in the aftermath of the Singularity, intelligence, derived from its biological origins in human brains and its technological origins in human ingenuity, will begin to saturate the matter and energy in its midst. It will achieve this by reorganizing matter and energy to provide an optimal level of computation […] to spread out from its origin on Earth" ("The Next Frontier" 21). In order not to become (at best) redundant or (at worst) extinct, humans must become immortal through immersion in the Singularity's reorganization of energy and matter. This is supposed to be achieved by a combination of means: 1) the uploading of human consciousness into

robots or networked computing systems; 2) the genetic engineering of future generations of humans; and 3) the implantation of nanotechnologies into the human body (Dauphin and Abell; Kapoor; Miles; O'Connell). These methods of achieving the Singularity so desired by futurists are all intended to overcome the corporeal—to eliminate disease, decay, aging and (eventually) death itself—while preserving intelligence. From the futurist perspective, the emergence of the Singularity will serve to make gods of us mere mortals… some of us, anyway.

The human desire for immortality is nothing new. Perhaps humankind has always sought some technological cheat when confronted with the very visceral inevitability of death. So it is fitting to apply an ancient metaphor to the futurist preoccupation with cheating death through the Singularity. In regards to our cultural obsession with technological progress, we have not escaped the cave. Indeed, we are so enthralled by the dance of mediated shadows on the wall that we collectively have yet to turn around, to confront the puppeteers and ask them "To what purpose? For whose benefit? Who even asked you to put on this show?" Because, of course, who will be allowed to become divine (and by which criteria selected) is a matter on which the likes of Ray Kurzweil, Sergey Brin and Peter Thiel remain silent. I will return to these questions in brief order. But before that, I would like to add some modern twists to this metaphor. The phantasmagoria on the cave walls are being produced by a billionaire boys' club of ersatz Übermenschen who mistake the cave for all existence, and their own pet project for the end of history.[32]

To be fair, technological advances of the past few decades have made the development of general AI (and, consequently, the ushering in of the Singularity) a viable

---

[32] Apologies to Plato, Hegel and Nietzsche.

even if still distant and speculative possibility: a *possibility*, however, not a *probability*.

Necessary (though still thoroughly inadequate) strides have been made in algorithmic

computing, semantic systems, biomedical technology, automation, information processing,

genetic engineering, narrow artificial intelligence, brain emulation and networked computing

systems. Ray Kurzweil (who, at the time of this writing is the Director of Engineering at

Google) predicts that "we will have reverse engineered the entire [human] brain and

nanobots will be operating our consciousness" by the 2020s or '30s (L. R. Baker 37). In the

visions of futurists, these nanobots will allow us "to connect to the cloud, allowing us to send

emails and photos directly to the brain and to back up our thoughts and memories" (Miles

24). This would involve the rerouting of sensory data in the brain and replacing it with virtual

content (Rose). Facebook is also reportedly working on some form of "tech-mediated

telepathy" (Allan 11). While the existence of these specific projects cannot be entirely

verified due to corporate secrecy, their existence has been publicly acknowledged by those

involved. Moreover, Kurzweil stated in an interview with Charlie Rose that by the 2040s,

"the non-biological [i.e. machine] intelligence we're creating [...] will be a billion times

more powerful than all of the biological intelligence we have in the human species." The

technology necessary for general AI and the technology necessary for immortality are

necessarily linked, and that is the point. Bill Maris (head of Google Ventures, the investment

arm of Alphabet) founded the California Life Company (Calico) in 2013 with the expressed

corporate mission to "solve" death (Naughton).Peter Thiel has invested heavily in cryonics

recently through his company Halcyon Molecular (O'Connell). Dr. Hossein Rahnama of

MIT's Media Lab and Ryerson University (Toronto) is working on immortality from another

angle, attempting to create an "augmented eternity" wherein people's digital identities are immortalized, enabling us to communicate with the dead through algorithms (Tynan).

Not surprisingly, many of these projects link directly back to DARPA. Boston Dynamics (now owned by Google) makes advanced robotics for the agency. The human-machine interfaces that Facebook would need to enact its tech-mediated telepathy originate with DARPA's Human-Assisted Neural Devices Program (Belfiore). The computer hardware, software, systems engineering and robotics necessary for AI are *all* the result of DARPA's funding to Stanford, MIT, Carnegie-Mellon, and Georgia Tech (just to name a few)—the universities that produce much of Silicon Valley's workforce (Noble). Artificial intelligence and interactive computing have been primary goals of DARPA since it acquired its first computer in 1961 (Belfiore).

But the necessary components of actualizing the Singularity have yet to be developed to the point where they can even perform without human operation and/or intervention, much less self-replicate through the automation of design and manufacture, or self-organize into a holistic system (Aleksandar). Current AI systems are not designed with "an internal model of their [own] scope of limitations" (i.e. they cannot conceive of the limits of their own abilities and therefore cannot conceive of possibilities beyond their programmed mandates) and are thus not capable of organizing new abilities to the point of being able to automate, much less self-replicate (Bundy 41). If general AI is supposed to surpass the functions of the human brain, it is still based on those functions, as well as human notions of "intelligence." It is not surprising, then, that the due date for the Singularity keeps getting pushed back whenever the rose-tinted predictions of futurists come face-to-face with the limits of contemporary technologies.

Predictions about "machines matching humans in general intelligence" have been put forth since the 1940s (Bostrom 3). The first predicted date of arrival was to be in the 1960s, with futurists reformulating the calculation for such an event within about two decades from the moments when they realize that earlier predictions proved false. At this point, the rosiest of predictions puts its arrival "around 2045" (Bundy 40). It all seems eerily reminiscent of Harold Camping, the evangelist harbinger of doom who, when May 21, 2011, passed by and the world had not ended as Camping predicted, simply reworked his 'calculations' to show that it would actually happen in October of the same year. Unless we are all suffering from the same collective hallucination, we know how that turned out. Although in different ways, both Camping and the futurists suffer from what Igor Aleksander refers to as "the 'alchemy' error" in futurist logic, one "based on the philosophy of an *eventual* discovery in a domain where no discovery exists" (10). In sum, the connection between futurist and apocalyptic logics indicate a shared metaphysical orientation towards human existence, however different the technological or religious implications of such logics may be.

For all of these reasons, I think that the Singularity is the guiding metaphysical principle of desire that manifests in the corporate development of general AI in the current conjuncture. It is, moreover, the guiding socio-psychological principle of desire in the corporate development of the networked digital technologies that increasingly (though not yet completely) overdetermine the conditions of possibility for the organization of social relations. Indeed, the same corporations (led by the same executives and engineers) that are working to solve the problem of general AI are also largely responsible for enmeshing us further in the matrix of smartphones, online platforms, surveillance apparatuses, data collection, etc., through which we are increasingly required to interact as a precondition of

participating in social, economic, political and cultural realities. In the Singularity, we see a desiring relation of force in the construction and assertion of corporate sovereignty: this metaphysical principle guides the attempt to construct a technological realm of immortality for corporate executives and the technocratic corporate form beyond the bounds of corporeal existence. This desire has direct implications for the form of corporate sovereignty. Of the four types of AI systems identified by Nick Bostrom (i.e. oracles, genies, sovereigns and tools), "a sovereign is a system that has an open-ended mandate to operate in the world in pursuit of broad and possibly very long-range objectives" (148). The very notion of the sovereign and its role in determining the conditions of possibility for human existence are rhetorically and conceptually constructed into the forms of artificial intelligence even before their material development.

Implications of ALEC, DARPA and the Singularity on Our Understanding of Corporate Sovereignty

Taken together, the examples of ALEC, DARPA and the Singularity can be considered as conjunctural expressions of the transformation of corporate sovereignty. These organic articulations, while overdetermining the contemporary conjuncture, are the result of the construction and assertion of the sovereignty of the business corporation in relation to the U.S. nation-state. As demonstrated above, the work of ALEC constitutes a political-economic force relation of corporate sovereignty in that it operates to assert the power and might of corporate interests over nation-state sovereignty. This is achieved through the dominance of corporations in ALEC's development of legislation in closed-door sessions and the introduction of such policies in state legislatures. This might also be further realized in the future if ALEC can force a second Constitutional Convention not only because the convention would be determined by delegates selected by state governments, largely through

corporate influence (ignoring the will of a majority of the nation's citizens), but also because the state aim of such a convention is to enshrine corporate sovereignty over that of the nation-state, to create a corporate state.

DARPA constitutes a technological/technocratic relation of force in this crisis of sovereignty in several ways: 1) while it has determined the course of corporate technological innovation by providing material support to those innovations considered valuable to the military/national security apparatus, its mode of R&D is being increasingly deployed to reorganize the R&D practices of major technology corporations, creating a new corporate technocratic infrastructure; 2) the venture capital it provides comes from public funds, thus redirecting economic wealth into private corporate enterprise; and 3) the technologies produced as a result of DARPA's practices will ultimately serve military, intelligence and national security interests, the bulk of which have been transferred to the private military industry. These developments signal two crucial points about the construction and assertion of corporate sovereignty. First, the relation of DARPA to corporations shows how inextricably linked they have been since World War II, with DARPA enabling the creation of modern corporate technocracy. Second, as corporations have modelled themselves on DARPA, and have begun to assert their own power over that of the nation-state, we are witnessing the emergence of corporism.

The Singularity (as a desiring relation of force of this crisis) presents the strangest case of all. The fantasy of the corporate form to make human intelligence obsolete through artificial intelligence while simultaneously making human intelligence eternal through networked digital technologies, represents the emergence of a new—or the rearticulation of an old—desire, both socio-psychological and corporate. The proliferation of social media

posts and engagement through networked communication devices can be thought of in this instance as expressive of a human desire for immortality—to preserve in the more permanent format of technological infrastructure the ephemera of ourselves and social interactions. But more importantly in the consideration of corporate sovereignty, this socio-psychological desire becomes articulated to the corporate desire for immortality. In the (il)logic of the Singularity, the human desire for immortality can only be expressed (in a secular sense, at least) through the immortality of the corporation as enabled by the legal form of corporate personhood and guided by the will of corporate executives having merged with a networked infrastructure of artificial intelligence.

These relations of force might well coalesce in the "government of an Aristocracy" that Thomas Jefferson saw in its nascence—one enabled by corporate economic, political and technological power. I want, in concluding this discussion, to engage in a brief thought experiment—thinking-through these case studies in relation to the various iterations of the concept of *corporate sovereignty* I described above. At the risk of showing my hand before its time, it must be noted that none will prove adequate because each holds together only on one level of abstraction (i.e. the organic). But ultimately, they will prove to be productive failures in that they provide an opening for analyzing the relation between the organic and the conjunctural, thus providing the basis for my analysis offered in Chapter 5. The significance of this relation is discussed at the end of this chapter. For the moment, let us focus on corporate sovereignty as it has already been discussed.

In the work of ALEC and DARPA, we can see at work Thomas Edwards's concerns about the emergence of a corporate nation that embodies a hybrid sovereignty whereby the boundaries between the nation-state and transnational corporations become blurred to the

point of constituting a novel geopolitical entity. We see this not only in ALEC's exploitation of the federalist system of governance by pushing corporate-sponsored bills through state legislatures, but also through their longer-term push to force a second Constitutional Convention. Moreover, this is evidenced in the work of DARPA, in regards to both the reorganization of corporate R&D labs to function more like the agency and the military objectives that determine much of corporate technological innovation. And if, as argued by Edwards, corporate sovereignty is predicated "on economic control based on virtual interconnectivity" (T. M. Edwards 293), then the economic power generated for major tech corporations by the networked digital technologies that gather, process, deploy and control the majority of information in the contemporary moment is the driving force that propels the development of artificial intelligence towards the apotheosis of virtual interconnectivity (i.e. the Singularity). Taken together, the legal and constitutional maneuverings of ALEC, DARPA's reorganization and militarization of corporate technological development, and the eternal virtual interconnectivity espoused by proponents of the Singularity can presage an emergent form of sovereignty in Edwards's terms—one based on corporate economic and technological dominance, and requiring no legitimation by the international order.

The arguments of Sheldon Wolin seem equally appropriate to considering the examples offered here. The drafting of legislation by corporate executives in closed-door sessions at ALEC conferences with absolutely no oversight by or accountability to public interests eerily resonates with Wolin's understanding of inverted totalitarianism as the over-taking of popular sovereignty through the concurrent political mobilization of corporate power and political demobilization of the citizenry. The funding of ALEC by corporate membership dues and the largesse of the Koch Brothers in ultimate pursuit of a constitutional

rewrite outside the purview of the U.S. Congress further indicates the antidemocratic nature of elite executive rule in the contemporary moment. As noted earlier, Wolin argues that this form of sovereignty was enabled by the globalization of capitalism as a system of decentralized, multiple powers that disrupted the traditional role of the nation-state in the international political order. In this regard, we may consider DARPA as a prime mover in the creation of these decentralized, multiple powers (i.e. transnational technology corporations). By providing venture capital and R&D for corporate technological innovation for over half a century now, the agency is at least partially responsible for the massive economic dominance of these corporations. The technological innovations that have built the new global corporations (coupled as they both are to the incessant drive of capitalist expansion as such) form the dynamic machinery of corporate imperialism that (for Wolin) emerges finally as the political co-partner with the marketized nation-state, whereby each institution exchanges functions and powers in the takeover of popular sovereignty on a global scale. Carried to its (il)logical conclusion, the Singularity can be thought of in this regard as the abstract totalizing power of political disengagement through eternal interactive distraction—an advanced form of propaganda that demobilizes popular political will by subsuming it to the corporate and futurist drive to networked immortality.

In the terms set out by Luis Suarez-Villa, these signposts indicate the oligarchic and technocapitalist components of corporate sovereignty, whereby the economic power enabled by technological innovation converges with practices of corporate governance to produce a form of hegemonic plutocracy in which power resides in the hands of a limited number of corporate actors, not only in terms of governance and politics but also regarding the fundamental organization of social relations. In the case of ALEC, we see evidence of the

ideological dimension of corporate power discussed by Suarez-Villa. Since its founding, ALEC's legislative practices have been focused on advancing a right-wing social agenda, in combatting progressive gains on issues such as gay rights, collective bargaining rights and voter empowerment, but more importantly, a corporate agenda divesting the nation-state of its ability to regulate business. The technological rationality (or, technique) of corporate sovereignty is evidenced in the example of DARPA in that the organization of social relations as financed and directed by the agency is a material expression of the technocratic rationality of corporate innovation as articulated to military interests. Technological innovations (e.g. the internet) that form a significant (and increasing) portion of the infrastructure of social organization in the United States were initially developed according to the rationality of military and corporate organization and, as such, allow for the colonization of social relations by this rationality. The Singularity can be understood in relation to the third part of Suarez-Villa's equation—the relations of power (i.e. the global projection of corporate power)—in so far as the achievement of the Singularity would be the most effective means for universalizing corporate power through both the eternalization of corporate elites and the totalization of their control over the organization of social relations through artificial intelligence and a networked technological infrastructure.

Finally in relation to the existing literature on corporate sovereignty, we can consider these case studies in relation to the work of Joshua Barkan. Beginning with the notion that the sovereignty of the corporation and that of the nation-state are ontologically conjoined, yet in conflict within the framework of legal authority, the examples of ALEC, DARPA and the Singularity lend credence to Barkan's argument that while corporate power arises from apparatuses of government, nation-state sovereignty is also founded in the corporation as a

114

political body. Moreover, this doubling operates as a condition of sovereignty (as understood

in Agamben's reading of Schmitt) in that corporate sovereignty derives from the legal

framework established by the sovereignty of the nation-state while also operating as

exception to the law. Regarding ALEC, this is most evident in that the organization's

existence is predicated on its legal recognition as a corporation and the partial makeup of its

membership by members of state legislatures. In conflict with this is ALEC's concerted

efforts to reestablish the boundaries of the law through initially extra-legislative means and to

undermine the legal framework of the nation-state through a Constitutional Convention. In

regards to DARPA, the ontological coupling between the corporation and the nation-state

functions a bit differently. Corporate sovereignty is enabled in this sense from the legal

transfer of public wealth into private hands by way of DoD investment in corporate

technological innovation. The notion of the exception to the law comes into play here in that

the economic power generated by these innovations allows corporations to then invest in

projects that might ultimately allow them to exist as sovereign entities outside the control of

any nation-state. Google recently unveiled barges capable of existing self-sufficiently in

international waters for a couple of years at a time. Peter Thiel is a strong proponent of

"seasteading, which is the concept of creating artificial permanent islands […] outside the

territory claimed by any government" (Taplan 24). Larry Page has been funding research on

the viability of creating "privately-owned city-states" (ibid.). These barges, seasteads and

city-states would effectively be corporate nations that could not be regulated, taxed or

legislated by any nation-state. Having evolved with the nation-state and gained legitimation

in the legal framework of the nation-state, corporations are now poised to establish

themselves as states without a nation. This consideration of DARPA applies equally to the

Singularity in that artificial intelligence is at least partially funded by DARPA in the same way as other corporate technological innovations. The distinction here is that the extra-legal space that might be created through the advent of the Singularity will not exist in international waters but in networked digital environments that confound any notion of territorial boundaries. Taken together, it can be argued that these case studies lend credence to Barkan's argument that "the Anglo-American corporation and modern political sovereignty are founded in and bound together through a principle of *legally sanctioned immunity from law*" (Joshua Barkan 4)

All of these considerations (i.e. of the work of Edwards, Wolin, Suarez-Villa and Barkan) provide a useful though incomplete framework for thinking ALEC, DARPA and the Singularity through the concept of corporate sovereignty. If these narratives seem a bit too tidy—a touch simplistic—that is because they are. In finding one-to-one correlations between these signposts and the various conceptualizations of corporate sovereignty, I have exposed the necessity of bringing another concept to bear upon this argument, because there is no simple, one-to-one correspondence between reality and our attempts to theorize it. The mechanisms and operations of power are, in fact, more complex. Corporate sovereignty is indeed the crucial issue, but not only in the way that the existing literature on *corporate sovereignty* allows us to think about it. As I have been arguing, corporate sovereignty must be thought of first, as an organic form that was constructed and asserted through the evolution of the legal form of the corporation and the U.S. nation-state, and second, as an organic form through which the transformation of sovereignty overdetermines the crises and contradictions of the current conjuncture. The direct application of *corporate sovereignty* to these signposts require a conjunctural consideration of corporate sovereignty. While Joshua

Barkan's work provides an opening for thinking of corporate sovereignty in organic terms, it does not quite get us to a consideration of the conjunctural articulation of relations of force in a way as that can help us come to terms with the crisis of American political life that was so brutally exposed by the 2016 election cycle. As evidenced in the following chapters, this only becomes possible if we articulate corporate sovereignty to the problem of fascism, although not in the ways that term is normally understood and used. So the reframing of yet another narrative becomes necessary.

PART II: FASCISM

CHAPTER 4: AREN'T YOU A LITTLE SHORT FOR A STORMTROOPER? OR, THE LIMITS OF FASCISM

Introduction

It might seemed anachronistic (or, at least, ill-advised) to discuss fascism in reference to contemporary problems of governance in the United States. So often has that term been thrown around in casual, haphazard and ignorant ways that it might seem best to dispense with its use altogether. However, *fascism* is indeed a central problematic of the current conjuncture, especially when considered in tandem with the problematic of *corporate sovereignty*. As such, this chapter functions as a detour through theory in order to recontextualize the functions of ALEC, DARPA and the Singularity as conjunctural articulations of corporate sovereignty. Fascism (as I argue here) is a mode of power by which the crisis of sovereignty is resolved conjuncturally, but only if understood in a way that runs counter to how it is usually discussed. Fascism has been extensively theorized and deployed in scholarship, partly as a way of exorcising from our collective intellect the horrors of World War II. Fascism has been so theorized, in fact, that it is "probably the vaguest of political terms" (Payne 4)—at once highly specified and overly generalized, too reductive to be anything other than historically descriptive yet too abstract to serve a concrete analytical purpose. Some scholars have suggested that there is not even such a "*thing* as fascism," only the people and movements that we identify as fascist (Allardyce 368). In agreeing "to use the term without agreeing on how to define it," we have evacuated the term of any substance (Allardyce 367). And while I disagree with the suggestion of Gilbert Allardyce that fascism

119

should "become a foreign word again, untranslatable outside of a limited period of history"

(388), I am sympathetic to the frustration out which such a suggestion arises. This frustration

results from three contradictory tendencies in our current understanding of fascism: its

indiscriminate usage in public discourse; the tension between generalization and over-

specification in theoretical work on the subject; and the recent incorporation of the work of

Deleuze & Guattari into critical scholarship concerning fascism. This chapter seeks to

rehabilitate a particular use of the term "fascism" by explaining each of these tendencies (i.e.

public discourse, political theory, and critical scholarship) in turn and offers an explanation

of their inadequacy. The purpose of this is to demonstrate the necessity of thinking fascism

conjuncturally so as to provide the groundwork for my analysis of ALEC, DARPA and the

Singularity through what have been generally marginalized theories of fascism in Chapter 5.

Fascism and Its (Popular) Discontents

The first of these tendencies—its indiscriminate use in public discourse—has

rendered the term "fascist" into "an all-purpose term of abuse" for one's political adversaries

(Passmore 11). Such usage has "distorted [the term] out of all recognition" into a catch-all,

"emotionally charged word of condemnation for any political regime or action perceived to

be oppressive, authoritarian or elitist" (Griffin, *The Nature of Fascism* 4). Although a variety

of explanations could be offered as to how this came about, at least part of the answer lies in

the use of the term by members of the radical left and youth-oriented political movements of

the 1960s (Passmore). Of course, it must be acknowledged that the political right is

sometimes as guilty of this as the left.[33] Another part of the answer lies in Marxist analyses of

fascism, which (with a few exceptions) suffer from a "tendency to reduce fascism to an

---

[33] For evidence of this, look to Jonah Goldberg's *Liberal Fascism: The Secret History of the American Left, from Mussolini to the Politics of Meaning*, or recent interviews with Dinesh D'Souza.

aggressive form of capitalism" (Griffin, *The Nature of Fascism* 4). Yet another (and heretofore unacknowledged) part of the problem lies in how fascism has been theorized within the disciplines of political science and history, which tend to focus overwhelmingly on Nazi Germany as the exemplar of a fascist regime. This focus is understandable given the horrors of that regime, but such identification—and the emotional resonance wrapped up with such identification—allows for irresponsible commentators in popular (though certainly not academic) discourse to shut down reasonable political discussions by comparing their opponent to Hitler.

In popular discourse, the slur "fascist" is usually levelled against political conservatives—from the administrations of Richard Nixon, Ronald Reagan and George W. Bush, to the rise of the Christian right in American politics and the resurgence of right-wing nationalism in Europe (Davidson and Harris; Griffin, "Studying Fascism in a Postfascist Age"). There are, however, a few notable exceptions. One is Jonah Goldberg's *Liberal Fascism*, which attempts to explain fascism as a phenomenon of the political left. While I share Goldberg's frustration with the indiscriminate use of "fascist" as a slur for political conservatives, his work does nothing to recuperate an accurate understanding of fascism; it simply reinforces the vacuity of colloquial usage by multiplying its potential targets. Despite Goldberg's claims, no, we are not all fascists now. The recent use of "fascism" against the left in popular discourse arguably arises from the scholarly work of Friedrich Hayek, who argued that fascism was "a necessary outcome of [socialist] tendencies" instead of a reaction against them (Hayek 4).

This view is rooted in Hayek's overly simplistic conflations of fascism with all forms of totalitarianism (and of socialism with authoritarianism), as well as a fallacious argument

that socialist forms of economic planning are inevitably incompatible with democracy. For

Hayek, fascism was the result of three interrelated forces: the unmasking of the socialist

illusion by the realities of the Soviet Union; frustration with elite privilege and materialism,

which resulted in the abandonment of liberalism; and mass dissatisfaction with the

"ineffectiveness of parliamentary majorities" (Hayek 136). There is merit to Hayek's points

about frustrations with elite privilege and materialism, and mass dissatisfaction with

legislative ineffectiveness. However, the realities of the Soviet Union had yet to be unmasked

to such a degree to warrant Hayek's connection of the regime to the rise of classical Fascism.

Hayek's argument rests on the conflation of freedom with what we might call market

capitalism: "The separation of economic and political aims is an essential guaranty [sic] of

individual freedom" (145). Hayek argued that money was the ideal medium of desire (with

individual freedom as the actualization of desire through economic activity). This belief

underlies Hayek's idealization and naturalization of an economic system founded on

unfettered competition. Socialism (or, indeed, any economic planning) becomes equated with

the suppression of competition. For Hayek, any such interference in the supposedly natural

workings of economic markets by the government is viewed as fundamentally totalitarian—

in the sense of striving for economic unity under political authority—and authoritarian—in

the sense of exerting political authority over realms of life that (according to Hayek) should

be free from political control—hence fascist. For evidence of this, many people who adopt

Hayek's position simply point to the fact that the Nazi regime referred to itself as National

Socialist, never mentioning the fact that this was an intentional rhetorical strategy on the part

of the Nazis designed to draw working-class support away from socialist parties, and perhaps

ignorant of the fact that economic planning under classical Fascism was not socialist; it was

corporatist (i.e. the economic system was organized through national corporations under the authority of the state), and on a practical level involved much less government planning and interference than socialist regimes.[34]

Hayek's conflation of economic planning and/or regulation on the part of the government with fascism underlies the use of "socialist" as a dominant term of abuse levied against liberals in the United States in the current age. Owing to the continued relevance of Hayek to some variations of conservative, libertarian and neoliberal discourse, the implication of being a fascist is arguably always already embedded in the use of "socialist" as a slur for liberals. With the exception of "eco-fascist" and "femi-nazi," "socialist" is the right-wing iteration of the unsubstantiated use of the term "fascist" by the left. In each of the instances noted above, colloquial use of the term "fascist" has little or no connection to fascism as theorized by historical and political science scholarship, and for the most part has no consistent understanding of the term.

This poses a serious problem for scholarship—one that is at once epistemological and political. Epistemologically, indiscriminate popular usage effectively empties *fascism* of any verifiable content. By reducing the term to an empty signifier, popular usage serves as a distraction from the effort to map and understand the resurgence of fascism (whether potential or actual) in other socio-historical contexts. How can we understand fascism as an actual phenomenon or recognize the features of fascism at work in a particular social formation if all of us (regardless of political orientation) are reduced to the state of fascist-and-also-not-fascist-but-less-fascist-than-thou-who-art-more-fascist-than-I-who-am-not-

---

[34] The analysis of fascist political economy offered in Chapter 5 demonstrates that the relationship between the nation-state and the corporation under fascism bears little resemblance to socialist economic planning, regardless of how Nazis liked to refer to themselves.

fascist?[35] Within this cultural climate, scholarship concerning fascism can appear to be

anachronistic at best and conspiracy theory at worst. And this speaks to the political problem

with the contemporary use of "fascist" as an indiscriminate slur. How are we to engage in

meaningful anti-fascist political action if "we are all, always fascist of multiple kinds" (Evans

and Reid 5)? The questions of power require that we take serious stock of the re-articulations

of fascist power within our own socio-historical context rather than simply "accepting

impurity [i.e. fascism as an ontological condition of human political behavior and

psychological character] as a condition of possibility for political thought and action" (ibid).

The Limits of Political Theory

Scholarly argument about fascism presents a more complex set of problems. I want to

be clear from the outset that I am not criticizing the existing body of theoretical and historical

scholarship on fascism. For the questions and problems with which such scholarship is

concerned, it is adequate and appropriate to the task. Political theory and history have done

an admirable job grappling with the extraordinary problems that one encounters when

attempting to delineate the ideological and politico-institutional characteristics of a

phenomenon as amorphous and contradictory as fascism. I, however, am concerned with

another set of questions and problems—the articulated assemblage of political economic,

technological/technocratic and socio-psychological relations of force through which such

ideological characteristics and political practices are expressed.

Historical and theoretical work on fascism has been concerned predominantly (though

not exclusively) with defining the characteristics of fascism as it manifested in Italy and

Germany under the leadership of Benito Mussolini and Adolph Hitler, respectively (Eatwell,

---

[35] This shortcoming is (as demonstrated in the pages below) also present in the recent scholarly application of
the work of Deleuze & Guattari to the question of fascism.

"Towards a New Model of Generic Fascism"; Eatwell, "On Defining the 'Fascist Minimum'"; Griffin, *The Nature of Fascism*; Laqueur; Passmore; Payne).[36] Hence, there is a predominant concern with ideology, party politics and the bureaucracy. Theories of fascism generally start with classical Fascism and continue on to fascist organizations after the war, less imperially aggressive manifestations of state fascism (e.g. Spain under the dictatorship of Francisco Franco), and the adoption of fascist ideology and symbolism within marginal ethno-political groups (e.g. the British National Party, the Golden Dawn in Greece, and neo-Nazi/Aryan groups in the United States). This type of scholarship—largely concerned with historical instances of fascist political parties gaining (or at least attempting to gain) control over the political and bureaucratic apparatus of various nation-states—gives rise to what I refer to as the *political-ideological account* and the *totalitarian account* of fascism.[37]

---

[36] The conflation of Nazism and Italian Fascism into the term "fascism" within political and historical scholarship is itself problematic. Although understandably arising from the alliance between these two regimes during World War II, it elides important differences between them. Academic focus on the ideological content of fascism tends (though not exclusively) to emphasize the political features of Nazism at the expense of an equally-careful consideration of the development of fascist economic ideology in Italy during the inter-war period (or even back to the 19th century, depending on one's preferred chronology). For example, anti-Semitism is frequently highlighted as being characteristic of fascist ideology although it was not integral to Italian Fascism until Mussolini reluctantly entered into an imperial alliance with Hitler. Mussolini's regime received considerable support from Jewish war veterans prior to this alliance, with Jewish Italians serving in high-ranking offices in the fascist state (*Italian Fascism in Color*). I am in no way justifying fascism or any of its tenets. I am simply striving for clarity, however Quixotic that quest may be. Given these considerations, this chapter re-produces the conflation of Nazism and Italian Fascism within current scholarship. Chapter 5, however, focuses primarily on Italian Fascism, referring to Nazism only when reference to Italian Fascism is insufficient to the task at hand. This choice (as with all other choices I make) is both epistemological and political.

[37] A significant amount of contemporary scholarship also deals with "the relationship of fascism to organized religion, gender, modernity, culture, art, economics, communism, male chauvinism, aesthetics, […] political religion, technology, and modernism" (Griffin, "Studying Fascism in a Postfascist Age" 2). I limit my summary of contemporary understandings of fascism to the political-ideological and totalitarian accounts, however, because these other lines of research stem primarily from those accounts. This is not to suggest that these lines of research are unimportant; they are, however, part of the "new consensus" in fascist studies (Griffin, "Studying Fascism in a Postfascist Age" 1), which is based on the political-ideological account—particularly Roger Griffin's "core matrix of [fascist] axioms" (Griffin, "Studying Fascism in a Postfascist Age" 6).

Although these accounts do not represent the entirety of disciplinary scholarship, they do define major positions within our current understanding of fascism. While there is much value in these accounts, they do not provide much insight into the core problem of power of both classical Fascism and what we face in the United States in the current conjuncture. The political-ideological account tends to describe fascism, first, by its aggressive nationalist antagonism towards socialism, democracy and liberalism (Mussolini, "The Doctrine of Fascism"; Passmore)—a characteristic Hayek seemed to feel not worth considering.[38] Socialism is the first enemy of fascism because it stands in the way of fascism's primary economic objective as made explicit in the fascist literature itself: the political reconciliation of labor and capital, with labor subservient to imperialist national capital (Mussolini, "The Doctrine of Fascism"). It is only through the establishment of national corporations that such reconciliation can be achieved in accordance with fascist ideals. Democracy is viewed "as from time to time giving the people the illusion of sovereignty, while the real, effective sovereignty lies in the hands of other, concealed and irresponsible forces" (Mussolini, "The Doctrine of Fascism" 239). Although these forces and the dangers they pose are neither coherently defined nor explicitly identified, they are deployed discursively to generate support for the authoritarian domination of both labor and the nation-state by the fascist political party.

Liberalism (political and economic) is attacked as "the logical and, indeed, historical forerunner of anarchy" (Mussolini, "The Doctrine of Fascism" 240). The connection of

---

[38] There is also a debate as to whether fascism also considered capitalism as an enemy (Guerin; Hayek). This is examined in Chapter 5. For now, I set this debate aside because of two facts: 1) the originators of classical Fascism did not identify capitalism *as a mode of economic production as such* to be their enemy; and 2) the actual economic policies and practices of German and Italian Fascism were themselves variations of capitalist production (Einzig; Guerin).

liberalism to anarchy evokes populist fears of alterity, multiplicity and the degradation of the

country. Nationalism and xenophobia—residing as they do at the heart of fascism's

"intellectual origins" (Passmore 2)—weave through these antagonisms to fabricate an anti-

left, populist-authoritarian, ultranationalist political movement.[39] Classical Fascism opposed

left-wing political ideologies primarily because they foster loyalty to groups or institutions

other than the nation-state.

> Fascism is a set of ideologies and practices that seeks to place the nation, defined in
> exclusively biological, cultural, and/or historical terms, above all other sources of
> loyalty, and to create a mobilized national community. Fascist nationalism is
> reactionary in that it entails implacable hostility to [for example] socialism and
> feminism, for they are seen as prioritizing class or gender rather than the nation. That
> is why fascism is a movement of the *extreme* right. Fascism is also a movement of the
> *radical* right because the defeat of [enemies such as] socialism and feminism and the
> creation of the mobilized nation are held to depend on the advent to power of a new
> elite acting in the name of the people, headed by a charismatic leader, and embodied
> in a mass, militarized party. […] Fascists seek to ensure the harmonization of
> [disparate] interests with those of the nation by mobilizing them within special
> sections of the party and/or within a corporate system. (Passmore 31).

Built as it is on the more often latent, occasionally explicit prejudices of a national

populace, this ultranationalism manifests in the fascist desire for a single-party state that

displays a set of commonly-accepted characteristics (Griffin, *The Nature of Fascism*). In

addition to being fundamentally anti-left and ultranationalist, fascism aspires to imperialism

through military expansionism (Passmore). To these characteristics should be added "racism,

charismatic leadership, […] fears that the nation or civilization as a whole [is] being

undermined by forces of decadence, deep anxiety about the modern age and longings for a

new era to begin" (Griffin, *The Nature of Fascism* viii). Although varying according to the

---

[39] Contrary to popular misperception, to say that fascism is anti-left does not imply that it is a form of
conservatism. When theorizing fascism, we need to do so outside the political binaries to which we in the
United States are generally accustomed. Fascism (as explained in the following pages) is inherently
contradictory and cannot be understood within those binaries.

specific context, fascism is essentially reactionary in an ideological sense. Reactionary

ideologies tend to form in response to changes in the social world rather than on a core set of

positive values. The reactionary nature of fascism marks it as substantially devoid of any

"definite and coherent doctrine" (Guerin 95). Generally speaking, the reactionary-yet-radical

ideological characteristics of fascism are identified as sets of contradictions, for example: the

hierarchical mobilization of disparate (often antagonistic) social groups united around a myth

of national unity; a traditionalism that is obsessed with technological progress; populist

elitism; hyper-masculine aesthetics with rhetorical appeals to women; idealization of the

people with a concurrent contempt for mass society; the desire to wrest authority from

institutionalized conservative political coalitions coupled with a reliance on popular

conservative coalitions; and the invocation of violence as a means to preserve order (Eatwell;

Griffin, *The Nature of Fascism*; Passmore; Payne).

Indeed, it is this contradictory nature that underlies the difficulties that scholars

encounter in attempting to identify, characterize and analyze fascism as a clearly defined

phenomenon. As counterintuitive as it may seem, the attempt to specify the precise historical

and ideological characteristics of fascism has added to the confusion—if not vagueness—

surrounding the term. Scholars often identify certain components as defining fascism, even

though these components on their own are not exclusively fascist. Although important, the

debates arising from the political-ideological account have had a simultaneously widening

and narrowing effect on our understanding of fascism. For example, Roger Eatwell's

conceptual model of generic fascism promotes an ideological interpretation centered on

themes of "natural history, geopolitics, political economy [and] leadership, activism, party,

and propaganda" for the purpose of comparing the varieties of fascist political programs in

various historical moments and societies (174). In contrast, Roger Griffin developed the notion of a "fascist minimum" (Griffin, *The Nature of Fascism* viii), which defines fascism as "*a genus of political ideology whose mythic core in its various permutations is a palingenetic form of populist ultranationalism*" (Griffin, *The Nature of Fascism* 26).[40]

In spite of these contradictions, debates and confusions, there is (according to Mussolini) one unifying factor to fascist ideology and political practice: the nation-state. "The foundation of Fascism is the conception of the state, its character, its duty, and its aim" (Mussolini, "The Doctrine of Fascism" 242). The classical Fascist state was intended to operate as "an embodied will to power and government. […] According to fascism, government is a thing to be expressed not so much in territorial or military terms as in terms of morality and the spirit. It must be thought of as an empire" (Mussolini, "The Doctrine of Fascism" 244). The state is the point of convergence for "all the political, economic, and spiritual forces of the nation" (Mussolini, "The Doctrine of Fascism" 243). Moreover, all individual or collective subjectivity/identity has value only in relation to the nation-state. Politically speaking, the classical Fascist state took the form of an "organized, centralized, and authoritative democracy," but *only if* democracy means the absolute submission of individuals to the collective advancement of the racialized fascist nation (Mussolini, "The Doctrine of Fascism" 240). The fascist state was distinguished from other forms of dictatorship in that it was able to gain control of the government bureaucracy by electoral and legislative means rather than vanguard revolutionary action. "What made fascism different from earlier dictatorships was the *presence of a mass party* that monopolized power through

---

[40] "Palingenetic" refers to rebirth or regeneration. Biologically, this implies "embryonic development that reproduces the ancestral features of the species" (*OED*). In a metaphysical sense, this implies baptism in service of the "transmigration of souls" (ibid). These two implications should be taken together for the argument at hand, with the fascist state as both Womb and Savior.

its security services and the army and that eliminated all other parties" (Laqueur 14). Fascism came to power in Italy and Germany through preexisting parliamentary institutions (enabled by mass support of the populace and violence on the part of organized thugs), then consolidated power by fostering bureaucratic inefficiency and chaos.[41]

The question of the nation-state serves as the focal point for the *totalitarian account* of fascism, which offers insight into how fascist parties (enabled by both cadres of violent thugs and mass support of the populace) were able to gain control of government bureaucracies. The mass appeal of fascism is viewed as having resulted from a series of crises—primarily the military failures of the German and Italian states in World War I, economic depression, the inter-war weakening of established conservatism (which resulted in a shift of conservatives to the far right), and the failure of the socialist left to gain control of the nation-state (which was predicated on the left's failure to present a coherent political platform capable of mobilizing the working class) (Laqueur; Passmore). This account highlights fascism's need for a unified party with mass support, headed by a single leader and "superior to or intertwined with the governmental bureaucracy" (Passmore 19). Once in control of the government, the fascist party operated through a combination of mass media propaganda, political terror exercised by the police and secret police, a weapons monopoly concentrated in the relationship between the military and heavy industry, and centralized control of the economy (Passmore). This account focuses on fascism as "an elaborate ideology, which covers all of man's [sic] existence and which contains a powerful chiliastic [i.e. messianic] moment" in pursuit of the total restructuring of society through the nation-

---

[41] This is one of the few consistent features of fascism: to construct grand, mythical dictums then avoid questions of practical implementation, dealing with concrete historical realities in a manner that is both expedient and reactionary.

state in accordance with such an ideology (Passmore 19). In the context of classical Fascism, the restructuring of society required control of the nation-state. The difference between the political-ideological account and the totalitarian account is not a matter of kind; it is simply a matter of whether emphasis is placed on the ideological characteristics of the political movement or on the control of the nation-state by a fascist party.

Both of these accounts provide valuable insight into the character and functions of fascism as an ideology and political movement. At the risk of contradicting my earlier statements regarding the U.S. presidential election of 2016, it is not difficult to recognize the ideological characteristics and contradictions of fascism as a force in American politics in the current moment—the rejection of socialism and liberalism, with a concurrent distrust of representative democracy; racism, xenophobia and ultranationalism; the hierarchical mobilization of disparate (often antagonistic) social groups united around a myth of national unity; a traditionalism that is obsessed with technological progress; populist elitism; hyper-masculine aesthetics with rhetorical appeals to women; idealization of the people with a concurrent contempt for mass society; the desire to wrest authority from institutionalized conservative political coalitions coupled with a reliance on popular conservative coalitions; and the invocation of violence as a means to preserve order. We witnessed the coming to power through electoral means of a leader professing exactly those values. It can reasonably be argued that "Make America Great Again" expresses the mythic core of these values while advocating a palingenetic form of populist ultranationalism. The current administration views the nation-state as necessary for the purposes of reorganizing society to the demands of corporate capital—even if the government itself is derided in public discourse as being inefficient and a hindrance to business. The agenda of this administration (and its reluctant

allies among the institutionalized conservative coalitions in Congress) seems to be based on grand, mythical dictums that avoid questions of practical implementation, and deals with concrete historical realities in a manner that is both expedient and reactionary.

Of course, there are a few important differences between classical Fascism and the current state of American politics. The current administration is not a dictatorship, nor has it eliminated other political parties. Forms of mass media have not been monopolized for party propaganda, which is disseminated instead through social media. Political terror is not exercised through the police or a secret police, but by loosely-organized groups of white-nationalists with no official bureaucratic positions. And while a monopoly on heavy arms certainly exists between the military and defense contractors, the National Rifle Association at least ensures that anyone with even a well-documented history of violence and psychiatric problems can still amass a personal arsenal of small arms for the purposes of "a well-regulated Militia" (*Constitution of the United States*). Finally, there is no central control of the economy. Corporate capital no longer requires the nation-state for its productive organization, except when it wants either funding for technological and scientific innovations, or tax rebates, deregulation or what is often called "corporate welfare."

At least this is what I would say if I were thinking about the current state of American politics through the political-ideological and totalitarian accounts of fascism. But these accounts have only limited analytical value to the argument at hand. The totalitarian account tends to push aside questions of causality, content instead "with mechanistic generalizations about the crisis of traditional ideas, a consequent sense of disorientation, and search for substitute religion" (Passmore 21). Moreover, this account regards fascism as a unified mass party. Actual analyses have shown, however, that classical Fascist regimes lacked a clear

132

authority structure and were rife with internal dissension and power maneuvers that inhibited

the assumed authoritative supremacy of the party leader (Gibson; Neumann; Renneburg and

Walker). By focusing on the revolutionary aspects of fascism, the totalitarian account

generally ignores fascism's equally significant reactionary and traditionalist features. This is

due in part to the fact that, although the totalitarian account does address Italian fascism, the

Nazi regime in Germany is typically posited as the archetype of fascism (Passmore). This

tends to reinforce a political orientation to the problem while viewing as tangential the

economic, cultural and technological aspects of fascism—in as much as the totalitarian

account is concerned with the more politically totalitarian regime of the era of classical

Fascism. Finally, the totalitarian account ignores Hannah Arendt's analysis of totalitarianism,

which argues that fascism is not actually totalitarian because the classical Fascist state (i.e.

Mussolini's regime) "did not attempt to establish a full-fledged totalitarian regime" because

while it attempted to organize classes through a one-party dictatorship, it did not further

attempt to organize the masses (Arendt 309).

The political-ideological account is also limited when attempting to theorize fascism

as a form of power. The theoretical reduction of fascism to a set of specific ideological

components that characterize particular political regimes, or the generalization of such

components into a conceptual model for comparing/contrasting fascism with other political

movements, cannot account for the cultural, economic and social contexts out of which those

ideologies and parties arose.[42] Analyses grounded in this account exhibit "certain basic

deficiencies: either they remain merely at the empirico-descriptive level or, when we burrow

---

[42] To be fair, this is not the aim of the political-ideological account. I am *not* blaming a theory for *not* doing what it does *not* claim to do; I am simply suggesting that it is of limited value when our questions about fascism move beyond the realms of ideology and political practice.

down to the historico-explicative mechanisms which order the tangled mass of facts, we find

that fascism is reduced to relatively simple contradictions" (Laclau 81). Such analyses lack

an understanding of the very "complex articulation of contradictions from which it emerged"

(Laclau 82). They are content with pointing to the necessity of mass support for the success

of fascist parties without accounting for the mechanisms by which such support was

generated. This is especially problematic when we consider fascism's cooptation of particular

socialist sentiments in order to destroy socialist and other revolutionary workers' movements.

There is an ambiguity and complexity—a fluidity—to fascism that cannot be reduced

to either ideological characteristics or the actions of a political party. As such, the totalitarian

and political-ideological accounts need to be supplemented by other accounts that consider

the economic, technological and socio-psychological lines of force that characterize fascist

power.

> Fascism's ambiguity explains why it is both attracted to and repelled by
> conservatism, and makes sense of the oft-noted oscillations between radicalism and
> reaction in fascism's history. Despite some attempts to see the history of fascism in
> terms of a series of definable 'stages,' there was no clear pattern to fascism's frequent
> changes of direction. Its mutations resulted from conflicts within fascist movements
> operating in unpredictable circumstances. (Passmore 32)

When we consider all of this in relation to the contradictory content of fascist ideology (as

well as in relation to the complex articulation of ideas, contexts and practices out of which

fascism arose), it is quite understandable that scholarship still has not adequately come to

terms with its object of analysis.

As demonstrated, dominant theories of fascism are framed by a classificatory system

of ideological characteristics or totalitarian practices. The purpose of this system is three-

fold: to distinguish fascism from other dictatorial and/or authoritarian ideologies with

overlapping characteristics; to allow for comparison and contrast between different fascist

134

regimes; and to situate fascism as a unique yet variable phenomenon of particular historical

and social contexts. The political-ideological and totalitarian accounts tend to focus narrowly

on the political aspects of fascism, leaving little room for other considerations. While not

necessarily a shortcoming in disciplinary terms, it limits our ability to understand fascism as

something more (or other) than simply a political movement. What Paul Einzig noted in 1934

is equally applicable today: fascism is "still regarded principally as a political movement; the

economic implications of the term are generally ignored" (Einzig 2).

Perhaps this is the most glaring limitation of these accounts: they are structured in

such a way so as to advance (however unintentionally) the view that fascism was an

historical anomaly, something that could not resurface in the current age apart from

marginalized far-right groups with little relevance to mainstream politics.

> Through all kinds of means […] we are led to believe that Nazism was just a bad
> moment we had to go through, a sort of historical error, but also a beautiful page in
> history of the good heroes. And besides was it not touching to see the intertwined
> flags of capitalism and socialism? We are further led to believe that there were real
> antagonistic contradictions between the fascist Axis and the Allies. (Guattari 239-40)

The belief that fascism could not reappear is a consistent theme in both the political-

ideological and totalitarian accounts. While classical Fascism as a state apparatus dominated

by a single fascist party is almost certainly (or hopefully, at least) an historic relic, fascism as

a form of power evolved beyond its original context to the larger (and more long-term)

context of corporate capital. Indeed, Roger Griffin (whose work is rightfully foundational to

the political-ideological account) denies the possibility of a resurgence of fascism, claiming

that the structural features of the current age prevent fascism from being anything more than

a "paper tiger" (Griffin, *The Nature of Fascism* 220).[43] However, the claims forwarded by the

---

[43] Griffin seems to have backed away from this claim in recent years but (as far as I know) has yet to repudiate it.

political-ideological account itself suggest that this claim might be untenable. Several factors acknowledged as contributing to the mass support of classical Fascism bear more than a passing resemblance to the issues we face in the current conjuncture, including high unemployment among youth, fears that immigration will disintegrate national unity and destroy the national economy, dissatisfaction with globalization, the continued prevalence of racism, popular belief in the fundamental corruption of establishment politics, the abandonment of radical principles by the political left, and the general rightward shift of the political mainstream. "The differences between the left and the right have been attenuated, and all parties speak largely for those who have gained from the transformation of the economy, leaving the losers without representation" (Passmore 94). In this way, many of the conditions that contributed to the rise of classical Fascism continue to exist (albeit in re-articulated form) in the current era. Fascism was not simply about nationalism or a reaction against socialism; its appeal derived from "a diffuse reaction, rooted in daily struggles for jobs, financial reward, educational success, and political honour against socialists, ethnic minorities, feminists, and liberals in a context of imperialism and nation-building" (Passmore 41).

As much as fascism has been theorized as a reactionary ideology, it contains modern tendencies that continue to characterize corporate capital. Classical Fascism was (in part) marked by a fetishization of technology—particularly military technology and mass media—which was viewed as central to the mystical rebirth of the fascist nation. Government contracts for technological innovation tended to favor big business. The interrelation between technological fetishism, mysticism, military expansionism, and large corporations cannot be overlooked, especially when considered in relation to "the internationalizing tendencies of

capitalism, technological change, and advanced communications" in the current age

(Passmore 95).

Furthermore, there is (as noted by Walter Laqueur and Kevin Passmore) a radical

contextuality to fascism that confounds any attempts at conceptual generalization. Any

meaningful analysis of fascism should highlight the links between contextual phenomena and

the contradictory nature of fascism, rather than simply explicating specific characteristics that

mark a phenomenon as being fascist or not fascist.

> Using the concept of fascism provides only partial insight into specific cases, for any
> individual movement will possess features explicable only in terms of its particular
> circumstances. Since no 'pure' example of fascism could ever exist, we need to
> deploy other concepts alongside that of fascism. (Passmore 154)

What is important in the study of fascism (and in the use of analysis to inform anti-fascist

politics) is to maintain a self-reflexive critical framework that accepts the plurality of

analytical accounts rather than to posit one's own "pet theory [as] the *only way* to understand

fascism" (Passmore 14).

There is also another set of concerns when considering the political-ideological and

totalitarian accounts of fascism. These concerns are not, however, shortcomings of the

theories themselves because neither account was concerned with what I will suggest is the

key component of fascist political economy: the relationship between the nation-state and the

business corporation. Neither do they provide an understanding of the way the economy is

organized through this relationship, which is significant owing to the fact that both the

organization of national economic production and the reconciliation of labor to capital were

only possible under classical Fascism through this relationship. This limits our ability to re-

theorize fascism from being a political ideology or mode of party politics to a form of power

characterized by particular relations of force (i.e. of political economy, technology and

desire). This is not a criticism of these accounts because it would be unfair to criticize work for not doing what it does not claim to do. I mention these concerns here because they simply demonstrate the limitations (rather than any shortcomings or failures) of the dominant scholarly understanding of fascism.

The Fetishization of Theory and Multiplicity

There is a third tendency that characterizes our current understanding of fascism, one that attempts to theorize fascism in ways different than the political-ideological and totalitarian accounts. This tendency is (admittedly) relatively novel and does not dominate current understandings of fascism in the ways that popular usage and the political-economic/totalitarian accounts do. However, it does reflect a significant trend in critical scholarship: fetishizing Marxist, poststructural and/or postmodern theory at the expense of both theoretical innovation and empirical work. In regards to fascism, this tendency expresses itself in two ways: 1) the conflation of neoliberalism to fascism through a Marxist conflation of fascism and capitalism; and 2) the uptake of the work of Gilles Deleuze and Felix Guattari.

As discussed in more detail in Chapter 5, there is a long history of Marxist analyses concerning fascism. Although there are variations between these analyses, they all converge on an understanding of fascism as being either the logical end result of capitalism or a form of imperial capitalism. As noted by the Communist International of 1935, "fascism in power is the open, terroristic dictatorship of the most reactionary, the most chauvinistic, the most imperialistic elements of finance capitalism" (Passmore 14-5). This view is echoed throughout Marxist analyses, in which fascism is alternately described as: the third stage of capitalist development—"the decline of capitalism" (Trotsky 19); one of two possible end

138

results of Enlightenment reason as articulated to capitalism (Horkheimer, "The Authoritarian State"; "The End of Reason"); "'logically' the last stage of capitalist development" (Kirchheimer 13); "a form of what Lenin called *capitalism in decay*" (Guerin 285);and "the modern form of the class dictatorship of capital"—a structural "transformation of the form of the domination of capital" (Marcuse, *Collected Papers, Volume One* 218-19).

By circumstance, while I was editing this chapter, a book was published with the intriguing title, *The Fascist Nature of Neoliberalism.* The book's authors, Andrea Miccoci and Flavia Di Mario, argue that the supposedly liberal features of neoliberalism (i.e. competition, inequality, corporate management, the dismantling of the welfare state, and the retreat of the state from the economy) are actually fascist. By pointing to the overlaps between the ideals and practices of classical Fascism with those of contemporary capitalism (i.e. the need for an organic national community, repression of unions to corporatist demands, constant drive to war, discursive construction of us-versus-them political formations, and expedient political and economic responses to problems of efficiency), Miccoci and Di Mario argue that fascism is a "flawed, limited and limiting" component of "capitalist metaphysics," with neoliberalism as "the best interpreter" of this component for mitigating the tension between politics and economics in the current phase of capitalism (3). The relation between neoliberalism and fascism ostensibly arises from what the author's consider to be the philosophical origin of fascism: Hegel's doctrine of the state, wherein it is argued that the state embodies the collective national will and (as such) operates as the rational guarantor of human freedom (Miccoci and Di Mario). Under the auspices of contemporary capital, this shared metaphysics is expressed through corporate managerialism.

While I agree with the authors' instincts in recognizing some connections between neoliberalism and fascism, their argument suffers because their understanding of contemporary capital is inadequate. As argued in Chapter 2, neoliberalism is too broad and vague a term to capture the particularities of the crises we now face; they are blind to the role of the business corporation as paramount, and to the role of corporate sovereignty and the crisis of sovereignty. In fact, the conflation of fascism with capitalism reproduces the popular misunderstanding of fascism explained earlier in this chapter. With both *neoliberalism* and *fascism* being such vague and amorphous terms (conceptually and popularly, respectively), it becomes possible to justify an indiscriminate usage of the term *fascist* within the terms set forth in *The Fascist Nature of Neoliberalism*. Ironically, the authors' reliance on a dialectical understanding of the relationships between capitalism and fascism prevents them from taking a more conjunctural approach to the question of fascism.

An important development has been the recent uptake of the work of Deleuze and Guattari on fascism. While there is a range of work here—and I myself will use Deleuze and Guattari in the following chapter—I want to identify and reject one common interpretation exemplified in *Deleuze and Fascism*, edited by Brad Evans and Julian Reid, because I believe it has the potential to lead us down unproductive (even counterproductive) paths. The overall purpose of the project is to disrupt the perception that fascism was defeated by liberalism so as to interrogate "contemporary power relations as predicated on the *real* and *necessary* existence of fascism" as it continues to operate in supposedly liberal regimes (Evans and Reid 1). I am sympathetic to this project for a number of reasons: it stresses the need for analyses that understand fascism as a contemporary phenomenon of power relations; it is critical of the post-war liberal assumption that fascism was defeated; it understands

fascism as a set of practices rather than ideological characteristics (May); and it moves

beyond both "the generalization of fascism as though it were a logic of politics" itself and

"the mobilization of fascism as an axiological marker" (i.e. a marker of values held by

individuals and/or groups (Whitehall 64). However, the analytical deployment of Deleuze

and Guattari's understanding of fascism in the volume suffers from a number of deficiencies.

First, the editors of *Deleuze and Fascism* take as their starting point the

presupposition that all life is and all relations are inherently fascist. If fascism "is as diffuse

as the phenomenon of power itself," then fascism becomes conflated to the desire for power

as such (Evans and Reid 1). This is much closer philosophically to Nietzsche's will to

destroy than it is to the will to power. From this perspective, not only are all political

practices themselves inherently fascist, but we as human beings are fundamentally,

existentially and ontologically without exception "all, always fascists of multiple kinds"

(Evans and Reid 5). Such a statement reproduces the type of essentialist, universalist logic

that Deleuze and Guattari resist.

Second (and as evidenced by the title), *Deleuze and Fascism* refers primarily (if not

exclusively) to the influence of Deleuze on Deleuze and Guattari's understanding of fascism.

This is a serious error because their understanding of fascism does not come from Deleuze's

philosophy; it comes from Guattari's training in psychoanalysis. Much of Guattari's solo-

authored work deals directly with the problematic of fascism in a way that Deleuze's does

not. The understanding of fascism in their work comes directly (if only minimally cited) from

Wilhelm Reich—a psychoanalyst trained by Sigmund Freud. Although a couple of the

authors in *Deleuze and Fascism* refer to Reich (Evans; Evans and Reid), they cite only the

brief mention of Reich found in the work of Deleuze and Guattari. There is no in-depth consideration of Reich's theory of fascism although it is foundational to their argument.

The universalization of fascism offered in this volume's interpretation is deeply troubling. What are we to do with this perspective if we wish to engage in effectual anti-fascist politics? How are we to understand the mechanisms and operations of fascist power in the current moment if we a priori abstract the question of fascism from specific machinic assemblages in specific contexts of desiring-production?[44] Indeed, if we were all always already fascist, what would be the point of anything at all except a suicidal line of flight? While I also deploy the work of Deleuze and Guattari to theorize fascism, I do so with a sustained consideration of the work of both Guattari (with and without Deleuze) and (more importantly) Wilhelm Reich—and without the presupposition that fascism is an ontological condition of humanity.

The need for a self-reflexive, open critical framework becomes particularly significant when considered in conjunction with the claims of Antonio Gramsci (one of classical Fascism's initial victims). "There does not exist any essence of Fascism as such"; the essence of fascism in a particular context is "provided by a *particular system of relations of force*" (Gramsci, *The Antonio Gramsci Reader* 139) (emphasis added). This insight highlight the need for a conjunctural approach to analyzing fascism, one that theorizes fascism as a form of power characterized by a particular system of force relations (i.e. political economy, technology and desire) rather than in the terms narrowly set out by the political-ideological and totalitarian accounts. For as Felix Guattari noted, "we must

---

[44] Machinic assemblage refers here to the materiality, interrelations and affective engagements of relations of force in the production of social realities and power formations. Desiring-production refers to the machinic operations of desire as productive of such realities and formations.

abandon, once and for all, the quick and easy formula: 'Fascism will not make it again.'

Fascism has already 'made it,' and continues to 'make it.' […] It is in constant evolution, to

the extent that it shares a micro-political economy of desire itself inseparable from the

evolution of the productive forces. […] Fascism, like desire, is scattered everywhere, in

separate bits and pieces, within the whole social realm; it crystallizes in one place or another,

depending on the relationships of force" (Guattari 244-5).[45]

  This is precisely the point of Umberto Eco's consideration of "Ur-Fascism" or

"Eternal Fascism" (para. 30). While we can identify certain features of fascist ideology and

political practice (e.g. ultranationalism, populist elitism, "culture of tradition," fear of

alterity), fascism does not disappear with the addition or elimination of any of these

particular features. "The Fascist game can be played in many forms, and the name of the

game does not change" (Eco para. 27), hence its attraction for a variety of regimes, such as

Nazism or Franco's dictatorship in Spain. Ultimately for Eco, fascism has neither an

exemplar nor an intrinsic constituent character. It is "a rigid discombobulation, a structured

confusion. Fascism [is] philosophically out of joint, but emotionally it [is] firmly fastened to

some archetypal foundations" (Eco para. 26). It can thus survive a particular political regime

because it is more intimately connected with cultural habits and desires than with ideology or

politics. For these reasons, fascism must be re-theorized from being an object of analysis to

being a problematic, and thus more suited to conjunctural analysis. The following chapter

presents a conjunctural analysis that demonstrates fascism to be a mode of power—a

---

[45] While such a claim could be interpreted as an instance of indiscriminate usage in popular discourse, it is anything but that; it is (as demonstrated in Chapter 5) a key component of the *socio-psychological account* of fascism.

contingent set of articulations of force relations operating through a crisis of corporate

sovereignty.

CHAPTER 5: A CONJUNCTURAL UNDERSTANDING OF FASCISM

"Marx, following Hegel, said that history can sometimes repeat itself: but what the first time was tragedy, is the second time farce. The formulation is striking, but it is true in one sense only: there are such things as black comedies."
- Nicos Poulantzas

"what the whole hep world would be doing on Saturday night if the Nazis had won the war. This is the Sixth Reich. […] This madness goes on and on, but nobody seems to notice. […] Reality itself is too twisted. […] No. Calm down. Learn to *enjoy* losing."
- Raoul Duke

Introduction

When I first began this work, I intended to discuss only the *potential* for fascism to reappear as an outright political and cultural reality at some point in the future. The crisis of American democracy that was laid bare by the election of Donald Trump has thrown any sort of cautious prognostication out the window. Though not in the way that critics of Trump would like to suggest, fascism has arrived in America and it has done so on the back of corporate capitalism. But these fascistic tendencies have been with us for over half a century, and they are not solely the result of capitalism. Perhaps, in fact, the most significant factor in all of this is simply our own desire. Following the lead of the socio-psychological account of fascism (detailed in a following section of this chapter), I. W. Charny posited that the fascist mindset is a political construction in search of "certainty, suppression of contrary information, and the exercise of violence toward those who differ or disagree with us, and even toward those parts of our own selves that do not conform to the rules we have made for ourselves" (Charny 1)—a mindset that "thrives on our powerful anxieties of incompleteness, fears of not becoming what we can be, and dread of our mortality and limitations. We make

certain that our way of life is the one and only right way in an effort to spare ontological dread of anxiety, limitation, and knowledge of one's finality" (Charny 6).

While Charny does not provide explicit evidence for this claim, it is consistent with the empirical research of Allen Edwards, who conducted a series of survey studies of American attitudes toward fascist principles in the 1940s. The studies surveyed respondents about their agreement or disagreement with certain political statements that (although wholly consistent with fascist ideology) were not identified as being fascistic. Overall, this research indicates "that many people are opposed to fascist ideology only as a stereotype; their allegiance to democracy is only verbal homage. The label 'fascism' evokes an emotional rejection of the label, *but not a critical rejection of the principles of fascism for which the label stands*" (A. Edwards 314) [emphasis added]. Edwards found that agreement with fascist principles correlates with age, political affiliation and income. Agreement with fascist principles tends to increase with age among "consistent supporters of the Democratic or Republican parties" in the United States (A. Edwards 306), but tends to decrease with age among self-identified political independents. Agreement with fascist principles rises with either increased income—correlated to a desire to protect personal wealth and security—or dissatisfaction with the status quo. Demographically, agreement with fascist principles was highest among housewives, especially rural women. The study correlated this with a desire for homeostasis, stability and ego-defense in the face of changing social norms. Conversely, the lowest degree of acceptance of fascist principles was found among social workers and elementary school teachers. Edwards further identified the primary factors that underlie fascism *in its particularly American form*—"White supremacy, Christianity, and 100-per-

cent Americanism" (A. Edwards 312).[46] Although over seventy years have passed since the publication of this study, its results give us much to consider about the crises we now face, and the need to take fascism seriously as a contemporary problem.

With this in mind, I propose that fascism is best theorized (for my purposes, at least) conjuncturally in its particularly American form as a contingent set of articulations between political-economy, technological/technocratic and desiring relations of force. This perspective requires unsettling our dominant understandings of fascism as explained in Chapter 4. What is of concern in analyzing fascism are not simply definable characteristics, but the interplay of ideas, contexts and practices. Fascism can be understood not only as an ideology, a political movement or an ontological condition, but as a complex configuration across multiple axes or dimensions, of which I will focus on three because I think these particular axes open up the contemporary conjuncture in a useful way.

Fascist Forces

I want to turn to some bodies of work on fascism that have been largely ignored. The theories with which my work engages fall broadly into three main categories: a *political-economic account*, a *technological/technocratic account*, and a *socio-psychological account*.[47] Engaging with each of these accounts allows me to highlight the complexity, contingency and fluidity of fascism as a mode of power—to analyze it as being "the result of a very complex over-determination of contradictions" and relations of force (Laclau 88).

---

[46] While this could be considered a question of ideology, it is not about fascist ideology as such. It indicates instead the ability of fascism to manifest in different socio-historical contexts through its ability to resonate with other ideological investments.

[47] There are other accounts (i.e. a *philosophical account*, an *aesthetic account* and a *mediational account*) which provide valuable insight into questions regarding the relation of fascism to Enlightenment rationality and Modernism, the role of symbolism and ritual in fascist practices, and the functions of propaganda and media in fascist regimes. These accounts, however, do not relate directly to my analysis and (as such) must regrettably be excluded from consideration here.

A concept must be framed in such a way that it can be subjected to criticism and possible contradiction. […] Our definitions must permit critical analysis and investigation. […] Beyond being potentially falsifiable, definitions must also illuminate and make sense of the things we know about the world. […] Difficulties arise when scholars claim that their pet theory provides the *only* way to understand fascism. Since any given political movement is too complex to be encompassed within a single concept, they soon encounter evidence that won't 'fit.' (Passmore 12-13)

Fascism cannot be reduced to its classical form (i.e. that of Nazism or Italian Fascism). As noted by Felix Guattari, what those regimes "set in motion yesterday continues to proliferate in other forms, within the complex of contemporary social space. [Fascism exists] as a whole totalitarian chemistry" that can operate through political, economic and cultural practices in representative democracies as well as dictatorial regimes (235). Moreover, Nicos Poulantzas (one of the major Marxist theorists of fascism) concluded that "it is possible for fascism to recur, but of course it would not necessarily arise or come to power in the same forms as in the past" (358). This is precisely because different contexts can be overdetermined by the same relations of force, but the ways in which these forces become articulated to each other (and the mechanisms and operations by which these forces manifest) depend on the specific historical and social conditions of the context itself.

Rather than limiting our understanding of fascism purely in terms of the political practices and ideological characteristics of classical Fascism, a conjunctural perspective recognizes that the character of fascism is "provided by a particular system of relations of force" as they arise in the attempt to settle an organic crisis in a particular moment of its historical development, and not by a checklist of descriptive categories (Gramsci, *The Antonio Gramsci Reader* 139). This is important because without thinking through fascism conjuncturally, our ability to recognize it in forms that do not precisely mirror classical Fascism is compromised. This in turn compromises our ability to prevent (or stop in its

148

nascency) the resurgence of fascism in the contemporary moment. Conjunctural analysis can account for the fact that multiple forms of fascism operate in different ways in different contexts without reducing all of them to a single essence or model. Moreover, conjunctural analysis allows us to conceptualize corporate sovereignty in ways that do not automatically reify it as something necessarily distinct from (and in opposition to) the sovereignty of the modern nation-state.

A Political-economic Account of Fascism

There is little unifying consensus in the theoretical literature on the foundation of the fascist economy. In order to provide some analytical clarity, my argument draws heavily from primary source documents of the Italian fascist regime concerning economic policies and programs (Celli; Mussolini, "Ascension Speech"; Mussolini, "For the Battle of Grain"; Mussolini, "Before the Assembly of the Council of Corporations"; Mussolini, "On the Bill Establishing the Law on the Corporate State"; Mussolini, "Birth Certificate of Fascism at Piazza San Sepolcro"; Mussolini, "On the Corporate State"; Mussolini, "The Defense of the Lira and Problems with Exports"; Mussolini, "The Economic Policies of the Regime"; Mussolini, "Law Establishing the National Council of Corporations"; Mussolini, "Pesaro Speech"; Mussolini, "Plan for the New Italian Economy"; Mussolini, "Program of the National Fascist Party"; Rocco; Rossi), as well as theorists such as Paul Einzig, Max Horkheimer, Antonio Gramsci, Daniel Guerin, Otto Kirchheimer, Franz Neumann, and Nicos Poulantzas.

Acolytes of market capitalism argue that fascism is a form of socialism—an absolute form of state planning resulting from the abandonment of competitive economic liberalism, social-democratic frustration with elite privilege and materialist egotism, and public

149

dissatisfaction with ineffective and inefficient legislative assemblies (Hayek). Given the dearth of empirical evidence for such views, I choose to think through various Marxist, anarchist and even fascist explanations, which, despite fundamental disagreements, all see fascism as a form of imperial capital, regardless of its occasional anti-capitalist rhetoric. My consideration of these theories in connection with primary source documents indicates that although the fascist regime organized business corporations according to industry under the aegis of the nation-state, it rarely intervened in the operations of those corporations except to combat inflation or stabilize the lira.

Generally speaking, the political-economic account begins with the corporatist nature of classical Fascism, otherwise referred to as the "Corporate State"—a "constitutional system in which the employers and employed, grouped into mixed national corporations, play a predominant part in the government" (Einzig 25). Rather than being a form of absolute state planning as suggested by Hayek, fascism actually operated as a compromise between state planning and competitive capitalism (Einzig). This account broadens our understanding of the fascist political program beyond questions of the fascist party or state regime to include the relationship between the nation-state and the legal form of the business corporation.

"Fascism is essentially an economic system—a compromise between pure individualistic Capitalism and complete State control" (Einzig 6). From the fascist perspective, the state "is the force that alone can provide a solution to the dramatic contradictions of capitalism" (Mussolini, "The Doctrine of Fascism" 242-3). This does not, however, indicate a socialist foundation to fascism, which (unlike socialism) denies the possibility of economic well-being or the possibility of material happiness for all. Fascism is resolutely opposed to socialism in that any society based on the ideal of "the well-being and

the personal liberty of all the individuals of which it is composed" is unnatural (Renan,

quoted in Mussolini, "The Doctrine of Fascism" 239). The fascist state is (from a fascist

perspective) unique in that attempts to anticipate and solve "the universal political problems"

of the modern age through the merging of politics, economics and morality (Mussolini, "The

Doctrine of Fascism" 243).

> The Fascist state has drawn into itself the economic activities of the nation, and, through the corporative social and educational institutions created by it, its influence reaches every aspect of the national life and includes, framed in their respective organizations, all the political, economic, and spiritual forces of the nation. (ibid)

However, the role of the state was not (in functional, practical terms) so absolute—or even so

primary—as was the role (and relative independence) of the corporate organization of

economic activity.

In order to accustom the masses (particularly the working class) to "real and effective

leadership" (Mussolini, "The Doctrine of Fascism" 236), fascism needed to draw working-

class support away from communist, socialist and liberal political movements. The fascist

solution to this problem was the establishment of national corporations, whose purpose was

to assist the "political dictatorship with a planned economic system on capitalistic lines"

(Einzig 18). These corporations were intended to direct industry and commerce through

political leadership, although such leadership intervened only to mitigate currency and

inflationary crises; it did not functionally impose itself on the practical functioning of the

economy in any significant way. Although providing leadership, the Corporate State

maintained the institutions of private property and independent private banks. Regarding

industrial production, trusts and cartels were encouraged "under the supervision of [the

national] Corporations so as to fit their activities into the general working of the [economic]

system" (Einzig 34). In other words, monopoly capital was not only tolerated, but viewed as

essential to the functions of the national economy. Regarding monetary policy, the Corporate

State maintained responsibility for combatting inflation, but allowed private and public-

private financial bodies to have a significant degree of independence from the state in order

to support private initiative (i.e. in order to placate the financial elites who backed the fascist

regime). State intervention in banking was reserved for economic crises, and actualized in the

bailing out of banks without seizing control of them.[48] Although Mussolini at first refused to

delink the Italian lira from gold (Einzig), it later became necessary to break from the gold

standard as an expedient response to economic instability (Guerin). These examples point to

the fundamental characteristic of fascist political economy, which is very similar to that of

liberal capitalism: intervention by the state only as an expedient response to economic

instability or crisis—not the centralized state planning of the economy as suggested by either

Hayek or Mussolini himself.

Bureaucratically, the Italian regime organized the economy under a set of National

Corporations, which were officially part of the nation-state apparatus—"recognized by law as

organs of the state" (Rocco 63). These corporations were organized according to the industry

in which they primarily operated (e.g. agriculture, armaments) and were given relatively

independent control over production and labor under the aegis of broadly stated goals of

national interest. Professional and trade unions were allowed within these corporations, but

they had to have legal recognition from the state. Their primary objective was to represent

the public interest in relation to the state. In other words, the purpose of labor unions was to

represent the interests of the nation-state through the reconciliation of labor and corporate

oversight. Beyond broad economic goals developed by the fascist party, state interference

---

[48] As noted by Daniel Guerin and Herbert Marcuse, there is no qualitatively significant difference between
fascism and other forms of capitalism in this regard. Think of Too Big to Fail.

was kept to a minimum under the belief that "private enterprise in the sphere of production [is] the most efficient and useful instrument in the national interest" (ibid.). The Nazi regime maintained a similar bureaucratic approach by fostering the autonomous political organization of business under the National Economic Chamber (Neumann). Beneath this chamber, economic interests were organized through National Groups related to industry, trade, banking, insurance, etc. Each of the National Groups supervised the Economic Groups, Branch Groups and Provincial Guild Organizations related to its specific industry. This bureaucratic organization was altered in 1939 to organize the national economy for war. All economic oversight became organized under the control of the Chief of the War Economy.

In terms of the need to expediently address instability and/or crisis, the political potential of the working class—particularly as enabled by socialist trade and labor unions— was one of the major political-economic obstacles for classical Fascism. As a way of mitigating this potential, fascism enveloped these unions into the national corporations. "It is only by combining [the independent and conflicting] desire[s] of economic interests to co-operate with the guidance of the central authority that planning can be made to succeed" (Einzig 36). Rather than giving the working class a stake in political and economic authority, fascism reconciled their interests to those of the owners of finance and industry. Fascism maintained class distinctions through conciliatory practices that perpetuated the belief that the interests of labor and capital are identical. Additionally, the Corporate State outlawed strikes in order to prevent class war; replaced welfare with public works as a means to divert public monies into corporate enterprise (while simultaneously dismantling the welfare state); and regulated wages and prices so as to maximize distribution, consumption, efficiency, discipline and expediency.

153

Classical Fascism was a compromise between market capitalism and a planned economy. Just as importantly, these elements of fascist political economy were utilized not only for ostensible economic growth and stability, but more importantly for the perpetuation of a war economy. For Mussolini, economic activity was secondary to war; fascism believed "in neither the possibility nor the utility of perpetual peace" and organized economic activity for the purposes of imperial expansion (Mussolini, "The Doctrine of Fascism" 237). This point is crucial: the fascist compromise between market capitalism and a planned economy was necessitated by the desire for war.

Unlike some Marxists cited in the previous chapter, while Nicos Poulantzas viewed fascism as connected to imperial capital, he did not reduce imperialism to a purely economic condition. Instead, he understood imperialism as a rearticulation of monopoly capitalism to emergent social and political phenomena. The state was a necessary conduit for monopoly capital, but the fractiousness and ineffectivity of the existing parliament hindered the expansion of such capital. Corresponding to this was an intensification of class divisions and the need to reconcile this to both prevent working-class revolutionary action and expand the power of monopoly capital. The attractiveness of fascism to monopoly capital became more acute in the wake of working-class failures to translate revolutionary politics into actual political power. Here we see the convergence of ideological, economic and political crises, which necessitated the use of the fascist party to ally the middle class to the interests of monopoly capital so as to quash the revolutionary potential of the working class (Poulantzas).

Once in power, fascist control of the state hinged on its ability to neutralize the revolutionary potential of the working class. Working to reconcile class antagonisms under corporate capital, the fascist party served as the political machinery for the gaining of state

power by the economic elite, particularly the owners of finance capital (Trotsky). In this regard, fascism was a mixed form of state economic organization and private capital that granted a public character to private economic interests, with the aim of increasing security and growth for the owners of industry and finance (Horkheimer, "The Authoritarian State"; Kirchheimer). This occurred primarily through the national corporations, which received from the state "active encouragement of the process of monopolization and cartelization and the transformation of a private power position […] into a monopoly that remain[ed] private, yet [was] invested with public power" (Kirchheimer 59). The policies of the fascist state (e.g. the protection of private property, the fostering of private finance, the organization of the economy into national corporations) resulted in the hegemonic power of the corporation, which resulted in turn in the conflation of all domestic politics to an economic-corporate stage, with fascist ideology serving "as an element of a 'war of position' in the international economic field (free competition and free exchange here corresponding to the war of movement)" (Gramsci, *Selections from the Prison Notebooks* 120).

This is not to suggest that fascism was simply an outcome of monopoly capital. Correlation does not equal causation. "To describe fascism as a capitalist regime is not saying much, for big business has shown an enormous ability to align itself to regimes to which it is opposed in principle" (Passmore 146). Equally, fascism showed an enormous ability to align itself with coalitions, businesses and financial institutions to which it was opposed in its political rhetoric. My hope is to present an analysis of the relations between fascism and capitalism that demonstrates the inherent complexity of those relations without theorizing fascism as simply an outcome of monopoly capital.

Fascist economic policy served to universalize the particular interests of corporations through a number of practices: the encouragement of plutocracy; preservation of private finance and private property; suppression of labor to the interests of ownership; supporting private and semi-public industry and banking with public money; the flotation of long-term debt with taxes on the middle and working classes; modernizing the economy through investment in technological and military innovation; and combatting the falling rate of profit (as well as other crises of capital) through expedient monetary and trade policies—all in service to the ultimate aim of imperialism, which could only be achieved through the corporatization of the national economy (Gramsci, *The Antonio Gramsci Reader*; Guerin). "Thus from expedient to expedient—following no preconceived theory but in a purely empirical fashion, perhaps without having foreseen exactly where the road was leading which excessive armaments was forcing it to take—fascism [arrived] at a […] war economy *in peace time*" (Guerin 238-9). This relation between political economy and militarism is established primarily through the question of technology, which is discussed in the following section (Horkheimer; Kirchheimer; Marcuse, *Collected Papers, Volume One*).

A Technological/Technocratic Account of Fascism

My consideration of the relationship between technology and fascism begins with the work of Herbert Marcuse (*One-dimensional Man*; *Collected Papers, Volume One*). Although Marcuse was concerned primarily with technological rationality and not technology per se, he was one of the only people writing about the technological character of fascism during the period of classical Fascism. Later writers shifted focus from technological rationality to issues of aeronautics, biological research, mass media, military technology, propaganda,

156

technocracy, technological culture, and the most recognizable technological aspect of fascism—war (Brose; Renneburg and Walker).

Technological production, organization and rationality are not inherently fascist. They are, however, determining forces of the modern era and (as such) affect the organization of social, political and economic relations. For Marcuse, there is a determinate relation between the technological mode of a society or historical era and the modes of human thought and behavior. In modern technological societies, human subjectivity is subordinated to an efficient and highly-rationalized system of mechanization, which "establishes standards of judgment and fosters attitudes which make men [sic] ready to accept and even introcept the dictates of the apparatus" (Marcuse, *Collected Papers, Volume One* 44).[49] As a transformation of Enlightenment rationality through the evolution of industrial production, technological rationality is (for Marcuse) the guiding logic of modern capitalist production. The overriding social function of technological rationality is to reframe the individual as a purely economic subject whose social value is determined by one's position within the prevailing economic system. Technology, then, is part of a larger apparatus of economic calculation, wherein the evaluation and implementation of technological innovations are motivated primarily by economic concerns. Technological rationality and the system of technological production function as part of the social process whereby liberty, equality and rights are conflated to the purely economic.

This relation between the technological and the economic highlights the role of technological rationality in producing modes of thought and behavior that are most amenable

---

[49] "Introcept" refers to the process whereby someone attempts to view themselves through the perspective of another. In this sense, humans come to view themselves through the perspective of the apparatus of mechanized production.

to organizing human relations in accordance with capital production. Technological changes "result in fundamental changes in the structure of society" (Neumann 222). Society itself becomes a form of technocratic apparatus in that the organization of large-scale economic production requires the organization of social relations through technological means. This technocratic apparatus is necessarily hierarchical; favors private over public interests; and requires the (re)production of scarcity, inequality and even oppression to maintain the security of those in positions of power within the apparatus. As such, "technocracy implies a deepening of the gap between specialized knowledge and common knowledge, between the controlling and coordinating experts and the controlled or coordinated people" (Marcuse, *Collected Papers, Volume One* 59). And since the efficient functioning of the apparatus can only be achieved through aggressive expansion, technological rationality has a necessarily imperialistic character. This is the basis for considering technological rationality in relation to fascism:

> We may call [fascist rationality] technological rationality because it is derived from the technological process and therefrom applied to the ordering of all human relationships. This rationality functions according to the standards of efficiency and precision. At the same time, however, it is severed from everything that links it with the humane needs and wants of individuals; it is entirely adapted to the requirements of an all-embracing apparatus of domination. (Marcuse, *Collected papers, Volume One* 77-8)

This theorization of technological rationality serves as the basis for considering fascism as a form of technocracy, especially when considered in tandem with Franz Neumann's theorization of the Nazi state as a "cartel of power blocs" rather than as a unified bureaucracy (Renneburg and Walker 1). Research has demonstrated that "the tensions between [the military, corporate capital, the civil service, the Nazi party, the secret police and bureaucratic agencies] produced much of the dynamic energy that ran the regime"

158

(Renneburg and Walker 2). Although the party leader (in this instance, Adolph Hitler) served as the hub for the intersection of these power blocs, he was not necessarily in control. Rather, technocrats in each the blocs—sometimes competing, sometimes collaborating—played a predominant role in the functioning of the regime and the expansion of its power, with technocracy functioning as an ideological commitment that cut across bloc lines.

Technocracy here is understood in three distinct ways. First, it is understood as the "management of society by technological experts," with scientists and engineers as the active agents of the regime (Renneburg and Walker 4). Second, technocracy is understood as the "institutionalization of technological change for state purposes," with the positioning of scientists and engineers as functionaries for the desires of the state (Walter McDougall, qtd. in Renneburg and Walker 5-6). And third, technocracy involves "the use of technocratic principles to achieve both rational and irrational goals. […] Technocratic methods [in the Nazi regime] were decoupled from technocratic goals. State purposes were similarly replaced by the purposes of power blocs or ideological groupings" (Renneburg and Walker 6). Such a perspective on technocracy allows for an analysis of the irrational and "un-technocratic goals and policies" as they are implemented by technocrats (ibid), and highlights the lack of clear and coherent state purposes in regards to technological development. While the regime itself lacked a unified plan of technological development in this way, the power blocs within the regime represented a sort of ad hoc technocratic apparatus guided by the form of capitalist technological rationality described above. The Nazi regime was at one point or another characterized by each of these understandings of technocracy, depending upon the specific contexts of struggles between competing power blocs. What unites all three of these contradictory functions of technocracy in fascism is the synchronization of engineering and

159

science for technological development in the service of military and economic goals, as well as the organization of social relationships (Renneburg and Walker).

A Socio-psychological Account of Fascism

This account arises from two main areas of inquiry—critical theory (via the Frankfurt School) and psychoanalysis (via the work of Wilhelm Reich)—and opens the possibility of analyzing fascism in relation to the question of desire. Generally speaking, the socio-psychological account is concerned with understanding fascism not as a political phenomenon, but as a manifestation of the relationship between psychology and the organization of social relationships (Adorno; Adorno, et al.; Bataille; Deleuze and Guattari, *Anti-Oedipus*; Deleuze and Guattari, *A Thousand Plateaus*; Fromm; Guattari; Reich, "Dialectical Materialism and Psychoanalysis"; Reich, *The Function of the Orgasm*; Reich, "The Imposition of Sexual Morality"; Reich, *Listen, Little Man!*; Reich, *The Mass Psychology of Fascism*; Reich, *People in Trouble*; Reich, "What is Class Consciousness?"). Ultimately, the applicability of the socio-psychological account to my argument stems from two main presuppositions: the human character structure is socially-constructed instead of being biologically innate; and "models of political economy" are undergirded by "collective desire" (Guattari 25). The presupposed alignment of desire and political economy provides an opening for establishing both the radical contextuality of fascism and how such contextual relations between political economy, technology and desire can become re-articulated in different spatio-temporal contexts.

Within critical theory, the major work to deal with the relationship between fascism and desire is *The Authoritarian Personality* by Theodor Adorno, Else Frenkel-Brunswik, Daniel J. Levinson, and R. Nevitt Sanford. The overarching hypothesis of the *Authoritarian*

Personality is this: "the political, economic, and social convictions of an individual often form a broad and coherent pattern, as if bound together by a 'mentality' or 'spirit,' and that this pattern is an expression of deep-lying trends in his [sic] personality" (Adorno, et al. 1). As one who is "particularly susceptible to anti-democratic propaganda" (ibid), the "potentially fascistic individual" represents a particular convergence of ideological forces and underlying psychological needs (Adorno, et al. 2).

Ideology is understood here as a structure with organization on and among multiple psychological levels. It is "an organization of opinions, attitudes, and values—a way of thinking about man [sic] and society. [The result of] both historical processes and contemporary social events [operating as] a function within the overall adjustment of the individual" (ibid). Within this perspective, ideology is a fixed-yet-flexible total structure that (although it may operate in an inconsistent or even contradictory manner) "is *organized* in the sense that the constituent parts are related in psychologically meaningful ways" (Adorno, et al. 5). Because ideological structure is partially (though not ultimately) determined by both individual personality and social organization, fascism is considered from this perspective as a type of personality—with personality viewed "as an agency through which sociological influences upon ideology are mediated" (Adorno, et al. 6). Here we see a recursive interrelation between society, individual personality and ideology—a relationship in which the "delineation of the conditions for individual expression requires an understanding of the total organization of society" (Adorno, et al. 7).

The authoritarian character structure is the result of large-scale changes in civilization. "The increasing disproportion of the various psychological 'agencies' within the total personality is undoubtedly being reinforced by such tendencies in our culture as division

of labor, the increased importance of monopolies and institutions, and the dominance of the idea of exchange and of success and competition" (Adorno, et al. 261). "The potentially fascist character" is an interactive production of both the individual and the economic, social, political, cultural and ideological "climate" (Adorno, et al. 354), with such production mediated (at least initially) by the family unit. Fascism, then, is the production of contradictory basic needs within the human character structure that require certain social structures and contextual conditions for actualization as an overt political movement. This contradiction manifests as well in the fact that although fascism is imposed upon people and actively works against their basic interests, it is only able to manifest or operate through the willing consent of the people.

Although the precise link between the human character structure and social structures was not developed in *The Authoritarian Personality*, Wilhelm Reich's *The Mass Psychology of Fascism* provides a point of entry for the problem. As with Adorno, Reich argues that fascism is not primarily a political program, but a function of the "biopsychic structure" (*The Mass Psychology of Fascism* xi), which is composed of three levels that roughly correspond to Freudian representations of the personality structure.[50] The character structure is largely constructed by "deposits of social development" rather than operating as an innate, immutable psychological structure (ibid). In Reich's work, the three levels of this structure are: 1) "the deep biologic core" within which "under favorable social conditions, man [sic] is an essentially honest, industrious, cooperative, loving, and, if motivated, rationally hating animal" (ibid);[51] 2) an "intermediate character layer"—analogous to the unconscious in

---

[50] That is, the conscious, unconscious and subconscious. It is important to note that this correspondence is not exact, but rather useful for understanding Reich's arguments as being (in part) a response against the "civilizational turn" in psychoanalysis.

Freudian analysis—that is exclusively anti-social (i.e. consisting of "cruel, sadistic, lascivious, rapacious, and envious impulses") and the result "of the repression of primary biologic urges" (ibid); and 3) a "surface layer of social cooperation," which has no direct connection with the biologic core in contemporary society (ibid).

It is within the intermediate character layer (and the drives operating there) that the fascistic components of the human character structure are constructed. Inasmuch as libidinal, natural and cooperative social impulses from the biologic core must pass through the secondary layer on their way to the surface layer, those biologic impulses are necessarily distorted by the fascistic drives of the intermediate layer. "This distortion transforms the original social nature of the natural impulses and makes it perverse, thus inhibiting every genuine expression of life" (Reich, *The Mass Psychology of Fascism* xii). And while this might seem to suggest that everyone is fascist, Reich (along with Adorno) understood that while the potential for fascism exists in everyone, different life experiences, educational and family backgrounds, and positions within the social structure can produce different actualizations of this potential, with many actualizations actually resisting the fascist character. Given the socially-sedimented nature of the character structure, Reich's argument allows for the transposition of this structure into the workings of politics, economics, ideology and social relations.

> It is not difficult to see that the various political and ideological groupings of human society correspond to the various layers of the structure of the human character. We, however, decline to accept the error of idealistic philosophy, namely that this human structure is immutable to all eternity. *After social conditions and changes have transmuted man's* [sic] *original biologic demands and made them part of his* [sic] *character structure, the latter reproduces the social structure of society in the form of ideologies*. Since the breakdown of the primitive work-democratic form of social

---

[51] By this, Reich means that under favorable social conditions, hate is a rational reaction to negative external stimuli. Under fascistic social conditions hate results instead from irrational impulses such as racism, sexism, etc.

organization, the biologic core of man [sic] has been without social representation. (ibid)

Critical theory, poststructuralism and variations of psychoanalysis owe much to Reich's understanding of fascism as "the *expression of the irrational structure of mass man* [sic]" (Reich, *The Mass Psychology of Fascism* xx). He remains, however, cited in only the most minimal sense; those who cite his work (whether for purposes of extension, revision, critique or negation) tend to focus only on the following passage from *The Mass Psychology of Fascism*:

> "Fascism" is only the political expression of the structure of the average man's [sic] character, a structure that is confined neither to certain races or nations nor to certain parties, but is general and international. Viewed with respect to man's [sic] character, *"fascism" is the basic emotional attitude of the suppressed man's* [sic] *of our authoritarian machine civilization and its mechanistic-mystical conception of life. It is the mechanistic-mystical character of modern man* [sic] *that produces fascist parties, and not vice versa*. (Reich, *The Mass Psychology of Fascism* xiii)

But Reich's argument is much more complex than this passage suggests. His analysis of fascism as a product of contradictions within the human character structure was developed out of his experience as both a practicing psychoanalyst and a student of Marxist sociology. In fact, Reich's understanding of fascism as "the character structure of the mass individual" (Reich, *The Mass Psychology of Fascism* xiv)—with its specific conceptualizations of and attitudes towards life, humanity, work and love—only makes sense within the nexus of Freudian analysis of libidinal drives and Marxist analyses of ideology and the production of social relations.

In addition to challenging Freud on the essential nature of the character structure and the "civilization turn" in psychoanalysis, Reich also challenges vulgar Marxist understandings of class distinctions and class-consciousness as not only artificial, but crucial

to the rise of fascism.[52] "There are no 'class distinctions' when it comes to character" (Reich,

The Mass Psychology of Fascism xxiv). Reich further argues that Marx's understanding of

private property references "the private ownership of the *social* means of production, i.e.,

those means of production that determine the general course of society" (*The Mass*

Psychology of Fascism xxv), instead of referencing private property as a category writ large.

This challenged the claims of Reich's contemporaries who supported Soviet and other

communist or socialist attempts to reappropriate the means of production. In Reich's

estimation, his Marxist contemporaries were ill-equipped to combat fascism because their

analyses only took up Marx's *economic* analysis, were confined to the relatively recent

historical past of capitalist development and industrial innovation, and contained no

consideration of either the human character structure or Marx's *sociological* analysis (which

Reich viewed to be the great contribution of Marx).

> Twentieth-century fascism, on the other hand, raised the basic question of *man's* [sic] *character, human mysticism and craving for authority*, which covered a *period of some four to six thousand years*. […] The [modern character structure] reflects a patriarchal authoritarian civilization that goes back thousands of years. Indeed […] the abominable excesses of the capitalist era […] (predatory imperialism, defraudation of the working man [sic], racial subjugation, etc.) were possible only because the human character structure of the untold masses who had endured all this had become totally dependent on authority, incapable of freedom and extremely accessible to mysticism. That this structure is not native to man [sic] but was inculcated by social conditions and indoctrination does not alter its effects one bit; but it does point to a way out, namely *restructurization*. (Reich, *The Mass Psychology of Fascism* xxvi-xxvii)

Several authors have taken up Reich's arguments in order to explain how fascism continues

to manifest in this way beyond its original context. Foremost among these authors are Gilles

Deleuze and Felix Guattari.

---

[52] Referring to economist Marxism as "vulgar" is Reich's usage, not necessarily my own.

As with Reich, the understanding of fascism in Deleuze and Guattari is not the fascism of political theory; it is "the fascism in us all, in our heads and in our everyday behavior, the fascism that causes us to love power, to desire the very thing that dominates and exploits us" (Foucault, "Preface" xiii). Although conceptualized in different ways in *Anti-Oedipus* and *A Thousand Plateaus*, fascism is theorized in these works primarily through negation—through explaining what it is not—posited as a sort of fluid, spectral "absent other" to non-suppressed and non-transmuted desire.[53] The anti-fascist principles espoused by Deleuze and Guattari center around a free form of political action that rejects all manifestations of paranoid, unitary or totalized power. These principles represent a combination of desires, actions and thought guided by "proliferation, juxtaposition, and disjunction, and not by subdivision and pyramidal hierarchization" (Foucault, "Preface" xiii); they are meant to affirm "what is positive and multiple, difference over uniformity, flows over unities, mobile arrangements over systems" and also to result in a nomadic "'de-individualiz[ation]' by means of multiplication and displacement, diverse combinations" (Foucault, "Preface" xiv). This perspective forms the basis for a theorization of fascism as the operative functioning of negation, lack and castration on the psychological level that concurrently (and recursively) (re)produces desire as a mechanism of the social production of a totalized system of stratified power. This link between desire and social production is central to *Anti-Oedipus*. Although this perspective is concerned with "the fascist in us all," it does not support the universalizing perspective (discussed in Chapter 4) that we are all fascist. This is because Deleuze and Guattari understand the socio-psychological character of fascism to be a form of desiring-production connected to the determinate conditions of socio-

---

[53] This chapter deals only with the arguments found in *Anti-Oedipus*. Discussion of *A Thousand Plateaus* is reserved for my conclusions in order to connect the question of fascism to that of sovereignty.

economic production. In this sense, fascism is part of a machinic assemblage that does not

necessarily actualize the potential for fascism that is embedded in human psychology. It can,

moreover, be resisted.

"Social production is purely and simply desiring-production itself under determinate

conditions" (Deleuze and Guattari, *Anti-Oedipus* 38). Following the lead of Reich, *Anti-*

Oedipus theorizes fascism through desire—the particular desire of human beings to cede

leadership, legislation and responsibility to another, to be led and exploited within a

hierarchical system. In this way, fascism is "a perversion of desire" that cannot be explained

simply in relation to unitary structures of political or state power (ibid). It is intimately

imbricated in (though neither reducible nor equivalent to) the ego and its paranoiac

functions—the channeling of desiring-production according to an Oedipal investment of

libido within the social field. "Oedipus is a means of integration into the group, in both the

adaptive form of its own reproduction that makes it pass from one generation to the next, and

in its unadapted neurotic stases that block desire at prearranged impasses" (Deleuze and

Guattari, *Anti-Oedipus* 103). Fascism may be theorized as the nationalistic, racist, pseudo-

religious basis of the repressive form of a subjugated group whose "Oedipal applications […]

depend on the determinations of the subjugated group as an aggregate of departure and on

their own libidinal investment" (ibid).

Fascism is theorized here not as an ideology, but as desire functioning through

particular "unconscious libidinal investment[s]" in a particular social field (Deleuze and

Guattari, *Anti-Oedipus* 104). It is a set of unconscious investments that cut across the Oedipal

socio-political-economic infrastructure "according to positions of *desire* and uses of

synthesis, very different from the interests of the subject, individual or collective, who

desires" (ibid). Fascism represents a specific libidinal investment in the realms of politics and

economics for the integration of a repressive "death instinct in the circuit [of capitalist

production] connecting desire to the social field" (Deleuze and Guattari, *Anti-Oedipus* 105).[54]

It is a conduit within the libidinal infrastructure of capitalist political economy for "artificial,

residual, archaic" territorialities that have adapted to modern social, economic and political

forms (Deleuze and Guattari, *Anti-Oedipus* 257).

In this account, fascism is a particular function of desiring-production within the

capitalist system; it might best be characterized in this context as the repression by the libido

of its own flows—a sort of self-inflicted "paranoiac castration" that underlies the restrictions,

blockages and reductions of Oedipalization (Deleuze and Guattari, *Anti-Oedipus* 278).

Moreover, fascism produces reproduces and expands capitalism through the repression of

libidinal desiring-production; it is the socio-psychological foundation of "politico-economic

determinations" that themselves support the logic of capital (Deleuze and Guattari, *Anti-*

Oedipus 380). In this sense, fascism represents the operative functions of negation, lack, and

castration that connect desire to social production for the purposes of a totalized system of

stratified power.

The paranoiac character of fascism provides the clearest connection between desiring-

production and social production.

> The paranoiac investment consists in subordinating molecular desiring-production to
> the molar aggregate it forms on one surface of the body without organs, enslaving it
> by that very fact to a form of socius that exercises the function of a full body under
> determinate conditions. The paranoiac engineers masses, and is continually forming
> large aggregates, inventing heavy apparatuses for the regimentation and the
> repression of the desiring-machines. (Deleuze and Guattari, *A Thousand Plateaus*
> 364)

---

[54] The "death instinct" is not (as Deleuze & Guattari point out) to be considered as equivalent to the death drive
in psychoanalysis. The death instinct might best be characterized as a desire for that which flows against "one's
own interest" (Deleuze and Guattari, *Anti-Oedipus* 257).

Fascism is conceptualized here as the paranoiac enslavement of desiring-production, the displacement of the limit of production into "the interior of the socius, as a limit between two molar aggregates, the aggregate of departure and the familial subaggregate of arrival" (Deleuze and Guattari, *A Thousand Plateaus* 365), with such displacement stagnating production within the oedipal formation. As the molar expression of rationality, reason, goals, law and order, fascism serves as the axiomatic of capital, forcing submission in molarity to "the irrationality of the full body" (Deleuze and Guattari, *A Thousand Plateaus* 367). It is the psychiatric category of "politico-economic determinations" (Deleuze and Guattari, *A Thousand Plateaus* 380).

Articulations of Fascist Forces in the Corporist Conjuncture

I want to return to the signposts initially analyzed in Chapter 4 in order to provide evidence for my argument that the contemporary conjuncture in the United States is best understood as a rearticulation of fascist forces of political economy, technology/technocracy and desire as manifest through a crisis of corporate sovereignty. The following sections— concerning the American Legislative Exchange Council (ALEC), the Defense Advanced Research projects Agency (DARPA), and the Singularity—are not an indictment of the U.S. as being a fascist nation-state, or of individuals and/or groups as being fascists. In fact, my argument and the evidence that supports it are intended to argue against referring to governments and people as "fascist" outside of very specific socio-historical contexts. They seek to reframe our understanding of fascism from being a political ideology or movement to being a question of power related to a system of force relations that overdetermines the conditions of possibility for cultural, economic, political, social and everyday lived relations.

The following section is organized as follows: 1) an analysis of the role of ALEC in a corporate network committed to undermining the federal government and representative democracy, with theories of fascist political economy as a framework for understanding ALEC in the context of the particularities of American modernity as expressed in the relationship between the nation-state and the legal form of the corporation; 2) an analysis of the relationship between DARPA and major Silicon Valley corporations, with theories of fascist technology/technocracy as a framework for understanding DARPA in the context of corporate technological development as an extension of state-centered military agendas; and 3) an analysis of the corporate development of the Singularity through interconnectivity and artificial intelligence, with theories of fascist desire as a framework for understanding the Singularity in the context of a new cultural economy whose conditions of possibility are overdetermined by corporate processes for transcending the nation-state. Taken together, these case studies demonstrate the analytical benefit (perhaps even necessity) of retheorizing fascism conjuncturally in relation to an organic crisis of corporate sovereignty.

ALEC (Revisited)

Let me return to ALEC as a figure of an inverted rearticulation of fascist political economy. While classical Fascism operated as a Corporate State wherein national corporations (as authorized by the constitution) played a significant role in governance at the level of the nation-state, ALEC represents the exertion of corporate will at the level of the states in a way that is not authorized by the U.S. Constitution but enabled by exploiting the 10th Amendment. Such exploitation has resulted in the enactment of conservative and often reactionary policies at the state level in a way that circumvents the sovereignty of the nation-state. These policies—covering everything from minimum wage, school choice and gun

170

rights to labor unions and local and county governance—in many ways reiterate the fascist drive to solve "the universal political problems" of the modern age through the merging of politics, economics and morality (Mussolini, "The Doctrine of Fascism" 243). We see this in the breadth of policy issues covered in ALEC-sponsored bills: immigration, minimum wage, local governance, the legal accountability of corporations, gun rights, education, abortion, voting rights, campaign finance, and labor and public service unions, just to name a few. But this also functions in an inverted manner in a number of ways. Instead of the nation-state drawing "into itself the economic activities of the nation" by establishing national corporations (ibid.), ALEC operates to insert the economic activities of corporate capital into the nation-state through the drafting and implementation of state-level political policies. And if ALEC continues to be successful in doing so, we will be faced with a situation in which corporate "influence reaches every aspect of the national life and includes […] all the political, economic, and spiritual forces of the nation" (ibid.). Moreover, the fascist aim of reconciling labor to capital is being achieved not only through the drawing away of working-class support from liberal policies and state-level laws aimed at destroying the political power of public sector unions, but might also be achieved at the federal level if the Supreme Court decides in *Janus v. AFSCME Council 31 and Madigan* that unions cannot compel government employees to pay dues for collective bargaining rights (Mears), with ALEC involved in various ways in the actualization of these goals.

Bureaucratically, ALEC is organized into working groups that draft model legislation, each focused on a different aspect of ALEC's agenda (e.g. education, energy, public safety). These working groups are comprised of both corporate and legislative members, with a corporate member in the position of chair. As noted in Chapter 3, model legislation must be

approved by a majority of the members, with corporate members holding veto power. Once a model bill has passed through the working group, it is adopted by ALEC and distributed to its legislative members, who then introduce the bills into the legislatures to which they were elected by their constituencies. While the nation-state under classical Fascism served as the sovereign central organizer of corporate economic and political leadership, it now serves (along with state legislatures) as a conduit for corporate authority operating within, without, through and against the nation-state.

Through the collective activities of ALEC, other organizations like it and the elected officials that support their agenda, we are witnessing an increasingly corporate state whereby political leadership cedes to corporate leadership its role in the economic functions of the nation (except to divert public funds into corporate enterprise through tax breaks or public works projects, or as an expedient response to instability or crisis), and in the reorganization of labor (e.g. by capping minimum wages, divesting local and county governments of control over labor standards, and decimating the political power of labor unions), but also in the legislative prerogatives of the nation-state itself. In this way, we can understand the current conjuncture in terms of Nicos Poulantzas's analysis of fascism as a form of imperial capitalism whereby older forms of monopoly or oligarchic capitalism become rearticulated to emergent social and political phenomenon. But where imperialism in Poulantzas's work refers to the outward expansion of corporate capital beyond the nation-state, the form of imperialism enabled by ALEC becomes inverted in a form of inward imperialism that seeks to reorganize both the nation-state and the populace to the economic demands of corporate capital through reactionary legal and legislative maneuvers, and through the very locus of legislative sovereignty. The ultimate aim of ALEC, its partner organizations and its main

corporate benefactors (i.e. Charles and David Koch) is to exploit Article 5 of the

Constitution, to call a second constitutional convention at which the formation of a new

Corporate State can occur (Armiak; Bottari; "Exposed by CMD Editors"; Taylor; Wines).

Rather than popular sovereignty, this would place the founding act of creating a constitution

largely in corporate hands. The fascist conflation of national interests with corporate interests

will be achieved in this context by the political leadership of the private economic power of

corporations—the granting of a public character to private economic interests—ultimately

reconciling labor and capital while exacerbating class inequality. The particular interests of

corporations become the general interests of the nation-state through ALEC's exploitation of

the federalist mode of governance and the specific policies they support, and their attempt to

re-enact the founding of the nation. The form of government drafted at this convention will

finally bring to fruition the fascist dream of the Corporate State. In these ways, ALEC

operates as an inverted rearticulation of fascist forces of political economy by helping

produce, through a war of positions, the hegemony of the legal form of the business

corporation through state policies.

DARPA (Revisited)

A consideration of DARPA in regards to the technological account of fascism leads

to my assertion that the organization functions as a distributed rearticulation of fascist

technology/technocracy. The utility of analyzing DARPA through these theories arises from

considering the agency as a central node in the military/corporate matrix of technological

innovation. As noted by Herbert I. Schiller and Joseph D. Phillips, such matrices

> are not, after all, as American as apple pie. To be sure, Germany still has an
> unmatchable modern record for fashioning business-grounded military juggernauts.
> Gas ovens, meticulously engineered by the world's most advanced scientific
> community, remain a testimonial to the efficient linkage of commercial objectives,

technological know-how, and military conquest in the Third Reich. […] Moreover, Italian military and corporate elites had their short-lived dream of a Mediterranean basin restored to Roman hegemony in the 1930s. […] The emergence of a powerful military-commercial component in the American system, therefore, is no exceptional event in the modern Western world. On the contrary, if generalizations can be made about cross-national organizational behavior in this period, the national business-military linkages have fairly uniform origins though obviously very specific national characteristics. […] It was entirely predictable, therefore, that American economic expansionism during and since World War II should produce an ever-warmer association between economic operator and military protector, that is, between the principle agent and certainly the chief beneficiary of that expansion, U.S. corporate business, and the main instrument for protecting that expansion, the armed forces. (1-2)

This analysis follows the route of my explanation of the technological account of fascism, moving from technological rationality to technology and technocracy.

Beginning with the question of technological rationality, the work of DARPA (as R&D and venture capital wing of the DoD) is not simply about technological innovation; its activities have effects on the organization of social, political and economic relations. DARPA is responsible in one way or another for nearly every technological innovation that organizes social relations in this conjuncture. Our ability to interact is dependent on the technological infrastructure produced by DARPA and its corporate partners and that infrastructure is itself embedded with not only the rationality of late capitalist production and its reliance on technocracy, efficiency and surveillance, but also the rationality of military objectives central to DARPA's mission. In this regard, the organization of social relations is determined to a significant degree by both the technological infrastructure and the technocratic apparatus formed by the partnerships between DARPA, transnational corporations and academic labs.

The technocratic apparatus under examination here can be understood in relation to fascist technocracy, but as a form of technocracy that is distributed beyond the nation-state. Whereas fascist technocracy served to provide cohesion and mitigate competition between

competing power blocs within the nation-state, DARPA serves as a hub for the intersection of competing private corporations by providing them with venture capital and (more significantly in relation to the question of technological rationality) a guiding purpose (if not a guiding logic) in directing the course of technological innovation for both capitalist and military objectives. The early history of DARPA indicates quite clearly the military purpose of scientific and technological innovation in the corporate sector, this relationship might at first glance seem obscure in the current era.

Where the military implications of corporate technology were (in the context of the Cold War) given primary significance, the situation now is reversed. DARPA's investment in technological innovation privileges the development of consumer technologies that (in addition to their eventual military application) serves an arguably greater function in the organization of social relations that reproduces hierarchical modes of social control before these technologies produce military benefits. For example, the scientists and engineers working on ARAPANET knew that the technology was being developed for military purposes. It was only later that the commercial potential of the internet would be realized. The developers of artificial intelligence, however, are concerned primarily with the technology's corporate and commercial applications, with military use as a secondary consideration. It is no longer military desire that allows for consumption as its surplus, but consumption as enabled by corporate desire that allows itself to be articulated to military needs.

As DARPA technocracy has moved into corporations, corporations have redefined their relations to the nation-state. The technocratic apparatus represented in the example of DARPA expresses all three understandings of technocracy described in previous pages (i.e.

social management by technological experts, the institutional repurposing of technological

innovation for state purposes, and the achievement of rational and irrational goals through

technocratic principles).[55] In regards to the management of society by technological experts,

the agency (through the decisions of its technocrats regarding funding and research) has a

controlling role in which consumer technologies will be developed. Regarding the

repurposing of technology for state purposes, each of the projects funded by DARPA (e.g.

facial-recognition software, driverless cars, search algorithms, mechanisms of surveillance)

are given priority according to their eventual benefit to the national security apparatus. And

regarding the achievement of rational and irrational goals through technocratic principles,

one need look no further than the development of artificial intelligence as a core project of

Silicon Valley and DARPA—in many ways the total technological convergence of the

rational and the irrational aims of human activity. DARPA unites these distinct functions of

technocracy in its support of corporate technological development in the service of military

and economic goals, as well as the organization of social relationships. Its technocratic

functions inextricably link military and corporate aims through the appeal to consumer

desire.

More important to the question of technocracy than any given project, DARPA's

technocratic functions introduce changes in production, labor and social relations through the

aegis of transnational technology corporations. Regina Dugan's mission at both Google and

Facebook since her departure from DARPA has been to redesign the production and labor

operations of these corporations to function practically in the model of DARPA. Given the

impact of production and labor operations on the development of new technologies and their

---

[55] The question of irrationality in regards to technological innovation is discussed in more detail in a consideration of the Singularity later in this chapter.

implementation in the practices of everyday life (and the military origin of corporate innovation), these changes speak to imbrication of military objectives and the organization of social relations as structured through the use of consumer technologies. DARPA has moved from being the technocratic origin of corporate innovation to the technocratic model by which corporate innovation can have a recursive effect on military needs. This distribution of the technocratic form has the potential to exponentially integrate humans further into multiplying forms of control, with such control directed by the technological rationality of a technocratic organization that is oriented toward both economic and military objectives.

Under classical Fascism—especially the Nazi regime—technological development was oriented most significantly to the development of weapons systems, biological engineering and mass mediated-propaganda. Technological development in the United States during the Cold War was oriented predominantly towards the production of military systems, with technological innovation and research agendas that were originally intended for military purposes transformed for civilian and consumer purposes. In the current conjuncture, this relationship has been rearticulated so that innovations and agendas originally intended for corporate and consumer purposes can be integrated into the military apparatus. Corporations do military work for the sake of corporate aims, but the military funds and originates corporate work for its own. In these ways, DARPA operates as a distributed rearticulation of fascist forces of technology/technocracy by (at least initially) determining the course of and funding technological innovation and technocratic organization among competing corporate actors. Moving from technological rationality through technocracy to technological production aids in the analysis of the problematic of corporate sovereignty as a particular set of relations of force as articulated through competing power blocs, as well as opening a space

for a detailed examination of contemporary technologies. But the question of rationality also leads to another, different, question—that of desire.

The Singularity (Revisited)

From the outset, the Singularity can be understood in relation to the socially-constructed character structure discussed by Theodor Adorno, et al., and Wilhelm Reich. The technological and economic push to develop artificial intelligence is intimately connected to a collective desire for reprieve from the chaos, crises and tribulations of corporeal existence. From the perspective of the socio-psychological account of fascism, this can be understood as a paranoiac response to the fact of mortality. Regardless of the economic, political or social convictions involved in the push for the Singularity, there is here an expression of a deep-lying convergence of ideological forces and psychological needs—a total yet flexible structure that becomes organized and reorganized in response to historical processes and contemporary social events. As a fascistic structure, the Singularity is (despite what its proponents may tell us) a production of the repressive anti-social level of the human character—one that seeks ultimate relief from the pain of being human-with-other-humans in this finite and often terrifying reality. The desire for the Singularity represents the distortion (through the character structure) of libidinal and biologic urges and their transmutation into the production of a fundamentally irrational (yet technologically rational) social system capable of immanentizing the twinned forces of human mysticism and a craving for authority.

In this sense, the fascism of the Singularity is not a political program; it is the networked technological projection of "the fascism in us all, in our heads and in our everyday behavior, the fascism that causes us to love power, to desire everything that dominates and

exploits us" (Foucault, "Preface" xiii)—namely the corporate organization of economic, political and social relations as overdetermined by a technocratic elite. The Singularity, then, is the paranoiac functioning of negation and lack on both the psychological and social levels that works for the corporate production of a totalized system of stratified power, with such a system operationalized through networked artificial intelligence. It is the production of a perverse desire to cede leadership and responsibility to a transcendent unitary network of corporate imaginaries. And it is the question of the corporate imaginary that offers a connection between the psychological and the social in the socio-psychological account.

The Singularity is not simply a matter of the human character structure and its desire for immortality; it is also a matter of the corporation as a legally-recognized human whose existence extends beyond that of its members. If the legal form of the corporation is a social production of human desire for making permanent property and profit, why would the corporate form (as the displacement of the nation-state as a site of permanence) not also replicate the human desire for immortality beyond its legal legitimation? Understood in this light, the corporation functions as part of our "unconscious libidinal investment" in a particular political-economic-social field (Deleuze and Guattari, *Anti-Oedipus* 104), one overdetermined by the demands of both corporate capital and fascist metaphysics. The Singularity (by way of extension) functions as part of the corporate form's unconscious libidinal investment in a particular technological field that exists beyond the control of the nation-state. The fascism of the Singularity represents a specific corporate libidinal investment in the death instinct that has been integrated into the circuit of capitalist production, and which connects desire not to the social field, but to the metaphysical field. It is a conduit within the libidinal infrastructure of corporate capital for residual archaic

179

territorialities to be reactualized in the hyper-advanced imaginary of artificial intelligence, thus twinning the desire of the corporation with the human desire for immortality through the system of technological production determined by the twinning of corporate and nation-state technocrats.

The reactualization of these archaic territorialities does not require the repression by the corporate libido of its own flows; it requires the repression by the corporate libido of human flows. Artificial intelligence is the outward projection of the human character structure turned recursively against itself in a potentially eternal feedback loop of restrictions, blockages and reductions within the paranoid axiomatic of the corporate form. It is the political-economic and technological/technocratic foundation of metaphysical determinations. The Singularity (as the metaphysical principle of the corporate development of artificial intelligence) is the paranoiac investment of the corporate form in perverted desiring-production. It is the logic that produces those mechanisms and operations of power which redirect our desire into the machinic production of an amoral hypermediated godhead—the singular god of corporate capital made eternal through technological infrastructure. In these ways, the Singularity operates as a universalized rearticulation of fascist forces of desire by serving as the metaphysical principle behind the corporate development of artificial intelligence.

Leviathan's Utopia

The main benefit of engaging with these largely ignored theories of fascism is that they enable a consideration of the complex interrelations, contradictions and overdeterminations that characterize fascism as a conjunctural manifestation of an organic crisis. Rather than theorizing fascism purely in terms of ideological characteristics and

political practices, these accounts recognize that the character of fascism is "provided by a particular system of relations of force" and not by a checklist of descriptive categories (Gramsci, *The Antonio Gramsci Reader* 139). These accounts allow for a conjunctural analysis of fascism, one that can account for the old, the new and the re-articulated relations of force of fascist power in the United States in the 21-st century.

> What fascism set in motion yesterday continues to proliferate in other forms, within the complex of contemporary social space. A whole totalitarian chemistry manipulates the structures of state, political and union structures, institutional and family structures and even individual structures, inasmuch as one can speak of a sort of fascism of the super-ego in situations of guilt and neurosis. (Guattari 235-6)

This interdisciplinary (even anti-disciplinary) theorization of fascism as the conjunctural articulation of particular relations of political economic, technological and socio-psychological forces has addressed this "totalitarian chemistry" by analyzing the construction of corporate sovereignty in the United States from the colonial era through the current moment, as well as its assertion as an organic crisis that overdetermined the current conjuncture as fascistic. This discussion of the mechanisms and operations of fascist power in the current moment (as a conjunctural manifestation of an organic crisis corporate sovereignty) allows me to offer some tentative conclusions about the epochal transformation of sovereignty as informed by these analyses.

The preceding pages were intended to reframe a number of key narratives (i.e. neoliberalism and fascism) that have been deployed to explain the failures of representative democracy. But there is something that has not yet been explicitly addressed, even though it has been hinted at. A specter is haunting these pages, but it has not quite revealed its substance. That specter is power—or, rather, the transformation of sovereign power through conjunctural articulations of fascist relations of force as overdetermined by a crisis of

corporate sovereignty. I have tried to trace an origin story about our failure to overcome the legacies of corporate sovereignty and fascism. Although the connections between fascism and corporate sovereignty have been made, I would now like to offer some contingent conclusions connecting these to a crisis of sovereignty.

As already argued, sovereignty is understood in this sense as the network—the very totality—of power within which dominant institutions (e.g. nation-states, corporations, inter- and supra-national organizations) vie for and negotiate over ultimate authority, in a variety of overlapping spatio-temporal contexts, within a global system of economic production, distribution and consumption, political and social institutions, and cultural practices, as well as legal frameworks. Sovereignty is the authority over the conditions of possibility of the world. Corporate sovereignty is not a form of sovereignty; it is a crisis within the transformation of sovereignty whereby the corporate form is attempting to construct itself as a transcendent, universal, and eternal form and locus of ultimate authority over all. Sovereignty is power itself.

Up to this point, my argument has focused on where we find ourselves. I turn now to where we might be headed if the inertia of this system of power continues unchecked. Given the argument offered in the preceding pages, there are several possibilities for the next conjuncture in the transformation of sovereignty. One—concerning the Singularity—represents of mode of sovereignty as universalized through artificial intelligence; it has already been addressed in this chapter and is addressed at the end of this section. Before that, however, I want to provide details about another possibly emergent sovereign that is more probable given the current state of affairs—a globalized sovereignty that represents the total convergence of government, military and corporate authority. I am referring to the private

military and security industry (PMSI), and I find it useful to consider this industry as a socio-technical system that introduces changes in production, labor and the organization of social relations into society through the aegis of transnational corporations.

"The concept of the socio-technical system was established to stress the reciprocal interrelationship between humans and machines and to foster the program of shaping both the technical and social conditions of work, in such a way that efficiency and humanity would not contradict each other any longer" (Ropohl 59). Since its emergence in the late 1950s, the concept has been expanded beyond its original concern with the workplace to concerns of technology and society in general. Socio-technical systems act as a convergence of structure and function for the integration of technological objects, processes, and apparatuses into the organization of social relations. They actualize this integrative purpose "partly [by substituting] given human functions, and partly [by adding] novel acting functions, not feasible by humans" (Ropohl 69).

But mere integration is not their ultimate purpose; such integration enables the organization of social relations according to technological means within the context of capitalist production. As such, socio-technical systems are active, adaptive, goal-oriented, hierarchical, and institutional. They function by means of the reciprocal relations between humans and technology. "Technology is rational and uses a method that is built upon the accumulation of its processes in a material world. As a result, it performs an immediate and pragmatic function" (Rivers 551). But the relationship between humans and technology is not *purely* rational. The choices humans make (especially in regards to technology) are often unconscious and irrational (Mumford). As argued earlier in this chapter, the very manifestations of a technological rationality are not themselves always or entirely rational.

183

Technological rationality depends foremost on the ability to reduce phenomena to rational conceptual categories, classify them within a system of value, and regiment them according to automated processes of technical production (Mumford). This necessarily involves the abstraction of value and calculation, which suits technological rationality to capitalism (Ellul; Mumford). Reciprocally, capitalism is suited to technological rationality by way of the organization of social relations according to labor, capital, and production (Marcuse, *One-dimensional Man*; Mumford). This relationship between technological rationality and capitalist production dominates the character and functions of socio-technical systems in the 20th and 21st centuries.

For Jacques Ellul, the link between technological rationality and sociotechnical systems is expressed in the concept of *technique*. Technique is "the consciousness of the mechanical world" (Ellul 6), but it is also the "*means* and the *ensemble of means*" that characterize the totality of technological society (Ellul 19). More than just rationality, technique refers to the methods, processes, infrastructure, and materiality of sociotechnical systems. Technique is not limited to technology. It is the structure and processes of all of modern life, pervading economic, judicial, military, political, and social practices and institutions. These systems (characterized as they are by technique) operate through standardization, rationalization, and organizational efficiency for the purpose of organizing all of social life according to a total inhuman system of technical means. "It might be said that technique is the translation into action of man's [sic] concern to master things by means of reason, to account for what is subconscious, make quantitative what is qualitative, make clear and precise the outlines of nature, take hold of chaos and put order into it" (Ellul 43). Technique strives for the total unity of a world according to technological rationality and

184

marked by the concentration of both capital and power (Ellul). In this way, technological rationality can be understood as a systemic force by which technological constraints are placed upon the agency of individuals through the operations of technique in a variety of sociotechnical systems—be they economic, political, or technological.

Of the socio-technical systems characterized by technique, Ellul stresses the primacy of economics and the military. To this I would add the role of the state, the system with (and through which) corporate capital and the military converge in the most significant manner. This brings us to the private military and security industry. The most obvious connection between national security and corporate imperatives is found in the number of government defense contracts with companies such as Lockheed Martin, Boeing, Halliburton, Northrop, General Dynamic, Raytheon and a host of others (Lutz; Paglen). These contracts cover a variety of national security functions, including the development of missile systems and other military technologies, the provision of private soldiers and intelligence analysts to replace government soldiers and employees, and the reconstruction of foreign and domestic infrastructures following military destruction or natural disaster (Graham; Paglen).

This is but one aspect of militarization—the organization of civil society for institutional violence through the use of control technologies (Graham; Lutz). While certainly signaling the shift of social values to the legitimation of force through the production of "citizen-consumer-soldier[s]" (Graham 62), militarization is also linked "to the less visible deformation of human potentials into the hierarchies of race, class, gender, and sexuality, and the shaping of national histories in ways that glorify and legitimate military action" (Lutz 723)—a militarization of everyday life that is discussed at the end of this chapter.

185

If we consider the public/private nexus of military, intelligence, and national security as a form of sociotechnical system, the technological constraints of militarization on the agency of individuals manifest in the areas of knowledge, law, gender, race, popular culture, social geography, the federal deficit, social services, welfare, debt, labor, resources, and civil liberties (Graham; Lutz; Whitaker). Concurrently, there exists a general invisibility of the effects of militarization on these issues, with such invisibility being "the outcome of secrecy laws, of an increasingly muzzled or actively complicit corporate media, and of the difficulty of assessing a highly complex and far-flung institution and the not-so-obviously related consequences of its actions" (Lutz 724). Such secrecy ultimately bolsters the unilateral and legitimated excesses of executive (or, sovereign) power through the creation of "a hidden geography of finance, research, development, engineering, manufacturing, and testing projects" (Paglen 68). Executive power understood in this sense wields surveillance and secrecy as tools to secure "the strung-out commodity chains, logistics networks, and corporate enclaves that constitute the neoliberal geo-economic architectures of our planet" (Graham 77). The global industry of private military corporations serves as a primary tool of the sovereign power of nation-states and may well transform into a form of sovereignty in its own right.[56]

---

[56] The following pages contain a brief consideration of PMSI. For a fuller account of this industry and the issues associated with it, refer to Abrahamsen and Williams; Aggestam and Bjorkdahl; Alexandra, Baker, and Caparini; Bryden and Caparini; Carmola; Chatterjee, *Halliburton's Army*; Chatterjee, *Iraq, Inc.*; Chesterman; Cockayne and Mears; Cotton; De Nevers; Dunigan; Elsea; Feldman; Francis; Grant; Hoppe; Institute for Security Studies; Jager and Kummel; Joachim and Schneiker; Kinsey; Krahmann, "From 'Mercenaries' to 'Private Security Contractors'"; Krahmann, "Security"; Leander, *Eroding State Authority*; Leander, "The Market for Force and Public Security"; Leander, "The Paradoxical Impunity"; Lehnardt; Mandel; Maogoto; Musah; Newell and Sheehy; Pattison; Percy; Renou; Rosemann; Rosenau; Scahill; Simons; South; Turcan and Ozpinar; U.S. House Committee on Oversight and Government Reform, *Hearing on Iraq Reconstruction*; U.S. House Committee on Oversight and Government Reform, *Hearing on Management*; U.S. House Subcommittee on National Security and Foreign Affairs; U.S. House Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform; U.S. Senate Committee on Armed Services; Wakefield; Wallwork; Wouters; Zabci.

Private armies and soldiers-for-hire are not new phenomena. As noted by P.W. Singer in *Corporate Warriors: The Rise of the Privatized Military Industry*, most wars in the history of humanity have been fought by armies at least partially composed of foreign troops and individual mercenaries working under contract with a sovereign power. It was not until the rise of the modern nation-state that military force became a legitimated function of government. The 20th century—characterized in part by the direct link between military force and organizational forms of national government—was merely a temporary aberration in the history of military action. We have returned full circle to the predominance of private armies and soldiers-for-hire, but this return is now linked inextricably with the system of global corporate capital. In order to understand the current situation, we must turn our attention to another moment in the contemporary conjuncture: the mid-1990s, between the Persian Gulf War and the war in Kosovo.

This time span stands as a milestone in the rise of PMSI for two primary reasons. On the one hand, this time period witnessed the growing use of private military contractors by African governments to put down internal rebellions and secure resource reserves. Second, it marks the rise of the private military and security industry as an auxiliary of nation-state sovereignty, and as an instrument of the force of global capital. In 1993, the government of Angola hired Executive Outcomes (EO)—a private military firm based in South Africa—to train the Angolan army, command them in battle, and lead air and commando raids against rebel uprisings in the country. International Defense and Security (IDAS) was also hired around the same time to defend "corporate diamond fields" and cut off rebel supply routes in Angola (Singer 9-10). Two years later, the government of Sierra Leone also hired EO to openly battle rebel forces within the country. Since that time, private military presence in

187

Africa and the Middle East has grown exponentially, with private military firms involved in conflicts and civil wars in Algeria, Equatorial Guinea, Iraq, Ivory Coast, Kenya, Libya, Namibia, Republic of Congo, Rwanda, Senegal, Somalia, Sudan, and Uganda, just to list a few (Ash; Gettleman, Mazzetti and Hager; Greenhill; Leigh and Brower; "A Look Back at Congo Independence"; "Masons Form a Lodge"; Mazzetti and Hager, "Secret Desert Force"; McDougall and Smith; Nativi; Sengupta, "Simon Mann"; Singer). In nearly every conflict or war in Africa since 1993, private military firms have been directly involved—involved in training, arming, planning, logistical support, and even open combat—more often than not on both sides of the same conflict (Singer). The presence of PMSI in Africa signals not only the instability of sovereign nation-states on the continent, but also the links between PMSI and global capital in controlling labor production and resource extraction.

The rise of PMSI at this time was not limited to Africa. Concurrent with these developments, private military companies were also beginning to be contracted for operations involving both the United States and international organizations. In 1995, Military Professional Resources Incorporated (MPRI)—a private military firm based in Virginia— was hired by the Croatian army in an advisory capacity to develop battle plans for use against Serbian forces. When conflict once again broke out in the Balkans in 1999, a private military firm was employed to provide support for the U.S. and NATO troops engaged in the conflict. This time, however, the employer was the United States Department of Defense, who contracted Brown Root & Services to construct military facilities, provide catering services to troops, and maintain "vehicles and weapons systems" (Singer 6). The examples of Angola, Sierra Leone, and Kosovo merely point to the incipient rise of the private military and

security industry as an auxiliary of (and even substitute for) nation-state sovereignty and as a method of control for the system of global capital.

Today, private military and security firms have a presence on every continent with the exception of Antarctica (Singer). As of February 2012, there were 20,254 private security firms employing approximately 1,780,875 people (Institute for Security Studies). Of these, only 307 companies had signed the International Code of Conduct for Private Security Service Providers.[57] Of course, these numbers only apply to those companies registered with the Private Security Authority in South Africa; they do not include unregistered companies nor do they include private military firms that do no self-identify as private security *even if they are owned by the same corporate structure*. The lack of public accountability for PMSI in regards to corporate structure and ownership complicates any attempts to determine the true number of companies that comprise this industry (RIA Novosti).

One of the primary expressions of corporate sovereignty as the transference of coercion (as part of sovereignty) from the nation-state to the corporation is the system of law that allows for its material realization. Following Hardt and Negri's *Empire*, I consider PMSI (as both tied to and unbound by nation-state sovereignty) as producing "a new notion of right, or rather, a new inscription of authority and a new design of the production of norms and legal instruments of coercion that guarantee contracts and resolve conflicts" (Hardt and Negri 9). PMSI has become indispensable to the military operations (that is, to the inscription of power) of nation-states. In order to assess the relationship between PMSI and the national, international, and supranational legal structures, it helps to begin by looking at the contractual obligations between private military companies and national governments.

---

[57] More information regarding the Code of Conduct is provided in later sections.

I look first at the United States, whose incorporation of PMSI into the national

military apparatus began in earnest with the outsourcing of convoy protection in Iraq in 2003

(Tobin). As of 2009, the United States government was employing around 600 private

military and security companies, with over 350,000 individual contractors operating in Iraq

and Afghanistan ("Private Army in the News Again"). Since that time, private military

companies have essentially become the de facto military force for the United States, without

the legal restrictions placed on the national military.

As noted by Jeremy Scahill, "you no longer need to depend on nation-state allies to

provide you with troops or other support forces. You can simply rent an army. And the

reality is that U.S. taxpayers are now funding what is essentially a shadow army" (qtd. in

"Private Army in the News Again" para. 9). This shadow army is now responsible for a wide

array of military functions formerly the exclusive domain of the state, including rendition and

interrogation, drone strikes, intelligence gathering and analysis, embassy and diplomat

protection, and military actions (Cobain and Quinn; "Private Army in the News Again";

Tobin). But private military companies are only beholden to providing the services agreed to

in their contracts. Because of the unclear legal definition concerning the difference between a

mercenary and a private military or security contractor, these companies are not bound by

U.S. law ("Soldiers Who Fight for Money"). As such, they can only in rare circumstances be

prosecuted for crimes or abuses committed in the servicing of their contracts. The few

prosecutions that have occurred have been directed at specific individuals, rather than at the

corporations that employ these individuals (Risen).

For a specific example of this, consider the legal issues surrounding the company

formerly known as Blackwater, which changed its name to Xe Services after Blackwater

guards killed seventeen unarmed civilians in Baghdad in 2007 (Associated Press), and again

changed its name to Academi in 2011 after the United States government charged the

company with a $42 million fine (Sengupta, "Blackwater Founder") for hundreds of

violations of U.S. law, including the unlicensed training of foreign troops in Jordan,

"violations of United States export control regulations, [...] illegal weapons exports to

Afghanistan, making unauthorized proposals to train troops in South Sudan and providing

sniper training for Taiwanese police officers" (Risen A8). In addition, five former executives

of the company were indicted for bribing Iraqi officials, as well as "weapons and obstruction

charges" (ibid). Paying the fine allowed the company to resume winning contracts from the

Department of Defense. During the investigation, however, Xe set up more than thirty shell

companies or subsidiaries to circumvent their temporary legal suspension (Risen and

Mazzetti).

Between 2001 and 2009, Blackwater and its fifteen subsidiaries earned $1.5 billion in

contracts with the Pentagon and the CIA ("Dogs of War Back as States Cut Spending"). In

2010, Erik Prince (the founder of Blackwater) sold his shares in Xe to the private equity

firms Forte Capital Advisors and Manhattan Partners following reports linking the company

to CIA contract killings (Tobin). Prince then relocated to the United Arab Emirates to avoid

federal investigation ("What Does the New Year Hold"). The company, now known as

Academi, owns "one of the largest private stocks of heavy weapons, a fleet of planes,

Blackhawk helicopters, ships, armoured vehicles, shooting ranges, and its U.S. bases train

30,000 soldiers and police officers a year" ("Dogs of War Back As States Cut Spending"

para. 9). Its 2011 contract with the Department of Defense for counterterrorist operations in

Afghanistan was worth $17.6 million (Snider), almost enough to pay off half the fine levied against it.

Contracts between private military firms and the United States government are funded by tax dollars; the public, however, has no control over these contracts. Moreover, the companies with whom the government does business are not bound by the legal and juridical structures of the nation state. With its 7,000-acre complex located in the United States, its aviation and maritime divisions, and its intelligence capabilities, Academi constitutes not simply a shadow army, but a shadow state. This state transcends not only national juridical structures and codes, but international ones as well. With the example of Academi, we can see how PMSI is becoming "a new sovereign, supranational world power" enabled by then freed from national laws through the process of corporate contracting (Hardt and Negri 10).

Much has been written about the actions of Blackwater employees in regards to the killing of unarmed civilians and the abuse of prisoners at Abu Ghraib. For a more systemic indication of the sovereignty of PMSI, I turn now to the case of Kathryn Bolkovac. As an employee of the private security company DynCorp assigned to the UN Police Task Force in Bosnia in 1999, Bolkovac uncovered the widespread involvement of DynCorp employees, UN mission personnel, and national diplomats in the human sex trafficking of teenage girls. After bringing this information to her superiors in DynCorp, Bolkovac was fired (Applebaum). No legal action was taken, and DynCorp continued under contract with the U.S. government in Afghanistan and Iraq ("Director Wages War"). While these examples only concern two corporations, they point to a larger systemic issue in regards to the relationship between PMSI and the law.[58]

---

[58] For further examples regarding other companies and other national legal structures, refer to Ash; "British Are No Strangers to Guns for Hire"; Gettleman, Mazzetti and Schmitt; Greenhill; Simons; Kelly; RIA

The international community is equally incapable of controlling the industry. This regulatory vacuum is due in part to the ambiguous legal definition of what a mercenary is. As noted by Jose Luiz Gomez del Prado (Chairman, United Nations Working Group on the Use of Mercenaries), the "mixture of private contractors, security guards, soldiers of fortune, guns for hire, [and] employees of private military companies" are not bound by the international laws against mercenary action ("Soldiers Who Fight for Money" para. 5). PMSI is not recognized as a mercenary force because it operates through legally recognized contracts, as well as a corporate structure that is inextricably interconnected with the system of nation-states and global capital. Although efforts are underway to clear up the murky legal status of PMSI, the reluctance of national governments to participate in these efforts (spearheaded by the United Nations) hinders any regulatory action. An International Code of Conduct for Private Security Service Providers (ICoC) has been drafted. As of 2011, there were "307 signatory private security companies to ICoC from 51 different countries" (Institute for Security Studies para. 4). The number is now thought to be around 650. The ICoC, however, is not legally binding and provides no oversight mechanism; PMSI is left to essentially regulate itself (*International Code of Conduct for Private Security Service Providers*).

This situation becomes all the more troubling when viewed in relation to the material assets of the companies and corporations that comprise PMSI. I have already noted the corporate holdings of Academi (formerly Blackwater). Control Risks (a private security firm based in London) operates with an annual profit of 19.1 million British Pounds (BP) (Tobin). Bancroft Global Development's contracts with the Pentagon for supplying military equipment to Uganda and Burundi is worth $45 million alone (Gettleman, Mazzetti and

---

Novosti; Tobin.

Schmitt). Reflex Responses signed a deal worth $529 million with the United Arab Emirates in 2011 (Mazzetti and Hager, "Head of Private Military Firm" 7); this deal was for establishing a training facility, dealing with labor unrest, and conducting "counterterrorism and internal security missions" (Hager and Mazzetti 8). Between 2006 and 2011, the British government paid 240 million BP to private military companies to take over warzone intelligence functions; of that, 73.3 million BP were paid to G4S alone (Savage). In 2012, the government of South Africa paid 350 million Rand to various firms for the guarding of government buildings, medical clinics, libraries, and community halls (Jordan). The Russian government plans to spend around $645 billion on deals with private military firms by 2020 for the procurement of armaments and military hardware (RIA Novosti). The private security industry as a whole saw business increase 50% in 2012, even after a 54% increase in 2011 (Tobin). These contracts point to enormous amounts of capital that are being transferred from taxpayers and nation-states to PMSI. And the global power of the industry enabled by massive capital accumulation is creating the material conditions for the transformation of sovereignty.

To put the issue into stark relief, consider this fact. As it stands, the United States military (as well as that of several European nations, most notably Great Britain) would be incapable of functioning without contracting out key core responsibilities—including security, logistics, intelligence gathering and analysis, transportation, housing, unmanned drone strikes, and even routine combat operations—to private military and security firms. Though the decline of nation-state sovereignty might bring joy to some, consider what is rising in its place: an industry founded on war-for-profit with absolutely no accountability to any national, international, or supranational authority; this is an industry whose primary

194

purpose is to trade military and security expertise for money, beholden only to the system of global capital and conflict. The last bastion of nation-state control is ownership of the means of coercion. The private military and security industry is now on the verge of wresting ownership of coercion from the state. During his farewell address, President Eisenhower warned against the growing power of the military-industrial complex. He believed that this complex threatened democracy; he could not have envisioned that it could threaten the nation-state itself.

But this is not simply about the corporate takeover of the military functions of the nation-state; this is about the militarization of everyday life. Private military and security forces have been contracted to guard university admissions exams in Nigeria ("UTME"); football matches in Great Britain ("Linfield"); the recent elections in Russia (Kamalova); and government buildings, medical clinics, libraries, and community halls in South Africa (Jordan). A few years ago, IKEA was found to have employed private security firms to obtain personal information on employees and shoppers who had instigated litigation against the company in France (Chrisafis). During the Occupy Wall Street demonstrations in New York City, private security forces worked alongside the NYPD to clear Zucotti Park (Moynihan). Of course, private policing of public space is not a recent development. What is new, however, is the transnational corporate structure within which private security operates; so, too, is the extent and reach of such industry.

This brings us to the militarization of everyday life. The United Kingdom is considering transferring non-core police services to the private sector ("Spectrum of Services"). Such privatization of police forces has already begun in West Midlands, where plans are underway to privatize such services as criminal investigations, suspect detention,

incident management, neighborhood patrols, management of high-risk individuals, the

disruption of criminal networks, collection of CCTV evidence, and the guarding of crime

scenes (Walker). Erik Prince (the founder of Blackwater) recently released a game for the

Xbox 360 video game console (Snider). This game, which is played via its compatibility with

the Microsoft Kinect bio-recognition system, is a "'first-person shoot-em-up' in which

players adopt the persona [sic] of mercenaries protecting U.N. officials in what reviewers

have called a 'hostile north-African territory' [i.e. Muslim region unfriendly to American

interests] " (G. Adams 6). This is simply the first step in Prince's plans to license

Blackwater-themed products, "including high-end travel gear" (ibid). These seemingly

disparate facts point to the increasing (and increasingly inextricable) role of PMSI in our

daily lives. When considered in conjunction with my discussion earlier in this chapter about

DARPA and the Singularity, these developments signal the increasing militarization of

everyday life not only in regards to policing, but also the organization of social relations and

processes of socialization themselves.

  All of this invests with new urgency Theodor Adorno's claim regarding fascism as

the logical end result of organized humanity. It might be thought of as sovereign power

itself—hierarchical, totalized, immanent and eternal. Given the understanding of the

relationship between fascism and sovereignty I have offered, the conjunctural manifestation

of fascism we are now experiencing could culminate (if the Singularity actually arrives) in a

palingenetic form of elitist ultra-corporism. The corporate elite view their corporeal existence

as a phase of embryonic development that will (when they transmigrate into artificial

intelligence) reproduce the features of their intelligence and wealth into a total system of

networked digital eternity—a system in which the accumulated control of corporate

domination at the hands of technocrats will no longer have to passed to the next generation but can be preserved and expanded at will. We see this potential as well in the private military and security industry as discussed above. The emergent Fascist Sovereign of the Singularity is one of technocratic metaphysics and libertarian-authoritarian politics (i.e. libertarian for the oligarchs, authoritarian for the rest of us). The emergent Fascist Sovereign of PMSI is a permanent state of war as the condition of material existence. Taken together, this is Leviathan's Utopia.

CONCLUSIONS: MOVING FORWARD IN FAILURE

"When the going gets weird, the weird turn pro."
- Dr. Hunter S. Thompson

The last section of the preceding chapter offered some speculations on where we might be headed, given where we are currently. We need to turn back now to the material reality of contemporary crises. Before offering my concluding thoughts on the matter at hand, I feel it necessary to invoke the work of Bertram Gross, who researched so relentlessly and argued so persuasively about the rise of "friendly fascism" in America. One passage from Gross's *Friendly Fascism: The New Face of Power in America* impacted me above all else:

> I fear any personal arrogance in urging this or that form of action—the arrogance of ideologues who claim a monopoly on truth, of positivists who treat half-truths as whole truths, of theoreticians who stay aloof from the dirty confusions of political and economic combat, and of the self-styled "practical" people who fear the endless clash of theories. I am afraid of the arrogance of technocrats as well as the ultra-rich and their high executives. Some of this arrogance I often find in my own behavior. I am afraid of blind anti-fascism. (Gross, 4)

This perspective—of humility, of self-reflexivity, and of embracing the contingency of one's own positions—is too often absent from academic work. Our profession inculcates within each of us (to varying degrees) a posture of hubris, certainty, and argumentativeness. We who think of ourselves as critical scholars are particularly prone to such posturing.

Though this may seem harsh, it is not my intention to indict or shame. I am as bound by the limited agency of my own abilities, shortcomings, and systemic position as anyone. However, we need a moment of humble reflexivity; we need to own up to our own

hypocrisy, our own complicity within the networks of fascist power. To rework slightly an adage from Leon Trotsky, the primary characteristic of a real critical scholar is the ability to look reality square in the face. We must put all of the positive aspects of our training, our expertise, and our position as scholars to collectively formulate potential solutions to this problem of power. No, we are not all fascists now. But that does not automatically qualify us as anti-fascist. So how might we figure out some solutions, some ways forward in failure? Because cultural studies identifies itself as both an epistemological and political project, I offer here some thoughts on both knowledge production and political practices.

Epistemologically, two areas of concern need to be addressed. First, the analysis offered in the preceding pages needs to be expanded—empirically and theoretically. Building on this work, I plan to incorporate case studies concerning fake news (or, more accurately, monetized propaganda) and the global network of tax havens, as well as a consideration of other accounts of fascism (e.g. mediational, aesthetic, ritual, philosophical) that could not be addressed due to the limitations of the research process at this point. Second, we need to develop more research and pedagogical practices that are intentionally designed to work against the forces of fascism and corporate sovereignty. This requires a more widespread acknowledgement of the political nature of intellectual work, the institutional valuing of collaborative work in the humanities, and a commitment to public engagement through pedagogy. As a brief example, my colleague Megan Wood and I are collaborating to re-establish the Centre for Contemporary Cultural Studies (mentioned in Chapter 1). Rather than replicating the center as it existed, we hope to develop a model of research, public pedagogy and civic engagement that can respond to crises of the contemporary American context.

199

Politically, anarchists and socialists have been the most consistent opponents of fascism from the era of classical Fascism on and, as such, might provide some potential starting points for thinking through solutions. Although their perspectives are more varied than presented here, we might begin a discussion of solutions by considering some of their potential responses. A more militant anarchist perspective might suggest that the new slogan of the Left should be "agitprop and AK-47s."[59] The time has come to quit speaking truth to power; lie your ass off to it or keep silent. Facts clearly no longer have a place in American political discourse.[60] Take a lesson from the Right and figure out how to produce propaganda that speaks to people's everyday lives and elicits an emotional response to act. A more anarcho-socialist perspective might suggest that we should be focused on individual and communal health on more localized levels. Do calisthenics and cardio, lift weights and tighten your core. Eat your fruits and vegetables, have convivial conversations and dance parties with your friends, and have good sex. Put together a bug-out bag, arm yourself, and learn how to garden, hunt, fish, and survive in the wild if you do not already know how. We need collective organizations that can operate against (while within the framework of) the nation-state and the business corporation. Of course, as with so many aspects of an anarchist perspective, what these would look like remains bound to the particular agonistic and communal contexts through which such organizations could form. Although I am hesitant to attach such significance to these groups, Black Lives Matter and some variations of Occupy and anti-fa might provide some insight into this matter.

---

[59] Agitprop—"obvious propaganda" intended to agitate an audience to social or political action (Safire 11).

[60] Of course, this statement might seem at first glance to render our attempts to re-establish the Centre for Contemporary Cultural Studies obsolete. After all, why attempt to establish a space for rigorous knowledge production if facts no longer matter? The point, however, is not to combat the post-fact or post-truth condition with more facts. It is to combat it by creating pedagogical, epistemological and political practices that can prevent the development of this condition in future generations.

A socialist perspective might suggest that the corporate form is ideal for the collective redistribution of wealth. There are legal forms of a corporation beyond the private capitalist corporation. The Left needs to start exploiting the legal and economic benefits of the corporation in ways that do not replicate the neoliberal left's crony capitalism and personal aggrandizement. And the redistribution of cultural, economic and political resources might best be achieved through 501(c)(3) corporations. Although I am not necessarily endorsing any of these groups, there are non-profit public policy organizations (e.g. the State Innovation Exchange and the Sanders Institute), campaign organizations (e.g. Justice Democrats and Brand New Congress) and think-tanks (e.g. Center for Media and Democracy and Data & Society Research Institute) that are involved in the work of creating more equitable modes of political representation and progressive modes of knowledge production. Corporations of this type could be linked in ownership structures to other corporate forms that can provide access to funding that is not beholden to purely capitalist interests. There is nothing whatsoever to suggest that ALEC is the only way a 501(c)(3) can operate; the problem lies not in corporate form itself, but its articulation to particular politic-economic agendas.

Moving from a socialist to a liberal perspective, two options might be suggested: 1) reverse the *persona ficta* (i.e. legal personhood) of the corporation through concerted legal and legislative agendas; or 2) revert to the limited charters of the early 18th century, when corporations were granted only temporary life-spans for circumscribed purposes. Both of these measures would require the reclamation or construction of popular sovereignty against that of corporate and nation-state sovereignty. Lacking effective modes of direct democracy under the representative electoral system of a federated republic (and given the unlimited

corporate campaign contributions sanctioned by *Citizens United*), the construction of such

sovereignty seems highly unlikely or (at least) a long-term ambition that cannot solve in the

short-term the very immanent crisis of American political life.[61]

But these suggestions should only be viewed as entry points to conversations, and not

as the only points of entry. At the end of the day, the only honest answer is "I do not know."

Our problems are collective; so, too, should our attempts to resolve them. Bob Dylan once

joked that (although you can't hear it) every one of his songs ends with "good luck." This

world is full of mystery; it does not lend itself easily to careful observation, much less to

close analysis, and even less still to viable solutions. Beware the unintended consequences of

your attempts to solve the crisis. Because there is a sort of ritual magic at work in the

mechanisms and operations of power… And yet it remains elusive, revealing itself only

through traces. Do good works; fight the good fights; enjoy the good times when you can. Be

good to other people and good luck, good luck, good luck…

---

[61] There is another perspective (admittedly strange and metaphysical) suggested by the above discussion that sovereignty is always about God and the emergent corporate God of the Singularity is the ultimate fascist. To deploy a problematic analogy, the gnostic version of Lucifer told you this long ago. Corporate sovereignty is the sovereignty of demiurges. Multinational corporations like Google, Apple, and Facebook are merely minor emanations of "the spiritual hosts of wickedness in the heavenly places" (the Letter of Paul to the Ephesians 6:12). You cannot take Leviathan off its leash and then expect it to behave. Your only option is to put it down— swift and merciless.

WORKS CITED

Abbot, Charles C. *The Rise of the Business Corporation*. Edwards Brothers, 1936.

Abrahamsen, Rita, and Michael C. Williams. *Security beyond the State: Private Security in International Politics*. Cambridge U P, 2011.

Ackerman, Spencer. "DARPA Defends Decision to Give $828,000 No-bid Contract to Ex-employee." *The Guardian* [London], 14 November 2014. *LexisNexis*.

Adams, Guy. "Iraq Mercenaries Boss Triggers Rage with Blackwater Video Game." *The Independent* (London), 8 Sept. 2011, p. 6.

Adams, James Truslow. *The Founding of New England*. The Atlantic Monthly P, 1921.

Adorno, Theodor. "Freudian Theory and the Pattern of Fascist Propaganda." *The Culture Industry: Selected Essays on Mass Culture*. Routledge, 1991, pp. 132-57.

Adorno, Theodor, Else Frenkel-Brunswik, Daniel J. Levinson, and R. Nevitt Sanford. *The Authoritarian Personality*. W. W. Norton and Co., 1982.

Aggestam, Karin, and Annika Bjorkdahl, eds. *War and Peace in Transition: Changing Roles of External Actors*. Nordic Academic P, 2009.

Ahmad, Aijaz. "Imperialism in Our Time." *Socialist Register*, vol. 40, January 2004, pp. 43-62.

Aleksander, Igor. "Design and the Singularity: The Philosopher's Stone of AI?" *Journal of Consciousness Studies*, vol. 19, nos. 7-8, 2012, pp. 8-13.

Alexandra, Andrew, Deane-Peter Baker, and Marina Caparini, eds. *Private Military Companies and Security Companies: Ethics, Policies and Civil-Military Relations*. Routledge, 2008.

Alimahomed, Sabrina. "Homeland Security Inc.: Public Order, Private Profit." *Race and Class*, vol. 55, no. 4, 2014, pp. 82-99.

Allan, Vicky. "The Rise of Homo Technicans… Half Human and Half Machine." *Sunday Herald* [Glasgow], 22 January 2017, p. 11.

Allardyce, Gilbert. "What Fascism Is Not: Thoughts on the Deflation of a Concept." *The American Historical Review*, vol. 84, no. 2, 1979, pp. 367-88.

Althusser, Louis. "Contradiction and Over-Determination." *New Left Review*, vol. 41, 1967, pp. 15-35.

American Association for Justice. *ALEC: Ghostwriting the Law for Corporate America*. AAJ, 2010.

American Legislative Exchange Council. "Memorandum to Members of the Tax and Fiscal Policy Task Force." Unpublished internal document, 30 June, 2011.

Anderson, Gary L., and Liliana Montoro Donchik. "Privatizing Schooling and Policy Making: The American Legislative Exchange Council and New Political and Discursive Strategies of Education Governance." *Educational Policy*, vol. 30, no. 2, 2014, pp. 322-64.

Anderson, Michelle Wilde. "Democratic Dissolution: Radical Experimentation in State Takeovers of Local Governments." *Fordham Urban Law Journal*, vol. 39, no. 3, 2012, pp. 577-623.

Applebaum, Stephen. "Kathryn Bolkovac: Whistleblower." *The Independent* [London] 19 Jan. 2012, p. 38.

Armiak, David. "ALEC Backs Extreme Climate Denial, Constitutional Rewrite, Corporate Wish List at Nashville Summit." *Center for Media and Democracy*. 6 December, 2017. https://www.exposedbycmd.org/2017/12/06/alec-backs-extreme-climate-denial-constitutional-rewrite-corporate-wish-list-nashville-summit/. Accessed 14 December, 2017.

Ash, Paul. "Coup de Farce." *Sunday Times* [South Africa], 18 Dec. 2011. *LexisNexis Academic*.

Associated Press. "Again, Blackwater Has a New Name." *Washington Post*, 13 Dec. 2011, p. A19.

Bailey, Ronald. "College of the Future: Singularity University Reimagines Education." *Reason*, vol. 44, no. 11, 2013, pp. 46-7.

Bakan, Joel. *The Corporation: The Pathological Pursuit of Profit and Power*. Free P, 2005.

Baker, J. H. *An Introduction to English Legal History*, 2nd edition, Butterworths, 1979.

Baker, Lynne Rudder. "Technology and the Future of Persons." *The Monist*, vol. 96, no. 1, 2013, pp. 37-53.

Balz, Dan. "Power Is on States' Agenda." *Washington Post*, 25 October 1995, p. A17.

Barkan, Joanne. "Plutocrats at Work: How Big Philanthropy Undermines Democracy." *Social Research*, vol. 80, no. 2, 2013, pp. 635-52.

Barkan, Joshua. *Corporate Sovereignty: Law and Government under Capitalism*. U of Minnesota P, 2013.

Barker, Chris. *Cultural Studies: Theory and Practice*. Sage, 2000.

Bartelson, Jens. *A Genealogy of Sovereignty*. Cambridge U P, 1995.

Bataille, Georges. "The Psychological Structure of Fascism." Translated by Allan Stoekl, Carl R. Lovitt, and Donald M. Leslie, Jr., *Visions of Excess: Selected Writings, 1927-1939*, edited by Allan Stoekl, U of Minnesota P, 1985, pp. 137-60.

Beall, Pat. "Lawmakers, Big Business Pushed for Stiff Sentences." *Palm Beach* [FL] *Post*, 28 October 2013, p. 1A.

Beatty, Jack. *Colossus: How the Corporation Changed America*. Broadway, 2001.

Belfiore, Michael. *The Department of Mad Scientists: How DARPA Is Remaking Our World, from the Internet to Artificial Limbs*. Harper, 2009.

Bell, Stewart, and Natalie Alcoba. "Bejar on Manifest, Gaddafi on Passport." *National Post* (Canada), 21 March 2012, p. A1.

Bentele, Keith G., and Erin E. O'Brien. "Jim Crow 2.0? Why States Consider and Adopt Restrictive Voter Access Policies." *Perspectives on Politics*, vol. 11, no. 4, 2013, pp. 1088-1116.

Berle, Jr., Adolf A., and Gardiner C. Means. *The Modern Corporation & Private Property*. The Macmillan Co., 1933.

Best, Jo. "IBM Watson: The Inside Story of How the Jeopardy-winning Supercomputer Was Born, and What It Wants to Do Next." *TechRepublic*, 2017, techrepublic.com/article/ibm-watson-the-inside-story-of-how-the-jeopardy-winning-supercomputer-was-born-and-what-it-wants-to-do-next/. Accessed 17 September 2017.

Biersteker, Thomas J., and Cynthia Weber. "The Social Construction of State Sovereignty." *State Sovereignty as Social Construct*, edited by Thomas J. Biersteker and Cynthia Weber, Cambridge U P, 1996, pp. 1-21.

Birch, Kean. *We Have Never Been Neoliberal: A Manifesto for Doomed Youth*. Zero Books, 2015.

Bostrom, Nick. *Superintelligence: Paths, Dangers, Strategies*. Oxford U P, 2014.

Bottari, Mary. "Infighting, Legal Questions Slow ALEC Push for Second Constitutional Convention. *Exposed by CMD: Investigating Power*. The Center for Media and Democracy. 2017, July 31. http://www.exposedbycmd.org/2017/07/31/alec-infighting-highlights-legal-flaws-second-constitutional-convention/. Accessed 23 August, 2017.

Bowman, Scott R. *The Modern Corporation and American Political Thought: Law, Power, and Ideology*. Penn State U P, 1996.

Brewster, Jr., Kingman. "The Corporation & Economic Federalism." *The Corporation in Modern Society*, edited by Edward S. Mason, Harvard U P, 1959, pp. 72-84.

Brinns, Corey. "Civil Rights Goes Digital." *Stanford Social Innovation Review*, Winter 2016, pp. 15-6.

"British Are No Strangers to Guns for Hire." *The Australian*, 09 March, 2011, p. 8.

Brose, Eric Dorn. "Generic Fascism Revisited: Attitudes toward Technology in Germany and Italy, 1919-1945." *German Studies Review*, vol. 10, no. 2, 1987, pp. 273-97.

Brown, Wendy. *Undoing the Demos: Neoliberalism's Stealth Revolution*. MIT P, 2015.

Bryden, Alan, and Marina Caparini, eds. *Private Actors and Security Governance*. Geneva Centre for the Democratic Control of Armed Forces, 2006.

Bundy, Alan. "Smart Machines Are Not a Threat to Humanity." *Communications of the ACM*, vol. 60, no. 2, 2017, pp.40-2.

Burkhardt, Brett C. "Where Have All the (White and Hispanic) Inmates Gone? Comparing the Racial Composition of Private and Public Adult Correctional Facilities." *Race and Justice*, vol. 5, no. 1, 2014, pp. 33-57.

Burns, Tom. "On the Rationale of the Corporate System." *The Corporate Society*, edited by Robin Marris, Halstead P, 1974, pp. 121-77.

Butz, Adam M., Michael P. Fix, and Joshua L. Mitchell. "Policy Learning and Diffusion of Stand-Your-Ground Laws." *Politics and Policy*, vol. 43, no. 3, 2015, pp. 347-77.

Callinicos, Alex. "Epoch and Conjuncture in Marxist Political Economy." *International Politics*, vol. 42, 2005, pp. 353-63.

Carmola, Kateri. "It's All Contracts Now: Private Military Firms and a Clash of Legal Culture." *Brown Journal of World Affairs*, vol. 13, no. 1, 2006, pp. 161-73.

Celli, Carlo. Introduction. *Economic Fascism: Primary Sources on Mussolini's Crony Capitalism*, edited by Carlo Celli, Axios P, 2013, pp. 1-20.

Center for Media and Democracy. *ALEC at 40: Turning Back the Clock on Prosperity and Progress*. CMD, 2013.

Charny, I. W. *Fascism and Democracy in the Human Mind: A Bridge between Mind & Society*. U of Nebraska P, 2006.

Chatterjee, Pratap. *Iraq, Inc.: A Profitable Occupation*. Seven Stories P, 2004.

---. *Halliburton's Army: How a Well-Connected Texas Oil Company Revolutionized the Way America Makes War*. Nation Books, 2009.

Chayes, Abram. Introduction. *Corporations: A Study of the Origin and Development of Great Business Combinations and of Their Relation to the Authority of the State*, by John P. Davis, Capricorn Books, 1961, pp. i-xix.

Chesterman, Simon. "'We Can't Spy… If We Can't Buy!': The Privatization of Intelligence and the Limits of Outsourcing 'Inherently Governmental Functions'." *European Journal of International Law*, vol. 19, no. 5, 2008, pp. 1055-74.

Chouinard, Vera, and Ruth Fincher. "State Formation in Capitalist Societies: A Conjunctural Approach." *Antipode*, vol. 19, no. 3, 1987, pp. 329-53.

Chrisafis, Angelique. "IKEA Accused of Hiring Detectives to Spy on Dissatisfied Customers." *The Guardian* (London), 15 March 2012, p. 23.

The Circle. Directed by James Ponsoldt, 1978 Films, Imagenation Abu Dhabi FZ, Likely Story, Parkes + MacDonald Image Nation, Playtone, Route One Entertainment, 2017.

Clarke, John. "After Neo-liberalism? Markets, States and the Reinvention of Public Welfare." *Cultural Studies*, vol. 24, no. 3, 2010, pp. 375-94.

---. "Of Crises and Conjunctures: The Problem of the Present." *Journal of Communication Inquiry*, vol. 34, no. 4, 2010, pp. 337-354.

---. "Still Policing the Crisis?" *Crime Media Culture*, vol. 4, no. 1, 2008, pp. 123-39.

Cobain, Ian, and Ben Quinn. "Front: How US Firms Turned CIA Torture Flights into Profit." *The Guardian* [London], 1 Sept. 2011, p. 1.

Cohen, Elliot D. *Mass Surveillance and State Control: The Total Information Awareness Project*. Palgrave Macmillan, 2010.

Cockayne, James, and Emily Speers Mears. *Beyond Market Forces: Regulating the Global Security Industry*. International Peace Institute, 2009.

Cook, Jr., William J. *The Evolving Corporation: A Humanist Interpretation*. Quorum Books, 2000.

The Corporation. Directed by Mark Achbar and Jennifer Abbot, Big Picture Media Corporation, 2004.

Cotton, Sarah K. *Hired Guns: Views about Armed Contractors in Operation Iraqi Freedom*. RAND, 2010.

Couldry, Nick. "Commentary: Rethinking the Politics of Voice." *Continuum: Journal of Media and Cultural Studies*, vol. 23, no. 4, 2009, pp. 579-82.

Council on Foreign Relations. *The Council on Foreign Relations Holds a Discussion on Technology, Policymaking, and the Future*. CFR, 23 May 2014. *LexisNexis*.

Cox, Elizabeth, Rachel Ann Barry, and Stanton Glantz. "E-cigarette Policymaking by Local and State Governments: 2009-2014." *The Milbank Quarterly*, vol. 94, no. 3, 2016, pp. 520-96.

Crouch, Colin. *The Strange Non-death of Neoliberalism*. Polity Press, 2011.

Dagan, David, and Steven M. Teles. "Locked In? Conservative Reform and the Future of Mass Incarceration." *Annals of the American Academy of Political and Social Science*, vol. 651, January 2014, pp. 266-76.

"DARPA Pushes Fiber Nets." *Computerworld*, 01 February 1993. *LexisNexis*.

Dauphin, V. Barry, and Steven Abell. "Infinite Adolescence: A Psychoanalytic Exploration of Tantalizing Promises Inherent to the Singularity." *Psychoanalytic Review*, vol. 97, no. 4, 2010, pp. 579-605.

Davidson, Carl, and Jerry Harris. "Globalisation, Theocracy and the New Fascism: The U. S. Right's Rise to Power." *Race & Class*, vol. 47, no. 3, 2006, pp. 47-67.

Davies, William. "Neoliberalism: A Bibliographic Review." *Theory, Culture and Society*, vol. 31, nos. 7-8, 2014, pp. 309-17.

Davis, Andrew. "*Neoliberalism from Below: Popular Pragmatics and Baroque Economies*, by Verónica Gago." *Journal of Cultural Economy*, vol. 11, no. 2, 2018, pp. 172-5.

Davis, John P. *Corporations: A Study of the Origin and Development of Great Business Combinations and of Their Relation to the Authority of the State*. Capricorn Books, 1961.

Defense Advanced Research Projects Agency. *Moving DARPA Technologies into the Marketplace*. DARPA, 1998.

Defense Space Activities: Organizational Changes Initiated, but Further Management Actions Needed. General Accounting Office, April 2003.

Deleuze, Gilles. *Foucault*. Translated and edited by Seán Hand, U of Minnesota P, 1988.

Deleuze, Gilles, and Felix Guattari. *Anti-Oedipus: Capitalism and Schizophrenia*. Translated by Robert Hurley, Mark Seem, and Helen R. Lane, Penguin Books, 2009.

---. *A Thousand Plateaus: Capitalism and Schizophrenia*. Translated by Brian Massumi, U of Minnesota P, 1987.

De Nevers, Renee. "(Self) Regulating War?: Voluntary Regulation and the Private Security Industry." *Security Studies*, vol. 18, 2009, pp. 479-516.

Der Derian, James. *Virtuous War: Mapping the Military-Industrial-Media-Entertainment Network*, 2nd ed. Routledge, 2009.

Dewey, John. "The Historic Background of the Corporate Legal Personality." *The Yale Law Journal*, vol. 35, no. 6, 1926, pp. 655-73.

"Director Wages War on Peacekeepers." *The West Australian* [Perth], 28 Sept. 2011, p. 10.

"Dogs of War Back as States Cut Spending." *The Nation* [Nairobi], 19 Sept. 2011. *LexisNexis Academic*.

Domhoff, G William. *The Myth of Liberal Ascendency: Corporate Dominance from the Great Depression to the Great Recession*. Paradigm Publishers, 2013.

"Donald Trump's Fascist Week." *The Daily Show with Trevor Noah*. 1 March, 2016. www.youtube.com/watch?v=79TRDRPGx34. Accessed 13 November, 2017.

Doty, Roxanne Lynne, and Elizabeth Shannon Wheatley. "Private Detention and the Immigration Industry Complex." *International Political Sociology*, vol. 7, 2013, pp. 426-43.

Dreier, Peter. "The Battle over the Minimum Wage, City by City." *New Labor Forum*, vol. 23, no. 3, 2014, pp. 85-8.

Drucker, Peter F. *Concept of the Corporation*. 1946. Transaction, 1983.

Dugger, William M. *Corporate Hegemony*. Greenwood P, 1989.

Duda, Jeremy. "A.L.E.C.'s Influence Looms Large at AZ Capitol. *Arizona State Capitol Times*, 05 August 2011. *LexisNexis*.

Dunigan, Molly. *Victory for Hire: Private Security Companies' Impact on Military Effectiveness*. Stanford U P, 2011.

Eatwell, Roger. "On Defining the 'Fascist Minimum': The Centrality of Ideology." *Journal of Political Ideologies*, vol. 1, no. 3, 1996, pp. 303-19.

---. "Towards a New Model of Generic Fascism." *Journal of Theoretical Politics*, vol. 4, no. 2, 1992, pp. 161-194.

Eco, Umberto. "Ur-fascism." *New York Review of Books*. 22 June, 1995. www.nybooks.com/articles/1995/06/22/ur-fascism/. Accessed 04 June, 2018.

"Editorial: Everything to Play for." *Soundings*, vol. 44, 2010, pp. 4-9.

Edwards, Allen L. "The Signs of Incipient Fascism." *The Journal of Abnormal & Social Psychology*, vol. 39, no. 3, 1944, pp. 301-16.

Edwards, Thomas M. "Corporate Nations: The Emergence of New Sovereignties." *Worlds of E-commerce: Economic, Geographical and Social Dimensions*, edited by Thomas R. Leinbach and Stanley D. Brunn, John Wiley & Sons, 2001, pp. 293-314.

Einzig, Paul. *The Economic Foundations of Fascism*. Macmillan & Co., 1934.

Eisner, Marc Allen. *The American Political Economy: Institutional Evolution of Market and State*. Routledge, 2014.

Ellul, Jacques. *The Technological Society*, translated by John Wilkinson, Vintage, 1964.

Elsea, Jennifer K. *Private Security Contractors in Iraq and Afghanistan: Legal Issues*. Congressional Research Service, 2010.

Etzioni, Amitai. "Apple: Good Business, Poor Citizen?" *Journal of Business Ethics*, June 2016, pp. 1-11.

Evans, Brad. "Fascism and the Bio-political." *Deleuze and Fascism*, edited by Brad Evans and Julian Reid, Routledge, 2013, pp. 42-63.

Evans, Brad, and Julian Reid. Introduction: Fascism in All Its Forms. *Deleuze and Fascism*, edited by Brad Evans and Julian Reid, Routledge, 2013, pp. 1-12.

Exposed by CMD Editors. "Kochs Bankroll Move to Rewrite the Constitution." *Center for Media and Democracy*, 23 March 2017, www.exposedbycmd.org/2017/03/23/kochs-bankroll-movement-rewrite-constitution. Accessed 5 May 2017.

"FBI Reveals $1.34 Million Cost of San Bernardino Killer iPhone Hack." *Progressive Media*, 22 April 2016. *LexisNexis*.

Feldman, Jonathan Michael. "From Warfare State to 'Shadow State': Militarism, Economic Depletion, and Reconstruction." *Social Text*, vol. 25, no. 2, 2007, pp. 143-68.

Fogarty, Brian J., Jessica Curtis, Patricia Frances Gouzien, David C. Kimball, and Eric C. Vorst. "News Attention to Voter Fraud in the 2008 and 2012 Election Cycles." *Research and Politics*, vol. 2, no. 2, 2015, pp. 1-8.

Foucault, Michel. Preface. *Anti-Oedipus: Capitalism and Schizophrenia*, by Gilles Deleuze and Felix Guattari, translated by Robert Hurley, Mark Seem, and Helen R. Lane, Penguin Books, 2009, pp. xiii-xvi.

---. *The Birth of Biopolitics: Lectures at the College de France, 1978-79*. Translated by Graham Burchell, Edited by Michel Senellart, Palgrave Macmillan, 2008.

Francioni, Frencesco. "Private Military Contractors and International Law: An Introduction." *European Journal of International Law*, vol. 19, no. 5, 2008, pp. 961-64.

Francis, David J. "Mercenary Intervention in Sierra Leone: Providing National Security or International Exploitation?" *Third World Quarterly*, vol. 20, no. 2, 1999, pp. 319-38.

Frey, Thomas. "The Singularity and Our Collision Path with the Future." *Journal of Environmental Health*, vol. 77, no. 1, 2014, pp. 38-9.

Fromm, Erich. *Escape from Freedom*. Henry Holt, 1969.

Gago, Verónica. *Neoliberalism from Below: Popular Pragmatics and Baroque Economies*. Translated by Liz Mason-Deese, Duke U P, 2017.

Galambos, Louis. "The Monopoly Enigma, the Reagan Administration's Antitrust Experiment, & the Global Economy." *Constructing Corporate America: History, Politics, Culture*, edited by Kenneth Lipartito and David B. Sicilia, Oxford U P, 2004, pp. 149-67.

Garrett, Kristin N., and Joshua M. Jansa. "Interest Group Influence in Policy Diffusion Networks." *State Politics and Policy Quarterly*, vol. 15, no. 3, 2015, pp. 387-417.

Garrett, Terence Michael. "Market Spectacle: Immigration Policy along the US/Mexico Border." *International Journal of Social Economics*, vol. 41, no. 1, 2014, pp. 32-41.

Gettleman, Jeffrey, Mark Mazzetti, and Eric Schmitt. "U.S. Relies on Contractors in Somali Conflict." *New York Times*, 11 Aug. 2011, p. A1.

Gibson, Hugh, editor. *The Ciano Diaries 1939-1943: The Complete, Unabridged Diaries of Count Galeazzo Ciano, Italian Minister for Foreign Affairs, 1936-1943*. Doubleday and Co., 1945.

Gilens, Martin, and Benjamin I. Page. "Testing Theories of American Politics: Elites, Interest Groups, and Average Citizens." *Perspectives on Politics*, vol. 12, no. 3, 2014, pp. 564-81.

Gilroy, Paul. *After Empire: Melancholia or Convivial Culture? Multiculture or Postcolonial Melancholia*. Routledge, 2004.

---. *Against Race: Imagining Political Culture beyond the Color Line*. Harvard U P, 2000.

---. *The Black Atlantic: Modernity and Double Consciousness*. Harvard U P, 1993.

---. *There Ain't No Black in the Union Jack: The Cultural Politics of Race and Nation*. Hutchinson, 1987.

Glanville, Luke. *Sovereignty and the Responsibility to Protect: A New History*. U of Chicago P, 2014.

Gomory, Ralph, and Richard Sylla. "The American Corporation." *Daedalus, the Journal of the American Academy of Arts and Sciences*, vol. 142, no. 2, 2013, pp. 102-18.

Graham, Stephen. *Cities under Siege: The New Military Urbanism*. Verso, 2010.

Gramsci, Antonio. *The Antonio Gramsci Reader: Selected Writings, 1916-1935*. Edited by David Forgacs, New York U P, 2000.

---. *Selections from the Prison Notebooks*. Edited by Quintin Hoare and Geoffrey Nowell Smith. International Publishers, 1971.

Grant, Col. Bruce D. *U. S. Military Expertise for Sale: Private Military Consultants as a Tool of Foreign Policy*. U. S. Army War College, 1998.

Graves, Lisa. "The Koch Connection." *The Nation*, vol. 293, nos. 5-6, 2011, pp. 21.

Green, David A. "US Penal Reform Catalysts, Drivers, and Prospects." *Punishment and Society*, vol. 17, no. 3, 2015, pp. 271-98.

Greenhill, Sam. "SAS Trained Killers of the Brutal Khamis Brigade." *Daily Mail* [London], 5 Sept. 2011. *LexisNexis Academic*.

Griffin, Roger. *The Nature of Fascism*. Routledge, 1991.

---. "Studying Fascism in a Postfascist Age: From New Consensus to New Wave." *Journal of Comparative Fascist Studies*, vol. 1, 2012, pp. 1-17.

Gross, Bertram. *Friendly Fascism: The New Face of Power in America*. M. Evans, 1980.

Gross, Terry, and Dave Davies. "From Fracking Bans to Paid Sick Leave: How States Are Overruling Local Laws." *Fresh Air* from NPR, 06 April 2016. *LexisNexis*.

Grossberg, Lawrence. *Caught in the Crossfire: Kids, Politics, and America's Future*. Paradigm, 2005.

---. "Cultural Studies and Deleuze-Guattari, Part 1." *Cultural Studies*, vol. 28, no. 1, 2014, pp. 1-28.

---. "Cultural Studies and/in New Worlds." *Critical Studies in Mass Communication*, vol. 10, no. 1, 1993, pp. 1-22.

---. *Cultural Studies in the Future Tense*. Duke U P, 2010.

---. "Does Cultural Studies Have Futures? Should It? (Or, What's the Matter with New York?)." *Cultural Studies*, vol. 20, no. 1, 2006, pp. 1-32.

---. "Learning from Stuart Hall, Following the Path with Heart." *Cultural Studies*, vol. 29, no. 1, 2015, pp. 3-11.

---. "Modernity and Commensuration: A Reading of the Contemporary (Economic) Crisis. *Cultural Studies*, vol. 24, no. 3, 2010, pp. 295-332.

---. "Standing on a Bridge: Rescuing Economies from Economists." *Journal of Communication Inquiry*, vol. 34, no. 4, 2010, pp. 316-36.

---. *We Gotta Get Out of this Place: Popular Conservatism and Postmodern Culture*. Routledge, 1992.

---. "Wrestling with the Angels: Cultural Studies in Dark Times (Cultural Studies and Deleuze-Guattari, Part 3." *Cultural Studies beyond Identity*, edited by Eric Maigret and Martin Laurent, Presses Universitaires de Lyon, forthcoming.

Guattari, Felix. *Chaosophy*. Edited by Sylvere Lotringer, Semiotext(e), 1995.

Guerin, Daniel. *Fascism and Big Business*. Translated by Frances Merrill and Mason Merrill, Pathfinder, 1973.

Gunkel, Ann Hetzel. "On *Cultural Studies in the Future Tense*: Pedagogy and Political Work in Cultural Studies." *Communication and Critical/Cultural Studies*, vol. 8, no. 3, 2011, pp. 323-9.

Guynn, Jessica. "Facebook's 'Area 404' Open for Business." *USA Today*, 04 August 2016, p. 1B.

---. "Facebook's Secretive Building 8 Inks Deal with 17 Universities." *Dayton* [OH] *Daily News*, 24 December 2016. *LexisNexis*.

Haeder, Simon F., and David L. Weimer. "You Can't Make Me Do It: State Implementation of Insurance Exchanges under the Affordable Care Act." *Public Administration Review*, vol. 73, no. S1, 2013, pp. S34-S47.

Hager, Emily B., and Mark Mazzetti. "Emirates Verifies Only 'Support' for Its Military." *International Herald Tribune* 17 May 2011, p. 8.

Hall, Stuart. "Cultural Studies and Its Theoretical Legacies." *Cultural Studies*, edited by Lawrence Grossberg, Cary Nelson, and Paula Treichler, Routledge, 1992, pp. 277-86.

---. *Hard Road to Renewal: Thatcherism and the Crisis of the Left*. Verso, 1988.

---. "Stuart Hall—Interview 2, June 2011." *Cultural Studies*, vol. 27, no. 5, 2011, pp. 757-77.

Hall, Stuart, and Les Back. "In Conversation: At Home and Not at Home." *Cultural Studies*, vol. 23, no. 4, 2009, pp. 658-87.

Hall, Stuart, Chas Critcher, Tony Jefferson, John Clarke, and Brian Roberts. *Policing the Crisis: Mugging, the State and Law and Order*. Macmillan, 1978.

Hall, Stuart, Doreen Massey, and Michael Rustin. "After Neoliberalism: Analyzing the Present." *Soundings*, vol. 53, no. 1, 2013, pp. 8-22.

Hamburger, Tom. "A.L.E.C. backs off 'Stand Your Ground'." *Washington Post*, 18 April 2012, p. A04.

Handlin, Oscar. "The Development of the Corporation." *The Corporation: A Theological Inquiry*, edited by Michael Novak and John W. Cooper, American Institute for Public Policy Research, 1981, pp. 1-10.

Hardin, Carolyn. "Finding the 'Neo' in Neoliberalism." *Cultural Studies*, vol. 28, no. 2, 2014, pp. 199-221.

Hardt, Michael, and Antonio Negri. *Empire*. Harvard U P, 2000.

Harvey, David. *A Brief History of Neoliberalism*. Oxford U P, 2005.

Hay, James. "Interview with Lawrence Grossberg." *Communication and Critical/Cultural Studies*, vol. 10, no. 1, 2013, pp. 59-97.

Hay, James, Stuart Hall, and Lawrence Grossberg. "Interview with Stuart Hall, June 12, 2012." *Communication and Critical/Cultural Studies*, vol. 10, no. 1, 2013, pp. 10-33.

Hayden, F. Gregory, Alyx Dodds Garner, and Jerry Hoffman. "Corporate, Social, and Political Networks of Koch Industries Inc. and TD Ameritrade Holding Corporation: Extension to State of Nebraska." *Journal of Economic Issues*, vol. 47, no. 1, 2013, pp. 63-93.

Hayek, Friedrich A. *The Road to Serfdom*. U of Chicago P, 1944.

Hertel-Fernandez, Alexander. "Explaining Durable Business Coalitions in U.S. Politics: Conservatives and Corporate Interests across America's Statehouses." *Studies in American Political Development*, vol. 30, April 2016, pp. 1-18.

Hess, David J., and Quan D. Mai. "The Convergence of Economic Development and Energy-Transition Policies in State-Government Plans in the United States." *Sustainability: Science, Practice, and Policy*, vol. 11, no. 1, 2015, pp. 5-20.

Hogler, Raymond L. "Constitutionalizing Paycheck Protection: What *Knox v. Service Employees International Union* Means for American Labor." *Labor Law Journal*, vol. 63, no. 3, 2012, pp. 153-64.

---. "Repeal Section 14(b) of Taft-Hartley: A Strategy to Counter the Attacks on American Labor Unions." *Labor Law Journal*, vol. 66, no. 3, 2015, pp. 155-63.

Holden, John. "The Risk-taking US Agency That Is Remaking the World We Live in." *The Irish Times*, 26 January 2015, p. 5.

Hoppe, Carston. "Passing the Buck: State Responsibility for Private Military Companies." *European Journal of International Law*, vol. 19, no. 5, 2008, pp. 989-1014.

Horkheimer, Max. "The Authoritarian State." *The Essential Frankfurt School Reader*, edited by Andrew Erato and Eike Gebhardt, Urizen Books, 1978, pp. 95-117.

---. "The End of Reason." *The Essential Frankfurt School Reader*, edited by Andrew Erato and Eike Gebhardt, Urizen Books, 1978, pp. 26-48.

Hurd, Richard W., and Tamara L. Lee. "Public Sector Unions under Siege: Solidarity in the Fight Back." *Labor Studies Journal*, vol. 39, no. 1, 2014, pp. 9-24.

Hurst, James Willard. *The Legitimacy of the Business Corporation in the Law of the United States 1780-1970*. U P of Virginia, 1970.

Institute for Security Studies. "Africa: The Need for an International Code of Conduct for Private Security Actors." *Africa News*, 24 Feb. 2012. *LexisNexis Academic*.

International Code of Conduct for Private Security Service Providers. Schweizerische Eidgenossenschaft, 2011.

Isaac, Mike, and Scott Shane. "Facebook to Deliver 3,000 Russia-linked Ads to Congress." *New York Times*. 2 October, 2017. P. B2.

Italian Fascism in Color. Directed by Christopher Oxley. Shanachie Entertainment Group, 2007.

Jacobs, Sonji. "Council Drafts Laws the Business Likes." *Atlanta Journal-Constitution*, 08 August 2005, p. 1A.

Jager, Thomas, and Gerhard Kummel, eds. *Private Military and Security Companies: Chances, Problems, Pitfalls and Prospects*. VS Verlag, 2007.

Jefferson, Thomas. "Letter to William Branch Giles, 26 December, 1825." *National Archives*, https://founders.archives.gov/documents/Jefferson/98-01-02-5771. Accessed 09 January 2017.

Jessop, Bob. "Left Strategy." *Transform: European Journal for Alternative Thinking and Political Dialogue*, vol. 10, 2012, pp. 8-17.

Joachim, Jutta, and Andrea Schneiker. "New Humanitarians? Frame Appropriation through Private Military and Security Companies." *Millennium: Journal of International Studies*, vol. 40, no. 2, 2012, pp. 365-88.

Jordan, Bobby. "R350-m Security Deal Adds to DA Tenderitis." *Sunday Times* [South Africa], 18 March 2012. *LexisNexis Academic*.

Kamalova, Gurizada. "Dagestani Press Selection List 5-11 March 12." *BBC Worldwide Monitoring*, 20 March 2012. *LexisNexis*.

Kaplan, Fred. *Dark Territory: The Secret History of Cyber War*. Simon & Schuster, 2016.

Kapoor, Rakesh. "When Humans Outsmart Themselves." *Futures*, vol. 35, 2003, pp. 787-91.

Kassam, Ashifa. "Canadian Party Leader Calls Donald Trump a 'Fascist'." *The Guardian* (UK). 11 May, 2016. *LexisNexis*. Accessed 13 November, 2017.

Kaufman, Jason. "Corporate Law & the Sovereignty of States." *American Sociological Review*, vol. 73, 2008, pp. 402-25.

Kelly, Jeremy. "Embassy Could Lose Private Guards Over 50m Tax Bill." *The Times* [London], 20 Feb. 2012, p. 27

Kinsey, Christopher. *Private Contractors and the Reconstruction of Iraq: Transforming Military Logistics*. Routledge, 2009.

Kirchheimer, Otto. "Changes in the Structure of Political Compromise." *The Essential Frankfurt School Reader*, edited by Andrew Erato and Eike Gebhardt. Urizen Books, 1978, pp. 49-70.

Koivisto, Juha, and Mikko Lahtinen. "Historical-Critical Dictionary of Marxism: Conjuncture, Politico-historical." *Historical Materialism*, vol. 20, no. 1, 2012, pp. 267-77.

Krahmann, Elke. "From 'Mercenaries' to 'Private Security Contractors': The (Re)construction of Armed Security Providers in International Legal Discourses." *Millennium: Journal of International Studies*, vol. 40, no. 2, 2012, pp. 343-63.

---. "Security: Collective Good or Commodity?" *European Journal of International Relations*, vol. 14, no. 3, 2008, pp. 379-404.

Kurzweil, Ray. *The Age of Intelligent Machines*. MIT P, 1990.

---. *The Age of Spiritual Machines: When Computers Exceed Human Intelligence*. Viking, 1999.

---. *How to Create a Mind: The Secret of Human Thought Revealed*. Viking, 2012.

---. "The Next Frontier." *Science and Spirit*, November/December 2005, pp. 66-70.

---. *The Singularity Is Near: When Humans Transcend Biology*. Viking, 2005.

Kuykendall, Taylor. "American Legislative Exchange Council Joins Fight against EPA." *Register-Herald* [Beckley, WV], 9 February 2011. *LexisNexis*.

Laclau, Ernesto. *Politics and Ideology in Marxist Theory: Capitalism, Fascism, Populism*. Verso, 1979.

Lamothe, Dan, Craig Whitlock, and Josh Hicks. "Report Cites Ethical Breach by Tech Exec at Pentagon Agency." *Washington Post*, 15 August 2014, p. A14.

Laqueur, Walter. *Fascism: Past, Present, Future*. Oxford U P, 1996.

Leander, Anna. *Eroding State Authority?: Private Military Companies and the Legitimate Use of Force*. Rubbettino, 2006.

---. "The Market for Force and Public Security: The Destabilizing Consequences of Private Military Companies." *Journal of Peace Research*, vol. 42, no. 5, 2005, pp. 605-22.

---. "The Paradoxical Impunity of Private Military Companies: Authority and the Limits to Legal Accountability." *Security Dialogue*, vol. 41, no. 5, 2010, pp. 467-90.

Lehnardt, Chia. "Individual Liability of Private Military Personnel under International Criminal Law." *European Journal of International Law*, vol. 19, no. 5, 2008, pp. 1015-34.

Leigh, David, and Derek Brower. "Heritage Oil Chief Recruits Former Tory Candidate for Access to Libya's Reserves." *The Guardian* [London], 14 Nov. 2011, p. 20.

Leslie, Stuart W. *The Cold War and American Science: The Military-Industrial-Academic Complex at MIT and Stanford*. Columbia U P, 1993.

Liebert, Mary Ann. "Interview with Ray Kurzweil." *Rejuvenation Research*, vol. 14, no. 5, 2011, pp. 567-72.

"Linfield Football Club Has Moved to Distance Itself." *Belfast Telegraph*, 22 March 2012, p. 2.

Lipartito, Kenneth, and David B. Sicilia. Introduction. *Constructing Corporate America: History, Politics, Culture*, edited by Kenneth Lipartito and David B. Sicilia, Oxford U P, 2004, pp. 1-26.

Livingston, James. *Pragmatism and the Political Economy of Cultural Revolution, 1850-1940*. U of North Carolina P, 1994.

Longazel, Jamie, Jake Berman, and Benjamin Fleury-Steiner. "The Pains of Immigrant Imprisonment." *Sociology Compass*, vol. 10, 2016, pp. 989-98.

"A Look Back at Congo Independence." Narrated by Michel Martin. *Tell Me More*. National Public Radio, 5 July 2010. *LexisNexis*.

Lutz, Catherine. "Making War at Home in the United States: Militarization and the Current Crisis." *American Anthropologist*, vol. 104, no. 3, 2002, pp. 723-35.

Mandel, Robert. *Armies without States: The Privatization of Security*. Lynne Rienner Publishers, 2002.

Mansfield-Devine, Steve. "The Battle for Privacy," *Network Security*, June 2016, pp. 11-5.

Maogoto, Jackson Nyamuya. "Subcontracting Sovereignty: Commodification of Military Force and Fragmentation of State Authority." *Brown Journal of World Affairs*, vol. 13, no. 1, 2006, pp. 147-60.

Marcuse, Herbert. *Collected Papers, Volume One: Technology, War and Fascism*. Edited by Douglas Kellner. Routledge, 1998.

---. *One-Dimensional Man: Studies in the Ideology of Advanced Industrial Society*. Beacon P, 1964.

Markoff, John. "Acquisition Adds to Menagerie of Robots." *International New York Times*, 16 December 2013, p. 20.

---. "Making Industrial Policy at the Pentagon." *New York Times*, 19 November 1989. *LexisNexis*.

Marris, Robin. Preface & Introduction. *The Corporate Society*, edited by Robin Marris, Halstead P, 1974, pp. vii-xii.

Martin, Sandra. *The New Right's Education Agenda for the States: A Legislator's Briefing Book*. Conference on Alternative State and Local Policies, 1985.

"Masons Form a Lodge in Marziali's Honor." *Maghreb Confidential*, 1 Dec. 2011. *LexisNexis Academic*.

May, Todd. "Desire & Ideology in Fascism." *Deleuze & Fascism*, edited by Brad Evans and Julian Reid, Routledge, 2013, pp. 13-26.

Mayer, Jane. *Dark Money: The Hidden History of the Billionaires behind the Rise of the Radical Right*. Anchor Books, 2017.

Mazzetti, Mark, and Emily B. Hager. "Head of Private Military Firm Denies Affiliation with Ex-Blackwater Chief." *New York Times*, 7 June 2011, p. A12.

---. "Secret Desert Force Set Up by Blackwater's Founder." *New York Times*, 15 May 2011, p. A1.

---. "Sheikh Hires Mercenary Force to Secure Emirates." *The Age* [Melbourne], 16 May 2011, p. 7.

McBride, David. "General Corporation Laws: History & Economics." *Law & Contemporary Problems*, vol. 74, no. 1, 2011, pp. 1-18.

McDermott, John. *Corporate Society: Class, Property, and Contemporary Capitalism*. Westview P, 1991.

McDougall, Dan, and Michael Smith. "UK Special Forces Jump Ship to Make Anti-Piracy Fortune." *The Sunday Times* [London], 17 July 2011, p. 30.

McRobbie, Angela. *The Aftermath of Feminism: Gender, Culture and Social Change*. Sage. 2009.

---. *Feminism and Youth Culture*, 2nd ed. Routledge. 2000.

Meagher, Richard J. "Family Taxes: Conservatives Frame Estate Tax Repeal." *Journal of Policy History*, vol. 26, no. 1, 2014, pp. 73-102.

Mears, Bill. "Supreme Court Divided, Gorsuch Mum in Case that Could Deal Blow to Unions." *Fox News*, 26 February 2018, foxnews.com/politics/2018/02/26/supreme-court-divided-gorsuch-mum-in-case-that-could-deal-blow-to-unions.html. Accessed 28 February 2018.

Metz, Cade. "Google's AI Takes Historic Match against Go Champ with Third Straight Win." *Wired*, 12 March 2016, wired.com/2016/03/third-straight-win-googles-ai-claims-victory-historic-match-go-champ/. Accessed 17 September 2017.

Miccoci, Andrea, and Flavia Di Mario. *The Fascist Nature of Neoliberalism*. Routledge, 2018.

Micklethwait, John, and Adrian Wooldridge. *The Company: A Short History of a Revolutionary Idea*. Modern Library, 2003.

Miles, Kathleen. "Nanobots in Our Brains Will Make Us Godlike." *The World Post*, Autumn 2015, pp. 24-9.

Milkman, Ruth. "Back to the Future? US Labour in the New Gilded Age." *British Journal of Industrial Relations*, vol. 51, no. 4, 2013, pp. 645-65.

Miller, Claire Cain. "Motorola Set for Big Cuts as Google Reinvents It." *New York Times*, 13 August 2012, p. B1.

Miron, Louis F. "Corporate Capital and Political Agency: A Dialogue with Valerie Scatamburlo-D'Annibale and Peter McLaren." *Cultural Studies/Critical Methodologies*, vol. 3, no. 2, 2003, pp. 176-85.

Mirowski, Philip. *Never Let a Serious Crisis Go to Waste: How Neoliberalism Survived the Financial Meltdown*. Verso, 2013.

Moynihan, Colin. "Police Close Zucotti Park, Arresting Scores at Protest." *New York Times*, 18 March 2012, p. A18.

Morris, Meaghan. *Identity Anecdotes: Translation & Media Culture*. Sage. 2006.

---. *Too Soon Too Late: History in Popular Culture*. Indiana U P. 1998.

Mueller, Dennis C. *The Corporation: Investment, Mergers, & Growth*. Routledge, 2003.

Mumford, Lewis. *Technics and Civilization*. U of Chicago P, 1934.

Murphey, Mike. "Checkmate: An AI Computer Learned How to Beat Almost Anyone at Chess in 72 Hours." *Quartz*, 16 September 2015, https://qz.com/502325/an-ai-computer-learned-how-to-beat-almost-anyone-at-chess-in-72-hours/. Accessed 17 September 2017.

Musah, Abdel-Fatau. "Privatization of Security, Arms Proliferation and the Process of State Collapse in Africa." *Development and Change*, vol. 33, no. 5, 2002, pp. 911-33.

Mussolini, Benito. "Ascension Speech (1927)—Excerpts." *Economic Fascism: Primary Sources on Mussolini's Crony Capitalism*, edited by Carlo Celli, Axios P, 2013, pp. 73-87.

---. "For the Battle of Grain (1925)." *Economic Fascism: Primary Sources on Mussolini's Crony Capitalism*, edited by Carlo Celli, Axios P, 2013, pp. 41-3.

---. "Before the Assembly of the Council of Corporations (1934)." *Economic Fascism: Primary Sources on Mussolini's Crony Capitalism*, edited by Carlo Celli, Axios P, 2013, pp. 257-61.
---. "On the Bill Establishing the Law on the Corporate State (1934)." *Economic Fascism: Primary Sources on Mussolini's Crony Capitalism*, edited by Carlo Celli, Axios P, 2013, pp. 199-208.

---. "Birth Certificate of Fascism at Piazza San Sepolcro (1919)." *Economic Fascism: Primary Sources on Mussolini's Crony Capitalism*, edited by Carlo Celli, Axios P, 2013, pp. 21-8.

---. "On the Corporate State (1933)." *Economic Fascism: Primary Sources on Mussolini's Crony Capitalism*, edited by Carlo Celli, Axios P, 2013, pp. 179-97.

---. "The Defense of the Lira & Problems with Exports (1926)—Excerpts." *Economic Fascism: Primary Sources on Mussolini's Crony Capitalism*, edited by Carlo Celli, Axios P, 2013, pp. 45-55.

---. "The Doctrine of Fascism." Translated by Jane Soames, *Political Quarterly*, November 1933, pp. 235-244.

---. "The Economic Policies of the Regime (1930)." *Economic Fascism: Primary Sources on Mussolini's Crony Capitalism*, edited by Carlo Celli, Axios P, 2013, pp. 133-55.

---. "Law Establishing the National Council of Corporations (1930)." *Economic Fascism: Primary Sources on Mussolini's Crony Capitalism*, edited by Carlo Celli, Axios P, 2013, pp. 89-114.

---. "Pesaro Speech (1926)." *Economic Fascism: Primary Sources on Mussolini's Crony Capitalism*, edited by Carlo Celli, Axios P, 2013, pp. 57-9.

---. "Plan for the New Italian Economy (1936)." *Economic Fascism: Primary Sources on Mussolini's Crony Capitalism*, edited by Carlo Celli, Axios P, 2013, pp. 271-82.

---. "Program of the National Fascist Party (1921)—Excerpts." *Economic Fascism: Primary Sources on Mussolini's Crony Capitalism*, edited by Carlo Celli, Axios P, 2013, pp. 35-40.

Nativi, Andy. "Safe Seas?" *Defense Technology International: World Conflict Guide*, vol. 6, no. 1, 2012, p. 26.

National Research Council. *Funding a Revolution: Government Support for Computing Research* National Academy P, 1999.

Naughton, John. "Why Silicon Valley Wants to Thwart the Grim Reaper." *The Observer* [London], 9 April 2017. *LexisNexis*.

Ness, Erik C., and Denisha Gandara. "Ideological Think Tanks in the States: An Inventory of Their Prevalence, Networks, and Higher Education Policy Activity." *Educational Policy*, vol. 28, no. 2, 2014, pp. 258-80.

Neumann, Franz. *Behemoth: The Structure and Practice of National Socialism, 1933-1944*. Ivan R. Dee, 2009.

Newell, Virginia, and Benedict Sheehy. "Corporate Militaries and States: Actors, Interactions, and Reactions." *Texas International Law Journal*, vol. 41, no. 67, 2006, pp. 67-101.

Newman, Janet, and John Clarke. *Publics, Politics and Power: Remaking the Public in Public Services*. Sage, 2009.

Nichols, John. "ALEC Exposed." *The Nation*, vol. 293, nos. 5-6, 2011, pp. 16-17.

Noble, David F. *America by Design: Science, Technology, & the Rise of Corporate Capitalism*. Alfred A. Knopf, 1977.

Office of the Federal Register; National Archives and Records Service; General Services Administration. *Code of Federal Regulations, 32: National Defense Parts 40 to 399*. Office of the Federal Register, 01 July 1979.

O'Connell, Mark. "The Immortality Campaign." *New York Times*, 12 February 2017, p. 44.

Ong, Aihwa. *Neoliberalism as Exception: Mutations in Citizenship and Sovereignty*. Duke U P, 2006.

Onuf, Nicholas Greenwood. "Sovereignty: Outline of a Conceptual History." *Alternatives: Global, Local, Political*, vol. 16, no. 4, 1991, pp. 425-46.

Paglen, Trevor. *Blank Spots on the Map: The Dark Geography of the Pentagon's Secret World*. Dutton, 2009.

Parkison, Paul T. "The Teacher as Commodity: What We Lose in a Captive Market." *The Educational Forum*, vol. 80, no. 1, 2016, pp. 107-23.

Passmore, Kevin. *Fascism: A Very Short Introduction*. Oxford U P, 2002.

Pastor, David, and Alex Pastor, creators. *Incorporated*. Algorithm Entertainment and CBS TV Studios, 2016.

Patterson, Steven Max. "Reports of Google Building a Phone Are Preposterous." *Network World*, 28 June 2016. *LexisNexis*.

Pattison, James. "Deeper Objections to the Privatisation of Military Force." *Journal of Political Philosophy*, vol. 18, no. 4, 2010, pp. 425-47.

Payne, Stanley G. *Fascism: Comparison and Definition*. U of Wisconsin P, 1980.

Percy, Sarah. "Private Security Companies and Civil Wars." *Civil Wars*, vol. 11, no. 1, 2009, pp. 57-74.

Phillips, Richard. "The Firm, the Corporation, and Contemporary Capitalism." *Global Political Economy*, 2nd edition, edited by Ronen Palan, Routledge, 2013, pp. 29-45.

Pilkington, Ed. "Ford Becomes Latest Corporation to Sever Ties with Conservative ALEC Lobby." *The Guardian* [London], 17 February 2016. *LexisNexis*.

Potapchuck, John L. "A Second Bite at the Apple: Federal Courts' Authority to Compel Technical Assistance to Government Agents in Accessing Encrypted Smartphone Data under the All Writs Act." *Boston College Law Review*, vol. 57, no. 4, 2016, pp. 1403-46.

Potter, Wendell. "Sabotaging Healthcare." *The Nation*, vol. 293, nos. 5-6, 2011, pp. 20-22.

Poulantzas, Nicos. *Fascism and Dictatorship: The Third International and the Problem of Fascism*. Translated by Judith White, Verso, 1979.

"Private Army in the News Again." Narrated by Terry Gross. *Fresh Air*. National Public Radio, 16 December 2009. *LexisNexis.*

Quinn, Jimmy. "Google, AI, and National Defense." *National Review*, 12 June 2018. https://www.nationalreview.com/corner/google-artificial-intelligence-national-defense. Accessed 12 June 2018.

Ragazzoni, David. "The Ontology of Power, the Failure of Modernity: Insights from a 1954 *Gesprach* by Carl Schmitt." *Telos*, vol. 175, 2016, pp. 57-67.

Reich, Wilhelm. *Character-Analysis*. 3rd edition, translated by Theodore P. Wolfe, Farrar, Straus & Giroux, 1949.

---. "Dialectical Materialism and Psychoanalysis." *Sex-Pol: Essays, 1929-1934*, edited by Lee Baxandall, Verso, 2012, pp. 1-74.

---. *The Function of the Orgasm: Sex-Economic Problems of Biological Energy*. Translated by Vincent R. Carfagno, Farrar, Straus, and Giroux, 1973.

---. "The Imposition of Sexual Morality." *Sex-Pol: Essays, 1929-1934*, edited by Lee Baxandall, Verso, 2012, pp. 89-249.

---. *Listen, Little Man!* Translated by Ralph Manheim, Farrar, Straus, and Giroux, 1974.

---. *The Mass Psychology of Fascism*. Translated by Mary Boyd Higgins, Farrar, Straus, and Giroux, 1969.

---. *People in Trouble: Volume Two of the Emotional Plague of Mankind*. Translated by Phillip Schmitz, Farrar, Straus, and Giroux, 1976.

---. "What Is Class Consciousness?" *Sex-Pol: Essays, 1929-1934*, edited by Lee Baxandall, Verso, 2012, pp. 227-358.

Renneburg, Monika, and Mark Walter, editors. *Science, Technology and National Socialism*. Cambridge U P, 1994.

Renou, Xavier. "Private Military Companies against Development." *Oxford Development Studies*, vol. 33, no. 1, 2005, pp. 107-15.

Reuters. "UAE Hires Blackwater Founder to Set Up Force." *Washington Post*, 16 May 2011, p. A8.

RIA Novosti. "Russian Deputy PM Drafts Decree on Defence Companies' Bosses Income Declarations." *BBC Worldwide Monitoring*, 17 Jan. 2012. *LexisNexis Academic*.

Rifkin, Glenn. "Computers That Hear and Respond." *New York Times*, 14 August 1991, p. D1.

Risen, James. "Blackwater Reaches $42 Million Settlement with U.S. Over Export Violations." *New York Times*, 21 Aug. 2010, p. A8.

Risen, James, and Mark Mazzetti. "30 False Fronts Won Contracts for Blackwater." *New York Times*, 4 Sept. 2010, p. A1.

Rivers, Theodore John. "An Introduction to the Metaphysics of Technology." *Technology in Society*, vol. 27, 2005, pp. 551-574.

Robocop. Directed by Paul Verhoeven, Orion Pictures, 1987.

---. Directed by José Padilha, MGM, Columbia Pictures, Strike Entertainment, Dynamic Effects Canada, 2014.

Rocco, Alfredo. "The Labor Charter (1927)." *Economic Fascism: Primary Sources on Mussolini's Crony Capitalism*, edited by Carlo Celli, Axios P, 2013, pp. 61-71.

Rogers, Joel, and Laura Dresser. "Business Domination Inc." *The Nation*, vol. 293, nos. 5-6, 2011, pp. 17-20.

Ropohl, Gunter. "Philosophy of Socio-Technical Systems." *Philosophy and Technology*, vol. 4, no. 3, 1999, pp. 59-71.

Rose, Charlie. "A Discussion about Avian Flu." *The Charlie Rose Show*, 1 November 2005. *LexisNexis*. Accessed 17 July, 2017.

Rosen, Ben. "How Apple and the FBI Took down the World's Largest Torrent Site." *Christian Science Monitor*, 21 July 2016. *LexisNexis*.

Rosemann, Nils. "Privatized War and Corporate Impunity." *Peace Review*, vol. 17, 2005, pp. 273-87.

Rosenau, William. *Corporations and Counterinsurgency*. RAND, 2009.

Rossi, Cesare. "Program of the *Fasci di Combattimento* (1919)." *Economic Fascism: Primary Sources on Mussolini's Crony Capitalism*, edited by Carlo Celli, Axios P, 2013, pp. 29-33.

Rothkopf, David. *Power, Inc.: The Epic Rivalry between Big Business and Big Government and the Reckoning That Lies Ahead*. Farrar, Straus & Giroux, 2012.

Roy, William G. *Socializing Capital: The Rise of the Large Industrial Corporation in America*. Princeton U P, 1997.

Rustin, Michael. "Reflections on the Present: A Conjunctural Analysis of the Current Global Financial Crisis." *Soundings*, vol. 43, 2009, pp. 18-34.

Sample, Ian. "AI Is Getting Brainier." *The Guardian* [London], 15 March 2017. *LexisNexis*.

Savage, Michael. "Britain Privatises War-Zone Intelligence." *The Times* [London], 8 April 2011, p. 3.

Scahill, Jeremy. *Blackwater: The Rise of the World's Most Powerful Mercenary Army*. Nation Books, 2007.

Schmitt, Carl. *The Leviathan in the State Theory of Thomas Hobbes: Meaning and Failure of a Political Symbol*. Translated by George Schwab and Erna Hilfstein, Greenwood P, 1996.

---. *Political Theology: Four Chapters on the Concept of Sovereignty*. Translated by George Schwab, U of Chicago P, 1985.

---. *Political Theology II: The Myth of the Closure of Any Political Theology*. Translated by Michael Hoelzel and Graham Ward, Polity, 2008.

Sciulli, David. *Corporations vs. the Court: Private Power, Public Interests*. Lynne Rienner, 1999.

Scott, John. *Corporate Business and Capitalist Classes*. Oxford U P, 1997.

Seavoy, Ronald E. *The Origins of the American Business Corporation, 1784-1855: Broadening the Concept of Public Service during Industrialization*. Greenwood P, 1982.

Sengupta, Kim. "Blackwater Founder 'Setting Up Mercenary Army for UAE'." *The Independent* [London], 16 May 2011. *LexisNexis Academic*.

---. "Simon Mann: My Biggest Mistake Was Approaching Mark Thatcher." *The Independent* [London], 31 Oct. 2011. *LexisNexis Academic*.

Shane, Scott, Cade Metz, and Daisuke Wakabayashi. "How a Pentagon Contract Became an Identity Crisis for Google." *New York Times*, 30 May 2018. https://www.nytimes.com/2018/05/30/technology/google-project-maven-pentagon. html?hp&action=click&pgtype= Homepage&clickSource=story-heading&module =second-column-region&region=top-news&WT.nav=top-news. Accessed 12 June 2018.

Simons, Suzanne. *Master of War: Blackwater USA's Erik Prince and the Business of War*. Harper Collins, 2009.

Singer, P. W. *Corporate Warriors: The Rise of the Private Military Industry*. Cornell U P, 2008.

Sklar, Martin J. *The Corporate Reconstruction of American Capitalism, 1890-1916: The Market, the Law, and Politics*. Cambridge U P, 1988.

---. *The United States as a Developing Country: Studies in U. S. History in the Progressive Era & the 1920s*. Cambridge U P, 1992.

Skocpol, Theda, and Alexander Hertel-Fernandez. "The Koch Network and Republican Party Extremism." *Perspectives on Politics*, vol. 14, no. 3, 2016, pp. 681-99.

Slack, Jennifer Daryl. "The Theory and Method of Articulation in Cultural Studies." *Stuart Hall: Critical Dialogues in Cultural Studies*, edited by David Morley and Kuan Hsing Chen, Routledge, 1996, pp. 113-29.

Slack, Jennifer Daryl, and J. MacGregor Wise. *Culture and Technology: A Primer*, 2nd edition. Peter Lang, 2015.

Snider, Mike. "Stand, Duck and Cover in the New 'Blackwater' Video Game." *USA Today*, 6 Sept. 2011, p. 3D.

"Soldiers Who Fight for Money." Narrated Neal Conan. *Talk of the Nation.* National Public Radio, 15 March 2011. *LexisNexis.*

South, Nigel. *Policing for Profit: The Private Security Sector*. Sage, 1988.

Southerland, Daniel. "U.S., Firms Plan High-tech Screen Venture." *Washington Post*, 17 November 1992, p. B1.

"Spectrum of Services." *The Globe and Mail* (Canada), 22 March 2012, p. A16.

Stacey, Jackie. "The Unfinished Conversations of Cultural Studies." *Cultural Studies*, vol. 29, no. 1, 2015, pp. 43-50.

"Spectrum of Services." *The Globe and Mail* [Canada], 22 March 2012, p. A16.

Suarez-Villa, Luis. *Corporate Power, Oligopolies, and the Crisis of the State*. SUNY P, 2015.

---. *Globalization and Technocapitalism: The Political Economy of Corporate Power and Technological Domination*. Ashgate, 2012.

---. *Technocapitalism: A Critical Perspective on Technology, Innovation and Corporatism*. Temple U P, 2009.

Taylor, Chris. "Corporate Agenda Is Clear at ALEC Conference." *The Capitol Times* [Madison, WI], 04 June 2014, p. 31.

Tennenhouse, David L. *Statement before the Senate Commerce, Science and Transportation Committee; Science, Technology and Space Subcommittee.* Federal News Service, 04 November 1997.

Timberg, Sigmund. "Corporate Fictions: Logical, Social and International Implications." *Columbia Law Review*, vol. 46, no. 4, 1946, pp. 533-80.

Tobin, Lucy. "Global Security Zone." *The Independent* [London], 7 Jan. 2012, p. 50.

Trotsky, Leon. *Fascism: What It Is and How to Fight It*. Pathfinder, 1944.

Truitt, Wesley B. *The Corporation*, Greenwood P, 2006.

Turcan, Metin, and Nihat Ozpinar. "'Who Let the Dogs Out?': A Critique of the Security for Hire Option in Weak States." *Dynamics of Asymmetric Conflict*, vol. 2, no. 3, 2009, pp. 143-71.

Tynan, Dan. "Augmented Eternity." *The Guardian* [London], 23 June 2016. *LexisNexis*.

Underwood, Julie. "Starving Public Schools." *The Nation*, vol. 293, nos. 5-6, 2011, pp. 22-23.

United States. Department of Commerce, National Telecommunications and Information Administration. *Management of Internet Names and Addresses*. National Telecommunications and Information Administration, 1998. *LexisNexis*.

---. Congress. House. Committee on Oversight and Government Reform. *Hearing on Iraq Reconstruction: Reliance on Private Military Contractors and Status Report*. 110th Cong., 1st sess. H. Hrg. 110-11. GPO, 2007.

---.---.---.---. *Hearing on Management of Massive Homeland Security Contracts: Deepwater and SBInet*. 110th Cong., 1st sess. H. Hrg. 110-19. GPO, 2007.

---.---.---. Subcommittee on National Security and Foreign Affairs of the Committee on Oversight and Government Reform. *Hearing on the Commission on Wartime Contracting: Interim Findings and Path Forward*. 111th Cong., 1st sess. H. Hrg. 111-13. GPO, 2009.

---.---.---.---. *Hearing on the Investigation of Protection Payments for Safe Passage along the Afghan Supply Chain: Statement of Moshe Schwartz, Specialist in Defense Acquisition*. CRS, 2010.

---.---.---. Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform of the Committee on Oversight and Government Reform. *Are Government Contractors Exploiting Overseas Workers?: Examining Enforcement of the Trafficking Victims Protection Act: Testimony of David Isenberg*. GPO, 2011.

---.---. Senate. Committee on Armed Services. *Hearing on Contracting in a Counterinsurgency: Examination of the Blackwater-Paravant Contract and the Need for Oversight*. 111th Cong., 2nd sess. S. Hrg. 111-571. GPO, 2010.

---. Office of the Director of National Intelligence. *Assessing Russian Activities and Intentions in Recent US Elections*. National Intelligence Council, 6 January 2017.

"UTME—1.5 Million Students Battle for 500,000 Admission Slots." *Vanguard* (Lagos). 22 March 2012. *LexisNexis Academic*.

Venugopal, Rajesh. "Neoliberalism as Concept." *Economy and Society*, vol. 44, no. 2, 2015, pp. 165-87.

Verma, Sonia. "Republican Network Orchestrates State-by-State Push for Keystone." *Globe and Mail* [Canada], 14 December 2013, p. A20.

Wakefield, Alison. *Selling Security: The Private Policing of Public Space*. Willan Publishing, 2003.

Walker, Jonathan. "Mystery of Police Force's 'Privitasation'." *Birmingham Post*, 15 March 2012, p. 30.

Wallwork, Maj. Richard D. *Operational Implications of Private Military Companies in the Global War on Terror*. School of Advanced Military Studies, 2005.

Warrick, Joby. "Opponents of Clean-Air Rule Plan a Multiple-Front Battle." *Washington Post*, 04 August 2015, p. A05.

Weber, Cynthia. *Simulating Sovereignty: Intervention, the State, and Symbolic Exchange*. Cambridge U P, 1995.

Weinberger, Sharon. *The Imagineers of War: The Untold History of DARPA, the Pentagon Agency that Changed the World*. NY: Alfred P. Knopf, 2017.

Weinstein, James. *The Corporate Ideal in the Liberal State: 1900-1918*. Beacon P, 1968.

"What Does the New Year Hold for the Global Wave of Protest That Erupted in 2011?" *The Nation* [Thailand], 10 Jan. 2012. *LexisNexis Academic*.

Whitaker, Reg. "A Faustian Bargain?: America and the Dream of Total Information Awareness." *The New Politics of Surveillance and Visibility*, edited by Kevin D. Haggerty and Richard V. Ericson, U of Toronto P, 2006, pp. 141-170.

Whitehall, Geoffrey, "Movement & Human Logistics: Pre-emption, Technology and Fascism." *Deleuze and Fascism*, edited by Brad Evans and Julian Reid, Routledge, 2013, pp. 64-77.

Williams, Raymond. *Television: Technology and Cultural Form*. Routledge, 2003.

Willing, Richard. "Supreme Court Takes on Religious Education." *USA Today*, 02 December 2003, p. 16A.

Williston, Samuel. "History of the Law of Business Corporations before 1800." *Harvard Law Review*, vol. 2, no. 3, 1888, pp. 105-24.

Wilson, Peter Lamborn. *Pirate Utopias: Moorish Corsairs and European Renegadoes*. Autonomedia, 1995.

Wines, Michael. "Conservatives Push to Revise Constitution." *International New York Times,* 24 August 2016, p. 5.

Wolin, Sheldon S. *Democracy, Inc.: Managed Democracy and the Specter of Inverted Totalitarianism*. Princeton U P, 2008.

Wouters, Patrick. "The Political, Legal, and Military Implications of Outsourcing to Private Military Companies." *Management and Economics*, vol. 1, no. 57, 2010, pp. 81-6.

Yadron, Danny. "From Uber to Eric Schmidt, Tech Is Closer to US Government than You'd Think." *The Guardian* [London], 21 April 2016. *LexisNexis*.

Zabci, Filiz. "Private Military Companies: 'Shadow Soldiers' of Neo-colonialism." *Capital and Class*, vol. 31, no. 92, 2007, pp. 1-10.

Zakaria, Fareed. "Multiple CEOs—Interview." *CNBC/Dow Jones Business Video*, 30 October 2010. *LexisNexis*.