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Ethos without nomos: the Russian–Georgian War and the post-Soviet state of exception

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Abstract

This paper addresses the 2008 Russian–Georgian conflict in the context of the post-Soviet spatial order, approached in terms of Carl Schmitt’s theory of *nomos* and Giorgio Agamben’s theory of the state of exception. The ‘five-day war’ was the first instance of the violation by Russia of the integrity of the post-Soviet spatial order established in the Belovezha treaties of December 1991. While from the beginning of the postcommunist period Russia functioned as the restraining force in the post-Soviet realm, the 2008 war has made further recourse to this function impossible, plunging the post-Soviet space into the condition of anomie, or the state of exception. This paper interprets this disruptive policy in the post-Soviet space as the continuation of the domestic political process of the ‘management of anomie,’ which has characterized the entire postcommunist period. In the conclusion, we address the implications of the transformation of the international order into the ethos of anomie for rethinking the ethical dimension of global politics.

Keywords: *Russia; Georgia; postcommunism; anomie; Giorgio Agamben; Walter Benjamin; Carl Schmitt*

INTRODUCTION

This paper addresses the 2008 Russian–Georgian conflict in the context of the post-Soviet spatial order, which we conceptualize with the help of Carl Schmitt’s concept of *nomos*. While the war has been analyzed in its numerous aspects, pertaining, for example, to the dynamics of Russian domestic politics, North Atlantic Treaty Organization (NATO) enlargement, and European Union (EU)–Russian relations,¹ the key significance of this event has arguably been obscured by its own apparent self-evidence. The conflict was the first instance of the violation by Russia of the integrity of the post-Soviet territorial settlement, the spatial order established in the Belovezha treaties of December 1991. While this violation appears obvious, its significance has

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not been fully appreciated.² In this paper, we shall elucidate the implications of this breakdown of the post-Soviet nomos in the wider context of the postcommunist condition and trace the transformation of the post-Soviet space into what we shall call the ethos of anomie, in which order is suspended and politics plays out as purely factual scheming and intrigue.

We shall therefore bracket off the background, causes, motives, and dynamics of the Russian–Georgian conflict and focus specifically on its key outcome, i.e. the systemic transformation of the post-Soviet spatial order. While from the beginning of the postcommunist period Russia arguably functioned as the restraining force in the post-Soviet realm, adequately described by the political–theological concept of the *katechon*, the 2008 war has made the recourse to this function impossible, plunging the post-Soviet space into the condition of anomie, or the state of exception. However, this process should not be understood in terms of the simple dichotomy of nomos and anomie, whereby Russia’s war in Georgia effects the collapse of order into disorder and the degradation of the *katechon* into a proverbial ‘rogue state.’ Contrary to widespread fears outside Russia and some hopes inside it,³ Russia’s rupture of the post-Soviet nomos is not a relapse into a Soviet or pre-Soviet imperialism, nor is it a revolutionary attempt to establish any new nomos in the post-Soviet space. While Schmitt’s theory of nomos is only able to conceive of the absence of nomos as a temporary stage in the transition toward a new nomos and approaches anomie as a societal catastrophe, Russian foreign policy after 2008 points to a more complex logic that goes beyond the simple dichotomy of the presence or absence of nomos. Thus, in this paper, we shall venture beyond the Schmittian logic and approach anomie itself as an ethos (dwelling place), amenable to management that does not take legal or nomological forms. We shall analyze Russia’s disruptive policy in the post-Soviet space as the continuation of the domestic political process of the ‘management of anomie,’ which has characterized the entire postcommunist period. We shall then address the transformation of the logic of the *katechon* in the context of the postcommunist state of exception with the help of Walter Benjamin’s theory of baroque sovereignty, originally advanced as an esoteric critique of Schmitt’s political thought. In the conclusion, we shall address the implications of the transformation of the international order into the ethos of anomie for rethinking the ethical dimension of global politics.

THE RUSSIAN–GEORGIAN WAR AND THE DEMISE OF THE POST-SOVIET NOMOS

The Russian intervention in Georgia in August 2008, provoked by its military offensive in South Ossetia, and the subsequent recognition by Russia of South Ossetia and Abkhazia not only marked the lowest point in the history of Russian–European relations in the postcommunist period, but also destabilized the overall post-Cold War world order. According to Alexander Stubb, Finnish foreign minister and, as chair of the Organization for Security and Co-operation in Europe

(OSCE), an active participant in the resolution of this crisis, we may even speak of a 'post-080808 world.'⁴ Even if this statement might appear to be an exaggeration, given the relatively low intensity of this war and, ultimately, the inconsequential character of Russia's unilateral recognition of the Georgian provinces, it is undeniable that the Georgian crisis had serious systemic implications for Russia's relations with the West and Europe in particular. Most notably, the rhetoric of integration seemed to be abandoned by both parties, particularly Russia, whose leaders' statements during and after the conflict did not exclude suspending relations with the EU and NATO and proclaimed, in the widely reported phrase of President Medvedev, that Russia 'did not fear a new Cold War.'

This crisis of the integrationist paradigm has been the main focus of the discussion of the implications of the war both inside and outside Russia,⁵ serving as yet another nail in the coffin of the naïve belief in Russia's 'transition to democracy' and yet another vindication of the advocates of Russia's inherent imperialism.⁶ Yet, this emphasis on the global implications of a local low-intensity conflict has obscured the significance of the war for the mid-level of the post-Soviet region, roughly coterminous with the Commonwealth of Independent States. While the claim about Russia's ultimate 'breaking with the West' as a result of the war is at best hypothetical, the war has had immediately observable actual effects on the structure of spatial order of the post-Soviet realm. In this paper, we shall refer to this spatial order as the post-Soviet nomos.

The concept of nomos is central to the later work of Carl Schmitt, commonly known as the 'concrete order thinking' period that followed the renunciation of the more famous decisionist approach of the Weimar era. In the current revival of Schmitt's political thought, the theory of nomos has become increasingly influential in International Relations, particularly insofar as its connections to the more established disciplinary traditions, e.g. the English School, become clearer.⁷ Just as the project of the English School sought to go beyond the opposition between the international system, defined in the abstract manner by the logic of anarchy, and the equally abstract designs for a legal world order in favor of the concrete analysis of the emergence and transformation of the European society of states, Schmitt's theory of nomos, defined by Alessandro Colombo as 'realist institutionalism,'⁸ examines the conditions of emergence and eventual demise of the concrete spatial order of the *Jus Publicum Europeum*.

Going beyond the opposition of normativism and decisionism, in which a lifeless, abstract norm faces the momentary eruption of the concrete force of life, in his classic *Nomos of the Earth*, Schmitt presents nomos as a foundational concept, denoting the totality of the historically concrete spatial order, the unity of order (*Ordnung*) and its localization (*Ortung*) in the concrete life of a community.⁹ The nomos of a community is not externally imposed either by norms or by decisions, but is rather a product of spontaneous historical developments, an immediate expression of the historical continuity of the concrete existence of a political entity. Thus, contrary to the facile attribution to Schmitt of an 'anti-ethical' orientation, his

concept of *nomos* is posited as precisely an *ethos* in the original Greek sense of the dwelling place and thus as a foundation of any possible ethics.

While this description of the theory of *nomos* suggests a renunciation of Schmitt's earlier emphasis on the transcendence of order,¹⁰ manifested in the sovereign decision, in favor of the immanentism he previously criticized, things are rather more complicated. As Mika Ojakangas has demonstrated,¹¹ Schmitt's orientation toward the extreme, excessive, or transcendent element of order that is simultaneously its foundation survives in the 'concrete order' period of his writing. It does so in the form of Schmitt's construction of the origin of *nomos* itself in the fundamental act of land appropriation (*Landnahme*), which conditions the possibility of law, both public and private.¹² In the theory of the *nomos*, land appropriation serves as a precise analog of the sovereign decision on the exception, which opens the concrete order to what is exterior yet essential to it: 'in its original sense, *nomos* is precisely the full immediacy of a legal power not mediated by laws. It is a constitutive historical event—an act of legitimacy, whereby the legality of a mere law first is made meaningful.'¹³

Thus, we are not very far from the decisionist affirmation of the constitutive outside any normative order. For Schmitt, the *nomos* is the condition of possibility of legal order that is itself not legal and it is the oblivion of this foundation of the law in Western modernity that leads to its degradation into a mere system of rules and the degeneration of the state into a nihilistic apparatus of administration. In the international domain, the retreat of the *nomos* into oblivion and the replacement of the spatial order by positive law have led to 'a fundamental separation of order and orientation that [alone] can be called "nihilism" in an historically specific sense.'¹⁴ While we have addressed Schmitt's nostalgia for the European *nomos* and its problematic aspects elsewhere,¹⁵ for the purposes of this paper we shall merely retain the basic logic of this concept as an extra-legal foundation of law, the unity of order and localization that grants the political community a dwelling place (*ethos*) in the world. We shall specifically focus on the figure that in Schmitt's theory maintains this unity against the perpetual threat of its dissolution, i.e. the *katechon*. Before delving into this discussion, let us begin with a brief history of the post-Soviet *nomos*.

In order to identify the structure of the post-Soviet *nomos*, we need to recall that the process of the dissolution of the USSR was marked by a radical contingency. Not only was this dissolution not inevitable, as it tends to be portrayed by liberal transitionalist approaches since the early 1990s, more importantly, the very *form* that this dissolution took, i.e. the fragmentation of the Union along the internal administrative borders of the republics of the USSR, was itself utterly contingent. We need only recall the heated political debates in the final years of the Perestroika about potential border revisions in the process of the dissolution of the Soviet Union. In his widely influential paper 'How we are to rebuild Russia,' Alexander Solzhenitsyn famously argued that the survival of the Soviet Union was unfeasible and charted the potential outline of its gradual dissolution along ethnic and religious lines.¹⁶ According to his scenario, the three Baltic republics, the three Republics of the Caucasus, the four Central Asian republics, and possibly Moldova would

‘certainly and irreversibly’ be separated from the Union state. Somewhat more ominously in the contemporary context, Solzhenitsyn argued that Kazakhstan should be split up into the smaller independent state, primarily populated by Kazakhs, and the ‘originally’ Russian territories of South Siberia and South Urals. Regarding the Ukraine and Belarus, Solzhenitsyn issued a passionate plea for the maintenance of their union with Russia. In case the separatist tendency in these republics were to prevail, Solzhenitsyn was only prepared to admit the possibility of the separation of individual regions within the republics, e.g. Western Ukraine, whose ethnic and religious ties with Russia were weaker.

While today, with the hindsight of the wars in the former Yugoslavia, this scenario cannot but appear to be a deranged recipe for disaster, it was hardly perceived as such in 1990–1991. Solzhenitsyn’s impeccable anti-communist credentials at the time ensured its respectability even among such esteemed ‘democrats’ as Sergei Stankevich and Oleg Rummyantsev and such key figures in the Yeltsin administration as Vice President Alexander Rutskoi. Although Solzhenitsyn’s proposal was evidently motivated by an ethno-religious approach to Russia’s ‘natural borders,’ the support for border revisions need not have been grounded in this or any other form of ‘essentialism.’ Indeed, given the fundamental indeterminacy of sociopolitical life after the demise of Soviet socialism, it was only logical that the borders of the new independent states would be negotiable, *like everything else*, from the economic system to public morality. As Richard Sakwa has argued,¹⁷ there was no logical reason why the internal administrative borders of the USSR should be considered adequate for the emerging postcommunist nation-states. Most of the post-Soviet states never existed in their present borders, which many of them understandably perceived as absurd. And yet, it was precisely these borders that were declared inviolable in the Belovezha Treaties that finalized the process of the dissolution of the USSR. Russia and other post-Soviet states have thus avoided the Yugoslav scenario by opting for the most formal and meaningless principle of using internal Soviet borders as legitimate borders of the new independent states. The Commonwealth of Independent States that succeeded the USSR was founded on the reciprocal affirmation of the territorial integrity of the member states within these utterly contingent borders. As a result, the possibility of the internal fragmentation of Soviet republics along the lines of Solzhenitsyn’s proposal was delegitimized, along with separatist projects within the new post-Soviet states. Thus, the condition of the *impossibility* of the repetition of the Yugoslav scenario in the former USSR was simultaneously the condition of *possibility* of the two Chechen wars as well as military conflicts in Transdnistria, South Ossetia, and Abkhazia in the early 1990s.

It is important to emphasize that this settlement was not founded on law, national or international, but was rather nomological in the Schmittian sense. There were no legal reasons why the post-Soviet space should be structured the way it was. Alternative options, from forced reintegration of parts of the USSR within Russia along the lines of Solzhenitsyn’s proposal, to the continuation of fragmentation within the republics, were neither more nor less legal than the spatial order established in December 1991. Allison’s invocation of an ‘international norm that

accompanied the collapse of the multi-ethnic USSR—that the only territories that merited recognition would be those corresponding to first-level administrative subdivisions of the old Soviet state’ illustrates the problem by the ambiguity of its formulation.¹⁸ The ‘norm’ in question did not regulate the collapse of the USSR but was rather the effect of the process of this collapse and could only be construed as a norm *ex post facto*. The post-Soviet nomos is therefore a good example of the Schmittian ‘act of legitimacy,’ which retroactively posited its own normative presuppositions. To speak of this nomos as a constitutive act of legitimacy is not to suggest that this legitimacy was shared universally by all political subjects of this spatial order. Precisely insofar as it is not law, which operates with a clear distinction between obedience and transgression, the nomos is always open to contestation and only exists in the mode of actively averting its own dissolution. The example of the Westphalian order of the *Jus Publicum Europeum*, addressed in detail by Schmitt,¹⁹ demonstrates that the existence of the nomos does not exclude contestation and resistance to it that might take violent forms of imperialist or secessionist warfare. In contrast to law, the function of the nomos is not to command obedience but to provide orientation in one’s ethos. Thus, the numerous post-Soviet separatist conflicts do not refute but rather prove the existence of the post-Soviet nomos precisely by manifesting resistance to it.

Turning to Russia’s function in this spatial order, we may argue that from 1991 until the 2008 war on Georgia, Russia actively upheld the post-Soviet nomos despite the widely shared perception of its disadvantageous character. From a more general perspective, it is notable that Russia’s post-Cold War foreign policy orientation has been singularly paradoxical. Contrary to the expectations of a revisionist orientation from the losing party in the Cold War, since the early 1990s, Russia tended to support, however half-heartedly, the existing global and regional institutions (UN, OSCE), presenting itself as the bulwark against any transformation of the very international order, in whose framework its bid for superpower status pitifully failed. Ironically, most of the moves for the reform of the international order were advanced by the Cold War victors rather than the losers. It is as if Russia purposefully opted for freezing the scene of its own defeat as a Cold War great power. Evidently, such a strategy was motivated by the desire not to let things get even worse, to prevent the complete disintegration of the Russian state, the total loss of Russia’s influence in the post-Soviet space and the sedimentation of the unipolar world order. Yet, as Russia sought to restrain its own undoing, it also refrained from any attempt at a radical transformation of the post-Soviet nomos to its advantage.

As the two Chechen wars demonstrate, postcommunist Russia has not been averse to the extensive use of military force. Yet, the ferocity of the Chechen campaigns contrasted sharply with Russia’s lukewarm orientation toward the claims to independence of the pro-Russian separatist forces in Georgia, Moldova, Ukraine, and Kazakhstan. While it is evident that many political forces in Russia, including at government level, tacitly supported some of these claims, Russia nonetheless refrained from official support and especially the recognition of independence of secessionist territories. In fact, such recognition would have been much simpler

politically in the 1990s than it is today, since the post-Soviet nomos was not yet sedimented and did not attain the relative self-evidence it presently possesses. This commitment to the territorial integrity of the post-Soviet space and the consequent legitimization of violent reprisals against separatism was not merely a result of the rational calculation of interests. In the hypothetical case of the complete unraveling of the post-Soviet nomos and the reaffirmed negotiability of post-Soviet borders, Russia might have gained as much as or more than it would have lost (e.g. Crimea and North Kazakhstan over North Caucasus). In our interpretation, this conservative orientation resulted less from self-interested calculation than from the commitment to the sheer existence of the spatial order as such, the truly Schmittian commitment to *any* kind of nomos as the necessary ethos for (co)existence of political communities.

While in the Yeltsin presidency this position might be explained by Yeltsin's drive to endow with a minimal form the radical fragmentation that his policies generated, in the first term of the Putin presidency it began to resemble a purposeful policy of gradually coming to terms with the end of the USSR. Exemplary in this respect is the 2002 Law on Citizenship, which severely complicated the procedures for former Soviet citizens to obtain Russian citizenship that was previously granted almost automatically. Similarly, Russia's economic policy in the post-Soviet space during the Putin presidency was marked by the gradual abolition of subsidizing the economies of the Commonwealth of Independent States (CIS) states in exchange for symbolic manifestations of loyalty—a practice that was widespread under Yeltsin. Even the infamous 'gas wars' with the Ukraine and Belarus in 2005–2008, which are frequently held to exemplify the revival of imperialist tendencies in Russian foreign policy, are best grasped in terms of this logic of coming to terms with the end of the USSR.²⁰ Indeed, these conflicts regarding energy prices and gas deliveries seem to indicate a turn not toward imperialism, but rather its very opposite, i.e. nationalism in its statist form, whereby Russia abandoned its past policy of subsidizing former Soviet republics in exchange for vacuous displays of loyalty and began treating the post-Soviet states as any other participant in the energy market. Indeed, it was precisely the policy of energy subsidies for the CIS states in the 1990s that could be construed as an indicator of a half-hearted and almost benign 'imperialism,' whereby Russia attempted to deal with the trauma of the dissolution of the Soviet Union by asserting, at a considerable material price, its symbolic leadership in the CIS. In contrast to this policy of self-deception, the shift to the market rationality in dealing with the CIS states may be seen, for better or worse, as a sign of getting over the imperial past, whereby the 'near abroad' becomes 'abroad' pure and simple. This symbolic dissociation of Russia from the USSR was manifested in the rhetoric of the Putin administration from the moment of its inauguration. In an influential 2000 article 'Farewell to Belovezha,' Gleb Pavlovsky, the political technologist who played a key role in Putin's ascent to and stay in power, argued for the break with the rhetoric of the 'post-Soviet' period, which resigns Russia to the paradox of identifying with the political order that it itself negated:

Frequently repeating the phrase “post-Soviet space”, the Russian political elite has learned not to notice that it entails a non-substantiality of Russia. [...] Belovezha is no longer equivalent to the “dissolution of the USSR”, because for Russia the USSR is no longer relevant. The USSR was merely an unprofitable deal for us that only entailed bad government. Russia refuses to be a post-Soviet (or an anti-Soviet) state. Russia is simply Russia, which has to be taken into account.²¹

This rhetorical dissociation from the USSR evidently does not entail isolation from other post-Soviet states, but rather serves to sediment the borders, instituted in the post-Soviet nomos, as stable containers of new states, Russia included. What the ‘farewell to Belovezha’ refers to here is the abandonment of any revisionist designs for the post-Soviet space and the consolidation of the Russian state within its present borders. Postcommunist Russian foreign policy may thus be summed up in terms of the task of the maintenance of the post-Soviet nomos as the condition of possibility of the sovereign statehood of both Russia itself and the new independent states. Both the violence of the Chechen wars and the moderation with regard to the pro-Russian separatism in the CIS states follow logically from this function, which in Schmitt’s theory of the nomos is formulated with reference to the concept of the *katechon*. In the following section, we shall offer a brief historical–philological excursus into this concept and discuss its logic in the context of the post-Soviet nomos.

THE POST-SOVIET KATECHON

The passage on the *katechon* in the Second Letter to the Thessalonians, whose authorship by St. Paul remains disputed, is one of the most intensely political texts in the Western tradition, at stake in which is the very existence of constituted power. In this letter, Paul responds to the audience’s agitation concerning the imminence of the Second Coming addressed in the First Letter, explaining the present withholding of *parousia* and elaborating the process by which it will eventually take place:

Let no one deceive you in any way. Because it will not be unless the apostasy shall have come first, and the man of lawlessness, the son of destruction is revealed. He opposes and exalts himself above every so-called god and object of worship. As a result, he seats himself in the sanctuary of God and declares himself to be God. [...] You know what it is that is now holding him back, so that he will be revealed when the time comes. For the mystery of anomy is already at work, but only until the person now holding him back (*ho katechon*) is removed. Then the lawless one (*anomos*) will be revealed, whom the Lord will abolish with the breath of his mouth, rendering him inoperative by the manifestation of his presence (*parousia*).²²

Since the notion of the *katechon* does not occur anywhere else in the Scripture, the interpretation of this passage remains somewhat ambiguous, particularly with respect to what or who the *katechon* is and what its relation is to the Antichrist (the ‘lawless one’), whose revelation and abolition would pave the way for *parousia*. Schmitt’s interpretation of this passage in the *Nomos of the Earth* is a paradigmatic example of the hermeneutic tradition that begins with Tertullian and identifies the *katechon* with

the Roman Empire, endowing it with a positive function of delaying the end of time. This interpretation unfolds in the context of Schmitt's discussion of the medieval *nomos*, out of whose dissolution the modern international law of the *Jus Publicum Europeum* arose:

The Christian empire was not eternal. It always had its own end and that of the present eon in view. Nevertheless, it was capable of being a historical power. The decisive historical concept of this continuity was that of restrainer: katechon. "Empire" in this sense meant the historical power to restrain the appearance of the Antichrist and the end of the present eon; it was a power that withholds, as the Apostle Paul said in his Second Letter to the Thessalonians. [...] The empire of the Christian Middle Ages lasted only as long as the idea of the katechon was alive.²³

For Schmitt, the understanding of the Empire in terms of the katechon provided a link between the eschatological promise of Christianity and the concrete experience of history, explaining the delay of *parousia* and giving meaning to historical and political action, which the imminence of *parousia* would devalue.²⁴

I do not believe that any historical concept other than katechon would have been possible for the original Christian faith. The belief that a restrainer holds back the end of the world provides the only bridge between the notion of an eschatological paralysis of all human events and a tremendous historical monolith like that of the Christian empire of the German kings.²⁵

Thus, for Schmitt the idea of the katechon made it possible simultaneously to endow Christianity with political form and significance and incorporate the pre-Christian forms of political authority into the eschatological context of Christianity: 'I believe in the katechon; for me he is the sole possibility for a Christian to understand history and find it meaningful.'²⁶ In this staggering statement, Schmitt explicitly proclaims as the object of his belief not a figure of the divine but rather the secular force that restrains the ultimate advent of the divine.

What does it mean to *believe* in the katechon and how does this belief relate to the rather more familiar belief in God? In Giorgio Agamben's argument, the belief in the katechon characterizes every theory of the State, 'which thinks of it as a power destined to block or delay catastrophe.'²⁷ The 'neutral generalization'²⁸ of the concept thus coincides with its secularization, whereby the katechon refers to any constituted authority, whose function is to delay the unraveling of the social bond while simultaneously withholding the advent of radical redemption. Thus, the logic of katechon is oriented toward the identification of the ethos of political community with its *nomos* and seeks to restrain the anomic forces of anarchy or revolution that threaten to dissolve the ethical order of the community. It is therefore perfectly possible to believe in the katechon without necessarily believing in God. Moreover, as William Rasch has argued, the valorization of the katechon necessarily follows from the exhaustion of faith in redemption:

What if, after two thousand years and untold promises, we have lost our faith in the *parousia* and grown weary of waiting for the arrival of divine violence? Then would not delaying the Antichrist be what we should hope for? [...] The *katechon*, as a

figure for the political, rejects the promise of the *parousia* and protects the community from the dangerous illusions of both ultimate perfection and absolute evil.²⁹

Thus, the katechon is not an antiquated theological notion irrelevant to modern secular politics, but rather a fundamental political concept that only fully comes into its own in the condition of secularization, as the eclipse of the eschatological dimension has left constituted powers of modern states as all there is. With *parousia* infinitely deferred, the logic of katechon succinctly sums the very manner of being of political power as a restraining force that prevents the unraveling of the social order.

Using the concept in this secularized sense, we may propose that from 1991 to 2008, Russia functioned as katechon of the post-Soviet nomos, the restraining force that sought to endow with minimal form and consistency the ruins of the Soviet order on the basis of the reciprocal affirmation of the territorial integrity of post-Soviet states. It is this katechonic function that appears to have been abrogated in the 2008 war, which makes this event much more significant and surprising than it might have appeared at first glance. What is surprising is neither the recourse to violence itself nor the attempt to influence political developments in another CIS state, but rather Russia's abandonment of the commitment to the territorial integrity of a CIS state in its unilateral recognition of the independence of South Ossetia and Abkhazia. The widely shared impression that a line had been crossed in August 2008,³⁰ demonstrates a radical shift in the nomological dimension, whereby Russia abrogated its katechonic function, ceasing to function as the restraining force in the post-Soviet space, which has led to the breakdown of this spatial order.

The best indication of this breakdown has been Russia's manifest failure to persuade a single CIS state to follow its recognition of the independence of Abkhazia and South Ossetia. At the time of writing, the two provinces have only been recognized by Nicaragua, Venezuela, and Nauru after negotiations, undertaken by Deputy Prime Minister Igor Sechin, the gray eminence behind Putin, in the manner that sidelined and embarrassed the Ministry of Foreign Affairs.³¹ Even Belarus, whose economic dependence on Russia and strong symbolic ties to it as part of the virtual 'union state' would apparently leave it little leeway for autonomous foreign policy, has so far refrained from recognition. More generally, the summit of the Shanghai Cooperation Organization (SCO), held in Dushanbe in the immediate aftermath of the war, demonstrated Russia's failure to present its actions in katechonic terms as acts of violence necessary for the stabilization of the regional nomos. Thus, Russia's claim to be a stabilizing, ordering, or organizing force in the post-Soviet space, advanced since the dissolution of the Soviet Union, no longer holds and Russia's relations with its CIS neighbors are at a historic low point. While Russia may have achieved its immediate military objectives in the war, this seems to have come at the price of the loss of its ordering capability.

The abandonment of the katechonic function was also noticeable in the rhetoric of Russia's leadership during the conflict. The statements of both Putin and Medvedev, demonstrating defiance of the Western condemnation, were marked by a tone that

lacked any katechonic restraint but was rather close to apocalyptic. Medvedev's claim that Russia is not afraid of a new Cold War and Putin's anti-American diatribes in the CNN interview at the height of the conflict manifested, if only rhetorically, the reckless abandon that is decidedly at odds with the 'holding back' function of the katechon and rather belong to the repertoire of what has come to be known as a 'rogue state,' the force of anomie in the international order that it is the task of the katechon to restrain.³² Should we then conclude that after the August war Russia stopped being a katechon and became a rogue? This is certainly a temptation many have yielded to,³³ interpreting the 2008 war as an indicator of Russia's move toward a revanchist imperialism that seeks to restore hegemony over the post-Soviet states, if not to deprive them of their independence. If this interpretation was correct, Russia's 'rogue' actions would exemplify a revisionist claim to replace the post-Soviet nomos of territorial integrity by a new spatial order, grounded in a different 'act of legitimacy.'

THE INTERNATIONALIZATION OF BESPREDDEL

Yet, it is by no means certain that the war in Georgia entailed any claim for the new nomos in the post-Soviet space. In fact, Russia's postwar foreign policy rhetoric shows little deviation from its previous position. For instance, President Medvedev's initiative for a pan-European security treaty, whose draft version was published in November 2009, gives no indication whatsoever about Russia's intent to modify the spatial order of the post-Soviet nomos, which may explain its failure to be taken seriously. More generally, it is difficult even to imagine how such a revisionist claim for a new post-Soviet nomos could be articulated by contemporary Russia, given its dearth of symbolic or narrative resources, which has made it extremely difficult to legitimize its policies internationally. The revisionist policy of the institution of a new post-Soviet nomos could be legitimized either in particularistic terms with reference to Russia's 'great power' status or in universalist terms of bringing the post-Soviet space in compliance with the global normative order. However, Russia's claims to a great power status suffer from the delegitimization of the very discourse of great powers in contemporary international relations,³⁴ while its attempts at the utilization of the globalist humanitarian-interventionist discourse are weakened by the lack of credibility due to the gap between the liberal foundations of this discourse and the increasingly illiberal character of the Russian political regime.³⁵

However, the problem is not exhausted by the negative image of Russia worldwide that could be addressed by the hordes of 'political technologists' that occupy the political space left vacant since the late 1990s. What contemporary Russia lacks is not merely narrative and symbolic resources that it could draw on in enhancing its reputation, but a more fundamental sense of historical orientation, which conditions the very emergence of nomos in a constitutive 'act of legitimacy.' This phenomenon is best grasped in terms of a critical re-engagement with the idea of the end of history that we have attempted in the *Ethics of Postcommunism*.³⁶ The most famous

reproduction of the Hegelo-Kojevia thesis on the end of history in the post-communist period, ventured by Francis Fukuyama, presents the demise of Soviet socialism as the final confirmation of the global triumph of liberal-democratic capitalism, leaving planetary politics within a single teleological horizon. By contrast, our reinterpretation of this thesis in the context of Giorgio Agamben's messianic political thought asserts that the proper end of history consists not in the victory of one teleology over others, but in the collapse of the teleological dimension of social praxis as such, whereby humanity is restored to its original *inoperosity*, the absence of work or historical task, to whose fulfillment the present existence is to be subjected and in the extreme case sacrificed.³⁷

In our reading, the postcommunist condition is marked by precisely this collapse of teleology as a result of the process of the societal disengagement from the terrain of the political from the 1970s onward. This disengagement did not seek a frontal ideological confrontation with the system, but rather sought to render itself inaccessible to and ungovernable by the system, rendering the latter inoperative. Thus, the demise of the Soviet system was not accompanied by the emergence of a new ideological hegemony or even a pluralistic constellation, but rather a suspension of the performative efficacy of all ideological maxims and all versions of historical tasks and missions.³⁸ While during the 1990s this suspension was manifested in the carnevalesque politics of the chronic crisis, in which everything took place without attaining the slightest degree of finality, the depoliticized authoritarianism of the Putin presidency is usually interpreted as the negation of this suspension, the end of the end of history, if such a thing were possible. Yet, such a thing is precisely impossible, since the negation of negativity from within does not bring us one step closer to positivity. What the Putin presidency achieves in its quest for stabilization, consolidation, and control is then not the cancellation of the end of history but merely the suspension of its unfolding, whereby stability as such becomes an overriding value. Yet, what is it that has been stabilized during the Putin presidency?

The political landscape of the 1990s, presently decried in the official discourse as the era of 'chaos,' was characterized by the dissolution of norms, traditions, conventions, and habits—a process that in the idiom of the time was termed *bespredel* (literally, 'absence of limits'). Originally, this term emerged as part of the criminal slang, in which it referred to the practices that violated the tacit rules of conduct in the hierarchical structure of the Soviet underworld. It is highly significant that in its original meaning *bespredel* does not designate 'illegality' *per se* and is thus entirely distinct from the corresponding Russian term '*bezzakonie*,' which is literally translated as 'without-law' and refers precisely to acts or phenomena that clearly violate the established legal norms or statutes. By contrast, *bespredel* designates not the illegality of acts (that in the context of the underworld are all *ipso facto* illegal), but rather the disappearance of the very framework, in which the legal and the illegal could be distinguished, a meta-illegality or anomie to the second degree that is characterized by the radical impossibility of adjudication. *Bespredel* refers not to the absence of law but, more fundamentally, to the *absence of nomos* that precedes and

conditions any possible law. In short, *bespredel* may well be the best cross-cultural translation of Agamben's concept of the state of exception.

Insofar as the Putin regime does not introduce any ideological hegemony or any positive nomological content, what its policy of stabilization achieves is, logically, nothing other than the stabilization of this ruinous scene of *bespredel* itself. What was decried, tolerated, or barely survived in the 1990s as a 'transitional moment,' an exceptional condition on the way to something positive or substantial, became in the Putin presidency reinscribed as the substance of contemporary Russian social life as such, as *all there is*. In this manner, corruption, social inequality, or police brutality became normalized as stable forms of life without, of course, losing any of their negativity, so that anomie itself becomes the sole ethos of the postcommunist society.

Thus, the Putinite negation of the negativity of the post-historical condition of the 1990s does not lead to any affirmation whatsoever, but remains squarely within the dimension of negativity, from which it must draw resources for its overcoming. The tragicomic paradox of Putinism is that its attempt to negate the post-historical negativity only plunges it further into nihilism. As long as we search for the way out of *bespredel* through the negation of its negativity, we are bound to remain within its coordinates: nothing is more nihilistic than a negation of nihilism.³⁹ Thus, despite its self-presentation as a positive and constructive alternative to the 'wild' and 'chaotic' 1990s, the contemporary Russian regime persists in its nihilistic paradigm, all the more so as long as it keeps negating it.

In the late nineteenth century, the period of accelerated capitalist development in Russia, marked by revolutionary societal dislocations, the conservative philosopher, Konstantin Leontiev, famously suggested that 'Russia must be frozen in order not to rot.' The negation of negativity under Putin follows precisely this logic, wagering on the survival of nomos in its pure form, devoid of all ethical meaning. This is the true sense of the uncanny slogan of Putin's first term, 'dictatorship of the law,' which supplements the 'proper' (legal) power of the law with its very opposite (dictatorship) that reveals that the former has been rendered inoperative and requires the facilitating force of the latter to maintain the semblance of the existence of the concrete nomos of the political order. In this manner, it is the very suspension of the law by a 'dictatorship,' or, more correctly, a 'state of exception,' that permits the survival of the nomos in an inoperative, anomic state.

Yet, as every variant of conservatism eventually finds out to its disappointment, what 'must be frozen in order not to rot' has always *already begun* to rot, hence the anxiety about its 'conservation,' which would hardly arise were the phenomenon in question safe in its proper and authentic existence. *Reconstituting* what is already *destitute*, the contemporary regime remains as post-historical as Yeltsin's in its evacuation of all historical meaning from the sphere of politics, yet, unlike the Yeltsin presidency, ventures to order the field of postcommunist *bespredel* through the proliferation of purely ritualistic manifestations of authority that maintain a semblance of nomos amid anomie.

This reading of postcommunist Russian politics permits us to understand the rupture of the post-Soviet nomos in the Georgian War as neither the revisionist claim

for an alternative nomos nor a purely anomic act of ‘rogue’ violence. Instead, it must be grasped as a belated adaptation of foreign policy in the post-Soviet space to the strategy of the management of *bespredel* that has been the substance of Russian domestic politics since the beginning of the Putin presidency. Just as the domestic nomos of Putin’s Russia is nothing other than the freezing of the ‘rotting’ anomie, so the post-Soviet nomos after the war is wholly contaminated by *bespredel*. While we are more accustomed to think of international relations as the domain of anarchic anomie, from which we are shielded by the legal order of the state, in this case we observe an ironic reversal of this logic, whereby Russia, as it were, *exports* its domestic anomie to the post-Soviet space, breaking down the nomos of territorial integrity, which has been its own condition of emergence as a sovereign state.

While from a Schmittian perspective this breakdown of the nomos would exemplify the catastrophic self-cancellation of the katechonic function, our argument about the post-historical character of the postcommunist condition calls for a more nuanced reading of the logic of the katechon. As we have seen, for Schmitt the katechon functions as the point of articulation between the historical and the eschatological, whereby political practice is envisioned in terms of *delaying* the end of history. Yet, what happens to the katechon when the end of history has *already* taken place, albeit in a radically profane mode that renders all teleology and eschatology vacuous? In order to answer this question and thus specify the anomic ethos of the post-Soviet space, we shall re-engage with Walter Benjamin’s theory of baroque sovereignty that was originally advanced as an esoteric critique of Schmitt’s political thought. While Schmitt’s theory posits an identity between ethos and nomos and is therefore incapable of conceiving the possibility of an anomic ethos in any other terms than pure chaos, Benjamin’s approach, developed in his *Origin of German Tragic Drama*, takes as its object precisely the ethos, in which order and orientation have been rendered inoperative.

POSTCOMMUNIST ANOMIE AND BAROQUE SOVEREIGNTY

While our analysis of the logic of *bespredel* focused on postcommunist Russian politics as a post-historical condition, Benjamin’s point of departure in his analysis of the German Trauerspiel is similarly the transformation in the perception of history during the Baroque period. This transformation took the form of the weakening of the eschatological dimension and the consequent blurring of the distinction between history and nature, whereby the ‘[constantly] repeated drama of the rise and fall of princes appeared as the natural aspect of the course of history, essential in its permanence.’⁴⁰ As Michel Foucault has argued in his genealogy of modern governmentality, the temporality of this period is *indefinite*, lacking both an origin and, more importantly, an endpoint: ‘There is nothing like a dream of the last Empire that dominated medieval religious and historical perspectives. [...] We now find ourselves in a perspective in which historical time is indefinite, in a perspective of indefinite governmentality with no foreseeable term or final aim.’⁴¹ In this indefinite

time without origin or end, which resonates strongly with our phenomenology of postcommunism, the eschatological dimension is blocked and the historical world is perceived as ‘nature deprived of grace.’⁴² This ‘state of nature’ has nothing to do with a pre-historic innocence, either idyllic or savage, but is solely the effect of the decay and decomposition of eschatological historicity:

The religious man of the baroque era clings so tightly to the world because of the feeling that is being driven with it toward a cataract. The baroque knows no eschatology, and for that very reason it possesses no mechanism by which all earthly things are gathered together and exalted before being consigned to their end. The hereafter is emptied of everything which contains the slightest breath of this world.⁴³

In this world of history-as-nature, transcendence is emptied of any possible content but remains present as an ‘ultimate heaven,’ a ‘vacuum’ that is capable of one day ‘destroying the world with catastrophic violence.’⁴⁴ It is from this perspective that we should understand Benjamin’s minimal yet profound amendment to Schmitt’s famous definition of sovereignty: ‘the baroque concept emerges from a discussion of the state of emergency and makes it the most important function of the prince to exclude this.’⁴⁵ While Schmitt’s sovereign consummates his sovereignty by deciding on the exception and thus bringing it into being in the manner of the miracle, Benjamin’s baroque sovereign is rather faced with a more prosaic yet also more difficult task of excluding the exception, which presupposes that this exception must have always *already taken place* and even ‘become the rule.’ There is no longer any need to decide on the exception since it is always already there. Similarly, as we have argued, the political rationality of Putinism in contemporary Russia is only intelligible as an attempt to stabilize one’s standing and authority in the general state of exception coextensive with the entire social order, the limitlessness of *bespredel*. Thus, the evacuation of the eschatological dimension ruptures the systematic analogy that Schmitt’s political theology established between the sovereign and God.⁴⁶ Similarly to the baroque sovereign, the lords of the postcommunist *bespredel* no longer have any relation with divine transcendence: ‘However highly he is enthroned over subject and state, his status is confined to the world of creation; he is the lord of creatures but he remains a creature.’⁴⁷

What does this creature do? It is clear that insofar as the eschaton is empty and we dwell in the naturalized history deprived of grace, the victory of the ‘lawless one’ has already taken place and takes the form of the generalized state of exception. To the extent that the sovereign is ‘itself a creature,’ it is necessarily itself contaminated by this anomie. Hence, the only possible task of the baroque sovereign *qua* katechon is to persevere in its own being without being consumed by the very state of exception it is always already caught up in. By the same token, the postcommunist regime in the Putin presidency is best grasped as the reign *of* anomie *over* anomie, whereby exceptional measures of the kind associated with the condition of *bespredel* are deployed to order and stabilize this condition itself.

Benjamin introduces three figures of power, the relations between which permit us to understand the fate of the katechon in the post-historical logic of baroque sovereignty. Faced with the task of self-preservation in the general state of anomie, the sovereign may seek to accumulate as much power as possible and in this manner becomes a *tyrant*, a figure distinguished from the katechon by the absence of anything like a restraining function, including the function of self-restraint. From the outset, the tyrant acts on the basis of hubris, as a ‘deranged creation,’ ‘erupting into madness like a volcano and destroying himself and his entire court.’⁴⁸ Falling victim to the ‘disproportion between the unlimited hierarchical dignity with which he is divinely invested and the humble estate of his humanity,’⁴⁹ the fearful tyrant is at permanent risk of turning into a pitiful *martyr*.

There is only one possibility to exit the endless oscillation between tyranny and martyrdom in Benjamin’s conceptual constellation, which consists in the transformation of the katechon into the intriguer (*Intrigant*). Contrary to the tyrant, who violently tries to exclude the state of exception and falls victim to it, the intriguer, usually represented in the baroque drama by the servant to the prince, is perfectly aware that the *nomos* is inoperative and the state of exception is all there is, and rather than vainly attempt to exclude it, tries to make use of it through ceaseless *plotting* and *scheming*: ‘Baroque drama knows no other historical activity than the corrupt energy of schemers.’⁵⁰ While the Schmittian sovereign enacts its transcendence through the decision on the exception, the intriguer renounces all transcendence in favor of a purely immanent governance by staging plots and conspiracies, which, in accordance with the general reduction of history to nature, are grounded in the ‘anthropological, even physiological knowledge’ of human beings.⁵¹ ‘The intriguer exploits mechanisms of human action as the result of forces over which there can be no ultimate control, but which can therefore be made the subject of probabilistic calculations.’⁵² Evidently, this immanentist and naturalist modality of rule is the only possible one in the post-historical condition of postcommunism, which permits us to understand the process of depoliticization that began in Russia almost immediately after the demise of the Soviet order. Unwilling to risk becoming martyrs in the case of failure of their hubristic claims to tyranny, the entire Russian political elite, from President Yeltsin downward, transformed politics into a technology of scheming, which in the Putin presidency was perfected to a degree unprecedented in modern history.

It is easy to recognize in this ‘rule by intrigue’ an *Urform* of what Foucault termed governmentality,⁵³ whose genealogy is traced precisely to the temporality of the baroque age that gives rise to the administrative state and the doctrine of *raison d’etat*. Foucault famously inferred from this transformation of governmental rationality the ultimate decentring and dispersion of sovereignty, summed up in his call to ‘cut off the head of the king’ in political theory.⁵⁴ However, Foucault did not take into account the possibility for the sovereign to adapt itself to this transformation of governmentality without becoming entirely subsumed under it. While biopolitical government deploys its knowledge of human nature for the purposes of *ordering* human existence, directing and optimizing the development of biological forces and

enhancing their productivity, the sovereign intriguer relies on the same knowledge for the opposite purpose of conspiratorial plotting whose purpose is *destabilization* in the interest of one's own self-preservation, the management of the anomic state of exception that no longer seeks to exclude it but solely to enhance one's own standing within it.⁵⁵

With this formulation, we have finally identified the logic of Russia's foreign policy orientation in the post-Soviet space in the aftermath of the Georgian War. In its rupture of the post-Soviet nomos, the regime wagers on its ability to maintain and fortify itself internationally by the same process of the management of anomie that has worked so successfully domestically, permitting the ruling bureaucratic oligarchy to establish complete domination in both politics and the economy. Rather than disrupt the existing nomos of territorial integrity in the name of an alternative spatial order, Russia simply *suspends* the existing nomos, reconstituting the post-Soviet space as a state of exception, akin to the domestic space of *bespredel*. While this move may be dismissed as irrational from a legalist or nomological perspective, such a dismissal ignores the particular type of rationality proper to the intriguer, who lives off the uncertainty and contingency that are of *its own* making. While Schmitt and other defenders of the nomos ultimately subsume the sovereign decision under the ordering function of nomos,⁵⁶ the intriguer valorizes the decision in its purity as a purely immanent praxis with no relation to any norm whatsoever. The advantage of the intriguer over the Schmittian sovereign lies in the former's knowledge that the end of the nomos is not the end of the world, but rather opens up an anomic ethos, in which there is no longer any need to decide on the exception because it is all there is.

CONCLUSION

While the paradigm of the intriguer is central to understanding the domestic-political developments in Russia since the late 1990s,⁵⁷ it is also fruitful for grasping the specificity of Russian foreign policy. Indeed, the wager on anomic scheming has been a key component of Russian foreign policy under Putin, observable, for example, in the preference for bilateral deals with individual European states and individual leaders over dealings with the EU, the direct participation of Russia's political leadership in international business deals, the use of foreign media and public figures to advance the regime's agenda, etc.

For this reason, there is little point in rehearsing the worn narrative about Europe as a 'normative power,' whose refined logic Russia is somehow incapable of understanding. What is routinely posited as Russia's 'misunderstanding' is, in fact, a purposeful strategy of scheming that is well aware of the normative orientation of one's counterpart, but remains confident about its capacity to ignore these norms or bend them to its advantage. This confidence is only strengthened by the questions arising with regard to Europe's own commitment to its declared norms. As Putin's publicized friendships with a number of European leaders, both incumbent and

veteran, rather demonstrate, the schemers of this world understand each other perfectly well even in the absence of a common normative standard.

Nonetheless, while the wager on transformation of the post-Soviet space into an anomic ethos is understandable in the context of the political developments in and around Russia during the last decade, it is hardly unproblematic. The question is whether something like a purely anomic ethos can exist in the absence of even a minimal spatial ordering. After all, the stabilization of anomie within Russia was made possible precisely by the territorial delimitation that contained the limitlessness of anomie within determinate geographical limits. In the absence of any teleological vision of politics that could guide Russia's becoming *in time*, the post-Soviet nomos with its principle of the inviolability of borders at least provided the conditions for its persistence *in space* as a delimited entity. This nomos made it possible for the post-historical entity to maintain itself *as* an entity distinct from others and for the regime to consolidate its power by concentrating and centralizing the use of anomie.

It is therefore not a coincidence that the process of the consolidation of the state of exception under Putin was accompanied by a hypertrophied if not hysterical valorization of state sovereignty, from the doctrine of sovereign democracy to the anti-hegemonic pathos of the Munich Speech. Since, as we have argued, the contemporary Russian state carries no historical or developmental project, for which it would deploy sovereign power, this valorization must be understood as the defense of the very boundary that delimits the zone of anomie from its outside and constitutes it as a delimited site of limitlessness—a paradoxical formulation that is nonetheless paradigmatic for the state of exception, concretely exemplified by the spatial order of the camp.⁵⁸ The camp, inside which every norm is suspended and everything becomes possible, only exists by virtue of a prior delimitation that transforms it into a zone of confinement, marked by a fundamental impossibility of flight. It is only due to these limits that the camp can function as the space of the horrifying experiment with the limitless.

By the same token, the existence of the contemporary Russian anomic state remains conditioned by the sovereign delimitation, whose legitimacy has been established in the post-Soviet nomos. If this condition of possibility disappears, it is by no means certain that Russia could succeed in managing the anomic post-Soviet space to its advantage. The very categories, which are used in speaking about Russia's neo-imperialist resurgence, are manifestly nomological, presupposing the spatial order that is presently disavowed, from 'spheres of influence' to 'satellite states.' Even more seriously, it is far from certain that Russia would continue to be capable of maintaining the stabilization of anomie domestically in the absence of secure and legitimate spatial delimitation. Indeed, the disruption of the post-Soviet nomos puts into question the legitimacy of Russia's own counter-separatist struggles in the North Caucasus, which has become the zone of extreme and expanding anomie after the formal completion of the military operation in Chechnya.⁵⁹ What is at issue here is not the empirical question of Russia's capacity to retain control over this troublesome region, but the basic nomological presuppositions that make this very capacity to transform the *stasis* of permanent civil war into the stable order of the

state thinkable in the first place. The ‘energy of schemers’ in Russia may find itself severely limited by the removal of the limits that contain its limitless anomie.

While the discussion of such a possibility is beyond the scope of this paper, it is important to note the significance of its basic logic for rethinking the ethical dimension of global politics more generally. The idea of an ethos without nomos, concretely exemplified by the post-Soviet space in the aftermath of the 2008 war in Georgia, raises important questions about the ethical discourse on global politics, which remains grounded in nomological and even explicitly juridical presuppositions of guilt, responsibility, judgment, etc.⁶⁰ Yet, if, as we have seen, anomie is not the opposite of the nomos but is inscribed within it as the potentiality of its self-suspension that remains amenable to management by scheming and intrigue,⁶¹ then there is little sense in fighting global anomie with nomological ethics in a vain attempt to return from Benjamin’s intrigant to Schmitt’s katechon, since the two figures have become indistinguishable. Confronting the states of exception akin to the post-Soviet space that keep multiplying all over the planet requires an ethics that has abandoned nomological presuppositions and takes as its only point of departure the anomic space itself, inventing a *phronesis* for the state of exception that seeks to evade the powers of the schemers that manage it. Rather than try to limit anomie by the construction of a new nomos, such an ethics would rather apply the powers of anomie to anomie itself.⁶² Only by out-scheming the schemers of the global state of exception will it become possible to transform the anomic ethos of abandonment and disempowerment into the site of emancipatory social praxis: ‘The prison must imprison itself. Only thus will the prisoners be able to make their way out.’⁶³

NOTES

1. See Roy Allison, ‘Russia Resurgent? Moscow’s Campaign to “Coerce Georgia to Peace”’, *International Affairs* 84, no. 6 (2008): 1145–71; Charles King, ‘The Five Day War: Managing Moscow after the Georgia Crisis’, *Foreign Affairs* 87, no. 6 (2008): 2–11; Svante E. Cornell and Fredrick Starr, eds., *The Guns of August 2008. Russia’s War in Georgia* (New York: M.E. Sharpe, 2008); Ronald Asmus, *The Little War that Shook the World: Georgia, Russia and the Future of the West* (Basingstoke: Palgrave, 2010).
2. Cf. Allison, ‘Russia Resurgent’, 1160.
3. Cf. Alexei Chesnakov, ‘O Evrope—Bez Ugryzenia Sovesti’, *Russkiy Zhurnal*, http://www.russ.ru/lyudi/o_evrope_bez_ugryzeniya_sovesti (accessed March 1, 2010); Allison, ‘Russia Resurgent’.
4. Alexander Stubb, ‘The First Post-080808 Diagnosis: Speech by the Minister of Foreign Affairs at the Annual Meeting of Heads of Missions, Helsinki, 25 August 2008’, <http://formin.finland.fi> (accessed March 1, 2010).
5. See King ‘The Five-Day War’; Asmus, *The Little War*.
6. See Edward Lucas, *The New Cold War: How the Kremlin Menaces both Russia and the West* (London: Bloomsbury, 2008).
7. Louiza Odysseos and Fabio Petito, ‘Introduction’, in *The International Political Thought of Carl Schmitt*, ed. Louiza Odysseos and Fabio Petito (London: Routledge, 2007), 1–18.

8. Alessandro Collombo, 'The Realist Institutionalism of Carl Schmitt', in *The International Political Thought of Carl Schmitt*, ed. Louiza Odysseos and Fabio Petito (London: Routledge, 2007), 21–34.
9. Carl Schmitt, *The Nomos of the Earth in the International Law of Jus Publicum Europaeum* (New York: Telos Press, 2003), 42–49, 78–79.
10. See Sergei Prozorov, 'X/Xs: Toward a General Theory of the Exception', *Alternatives* 30, no. 1 (2005): 81–112.
11. Mika Ojakangas, *A Philosophy of Concrete Life: Carl Schmitt and the Political Thought of Late Modernity* (Jyvaskyla: Sophi, 2004), 117.
12. Schmitt, *The Nomos of the Earth*, 80–85.
13. *Ibid.*, 73.
14. *Ibid.*, 66.
15. Prozorov, 'Liberal Enmity: The Figure of the Foe in the Political Ontology of Liberalism', *Millennium: Journal of International Studies* 35, no. 1 (2006): 75–99.
16. Alexander Solzhenitsyn, 'Kak Nam Obustroit' Rossiju', *Komsomolskaya Pravda*, Special issue, September 18 (1990), 21.
17. Richard Sakwa, *Russian Politics and Society* (London: Routledge, 1996), 341–3.
18. Allison, 'Russia Resurgent', 1160.
19. Schmitt, *The Nomos of the Earth*, 140–212.
20. See Prozorov, 'Empire in the Age of its Disrepute', *Ab Imperio* 1 (2008): 215–28. For a critical response see Mark Beissinger, 'Comments on Sergei Prozorov's "Empire in the Age of its Disrepute"', *Ab Imperio* 1 (2008): 229–33.
21. Gleb Pavlovsky, 'Proshai, Belovezhje!', *Nezavisimaya Gazeta* 235, no. 2297 (2000): 9.
22. 2 Thessalonians 2, cited in Giorgio Agamben, *The Time that Remains: A Commentary on the Letter to the Romans* (Stanford: Stanford University Press, 2005), 109.
23. Schmitt, *The Nomos of the Earth*, 60.
24. See Heinrich Meier, *The Lesson of Carl Schmitt: Four Chapters on the Distinction between Political Theology and Political Philosophy* (Chicago, IL: The University of Chicago Press, 1988), 158–66; Wolfgang Palaver, 'Carl Schmitt on Nomos and Space', *Telos* 106 (1996): 123–4.
25. Schmitt, *The Nomos of the Earth*, 60.
26. Schmitt cited in Meier, *The Lesson of Carl Schmitt*, 162.
27. Agamben, *The Time that Remains*, 110.
28. Schmitt, *The Nomos of the Earth*, 63.
29. William Rasch, 'From Sovereign Ban to Banning Sovereignty' in *Giorgio Agamben: Sovereignty and Life*, ed. Matthew Calarco and Steven DeCaroli (Stanford: Stanford University Press, 2007), 107.
30. See Stephen Blank, 'From Neglect to Duress: The West and the Georgian Crisis before the 2008 War', in *The Guns of August 2008. Russia's War in Georgia*, ed. Svante E. Cornell and Fredrick Starr (New York: M.E. Sharpe, 2009); King, 'The Five-Day War'; Allison, 'Russia Resurgent'.
31. Mikhail Zygar, 'Suverennaya Diplomatiya', *Russky Newsweek*, September 14, 2009.
32. See Associated Press Editorial, 2008, <http://www.msnbc.msn.com/id/26403580/> (accessed March 1, 2010); CNN Editorial, 2008, <http://www.cnn.com/2008/WORLD/europe/08/28/russia.georgia.cold.war/index.html> (accessed March 1, 2010).
33. See King, 'The Five-Day War', 5, and more generally Cornell and Starr, *The Guns of August 2008*.
34. Iver Neumann, 'Russia as a Great Power: 1815–2007', *Journal of International Relations and Development* 11, no. 2 (2008): 128–51.
35. Pertti Joenniemi, 'Introduction by Guest Editor: Russia's Narrative Resources', *Journal of International Relations and Development* 11, no. 2 (2008): 121–7.

36. Prozorov, *The Ethics of Postcommunism: History and Social Praxis in Russia* (Basingstoke: Palgrave, 2009).
37. See Agamben, *Means without End: Notes on Politics* (Minneapolis, MI: University of Minnesota Press, 2000), 109–11; *Homo Sacer: Sovereign Power and Bare Life* (Stanford: Stanford University Press, 1998), 60–62; *The Time that Remains*, 99–103.
38. Prozorov, *The Ethics of Postcommunism*, chap. 2.
39. Roberto Esposito, *Bios: Biopolitics and Philosophy* (Minneapolis: Minnesota University Press, 2008), 45–76.
40. Walter, Benjamin, *The Origin of German Tragic Drama* (London: Verso, 2003), 88.
41. Michel Foucault, *Security, Territory, Population: Lectures at the College de France 1977–1978* (Basingstoke: Palgrave, 2007), 260.
42. Benjamin, *The Origin*, 81.
43. *Ibid.*, 66.
44. *Ibid.* See more generally Samuel Weber, ‘Taking Exception to Decision: Walter Benjamin and Carl Schmitt’, *Diacritics* 22, no. 3–4 (1992): 5–18.
45. *Ibid.*
46. See Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty* (Cambridge: The MIT Press, 1985).
47. Benjamin, *The Origin*, 85.
48. *Ibid.*, 70
49. *Ibid.*
50. *Ibid.*, 88.
51. *Ibid.*, 95.
52. Weber, ‘Taking Exception’, 16.
53. Foucault, *Security, Territory, Population*, 87–133.
54. Foucault, *The History of Sexuality, Volume One: An Introduction* (Harmondsworth: Penguin, 1990), 89.
55. Benjamin, *The Origin*, 96; Weber, ‘Taking Exception’, 17.
56. Agamben, *State of Exception* (Chicago, IL: The University of Chicago Press, 2005), 53–57.
57. See Prozorov, *The Ethics of Postcommunism*, chap. 5.
58. Agamben, *Homo Sacer*, 166–80.
59. See Charles King and Rajan Menon, ‘Prisoners of the Caucasus: Russia’s Invisible Civil War’, *Foreign Affairs* 89, no. 4 (2010): 20–34.
60. Agamben, *Remnants of Auschwitz: The Witness and the Archive* (New York: Zone Books, 1999), 18–24.
61. Cf. Agamben, *State of Exception*, 84–88.
62. Prozorov, *The Ethics of Postcommunism*, 198–236.
63. Agamben, *Idea of Prose* (New York: SUNY Press, 1995), 99.