Chapter 17

Territory
Part I

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Introduction

William Shakespeare, writing in the late 16th and early 17th centuries, only uses the word "territory" twice in his plays. The word "territories" is more common, appearing in six plays in eleven separate instances.[1] Almost all these are places where "territories" means effectively the same thing as "lands." Richard II banishes the Duke of Hereford (the future Henry IV) from his "territories … upon pain of life, Till twice five summers have enrich'd our fields."[2] Banishment from territories also occurs in *Henry VI, Part II*; and is threatened in *As You Like It* and *Two Gentlemen of Verona*.[3] In other places people are welcomed into the territories of a kingdom[4] and there is the constant threat of conquest or conflict.[5]

However two instances are worth a little more attention. In *Henry VI, Part II*, Lord Somerset reports on the situation in France: "That all your interest in those territories, Is utterly bereft you; all is lost."[6] While this may appear to be another use of "territories" in a sense of lands, or as a battlefield fought over and surrendered, the relation of interest shows that it is not simply property or a strategic sense, but the political control of and stake in those places. The same phrasing appears in *King Lear*, in the most intriguing reference to "territory" in his plays. Lear is discussing his plans for the inheritance of his kingdom between his three daughters:

> … Tell me, my daughters,
> (Since now we shall divest us both of Rule,
> Interest of territory, cares of state)
> Which of you shall we say doth love us most?
> That we our largest bounty may extend
> Where nature doth with merit challenge …[7]
> (King Lear)

TERRITORY

King Lear is a play which quickly moves beyond this division of land, but this is the initial spur for the reactions of Lears three daughters, including the break with Cordelia. While the elder daughters Goneril and Regan obsequiously profess their love of their father, receiving lands in return; Cordelia refuses to play along, stating that she loves her father "according to my bond; no more nor less."[8] Lear fails to realize that Cordelia has no wish to join her sisters in their cheap flattery, and that she alone probably loves him most. But Lear is not a foolish king in making such a division. Rather, as Harry Jaffa has convincingly argued, Lear is struggling with the question of succession and the unity of the kingdom he has created.[9] Goneril is married to the Duke of Albany, and Regan to the Duke of Cornwall. These were the extremities of the kingdom, Albany being the north including Scotland. Lear has clearly decided what lands these couples should receive, because they are given their gifts immediately after the speeches of the first two daughters, but before Cordelia's.[10] In other words, Lear is not really comparing the speeches in order to distribute the lands, but using this as pretence to buy off the two Dukes. Division into three does not mean each was equal, although Lear continues to suggest that this is open to question. He rewards Regan's speech with "this ample third of our fair kingdom/No less in space, validity, and pleasure,/Than that conferr'd on Goneril," but them immediately indicates to Cordelia that she could gain "A third more opulent than your sisters."[11]

Thus Lear gives Goneril and Albany some lands close to their existing ones; and the same to Regan and Cornwall, reserving the central portion for Cordelia. Cordelia is not yet married, being courted by the Duke of Burgundy and the King of France. Jaffa thus claims that Lear is being very strategic in terms of division: "it was an action predestined by the very means required to bring unity to the kingdom. Lear, it appears, delayed the division as long as possible, but he could not put it off indefinitely, any more than he could put off indefinitely his own demise."[12] The intention, he suggests, is that of "living on as king with Cordelia, with Albany and Cornwall acting as his deputies in regions which he could not control without their loyalty anyway." In sum, he asks, "does it seem that Lear was giving up anything that he could, in any case, have kept to himself much longer?"[13] Yet in not going with his plan, Cordelia receives nothing from Lear, and is spurned by Burgundy. She flees with the King of France, which provides a strategic advantage in the conflict to come.

Much more could of course be said of *King Lear*, one of Shakespeare's most geopolitically interesting plays. But it is significant that the word "territory" is not frequently found in his plays, suggesting a history to the word, the concept and the practice. In addition several things in terms of territory can be gleaned from this single scene. Territory clearly implies a range of political issues: it is controlled, fought over, distributed, divided, gifted, bought and sold. It is economically important, strategically crucial and legally significant. Territory is often straight-forwardly understood to be a bounded space under the control of a group. That understanding, particularly in terms of a state exercising exclusive sovereignty within clearly demarcated boundaries, has not always been held, and is being profoundly challenged today, so an understanding of the political, historical and geographical complexities around the term may be helpful. In this chapter, the emphasis is on how territory emerged as a category within Western political thought. This is a story

that cannot be understood other than in relation to questions of land, terrain, sovereignty, space and the state. This means that territory is conceptually very difficult to grasp. While territory can be seen as operating at a range of spatial scales, from the locality marked by gang graffiti, to the attempts to constitute a supranational territory of Schengenland, here I want to try to offer an account of how the term itself took on a modern meaning within Western political thought; a sense which is extended up or down in other analyses.

The English word "territory," as well as related words in most Western European languages, derives from the Latin term *territorium*. While there has been some debate about the meaning of this word, focusing on its derivation from *terra* – land or terrain – or *terrere* – to terrify, to frighten – there has been less discussion about when the word actually meant something close to our contemporary usage.[14] *Territorium* in classical Latin did not mean the land over which a political unit extended its power. Rather, it was a simple extent of land, such as the surrounding agricultural lands belonging to a town or a religious order.[15] Like many of Shakespeare's uses, it was a synonym for land. Isidore of Seville, for instance, writing in the early seventh century in his *Etymologiae*, sets out his understanding of the classical tradition. He puts the notion of a *territorium* half way down his scalar understanding of units of measure. He begins with *Terra*, the earth; and then works down to *terrae*, single parts of land such as Africa and Italy; places [*loca*], which are expanses of land [*terrae spatia*], which themselves contain provinces, parts of which are regions which are colloquially called cantons. Territories are parts of regions.[16] Elsewhere he continues the theme:

> Measure is whatever limit is set in respect to weight, capacity, length, height and mind. And so the ancients divided the planet [*orbem*] into parts, the parts into provinces, the provinces into regions, the regions into places, the places into territories [*loca in territoriis*], the territories into fields, the fields into hectares [*centuriis*], hectares into acres, the acres into *climata* [sixty feet square], the *climata* into hides, perches, yards, grades, cubits, feet, spans, inches, and fingers. For so great was their ingenuity![17] (Shakespeare, Isidore of Seville)

Territorium here clearly means an expanse of land, and not of especially great extent. It is a piece of land, somewhat larger than a single field, but predominantly agricultural. As he says, "a *territorium* is so called as if it were a *tauritorium*, that is "broken by a plow" [*tritum aratro*] and by a team of oxen (c.f. *taurus*, "bull") – for the ancients used to designate the borders of their possessions and *territoria* by cutting a furrow."[18] While the etymology is, like many of Isidore's, rather fanciful, the point is important: *territorium* did not have its current connotations.

The use of the term through most of the Middle Ages bears this out. Gregory of Tours's *Histories*, usually called *The Histories of the Franks*, regularly uses the term, but usually in the sense simply of surrounding lands,[19] although he sometimes uses the compound term *urbis territurio* to mean a city or town and the neighboring district.[20] The two are in some sense distinct: the town has a *territorium* under its rule, rather than the town itself being a *territorium*. He occasionally pairs *territorium* with *termini*, border or limit, to invoke a bounded area. For instance he says that someone "lived within the borders of the Trier lands [*intra Treverici*

termini territurio]";[21] or that action took place "within the borders of the lands of Angers [*infra Andegavensis territorii terminum*]."[22] The border is, here, not the defining characteristic of the *territorium*, but a secondary attribute. It is essential to recognize that in all these uses, the *territorium* is at most the land owned or controlled by a political unit, a political-economic or political-strategic relation. The idea that the *territorium* was the very extent of political power is a much later sense of the term.

Much careful work remains to be done in tracing the history of the term, but the emergence of territory in a recognizably modern sense appears to be due to the combination of two things: the re-adoption of classical Greek terminology concerning the *polis*, especially from Aristotle; and the rediscovery and reworking of Roman law. Aristotle's political works had been almost completely unknown in the Latin West in the Middle Ages, both because of a lack of availability of the texts but also the very limited knowledge of Greek. Initially rediscovered through Arabic translations, by the thirteenth century workable versions of the *Politics*, the *Nicomachean Ethics* and the *Rhetoric* were available to thinkers such as Thomas Aquinas.[23] Greek terms were sometimes simply transliterated – *politeia* and *politicus* – and sometimes rendered as variants of *civis – civitas, civis* and *civilis* for *polis, polites*, and *politicos*.[24] The life of the city, citizenship and the civic – terms with a Roman heritage – become fused with the Greek notion of the *polis*. As Aquinas put it in his commentary on Aristotle's *Ethics*, the third part of moral philosophy concerns "the action of the civil community [*multitudinis civilis*] and is called political [*politica*].[25] Aquinas renders Aristotle's *zoon politikon* as *animal civile*, but also as *animale sociale* and *animale politicum*, used in the *Summa Theologiae* and other works.[26] The living being whose nature is to be in the *polis* becomes the civil animal, the social animal, and the political animal.

The sophisticated Greek terminology for understanding political rule was of great value to secular rulers in their assertion of independence from papal authority. At this time a range of theorists were trying to articulate the scope of kingly power, or to clarify what powers the Emperor had in relation to the Pope. Of papal origin, the articulation of eternal spiritual and temporal secular power as the "two swords" became the dominant terms of debate. Eternal or spiritual power was over souls and their salvation; temporal or secular power was over human's actions on this earth. The "two swords" model derives from a reading of Luke's gospel, when Jesus is readying the disciples for the conflicts and persecution to come, and he tells them to sell their goods to buy swords.[27] They tell him "Lord, behold, here *are* two swords," to which Jesus replies "it is enough."[28] It was significant, according to the papacy, that Jesus said "it is enough" rather than "it is too many" or "too few." They drew further lessons from the encounter between the disciples and the high priest and his entourage. One of the disciples cuts off the ear of a servant. Jesus tells him to "put up again thy sword into his place: for all they that take the sword shall perish with the sword."[29] Both swords – that is spiritual power and temporal power – belong to the church, but while the former is to be both possessed and used, the second is to command, rather than directly use. The church should therefore empower the secular arm to do its bidding, such as it did most directly with its crowning of the Holy Roman Emperor, or the use of Kings to pursue the crusades.

Yet the political situation in Europe was considerably more complicated in practice. There were kingdoms outside of the Empire, notably England and France, and so the Emperor's temporal power could not claim to be universal, even if the Pope did claim a monopoly of spiritual power. Indeed it was Pope Innocent III in 1202 who declared that the French king "recognized no superior in temporal matters."[30] This put a clear limit on the power of the Emperor: his power did not extend beyond the bounds of the Empire. It was then a short step for the King's jurists to phrase his power as functionally equivalent to the Emperor: within his kingdom, the King had the same powers as the Emperor in his Empire.[31] These two formulations were of different lineage, but taken together they asserted supremacy of temporal power within the bounds of the kingdom, where the spatial extent is not merely the possession of the ruler, but the very limit of their power. The struggles that continued between the French King Philip the Fair and Pope Boniface VIII hinged on these issues. On behalf of the King, the most eloquent exponent was John of Paris, who argued that while it was possible to have a universal Church with supreme authority; it was impossible to conceive of universal or world government. Temporal power requires the use of the sword, and since this cannot be done over large distances, there are limits to temporal power.[32] Giles of Rome, working on behalf of the Pope, argued that even if there were different temporal powers, all were subordinate to the spiritual power of the Pope, and "kingdoms under the Vicar of Christ."[33]

Various writers then tried to articulate the scope and powers of various secular polities. Dante used this as an opportunity to argue for the importance of a revived Empire, or *Monarchia*; Marsilius of Padua to stress the importance of the independence of cities within the Italian peninsula; and William of Ockham claimed that the church should, like the disciples, be poor, by which he meant not simply lacking in wealth but also unengaged in worldly matters.[34] All of these writers, albeit in very different ways, wanted to remove the power of the papacy from political concerns, but crucially recognized that scope of political power was limited, not simply in terms of what it could do, but in where it operated. Yet none of them had the conceptual terminology to articulate this clearly. The papacy had made the distinction between the two powers, looking to reserve both for itself, but opening up the way in which temporal power could be taken as separate. And the Emperor and Kings who argued against papal involvement in their own affairs also made possible later arguments for non-involvement in the affairs of smaller political units. Yet while the Greek political vocabulary took such theorists so far, and recognizably modern arguments are being made, there was, as yet, only an inchoate sense of what that political power was actually over.

It is only with the rediscovery of Roman law in the Italian city-states in the later Middle Ages that this question began to be properly answered. It was in the works of the post-glossators or commentators, working with the text of Justinian's *Corpus Iuris Civilis* that the notion of *territorium* became explicitly tied to that of jurisdiction. Justinian was a Byzantine Emperor in the sixth century who had codified the Roman law up to his time. *Corpus Iuris Civilis* means the body of civil law, and comprised imperial pronouncements of the law, a large selection of commentaries on them, a primer for students, and the new pronouncements of Justinian's own time.[35] This text was not widely known in the Latin west for several centuries, but a complete manuscript was discovered in Pisa in 1077. While it provided an almost

ready made legal system, many of its claims were unclear, being five hundred years since Justinian's codification and several more since some of the parts had been written. The work of the first generations of scholars was that of philology and hermeneutics – reconstructing the text and providing explanations and interpretations. They wrote notes or glosses in and around the text, and were known as the glossators. Not everyone appreciated their labors, with the novelist Rabelais seeing them tarnishing the law books, which he described as a "fine cloth-of-gold robe, marvelously grand and costly but trimmed with dung."[36]

Nonetheless, the lawyers following them were able to build on their labors, interpreting and reworking them in the context of their time. But while the Roman law had originally been written to apply to an empire and its constituent parts, these laws were now being read in the context of popes, emperors, kings and independent cities. The question was whether these kingdoms were *imperium*, or whether they were closer to the Aristotelian *civitas* or *regnum*, the terms used in the medieval translations. France could clearly not be understood simply as a *provincia*, nor could a free city simply be thought of as a *municipium*.[37] An answer to this question came from the glossator Bartolus of Sassoferrato, who argued that the independent polity had two origins: an Aristotelian *polis* and an Empire on a reduced scale.[38] This fusion of Greek political thought and Roman law is crucial, since it brought together two strands of ancient thought in a modern context. As Bartolus suggests:

> *Dominium* is something that inheres in the person of the owner [*domini*], but it applies to the thing owned. Similarly jurisdiction inheres in an office [*officio*] and in the person who holds the office, but it applies to a *territorium*, and is thus not a quality of the *territorium*, but rather of the person.[39] (Bartolus)

Bartolus's use of *territorium* here is significant. He is taking the notion of land, or land belonging to an entity, as the thing to which jurisdiction applies, thus providing the extent of rule. The *territorium* then is not simply a property of a ruler; nor is jurisdiction simply a quality of the *territorium*. Rather the *territorium* is the object of rule itself. This runs through Bartolus's work, where he contends that the actions of an individual merchant or trader were bound by the laws of the place he was, rather than by the city to which he belonged. This was a crucial shift from the personality of law to the territoriality of law.[40] Bartolus also coined the phrase "*civitas sibi princeps*" to explain the status of the cities: the cities were a prince, a leader, unto themselves, rather than having to show deference to some higher power. Like the idea of the king being supreme within his kingdom, just as the emperor was within the empire, the idea of a sovereign city shows that the law, jurisdiction, is territorially defined.

This is still some way from separate independent states with discrete territories and clearly defined boundaries, which was something that emerged slowly, unevenly and unequally over the next several centuries. But it does mean that attempts to date the emergence of the modern state, its territorial control or the international system of states to the middle of the seventeenth century are misleading.[41] The religious wars of that time, culminating in the settlement of the Peace of Westphalia in 1648, are continuations of the debates concerning the relation between the papacy, the Emperor and the constituent parts of the empire and external polities.

The Westphalia treaties give the *jus territoralis* to the polities, a territorial right, but this was an application rather than the beginning of the principle. The equivalent German term was *Landeshoheit*, supremacy over the land.[42]

The danger with the notion of territory is that a rather particular, historically and geographically limited, sense of the term is taken to be the definition as a whole. The idea of a bounded space under the control of a group, perhaps a state, is one that has several discrete elements which need to be interrogated. Equally the idea that a ruler had a monopoly of power – legitimate physical violence, in Weber's phrase – within a territory long predates the idea that those boundaries were in any way fixed.[43] Rulers believed that conquest, purchase, marriage or concession could increase the size of the lands under their control. Territorial redistributions at the end of conflicts were common until the twentieth century. And of course colonialism was predicated on the idea that certain lands were open to conquest by European powers.[44] As John Agnew has convincingly argued, much work on international relations and geopolitics remains tied to an unproblematic assumed sense of territory, what he calls "the territorial trap."[45] What we do when we fall into this trap is to buy-into a state-centered narrative that naturalizes and normalizes this way of thinking.[46] A historical investigation is one way to begin to go beyond those assumptions.

Territory needs to be interrogated in a range of ways. While it cannot be reduced to land, there are a range of political-economic elements to the way in which territory is conceived, fought over, and distributed. The historical emergence of the concept is of course related to the practices of feudalism and the emergence of capitalism. Globalization has reconfigured sovereignty-territory relations in ways that are still poorly understood, with a certain strand of the literature contending that the remaking of spatial relations has meant the end of the importance of territory.[47] Similarly, territory can be interrogated through its relation to political-strategic concerns. Conflict over land is peculiar in that it is both the stake and site of struggle: what might be called the question of terrain. Yet, just as with land, territory cannot be seen simply as terrain. Alongside the importance of developments in the law and categories such as authority, supremacy and sovereignty, and most especially what these forms of power are exercised *over*, territory is dependent on the availability and advance of a range of techniques. Cartography and land-surveying, among developments in statistics, accounting and the military, make possible the knowledge and control of much larger expanses from a central point. It is not coincidental that states put a large amount of resource into the use of such practices, but also, more crucially, their development in the period of the fifteenth to seventeenth centuries.[48] Territory then should not be understood as a static product or object, but rather as part of a rationality, dependent on calculation as much as control and conflict, what Michel Foucault called a "political technology."

To assert the importance of the question of territory is not to privilege it above other spatial questions. Rather it is to recognize that alongside other terms such as place, scale, network and region, territory is part of the conceptual vocabulary of geography, especially political geography.[49] As the German philosopher Peter Sloterdijk puts it, "the political is the product of collective madness and territory."[50] Yet territory is only one form of state space, and only a historically and geographi-

cally limited element within the wider domain of political space. But it remains a crucially important one. It is precisely because territory is a partial, historically specific, and non-exclusive way of spatial ordering that it needs to be interrogated more thoroughly. Yet while it has received some excellent analysis in terms of specific territorial conflicts, arrangements and settlements, there has been much less interrogation of the term conceptually or historically.[51] Such work would enable geographers to much better account for the profound changes taking place in the post-Cold War period concerning the relation between territory and sovereignty; and the challenges globalization and climate change make to any unproblematic thinking that relies on a fixed notion of territory as exclusive control within hard, impermeable borders.[52]

Notes

1 Alexander Schmidt, *Shakespeare-Lexicon: A Complete Dictionary of all the English Words, Phrases and Constructions in the Works of the Poet,* Third Edition revised by Gregor Sarrazin, Berlin: Georg Reimer, Two Volumes, 1902, Vol II, p. 1193.

2 *Richard II*, Act I, scene iii.

3 *Henry VI, Part II*, Act III, scene ii; *As You Like It*, Act III, scene I; and *Two Gentlemen of Verona*, Act III, scene i.

4 *Henry VI, Part I*, Act V, scene iv.

5 *King John*, Act I, scene I; Act V, scene ii; *Coriolanus*, Act IV, scene v; Act IV, scene vi; Act IV, vi; *Henry VI, Part I*, Act V, scene v.

6 *Henry VI, Part II*, Act III, scene i.

7 *King Lear*, Act I, scene i. I have used the Arden Edition, edited by Kenneth Muir, London: Routledge, 1972. The line in parentheses was introduced only for the Folio edition; they do not appear in the Quarto. See Mark Jay Mirsky, *The Absent Shakespeare*, Fairleigh Dickinson Univ Press, 1994, p. 33. The story also appears in Geoffrey of Monmouth, *The History of the Kings of Britain*, translated by Lewis Thorpe, Harmondsworth: Penguin, 1966, II, 11, but there the King simply says his intent is to divide the kingdom. On the links and differences between the two texts, see Mark Allen McDonald, *Shakespeare's* King Lear *with* The Tempest: *The Discovery of Nature and the Recovery of Classical Natural Right*, Lanham: University Press of America, 2004, p. 221.

8 *King Lear*, Act I, scene i.

9 Harry V. Jaffa, "The Limits of Politics: *King Lear*, Act I, Scene I," in Allan Bloom with Harry V. Jaffa, *Shakespeare's Politics*, New York: Basic Books, 1964, pp. 113–45, p. 113.

10 Jaffa, "The Limits of Politics," p. 127.

11 *King Lear*, Act I, scene i.

12 Jaffa, "The Limits of Politics," p. 122.

13 Jaffa, "The Limits of Politics," pp. 123–124.

14 For the relation to *terrere*, see William E. Connolly, *The Ethos of Pluralization*, Minneapolis: University of Minnesota Press, 1995; Mark Neocleous, "Off the Map: On Violence and Cartography," *European Journal of Social Theory*, Vol 6, 2003, pp. 409–25; and Barry Hindess, "Terrortory," *Alternatives*, Vol 31, 2006, pp. 243–257. For a longer discussion which draws on the etymological arguments, see Stuart Elden, *Terror*

and *Territory: The Spatial Extent of Sovereignty*, Minneapolis: University of Minnesota Press, 2009, pp. xxviii–xxx.

15 See, for example, Cicero, *Orationes*, with a commentary by G. Long, London: Whittaker and Co., Four Volumes, 1858, Vol IV, p. 522; *Bede's Ecclesiastical History of the English People*, edited by Bertram Colgrave and R.A.B. Mynors, Latin-English edition, Oxford: Clarendon Press, 1969, chapter V, 24.

16 Isidore of Seville, *Etymologiae*, edited by W.M. Lindsay, Oxford University Press, Oxford, 1911; *The Etymologies of Isidore of Seville*, translated by Steven A. Barney, W.J. Lewis, J.A. Beach and Oliver Berghof, Cambridge: Cambridge University Press, 2006, chapter XIV, v, 20–21.

17 Isidore of Seville, *Etymologiae*, chapter XV, xv, 1. My account here is indebted to John Henderson, *The Medieval World of Isidore of Seville: Truth from Words*, Cambridge: Cambridge University Press, 2007, pp. 178–180.

18 Isidore of Seville, *Etymologiae*, chapter XVI, v, 22.

19 For example Gregory of Tours, *Historia Francorum*, *Libri Historiarum X*, http://www.thelatinlibrary.com/gregorytours.html; translated by Lewis Thorpe as *The History of the Franks*, Penguin: Harmondsworth, 1974, chapter III, 35; IV, 42; IV, 44.

20 Gregory of Tours, *Historia Francorum*, chapter VIII, 45; see II, 35; X, 3.

21 Gregory of Tours, *Historia Francorum*, chapter III, 15.

22 Gregory of Tours, *Historia Francorum*, chapter IX, 18; see also VIII, 43; IX, 19.

23 See, among other works, Bernard G. Dod, "Aristoteles Latinus," in Norman Kretzmann, Anthony Kenny and Jan Pinborg (eds.), *The Cambridge History of Later Medieval Philosophy*, Cambridge: Cambridge University Press, 1982, pp. 45–79.

24 Joseph Canning, *The Political Thought of Baldus de Ubaldis*, Cambridge: Cambridge University Press, 1987, p. 161. For a very helpful discussion see Nicolai Rubenstein, "The History of the Word *Politicus* in Early-Modern Europe," in Antony Pagden (ed.), *The Languages of Political Theory in Early Modern Europe*, Cambridge: Cambridge University Press, 1987, pp. 41–56, especially pp. 41–48.

25 Thomas Aquinas, *In Decem Libros Ethicorum Aristotelis ad Nicomachum Expositio*, edited by Raymundi M. Spiazzi, Turin: Marietti, 1949, Chapter I, 1.

26 See, for example, Thomas Aquinas, *Summa Theologiæ*, Latin-English Edition, London: Blackfriars and Eyre & Spottiswoode, Sixty Volumes, 1963–76, Ia 96.4; *In Decem Libros Ethicorum Aristotelis*, Chapter I, 1. See also the brief comment by Hannah Arendt, *The Human Condition*, Chicago: University of Chicago Press, 1958, p. 23.

27 Luke 22: 36.

28 Luke 22: 38.

29 Matthew 26: 52; see Mark 14: 47.

30 Innocent III, "Per Venerabilem," in Brian Tierney, *The Crisis of Church and State 1050–1300*, Toronto: University of Toronto Press, 1988, pp. 136–138.

31 See, for instance the anonymous texts in R.W. Dyson (ed.), *Quaestio de Potestate Papae (Rex Pacificus)/An Enquiry into the Power of the Pope: A Critical Edition and Translation*, Lewiston: Edwin Mellon, 1999; and "A Dispute between a Priest and a Knight," Latin and English text, edited and translated by Norma N. Erickson, *Proceedings of the American Philosophical Society*, Vol 111 No 5, 1967, pp. 288–309.

32 John of Paris, *On Royal and Papal Power*, translated by Arthur P. Monaghan, New York: Columbia University Press, 1974, Chapter 3.

33 *Giles of Rome's On Ecclesiastical Power: A Medieval Theory of World Government*, Latin-English edition, edited and translated by R.W. Dyson, New York: Columbia University Press, 2004, Chapter I, iv.

34 See Dante Aligheri, *Monarchia*, translated and edited by Prue Shaw, Cambridge: Cambridge University Press, 1995; Marsilius of Padua, *The Defender of the Peace*,

translated by Annabel Brett, Cambridge: Cambridge University Press, 2005; *Writings on the Empire: Defensor Minor and De translatione Imperii*, edited by Cary J. Nederman, Cambridge: Cambridge University Press, 1993; and for a sampling of Ockham's voluminous political writings, *A Short Discourse on the Tyrannical Government*, edited by Arthur Stephen McGrade, translated by John Kilcullen, Cambridge: Cambridge University Press, 1992; *A Letter to the Friars Minor and Other Writings*, edited by Arthur Stephen McGrade and John Kilcullen, translated by John Kilcullen, Cambridge: Cambridge University Press, 1995.

35 The most important part is the second: *The Digest of Justinian*, edited by Theodor Mommsen with Paul Krueger, translation edited by Alan Watson, Latin-English Edition, Philadelphia: University of Pennsylvania Press, Four Volumes, 1985.

36 François Rabelais, *The Histories of Gargantua and Pantagruel*, translated by J.M. Cohen, Harmondsworth: Penguin, 1955, p. 183 (Book 2, Chapter 5).

37 Cecil N. Sidney Woolf, *Bartolus of Sassoferrato: His Position in the History of Medieval Thought*, Cambridge: Cambridge University Press, 1913, p. 113.

38 Woolf, *Bartolus of Sassoferrato*, p. 267. On Bartolus, see also Francesco Maiolo, *Medieval Sovereignty: Marsilius of Padua and Bartolus of Saxoferrato*, Delft: Eburon, 2007.

39 Bartolus, commentary on *Digest* II.1.1, cited in Christian Fasolt, *The Limits of History*, Chicago: University of Chicago Press, 2004, p. 186; translation modified by the Latin provided on p. 277 n. 93.

40 "Territoriality" here, of course, means a condition of territory, rather than the more active connotation that has increasingly replaced that older meaning. The best book on territoriality is Robert D. Sack, *Human Territoriality: Its Theory and History*, Cambridge: Cambridge University Press, 1986.

41 For a recent assertion of this commonplace of IR, see Daniel Philpott, *Revolutions in Sovereignty: How Ideas Shaped Modern International Relations*, Princeton: Princeton University Press, 2001. A comprehensive analysis and debunking can be found in Benno Teschke, *The Myth of 1648: Class, Geopolitics and the Making of Modern International Relations*, London: Verso, 2003.

42 See Andreas Osiander, "Sovereignty, international relations, and the Westphalian myth," *International Organization*, Vol 55, 2001, pp. 251–287.

43 Max Weber's famous definition can be found in "The Profession and Vocation of Politics," in *Political Writings*, edited by Peter Lassman and Ronald Speirs, Cambridge: Cambridge University Press, 1994, pp. 309–69, p. 311. For helpful discussions, see Michael Mann, "The Autonomous Power of the State: Its Origins, Mechanisms and Results," *Archives Européennes de Sociologie*, Tome XXV No 2, 1985, pp. 185–213; and Arjun Appadurai, "The Grounds of the Nation State: Identity, Violence and Territory," in Kjell Goldmann, Ulf Hannerz and Chaler Westin (eds.), *Nationalism and Internationalism in the Post-Cold War Era*, London: Routledge, 2000, pp. 129–142.

44 Among many references, particularly good on the territorial aspect is Bertrand Badie, *The Imported State: The Westernization of the Political Order*, translated by Claudia Royal, Stanford: Stanford University Press, 2000.

45 John Agnew, "The Territorial Trap: The Geographical Assumptions of International Relations Theory," *Review of International Political Economy*, Vol 1, 1994, pp. 53–80.

46 This is an argument that Neil Brenner and I have made at length in "Henri Lefebvre on State, Space and Territory," *International Political Sociology*, Vol 3, 2009, forthcoming. A very valuable analysis of how the modern state system emerged, and how it almost did not, is provided by Hendrik Spruyt, *The Sovereign State and Its Competitors: An Analysis of Systems Change*, Princeton: Princeton University Press, 1995.

47 For a discussion and critique, see Stuart Elden, "Missing the Point: Globalisation, Deterritorialisation and the Space of the World," *Transactions of the Institute of British Geographers*, Vol 30, 2005, pp. 8–19

48 This argument is made in more detail in Stuart Elden, "Governmentality, Calculation, Territory," *Environment and Planning D: Society and Space* Vol 25 No 5, 2007, pp. 562–80; and "Land, Terrain, Territory," under review.

49 See Bob Jessop, Neil Brenner and Martin Jones, "Theorizing Sociospatial Relations," *Environment and Planning D: Society and Space*, Vol 26 No 3, 2008, pp. 389–401; Joe Painter, "Rethinking Territory," *Antipode*, forthcoming.

50 Peter Sloterdijk, *Sphären I Blasen: Mikrosphärologie*, Frankfurt am Main: Suhrkamp, 1998, p. 84.

51 The best work on territory, to my mind, remains Jean Gottmann, *The Significance of Territory*, Charlottesville: University Press of Virginia, 1973. There are two recent helpful textbooks: David Storey, *Territory: The Claiming of Space*, Harlow: Prentice Hall, 2001; David Delaney, *Territory: A Short Introduction*, Oxford: Blackwell, 2005. I have also learned a great deal from two unfortunately untranslated books: Paul Alliès, *L'invention du territoire*, Grenoble: Presses Universitaires de Grenoble, 1980; and Claude Raffestin, *Pour une géographie du pouvoir*, Paris: Libraires Techniques, 1980. Of recent works see particularly Linda M. Bishai, *Forgetting Ourselves: Secession and the (Im) possibility of Territorial Identity*, Lanham: Lexington Books, 2004; Rhys Jones, *Peoples/ States/Territories: The Political Geographies of British State Transformation*, Oxford, Blackwell, 2007.

52 See, for example, Elden, *Terror and Territory*; Thom Kuehls, *Beyond Sovereign Territory: The Space of Ecopolitics*, Minneapolis: University of Minnesota Press, 1996; John Agnew, *Globalization and Sovereignty*, Lanham: Rowman and Littlefield, 2009.