The state and sovereignty

1

This chapter explores the concept of the state, looking at various theories of the state and identifying its major characteristics and then how far real states measure up to these characteristics. Finally, it examines the issue of whether the state is still as fundamental a political institution as it has been over the past four centuries.

POINTS TO CONSIDER

- Why are there so many states today?
- How does the state differ from the 'government' and the 'nation'?
- There are several different analyses of the state. What are the key points of each?
- What are the major characteristics of the state? Do all states have them in equal degrees?
- Has the state 'had its day'?

The state exists for the sake of a good life, and not for the sake of life only. (Aristotle, *Politics*, 4th century BC)

Free speech, raised in protest, is the life-blood of democracy, yet the freer the speech the more likely it is to inflame its audience to violence. But violence can kill democracy, for if given rein it will destroy the democracy that licensed it; while to curb it freedom itself may have to be restricted, and democracy thus impaled on the horns of a dilemma. Any nation which so orders its affairs as to achieve a maximum of freedom of speech with a maximum of freedom from public disorder may fairly claim a prize among the highest achievements of the human race. In terms of individual happiness it surely ranks higher than a successful landing on the moon. How has the prize been won? Can it be held? (T. A. Crichley, *The Conquest of Violence*, 1970)

The **state** in some form has existed since urbanised and complex societies arose in Egypt, China, India and Mesopotamia over five thousand years ago. Since then, the more 'civilised' members of humanity have never been without the state. States have also always existed in an 'international society' with trade, diplomacy, law, morality and, inevitably, war, shaping their relations.

state
A political association that establishes sovereign power within a defined territorial area and possesses a monopoly of legitimate violence.

The modern state arose from the break-up of European Christendom during the early sixteenth century. The Reformation instigated a century of religious wars between Catholics and Protestant powers. By the end of the century the modern state had been established in Western Europe: a centralised power with exclusive law-making and law-enforcing authority over a territory. Conventionally, however, the modern state and state system is dated from the Treaty of Westphalia, which ended both the Thirty Years' War (1618–48) and the wars of religion. Westphalia established the key principle of modern statehood: **sovereignty**.

sovereignty
The distinguishing characteristic of the state. Sovereignty is the right to have absolute and unlimited power, either legal or political, within the territory of a state.

After around 1500, European expansion into the Americas, Asia and Africa spread the concept of the state. European imperialism, itself a product of inter-state competition, encouraged non-Europeans to study the secret of their subjection. Anti-colonial nationalists took European ideas of the 'rights of man', 'liberty', 'equality' and, especially, 'national self-determination', using them against their colonial masters in struggles for independence.

Independence took on the form of Western-style states. The number of states in international society grew dramatically. Only twenty-six states existed in 1914, some tracing their independence from the British and Spanish empires

in the eighteenth and early nineteenth centuries. After the Second World War the remaining European empires collapsed, creating over 160 states by 1980. With the end of communist domination in Eastern Europe and the break-up of the USSR the number rose to 192 ten years later.

Although often derided as an outworn concept by its critics, the state continues to have a deep resonance for most people's political aspirations. In the twenty-first century many stateless peoples and nations aspire to statehood as an expression of their national identity. The number of states is, therefore, likely to grow still further.

One problem in discussing the 'state' is that it is much more difficult to define than one might expect. We will first discuss two major misconceptions about what the state is. Then we will identify different 'types' of state in political theory. Characteristics common to all states will then be analysed, the most important of these being sovereignty. Finally, we will discuss the degree to which state sovereignty is being undermined in the modern world.

What the state is not

It is crucial to realise that the 'state' is not the same thing as 'government'. Governments are temporary holders of state office, directing state power. They are the means by which state authority is manifested. Ministers and civil servants make the state 'flesh', so to speak. Indeed, the state is a *theoretical* concept that has no *physical* manifestation. It can be seen as remote and impersonal, above particular regimes, while governments are shaped by often deeply held ideological values and driven by strong personal ambitions.

Neither is the state the same thing as the 'nation', as suggested in the term 'nation-state'. The nation and the state are very different concepts, very different aspects of social and political life. It is rare, very rare, for a nation to correspond exactly to a state. The UK, for example, is not a nation-state. It is a state that comprises several clearly identifiable nations. The Kurds, meanwhile, are a nation spread across parts of the territories of several states. Essentially, the state is a *legal* concept that defines a structure of power. The *nation* on the other hand is composed of a people who share certain characteristics, among which are culture, ethnicity and history.

The state claims the loyalty and support of its population, or at least the vast majority of its population. Many states, while dominated by a particular nation, include national minorities who sometimes feel an affinity to co-national members residing in other states or demand their own state. Such cross-border allegiances can undermine the practical sovereignty of a state and, under certain circumstances, lead to its failure or break-up. The violent

end to the Yugoslav Federation and the peaceful break-up of Czechoslovakia in the 1990s are both examples of this.

Nevertheless, the state plays a vital role in 'nation-building' – the creation of a sense of national identity on the part of its population. This can be seen in the USA, where oaths of allegiance, displays of flags and the veneration of the Constitution are closely associated with building up and reinforcing a sense of 'American' national identity.

Theories of the state

The state owes much to political theory. Although not a *tangible* thing, the very *intangible* nature of the state ensures its key political role. The 'state' as a political concept is almost endlessly discussed. Indeed, one might define 'politics' as a distinct human activity – setting it apart from business, trade unions, religion, the family or the local gardening club – as a power struggle that takes place *only* in relation to the state.

All political activity revolves around the state.

- Concepts of rights, liberty, equality, the nation, power, only have practical meaning in relation to the state. It acts as defender or abuser of human rights. It creates national identity. It is the prime structure by which political power is manipulated in a society.
- Conservatism, liberalism, socialism, fascism and ecologism, as models, analyse power in relation to the state. As political parties they seek state power, to use it to implement political, social and cultural programmes. If unable to achieve control of the state, parties will at least try to influence those directing state institutions.
- Some movements do not aim to control the state, but to influence political debate and policy. They are usually described as 'pressure' or 'interest groups'. Here, it does not matter whether they are economic interest groups like trade unions and business associations, essentially defending the pay, conditions and employment of their members, or cause interest groups like Amnesty International or Greenpeace, supporting an issue that their members feel strongly about. Such groups seek to influence holders of state power.

Nevertheless, there are considerable differences in the theoretical approaches to the role and functions of the state. These may be classified as:

- the liberal-pluralist state;
- the social-democratic state;
- the Marxist analysis;
- the feminist analysis;
- the self-serving state.

The liberal-pluralist analysis of the state

Liberal-pluralists reject the class analysis of Marxists and the nation-based view of conservatives to stress the central role of individuals and private groups in society.

Liberal-pluralists see society as large numbers of groups and individuals competing, sometimes co-operating, for power to control and/or influence state institutions. The state is neutral, curbing the power of some and bolstering the power of others. Indeed, the state itself is composed of many groups and interests. At times, state institutions and their interests may overlap with the interests of social groups. However, the state is seen to 'stand above' these groups as a 'referee' in their struggle for power.

The state acts for the whole nation. It is a 'servant' of the 'people', set up to defend their natural rights against oppression from home or abroad. Indeed, a 'social contract' exists between people and state, similar to any contract between employer and employee. Officials of the state must, therefore, be accountable for their actions to the people. Should the state abuse its power, and infringe the rights of the people, then state officials can be removed from office – 'sacked' – like any other servant who abused his position of trust. This justification of revolt was one of many reasons why conservatives have seen liberalism as dangerously radical and socially disruptive, and why radicals have found it so attractive.

neo-liberalism
A modern version of classical liberalism, sometimes called the 'New Right', which emphasises the central role of individual choice and motivations, free market economics and a minimal role for the state.

Early nineteenth-century classical liberal thinkers were so concerned to curb the power of the state that they saw its role in extremely minimal terms. Essentially, the state should ensure the maintenance of internal law and order, defend against external attack, create a structure of laws to protect individual rights, and raise taxes to pay for these three tasks. All else – education, health, welfare, pensions – could, and should, be provided by private organisations. Such views reappeared towards the end of the twentieth century as key elements of **neo-liberalism** in many Western conservative parties.

The social-democratic view of the state

Modern Western states are characterised by features of the social-democratic state. So dominant an ideology is **social democracy** that it is now almost to impossible to imagine that a modern state could be shaped by any other beliefs.

Yet the idea that the state should take upon itself responsibilities for key industries, economic development, health, education, pensions and a wide range of social benefit payments is a new one. In only a few states, such as Germany,

did that system exist prior to 1900. The social-democratic state arose during the middle years of the twentieth century in response to economic crises, the rise of socialist and labour movements to greater economic and political power and the demands of war. As a consequence of the effectiveness of state intervention in staving off social revolution and prosecuting total war it was increasingly believed that the state could and should have a greater role in society to deal with social problems: want, poverty, unemployment, sickness, ignorance. The state was seen as a tool to achieve social justice, fairness and liberty by setting up institutions to ensure health provision and education. A range of financial benefits provided protection against the consequences of unemployment, sickness, disability and old age. In most Western European countries key industries were taken into public ownership – 'nationalised', as it was known in Britain – and the state became responsible for running railways, coalmines, steelworks, utilities and a growing range of services and businesses.

social democracy
A reformist and moderate version of socialism that accepts a significant proportion of market capitalism, rather than seeking its outright abolition.

The apparent economic and social failures of the 1970s discredited social democracy as an ideological direction for the state. In the 1980s and 1990s assaults on the social-democratic state saw state industries in many countries 'privatised', the tax burden on individuals and businesses reduced and state provision of benefits curbed. Nevertheless, many – indeed most – of the core features of the social-democratic state remain in place. The state remains the major provider of healthcare and education, basic welfare and pension payments, and is still seen as a tool of social change in the direction of social justice.

The Marxist analysis of the state

Marxists view the state in terms of **class struggle**. It reflects the economic structures of society and the class struggles that arise out of a particular economic system. As the economy changes through shifts in the means of production, so does the class structure. As the class structure alters so will the power relations and the political struggle between the classes.

class struggle
The conflict between social classes, themselves products of a given economic system which Marx regarded as the driving force of history.

The state is, therefore, not neutral. It is an instrument of power and domination of the ruling class (or classes) in society, the means by which the capitalist class maintains exploitative social structures that benefit them and keep the working class in subjection to them and their interests. Even when the state intervenes to mediate between the capitalist class and the working class, for example in an industrial dispute, the fundamental objective of the state is to ensure the dominance of the capitalist class.

Only when the working class seizes control of the state will the state act in their interests and the interests of the whole people. Indeed, when the working class has created the communist society, free of the capitalist class, the need for the state will disappear and the state, losing its reason for existence, will wither away: thus runs the argument.

The feminist view of the state

Feminists see the state as the most powerful of many social institutions that are instruments of male domination in society. The state is run mainly by men and for the interests of men.

Equal opportunities and equal pay legislation are mere decorations to hide the patriarchal nature of the state and its many sub-institutions. Women are rarely chosen as candidates for parliamentary seats, and, if chosen, are likely to be campaigning in unwinnable seats. The few women who are elected tend to remain out of governmental power. Those tiny numbers that get into government are likely to be ministers in 'low-prestige' or 'women's issues' areas of the government such as health and education rather than high-powered posts such as foreign policy and defence, economic and trade, all 'male' issues.

Women have to work harder than men to achieve political power within the state and generally have less power than men do.

The self-serving state

With the decline of the political power of monarchism in the early nineteenth century the appeal of state power was transferred from the king to the state. The state acquired in the minds of men a degree of powerful, mystic authority. This process helped create the idea of the state as something greater than the people who composed it, and indeed, raised the possibility that people would come to see the state not as their servant but as their master in the service of a greater goal than individual happiness.

The twentieth century gave form to the state as a self-serving power machine, pursuing its own interests and agenda, crushing opposition and bending all other social institutions to its will. It is sometimes called the 'Leviathan state'. Intervening in every aspect of social life, it leaves no room for individual conscience, or for any private institutions existing outside it. All social and political activity serves the state.

Modern fascist, communist, religious and military regimes increasingly have had access to technologies and organisational systems of observation and control, manipulation and oppression that their predecessors could only aspire to. All aspects of human existence were subject to the needs of the state in Stalin's Soviet Union, Mao's China, Pol Pot's Cambodia, Hitler's Germany and,

to a considerable degree, Mussolini's Italy. Common ownership of property, or state direction of private property, surveillance techniques and the role of secret police and terror are concomitant with the higher 'good' of the state acting in the interests of the collective and not the individual.

However, critics of the self-serving state do not confine their warnings to states shaped by these regimes. Many liberal thinkers and politicians have argued that even social-democratic states, for the best of intentions, will create bureaucracies and interest groups that will, little by little, tax by tax, create structures of dependency and control that eventually lead to the suppression of freedom. It is not necessarily the intention of policymakers that this should become so, but it is inherent in the logic of increasing state power infiltrating areas that should be firmly outside the remit of politics: family, religion, education. Indeed, this is the consequence of democratic pressures for greater state spending and involvement in solutions to society's ills. Thus this critique of the modern state becomes a critique of some aspects of modern mass democracy.

Major characteristics of the state

Whatever the particular style of the state, its philosophical underpinnings, or the governmental system that directs it, a number of features common to all states can be identified:

- it has the control of an identifiable population;
- It has the control of an identifiable geographical territory;
- it has high degrees of longevity compared to other social institutions;
- it is a structure of law in society;
- it is characterised by sovereignty.

Population

All states have a constituent population that mostly voluntarily, but if necessary by compulsion, will be loyal to their state.

Having said that, there is no maximum or minimum number of people that must exist together to constitute a state. There are enormous differences in the sizes of populations of viable states. Nauru has a population of a few thousand; the UK, France and Italy are all sixty million strong; while Russia, the USA, India and China, with 160, 280, 1,000 and 1,200 million respectively, are clearly in a different population league.

It does not necessarily follow that population size translates automatically into political power for a state. Clearly, population size will determine the human resources upon which a state's power rests: industrial population, the size of armed forces, and so on. Population size does have an impact on the

power ranking of a state in world affairs – a large population is needed for great-power status – but technological and industrial prowess and the educational levels of the population are of greater importance in the contemporary world. India, for example, is a large, well-populated country with a strong industrial base, but the USA, with a quarter of its population, has much greater resources to call on than India and is many times more powerful.

Geography

A state has control over an identifiable geographic territory. A state may have enormous territory, such as Russia, Canada and the USA, or may be geographically small, such as the Vatican City State, Fiji and Nauru. There is no maximum or minimum size for statehood. However, what is required is territory, and territory that is recognised as being under the control of a state by the inhabitants of that state and, what is more important, by other states – especially the great powers and the states most closely bordering on it.

State territory is not fixed. A glance at the shifting boundaries of the states of Europe over the last two centuries should demonstrate this most clearly. The Polish state was once geographically very large. During the course of the eighteenth century its territory was nibbled away by Prussia, Russia and Austria until it disappeared altogether. Reappearing as a state under the Versailles Treaty (1919), Polish territory stretched far to the east, taking in lands that had once been part of the Russian Empire, only to disappear in 1940. The post-1945 state lost territories in the east and was compensated by German territories in the west. Even apparently long-established states, such as France and the UK, ended the twentieth century with territory different from a century earlier.

The collapse of the European empires during the twenty years after 1945 and the collapse of Soviet power in 1991 created many new state territories based on national claims for self-government. However, like old states, these new ones often had to resort to war to establish their territorial integrity against other states and internal national minorities. New territorial boundaries, like old ones, require the recognition of other states. Hence, the continued struggles and conflicts over where state boundaries should lie.

Longevity

States claim long lives, because longevity tends to confer legitimacy in the eyes of their populations, and legitimacy invites loyalty. The UK state, for example, can trace its ancestry back to the Anglo-Saxon kingdom of Wessex of over a thousand years ago. The Russian and French states declare their origins to be almost lost in the mists of antiquity. Even modern states, such as those

created out of the collapse of Yugoslavia, seek to claim that they are the heirs of long traditions of national statehood.

One can observe, therefore, that the state is something more than the government of the day. Governments come and go with elections. Political parties may change the policies of the government, but not the nature of the state. Sometimes, after a revolution, crisis or war, even the political and constitutional system that characterises a state may be subject to change. But the state goes on. Indeed, its legitimacy depends heavily on its real or supposed age. If necessary, 'age-old' traditions will be invented to strengthen claims of ancient origins.

Nevertheless, most modern states are just that: modern. The vast majority were created during the last fifty years; many are a little older (post-1919); some were in place at the start of the nineteenth century, but very few are above a couple of centuries old and even fewer can trace their present shape beyond 1700. The UK, for example, was founded in 1801, but its present geographical form dates from 1921. Modern Germany was established by Bismarck in 1871; however, the present German state was created in 1949 by the Americans and British, while its contemporary form, which encompasses the former German Democratic Republic, only just pre-dates the 1990s. Even the USA, over two centuries old, acquired its present geographical form only in 1958.

Law and government

The state can be seen as a system of laws. There is no legal authority above it either within its territory or in international society. It is sovereign within its territory, as the only law-making authority, and is bound only by those international treaties – international laws – it has agreed to accept.

A legal tradition shapes the legal order within a state. Order in society must be subject to law and not the other way around. Power must be constrained by law and law must be the basis for the transfer of power. Indeed, appeals to the 'common good', the 'general will' of the people, the needs of 'absolute power' to ensure the 'higher goal' of order without reference to law are arbitrary uses of power which inevitably lead to abuses of power on the part of political holders of office. Legal principles for the basis of the state are essentially a nineteenth-century development in the establishment of the rule of law to check the political whims of monarchs, ministers and the mob.

Domestically, the state can give itself whatever constitutional and political system it likes. The principle assumes that no other state or international organisation has the right under normal circumstances to determine the internal political arrangements of a state. The Treaty of Westphalia established

this principle. It is a key element of the legal basis for the modern state. Nevertheless, a major defeat in a foreign war, such as that of Germany after 1945, will involve massive changes in the internal political and legal arrangements of a state.

Over the last few decades the nature of some regimes – South Africa's racist apartheid regime and the religious intolerance of the Taliban regime in Afghanistan – have been subject to considerable international pressure to reform in line with international moral principles. However, such pressure from other governments is likely to occur only when the internal regime affects the interests of other states.

International law is a law created by legally equal, co-ordinated bodies, not subordinated bodies. States *are* subject to law in international society, but are in a system where enforcement is only possible through states. Enforcement depends, therefore, very much on the *power* available to a state and on its calculations of self-interest. But it does not undermine the principle of state sovereignty as applied to law. Most international courts recognise the right of a state to refuse to attend a particular case when issues of national security are involved; and the state itself will decide what constitutes 'national security'.

State sovereignty

Most human associations have many of the above characteristics. A school or college has an identifiable population, a territory, a structure of power, and may have existed for a long time. It may even have a loyal group of students and staff. But there is one defining characteristic that distinguishes a school or any other social organisation or association from the state: sovereignty. It is impossible to grasp the concept of the state without reference to this defining feature.

'External sovereignty' is used to describe two elements. Firstly, states have legal equality in international society. Wealthy or poor, strong or weak, every sovereign state is legally equal in international law. The United States and Mauritius are both sovereign states, even though clearly one has a greater range of policy options in domestic and international affairs than the other. This manifests itself in institutions such as the United Nations General Assembly where each state has one vote. Secondly, for a state to achieve full external sovereignty it must be recognised as a fellow sovereign state by 'enough' of the other members of the international system, especially the most powerful states. For example, the apartheid regime in South Africa set up and recognised a number of 'states' within its territory as part of its policy of 'separate development'. Having all the apparent attributes of sovereignty, these 'pseudo-states' were only recognised as sovereign in reality by South Africa and each other. All the other states refused to recognise them as an equal. Hence, they failed to acquire this key attribute of a state.

'Internal sovereignty' is the other vital component of this concept. It consists of two elements: 'legal' and 'practical' sovereignty.

Legal sovereignty encapsulates the right of a state to be the only law-making body for the population inhabiting a given territory. The state has the right to construct and impose laws free of any external involvement by other states or bodies. It must be the *sole* law-making and law-enforcing authority for a territory. Any sharing of sovereignty must, by the very nature of the term, mean that whatever arises out of such an act, the result cannot be called 'sovereign'. Sovereignty does not recognise any superior or equal in the legal right to make laws for a territory.

The citizens and others residing in a state's territory are obliged to obey the laws of only that state. This is a peculiar feature of the state. It existed long before the seventeenth century although it is usually associated with the Treaty of Westphalia that established the legal principle of the duty to conform to the religious and political policies of a state's ruler. As a consequence of the UK's membership of the European Union one hears much of the decline, or even end, of British state sovereignty. However, one might argue that state sovereignty is still intact. Membership of the EU was an act of a sovereign state and continued membership is a demonstration of state decision-making. As long as the state remains the supreme law-making and law-enforcing authority for a territory, it will be sovereign.

However fundamental the concept of legal sovereignty is, one must always remember that it would remain a 'fiction' without the other element of state sovereignty: its practical ability to ensure that the laws of the state are obeyed throughout its territory. This element of the concept of sovereignty raises the issue of a hierarchy of states as a consequence of their power. Clearly, some states are more powerful than others. Generally speaking the more powerful a state the more it will have the practical sovereignty to ensure its writ runs within its territory and that it will be able to defend and advance its interests abroad. A weak state at home and abroad will still retain its external sovereignty and its legal internal sovereignty, but the important element of practical sovereignty will raise issues over its very effectiveness as a state.

State sovereignty, therefore, is not just a legal concept. It must be closely linked to the practical power available to a state. A state defeated in a war will lose, usually temporarily, the right to run its domestic and foreign policy in line with its own principles and interests. That is especially the case if the state is defeated in a major war and is over-run by its enemies (as was the case with Germany and Japan at the end of the Second World War). Peace treaties, however onerous their imposed obligations on a defeated state, do not deprive the defeated state of its legal sovereignty. Indeed, principles of sovereignty can be appealed to by a state to throw off or reduce the burden of such impositions.

Practical state sovereignty can be undermined and even fatally weakened by internal revolt. The consequences for the population of a state when its practical sovereignty fails are usually horrendous. The Lebanese state during the late 1970s and early 1980s, for example, remained the legally sovereign entity for its territory. However, that practical sovereignty was at one time reduced to a few Beirut city blocks while the rest of the country was in the hands of militias and, later, Israeli and Syrian armed forces. Similar problems have been seen in Somalia, Bosnia, Sierra Leone and Afghanistan.

Challenges to state sovereignty

Now nearly four hundred years old, the 'Westphalian state', with sovereignty as its defining characteristic, may be coming to the end of its useful existence, for one reason: its legal sovereignty is undermined by the growing corpus of international treaties that restrict the right of the state to make domestic laws.

The twentieth century raised deep moral questions about the consequences of allowing states under the guise of sovereign independence to have free reign over their citizens. Non-interference in the internal affairs of states ended highly destructive religious wars in the early seventeenth century. However, it is a dangerous policy to pursue today, when some states slaughter ethnic and other minorities, suppress human rights and construct appalling tyrannies.

Practical sovereignty is challenged by the problems facing human society at the dawn of the twenty-first century, problems so great, so complex, that the sovereign state is too small a unit, the concept of sovereignty too archaic, to be of much practical use in solving them. Pollution, environmental degradation, global poverty can be effectively addressed only by new international organisations acting globally, without the intervention of state-based power politics.

These challenges to state sovereignty may sound convincing but are not new. Sovereign states have always placed legal curbs on their own freedom of action by signing and acting in accordance with international treaties. Never, though, have states been bound by so many agreements as today. They accept more international interference in their internal affairs than ever before. One might consider this a matter of degree. States are obliged only to carry out treaties they have signed, the signature being itself an act of state sovereignty. State sovereignty, in legal terms, remains intact.

International organisations designed to deal with international problems are still either state-based, such as the United Nations, or, if non-governmental organisations (NGOs), they have to act through power structures created and maintained by states. State sovereignty remains the *practical* feature of political activity. States remain by far the greatest donors of international aid, the most important actors in international affairs, and, of course, are the major

military players in conflicts. The state remains the central feature of the international system. Indeed, alternatives to the state look, on closer examination, to be somewhat larger 'states' with different names.

Nevertheless, there is an issue here about the future of state sovereignty. It is challenged, even if it still is the central feature of the state. While *legal* state sovereignty remains intact, it is the erosion of *practical* state sovereignty that will determine the validity of the concept of the state in the future. We will look here at the major challenges to *practical* state sovereignty in the modern world:

- The structure of international society;
- The impact of **globalisation**;
- the spread of weapons of mass destruction;
- the growth of informal ties;
- the rise of new international actors;
- **neo-colonialism**.

globalisation

The process by which economic, political and cultural power and influence are transferred to organisations such as multinational corporations and so removed from the control of those most affected by them. This involves the increasing interdependence of states, social and economic organisations and individuals in the modern world

neo-colonialism

The process by which powerful Western states reassert their dominance over nominally independent states by economically exploiting them through bodies such as the International Monetary Fund and the World Bank, and especially multinational corporations and financial institutions.

The structure of international society

State sovereignty has always been predicated upon political power: the practical ability of the state to defend its sovereignty against internal revolt and external enemies. In international society there have always been considerable differences in practical power among sovereign states; although states are legally equal, the differences mean that some states are more 'equal' than others. However, the modern international system has seen the rise of a whole new class of state, known as the 'superpower'. Superpowers are so powerful that they undermine the practical sovereignty of all other states in the international system.

During the Cold War, so it is argued, the USA and USSR constituted the only superpowers in the international system. They created alliances: structures built around one or other superpower. Junior members of these alliances were subject to interference in their internal affairs by the dominant superpower, so much interference that practical sovereignty was drastically reduced. The present post-Cold War world now has only one superpower, the USA, with enormous economic and military potential to undermine state sovereignty of weaker members of the international system.

This view of the over-riding might of a superpower fails to acknowledge that legal sovereignty, even of smaller states, has a practical validity. Junior states

in the international system may use legal sovereignty to ensure a considerable degree of practical sovereignty in the face of superpower pressure. France in 1965 asserted its legal and practical sovereignty by removing NATO and US bases from its territory. The Soviet Union found that its claims of limited sovereignty within the Warsaw Pact were challenged by its member states. Poland and Romania regularly asserted their sovereignty in the face of considerable Soviet pressure. Despite the assertion of Hungarian and Czechoslovakian political sovereignty it was crushed by Soviet military force in 1956 and 1968, respectively, but the desire to restore practical sovereignty remained within those states and contributed to the collapse of the Soviet Empire.

It does not therefore follow that sovereignty is automatically undermined by the existence of superpowers. At times, the sovereignty of small states can be strengthened in the face of superpower pressure. They can be seen as the victims of superpower bullying and can embarrass the superpower accordingly. Perhaps the most obvious element in the continuing importance of states is their sheer number in the international system despite the hierarchical nature of power in international society.

The impact of globalisation

Globalisation is said to undermine practical sovereignty by the rapid spread of technology, ideas, electronic communications and the swift movement of people and capital around the globe. The global economy has created such strong economic ties between states that old concepts of national economic independence are obsolete and, therefore, the economic basis of practical sovereignty has gone.

State sovereignty in the past could be protected by state action to prevent movements of people and ideas across frontiers. However, global technology ensures that states are unable to isolate their people from new ideas. State frontiers and concomitant state sovereignty have become increasingly meaningless as a concept in the modern world.

There is, though, little that is new in this thesis. State sovereignty has always been subject to challenge by communications technology and capital movements around the globe. Even states most integrated into the international economy are ones in which the bulk of economic activity is domestic and only a small part of economic activity is related to foreign trade.

Nevertheless, technological developments ensure that states, for good or ill, increasingly have at their command the means for greater control and surveillance of their populations than ever before. Even the most liberal-democratic state has enlarged its powers to the extent of strengthening its practical sovereignty in the face of challenges to it from within and without.

Weapons of mass destruction

In the centuries before the development of nuclear weapons, it is argued, practical state sovereignty in military affairs was very strong. A foreign power had to destroy the armed forces of an enemy state in order to inflict total destruction on the economic and population resources available to that state. The enterprise was difficult, enormously taxing and prone to failure, and the gains from such actions might be seen to be relatively minor when measured against the inevitable weakening of even the victorious power.

Now the existence of nuclear and other weapons of mass destruction available to states and, potentially, terrorist organisations, means that even the strongest state is vulnerable to devastating military strikes, without warning, which would inflict enormous damage on political, economic and social structures. As a consequence the military basis of sovereignty has been reduced and, possibly, removed. With this key element of sovereignty gone or fatally weakened, the Westphalian state has lost is major characteristic – the monopoly on organised political violence, and its major function, the use of military power to promote the policy aims of the state.

Nevertheless, the state remains the major organiser of military power in the world. Even the most sophisticated terrorist organisations can only compete militarily with the resources available to a very small state. The majority of sovereign states retain considerable military power. Nuclear weapons can strengthen relations between nuclear-armed states by developing concepts of 'nuclear deterrence' to ensure that peace is maintained and caution is a feature of the handling of crises between such armed states. In confrontations between nuclear and non-nuclear armed states, however, one cannot see any evidence that the non-nuclear state is significantly intimidated by the nuclear power and alters its behaviour. Nuclear weapons may not be a credible political tool in crises with non-nuclear-weapons powers. What nuclear-weapons power would threaten, let alone use, nuclear weapons against a small non-nuclear power? The threat would be hollow and would merely isolate the nuclear-weapons state in international society. Hence, the practical sovereignty of states is unlikely to be significantly reduced by developments in weapons technology.

Growing informal ties

The practical sovereign functions of the state are undermined by the growth of informal links between people outside inter-state relations. Subversion, propaganda, ethnic cross-border ties, religious affiliations, the internet, tourism, international media and the creation and spread of a global culture all weaken the power of the state to call automatically upon and expect the loyalty of the people under its legal sovereignty.

For example, religious affiliations place demands for allegiance on co-religionists above the demands of the state in which they reside. Young British Muslims have travelled to Afghanistan to fight for fellow Muslims against the armed forces of their own state, claiming a higher duty than one associated with citizenship. Christian groups challenge their own governments when they violate Christian principles. Indeed, in the struggle against particular state regimes religion plays a very important role. The end of the communist regime in Poland was, in part, connected with the role of the Catholic church led by a Polish pope who could call on the moral and political support of millions of fellow Catholics.

Tourism involves millions of people travelling for leisure to other countries, creating new relationships between peoples that weaken the automatic support of people for their own state. Only over the last thirty-five years or so have millions of people been able to travel to other countries and experience their cultures other than as members of an invading army. Tourism is only a mass phenomenon in relatively rich nations but as with other phenomena it is likely to expand.

The internet and the international media have created the opportunity to spread with ease cultural and political values that challenge and weaken the capacity of a state to control its population free of external and alternative points of view. Indeed, the political messages carried by modern technology may influence the internal political debates and social conditions within other states.

These changes have affected the power of the state to maintain its sovereignty. States may have had to modify their functions in response to tourism and technological change. However, it is doubtful whether practical sovereignty has automatically been undermined. Modern technology is probably more likely to increase the ability of a state to control, track and regulate its population. Cross-border religious affiliations of some members of a population may strengthen the allegiance of the rest of the population to the values of their own state, the former being seen as potential, or real, traitors. Travel and the international media may not broaden the mind. The more people know about foreigners the more they may dislike them and find them a threat. Greater knowledge about other societies and their peculiarities may strengthen xenophobia.

New international actors

State sovereignty is certainly challenged by the growth of a vast range of actors in international affairs. These include Multi-National Corporations (MNCs), environmental and aid pressure groups, terrorist organisations, international capital markets, religious movements and international organisations created by states. Thousands of such groups exist and certainly make the

workings of international society more complex than if it had been composed of sovereign states alone.

These new international actors have their own interests and objectives, which will often not coincide with the interests and objectives of states, and may actually be in conflict with them. The very number and diversity of these actors make it difficult for states to assert their practical sovereignty over them. The power of some of these new actors, especially the economic power of MNCs, which is often greater than that of many sovereign states, challenges and undermines the sovereignty of states.

However, it must be acknowledged that most of these new actors are very small and very, very weak compared to states. Furthermore, only a few of these actors perceive themselves as being involved in a challenge to state sovereignty. Although terrorist and guerrilla organisations see themselves challenging state power, usually to create a new state or severely modify a state in line with their own interests, most dissident groups are aware of the need to work through states and to influence state policies if their objectives are to be achieved. MNCs and pressure groups act within a framework that assumes a key role for the state. Many new international actors, such as the European Union, the United Nations or international courts, are created by states themselves and exist to reflect state interests. Indeed, the European Union and the United Nations, among many such bodies, exist only as state-created structures and can only be understood in relation to legal and practical state sovereignty. The state, therefore, remains a major factor in the calculations of most new actors.

Neo-colonialism

Globalisation and international trade in the world economy has, it is argued, undermined the practical sovereignty of states, especially the smaller, ex-colonial states.

Sovereignty is made meaningless by the economic control of foreign-owned MNCs. This is especially true in Africa, Asia, Latin America and parts of the Middle East. Governments may retain legal sovereignty of a state but practical sovereignty is undermined by the influence of MNCs, acting out of self-interest rather than the interests of the state in which they operate. Even powerful states in the developed world find themselves struggling to exert sovereignty in the face of economic pressures from powerful MNCs.

The extent to which such economic processes undermine state sovereignty can be exaggerated. States need the tax revenues, jobs, investment and wealth that MNCs can bring and these, in themselves, can strengthen practical sovereignty. MNCs know they need to tread carefully in dealing with states, as states can assert their control over key national resources by the nationalisation of

foreign assets. Many Middle Eastern states nationalised foreign oil companies in the 1960s and used the revenues to develop their countries. However, the success of such a strategy depends on the value of the resources concerned. Oil is a vital commodity for modern industrial societies, being used in products such as petrol, plastics and paint, while bananas, for example, are of major concern only to banana producers. Oil is one thing, bananas are another!

The state is still the major form of political association in the world. It remains the major concentration of political, military and economic power, the major focus of loyalty for people and the one political association for which most people are willing to run the risk of injury and death to create or defend it. Nevertheless, its nature changes over time. For most people the state is no longer 'The Divine Idea as it exists on earth',[1] but it does have a powerful pull on their emotions. It is still the form towards which political nationalists aspire and in recent decades its phenomenal explosion in numbers is further evidence of its attractions.

Sovereignty is not a static concept. It, too, changes as political realities change. The debate in Britain, for example, over the impact of the EU on sovereignty, sometimes sounds as if the idea is an eternal reality and not subject to change. Sovereignty is an attribute of states that is both an idea and a reality of state power. It is one of the means, an important one, by which the government of a state seeks to ensure the best it possibly can for its people. As such, it also changes over time. One might consider the supposed decline in legal sovereignty resulting from membership of the EU as more than compensated for by the *rise* in the practical sovereignty of enhanced economic and political clout available to the British state in international politics which results from EU membership and the pooling of sovereignty.

One can over-estimate the power of the state. The vast majority of states are poor, weak, with very little practical sovereignty abroad and often precious little at home in the face of powerful economic and sectional interests. Mere sovereign equality does not ensure the ability to exercise real power. The condition of internal chaos in some states poses a threat to their neighbours as well as to the well-being of their own citizens. So great is this problem, and so great the dangers to international stability, that in recent years it has been argued that some form of benign Western 'imperialism', for want of a better word, may be required. Some territories may have to be taken over by powerful states, reconstructed and have order restored.

One may, however, perceive this as demonstrating the *importance* of state power, rather than the declining value of the concept. The state is likely to remain the most important political actor far into the future.

Summary

Although the state can be traced as far back as ancient times, the modern state really emerged in the seventeenth century. The state is not the same thing as 'society', the 'government' or the 'nation' but has its own defining characteristics. Although it is of fundamental importance, in that all political activities revolve around it, there are several interpretations of the state, but certain features are common to them all: the state controls an identifiable population and geographical territory; it has a high degree of longevity; it can be described as a structure of law in society; it is characterised by sovereignty. In recent years, questions have been raised as to the continued significance of the state, which appears to be challenged by such developments as the restructuring of international society, globalisation, new forms of warfare, new types of international organisations (such as MNCs) and neo-colonialism. In spite of this the state remains the major form of political association in the world and is likely to remain so.

REFERENCES AND FURTHER READING

1 G. W. F. Hegel, *The Philosophy of Right*, 1821.

D'Agostino, F. 'The State under the Rule of Law', in G. Duprat, N. Parker and A.-M. Rieu (eds.), *WHAT IS EUROPE? Book 3: European Democratic Culture* (The Open University and European Association of Distance Teaching Universities, 1993), pp. 105–31.

Bartleson, J. *A Genealogy of Sovereignty* (Cambridge University Press, 1995).

Cooper, R. 'Dawn Chorus for the New Age of Empire', *The Sunday Times* (28 October, 2001).

Goodwin, G. L. 'The Erosion of External Sovereignty?', *Government and Opposition* 9:1 (1974), pp. 61–78.

Hertz, J. 'Rise and Demise of the Territorial State', in R. I. Matthews *et al.*, *International Conflict and Conflict Management* (Prentice Hall, 1984), pp. 182–93.

Heywood, A. 'Sovereignty, the Nation and Supranationalism', in A. Heywood, *Political Ideas and Concepts: An Introduction* (Macmillan, 1994), pp. 48–56.

Hinsley, F. H. *Sovereignty* (Cambridge University Press, 1986).

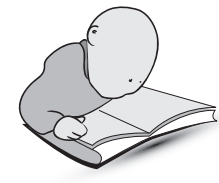
James, A. *Sovereign Statehood* (Allen and Unwin, 1986).

Millar, J. D. B. 'The Significance of the Sovereign State', in J. D. B. Millar, *The World of States* (Croom Helm, 1981), pp. 16–32.

Morgenthau, H. J. and. Thompson, K. W 'Sovereignty', in H. J. Morgenthau and K. W. Thompson, *Politics Among Nations* (Alfred A. Knopf, 1985), pp. 328–46.

Puchala, D. J. 'Origins and Characteristics of the Modern State', in R. I. Matthews *et al.*, *International Conflict and Conflict Management* (Prentice Hall, 1984), pp. 177–81.

SAMPLE QUESTIONS



1. What is the state?
2. What should the functions of the state be?
3. Is sovereignty indivisible?
4. How accurate is it to say that sovereignty is the ultimate source of authority in society?
5. 'State sovereignty is an outmoded concept.' Discuss.
6. How would you define the concept of a 'failed state' and is the concept a useful one in the contemporary world?