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# On the Notions of Police/State (of Situation): An Economic Perspective in Light of Hegel's Philosophy of Right

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## On the Notions of Police/State (of Situation): An Economic Perspective in Light of Hegel's Philosophy of Right

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### ABSTRACT

The article discusses the Hegelian opposition between institutions of Police and Corporation, leading to the objective spirit formed in the notion of the State. Juxtaposing both of Hegel's institutions against the usage of these notions proposed by Jacques Rancière (Police) and Alain Badiou (State of the Situation) opens a critical dividing line. We emphasize the inadequate handling of economic factors inherent in both notions, consequently obfuscating the economic conditioning of the political dimension in the social body. Moreover, we supplement both of the institutions with an economic-counterpart notion; to Police we add "Private Property" and to Corporation "State of Technology". Further, we apply Badiou's handling of Hegel's dialectics as the dialectics of "constitutive scission". The dialectical play of private property and state of technology is distinguished in the dialectics of algebra of places and topology of localizations. The resulting intersection is shown to be the place of torsion – corresponding to the place of the Subject – an interval, where we confront an uttered "wrong", an interruption in the smooth counting of parts in a social body. This torsion is an immanent backside operation of the economic structure as far as it is a necessary factor in the upsurge of political subjectivity.

### KEYWORDS

police; corporation; state; Hegel; Badiou; Rancière

The great dialectic in our time is not, as anciently and by some still supposed, between capital and labor; it is between economic enterprise and the state<sup>1</sup>

John Kenneth Galbraith

What is *market economy* the name of? Capitalism. What then is *capitalism* the name of? Of a specific mode of production. What is this *specific mode of production* the name of? That of a determinate distribution of private ownership over knowledge and technology. At first glance, this reasoning indeed seems trivial, perhaps even naïve, for it shows the simplicity with which one assigns the metonymical signification of human and social structures. An economic inquiry into the history of mankind shows a generic mediating agency of an individual's work capacity for the material reproduction of natural resources. In their quest for self-preservation, individuals and communities indefinitely

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seek and maintain knowledge about the laws of nature, about possible ways of exploiting land and resources, transforming them into need-satisfying objects. The unity of a specific stage of knowledge and technology shapes the circumstances of a determinate period in time, mediating the modes of being, living, communicating and cooperating. It is the innovative spirit of the human animal that enables automatic emergences of new elements to an existing technological structure – establishing the distribution of the sensible and reflecting its own progress. It does so by presupposing a basic or further developed bond. This bond sustains a community in the form of an information-communicational network with the aim of transferring the needs and wants to its parts. An individual defined along these lines becomes a part of the whole (of a community) with which he primordially attains the property of a *site*, the land where he resides, lives and absorbs the necessary resources for his subsistence – by utilizing his generic being, work. This fact had, from a historical perspective, resulted in a necessity for work specialization and lead to various forms of work organization, innovation and advances in human achievements, creating different states of technology via revolutionary discoveries. In actuality, it presupposes a relational network between individuals, and consequently between communities, whose inert and indifferent force resides in the private ownership of a piece of land (i.e. the site) and all of the potentialities it brings. Since we are dealing with a network, we are always confronted with at least two sides,<sup>2</sup> resulting in a contradiction of forces pertaining to the relationship between internality and externality. The dividing line between internality and externality is drawn with the notion of private ownership. Not yet developed capitalist private property, this ownership of sites and primordial land belongs to individuals and communities that simultaneously structure their mode of technology (be it prehistoric hunting, iron smelting, or modern production lines and information technology) – not by conditioning the former by the latter, but fulfilling a mutual relationship. In terms of the history of productive forces it is *stricto sensu* that the unity of private ownership and the state of technology establishes the ground for production. Or put more generally, it lays the groundwork for different institutional frameworks, reflecting different stages of social organization, but at the same time cunningly devising the conditions for the emergence of an out-placed element, i.e. forming an ex-timate relation.

In the past, different communities and societies have seen significant population growth due to this newly organized production, resulting in complex intersubjective relations and challenges to organizing societal well-being. The institution of the police historically evolved as an agency for mediating individual misconduct, ensuring tidiness, enforcing municipal rules and standards in cities or the *poleis*, but also charged with maintaining order in the marketplace since its very inception. As far as the modern police institution goes, its birth can be traced to the end of the seventeenth century, developing simultaneously with modern nation states. The police institution conceptually evolved to its present form as a consequence of changes in the reigning mode of production (i.e. determinate state of technology) and societal transformation to a class-dominated society.<sup>3</sup> Naturally, it serves the ruling class, protecting its privately attained control and usage of scarce resources. By capitalizing on its political influence over state bureaucracy, it also gains control over disposable state apparatuses. This is a point the young Marx is also making in his *Critique of Hegel's 'Philosophy of Right'*, but rushing on in subsuming the police and judiciary – the spheres of civil society – immediately

and directly under an already fully developed notion of state administration, i.e. bureaucracy in a state controlled by the bourgeoisie.<sup>4</sup> We, however, will be taking a slower pace in the dialectical steps towards the state.

Against such a background should one approach Jacques Rancière's and Alain Badiou's critiques of today's prevailing capitalist mode of production. If Rancière explicitly relies on Michel Foucault's notion of police, subsuming it as a universal instrument of modern societies, together with medicine, welfare and culture, it nonetheless seems odd that he chooses not to explicitly endorse Foucault's clear claim that the notion of the police is coextensive with the rise of commerce and population – subjects being subjugated to market relations of a state.<sup>5</sup> Similarly, Badiou highlights our present state (of situation) as *capitalo-parlamentarism*, identifying its regulative norms as: the *economy* in terms of the capital bourgeoisie, the *nation* in terms of national states, and (representative) *democracy* in the form of free opinions and associations expressed in parliaments. He deploys a stringent critique against Western liberal democracies in terms of corrupt relations of private ownership and capitalist mode of production – exposing the economic dimension in his very naming of our present state(s) of situation. The name of this economic dimension in our liberal societies is of course *the capitalist mode of production*, going along with its “fantastic objectivity”. It seems that both Rancière and Badiou choose to neglect this dimension in their handling of the coming political sequences of subjectivization. In doing so, they relegate politics to an unnecessary indetermination by sidestepping one of its prime presuppositions. Here, we come to a full circle, where the economic presuppositions begin to lack in the regulative categories of the state, although they should, simultaneously, be taken as a precondition to any subjects of institutional change. In order to break out and answer our initial question of naming “the determinate distribution of private ownership over concurrent knowledge and technology”, we have to return to the name of Georg W. F. Hegel and his ideal(istical)ly comprehensive notional grounding of institutions in *Civil Society* leading to the unfolding of the *State* as a dialectical play on the notions of *Police* and *Corporation*. In this essay we thus propose a juxtaposition of Hegel's vis-à-vis Badiou's or Rancière's position on the notions Police/State of Situation and Corporation by highlighting (1) Hegel's affinity of political economy and his progression towards the institutions of the state, focusing primarily on economical notions. In the second section (2), we interpret these notions while quickly overviewing and endorsing Badiou's interpretation of Hegel's dialectical matrix developed in *Theory of the Subject*. Consequently, we test a new thinking of the institutions Police and Corporation against this matrix. In the last section (3) we try to critically assess the proposed conceptions of above authors and give concluding remarks.

### **From Hegel's “Lordship and Bondage” to “Police and Corporation” ...**

We have implicitly presupposed that institutional frameworks receive their content through different stages in human social evolution: individuals forming communities, estates being transformed into classes, classes dissolving into an array of identity multiples. Take for instance the organization of feudal society; its production and distribution relied on the reciprocal exchange of handicraft products, the development of guilds and petty commerce. The antagonism between lord and serf in

feudal societies referred to an explicit and elementary opposition between inclusion/exclusion in partaking in estates grounded on any contingent type of ownership. This antagonism was completely absorbed with the emergence of civil societies in the arising world of the bourgeoisie. The process of specialization has taken its positive toll: workshops have transformed into small businesses and fortunate serfs have succeeded in starting their own productive entities by means of craftsmanship. What was left behind was the *third estate*, men with no qualifications, those poorest who were excluded from societal transformations. The notion of property acquired new determinations: master-craftsmen, on the one hand, became owners of partial links in the newly formed production chain, getting hold of serfs and bare workers. On the other, the business class of merchants and new industrialists started heavily accumulating capital and communicating new needs for production from newly shaped markets. The intertwining of the economic and political signified a sublation of feudalism into capitalism, and was at the time wittingly encapsulated by Hegel in his figurative analysis of *Lordship and Bondage*. The newly emerged mechanical art of guilds and handicrafts, becoming a new aesthetic of specialized labour, have led to the necessary historical conditions for the start of the industrial revolution. Here Hegel employs all his intellectual might in dissecting the bond arising from the creation of civil society: he illuminates the specific mediation of relations among people by describing a rupture – between those who take up the risk of death (and receive a reward for their superiority over life in the form of enjoyment) and those who are reduced to merely bare (the reproduction of material) life.

The fundamental opposition in feudalism is grounded in this antagonism between Master and Slave, being two entities together with their asymmetric intersubjective relationship. While first representing the simple opposition of two single individuals, the emergence of civil society now also presents a new singular trait, an immanent difference – the reversal, where the master becomes the slave of a slave. The slave has to abolish his desires for the sake of producing goods for the master, but nonetheless in the end recreates the material reproduction of human history amid his foreclosed enjoyment. What are then the underlying causes of this analysis and consequently, what new conclusions can still be drawn for contemporary economic and political philosophy? Let us first highlight the fact that Hegel's theorizing in the *Outlines of the Philosophy of Right*, in particular the sub-section on *Civil Society* evolved from his in-depth studies of economic forefathers, such as James Steuart, Adam Smith, and Adam Ferguson, in parallel with his simultaneous reading of Montesquieu and the German Historical School. He had accumulated and synthesized the outlines (in the *Morality* sub-section) of civic societies' transformations into a full-fledged *ethics* engendered in a newborn State. We must stress Hegel's strong affinity towards the laws of political economy (in his readings of Steuart) as they emerged at the backlash of the transition from the feudal to the capitalist mode of production – and were subsumed under the concept of the State. But why is this particular background important? Because it acknowledges and affirms Herbert Marcuse's claim in reading Hegel that:

The principle of idealism, that objective being depends upon thought, is now interpreted as the basis for the potential-property character of things. At the same time, it is the most veritable being, mind, that idealism conceives as fulfilling the idea of ownership.

Hegel's analysis of free will gives property a place in the very make-up of the individual, in his free will. [...] The materialization of the idea begins when the emancipated individual asserts his will as a freedom to appropriate. 'This first phase of freedom we shall know as property'.<sup>6</sup>

The system of needs has for its presupposition the notion of civil society, since it is precisely from this system where for Hegel freedom emerges; and in the midst of safeguarding the *first phase of freedom* lies the administration of justice. Hegel says:

The substantial ground for the Whole is the right of property. The system of needs and its entanglement cannot exist without law. The greatest attribution, a man can give to industry, is by utilizing a strict and firm administration of justice. To this also amounts as a ground the property in all its objectivity.<sup>7</sup>

Marcuse presents a number of arguments stating that for Hegel, the institution of property represents an *ontological relation*.<sup>8</sup> It must be emphasized that this reasoning is reflected in Hegel's reading of Steuart's monograph *An Inquiry into the Principles of Political Economy*; a work that can be read as an economic action plan for concrete policies, thus guiding the ruler in his governance of the state according to well-known utilitarian principles. In these lines (and other Scottish Enlightenment figures), Hegel understood the significance of property relations in the strictest sense: in the light of corporative landscape of the emerging capitalist order and its sublation in the notion of an arising State. The problem, however, is precisely the following: in contrast to Hegel's handling of the notions of Civil Society and State in his philosophy of right, both Rancière and Badiou opt for a notional shortcut to arrive at the concept of the State. On their direct *Police – State of Situation – State* axis, they both – either deliberately or not – miss out on a crucial key dialectical link necessary for reaching the concept of the State. The system of needs in the new evolving civil society is first something immediate and inconsistent, stemming from particular needs and wants of individuals constituting such a society. We need not emphasize the following fact: needs and wants, when fulfilled by produced and exchanged objects, in-themselves also already contain the property relation – and are represented as reified. Such a system, unordered at first, needs an *ordering regime, a réglementation*, determining the reflection of its sheer dispersion. In his *Disagreement*, Rancière does so implicitly, whereas Badiou in his *Being and Event* chooses an entirely explicit option for such representational operation. Using the *hierarchy of infinite number cardinalities*, he thereby imposes an operational regime of count – the introduction of a consistent non-Whole (while sacrificing completeness).

In our case, we are classifying an unordered system of needs and wants. Their division and distribution adheres to a logic of classes grounded on the main attribute – private property. It is precisely with this operation that the whole economic sub-structure collapses into the counting of (social, political) parts and their designation to a class structure; one that is immediately subsumed under the concept of the State.<sup>9</sup> We propose the following solution, following up on Hegel and his reading of Scottish political economists: there is a necessary additional and crucial step required in order to mediate the unfolding of the notion of State. It is sustained in the dialectics of two institutions: *Police* and *Corporation*. The former at first hand and chiefly arranges the safeguarding of individuals in their mutual relations, but also overlooks the contingent exchange of private property as one of its main preoccupations. It is only after the determination

of reflection, based on corporate institution or corporate law (in addition to family law) that engenders a regulative mechanism for both the needs and production of commodities is achieved, a full and universal working of civil society bounded by the State can be attained. The proposed argument diverges from the one put forward by Rancière and Badiou; first, it has in common the reflection of the final object – the status and site of the rabble, i.e. the part-of-no-part, the siting at the edge of the void. For both, this part represents a consequential object of a miscount, i.e. the second count made by the Police/State of situation, which opens up the gap of a “forced” upheaval of an in-existent singularity. Hegel, on the other hand, develops the notion of the rabble prior to that of the State, and while Frank Ruda has proposed his “solutions of poverty that the rabble names”,<sup>10</sup> we wish to highlight the one in the gap between police and corporation to be the universalization of all the others. It is precisely in this gap that the class configuration takes place as far as individual’s material subsistence is concerned. However, it is also where it finds its institutional homeland in the form of the state.

Our modern industrial and corporative system introduced both a new organization of the workplace and the distribution of labour power – consequently implementing new relations of production, i.e. new machine-based production-operations management, accumulation of capital via reinvested profits, etc. The technological rupture at the heart of the industrial revolution, marching hand in hand with the division of labour, has brought a multitude of commodities exchanged on newly emerged markets. Far more importantly, in the same stroke it has also sublated the immediate contradiction of the master-servant relation. The sublation, unfortunately, did not simply mean its resolution; it meant an additional mystification of the contradiction – a mediated contradiction – encapsulated by Marx’s commodity fetishism. The fundamental question remains in the post-modern era: on the one hand, relations among men appear as relations among free individuals in exchange, stripped from their bonds of land or fiefs. On the other hand, of these same men, caught up in a web of fetishist relations of relations among things – now the interplay of use and exchange values reigns supreme.

In the following passages, we shall modify Badiou’s early matrix of the Hegelian dialectic and take a parallax view of the *Police* and *Corporation* institutions from an economic point of view. Put differently, we will test both driving modes behind the police and corporation, namely *private property* and the *mode of production/state of technology* against both Hegelian and Badiou/Rancière’s setting.

### **That Something (*Etwas*) and its Place in the Institutional Framework**

We have designated the institutions<sup>11</sup> of (*private*) *property* and *technology* as our point of departure. Let us posit the following proposition: in the strictest economic sense, a boundary line is drawn between sites that have the attribute of (private) property, separating them from those who do not possess any such attribute – distinguishing sites with productive capacity and wealth of multiplicities from the ones who are excluded from this attribution. This proposition can also be turned into a factual starting point for the history of economic analysis, namely, the inquiries into natural productivity of land appropriation. The productive soil was initially distributed by mankind with the sole purpose of self-preservation; only at the later stages of historical development, it evolved into a determining force for the distribution and hierarchy of primordial sites



(of property). It was the creative imagination of humanity that made the appropriation of natural resources a mediating productive force of its own development in terms of disposable technology. Put differently, technology imposes the limit points and becomes the mode for the distribution of multiplicities among sites – determining a strict frontier between inclusion and exclusion. In Civil Society, we see such a demarcation line between interiority and exteriority manifested in the notions of the Police and Corporation, in the end becoming unified and sublated in the notion of the State. Let us argue here that we are dealing with a specific *dialectic of distribution of sites*, one that can be traced back to the earlier writings<sup>12</sup> of Alain Badiou and his transition from structural to materialist dialectic. He sets himself the task of finding solutions and answering the question of what topological ramifications are immanent to thinking the dialectic of *One divides into Two* – in the “thing in itself” and the “thing for other”? The interlocutor is of course Hegel and his *Science of Logic*, where we have something (*Etwas*) strictly in a differential relation with something else (*Anderes*) that has for its determination a distinction, a difference. Badiou views here the dialectic as a process of internal scission. It is the *Two* giving concept to the *One*, not the other way around. An existing A is posited twice: first, as a pure being A and second, as being placed (on a site)  $A_p$  (the sites being distributed in a topological space P). This something-in-itself and something-for-the-other being introduced as pure identity and placed identity. It results in a repetitive placing and naming the multiplicity of different As according to a distributive mapping on a topological space P.

*We must thus posit a constitutive scission:  $A = (AA_p)$ ,*<sup>13</sup> by means of which we are stating the basic law of the structural dialectic, Badiou adds. It comes as no surprise that he introduces the scission of A (i.e. in its pure being and being-placed) primarily on the representational example of the proletariat and the bourgeois world (*nota bene*, not bourgeoisie) – the proletariat as an element has to have a topological space-place where it can find its site and sublimate the whole of space. Remember that Badiou designates<sup>14</sup> the term *splace (esplace)* to the space of placement (i.e. the action of the structure P), while naming the placed term, being his force within a place, *an outplace, offsite (horlieu)*; in our case, the proletariat, excluded from a determinate form of society, or rather seeking a site in a *specific hierarchy of sites*. Now, the immediate aim of such an outplaced element is precisely the *destruction* of this hierarchy of sites – the *sp(l)ace* of classes. With a little bit of wit, Badiou derives its force by the ability of producing *torsion* over the *splace*. The ability lies in the fact of acknowledging the determination of an outplaced element ( $A(A_p(A))$ ), splitting the force into two actions of determination (the second being determination of determination) and reapplying itself onto whence it conflictually emerged.

This short and condensed introduction to Badiou’s understanding of dialectical movement leads us to our initial problem. In the introduction, we sketched a “transhistorical” outline of founding economic institutions for human generic activity: (private) property and technology. As far as economic theory is concerned, man becomes interesting the moment he appropriated his piece of nature with land and used his reason in transforming it for private use. The pathway to installing products and commodities was open. Meanwhile, an equally important insurrection of technology was taking place, backwardly established as different stages of humanity’s technological advance. It matters little whether we encounter a simple set of information to manufacture a bow and

arrow or knife – all the way to today’s complex particle accelerators or wireless electromagnetic power transmitters –, such data sets constitute information by means of which the state of technology is defined. On the other hand, it is the state of technology that retroactively superimposes and mediates the determinations of (private) property and thus organizes human intentions in their unity. Just consider Marx’s in-depth analysis in *Grundrisse* (the *Forms which precede capitalist production* subsection).

If we now return to Badiou’s logical schema, we get the relation property/technology expressed as  $A/A_p$ , where  $A$  means property relation (own products of labour, land, labour-capacity, etc.) and  $A_p$  the space where  $A$  is placed – in a specific state of technology, mode of production  $P$ . Simply put,  $A_p$  defines the divided essence of  $A$  in a space  $P$ , hence  $A_p(AA_p)$ . Our challenge, once again, is to search for a contemporary definition of the opposition between the bourgeois world and the element of the proletariat in an age of current financial capitalism. The “notorious” element should now be called the *non-identity multiplicity*; the stage of technology is our information age and the mode of production is called the *financial capitalist institutional framework*. We must not overlook Badiou’s succinct and powerful notion of constitutive scission and the consequences it brings about – following Hegel, he opts for evocating relapses in an affirmation of a forceful subjectivation, be it leftist or rightist. We must remember that this arc also re-connects his *Theory of the Subject* with *Logics of Worlds*. The dialectical play from contradiction to constitutive scission with the demarcation of limit, distinguishing old from new, is expressed with the following schema:

1. option  $A_p(A_p) = P$ ; relapse into general space

$$A = (AA_p) \rightarrow A_p(AA_p)$$

scission determination

2. option  $A_p(A)$ ; determination proper

The second option opens up only the *possibility* for a new determination; a series of concrete outcomes that were seen in reactionary (think *Thermidorian*) action in the aftermath of 1968, mass movements in China during the late 1960s and even more in early 1970s, or even after the Occupy Wall Street movements in 2010, all in the form of *prima facie* new discourses, later became abuses of events overtaken by social-democratic and socialistic parties, unions and other social initiatives. These multiplicities manifested themselves as a leftist safeguarding of particularized and homogenized interests of the social body. Badiou calls this instance the reaffirmation of pure identity  $A(A)$ , the loss of perceiving any newness and neutralizing the transformational force – a pure and useless adventurism, e.g. in May 1968. On the other hand, we have an even worse rightist relapse termed  $A_p(A_p) = P$ , where everything collapses into place  $P$ , the neoliberal order of things and in certain instances, also in today’s uprising obscurantist movements using contemporary tools of social media technology (rise of nationalisms and populisms in the past and today). But very rarely do we have the chance to see a proper change, being a dialectical combination of the determination  $A_p(A)$  and the limit  $A(A_p)$  in their unity.

Badiou had already developed his understanding of topology while reading Hegel. His collected comments in *The Rational Kernel of the Hegelian Dialectic* draw us, the readers, to ponder on the interiority/exteriority dichotomy in relation to the object and in doing

so engages us to posit new topologies of knowledge. Like Badiou, we should likewise ask ourselves how to think the unity of notions that determine the contradiction – difference, scission –, and the form of their (dis)symmetry? We are confronted with either a weak or strong difference; the former giving us a spatial dispersion of the partitioning of the sensible (a difference of site in place,  $A/A_p$ ), a structural side, the latter introducing a qualitative heterogeneity, the historical side. Here Badiou makes an irrevocably questionable step in subsuming all of the economical strata to the structural side of difference, thus foreclosing any potentiality of change to economic factors. We shall return to this. The unity of the Two in structural vocabulary entails the question of interiority/exteriority, its solution lying in the separation into opposites – think of a Moebius strip – where the interior and exterior is obfuscated. Badiou is faithful to Lacan here by positing that such a constitutive cut precedes the Subject. “The subject is the act situated between the one of the all and its effect of the orientation of inside/outside. A subject is the undoing of torsion”.<sup>15</sup> However, the following is significant for our current critique of political economy: “Every schema distributes a series of places and leads us back to structures; every discourse fixes the *splace* of the very thing that it passes over in silence”.<sup>16</sup> The introduction of force as a motor of change seems almost anticipated, otherwise there would be no room for any structural or historical transformation induced by the outplace element in relation to the structure as a whole. At this point we will conclude our short examination of Badiou’s early theorizing on the algebra of sites, one based on Jacques Lacan’s dialectic of the Real (*structural dialectic*), now supplemented with the topology of forces (*historical dialectic*) and move one step further. The condition for materialist dialectic is to think both of these conceptions in their unity; the relations of belonging and exclusion apply to the first, while the terms of localization, adherence, and the distancing from itself-as-other apply to the second. Elements vs. parts – *to the former the vanishing, absence of cause, ex-timacy, to the latter a topological excess in a specific structure and apropos its periodization*. Badiou’s critique of the structural dialectic proceeds along the lines of a weak and strong (qualitative) difference, the absence and causality of cause. Our aim will be to shift the dispositive into the political-economic encounter of the algebra of places and topology of spaces in light of the opposition between concepts of police and corporation.

If we consider the distribution of places and its specific exteriority, stemming from the ancient atomist’s void-clinamen all the way to contemporary mass movements, we get the constituting of an antagonistic and thereby excluded element, never truly (s)placed, conversely always representing an outplace as a contingent element – the void. The excluded element, now operating as a vanishing force of the void, on the other hand, maintains the consistency of places by ceaselessly reapplying itself, injecting being into the lack and leaving the traces of an extinguished working of a force – an excess.

From a Hegelian point of view, Badiou’s matrix delivered in *The Theory of the Subject* comes nearest to the dispositive of the critique of political economy, or put differently, is the nearest to the police-corporation dialectic, with which we address the discourse of concurrent economic science. Today, there still persists a clear urge to find a setting for heterodox economics, while dealing with the epistemological blindness of mainstream economics, whereby economic theorizing would be able to retrace its steps and return to politico-philosophical underpinnings. Marx addressed the issue in a German

idealist manner, i.e. with a continuous gap between content and form, think of commodity and money object or surplus value and rate of profit. To Lenin and Mao in particular, it meant the problem of an antagonistic contradiction – irreconcilable opposites presupposing their sublation. In our present case: Why is the contemporary economic discourse a captive of theoretical (and practical) relapses and repetitions *ad infinitum*? One can only hear an echoing of Althusser’s answer in the blowing lyrics of ideological state apparatuses. But if we want to avoid an answer relying on ideological superstructure, a different route must be taken. In *Theory of the Subject* Badiou shows us a new *vector* of reasoning in dealing with the absences of cause, repetitive gaps and the crucial distinction derived from Hegel’s handling of subjective and objective force. Consequently, he also comes closest in explicating the role of economic factors determining the *splace*, whereas in the *Being and Event* (*state-of-situation*) they become completely absent. To refer back to our  $A/A_p$  dialectic and present it in practical terms: our institutional framework of financial capitalism has shed a specific distribution of places in which any kind of subjective force, the preceding process to subjectivation, is rendered into an objective one. Put another way, a subjective force is being ceaselessly divided and distributed amongst the struggles of non-identity multiplicities, placed, and finally drawn into the objectivity of the *splace*. It is done so in the automaticity of the reigning mode of production, our institutional framework, which calls these objective “anomalies” (both positive and negative) an *externality*. This entity has become a central tenet and concrete course of action for day-to-day economics, the relentless internalization of all forces into marketable objects and the resolve of any individual or social misdoings. It is where the Police/State of situation kneels in day-to-day routines before economic mastery. The resulting evidence: trading with pollution emissions, substantial monetary prizes for savvy business-oriented civil activists (i.e. the leaders of different social movements in the fight for specific rights, etc.), and the adverse effects of social media platforms, to name but a few.

A simple answer would argue for the following interpretation: we are in fact enveloped in an ideological clout. It is precisely the opposite; capitalism’s ulterior incentive is the undoing of wrongs, mishaps or other social dysfunctions, traversing the prevailing ideology on these occasions for a glimpse. It does so automatically, sliding from one issue to the next in the midst of crises, superseding any true political action for objective solution (think of resolutions and concessions to the “Yellow Vests” movement). It gives the (non)Whole its consistency by endlessly foreclosing an outplace element – by endlessly ascribing to it a *non-identitarian* attribute.

Yet Badiou does not stop there; proposing a demanding and challenging argument, he supplements structural dialectic’s algebra of places (elements) with materialist dialectic’s topology forces (parts exceeding elements – Cantor’s Theorem). In transposing Lacan’s psychoanalysis double – lack-of-being/being-of-lack – we now also obtain the lacking of a lack – an anxious term – ravaging along the places and annulling the previous *esplace* by sheer force. It is where the interruption of the silent sliding of repetitions occurs via an *excess* over the place – a *torsion*. This crossing of two lacks is crucial; we have repetition and coherence (the indefinite resolute to socio-economic problems) and we have force and destruction (indefinite purging of the outplace(d) part), inscribing a new consistency and repetition of places. Torsion amounts to a twofold operation: first, overturning the loss indicated by the absence of cause in the structure of places and second, producing

consistency from excess. If Badiou takes on the structural dialectic's metonymies in contradiction between the existence of the Real and the causal effect of the lack/void, he secondly applies a historical dialectic of force and destruction, creating a form of non-order in them. The subject is inscribed in their crossing: on the one hand, the metonymical sliding of the lack of being, on the other, being of a lack as an excessive moment. The excess marks the determination of determination, an inner purge in the formula  $A(A_p(A))$ .

At this point we have to make our preliminary concluding remarks according to the assessment of Badiou's notional stance. While in *Theory of the Subject* he remains faithful to Hegel's handling of logic – the constitutive scission – in pure and placed something, he reiterates them into notions of presentation and representation (i.e. situation and state of situation) in *Being and Event* or the transcendental regimes of a (possible) world in *Logics of Worlds*. The problem is that both of these works render the original logic opaque and result in the loss of any capacity in dealing with determining economic content of situations. Linking together Rancière's notion of *Police* and Badiou's *State of Situation*, we get the political domain understood as an abstract universal, but devoid of any concrete relation to the mode or relations of production, or rather to the economic institutional framework. In all his later work, Badiou dismisses “economism” as an ideological instance of today's state of situation – the reign of bodies and languages. Similarly, Rancière juxtaposes the disjunctive relation between police and politics proper, by ascribing to the former all conditioning of economic strata and, simultaneously barring all immanent historical conditions for the commencement of the latter. Let us subvert the current outline and call “*objective*” a set of processes and practices leading to the un-pure, bourgeois, reactive placing of the force – inherent in state apparatuses or controlled civil (unionist) gatherings – ending in relentless reconfigurations of *esplace*. On the contrary, we call “*subjective*” a contingent concentration of a force, one being internally purged, as a sheer intervention into the relation between A (the police counting of private property) and the placed A/P (the institutional realm of corporations). Returning now to Hegel, who remains concise here; his pathway towards the notional development of State presupposes the institution of police as a first step, the other being the corporation. As a corollary, it follows, for the former, a *fundamental contradiction* discerning property from non-property relation (in Marxian terms, the opposition between owner of money and possessor of labour power), for the latter, a *principal contradiction* delineating an asymmetric distribution of information and knowledge<sup>17</sup> along the corporate *esplace* – the well-informed and the ill-informed. The transfer of information and knowledge is distributed through market-determined topologies and induces political bodies, not the other way around.

In the knotting of these contradictions should one perceive adjacent vector-forces – a torsion – of economic folding into a political subjectivity. But on the other hand, it is the mainstream theoretical discourse that over-sutures the resolution for this minimal gap for the subject; by actively endorsing and resolving the enunciated wrong with technical redistribution of (property) rights.

## **A (re)turn from Badiou's State-of-situation to Hegel's State**

The immanent laws of technological progress structure the relations of civil and modern societies. Adam Smith sought the causes for the rise of modern civil society in the

specialization and the division of labour. Similarly to Hegel's "cunning of reason", Smith's "invisible hand" introduced a teleological principle of counting and ordering for civil society by designated agents; firstly, based on the stage of technology as a coordinative mechanism for an individual's needs and wants, and secondly, on the invisible market circulation of (non)ownership rights. As already mentioned, Hegel was completely aware of these facts in *Outlines of the Philosophy of Right*, ascribing to the police the protection of property and to the corporation the mode of production, its business endeavour and state of technology. The division of labour adheres to the system of needs, appertaining to its universality over all particular (business) aspirations in a society. The police order, in the broader sense of the term, is called upon to allocate and mitigate these (legal) rights (of appearing in the sensible; of saying, doing, etc.) – this is how one should approach Rancière's police count in *Disagreement*. A notion, subsuming the symbolic constitution of people and things in relation to private property. Today's variation of counting and including parts of social body is the operation in the distribution of the sensible on the predicate of property rights, attached to the laws of kinship and inherited wealth – classed individual particularities. The main bugbear for the protection of property rights remains the administration of justice, constituting another significant institutional pillar in the capitalist framework, to which new economic policies turn the most.<sup>18</sup> If the police institution represents a negative force in civil society for mediating the producer-consumer relations, Hegel posits its counterpart in corporation as a positive force of free individual enterprises, knitting a technological network for the organization of labour. Such unity is first-hand determined as a result of the police's counting of properties, of bodies, roles and places, but is also succeeded with positive incentives to aid the individual's particular needs and interests – the retroactive positing of the organization of labour. He anticipates the emergence of particular estates, whose unity is determined by economic attributes – labour organized at a specific stage of technology. Put together, the police and corporation institution, in their sublation, form the content of the State. What Hegel retroactively posits is that this sublated unity gives substance to the developing system of needs, once it accomplishes and fulfils this process in the form of the objective spirit coming to be – the State. The State as such is always something preceding the Civil Society. The latter is formed only in a state and can only emerge from such a unity that a State is.<sup>19</sup> For the State to achieve such an incorporate activity, the unity of both institutions must be presupposed.

Indeed, it is a police matter to mitigate the relations of production and distribution, by protecting the benefits stemming from these rights and suppressing outcries of *a wrong*. Conversely, it will be the police as a *public institution* regulating and protecting the general interest of individuals against the free and unimpeded circulation of commodities. Ideally, its role is to watch over the masses, protecting them from particular interests of homogeneous groups in an economically mature framework. On the other hand, it is the corporation (apart from the family) that gives individuals a *private substantial merit* inasmuch as it organizes the masses in production processes (i.e. in industrial production lines, co-working services, etc.). Police and corporation, public and private, residing side by side, in mutual co-determination outline an abstract dividing line. This border introduces a peculiar site – a no man's land – a paradoxical interval (recall Rancière's handling of *blaberon*) distinguishing different identities of multiplicities. A place of political subjection – the site of a torsion – absolute recoil.<sup>20</sup> If we return one last time to our

differentiation between Rancière's and Badiou's distinction Police/State-of-situation and Hegel's Police/Corporation unity, we have the Police/State-of-situation count assigning parts of the social body, based on some predication. We traced the case that it is the property relation over means of production vis-à-vis the labourer's own labour-capacity as non-property, as Marx would say, that encounters a lack, i.e. its encounter with non-property, inexistent, the rabble. If we were to stop here, we shall always find some particular political intervention (as in the case of the leftist and rightist relapses) struggling for their universalization. It is the automaticity of the corporate (or more broadly economic, market) system that confronts these upshots and objectifies them for its goal – in the policies for the resolution of social anomalies, (negative) social externalities. These economic policies of today's states do so frequently, they prowl on any subject-excess in order to re-count it back to normal functioning, foreclosing any transparency of a lack. Rancière and Badiou perhaps all too quickly omit the institution of corporation and end up losing any immanent disposition of economic conditions set upon (or rather, leading to) induced singularities of political practices – the uncovering and stating of a wrong. Hegel's insight, how police maintains control *in actu* over property rights of different multiplicities in social body, how the corporation endows a societal institutional framework with a technological dimension, and thus unification, which finally leads from Civil Society to State, should be taken as one of the more profound and consistent points of departure in understanding the configuration of social parts in capitalist institutional framework.

## Notes

1. Galbraith, *Economics in Perspective*, 285.
2. In the materialist sense, this type of generic human existence lends itself to the material appropriation of landed wealth – the minimum represented with a *site* where one exists – and to the material transformation of the fruits of Nature. Hegel has characterized such a relation as an *essential relation*, inaugurating the “truth of appearance”; a point of reference later undertaken by both Karl Marx and Alain Badiou. Marx clearly had Hegel and the essential relation in his sight when he progressed to the inner laws of value-form unfolding – i.e. into the relations between commodity and the money object, between use and exchange value, relative and equivalent form of value. The problem in question is of course the relation between a particular, universal and singular commodity in the totality of circulation. In Marx, on the other hand, the correlation of the forces inherent in the essential relation is analogically evoked as the relation among commodities and money. As for Badiou, his *Theory of the Subject* (1982) devotes an entire chapter to Hegel's handling of essential relation and forces by examining the exposition of parts and the whole problem, with force and its expression, i.e. with interiority and exteriority. For Badiou, this gap represents no less than the question of positioning the subjectivity in Hegel.
3. For a detailed study on police origins see Robinson, “The Origin and Evolution”.
4. Indeed, Marx goes here by interpreting the corporations as being the materialism of bureaucracy, and the bureaucracy being the spiritualism of corporations. He tilts his view almost exclusively on the part of corporation vis-à-vis to the police. We should also add that Marx's argument is grounded on an already fully developed notion of the State, having on the one hand its operative moments (police, judiciary) embodied in The Executive Power, while on the other maintaining corporation's determinate particular interests (as part of the State). Our argument is to emphasize the *ex ante* importance of the notions *police* and *corporation*, as necessary moments in the unfolding of the state, i.e. before actually arriving to a fully developed notion.

5. See Johnson, “Critical Theory of the Police”.
6. Marcuse, *Reason and Revolution*, 191.
7. Hegel, *Philosophie des Rechts*, 168. My translation. [Die substantielle Grundlage des Ganzen ist das Recht des Eigentums. Das System der Bedürfnisse und dessen Verwicklung kann gar nicht bestehen ohne das Recht. Die grösste Beförderung, die man der Industrie zuteil werden lassen kann, ist eine strikte und feste Rechtspflege. Dazu gehört weiter als Grundlage, dass das Eigentum in seiner vollständigen Wirklichkeit vorhanden sei.]
8. Cf. Marcuse, *Reason and Revolution*, 193.
9. In the following passages, our main reference will be Badiou’s dialectical formulation introduced in *Theory of the Subject*. We shall also critically acclaim and delimit it from the current principle of Police/State of situation’s count of elements or parts.
10. Ruda, *Hegel’s Rabble*, 16.
11. As far as institutional logic is concerned, we shall echo the *ensemblistic-identitarian* logic of Cornelius Castoriadis, developed in his *The Imaginary Institution of Society* (1975). Our explication of institutions is bound with his conception of the imaginary, on the notions of *legein* and *teukhein* (as a form of *techne*). *Legein* is an operation of *distinguish-choose-posit-assemble-count-say*, while adding elements to a set, naming it and positing its existence. *Teukhein* determines the principles of dynamic in the social imaginary of these sets, “counted-as-one”, by an operation of *assembling-adjusting-making-constructing*, representing the structure of places of these “counted-as-one(s)”.
12. Ranging from *Theory of Contradiction*, *Of Ideology*, *The Rational Kernel of the Hegelian Dialectic*, and *Theory of the Subject*.
13. Badiou, *Theory of the Subject*, 6.
14. For future reference, recall the rough interchangeability between *splace* (*Theory of the Subject*), state of situation (*Being and Event*) and world (*Logics of Worlds*).
15. Badiou, *The Rational Kernel*, 58.
16. Badiou, *Theory of the Subject*, 31.
17. Contemporary economic theory knows these occurrences under the name “market imperfections” or “imperfect markets”. Such encircling of the object of theoretical analysis obliterates the true dimension of both antagonisms in question, so that the imperfections always remain a salvageable task for capitalist reinvention.
18. The gaining influence of the *New Institutional Economics* in mainstream economic thought.
19. Hegel, *Philosophie des Rechts*, 208. My translation. [Der Staat als solcher ist immer etwas Früheres als die bürgerliche Gesellschaft. Diese bildet sich nur im Staat aus, und sie kann nur innerhalb der ganzen Einheit, die der Staat ist, hervortreten.]
20. Slavoj Žižek identifies at play in the symbolic order the Hegelian notion of “absolute recoil”. An operation, one that can also be paralleled with Badiou’s “torsion” and in our interpretation deemed for the Police/Corporation dialectic leading to the constitution of the State.

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