Is sovereignty 'organised hypocrisy'?
Written by Francesca Lo Castro

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Sovereignty can be said to be the fundamental pillar on which international relations take place. It is sought by territories claiming independence and forcibly defended by those who had it granted. It has also been one of the most debated concepts in International Relations (thereafter IR) in the last 20 years, particularly since the end of the Cold War when the nature of statehood and boundaries seems to be redrawn by the forces of globalisation and human rights rhetoric. But what is the fuss about this political idea? On the one hand, some have argued that sovereignty is becoming an obsolete idea given that the successful neoliberal economic policies and ethical foreign policy operate in a border-less world. On the other hand, the modern international system of states is based on this idea as it acts as a regulator or 'code of conduct' on the way states ought to behave to each other. Nevertheless, as Krasner (1999) puts it, sovereignty is nothing but an 'organised hypocrisy' as it is acknowledged by all to be utopian, but used by many as it is instrumental in contexts such as decolonisation or forceful self-defence mechanisms. The aim of this essay is thus to understand whether sovereignty is really a straw man, a false utopian idea injected consciously in politics so as to make the world work in a certain way. To begin with, this work will define the concept of sovereignty by using both the classification of Krasner employed in his book, but also other interesting sources and comments. Secondly, it will demonstrate that sovereignty is a necessity and the essence of contemporary international relations, as even small states as the Vatican or Gibraltar always tend to proclaim the authority they possess over their piece of land. Thirdly, it will support Krasner's argument that sovereignty is hypocrisy by using valid examples which can show the reality lying at the basis of the idea. Finally, it will offer an objective evaluation of the opposite arguments by showing the way in which the practicability of the idea wins over its utopian essence (probably it is better to be unrealisable under certain aspects). This essay will thus argue that sovereignty is not merely a hypocritical concept, given that certain concessions of it are implied in its very evolution, but also reflects the world powers willingness to act illegally within the limits circumscribed by international law. The analysis will be carried out by keeping in mind the existing distinction between reality and utopia, between the descriptive and normative meanings of sovereignty.

Like any other political idea, sovereignty is a highly contested concept whose arguments for and against tend to create strong emotional affiliations. A multitude of definitions have been created and employed by academics and politicians to describe it, such as the practical interpretation by Thomas Hobbes who asserts that a state to be sovereign needs to posses the monopoly of violence within its territory (Hoffman and Graham, 2006). Nevertheless, to remain coherent with the purpose of this work, the fourfold taxonomy by Stephen Krasner (1999) will also be outlined in order to offer a comprehensive definition of the term in question. In *Sovereignty: Organised Hypocrisy*, Krasner (1999) argues that the word sovereignty has four distinctive attributes: international legal sovereignty as international recognition from states; Westphalian sovereignty as the principle of non-interference, domestic sovereignty as the ability of a state to maintain the monopoly of the use of violence within its territory and interdependence sovereignty as the capacity of a government to control the intra-borders movements of any kind. In reality, only Westphalian and international legal sovereignty are questioned as they represent the pivotal expressions of the principle of sovereignty. However, the above classification cannot be exhaustive given that the problem in conceptualising sovereignty is that it becomes hard to separate the descriptive and normative significance of the concept (Karp, 2008). Hence, it must be made clear that the difference between what sovereignty is, and what it ought to be must be taken into account when dealing with this concept. An interesting but dissimilar definition of sovereignty is drawn by Karma Nabulsi (2004) who argues that sovereignty belongs to the people and is the authority exercised by them through various forms of resistance to repressive and unrepresentative rule. It is the legitimising principle of modern democracies and of the fundamentals of international law (Nabulsi, 2004).

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On the one hand, it can be argued that sovereignty is not a fictitious idea. As a matter of fact, the normative conceptualisation of sovereignty is possibly one of the most successful and long-standing concept within international politics, given that it has survived over three centuries of history and it is sought by all those entities wanting to become members of the states system (Bickerton, Cunliffe and Gourevitch, 2007). Even when the globalisation phenomenon seems to attack the basis of interdependence sovereignty, states are still required to be legally recognised by other states and are also required to follow the tenets of international law enshrined in the United Nations Charter which maintains that all states are equal sovereigns operating in the world order (UN, 1945). Hence, not only does this concept lies as the foundation of international law, but it is also an accepted custom on which everyone agrees even when not fully understanding its implications (Watts, 2001). Moreover, the concept carries a deep historical significance given that it is the result of the Treaty of Westphalia of 1648 which terminated long years of violence and instability experienced by Western European states and which was later spread in the rest of the world through the political movement of colonisation and decolonisation (colonisation has also clearly affected the political reality of most colonies, given that their government was forged in the image of the Western Powers). For the above reason, it is often taken for granted when dealing with issues regarding the international order and the essence of statehood (Simpson, 2004).

Nevertheless, sovereignty remains an important principle protected and wanted by many, even by the smallest territories. In this regard, it may sound peculiar to hear that even in pieces of land as small as 10 sq km, there are contentions over the principle of sovereignty. Gibraltar is one of them, with the Rock of Gibraltar still a source of conflict between Spain and the United Kingdom, which retain full control over the territory after that the population from Gibraltar refused an agreement on sharing sovereignty between the Spanish and British governments (BBC, 2004). Another example can be drawn from the WikiLeaks most recent file disclosure, in which it appears that the Vatican made use of its right as a sovereign state to blame the actions executed by the Irish Commission investigating on child abuses committed by the priests (Kington, 2010). Most of all, sovereignty cannot be an obsolete and hypocritical idea when big and powerful states still proclaim its principle making serious implications of it. This is proved by the American 'disproportionate' reaction over the violation of its domestic sovereignty in regard to the 9/11 attack, and also demonstrated by the irritated reaction of the Chinese government concerning the Nobel Prize victory by Liu Xiaobo, over which the Chinese foreign minister declared that they "resolutely oppose any country or any person using the Nobel Peace Prize to interfere with China's internal affairs or infringe upon China's legal sovereignty," (BBC, 2010).

On the other hand, it can be juxtaposed the notion that sovereignty is indeed hypocrisy. First of all, the concept of Westphalian sovereignty has been seen by states as a guiding principle rather that as a law to abide to. Violations to the principle of Westphalian sovereignty have occurred many times along the course of history, and have been legitimised either on the basis of domestic sovereignty or on the principle that states are unequal sovereigns and thus some are allowed to act exceptionally (Krasner, 1999; Simpson, 2004). Both of the above circumstances can be exemplified by looking at the way the principle of sovereignty has not prevented states from interfering in the affairs of other states, but might have actually acted as a catalyst for intervention, as in the multitude of cases related to humanitarianism. As a consequence, it could be assumed that a full realisation of the concept cannot take place in the real political world as the various forms of sovereignty operate within certain limits. Secondly, since its very postulation, only few states have 'succeeded' in owning all the components of being sovereign (as identified by Krasner, 1999), and they might just be the most powerful ones. At the time of the independence movements of the 1960s and 1970s, some of the ex-colonies were clearly not ready to control the state infrastructure left by the colonisers and to meet the demands of the people who did not feel attached to a country or political elite which did not represent them. In fact, it seems that Western powers needed to grant sovereignty to the colonies so as to escape the reality of imperialism and the blame it implied. Hence, the fact that they were granted international legal sovereignty by the other states, does not actually mean that they possessed domestic or interdependence sovereignty (Krasner, 1999). This can be exemplified by the case of Somalia and Somaliland, with the former recognised worldwide as a sovereign state even when failing to provide security and protection to its citizens while the latter 'has a currency, car registrations and even biometric passports, but only private firms such as DHL, a courier company, link it to the outside world' (The Economist, 2010). The same paragon can be made the other way around, in fact there are states which do not support the international legal recognition of Kosovo but which paradoxically do accept visitors with Kosovar passports (The Economist, 2010). To this paradox, Krasner (1995)

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responds by arguing for a reconceptualisation of Westphalian sovereignty through a process of compromise. That is to make its application contingent to the reality of the state in question: therefore, if a state is not capable of managing its economy independently, it might be better to compromise its sovereignty and get external financial directions or aid. Krasner (1995) goes on to argue that this move would 'make normative discourse more consistent with empirical reality, and it would also contribute to the more imaginative construction of institutional forms' (p. 151) so as to create a more peaceful states system.

From the above contrasting arguments it can be stated that the principles entrenched in the sovereignty concept neither wholly represent an organised hypocrisy nor can be said to fully exist in the reality of international relations. As it has been argued in the previous section, the descriptive and normative understandings of sovereignty are not reconcilable elements. On the one hand, Joffe (1999) asserts that no state is an island and thus no country is absolutely independent from external entities as the Westphalian concept of sovereignty would like us to believe. It follows that it should become an acceptable reality that only certain facets of sovereignty can actually work in practise, while the principle of non-interference or interdependence should be put aside and probably re-conceptualised so as to fit the reality of globalisation and of international political economy. The case of the European Union, that most academics use when discussing the obsolete existence of the sovereignty principle, can be explicative of Krasner's (1995) belief. In fact, it has been argued that the sovereignty of all European states might actually be enhanced thanks to the cooperation and consultation system which operates at the intra-state level, as it makes them carry more political weight (Gourdault-Montagne and Ischinger, 2008). In the same way, Cohen (2004) notes that even if sovereignty has its limits, it is also true to say that its discourse 'involves normative principles and symbolic meanings worth preserving' (p. 17). Nevertheless, to take for granted that the compelling idea that sovereignty is an organised hypocrisy would also be a mistake. That is because the code of behaviour which evolved around the concept of sovereignty is not based on the most powerful states manoeuvring it at their desire. Rather, it is the result of a system in which the idea of sovereignty is deeply rooted and impossible to eradicate as it would be too costly an attempt, and in which all states are deemed to behave in accordance to the limits exposed by international law (Brown, 2006). Therefore, when state A intervenes in state B and violates its sovereignty, state A will not justify its actions arguing that sovereignty is organised hypocrisy and can be contravened. Rather, state A will act in accordance to the limits of the law and to the means it provides. For instance, the United States invaded Iraq on the basis of humanitarian reasons, which are part of customary international law, and not on the basis of being a powerful state that is part of 'unequal sovereigns' acting in a system which claims the legality of hegemonies (using the terminology of Simpson, 2004).

To conclude, this essay has argued that to define sovereignty as organised hypocrisy might be a dangerous choice, even when convinced of the originality of this radical idea. Hence, through the identification of the different faces of sovereignty and an understanding of the fact that sovereignty still plays a fundamental role in international relations, given that all states rely on it or still want it, it can be said that sovereignty is not hypocrisy. Yet, considering Krasner (1999) and Simpson's (2004) claims it can be demonstrated that probably sovereignty has not been used by powerful states as a straw man (as it would be too naïve an act), but rather as a political tool for justifying certain acts which could have not otherwise be accepted within the framework of international law. The concept of sovereignty has evolved and is still evolving, however its controversial and questionable nature has not evolved, as the world keeps on witnessing the same disasters and the same usurpations of the most powerful towards the weaker states.

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