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Mathias Albert. ***A Theory of World Politics***. Cambridge: Cambridge University Press, 2016. Pp. 278. €94.58. ISBN: 9781107146532.

Great news: world society exists! In his fascinating new book, Mathias Albert tells the story of the evolutionary emergence and organization of world politics, situating it in a sophisticated theoretical framework for which social differentiation is the key to understanding the evolution of society in general and, thus, also the key to understanding world society (Part 1) and world politics (Part 2). Even though Albert is professor of political science (at the University of Bielefeld), *A Theory of World Politics* is mainly written for an international relations audience and is informed by sociology and history, this book is a valuable read for international legal scholars as well. If you are prepared to face some theoretical challenges, you can learn a lot about how world politics emerged and how it is organized today, which is arguably an important field for international lawyers in an insecure ‘Trump era’.

On the basis of several theoretical assumptions (to be mentioned in due course), Albert ascertains that a ‘system of world politics as a specific form of politics took shape in a long process that lasted roughly from the late eighteenth to the late nineteenth and early twentieth centuries’ (at 1). The evolutionary emergence of world politics as described in the book is firmly situated within the orbit of Niklas Luhmann’s systems theory, differentiation theory and evolutionary theory. This allows Albert to capture highly complex and diverging aspects of world politics within the frame of a clear and concise theoretical language. For those familiar with Luhmann’s work, the ‘existence’ of world society comes as no surprise.<sup>1</sup> However, for those who do not sport systems-theory glasses, such a statement might arouse curiosity. The reasons for the ‘existence’ of world society are theoretical assumptions, introduced by Albert in a reader-friendly and comprehensive way. In fact, this achievement alone deserves praise.

What are the theoretical preliminaries? In order to delve into the oeuvre, the reader first has to accept that social systems are, by definition, only generated through communication. Hence, society is not subject centred, as, for instance, in Jürgen Habermas’ work, but observation centred (at 36). It follows, second, that people are not part of society but, rather, ‘only observations of people, including the ascription of agency, and communication are’ (at 36). World society, thus, has to be taken as the ‘*entirety of communication*’ (at 6; emphasis in original), and it exists

<sup>1</sup> See already Luhmann, ‘Die Weltgesellschaft’, 57(1) *Archiv für Rechts- und Sozialphilosophie* (1971) 1; N. Luhmann, *Soziale Systeme: Grundriß einer allgemeinen Theorie* (1984) (English translation by J. Bednarz, Jr. with Dirk Baecker, *Social Systems* [1995]); N. Luhmann, *Gesellschaft der Gesellschaft*, 2 vols (1997) (English translation by Rhodes Barrett, *Theory of Society*, 2 vols [2012], vol. 1; [2013], vol. 2). While Albert uses the English translation of ‘social systems’ but the German original of ‘*Die Gesellschaft der Gesellschaft*’, this is only or mostly for pragmatic reasons according to Albert.

because ‘everything social is constituted as, and through, communication’ (at 6). Third, modern society is functionally differentiated into a legal system, a political system, an economic system and a few more. These (function) systems are ‘operationally closed’ and produce all of their elements within themselves (at 66–67). The environment of a system is only perceived through observation on the basis of the system (and its inherent code and programme) (at 67). Political communication, which is the essential currency of world politics, can only take place within the political system on the basis of its genuine ‘code’, the distinction being powerful/non-powerful (at 4–5, 67); for the legal system it would be legal/illegal, for the scientific system true/false and so on (at 67).

A consequence of this Luhmannian take on society is that one and the same piece of information can be observed by different systems. For instance, if a legal argument is used partly or solely in a power-dominated way (for instance, to blackmail), this is legal communication all the same. However, at the same time, the very same information is political communication as an expression of power. The other systems are merely environment. Hence, in order to actually grasp a situation, various systems glasses must be used. In particular, in the globalized world where law and politics are heavily intertwined, such a differentiation might be perceived as being somewhat fictitious but, nevertheless, also useful in the sense that it may facilitate understanding by reducing complexity. In a nutshell, in Albert’s words, ‘[t]he political system of world society is one function system of a world society differentiated functionally (others are, for example, the legal system or the economic system), whereas the *system of world politics* is a subsystem of the political system of world society’ (at 7; emphasis in original).

Taking such a theoretical framework as a starting point begs the question as to how communication can continue (at 36).<sup>2</sup> Albert introduces this and other theoretical issues in a very illustrative manner. Almost *en passant*, the interested reader will gain a good grasp of some basic sociology, such as, for instance, the fundamental differences between a Habermasian and a Luhmannian take on sociological questions.<sup>3</sup> But not only sociology; *A Theory of World Politics* also stands out because it does not originate in one particular discipline as academic monographs usually do. Albert manages to write on world politics informed by sociology and history as well as international relations.<sup>4</sup> The first part of the book lays bare the theoretical starting point: world society (theory) (Chapter 1) and how it emerged via social differentiation (Chapter 2).

Albert describes social differentiation as a process of how society evolves. This process takes the form of segmentation (for instance, hunter-gatherer bands, tribes or families), via stratification (hierarchical differentiation like, for instance, classes), to functional differentiation (the division into, say, politics, law, economy, art and so on). Even though social differentiation is the process by which society evolves, this is not a clear-cut process from one form to another but, rather, a very complex and potentially overlapping picture. Social differentiation, stratification and segmentation can take various forms and scales (Chapter 2). Hence, modern society is not only functionally differentiated (at 3, 132) – neither are forms of organization of political authority (at 138–139) – but stratification and segmentation are also still present forms

<sup>2</sup> This is in sharp contrast to many sociological approaches asking ‘how society is integrated’ (at 36). See also the shift in the question ‘asked by a theory of society from “How is society held together (in spite of centrifugal tendencies)?” to “How did world society acquire its present shape (in spite of numerous other possibilities)?”’ (at 42).

<sup>3</sup> For the Habermas–Luhmann controversy in the 1960s, see Füllsack, ‘Die Habermas–Luhmann–Debatte’, in G. Kneer and S. Moebius (eds), *Soziologische Kontroversen: Beiträge zu einer anderen Geschichte der Wissenschaft vom Sozialen* (2010) 154.

<sup>4</sup> An example of how different disciplines can profit from such an account is the introduction of important books from one discipline to scholars from other disciplines, as explicitly mentioned by Albert, e.g. (at 86, n. 8) when highlighting H. Gollwitzer, *Geschichte des weltpolitischen Denkens* (1972), vol. 1: (1982), vol. 2; J. Osterhammel, *Die Verwandlung der Welt: Eine Geschichte des 19. Jahrhunderts* (7th edn, 2013) (English translation by P. Camiller, *The Transformation of the World: A Global History of the Nineteenth Century* [2014]).

of social differentiation of society.<sup>5</sup> Albert avoids advancing bold claims such as predictions of future developments based on his account of evolution (at 181–182).<sup>6</sup>

Having outlined the theoretical setting, Albert invites his readers to put on their theoretical glasses in order to reread the ‘emerging world politics’ in the second part of the book. On a more practical note, Albert proposes that readers with an international relations (and I would add with a legal) background read the second part before the first part since the theoretical starting point unfolds more easily with the explanatory substance of the second part (at 8). World society is a technical term within the realm of systems theory. The term does not imply substantial normative arguments about world society (for instance, on societal integration, values). Within the political system of world society, world politics constitutes a subsystem. A basic claim of the book is that only in its modern form did world politics emerge as a subsystem within the political system. Hence, world politics with a systemic character only evolved ‘in a process roughly spanning from the late eighteenth to the late nineteenth/early twentieth centuries’ (at 1). The emergence of this subsystem is described by Albert in two major parts, namely from interaction towards a proper system (at 90–116) and as a structural expansion towards consolidated forms (at 116–125). Yet Albert makes it clear that the ‘system of world politics emerged in a process with no definite beginning or end, although the Congress of Vienna certainly marks an important apogee in the process’ (at 93).

The decisive points are specific forms of interaction, expectations of these forms being repeated, and the observation of these forms through a common scheme, which is called the ‘programme’ (at 94, 107). While Albert describes the Peace of Westphalia in 1648 as having ‘set in motion a long journey towards what was in the end to become a system that was no longer based on presence and increasingly relied on repeated and routinized interaction’, it ‘did not establish a system right away because it observes itself vis-à-vis a specific *environment* in the form of a public’ (at 99; emphasis in original). Hence, ‘probably more important ... was the 1653/54 Regensburg Reichstag’ (at 99) as well as the Berlin Congress in 1878, ‘at which point it is clear that the system is fully established’ (at 103). Describing the shape of present world politics as a process contrasts with descriptions of the Peace of Westphalia in 1648 as the (only) decisive moment overshadowing all following events.

The division of the political system into subsystems is explained with reference to different programmes. If a programme stops running, the subsystem also ends. A particular specificity of world politics described by Albert as a system is ‘the balance of power as an observational scheme’ (at 107–116, 132). This means that any communication since the Congress of Vienna 1814–1815 runs through the ‘programme’ balance of power. Balance of power is not the balance of physical forces but, rather, the mutual observation that necessarily involves comparison. This comparison, in turn, cannot be performed in an objective way. Balance of power needs to be understood as a lens (or programme in Albert’s parlance) through which most communication in world politics takes place – ‘a *regulative idea in terms of equilibrium*’ (at 111; emphasis in original). Albert also holds that world politics ‘emerged in the European context’ (at 116). Yet ‘the consolidation and global expansion of the European into a global system of states was never strictly unidirectional’, and ‘while the history of European imperial and colonial expansion might be quite unequivocal in its results, it never was the linear process as which it has often been depicted’ (at 117).

While Chapter 3 identifies world politics and its emergence as a subsystem of the political system of world society, Chapter 4 is devoted to the ‘internal’ organization of world politics (at 133). The seemingly incoherent variety of ‘Forms of World Politics’ (at 134–170) – ‘power “status”,

<sup>5</sup> This is the consequence of ‘using a theory of differentiation as an analytical tool’ in contrast to ‘giving a structuralist account’ (at 3). For an illustration of social differentiation, see Figures 4.1–4.4 (at 142–146).

<sup>6</sup> Here, it is also interesting to note Albert’s understanding of social evolution roughly as variation, selection and re-stabilization, which is based on Luhmann (at 70–71): ‘Understanding social evolution in these terms implies that neither teleological accounts nor forecasts are possible in relation to evolutionary processes.’

relations between “equal” sovereign territorial states, supranational forms of authority, global governance, regionalisation’ – are coherently described by using the theoretical framework of ‘social differentiation within the system of world politics’ (at 2). Yet ‘each of these forms of organizing political authority is treated as a form in its own right’ (at 134).<sup>7</sup>

What might be particularly appealing to international legal scholars working on the relationship between various fields of law (for example, international, European Union and national law) as well as between various thematic fields (such as world trade law, environmental law and so on) is how Albert – by relying on systems theory – understands relations between subsystems. He presents the subsystem of world politics within the political system not as being in any hierarchical relationship with any other subsystem<sup>8</sup> (like, for instance, environmental politics, security politics, national politics, Californian politics) per se (at 6–7, 92).<sup>9</sup> For him, ‘*as a subsystem of the political system of world society, the system of world politics is neither “above” nor “below” any other of its subsystems*’ (at 7; emphasis in original). Yet, intuitively, it is difficult to grasp, for instance, the relationship between the security politics of the USA and those of Tuvalu as being non-hierarchical. Albert resorts to a sort of contextualization argument in order to counteract this intuitive objection. While there are no hierarchies per se for him, (sub)systems take their environment into account. This somewhat soft stratification might work for the political system. However, it would be very interesting to see what such an account would look like in the legal system. I suspect that hierarchies might play a different role there.

A great strength of Albert’s book is the conclusion in the third part of the volume. He does not conclude by summing up his findings but, instead, reflects in an overarching way on ‘theorising world politics’ (Chapter 5). This is already indicated by his title introducing *A Theory of World Politics* (instead of a bolder ‘*The Theory*’).<sup>10</sup> Albert openly admits the limitations of his theory (at 173–174) by clearly stating its constructive background (at 178–182). Furthermore, he points towards potentially Eurocentric flaws (at 200–204), which are divided into three different aspects relating to ‘different extensions of “world” in world society’ (at 13).

In addition, he reflects on ‘loose threads and further research’ (Chapter 6). At this point, international legal scholars might be particularly interested in where and how they could dock on to Albert’s work (at 204–208). Besides learning a great deal about the evolution of world politics from a different theoretical perspective, quite concrete conclusions or proposals for a world law or global law (that is, a global legal subsystem) of the legal system of world society might be drawn. However, what is very important for such endeavours is to strongly maintain a very important restriction associated with the use of systems-theory glasses about which Albert himself is very explicit: there is no way of drawing concrete normative conclusions from this way of understanding world society and its (sub)systems (at 181–182). Hence, any approach to the legal system (with subsystems such as global law) within the realm of systems theory must

<sup>7</sup> An interesting (side) fact is that Albert has deliberately chosen to speak of ‘form[s] of organizing political authority’ in order to avoid complications with the term ‘state’ (at 134). Albert also deliberately seeks to avoid ‘methodological nationalism’ with his theoretical framework (at 32, 39).

<sup>8</sup> And neither are functionally differentiated systems of politics, law, economics and so on in a hierarchical relationship.

<sup>9</sup> Albert uses the metaphor of ‘grated cheese sprinkled throughout a dish’, which ‘somehow hangs together when melted, but sits neither only at the top or only at the bottom’, instead of the often used metaphor of the “sandwiched” world’ (at 92).

<sup>10</sup> This is also underpinned by the illustration on the front of the book of a card game invented roughly at the same time as the end of the Napoleonic Wars towards the close of the 19th century. According to Albert, this shall point towards the pack of cards we are currently ‘playing’ with.

either remain explicitly descriptive or disclose its understanding of society (as normative), which then clearly departs from a Luhmannian and Albertian understanding of society.<sup>11</sup>

On a slightly more critical note, is it possible that a major ambition of the approach turns out to be one of its greatest flaws – namely, the aim to be very precise when using the notion system for describing world politics (at 2)? As systems theory is a highly developed apparatus to analyse society, it restricts analysis to its tools. Hence, precisely this restriction – the glasses of systems theory – could make us see something that is not there (yet) or that is changed quite substantially/constructed by such glasses. The universal aspiration – namely, to situate (sub)systems in a precise way within world society – is a great strength and, at the same time, a great weakness. Life is complex. The globalized world even more so. A quite rigid theory must consequently either fit something into its framework, including events that do not match the theoretical assumptions and tools perfectly or simply neglect, or at least downplay, their importance.<sup>12</sup>

Another critical remark concerns a deliberately chosen, primary driving force behind systems theory and Albert's account. By spotting (functional) differentiation as the divisional force between systems and, thus, enabling a focus on one system and its primary currency (power in politics, money in the economy and so on), other decisive forces might be under-analysed.<sup>13</sup> In particular, world politics and global law seem to be very intensively connected. Thus, it is questionable whether it is possible to treat and analyse world politics and global law separately by exclusively taking only 'political communication' into account within the realm of world politics and 'legal communication' respectively in global law. However, Albert openly admits this and similar potential downsides of his theoretical framework (for the limitations of his constructivism, see 178–182; for the limitations with regard to 'law and legitimacy', see 204–208).<sup>14</sup> Nevertheless, scepticism remains, at least when reading with the (poor) eyesight of an international legal scholar. Albert's openness of expressly admitting that different theoretical approaches will 'lead to diverging theoretical accounts', however, must be appreciated (at 6, 173–174).

<sup>11</sup> This is actually a major point of criticism against those accounts, which have applied systems theory to international law, such as, e.g., G. Teubner's, *Verfassungsfragmente: Gesellschaftlicher Konstitutionalismus in der Globalisierung* (2012) (English translation by G. Norbury, *Constitutional Fragments: Societal Constitutionalism in the Globalization* [2012]). For such a criticism, see Günther, 'Normativer Rechtspluralismus: Eine Kritik', in T. Moos, M. Schlette and H. Diefenbacher (eds), *Das Recht im Blick der Anderen: Zu Ehren von Eberhard Schmidt-Aßmann* (2016) 64.

<sup>12</sup> However, compare what Albert has to say on 'system complexity' (at 140–146).

<sup>13</sup> This holds true, in particular, for the structure of Chapter 4, which analyses different forms of organizing political authority according to segmentation (at 146–152), stratification (at 152–156), functional differentiation (at 156–158), segmentation and stratification (at 158–161), segmentation and functional differentiation (at 161–163), stratification and functional differentiation (at 163–167) and segmentation, stratification and functional differentiation (at 167–169). Overly critical one might ask whether such a structure constitutes *l'art pour l'art*, overemphasizing differentiation theory instead of detecting and analysing political authority in world society. International organizations, for instance, 'primarily express the circumstance that functional specification and optimization provides an ordering principle in world politics as an expression of functional differentiation' (at 157). Hence, international organizations are rather underdeveloped in the book. Nevertheless, it must be admitted that this emphasis of analysing world politics is consistent within the systems and differentiation theory approach taken by Albert.

<sup>14</sup> For a deliberate reluctance to use systems theory structural coupling (cf. 204, n. 8). For a somewhat curious metaphorical illustration of the relation between world politics and international law, Albert refers to 'accounts of how motor engineering and motor traffic developed on the one hand and accounts of the evolution of the rules of the road on the other' (at 205). Compare in this regard M. Albert, *Zur Politik der Weltgesellschaft. Identität und Recht im Kontext internationaler Vergesellschaftung* (2002), at 203–306. For 'shared motifs' and diverging 'starting assumptions' of '[a] theory of world politics' and 'Zur Politik der Weltgesellschaft', see the discussion in *A Theory of World Politics* (at 75–76).

*A Theory of World Politics* is definitely a stimulating read. Studying 'seemingly well-trodden ground' with different glasses is enriching (at 13). And, maybe more importantly, its approach, firmly based in systems theory as it is, takes something for granted that is still a controversial issue for legal scholars and has been for quite some time: the 'existence' of world society. *A Theory of World Politics* by Mathias Albert is also a challenging read. Still it is worth the effort since a great strength of the book is to guide the reader through the theoretical challenges. Albert certainly does not hide from potential critique behind overly complicated systems theory parlance. To the contrary, he firmly points the reader towards potentially unacceptable theoretical assumptions. Hence, it is the author's strength to have provided clear theoretical ground for criticism and debate. And, once those theoretical hurdles have been accepted (if only for the time while reading the book), Albert's oeuvre also makes a fantastic read for international legal scholars.

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