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## Contending Dialectics: Revisiting Material and Ideational Dimensions of Sovereignty

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JAN LÜDERT, AUG 13 2010

Sovereignty, a central principle in the study of International Relations, has undergone numerous interpretations and remains a contested concept. Nonetheless a core meaning stands out and revolves around the claim of the state as supreme authority over a given territory. It has furthermore been viewed as a relative recent notion of political authority; here it is often, in reference to the practices borne out the *Peace of Westphalia* in 1648, referred to as *westphalian sovereignty*. Over the historical course of political thought the notion of sovereignty has generated questions ranging widely from: Who represents the legitimate bearer of sovereignty? What is the internal and external scope of sovereignty? And, to what extent is it feasible to speak of absolute sovereignty? Here, the state is understood to constitute the primary institutions holding sovereign authority and, in extension, forms, as part in the assemblage with other states, today's society or system of states.

This debate paper, given the confines of space, will focus its attention on a selected number of readings that have grappled with these pertinent questions. In the process the argument presented here will proceed in unpacking the nature of sovereignty, and provide an argument entailing a critical discussion regarding the ways and reasons of its importance for the present-day study and reality of international relations. Here particular emphasis is given to both continuity and change of sovereignty as a foundational principle of the system of states. This especially highlights both material and ideational factors that gave, and continue to give, rise to its (post)modern (re)formulation.

To begin with, the nature of sovereignty can be recognized from a number of differing historical vantages. At the heart of this divergence in interpretation lies the contested question of an *a priori creator* that is to be found in either ideational or material factors. If sovereignty is best understood within a "periodizing hypothesis, an epochal threshold, the end of an historical project"[1] or, in borrowing from Krasner, if it is and has been "up for grabs,"[2] remains an unresolved issue in relevant scholarship and is contested in the practice of international politics.

Ruggie argues that the demise of the medieval system of political rule and the concurrent emergence of the modern territorial fixed system of states partly stems from "a transformation in social epistemology" or, put more simply, a "fundamental change" developed in people's cognitive ability to imagine and symbolize new forms of political community. Here the impact of people's emergent "self-image", seen for instance in the emerging "I-form", in an ever-increasing set of webs of inter-subjective meanings were as much at work in the formulation of the "concept of absolute and exclusive sovereignty" as was the rediscovery of exclusive property rights from Roman law.[3] Ruggie calls our attention from here to a central attribute of modern sovereignty, namely territoriality understood in a fixed system of mutually exclusive states. Ruggie continues and views the space-time implosion that advanced in emerging capitalist societies, which had been initiated by the Renaissance, as a historical mark that profoundly transformed and paved the way for the material production of the (post)modern mode of organized political spatial rule.[4] This production was made possible by the "distinct feature" that had "differentiated its subjects collectively into territorially defined, fixed, and mutually exclusive enclaves of legitimate dominion." This unique occurrence was primarily founded in an ideational shift that consolidated "all parcelized and personalized authority into one public realm," here demarcating public and private spheres of rule and drawing an imagined and then real frontier between internal and external spatial realms.[5] The social construction of the modern system of states was thus made possible by three salient dimensions "irreducible to one another." [6] First, the material environments during medieval

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times, both positive and negative, strained “existing social arrangements” to the point of collapse, creating an economy that was characterized by “permanent depression and pillaging, robbing, and civil unrest.”[7] Second, the strategic behaviour shifted in response to “exogenous shocks of the fourteenth century,” creating a “new matrix of constraints and opportunities for social actors.” Here Ruggie illustrates in reference to a *new economic history*, the ways in which the drastic demographic decline affected relative factor prices that favoured agricultural workers and industrial producer to the detriment of the land-owning class. He also highlights an innovative relationship between feudal authorities and traders in holding trade fairs that stimulated commerce, as well as the centralization of juridical authority. Third, as previously discussed, domains of political and economic life were mirrored in a “much broader transformation of social epistemology.” It was here, according to the author, that the concept of sovereignty “was merely the doctrinal counterpart of the application of single-point perspectival forms to the spatial organization of politics.”[8]

Krasner, on the other hand, contends this view and argues that the creation of new institutional forms can be explained “primarily by material, not ideational, factors.”[9] Furthermore, while the positive content of sovereignty, “the areas over which the state can legitimately command,” has continuously been questioned in theory as well as in practice, it has also varied across states and time.[10] Krasner sets out to show the ways in which the universal institution of the Holy Roman Empire was eliminated because it did “not conform to the sovereign principle,” while other institutional forms, that were materially better equipped, became instituted instead. The *Peace of Westphalia* of 1648 was thus not an epochal mark but a shift in the balance of political and material power that imposed a “territorial settlement that was advantageous to the victors France and Sweden.”[11] The *Peace of Westphalia* was but a stepping-stone in the protracted erosion of the “position of the emperor” and an attempt by Sweden and France to undermine the power of the Habsburg Austrian Empire. It was “not a decisive break” and codified practices more than it created new ones as it primarily served the material interests of the victorious powers. It was, following Krasner, only in retrospect that the Westphalia became “an icon useful to justify further consolidation of the sovereign state against rival forms of political organization.”[12]

The nature of sovereignty understood in this way is a contingent concept “whose actual content” is dispersed among various political actors and depends upon a “balance of resources – cognitive, economic, and military.”[13] As such the concept is in flux and continues to be contested by the “scope of authority” and by “institutional arrangements that do not conform with exclusive territorial control.”[14] Here Krasner draws attention to the historical fact that “old and new” institutional forms coexisted, before and after 1648, as exemplified in the Hanseatic Alliance of northern European city-states who maintained their traditional liberty and freedom as outlined in the *Treaty of Osnabrück* while sovereign states slowly marched ahead.[15] Even so, Krasner is cognizant of the impact of ideational forces on the emergence of state sovereignty. Contrary to Ruggie, they remain secondary considerations in his account as they simply reinforce the material position of some political actors in favour of others. The idea of sovereignty from this vantage point was “used” in a material rivalry of a nascent statist bureaucracy vis-à-vis the papacy, in, for instance, legitimating the collection of taxes which in turn strengthened the position of the state further while denying the roman church the same abilities. Ideas thus further legitimated political practices that were established “facts on the ground.”[16]

In sum both authors have highlighted the nature of sovereignty in considerable agreement over its meaning *per se*; they, however, differ considerably on the sites of its emergence and the scope of its authority as a guiding principle. For Krasner the driving force behind the reconfigurations of feudal institutions was material, not ideational. Changes both in new military technology and the growth of trade clearly supported those that were able to seize upon its advantages.[17] In addition it was “heterogeneity and irregular change” that characterized the development of political institutions across Europe and that further embedded a reality of the internal and external extent of sovereignty as “ubiquitously accepted.”[18] In opposition Ruggie maintains that sovereignty is part and parcel of an emergent ideational understanding, a generative grammar, signified in the nexus with territoriality, in which it is less important “who had how much power, but who could be designated as a power.” This designation implies a “collective act” and involved the “mutual recognition of the new constitutive principle of sovereignty;” without such an idea of reciprocity the modern international order would be inconceivable.[19]

This paper, while committed to pay tribute to the rich contributions, can only provide a partial insight into the

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indisputably much thicker description both authors provide in their respective texts. Nevertheless their historical accounts, up to this point, help to establish the grounds on which to remark, on a more philosophical level, on the importance of both ideational and material factors that made the historical emergences and development surrounding the nature of sovereignty possible. While both authors make valid points they, in combination, beg the question: What comes first? Who is the *a priori creator* of sovereignty? Do ideas drive material developments or is it the material reality that enables new ideas of political action?

While an answer to this conundrum is difficult, perhaps illusive, a consideration of two strands of dialectics might, at minimum, shed light on and help assess Ruggie's and Krasner's contributions. In Hegelian dialectics the abstract ideal creates the foundation for negative negation or mediation of cognitive thought from which the material concrete is synthesized. Marxist dialectics, famously turning Hegel on his head, contend that the ideal is nothing but the material world reflected by the human mind that translates material reality into new forms of thought. Both Hegel and Marx, though, emphasized, in their respective dialectic logic, the idea of a circular contradiction in between the movement of the ideal and the material that constantly drives human existence. The nature of sovereignty, this paper argues, is such a contradiction and both Krasner and Ruggie were able to poignantly identify the ideational and material factors that made its emergence and evolution feasible. It is here that both authors meet again in considering the European Union as a possible new site in which the contradictory nature of sovereignty is reevaluated. Ruggie states the "process of unbundling territoriality has gone further" in the European Union "than anywhere else"[20] and Krasner adds in concert "Brussels may be the new Rome." Thus the notion of sovereignty is, as its formation is inherently ambiguous, in the process of being remade.

The second part of this paper will, with the above assessment in mind, turn its attention to three additional texts that will shed light on the ways and reasons sovereignty matters in understanding the system of sovereign states. First, the paper considers Thompson's work on the decline of mercenarism as it carries on the already established historical sequence and further underlines both continuity and change of sovereignty as a foundational principle of modern statehood in especially providing an account for the internal and external scope of statist authority.

The Westphalian concept of state sovereignty expanded to become the concept of national sovereignty, while the employment of mercenaries in war declined and was eventually eliminated altogether. Armed forces, voluntary or conscripted, became an expression of the nation. Or put differently, as Thompson proposes: "Violence was taken off the market." Military practices in the 18<sup>th</sup> century, she argues, in which states openly "recruited foreigners and purchased, leased, or subsidized foreign armies" were substituted by citizen-armies and "disguised mercenaries." [21]

The decline of mercenarism as a political phenomenon, Thompson states, augments the need to examine the evolution of state claims over authority. Sovereignty as it was already outlined was made possible by the demarcation of subjects into public and private realms. This situation culminated into states becoming increasingly interested in recruiting and enlisting "citizens" as bounded individuals "possessing political and economic rights" (and duties) into its military complex. This reasoning additionally created a concern that came from the realization of political actors who had created the notion of citizenship and now confronted to agree with other statesman over "the extent to which they hold each other responsible for the external activities of their citizen." This process, as Thompson outlines, was apart from the internal public/private divide, "intimately related to developments in international law." [22] It can be traced in an establishment of the particular international norm of neutrality that evolved in a context of war amongst nation states. The neutrality norm, Thompson eloquently explicates, was transmitted in a practice by states involving a "combination of imitation and the threat of coercion" that was only viable in a "fundamental intersubjective understanding, a set of expectations" that are ultimately grounded in the mutual respect for sovereignty. It extended authority and control not just over a given territorial space but also increasingly over "its citizens' violent activities beyond its borders." [23]

The importance of Thompson's study is vital to an understanding of the evolving nature of sovereignty in at least two regards. First, it highlights the ways in which the interrelation of the internal and external scope of sovereignty has been further consolidated and expanded. The creation of citizens bounded by nation states culminated in the decline, and almost demises of mercenarism and gave way to the establishment of citizen armies. Second, it illustrates,

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relating back to Ruggie, a “critical threshold” of passing “from constitutive to configurative wars, for it first acknowledged the principle of reciprocal sovereignty.”[24]

This acknowledgment, as the next section will chart, has further altered attitudes and practices in the sovereign state system and concerns the “use of force to alter interstate boundaries.” What follows is a discussion on states’ commitment “to a global political order” in accepting, especially after World War II, the so-called territorial integrity norm.[25]

Zacher confirms that there is no straightforward answer to why the territorial integrity norm emerged, however he insists that it has become a “central pillar of the international order.”[26] The motivations of states, he outlines, have in accordance with the observations by the preceding authors been both instrumental and ideational, while its salience has, yet again, varied and has been partly coincidental among groups of state and over time. Based in the principle of *uti possidetis*, after which states “respect the boundaries inherited from the previous governing power,”[27] the norm emerged with the end of World War I and was proposed, along with other liberal democratic statesmen, by then US president Woodrow Wilson, in an attempt to put an end to the “very bloody” experience of the “era of destructive territorial aggrandizement.”[28] The norms acceptance grew steadily and in 1945 the United Nations charter generally committed to “refrain from the threat or use of force against the territorial integrity or political independence of any state.” The United Nations began, as Zacher approves, to encourage states to broaden their understanding of sovereignty to include the respect for territorial integrity.[29] The United Nations declaration of 1960 further responded to the perceived threat of a number of newly independent states fearing endless secessionist movements, in calling for independence and self-determination, further solidifying the norm. Since the mid 1970’s the norm has been further strengthened and institutionalized in the responses of individual states that experienced conflict as well as the drive by liberal democracies committed to its underlying value of peaceful coexistence.[30]

Central to the norms materialization were thus also the “industrialized world’s fear that territorial revisionism could ignite a major war” grounded in the experiences of two major wars, and a fear of nuclear weapons the development of the norm was driven “at key points in its multilateral legitimization.” In addition liberal democratic states were “the driving force behind the norm in 1919, 1945 and 1975.”[31] While it is not possible at this juncture to account for all instrumental and ideational dimensions Zacher outlines, two overarching notions on either side stand out. States have supported the norm as they saw a self-interested benefit in upholding it for reasons of national security and survival and, secondly, ideas “rooted in changing views of ethical behavior toward other peoples and states” are based in views that valorize both liberal democratic and economic interdependency as conducive to international order.[32]

What matters here, and this paper concurs with Zacher’s findings, is that the territorial integrity norm supports Krasner’s view that internal control and respect for state territoriality have differed noticeably in the last centuries. But the norms emergence also highlights the ways in which a clear shift demarcating “our present era from the past” becomes visible. The increasing importance of multilateral actors such as the United Nations or the International Criminal Court upholding the integrity norm even if contested by concerned states are only two examples for the innovations that have impacted the understanding of sovereignty in the 20<sup>th</sup> century.[33] Before concluding this paper a reading of sovereignty will be considered that underscores the importance of two fundamental institutions that have informed the preceding authors’ conceptualizations. Namely, acknowledging the importance of the fundamental institutions of contractual international law and multilateralism.[34]

This reading takes the notion of sovereignty further and critiques in particular constructivist accounts to attach too much “explanatory weight to the organizing principle of sovereignty” instead of perceiving it as “an independent, self-referential value.” In this conception Reus-Smit views constitutional structures that, in accord, configure international society in an ensemble of “three deep constitutive values: a shared belief about the moral purpose of the state of centralized political organization, an organizing principle of sovereignty, and a norm of pure procedural justice.”[35] As such Reus-Smit designs a theoretical framework that aims to explain the reasons why “different societies of states privilege different basic institutional practices.”[36]

An explanation to these institutional variations offered by Reus-Smit is based on a comparison that defined

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“legitimate statehood and rightful state action” in ancient Greek and in modern constitutional structures. His analysis establishes the argument that while the ancient Greek cultivated a “particular form of communal life – what Aristotle calls *bios politikos*” the modern conception lacks a communal component and instead is “resting on the augmentation of individuals’ purposes and potentialities, especially in the economic realm.” Here sovereignty is “increasingly tied to the cultivation of an environment in which individuals can freely pursue their “interests,” a freedom protected by state-sanctioned “rights.”[37]

The normative account offered by Reus-Smit is thus a pivotal addition to further an understanding on the ways in which prevailing ideas about the moral purpose of rightful statehood “undergrid” sovereignty in the modern era, as well as informing a more complete picture of pure procedural justice. Both of these meta-values, he rightfully points out, have constructed the institutions of contractual international law and multilateralism in modernity and concurrently explain why the ancient Greek city-state performed interstate arbitration instead.[38] On a much broader level Reus-Smit, also, drives the point that the modern society of sovereign states is not only a practical association, but also a collectivity. In this regard it becomes possible to see that the nature of sovereignty, as a core value, is more than an arbiter amongst competing states but a historical and intersubjective value that is specific to the discourse of European thought and political practice.

In conclusion this paper has, in reference to a selected scholarship surrounding the pivotal debate on the nature of sovereignty, argued along three axes and provided a critical discussion and assessment of these readings. First this paper has presented, along the nexus between ideational and material factors, an argument pertaining to the notion of sovereignty as a contradictory concept carrying attributes of both idea’s and material forces giving rise to its formulation as well as to its ongoing reconfiguration. Second, this paper has argued that the question of what constitutes the *a priori creator* to these continuities and changes is dependent upon differing dialectical understandings of history and human existence. Here the discussed scholarship, regardless of its emphasis, provides important and valid insights. Last, this paper has used the above understanding to further analyze readings that discuss norms that have changed the nature of sovereignty over time and explained the ways in which these norms help to understand the ongoing expansion of the concept to fit both ideational and material shifts over time and space. Here this paper has norfocused to show how the decline of mercenarism, the territorial integrity norm and sovereignty as an independent, self-referential value all highlight from their different *foci* the ongoing importance of sovereignty as a basic principle to the material and ideational logic of the modern society of states. States, however, are no longer standing alone on the hill of sovereignty, as other actors have come to the climb in claiming their *own* sovereignty vis-à-vis the state. It is especially here that ongoing erudition on the nature of sovereignty will continue to be of crucial interest to scholars and practioners of international political phenomena alike.

[1] John Gerard Ruggie, „Territoriality and Beyond: Problematizing Modernity in International Relations,“ *International Organization* 47 (1993), pp. 139-174 p.144

[2] Stephen Krasner, „Westphalia and All That,“ pp. 235-264 in Judith Goldstein and Robert Keohane (eds.), *Ideas and Foreign Policy, Institutions and Political Change* (Ithaca, NY: Cornell University Press, 1993) p. 260

[3] Ruggie, *ibid.*, p. 157

[4] *Ibid.*, p. 147

[5] Ruggie, *Ibid.*, p. 151

[6] *Ibid.*, p. 152

[7] *Ibid.*, p. 153ff.

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[8] Ruggie, Ibid., p. 159

[9] Krasner, Ibid., p. 235

[10] Ibid., p. 236

[11] Ibid., p. 241

[12] Krasner, Ibid., p. 246

[13] Ibid., p. 244

[14] Ibid., p. 238

[15] Ibid., p. 241

[16] Ibid., p. 238

[17] Krasner, Ibid., p. 246

[18] Ibid., p. 247

[19] Ruggie, Ibid., p. 162

[20] Ruggie, Ibid., p. 171

[21] Janice Thompson, „State Practices, International Norms, and the Decline of Mercenarism,“ *International Studies Quarterly* 34:1 (1990), pp. 23-47, p. 45

[22] Ibid., p. 40

[23] Ibid., p. 43-45

[24] Ruggie, Ibid., p. 163

[25] Mark Zacher, „The Territorial Integrity Norm,“ *International Organization* 55:2 (Spring 2001), pp. 215-250.

[26] Ibid., p. 246

[27] Ibid., p. 229

[28] Ibid., p. 236

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[29] Ibid., p. 221

[30] Ibid., p. 237

[31] Ibid., p. 245

[32] Ibid., p. 225

[33] Ibid., p. 246

[34] Christian Reus-Smit, „ The Constitutional Structure of International Society adn the Nature of Fundamental Institutions,“ *International Organization*, 51 (1997), pp. 555-589

[35] Ibid., p. 556

[36] Ibid., p. 558

[37] Ibid., p. 571

[38] Ibid., p. 584

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