



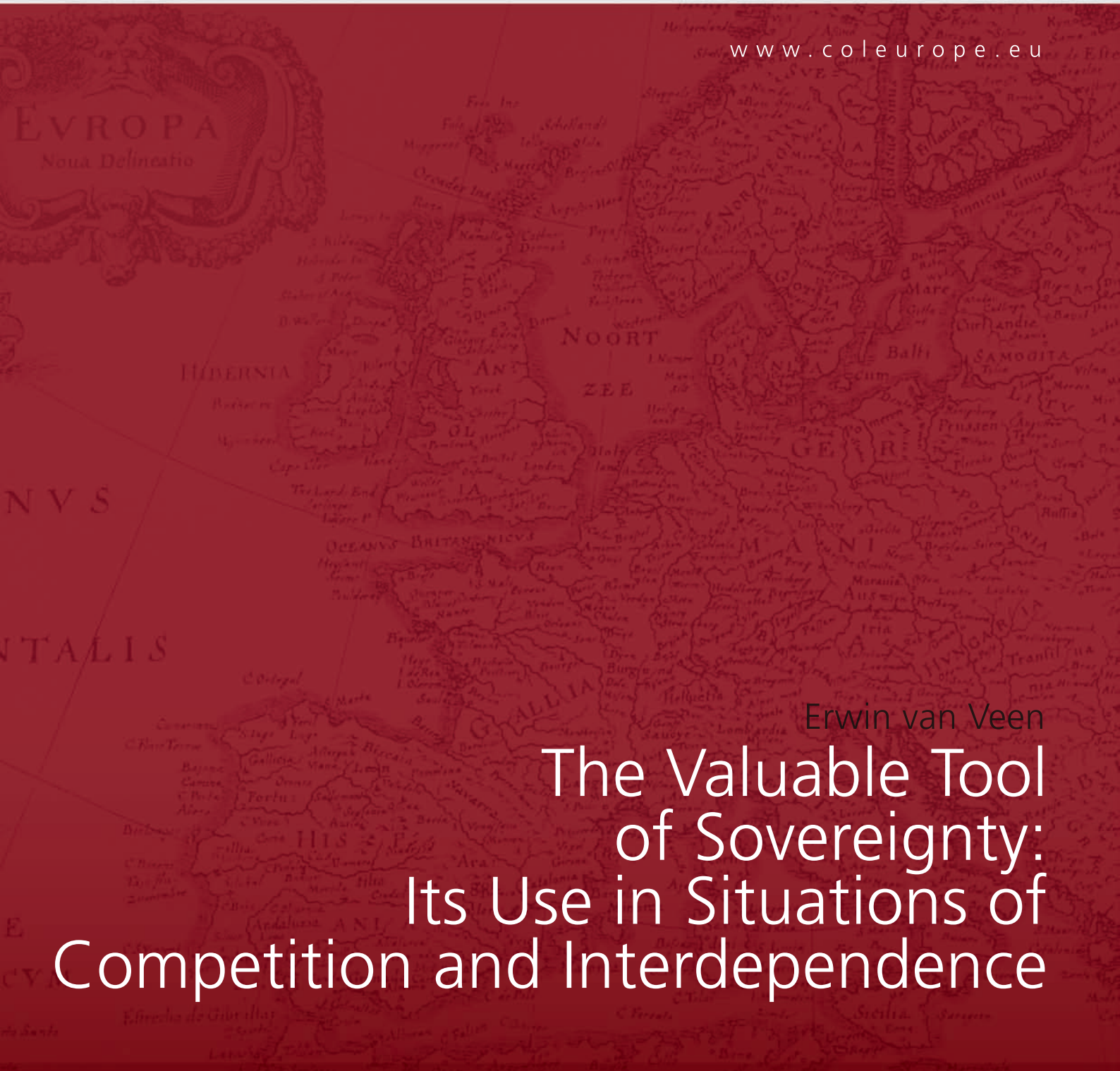
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Erwin van Veen

The Valuable Tool of Sovereignty: Its Use in Situations of Competition and Interdependence

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The Valuable Tool of Sovereignty: Its Use in Situations of Competition and Interdependence

By Erwin van Veen

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This article reflects the personal views of the author.

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Abstract

Sovereignty is not a neutral concept. It is rather used as a tool in a variety of contexts by political agents to establish and maintain their rule. In particular situations of competition and interdependence are relevant because they potentially threaten state survival. In these two types of situation, five uses of sovereignty are distinguished. First, in situations of internal competition states use sovereignty for competitive advantage. Second, in cases of external competition states use sovereignty to temporarily subordinate the interests of citizens to those of the state. Third, in situations of interdependence some states use sovereignty to reduce it. However, in a globalizing world this becomes less feasible. Fourth, sovereignty is used to conquer interdependence. Yet this is only effective when a world-state is created. Fifth, states use sovereignty to manage interdependence.

Sovereignty has often provided states with a reason to go to war. For example, the wars over Kashmir (1947 and 1965) can be seen as wars in which India and Pakistan asserted sovereignty over what they considered an integral part of their territory. At other times sovereignty has restrained the outbreak of war. It is for instance plausible to assume that the post World War II European integration project was possible because there was no doubt about the sovereignty of its constituent states. Sometimes, sovereignty made it possible to violate human rights. The atrocities in Yugoslavia in the 90's are good examples. At other times, sovereignty enabled a stronger protection of human rights. The signing of the European Convention for Human Rights by sovereign states, for instance, created a powerful legal mechanism that citizens have used to good effect. Sovereignty facilitates the pursuit of justice by creating domestic hierarchy in which order can be maintained. Yet simultaneously it impedes the pursuit of justice by creating anarchy as a systemic condition of world politics.

The above suggests that sovereignty is a tool that states can use in different ways. In no small measure this is because sovereignty is a status, a norm, an aspiration and a fact at the same time.¹ Analysis of the concept frequently focuses on the rights and duties of being sovereign. The meaning of the status of sovereignty, in turn, is often debated in relation with the question of how much scope for international action exists when sovereign states abuse human rights or operate on the basis of defunct governance arrangements.² Instead, this article examines today's use of sovereignty as a tool of statecraft in situations of competition and interdependence. For the last decades most states increasingly find themselves in these two situations at the same time. It is critical to the survival of the state to successfully manage them, as precisely those two types of situation potentially threaten its sovereignty, which is

¹ Krasner (S.), 'Rethinking the Sovereign State Model', in: *Review of International Studies*, vol. 27, 2001, p. 21

² For a perspective on humanitarian intervention and sovereignty: Hellema (D.) and Reiding (H.), *Humanitaire Interventie en Soevereiniteit – de Geschiedenis van een Tegenstelling* [Humanitarian Intervention and Sovereignty – the History of a Contradiction], Boom Editors, Amsterdam, 2004; Netherlands Advisory Council on International Affairs, *Humanitarian Intervention*, Report No. 13, The Hague, April 2000

one of the critical elements of statehood. States therefore actively use their sovereign status as a tool to neutralize the threat that situations of competition and interdependence pose to it. Yet the use of sovereignty as a tool has different possibilities, limitations and effects in either situation. This article explores the consequences of the use of sovereignty as a tool by the state for its own position in both types of situation. This is a worthwhile undertaking because it shows that sovereignty is not only a legal notion, and certainly not a neutral one. Rather, political actors actively employ sovereignty to shape the environment we live in when they are capable and licensed to do so.

Initially, political entities employed the *aspiration of sovereignty* as a tool in competitive processes for power with the purpose to obtain the *status of sovereignty*.³ After this was achieved, states used their sovereignty as a tool to retain it.⁴ Since World War II, when globalization increasingly complemented interconnectedness with interdependence, states have increasingly needed sovereignty as a tool to reduce, 'conquer', or (jointly) manage this growing interdependence.⁵ It is on the basis of this development that the effects of the use of sovereignty in situations of competition and interdependence are explored. Figure 1 shows five uses of sovereignty as a tool. It lists two of its uses in situations of competition. These are discussed in section 3. It also lists three such uses in situations of interdependence. These are

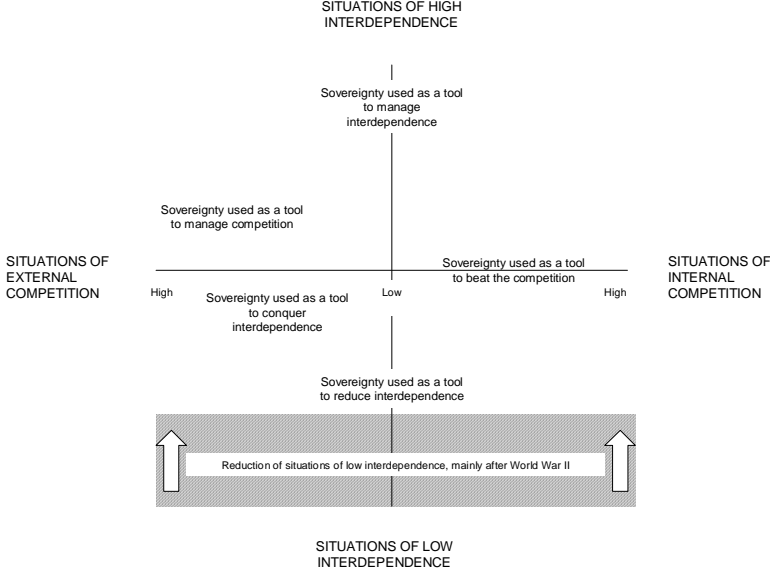
³ For state interests formation in relation to anarchy: Wendt (A.), 'Anarchy is what States Make of It: the Social Construction of Power Politics', in: *International Organization*, vol. 46 no. 2, Spring 1992, pp. 403-407

⁴ Acquiring the status of sovereignty did not lessen competition. As an expression of political power, sovereignty came to be defined as a mutually exclusive notion. However, much else (for example the presence and spread of economic resources and peoples) has not been defined similarly. Hence, the *interlocking* pattern of sovereign territorial units is usually complemented by other *overlapping* patterns. This co-existence of interlocking and overlapping patterns makes competition *and* interdependence inherent in the concept of sovereignty.

⁵ Keohane (K.) and Nye (J.S.), *Power and Interdependence*, 3rd edition, Longman, New York, 2001, pp. 7-8, 233-235; Held (D.) and McGrew (A.), The End of the Old Order? Globalization and the Prospects for World Order, in: *Review of International Studies*, vol. 24, no. 5, December 1998, pp. 221-235. Interconnectedness refers to the degree and ease with which political entities can interact. Interdependence refers to the (perceived) cost of its disruption (Keohane and Nye, op.cit., p. 236). Arguably, the age of discovery and colonialization represented the first period in which interconnectedness rose to levels that truly started to increase interdependence (see: Kennedy (P.), *The Rise and Fall of the Great Powers - Economic Change and Military Conflict from 1500-2000*, Random House, New York, 1987; Knutsen (T.), *The Rise and Fall of World Orders*, MUP, Manchester 1999)

discussed in section 4. Section 2 outlines the historical evolvement of sovereignty as a notion and tool in situations of competition as a backdrop for sections 3 and 4.

Figure 1: Different uses of sovereignty as a tool in situations of competition and interdependence



1. The Evolving Use of Sovereignty as a Tool

This section suggests that sovereignty was a present but inactive tool in the toolbox of the political entities of the late Middle Ages. It evolved into a tool of competitive advantage in the power struggle that took place in Western Europe from the 12th to 18th century.⁶ Finally, from the 18th century onwards, it was employed not just as a tool to beat the competition, but also to manage it. The purpose of this historically extremely rough portrayal of developments is to outline plausibly how sovereignty as a tool transformed in the hands of those who used it.

If sovereignty is defined according to Philpott as: “the quality of having supreme authority within a territory”, it already existed early on indeed. Not as an active concept but

⁶ In the context of sovereignty, the 12th to 18th century can be regarded as a period because its end result was the appropriation of the notion of sovereignty by the state that emerged as the most successful political entity.

as a fact.⁷ Because the resources that are needed for survival and wealth generation are physically located, control over territory that contains such resources is the best guarantee to achieve these goals. As a consequence, political entities have largely been organized on a territorial basis to secure the survival and prosperity of their constituents.⁸ Within such territorial units, rule and order existed. Some or several persons or institutions commanded the supreme authority to lay down the law to some in some respects and to enforce it to some measure.⁹

A case can be made to regard this situation as an early version of modern sovereignty. It was not mutually exclusive, nor omni-dimensional, nor based on a clear division of competence. Nevertheless, decisions were made, effectuated and recognized. Prestige, status and the patchwork of overlapping allegiances, jurisdictions and property titles did create authority in Medieval Europe.¹⁰ And authority ultimately creates supreme authority. Sovereignty was thus present as a descriptive concept but inactive as a tool. Werner and De Wilde pointed out that several authors assume the existence of the state before sovereignty.¹¹ However, this can only be true if the nation-state definition of sovereignty of the 18th century is applied.

For reasons left out of account here, a protracted struggle for territory, rights and power took place in Western Europe from around the 12th through to the 18th century. The participants in this struggle were different kinds of political entities, such as principalities, city

⁷ Philpott (D.), ‘Ideas and the Evolution of Sovereignty’, in: Hashmi (S.) ed., *State Sovereignty, Change and Persistence in International Relations*, Pennsylvania State UP, Pennsylvania, 1997, p. 19

⁸ Ruggie points out that other criteria than territory exist on the basis of which systems of rule can be established (for example kinship). However, it is likely that once populations grew, resource needs increased to such an extent that control over a piece of territory became necessary to guarantee survival. Ruggie (G.), *Constructing the World Polity – Essays on International Institutionalization*, Routledge, London, 1998, p. 178-179

⁹ An illustration is the role of the Imperial Cameral Tribunal and the Imperial Aulic Council. Both were sovereign entities in the sense that they laid down the law that bound the princes, cities and citizens of the Holy Roman Empire - but only in limited dimensions. In fact very much like the ECJ today: Osiander (A.), ‘Sovereignty, International Relations and the Westphalian Myth’, in: *International Organization*, vol. 55, no. 2, 2001, pp. 273-277

¹⁰ Herz (J.), ‘Rise and Demise of the Territorial State’, in: *World Politics*, vol. IX, no. 4, 1957, p. 478; Kennedy (P.), op.cit., pp. 31-35

¹¹ Werner and De Wilde, op.cit., p. 289

states, duchies and crown domains.¹² Some of these participants started to use sovereignty as a tool to justify their existing authority over certain territories, or, to support their claims over territories not yet under their control.¹³ Where claims to sovereignty over a territory were recognized as valid, it became a tool of competitive advantage. To be precise: a tool in the hands of the recognized claimant to beat the competition.¹⁴ Such recognition was granted or withheld on the basis of the values, norms and practices of the time. Throughout this period the processes of war making, state making, protection and extraction that Tilly describes, unfolded with increasing intensity.¹⁵ These processes progressively centralized and monopolized power.

The emerging Western European states were all *successful* claimants of sovereignty. As a result, the usefulness of sovereignty as a tool of competitive advantage declined. In addition, these emerging states were by and large sufficiently powerful to counterbalance each other.¹⁶ The emerging dominance of the state as organizational entity also gradually reduced the number of and variation in political entities, increasing the transparency of international relations. In turn, this elimination of competition reduced the number of actors holding disputed sovereignty claims. The result being that closer alignment was brought about between sovereignty as aspired and sovereignty as recognized. The combination of these

¹² Keohane suggests that “the concept of sovereignty emerged during a period of civil war, in both France and England.” (Keohane (R.), ‘Ironies of Sovereignty: The European Union and the United States’, in: *JCMS*, vol. 40, no. 4, 2002, pp. 746-747). However, a term like civil war can only be used from the perspective of the state that did not exist yet at the time. The campaigns of the French crown against the kings and dukes of Brittany from 900-1500 A.D. or the war of the Roses in England are properly seen as power struggles between autonomous entities that each had the potential to transform into the later French and British states. See also: Falter (R.) and Verbruggen (J.), *1302 – Opstand in Vlaanderen [Revolt in Flanders]*, 5th edition, Lannoo, Tielt, 2002, pp. 12-19

¹³ Holsti (K.), “The Institutions of International Politics: Continuity, Change and Transformation”, *paper presented at the annual meetings of the International Studies Association*, New Orleans, March 23-27 2002, p. 7; Herz, op.cit., pp. 475-476; Keohane (2002), op.cit., p. 747

¹⁴ See also: Werner and De Wilde, op.cit., pp. 284, 287-290

¹⁵ Tilly (C.), *Coercion, Capital, and European States, AD 990-1992*, Malden, Blackwell, 1992, chapter 5

¹⁶ As for instance demonstrated by the wars of Spanish and Austrian succession: Kennedy, op.cit., pp. 104-105, 108-110

factors changed sovereignty from a tool of competitive advantage into a management tool to stabilize and regulate interstate competition, at least until the period of decolonization.¹⁷

But in this process sovereignty was fundamentally redefined. In fact, two elements were added to Philpot's definition listed above. First, the state (re)introduced territorial *exclusivity*.¹⁸ Territory controlled or owned by state A could not be simultaneously controlled by state B. As a consequence, sovereignty became omni-dimensional. If territory is exclusively owned by a single political entity, that entity must by definition exercise supreme authority in all possible dimensions. Second, the state successfully established two criteria to qualify for obtaining the attribute of sovereignty: candidates would have to be states and they would need to be recognized as such by existing states. In other words, the club of sovereigns became restricted to a single category of political actors. As a result, sovereignty came to mean: 'having the quality of *omni-dimensional* supreme authority within an *exclusive* territory' with the state as only possible authority. This redefinition of sovereignty was subsequently written backwards into history.¹⁹ As Carr pointed out, history creates rights and rights create right.²⁰ Because states are still the world's dominant political entities, the notion of sovereignty is inextricably linked with statehood. A consequence of this linkage is that the state remains the editor of the definition of sovereignty with full copyrights.

Today, sovereignty is mainly a *tool* to manage competition between states. Surely, not all states are sovereign. Kosovo and Bosnia-Herzegovina provide examples. Equally, not all sovereign entities are states. Take for instance the Vatican. But by and large states are sovereign and sovereigns are states. To distinguish different meanings of sovereignty, like for

¹⁷ The importance of sovereignty as a regulating principle for international interaction is underlined by several authors. References like "primary institution" (Buzan), "organized hypocrisy" (Krasner) or "rule of coexistence" (Bull) confirm the concept's regulative centrality in world politics. The fact that violations occur frequently, as Krasner points out, only shows that there is a rule that can be violated whereas initially there was none.

¹⁸ Ruggie, op.cit., pp. 178-180. For an exploratory foray into reasons for this change in the role of territory compared to the medieval world: Ibid, pp. 181-192

¹⁹ See also: Holsti, op.cit., p. 7-8; Herz, op.cit., p. 477; Leibfried (S.) and Wolf (D.), "Europeanization and the Unraveling European Nation State: Dynamics and Feedback Effects", in: *EFAR*, vol. 10, 2005, p. 481

²⁰ Carr (E.), *The Twenty Year's Crisis 1919-1939*, 2nd edition, Harper Collins Publishers, New York, 2001, p. 67

example Krasner does, modifies this position only to the degree that a state may not be sovereign in all such meanings.²¹ Various authors have pointed to the regulatory effects of the *concept* of sovereignty. It is said to define who the relevant actors are, to protect them (e.g. via the norm of non-intervention), to guarantee their continuity (e.g. a decrease in factual sovereignty does not result immediately in a decrease of sovereignty as recognized) and to define their rights and responsibilities (e.g. mutual recognition and formal equality).²² But sovereignty is not a neutral concept whose benevolent effects just materialize. Rather, its employment as a *tool* by political power centers in their quest to dominate resources has slowly endowed it with this regulatory function. As a tool, it is employed in the construction of social reality. It manages the competition between the two audiences that it unites and divides: those over whom sovereignty is asserted and those over whom it is not.²³

2. Beating the Competition

Situations in which political entities compete violently for power represent a threat to their existence. In situations of existential competition, success by one is likely to spell the demise of the other. In situations of non-existential competition, a gain by one means a loss by the other. In such situations, political entities use the tool of sovereignty to beat the competition because the legitimacy that sovereignty confers makes it one of the more potent tools in their toolbox. Competition can be internal and external. The use of sovereignty as a tool has different effects in either situation. These are examined in turn below.

Internal competition to sovereignty occurs when already established and recognized sovereignty is contested by some of those over whom it is exercised. Internationally,

²¹ Krasner distinguishes interdependence, international legal, domestic and Vattelian sovereignty: Krasner, *op.cit.*, p. 19-21

²² Holsti, *op.cit.*, p. 7; Krasner, *op.cit.*, pp. 19-21; Bull (H.), *The Anarchical Society – A Study of Order in World Politics*, 3rd edition, Palgrave, Houndsmills, 2002, pp. 34-35; Buzan (B.), *The Primary Institutions of International Society*, draft June 2001, *BISA Conference*, London, December 2002, pp. 17-18

²³ Werner (W.) and De Wilde (J.), ‘The Endurance of Sovereignty’, in: *EJIR*, vol. 7, no. 3, 2001, p. 290

sovereignty claims are recognized by the society of states on the condition of statehood and perceived domestic recognition.²⁴ Because sovereignty is a social construct that regulates interstate relations, it is necessarily defined outside-inside via international recognition. Without it, internal competition cannot be present.²⁵ Internal competition therefore became only possible after a limited circle of sovereign entities had been established. These entities recognized each other as sovereign and had sufficient power to uphold their claims. As a result, internal competition for sovereignty is always asymmetric. The challenging party is not recognized as sovereign whereas the incumbent party is.

To complicate things even further, many of today's situations of internal competition to sovereignty are in fact situations of competition between non-sovereign actors in disguise. The reason is that both the state and the concept of sovereignty originated in Europe. Only after a lengthy competitive process of elimination between various non-sovereign entities did sovereignty become an attribute of statehood. It was only thereafter that the European state became the *globally* dominant form of political organization. The concept of the European state was largely exported beyond the continent through the processes of colonization and decolonization.²⁶ In particular in the period of decolonization (1945-1975) did former colonizers organize their decolonized territories in the image of the European state. The modern nation-state, as Leibfried and Wolf argue, reached its pinnacle in the 1960's and 1970's. These decades represent its Golden Age in which its four dimensions converged to an unprecedented degree into TRUDI – the Territorial, Rule-of-law, Democratic Interventionist

²⁴ For the society of states see: Bull, op.cit.

²⁵ Overt and excessively violent competition between exclusively non-sovereign actors in the absence of a recognized sovereign state is likely to lead to international intervention. As the competing parties are not bound by the rights and duties of sovereignty, unacceptable risk is introduced for existing sovereigns. The competition between the Taliban regime and the Northern Alliance in Afghanistan provides an example.

²⁶ Bayly (C.), *The Birth of the Modern World - 1780-1914*, Blackwell Publishing, Oxford, 2004, pp. 254-255; The state was not 'exported' as a fixed blueprint but rather as a malleable one that could be adapted and merged with local traditions and institutions. For instance in India and China it amalgamated with the strong local bureaucracies and dynasties of the Mugal and Qing empires. In Africa, on the contrary, less developed forms of local governance existed and hence the state model was imposed more holistically. (Ibid, pp. 255-260)

state.²⁷ This was the image that was exported to a large part of the world, together with a bundle of expectations of state behavior. For many newly formed states sovereignty came with statehood. Not as the end result of a process of local competition, but as a parting gift to selected local groups, most frequently those who had assisted the white colonial elite in governing the relevant territory.

Consequentially, *two situations* of internal competition to sovereignty must be distinguished. First, situations exist that were preceded by a process of competition between non-sovereign claimants of sovereignty out of which a single recognized sovereign emerged. Only with the passage of time did changed circumstances lead to the later emergence of new claims to sovereignty. The situation of Catalonia in Spain or Quebec in Canada may be taken as examples. If a competitive process between non-sovereign claimants occurred before, two positive consequences for the use of sovereignty as a tool in situations of internal competition may be suggested. To start with, the state facing internal competition is likely to have acquired, over time, a high degree of legitimacy in the eyes of the two audiences that once upon a time recognized its claim to sovereignty.²⁸ Such a state is less likely to feel threatened by rival internal claims. This creates some initial space for dialogue with the contending party(ies) to explore whether a middle ground can be found between, for example, separation and repression. Moreover, a state that emerged sovereign out of an earlier competitive process has had the opportunity to stabilize and to mature before having to deal with new internal competitive claims. As Tilly already pointed out, winning the initial process of competition necessitated the building of alliances between all sorts of social groups.²⁹ To some degree this established proto systems of joint rule. In addition, over time more and more possibilities

²⁷ Leibfried and Wolf, op.cit., p. 484

²⁸ Historically, the state has become increasingly involved in society. For instance by the second half of the 18th century most European states were active in sectors such as education and health. This reinforced linkages between state and citizen. In general, the expectation that states should 'do' something for their population has grown.

²⁹ Tilly (C.), op.cit., p. 183

were created for those governed to participate in the act of governing. Gradual democratization introduced the practices of dialogue and restraint. A high degree of stability and maturity makes resorting to violence in the face of competitive internal claims to sovereignty less likely and more difficult. Simultaneously, however, such stability and maturity hinder recognition of competitive claims to sovereignty. Because sovereignty was redefined as omni-dimensional on the basis of the exclusive ownership of territory, competitive territorial claims are easily perceived as zero-sum. Federations, such as Germany, provide a tentative example of how internal competitive claims can be accommodated. On the contrary, the Chechen wars in the Russian Federation illustrate how mature sovereignty in a time of imperial implosion can act as a powerful agent to prevent change.

The second type of situation of internal competition to sovereignty is when sovereignty was not established after a local process of competition between several non-sovereign claimants, but bestowed upon one of such potential claimants by a former colonial power.³⁰ Examples are the positions of the Tutsi in Burundi or the National Resistance Movement in Uganda. In this type of situation the legitimacy and the power base of the state are weaker and as a consequence its sovereignty is probably more contested. Instead of serving as a platform for self-confident and mature reflection, sovereignty is likely to be used as a tool to delegitimize the competition. It will also be used to justify measures to deal with it. In fact, its use is similar to the use of sovereignty as a claim intended to confer competitive advantage in a situation of competition between non-sovereign entities. The crucial difference is that the ‘artificial’ presence of a sovereign state provides additional scope for using sovereignty as a tool to ‘beat’ the competition. Because sovereignty confers a large degree of domestic freedom upon the state, the international community will only intervene when the use of sovereignty as a tool to delegitimize and repress clashes too blatantly with other rules

³⁰ For an extensive treatment and overview of the period of colonization: Parkenham (T.), *The Scramble for Africa 1876-1912*, Abacus History, London, 1992

that regulate international society. An example is the UN's intervention in Burundi via its ONUB mission. This type of internal competition to sovereignty is most prevalent today.³¹ Insights into the effects of such use of sovereignty are highly relevant for understanding state fragility and state failure.³²

Summarizing, in case of internal competition, states may use their sovereignty as a tool to dialogue with the competition order to create a joint future. This is most likely to happen when states are sufficiently self-confident and mature. Otherwise they might use sovereignty to delegitimize the competition, or even to repress it. The last two modes of application it provides the state with a competitive advantage in the contest for political power.

A situation of *external* competition to sovereignty requires the presence of at least two states that are both recognized sovereigns. Their competition stems from the existence of claims, advanced by either or both party(ies), to sovereignty that are contested by the other(s). Because both parties enjoy comparable sovereign standing, the use of sovereignty by one state to delegitimize the other is problematic. Moreover, as both states are members of the international society, they cannot use their sovereignty as a tool to justify disproportionately violent measures either. This would jeopardize the stability of the society of states itself and might trigger a response. In fact, to accept the label of sovereignty in principal means to renounce existential competition. Numerous exceptions, of course, have occurred. The great wars of total conquest, like the Napoleonic wars and WWII are clear examples. If a state becomes so powerful that it perceives it can ignore this obligation of sovereignty, there is no central authority to call it to order. Yet so far there has usually been a combination of states

³¹ Conflict data of the last decade show numerous violent intrastate conflicts. For example the HIIK 2005 Conflictbarometer lists twenty-four violent conflicts of which the majority is about sovereignty. This pattern is similar for other years: 1998 featured thirty-one violent conflicts that were all intrastate (save Eritrea-Ethiopia, which was interstate); 1995 featured exclusively intrastate violent conflicts. See: HIIK, *Conflictbarometer 2005 – Global Conflict Panorama*, Department for Political Science, University of Heidelberg, 1995, 1998, 2005.

³² See for example: Meredith (M.), *The State of Africa – a History of Fifty Years of Independence*, Simon & Schuster UK Ltd, London, 2006; OECD-DAC, *Whole of Government Approaches to Fragile States*, DAC Guidelines and Reference Series, OECD Publishing, Paris, 2006

that allies to check it.³³ Realists call this the balance of power.³⁴ An example is the first Gulf War.

These two limitations on the use of sovereignty as a tool in situations of external competition show its double function of protecting the integrity and authority of the state as well as the stability and integrity of the system of states.³⁵ Whereas disproportionate external competition to sovereignty threatens the existence of the club of states, disproportionate internal competition only threatens its exclusivity. As a result, sovereignty as a tool to beat the competition is effective in internal competition, but a double-edged sword in external competition.

The most powerful way in which sovereignty can be used as a tool in a situation of external competition lies in its close linkage with the state. Notwithstanding numerous exceptions, the prevailing idea today is that the state exists to serve its citizens. But if sovereignty is threatened, the state is threatened. Threats to sovereignty provide the state with an institutional interest to temporarily subordinate the interests of its citizens to its own, under the assumption that its functions are irreplaceable.³⁶ Sovereignty thus becomes a tool for securitization. Its invocation allows sidelining regular political procedure. The issue is taken out of the normal political discourse available for problem-solving and moved into a fast-track variant in which certain state actors have special powers and are less accountable.³⁷

³³ 'Checking' is not limited to the use of force. For instance, it can be said that the USA-led invasion of Iraq in 2003 was 'checked' in some respects. In particular pre-invasion USA coalition-building efforts and post-invasion attempts to draw in the UN and other states demonstrate that international disagreement with the invasion was not without effect. It must also be noted that the goal of the USA is not to annex Iraq. Instead, the restoration of Iraq as a sovereign state is foreseen.

³⁴ Waltz (K.), *Theory of International Politics*, McGraw-Hill, New York, 1979, p. 118-128

³⁵ Bull refers to these functions as goals of order: Bull, *op.cit.*, pp. 16-17

³⁶ Carr already observed that: "the obligation of the state cannot be identified with the obligation of any individual...; and it is the obligation of states which are the subject of international morality" (Carr, *op.cit.*, pp. 151-161)

³⁷ Buzan (B.), Waever (O.), De Wilde (J.), *Security - A New Framework for Analysis*, Lynne Rienner Publishers, London, 1998, pp. 23-24

In sum, as Werner and De Wilde noted, when there are no competitive claims to sovereignty, it is unimportant.³⁸ As a tool it lies in the toolbox to gather dust and perhaps it becomes a bit rusty. If competition appears on the horizon, it is used. In case the competition is internal, states use their sovereignty as a tool to dialogue with it, to delegitimize it or to repress it. It gives them a competitive advantage. In case the competition is external, states use sovereignty to temporarily gain emergency powers. Yet sovereignty simultaneously restricts the use of such powers.

3. Interdependence: If You Can't Reduce It or Conquer It, Join It!

Situations of interdependence present states with a difficult dilemma. They confront them with a choice on how to use their sovereignty to avoid dependence being leveraged against them. One possibility that states have, is to use their sovereign status to reduce or conquer interdependence. The option of 'conquering' interdependence resembles that of applying sovereignty as a tool to manage a situation of external competition. Another possibility for states is to use their sovereignty to manage their interdependence jointly with other states. But both uses of sovereignty have different effects and usefulness. After a brief definition of interdependence, these are examined in turn.

De Wilde defines interdependence as the existence of 'independent social actors, who wish to preserve their identity, but who are also structurally affected by one another's behavior'.³⁹

Bearing this definition in mind, the gradual emergence of the European state as the dominant political entity can be seen as the source for the use of sovereignty as a tool to

³⁸ Werner and De Wilde, op.cit., pp. 286-287

³⁹ De Wilde (J.), *Saved from Oblivion: Interdependence Theory in the First Half of the 20th Century*, Dartmouth Publishing Company Limited, Aldershot, 1991, p. 17. He proceeds by outlining a typology of systemic, functionalist and integrative interdependence. These different types of interdependence are qualified by the degree of mutual involvement of the relevant interdependent actors, the character of such involvement and its (a)symmetry (Ibid, pp. 18-27).

manage interdependence. The political landscape of the 14th to 18th centuries already combined three important trends in the context of interdependence. First, the state emerged as a political entity based on a growing distinction between those it included and those it excluded. This created interdependence where it did not exist before as a result of a different conception of territory and borders. Second, improvements in connections and technology, which were made possible by the larger capacity of the state to mobilize resources, further reduced the original proximity between state actors. Third, the rise of the state did not diminish the high systemic interdependence of European medieval society, but changed and increased it. Slowly, for example, did the notions of sovereignty and exclusive ownership of territory appear in addition to the universality of Christianity and the role of the Pope and Emperor.⁴⁰ In the system of states that was based on these trends, sovereignty could be used as a tool to manage or to reduce interdependence, but not to conquer it.⁴¹ This is a logical corollary of the observation that sovereignty cannot be used to justify excessive violence between sovereigns. Ironically, any attempt to fully conquer interdependence that falls short of complete success in fact increases it. If a state manages to attain great power status and augments its resources so that its interdependence is hypothetically reduced, like Prussia in the 18th century or China today, what in fact happens is that its stake in and dependence on the existing system grows.

It is commonly perceived that since World War II, and in particular during the 1970's, a growing number of issues that states must address to provide effective policy output are becoming cross-border.⁴² The main cause hereof is generally said to be 'globalization' - the wider spatial dispersal and easier repositioning of production facilities, advanced communications, the growing ease of travel, the output interdependence of modern economies

⁴⁰ Ruggie, op.cit., p. 172

⁴¹ Derived from: Werner and De Wilde, op.cit., pp. 287-288

⁴² Ibid; Hurrell, in: Farrell (M.), Hettne (B.), Van Langenhove (L.) eds., *Global Politics of Regionalism – Theory and Practice*, Pluto Press, London, 2005, pp. 39-43; De Wilde, op.cit., pp. 43-50

and the thickening of trade flow volumes. In De Wilde's terms, this could be said to have led to increasing functional and integrative interdependence in addition to the long standing existence of systemic interdependence.⁴³ Examples to support this are the growth of the functional agencies of the UN system and the proliferation of and increase in the membership of international organizations. As a consequence, states have become more interdependent with regard to their capability to generate prosperity and security for their citizens, in particular after 1945. The question of who exercises territorial control is complemented by the question of what the quality of the relation with other controllers is.⁴⁴

At low levels of interdependence, sovereignty could still be effectively used as a tool to decrease it because the costs of isolation or autarky were relatively low. Sovereignty could, for example, be used to support the argument that that the state should be self-sufficient in certain matters for reasons of autonomy and security. This comes close to the realist position of state survival through the maximization of security.⁴⁵ Elites could thus use sovereignty as a 'raison d'Etat' to let their interests prevail over alternative arrangements that might have been more advantageous for the state's citizens. However, at high levels of interdependence this becomes a high-risk strategy because the "conquest of distance" today requires the analysis of the world as unitary system.⁴⁶ There is global awareness of interdependence, possibilities and alternatives. Elite power maximization that causes prosperity to decrease, because potential benefits of interdependence are left aside, is likely to result in diminishing regime acceptance and legitimacy. Of course, sovereignty can still be used to some degree as a shield to prevent international intervention without overtly detrimental effects. Involvement of international organizations, for example, can be forestalled when a state manages to be relatively autarkic and avoids being branded as a disruptive element in today's highly

⁴³ De Wilde, op.cit., p. 20

⁴⁴ Van Veen (E.), 'Order in World Politics – an Inquiry into the Concept, Change and the EU's Contribution', *UNU-CRIS Occasional Papers*, O-2006/17, July 2006, p. 6

⁴⁵ Waltz, op.cit., p. 104-107

⁴⁶ De Wilde, op.cit., pp. 50-52; Keohane (K.) and Nye (J.S.), op.cit., pp. 7-8; 233-235;

interdependent world. Burma could serve as a recent example. Nevertheless, because international interference in sovereignty occurs in subtle forms – for example through the conditionality of IMF loans or the WTO dispute settlement mechanism, this strategy will become progressively harder to follow.

Finally, sovereignty can be used as an integrative tool to manage interdependence and to turn it into a positive sum game.⁴⁷ Integration can take a number of shapes, ranging from the EU type, to participation in the creation and maintenance of regimes and international organizations.⁴⁸ Sovereignty is a prerequisite for entering into any type of integration. In fact, it is even plausible to suggest that strong sovereignty is necessary to participate in further-reaching forms of integration for reasons of legitimacy. Paradoxically, using sovereignty as a tool to enter into such further-reaching integration projects potentially self-destructs the concept in its classic state-definition. The supremacy and direct effect of ECJ judgments for example show that the EU Member States are no longer sovereign in all dimensions. Yet, the EU Member States still consider themselves sovereign. It therefore seems that some states are in the process of redefining what sovereignty means to them.⁴⁹ Its omni-dimensional nature is loosened and the limitation of the status of sovereign to states is mollified, at least in Europe. Proof hereof is that the EU does not claim sovereignty, but is nevertheless recognized as sovereign in some fields.⁵⁰ The reason for this is the consent of its still sovereign constituents. It must be noted that although the EU offers some of the most compelling examples on the use of sovereignty as an integrative tool to manage interdependence, such use of sovereignty is by

⁴⁷ In this article I regard cooperation as a ‘light’ form of integration. For example membership of an international organization is normally called cooperation. But it does expose states to a flow of ideas, a body of rules, norms, values and an interaction frequency that they were not part of before. From the perspective of the ‘society of states’ this can be seen as integration with its primary and secondary institutions (also: Buzan, op.cit.)

⁴⁸ See: Keohane (R.), ‘The Demand for International Regimes’, in: *International Organization*, vol. 36 no. 2, Spring 1982. For instance Mercosur is loosely modelled on the EU but without ‘supranational’ elements: Leonard (M.), *Why Europe Will Run the 21st Century*, Fourth Estate, London, 2005, pp. 136-138

⁴⁹ See also: Leonard, op.cit., ch. 2

⁵⁰ Werner and De Wilde, op.cit., p. 304

no means limited to the EU. One but has to think of the wide variety of regional agreements that exists elsewhere for evidence hereof.⁵¹

But because the notions of sovereignty and of the state have been welded together so strongly, sovereignty cannot be redefined quickly. Its role as a tool for identification and unification is critical for many citizens, institutions and for the ordering of world politics in general.⁵² From this perspective, the French and Dutch ‘no’ to the Treaty on a Constitution for Europe can be portrayed as an example of the setbacks that may occur if popular views that ‘the state’ is ‘being taken over’ gain the upper hand.

At the same time, strong adherence to the classical definition of sovereignty and the related understanding of territory imposes increasing costs when it hinders integration where this appears necessary. The problems with the Kyoto protocol or the current Doha round illustrate this well. In addition, the political notion of fixed sovereign territory contrasts starkly with the economic disregard for territory due to the increasing mobility of the factors of production. This ‘spatial gap’ creates pressure for the adaptation or redefinition of either and forms a mental divide between politicians and business leaders.

What makes the redefinition of sovereignty even more difficult is the fact that the notion is jointly owned by the system of states. Because the ‘thickening’ of interdependence occurs unevenly, it is likely that more interdependent states will press stronger for a change in the understanding, or even for a redefinition, of sovereignty than less interdependent states.⁵³ The latter may in fact come to act as a break on this process, aided by interdependent, resource-rich states that cannot overcome the more conservative dynamics of their own sovereignty. For example, although systemic interdependence increased globally with the end of the Cold War, functional and integrative interdependence have progressed with a much

⁵¹ For an analysis of existing regional arrangements: Farrell (M.), Hettne (B.), Van Langenhove (L.) eds., op.cit.

⁵² See for instance: Slocum and Van Langenhove, in: Farrell, Hettne and Van Langenhove, op.cit., pp. 140-141

⁵³ Rosenau (J.), ‘Subtle Sources of Global Interdependence. Changing Criteria of Evidence, Legitimacy and Patriotism’, in: Rosenau (J.) and Tromp (H.), *Interdependence and Conflict in World Politics*, Avebury, Aldershot, 1989, p. 33. The term ‘thickening of globalization’ is taken from: Keohane and Nye, op.cit.

higher speed between the industrialized democratic states of the ‘West’ than anywhere else.⁵⁴ The differences between roughly the West, South-East Asia and Japan on the one hand, and Africa, Central-Asia and Latin-America on the other - in terms of wealth, technological process and interdependence - create different worldviews. Continued divergence of views on the meaning and use of sovereignty as an integrative tool can be expected as a result.

4. Conclusion: The Valuable and Influential Multi-Purpose Tool of Sovereignty

States are by far the most dominant successful claimants of the status of sovereignty today. Sovereignty provides states with an extremely useful tool in many circumstances. Relevant is not whether sovereignty exists de facto or de jure, but whether it is recognized by its two audiences: domestic and international. There is no use for sovereignty when states would function in isolation or in autarky.

In situations of competition, sovereignty provides states with a powerful tool. When such competition is internal, states use sovereignty as a tool of competitive advantage. It serves to delegitimize the challenger and to justify repressive measures. Yet it also hinders states to accommodate competitive claims to sovereignty that have arisen after the state established itself as sovereign. This is particularly problematic in states that did not gain recognition of their sovereignty through an earlier process of competition between non-sovereign entities. When competition is external, states use sovereignty to temporarily subordinate the interest of the citizen to the interest of the state. As a tool of competitive advantage sovereignty loses its value because external competition unfolds between entities of comparable sovereign standing. Instead, sovereignty functions as a tool of stability by inhibiting the excessive use of violence to safeguard the system of states.

⁵⁴ In Bull’s terms it might be advanced that the texture of international society has become denser as a consequence of the end of the Cold War (Bull, op.cit., pp. 23-44).

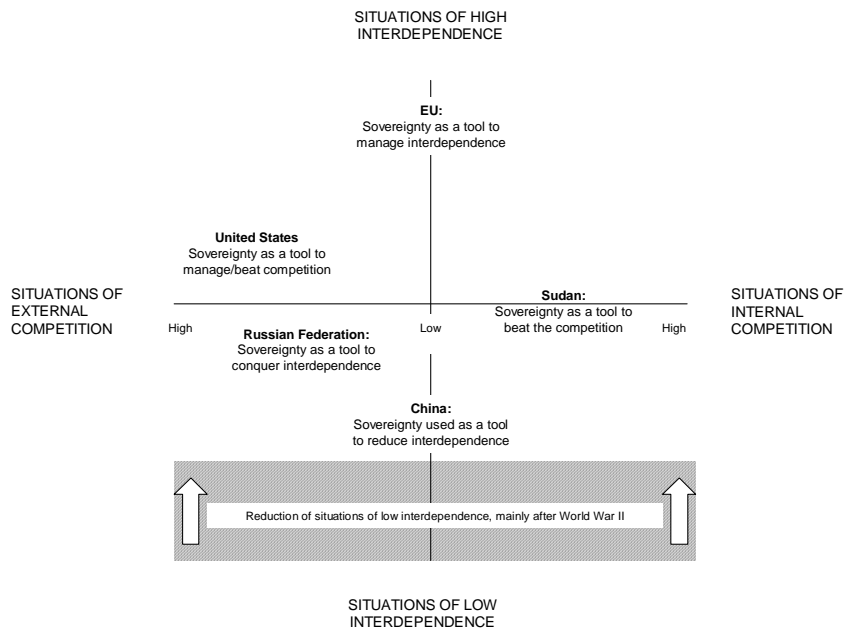
States can use sovereignty as a tool to reduce, conquer or jointly manage situations of interdependence. Which particular use a state chooses depends *inter alia* on the presence of external competition and on the corollary thereof, on how much trust states have in their neighbors.⁵⁵ Other relevant factors are the level of interdependence a state perceives to face and the maturity of its sovereignty. The use of sovereignty to reduce interdependence is neither a feasible nor a profitable strategy in a globalizing world. Its use to conquer interdependence can never be complete unless a single world-state is created. As a result the use of sovereignty to conquer interdependence increases rather than decreases it. Finally, strong and mature sovereignty enables a state to use it as an integrative tool to manage interdependence. If integration goes far enough, the classic state conception of sovereignty will ultimately be redefined. Now, in 2007, most European states appear to be in this process. Its omni-dimensional nature is weakened and it is implicitly recognized that some non-state actors can be sovereign entities of some sort.

All the uses of sovereignty as a tool that are listed above can be observed today. Figure 2 suggests the preferred way in which some states use sovereignty.⁵⁶ The plotted positions should not be seen to imply that these different uses are mutually exclusive. Naturally they can be applied simultaneously. But the conduct of some states nevertheless suggests that they have a favorite usage of sovereignty as a tool.

⁵⁵ See also: Wendt, *op.cit.*

⁵⁶ No further substantiation is offered for the positions indicated. They are best considered illustrative.

Figure 2: The preferred way in which sovereignty is used by some states



The titles of quite a few recent publications suggest there is turmoil on the sovereignty front. Sovereignty is for example said to be problematic, to endure or to become more institutionalized.⁵⁷ But whatever its future will bring, the linkage between sovereignty, competition and interdependence will ensure that sovereignty continues to be a relevant tool. Even when the notion would be on its way out, it still represents the platform and the instrument on the basis of which change needs to be discussed and must take shape.

⁵⁷ For example: Krasner (S.), *Problematic Sovereignty – Contested Rules and Political Possibilities*, CUP, New York, 2001; De Wilde and Werner, op.cit.; Holsti, op.cit., pp. 7-9; Keohane (2002), op.cit., pp. 761-762

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