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Beyond Sovereignty: The Transformation of the Nation State *

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The Global Context

As interdependence and interconnection on the planet become ever-more apparent, new challenges and conflicts arise for individuals and for the role of government. We stand at a moment of transition in which the entire capitalist system is transforming into something else. It is only in crisis, however, that actors have the most freedom of action, because when a system operates smoothly behaviour is determined by the nature of the structure. At moments of transition, individual and collective action become more meaningful, and the transition period to a new structure is more open to human intervention and creativity. This can also be a precarious time of great uncertainty for individuals, states and societies, particularly new and fragile democracies like in East Central Europe, paradoxically providing the potential for empowerment while, at the same time, making them vulnerable to forces of the old system which cling to waning power, in the face of inevitable change, often through coercion.

The Nation State in a Global Context

Robert Dahl observed that the democracy of our successors will not and cannot be the same democracy of our predecessors. This one of the most distinctive and valuable characteristics of democracy: that it has the ability to re-shape itself consensually, without violence. Like democracy, nation states are undergoing transformations due to the new context and pressures that globalization forces upon them. Since mid-1990s, it has been argued that nation states have become dysfunctional actors in the global economy. Others argue that the state has the capacity to transform and adapt to changing economic circumstances. Many of those discussions crystallized after 9/11 and emphasized the hollowing out of state authority by globalization, “empowering individuals and groups to play roles in world politics –including wreaking massive destruction– that were once reserved for government states” (WOODWARD 2003: 310). Other reactions included those who saw that “the terrorist attacks and their aftermath served to vindicate more traditional state-centred understandings of world politics” (WOODWARD 2003: 310).

SASKIA SASSEN discusses how the global is partly constituted inside and embedded in the national –in a geographic space that is encased by an elaborate set of national laws and administrative capacities, “thereby blurring the distinction global/national and signalling that the national state participates in the implementation of globalization” (SASSEN 2006a, SASSEN 2006b.). In other words, globalization paradoxically while it may reduce state competencies in the economic sphere, increases the necessity and importance of the role of the state in the economy (SZENTES 2003). SASSEN concludes that the global is partly constituted inside the national while, at

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the same time, there is partial denationalization of specific components of nation states and not just in the area of economics.

We are witnessing the transformation of what has traditionally constituted the state into a hybrid state with different functions, scope and competencies, and the mix of processes we describe as globalization are producing partial yet significant changes in the forms of authority inside the nation state.

The Hybrid, “Adaptative” State

Beforehand, the sovereign state was for its subjects an iron cage whence they could communicate legally with the outsider World only through narrow bars. Under the pressure of necessities of life, those bars have progressively loosened. The cage is starting to wobble. It will eventually fall to bits. Men will then be able to communicate beyond the frontiers of their respective countries freely and without any hindrance. (POLITIS: 1927, in CASSESE 2005: 39)

Under the impact of globalization, sovereignty has become “fuzzy”. After decades of never-ending theoretical debates, we may conclude that nation states remain powerful, and political leaders can play decisive roles in the world, but the question is what to do with the crisis of democracy at national, regional and global levels. Nations today face more risks and dangers than they do enemies. In the globalizing context the nation state is being reshaped. Some argue that the nation has become too small to solve regional and global problems, but too large to solve local ones. “Shell institutions,” survive, emptied of content and unable to perform the tasks required in the new era in an ever-widening and competitive field of players (Giddens 1999.). This is particularly obvious in the transition countries of East and Central Europe over the past twenty years of transition.

In these typologies, the state and globalization are seen as competing forms of social and political organization engaged in a “zero sum battle for power and authority in world politics where any advance for the forces of globalization is automati-

cally assumed to weaken the authority of the state” (Thorup and Sorensen 2004). This rather polarizing view characterizes states and globalization as distinct and mutually exclusive.

In fact, the two divergent approaches are difficult to argue, since most states (not, of course, Cuba, Venezuela, Iran, North Korea and perhaps Hungary soon) have become enthusiastic supporters of globalization and, at the same time, it is hard to argue that nothing has changed in world politics. Globalization has, in fact, required the increase in states’ relations with each other to address the consequences of globalizational processes like financial instability and crises, environmental degradation and crises, migration and terrorism. There is clearly an increase in importance and impact of non-state actors in the international system, but it would be an exaggeration to say they supplant state authority in the international arena today. It is still a question, however, if the state will inevitably and successfully evolve into a new role able to address these new requirements.

Politics has become more complicated, multi-level and multi-dimensional, and power has become polycentric, that is, with many centers, only of which is the nation state. We are moving beyond the articulation of the public good from the nation state level to regional and global constructions in new patterns of multi-level governance. The emergence of multi-level governance, e.g., the EU and its institutions, challenge the nation state framework in terms of competencies and accountability. Domestic challenges are more and more being redefined and recontextualized as international affairs that require international if not global coordination, management and regulation by groups of nation states (Held 2003b).

We are moving beyond the articulation of the public good from the nation state level to regional and even global constructions in new patterns of multi-level governance. These changes are transforming state authority, but not necessarily hollowing out state-based political power.

De-Nationalization of the Nation State and State Failure

We are entering uncharted territory, but it will not come to a struggle between the national versus the global. In fact we shall see, rather “the formation of partial, often very specialised, assemblages of bits and pieces of territory, of authority, of rights, that used to be lodged in national states. Some of these assemblages will be private, some public, some will continue to inhabit national spaces but be actually denationalised, others will be global” (Sassen 2006).

“The future we are entering may turn out to be very, very bad, or it may turn out to be reasonable. We don’t know, partly because it will be shaped not only by technology and power but also by the dispossessed. The past shows us that history has also been made by the excluded. We can make politics even if we lack power” (Sassen 2006).

Because globalization is partly contained within and implemented by national states the borders are blurred between what constitutes the national and the global. This results in the denationalization of some traditional state functions, and not just in the area of economics. We are witnessing the transformation of what has traditionally constituted the state into a hybrid state with different functions, scope and competencies. The mix of processes we describe as globalization are producing partial yet significant changes in the forms of authority inside the nation state. This is a hybrid that is neither fully private nor fully public, neither fully national nor fully global. It is just this hybrid quality, that is neither national as historically understood, nor global as the term is interpreted today, that signals the reconstituting of sovereignty. So now people discuss the post-sovereign state.

We need to look at the state mode of authority in a new way, reflecting contemporary global, contextual changes that decodes what continues to be experienced as national. Multi-scalar globalizational processes are located at the supranational, global and subnational levels, so studying globalization requires looking at not just that which is explicitly global in scale, but should also focus on locally-scaled practices and the multiplication of cross-border connections among different locales.

The state (like TNCs and NGOs) needs to be placed into a context of multiple globalizations.

States, controlled by civil societies, can provide the enabling environment not only for corporate capital but also for those seeking to subject the latter to greater accountability and public scrutiny. This is happening in a more restricted and circumscribed, or regulated, way within the EU. At the same time, it is the institutional apparatus of states that actually implement international law, including the implementation of the human rights regime. One of the tests, in fact, to establish whether and to what extent a state is open to international values can be judged by how they adopt international customary law, treaties and the decisions of international organizations into their national systems. There is as yet no substitute or replication of these duties by other institutional arrangements, including regulatory agencies.

What is a danger, however, is the increased power of national executives and an alignment of interests between the executive (prime minister’s office) and the global corporate and political agenda and lobby groups that is growing farther away from the larger public agenda set by legislatures and democratic representations. In this sense, economic globalization rather empowers national executives, strengthening their roles at the expense of national legislatures and national politics, and in some cases, like Hungary, civil rights.

As stated earlier, the national is not mutually exclusive from the global, but the “container category” of nation no longer adequately encompasses (if it ever did) the transformation of traditional state activities and responsibilities.

Conceptions of the “Adaptive” State

One new construction is called the “adaptive state” into which current state configurations are to evolve (Biermann 2005: 21.) These adaptive states will be confronted with challenges in terms of 1) decreased autonomy because of increased dependence on other states, 2) the increasing requirements for legitimacy, and 3) the need to adapt to sudden dramatic climatic changes in the natural environ-

ment, human migration, and international criminal activities. These will increase the burden on state capacities. Successful states will be those that are able to “adapt internally and externally” to large scale challenges (Biermann 2005: 21).

There will, of course, be states better and worse prepared for adaptation and transformation. This may lead to an increased polarization in states’ competencies at the global level – those better able to adapt will have a greater voice. This also has consequences for enabling democracy at the local and national levels. In order to successfully adapt to these challenges, states will need to take advantage of the networks and expertise of civil societies, including them in the important decisions and implementation of policies at local, national and regional levels. Without a strong coalition of forces, states will become alienated from national constituencies and suffer increasing crisis of legitimacy as a result. This places into jeopardy democratic institutions and practices, and this can be seen not just in weak and new democracies, but in older established democracies as well.

It is also clear that electing competent national leaders, able to balance the challenges of globalization with national social and political interests, have a greater chance of successfully navigating their nations into the position of globalization’s net beneficiaries. Unfortunately, for most developing and transition countries, but even for many more developed countries, the necessary leadership with the required skills and vision are all too lacking. When a state is unable to ensure public safety, when a state is unable to guarantee the civil rights of all its citizens, when a state is unable to hold transparently responsible and accountable those who violate public trust and endanger public safety, then the social contract between the state and its citizens is broken. This can be seen occurring in many places across the world. Just as progressive or positive hybridization could empower states and strengthen national democracies in this new global scenario, a regressive or negative hybridization, which ransoms representative state institutions like legislatures and police forces to multi-nationals,

professional lobbies and pressure groups will further weaken national democracies and increase the risk of a country’s exclusion not only from the benefits of globalization but from social peace.

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