

THE SOVEREIGNTY EXCHANGE: FOURTEEN WORLD LEADERS ON THE FUTURE OF SOVEREIGNTY

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The notion of the sovereign state is the fundamental building block of the modern political system, dating back to the 1648 Treaty of Westphalia and rooted in the medieval kingdoms of Europe. In the years since the Second World War, however, states have embarked on an evolutionary process away from the model of impermeable sovereignty and the absolute control of the national state. With the creation of the United Nations (UN) and the numerous other multilateral organizations that govern international politics, our world has undergone profound changes that have shaken the very core of the global community. Today we stand at a crossroads where sovereignty is challenged by a number of forces that range from increased global interdependence to new impetuses for military intervention. We live in an age where a nation's pursuit of prosperity is rooted in transnational action, and requires both international coordination and standards. The debate over sovereignty—its definition, its application, its value—is no longer a purely academic one; conflicting interpretations form the core of many of today's international disputes.

In an effort to promote a discussion on state sovereignty and its role in the current and future international system, this project sought out a diverse group of bright minds to gather their thoughts on the changing nature of sovereignty. In firsthand interviews, the participants were asked to respond to a set of questions that were organized into three main categories. The first inquires about the concept of sovereignty, its definitions, and its current state. The second focuses on the future of sovereignty, global and regional organizations, and the future role of today's principal international actors. The last contemplates the impact of technology on state

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sovereignty.

This paper's analysis of the interviews takes into account the various perspectives of the interview subjects and aims to synthesize their responses into a coherent account of the current state of sovereignty and its evolving direction.

Participants in the Sovereignty Exchange

Enrique Bolaños—Ex-President of Nicaragua

Stephen Bosworth—former U.S. Ambassador to South Korea and Dean of The Fletcher School of Law and Diplomacy, Tufts University

Boutros Boutros-Ghali—former Secretary-General of the United Nations and former Deputy Prime Minister for Foreign Affairs for Egypt

Kim Campbell—former Defense and Prime Minister of Canada

Noam Chomsky—Public Intellectual and Institute Professor and Professor of Linguistics, Massachusetts Institute of Technology

Kenneth Dzirasah—Second Deputy Speaker of Ghana and President of Parliamentarians for Global Action

Gareth Evans—Head of the International Crisis Group and former Australian Foreign Minister

Cesar Gaviria—Ex-President of the Organization of American States and former President of Colombia

Hurst Hannum—Professor of International Law at The Fletcher School of Law and Diplomacy, Tufts University, and Legal Consultant to the United Nations on the international protection of minority rights

Lee Hong-Koo—former Minister of Unification and Prime Minister of South Korea

Robert Keohane—Princeton University Professor of International Affairs

Mary Robinson—former President of Ireland and former United Nations High Commissioner for Human Rights

Kenneth Roth—Executive Director of Human Rights Watch

Adrian Severin—Member of Parliament, Chamber of Deputies, Romania and former Minister for Foreign Affairs for Romania

THE STATE OF SOVEREIGNTY

Sovereignty is a term difficult to define because of its constantly evolving nature; its meaning shifts with contemporary power balances and norms of international relations. The American

Heritage Dictionary defines sovereignty as the “supremacy of authority or rule as exercised by a sovereign or sovereign state.” Though this definition of complete authority may be sufficient to understand sovereignty in its daily usage, to fully appreciate it as a cornerstone of international relations, sovereignty must be examined in its recent historical context.

In the chaotic aftermath of the Second World War, an international order was founded on the concept of the Westphalian state and the sanctity of national sovereignty. Thus the UN was established as a forum for international relations that did not infringe on the internal affairs of the sovereign state. In fact, Article 2(7) of the UN Charter specifically prohibits this:

Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.

In the decades following the Second World War, this concept of unilateral sovereignty became increasingly strained. The Rwandan Genocide in 1994 was critical to redefining Western conceptions of sovereignty and intervention. After the international community idly watched 800,000 murders in three months, scathing criticism prompted a reexamination of policies. Some Western leaders argued that human rights could not be sacrificed in the name of sovereignty.

Today, Kenneth Roth, the director of Human Rights Watch, observes that the world is becoming more responsive to human rights abuses:

I think Kosovo, East Timor, and Bosnia all suggest that government sovereignty does not extend unconditionally, that governments relinquish their sovereignty when they engage in severe abuses of their people and disregard the respect for the most elemental human rights. If you're committing or engaging in systematic slaughter, you have lost

the right to sovereignty. In the international community it is not only a right, but a duty, to stop you.

In December 2001, *The Responsibility to Protect*, a study funded by the Canadian government, was released by the International Committee on Intervention and State Sovereignty (ICISS), co-chaired by Gareth Evans. The ICISS redefined sovereignty as both a right and a responsibility: states retain the right to sovereignty over their internal affairs only if they uphold their obligation to protect their citizens. For example, Slobodan Milošević's genocides were not protected by sovereignty; rather, they were in violation of it. Additionally, in cases where states fail to ensure the safety of their citizens, the international community has an obligation to intervene and restore human security. This marks a major departure from the Westphalian concept of sovereignty that upholds sovereignty above all else. The onus of responsibility, argues the ICISS, is now placed squarely on the state. *The Responsibility to Protect* goes on to describe guidelines for intervention and the obligations of the intervening powers following an intervention.

Before we can arrive at any consensus about the definition of sovereignty, it is first necessary to understand current attitudes and appraise reflections on the state of sovereignty today. Only then can one begin to critically analyze and discuss changes in sovereignty and international relations.

The State of the State

Military intervention is perhaps the most visible violation of a state's sovereignty. Today, however, there are a range of invisible, subtle, and more complex forces that challenge state sovereignty on different levels. In this context, participants of this project were asked to define and analyze the state of the state and, through it, the state of sovereignty today. While the answers to these questions were diverse, the key conclusion is that sovereignty is in a state of flux and is challenged on a number of fronts.

Gareth Evans, the former Australian Foreign Minister, cur-

rent head of the International Crisis Group, and co-chair of the *Responsibility to Protect* project offers a new understanding of sovereignty:

Well, as the ICISS Commission agreed, the core concept of sovereignty these days is that of responsibility. The traditional notion of sovereignty was essentially [sovereignty] as control. That's very much the Westphalian concept going back to the 17th century which emphasized it as the idea of a state entity having the capacity to exercise, in effect, untrammelled authority within its own borders and to exclude any external intrusion or interference in what went on within those borders. That's the traditional notion of control. Over more recent years and, in particular, the post-war decades with the emergence of a body of human rights law to stack up against that traditional concept of sovereignty. I think it's much more widely acknowledged that sovereignty no longer implies any untrammelled right or capacity to do whatever you want within your own borders.

Evans, like many of our subjects, did not formulate a concrete answer but, rather, described sovereignty as being "diluted" and in a process of reformation:

There is a concept that borders don't really matter as much as they used to, and that what really is a much more significant characteristic in modern society is its interdependence and that the concept of sovereignty is much reduced in salience, as a result. This is a kind of postmodern view of sovereignty, sometimes characterized, and it's one of the things that lies behind, at a less than global level, the emergence of many regional organizations that are exercising more and more authority, the most obvious and most developed of which is obviously the European Union (EU). So, in this context, sovereignty is arguably not what it used to be, although we're still seeing that process work itself out.

When pressed about the state of the state, Dr. Adrian Severin, a Romanian parliamentarian and President Emeritus of the parliament of the Organization for Security and Cooperation in Europe, agrees with Evans and offers an explanation of how sovereignty now entails state responsibility:

Sovereignty means obligations and responsibilities. These responsibilities put the state in relations with two configurations, with two groups of people. One is its own population, to which it is responsible from the way in which it exercises power. Sovereignty does not mean an absolute right to do whatever you want, and which transforms the leadership of many states from the servants of their society to the masters of their society.

Both of these progressive appraisals of sovereignty today advocate responsibility and describe this responsibility as a positive evolution launched by an increased respect for human rights.

Stephen Bosworth, the current dean of the Fletcher School of International Law and Diplomacy at Tufts University, served as the U.S. ambassador to Korea, the Philippines, and Tunisia. From this experience, Bosworth comes to understand sovereignty in the following way:

All states, in some manner or another, give up [or] voluntarily cede sovereignty. Whenever you basically commit to a multilateral engagement of any kind, you're giving up some element of sovereignty. It's a trade-off between giving up sovereignty, control, and what you gain from doing that. And that's something that each country, each government, has to measure on each occasion. If you want to maintain virtually total sovereignty, you end up like North Korea. So there are trade-offs.

For Bosworth, sovereignty is a bargaining chip, something to negotiate away or retain depending on the circumstances. In this way, it is no longer essential to the state. Kim Campbell, the former prime minister of Canada, defines this concisely from a policymaker's perspective:

When we talk about sovereignty, I think, from a policymaker's perspective, you say to yourself, "What is it that we want to have control over? What is it that is absolutely essential to our community, and/or some kind of sovereignty that you'll give up?" For example, when you enter into a free-trade agreement, where you create the dispute-resolution mechanisms, and what that means is that you are allowing those bodies to decide whether you can continue certain kinds of

policies, declare policies that you're doing inappropriate, as does the WTO [World Trade Organization].

Economics, politics, and human rights are three of the primary factors in determining today's state of the state. In an effort to combine these three attributes of sovereignty, we spoke to Mary Robinson, the former President of Ireland and the United Nations High Commission for Human Rights. Robinson responds to a question about the strength of sovereignty today and indicates that power is no longer controlled by the state, but it is divided amongst new and independent international actors:

Globalization is about the privatization of power, and voluntarily, states have privatized services, including even prison services to a certain degree. All of those would have been attributes of sovereignty. We suffer from too little government in the modern world both at the international level and at the national level, and, therefore, sovereignty means less than it did in the last century.

Robinson observes how new non-state actors have acquired power from the government and are now pressuring, controlling, and making decisions that were previously reserved for the state. This diffusion of decision-making power weakens a government's ability to control its activities and exert absolute power.

While most of the interview candidates observe a reduction in sovereignty, Hurst Hannum, Professor of International Law at the Fletcher School of Law and Diplomacy, provides a more cautious view on what the majority of participants observe as the diminishing state of sovereignty today. Hannum observes the following relationship between human rights and sovereignty:

I think [sovereignty] is still very healthy, and I think its demise is greatly exaggerated. Certainly, we require more of states than we did 50 years ago, and the whole human rights movement has changed the degree of independence or the field of unilateral action that states have internally to a fairly significant degree. On the other hand, if I'm trying to defend sovereignty, or what it means now, even if you look at human rights,

while there are regional courts that will issue legally binding decision in Europe and the Americas, there isn't yet any real feeling that human rights should be guaranteed by the international community or by the United Nations. The assumption of 1948 was that human rights were primarily concerned with national governments; they had to be responsible for their protection and promotion. And I don't think that has shifted. So in that sense I think that the degree to which states enjoy real sovereignty, real freedom of action, and the degree to which they remain the primary focus of international norms and international law has stayed the same.

From this fairly inconsistent collection of opinions, is it possible to determine the state of the state today? The first hurdle in doing so is the multiple definitions of sovereignty at play. No two interview subjects understand sovereignty in quite the same way, which thus removes any chance of constructing a consistent sovereignty index. The very least that can be concluded though is that sovereignty is in a state of transition, and, since sovereignty is changing, so is the state. The traditional Westphalian concept of the state is undergoing a revolution. Where, then, is this revolution headed?

Globalized Domestic Issues and the Sovereignty Transaction

After gathering various perspectives on the state of sovereignty today, this section will discuss two essential future manifestations of sovereignty. First, the globalized nature of once domestic issues has forced states to integrate internationally established policies into their domestic policies. Second, as states seek to gain social and political capital from membership in international organizations and reap benefits from various treaties, they must relinquish some degree of sovereignty—an event we have termed a “sovereignty transaction.” The interviews made clear that these two issues are critical to the future of state sovereignty and global governance, since, as one of the interview subjects suggests, sovereignty is “the most important welding structure we have.” Therefore, its future has tremendous implications for the way states will understand

their role in the world and their relationships with one another.

We began this paper by examining the changes in policy responses to issues that were previously dealt with on a national level. The participants repeatedly emphasized that current threats are transnational; that is, they extend beyond the sovereign borders of just one state. Chemical spills are carried across borders, destroying crops in multiple countries. An intrastate conflict creates refugees, who potentially undermine the stability of neighboring states. President Bolaños summarizes the general trend in the world today: “The world is becoming smaller. We are all interdependent, whether we like it or not. We cannot be isolated.” Kenneth Dzirasah echoes these sentiments and provides an example from his own experience:

No state can say that it can live alone. The result is that whatever happens across the border in Ghana must be of interest to the Ghanaian government and people. So the concept of sovereignty is changing, in fact, from the traditional territorial infallibility to one of concern for the affairs of other states.

Due to this essential interconnectedness, states must now consider international ramifications when grappling with internal policy issues. President Gaviria introduces a few policy dilemmas that were once considered internal but now require international collaboration and action:

Terrorism, corruption, the environment, or narco-trafficking issues—so many issues have an international dimension now. All those issues that were traditionally part of the domestic agenda are now international.

These issues call for transnational solutions. Thus, many of the individuals interviewed foresee the continued emergence and growth of regional organizations, tailored to meet the political, economic, or security interests of member states. Bosworth provides yet further examples of issues, which can no longer be dealt with at the internal level:

I think that there is a large and growing number of issues that can only be resolved through multilateral or international action. Those, all those so-called transnational issues: problems of migration, problems of the environment, problems of crime, problems of disease, et cetera. Around those types of problems, I think there is a natural tendency for states to pull together and try to act in concert.

When states act in concert, they establish shared grounds upon which to tackle pressing transnational issues. Internal policies are thus influenced and shaped by external commitments. Countries that choose to engage in treaties must accept certain limitations to their sovereignty, as described by Gaviria:

They accept that there is an international dimension and to act under shared terms that they agree upon. So, the way that they handle the issue of sovereignty is they say “Yes, I accept that this issue has an international dimension, and I will employ these jointly agreed upon rules to deal with that.”

In the above case, the loss of sovereignty is voluntary. States recognize that in order to have prosperous futures, they must confront threats jointly and accept that they can no longer act solely in their own interests. This, coupled with increased economic cooperation, has prompted the emergence of regional organizations that stipulate certain rules, thereby decreasing the overall sovereignty of the states party to the contract. Evans acknowledges this trend:

For smaller states, particularly those in areas where regional cooperation is gathering momentum, I think that sovereignty will have less salience on a continuing basis over time. In particular, Europe is where we’ll see this phenomenon really continuing to be most advanced.

President Bolaños agrees with this forecast and underscores the importance of smaller states relinquishing sovereignty in order to ensure greater competitiveness through unity:

We are trying to form alliances in Central America, to garner leverage, to better dictate a free trade agreement with the United States. So we need an alliance in order to be able to operate on a level playing field with a nation as large as the United States.

It is important to emphasize again that countries sign on to such organizations and treaties voluntarily; they perceive it to be in their own best interest. In this view, the concept of sovereignty does not appear to be in a state of crisis today. Rather, it means that in order for countries to maximize their citizens' opportunities, they must engage in cooperative behavior with surrounding states.

From this arises the question of who determines what appropriate and cooperative government behavior means. In most cases, the standard is set by powerful Western nations. Hence, interview subjects from less developed countries feel that in order to succeed and receive aid from the powerful nations, they must compromise some of their sovereignty by acquiescing to international organizations such as the International Monetary Fund or the UN. These organizations lay down conditions (primarily stipulated by the powerful members) on which aid will be provided. Sovereignty is also relinquished when entering treaties that include specific rules and regulations. Again, the bargaining power generally lies with the larger, more influential countries.

Populations, particularly in Latin America, are frustrated by the lack of positive results, despite having relinquished significant levels of sovereignty. The most recent round of elections and political turmoil in the region are results Washington Consensus and other neo-liberal institutions' failure to produce tangible benefits. Noam Chomsky elucidates how some populations perceive these institutions:

They're very unpopular. The populations are generally opposed to them, even in the United States; take a look at polls on that: populations mostly opposed them, but elites are in favor.

We can surmise that the majority of states will continue to give up sovereignty and that this diminution, at its core, is

voluntary. Countries recognize that they have shared interests and mutual threats that can be best addressed by cooperative action. Furthermore, they realize that by not exchanging sovereignty for physical goods and political capital), they lose international decision-making power and influence in the international arena. Transnational issues such as terrorism and pollution must be addressed by transnational action. The implications of cooperation are that states must agree on certain terms and procedures to deal with global policy issues that often result from a loss of control over domestic policy.

Countries that endeavor to retain complete political and cultural sovereignty must accept the consequences of not receiving the same benefits and opportunities as countries that are more flexible and permeable. There is one notable exception to the sovereignty tradeoff: the United States. More than any other state, the vast majority of the terms and conditions of its interactions with outside actors are drafted in accordance with U.S. policy interests at heart. There is no need for compromise, and little sovereignty is sacrificed. Countries that are on the receiving end of U.S.-imposed terms must make the requisite adjustments and consequently are often forced to “pay” a greater, wholly unequal amount in the sovereignty transaction. Accords such as the Charter of the International Criminal Court and the Ottawa Landmines Convention—which would require the US to relinquish a significant measure of direct control or sovereignty—have gone unsigned.

The trend of interconnectedness will likely continue, and we will see the joining of like-minded states, perhaps in a form similar to the EU. The EU itself will continue to expand if the line of states waiting for accession serves as any indication. Reservations regarding the pooled sovereignty of the EU are born out in various national positions on the overall structure of the Union. France and the U.K. desire an emphasis on supranational control because they have strong traditions of united national identity. States like Germany opt for a more federally focused system—where greater levels of sovereignty are relinquished—due to its history of similar political organization.

In today's globalized environment, we are witnessing a fundamental shift in states' approach toward the sovereignty transaction. The opportunity cost of retaining additional sovereignty is coming at an increasingly higher price. States will continue to give up sovereignty because the costs of inaction appear to outweigh the required forfeiture of sovereignty. One needs only to examine the political and economic isolation of North Korea for a striking illustration of the costs of near perfect sovereignty retention.

The United States: Global Pariah or Benevolent Hegemon?

The discussion of the future of global governance is impossible without turning an eye to the capital of the present, the seemingly unipolar world. The opinions of our interviewees on the United States varied widely. Some described the United States as a 500-pound gorilla blocking the path towards progress and self-determination while promoting its own selfish ends. Others stand in awe of the sheer power, prosperity, and resources maintained by a single state. Still others are cautiously optimistic that the United States—bearing in mind its tendency to dictate the affairs of other nations—is an essential fixture in the international system whose resources can be used for the improvement of humanity and whose power can be employed to promote peace and stability.

Evans and Chomsky fall well within the camp of U.S. detractors. Both men fear that brash, unilateral American foreign policy—often related to promoting American security interests—occurs at such a scale that it can instantly produce global and often negative impacts. Evans presented a harsh observation on America's uncompromising protection of its sovereignty and interests:

We see the emergence of the triumphalist, exceptionalist hyper-power, which isn't going to abandon much sovereignty for anybody, whatever the rest of the world might think about the virtue of doing so, and whatever might be in the hyper-power's own national interest.

Chomsky provides a concrete example of the destructive

potential of the American unilateralism delineated by Evans. He asserts that the “triumphalist” and “exceptionalist” tendencies described by Evans can provoke global instability by creating chaos in the Middle East or forcing a global arms race.

The greatest fear is that the U.S. will destroy the world, which is all too close. Yesterday, they announced another step in what they call missile defense. Look, everyone knows that missile defense has nothing to do with defense. It’s an offensive weapon. It’s part of the steps towards militarization of space. One of the things that the press won’t tell you here is that for the last four to five years the whole world has been very upset about the militarization of space. So the General Assembly has repeatedly tried to reaffirm the Outer Space Treaty of 1967 which bans militarization of space, and the US has blocked it.

Hannum echoes Chomsky’s worrisome forecast of the future of US intervention abroad. He theorizes that the attacks against the United States granted the government’s interventionist policies legitimacy. Such interference will not only increase but also amplify in its scope, as the United States can now use the pretext of the War on Terrorism as a *carte blanche* for intervention:

I think the U.S. has gotten pretty comfortable being the world’s only super power, and I fear that it will start throwing its weight around even more... Now we’re on a crusade, so we’re going to bring human rights and peace and democracy and the American way to any place we can think of; and since terrorism is both global and endless, we have endless opportunities to decide that we’re going to intervene to make people better.

The fear of an ever-growing, global War on Terror championed by America is a frightening prospect. Other respondents, however, cautioned against running to judgment. Ambassador Bosworth acknowledges America’s self-serving track record but offers its most recent multilateral actions as proof that U.S. power can be directed towards highly beneficial ends:

The United States in is a position of preeminent power, the likes of

which we've not seen even in the days of the Roman Empire. The U.S. is extremely reluctant to submit itself to the discipline of multilateral commitments without in effect having a last-minute veto power. That's not going to change just because of the nature of the American beast, our history, and our political character. Now we can, I think, be socialized to behave more in accordance with international norms, and I think what's happening now with regard to the U.N. and Iraq is a good example of that socialization.

Recent history seems to support Bosworth. The United States did seek United Nations Security Council approval for its invasion of Iraq and worked hard to generate a "coalition of the willing" to assist in this war effort. All of these measures can be interpreted to mean that the Goliath does value international legitimacy and multilateralism more than Chomsky, Evans, or Hannum concede.

Despite their criticism, our interviewees were not ambivalent to the unparalleled resources the United States alone is able to generate to obtain potentially positive ends. Evans acknowledges the essential role that the United States must now play in the post-Cold War world where it stands as the only true superpower:

It's highly desirable given the U.S.'s clout, logistical lift capability, and its capacity to move people and equipment around the globe very much more swiftly than anyone else can. It's hugely useful as a player, and its mere presence as a potential player in some of these situations is enough to, you know, make a lot of people very nervous, since it is so much the biggest and most powerful and meanest dog on the block in many ways, so, you know, it can be a very useful role.

Following in the wake of this warming assessment, some of the interviewees provided examples where collaboration with the United States, however unpopular, greatly benefited the partner states and yielded few of the anticipated harms. Campbell adopts this conciliatory tone towards the United States, suggesting that the threat of U.S. hegemony pales compared to the ramifications of not cooperating. Citing her support for joining the North American Free Trade Agreement (NAFTA), she claims that there

were greater forces at play within Canada that necessitated bending to the terms of the country's southern neighbor:

Canadians were very concerned about the prospective loss of sovereignty if we engaged in a free trade agreement with the United States. Particularly, people were concerned about losing our social programs and our health care system. My view was that that was not the case and that the biggest threat to our sovereignty was our national deficit...sacrifices must be made... Without such relief, a country cannot have the kind of qualitative policy choices that they would otherwise. Since the Canada-U.S. free trade agreement went into force in 1989, it is interesting to note that it hasn't been any impact on Canadian social programs or the health care system. Canadians are still committed to their public health care system but needed NAFTA to resolve major fiscal issues.

Clearly all of our participants respect the unrivaled power—the financial resources, political capital, or military might—maintained by a single state. The fear is that this great power could, as has occurred in the past, be misplaced with quite catastrophic effects, and past events have given credence to this fear. Evans summarizes this school of thought:

What everybody is of course concerned about these days is not so much the United States not being willing to engage in these sort of actions—which was the big problem of the '90s in Rwanda and elsewhere—but being overwhelming, excessively exuberant, adding too much political will and not too little.

In the end, the United States has the ability to channel its political energy and vast resources to improve the lives of countless individuals around the world. American levels of humanitarian aid, disease prevention research, and democratization funding are unsurpassed in their quantity and scope. This good comes with equally potent risks. Regional instability in Iraq is only one among many examples exemplifying the scale of damage the United States is capable of unleashing when its powers are misappropriated.

The Future of the International Judicial System

The ever-evolving concept of international justice is critical in assessing the future of global governance. The decisions of international courts are becoming the precedents cited when states seek to settle disputes or castigate a nation that infringes upon international norms. Infractions, ranging from genocide to the invasion of a sovereign state without UN Security Council approval, will be judged by an internationally established legal code. At present, however, the future for a viable system of widely respected and upheld international codes is bleak. The lack of effective enforcement and accountability mechanisms results in the effeteness of any law that seeks to govern hundreds of nations. Ambassador Bosworth outlines the major shortcoming at the core of the international justice system, best summarized as self-interest:

Countries remain bound by international obligations of this sort as long as they see that their interests are served. And, and even the United States is not able to, through sanctions necessarily, force North Korea to remain bound. North Korea has to believe that it is in its interest.

Currently international law is voluntary, and it is rare that serious consequences are consistently enforced to serve as a deterrent. Nations such as Iran and North Korea develop nuclear weapons in the face of international agreements but face only minor UN Security Council-imposed sanctions.

Aside from the enforcement of agreements between nations, an essential element of a new international legal system is ensuring that justice is served in cases of crimes against humanity. This is especially true as we witness more and more leaders embracing *The Responsibility to Protect*. Many scholars believe that the International Criminal Court (ICC) offers revolutionary potential in this regard. A fully functioning, universally respected judicial system is a core component in the quest for the protection of human rights

and justice in post-conflict scenarios. Hannum explains that the current state of this system is far from desirable but may provide the impetus for internal changes in intrastate justice systems:

I think [the International Criminal Court] will be useful for two reasons: one, the threat of someone being taken to the ICC will be viewed as largely toothless, though it might encourage some countries to deal with international crimes domestically. Secondly, there probably will be a few cases where, for internal political reasons, some country might be forced to turn over a particular criminal to an international tribunal because it's too difficult politically to try them within its own borders. In this case, the ICC will be called upon to fill the void.

While the future of the international legal system may be far from stable or clear, comments like Hannum's provide encouragement that it is headed in the right direction. He also establishes the necessity of an international system of justice to ensure criminals are tried either in their home courts or, if necessary, abroad. The international community has also taken progressive steps to develop the capacities of local courts to deal with major criminal infractions, such as genocide. Current UN-led efforts to set up courts in Bosnia and Rwanda are testaments to the effectiveness of this new movement.

Globalization's Winners and Losers: Economic Bloc-building

Changes in the global political structure have an especially potent effect on the economic relations among states. Regionalized political structures, such as the EU, generally promote decreased tariff levels and stable exchange rates. Hannum notes the unique nature of the EU and the improbability that it will be replicated elsewhere:

We'll see an increase in economic cooperation, but we have a long ways to go before anything that looks like the EU is going to appear in Africa or Asia or in this hemisphere for that matter. And I do think the EU is a very interesting experiment; it is not quite an international organiza-

tion and is certainly not quite sovereign. I can imagine in 50 or 100 years that there might be something that looks more like the United States in Europe, but in that case, what I think will happen is the sovereignty will simply have shifted from states to a larger entity as opposed to sovereignty having changed its fundamental character.

Both of the Latin American leaders we interviewed agreed that the political and social structures of their nations have been roadblocks to their economic development. President Gaviria explains why Southeast Asia has developed more successfully than the nations in Latin America:

Due to efficient intervention by public institutions, the Asian states have been able to develop powerful clusters of exporters, thereby gaining greater control over the terms of financial arrangements.

Latin American states, by contrast, are paying a stiff price for their failure to generate trade blocs. President Bolaños concludes that their poor approach to economic policy has limited Latin American nations' bargaining power, even in those industries for which they control natural resource inputs:

If you added up the retail prices of all of the cups of coffee sold in the world five years ago, it equaled 30 billion dollars, out of which coffee producers got 12 billion dollars, 40 percent. Today, it's not 30 billion dollars worth coffee sold in the world; it's 65 billion. But the producers only get 5.5 billion. So everybody is broke. Who commands the profit? Essentially six or seven roasters in the world. But what options do we have? Set up a chain of Nicaraguan coffee roasters and distributors like Starbucks?

As profit margins continue to shrink for agricultural products, Latin American states must develop trading zones modeled on the EU. In the future, we should see the creation of economic blocs in Latin America and elsewhere as these areas deal with cut-throat distributors and try to keep pace with breakneck economic expansion in Asia.

Global and Regional Organization

As recently as the 1920s, the international system was composed of geographically defined sovereign states that fought, traded, and negotiated as distinct entities. The days of such clear-cut state-to-state relations are numbered. In a world dominated by transnational concerns, a new manifestation of the state is emerging in response to new threats and opportunities for synergy. Some of those interviewed anticipate that states will work through supranational organizations to promote their shared political, economic, and security interests. Others believe that such organizations fail to address the distinct problems of their member states and instead serve only the interests of their larger, more powerful members. Evans, for one, proposes that the future of the international system lies in groups of like-minded states:

I think there'll be an increasing momentum towards regional organizations bearing greater responsibility. We've already seen this to some extent in Africa with both ECOWAS [the Economic Community of West African States] and SADC [the Southern African Development Community] playing interventionary roles.

Here, Evans calls for collective security arrangements. The increasing role of regional alliances, such as NATO in Afghanistan and the African Union (AU) in Sudan, is a testament to this vision. Hannum agrees that there is momentum toward strengthened regional organizations for certain purposes, but he is adamant that the state will remain the ultimate decision-making unit in the political sphere:

We will have a somewhat more flexible view of the sorts of entities that can participate at the international level. You're already seeing that various states allow their provinces and republics to engage in certain kinds of international activities, to enter into certain kinds of treaties. With the EU you see an entity that has changed what the states within it can do, but I think without getting away from the fundamental principal that, both from the top-down and from the bottom-up, the

state is still the most important power-wielding structure that we have.

Hannum's idea of a state-centered system is supported by recent political developments. Many have begun to question the UN's legitimacy due to its inability to take action in Kosovo or Sudan. Roth, for instance, casts doubt on the UN's capacity for tasks as basic as force generation:

Governments are going to be the prime actors here. I don't see the OAS [the Organization of American States] or the UN or the EU developing a stand-alone rapid reaction force. I realize that there's a lot of talk about this, but in reality I think it will still be national armed forces that are the prime movers. Nations will be willing to delegate troops to, you know, a UN flag for example, but I don't see the UN having a force independently of nation-states.

While the UN's security deficiencies may be mitigated by the intervention of better-designed organizations, such as NATO, Gareth Evans detects a more fundamental problem. Taking Roth's criticism a step further, Evans contends that the organization has become a *de facto* shell operation. Often incapable of action due to Security Council deadlock, the UN serves as merely a framework for state-to-state collaboration:

But there are circumstances in which the UN will abdicate its authority or simply just be unable to get its act together, and under those circumstances you can't exclude the possibility that other countries, individually or in small groups, will act outside that formal framework of the UN. And sometimes, a difficult moral judgment to say is they shouldn't, Kosovo being the classic example.

But some, like Campbell, see few alternatives to the UN and are optimistic that the organization can continue to be a force for good. She argues that, while specialized regional organizations may address some immediate needs, a global seat of problem solving is essential:

I don't see a replacement for the UN. Will there be some specialization? Will there be some delegation or greater focus on some regional institutions if they have the capacity to do so? Maybe, but I don't see that working in the long-term. Organizations like the African Union have a long way to go. Most of their promises of action are only empty rhetoric. Also, the resources that make it possible for the UN to do the kinds of things that they do rely on the dues paid by the industrialized countries. The notion that regional organizations, which lack a solid financial base, can do the same is very unlikely. There's also an advantage of the UN, in the sense that it is not hegemonic. Even with the United States' ambivalent relationship, I think it actually helps the UN because it's not seen as the instrument of the United States.

While Campbell makes valid arguments about the UN's unique advantages, Campbell's positive estimation of the organization stands relatively alone. In fact, an overall analysis of the interviewees' comments seems to point to a general decline in its importance. Most security and economic problems must be dealt with at a regional level. Those states that stand to bear the brunt of war, famine, recession, and other ills are best suited to address their causes. Whereas the UN Security Council may be held hostage on intervention in Sudan by Chinese economic interests in the region, the AU is in position to take immediate action. Regional organizations like the AU are composed of states whose stability and security are most at stake and which thus have the greatest motivation to take rapid and effective action.

Globalization and the Crisis of Democracy

The internal social and political dynamics of states continue to evolve at record pace due to the influences of globalization, be it the introduction of broader-ranging media outlets or access to new financial markets. Many of our interviewees suggested that these new changes are having a negative impact on democracy. According to President Gaviria, the technological advances spurred by globalization are causing the priorities and political expectations of Latin American youths to shift dramatically.

But technology is not the only factor distracting Latin Americans from political involvement. Campbell explains that disinterest in politics and animosity toward democratic institutions stem from the inability of governments to deliver on anticipated gains, such as poverty reduction:

In Latin America, only 60 percent of the people said they favored democracy. Only about half that number view democracy as an effective means to resolve their practical problems. Democracy is a great thing for rights but not for prosperity. In this age of the technological revolution, the cyber revolution, the communications revolution, governments are even less capable of playing a role in those kinds of economies than they were under the industrial model.

As democracies in areas like Latin America struggle to operate under the burden of high expectations and poor economic conditions—often brought on by exposure to world media sources and ultra-competitive global markets for goods and services—they seek measures to improve their fiscal viability. According to Robinson, this often leads to governments privatizing state services in order to cut costs and remain competitive:

Globalization is about the privatization of power, and voluntarily, states have privatized services, including even prison services to a certain degree. Where I find that there are real difficulties is where you have a privatization of power in the area of public goods, because then you have a great difficulty with accountability, and environmental standards and general protection of the weaker are more marginalized because if you privatize power, you don't have public accountability.

In Latin America, globalization has forced farmers to compete with Chinese producers who are able to undercut their prices and acquire market share. And governments, in an attempt to stay competitive, have turned over post offices and railroads to the private sector. As a result of these two changes, the electorate begins to feel even more disconnected from its chosen leadership. Severin now draws the link between poorly performing democracies—those that fail to meet their citizens' expectations of economic development—

and the privatization of democracy.

We see today in the elections, national democracy is becoming privatized. The low of turnout levels in elections, the low level of citizen participation in the public life, and so on, everything speaks about the crisis of democracy. Democracy was built within the national sovereign states. Here lies the link between sovereignty and democracy, and globalization.

As voter turnout falls, those who do choose to participate and affect voter opinion—that is, the elites—begin to gain power. Chomsky concurs:

The elites in the countries that chose to join the neo-liberal wave did fine. So in Mexico, the living standards for the population declined, but the number of billionaires didn't.

So, globalization undermines the democratic process in a phenomenon that might be called a democracy drain. When citizens fail to employ their democratically guaranteed right to vote, the elected government fails to adequately represent their needs and interests. Severin surmises that, as political participation falls and democratic institutions become privatized, democracy reaches a crisis point. Robinson then explains that globalization is often accompanied by privatization of government services, which decreases government oversight and, subsequently, the public's control over government.

We see this trend at work in Latin America, where approval ratings for democracy are low and voters are turning to socialist parties. Even in the United States, voter turnout stands at a paltry 41 percent. Surprisingly, it is in traditional Western adversaries like Iran that turnout seems to be strongest. In Iran's 2000 parliamentary election, nearly 67 percent of the electorate voted.

SOVEREIGNTY AND TECHNOLOGY

Unprecedented access to information, improved financial

liquidity, and biotechnology are all fruits of the technological revolution. The exponential growth of information technology has completely redefined concepts of sovereignty, both by permeating once impenetrable borders and by empowering individuals and non-state actors.

At first, media flowed from West to East and from North to South, flooding the developing world with images, ideas, and culture from the West. Now the trade is more equitable; as the price of technology has declined, the developing world has spawned al-Jazeera and new blogs and disrupted the West's cultural sovereignty. These virtual imports augment cultural interdependence, political accountability, and free speech by creating new forums for discussion and debate. Informational developments are affecting politics and society. However, Bosworth claims technology weakens the state:

Technology acts against sovereignty. I think that it makes sovereignty more porous, more difficult to enforce. You know, these days, with a satellite dish and a 10,000-foot runway, you know, basically, the smallest island in the Pacific can be sovereign. That's all it really needs to establish itself as an economic player.

Bosworth acknowledges the traditional impact of technology on sovereignty, wherein increasingly porous countries are more resistant to outside influence. This concept is revolutionary. The additional impact of technology, as he describes it, is an ability to create brand-new sovereign entities while usurping overall sovereignty from the rest of the world. Tiny island nations establish secretive banks and tax havens that capitalize on glitches in the world sovereignty system. The relationship between technology and sovereignty is even more important now as leaders attempt to pursue the War on Terror financially and chase ever more fungible money around the world.

Technology also has a unique role in defining relations between the developed and developing worlds. It creates the capacity to dramatically spur development but is also responsible for the recent expansion of the gap between rich and poor. For

instance, Gaviria claims technology is shifting the focus in Latin America away from domestic politics and toward the desire to be globalized:

Basically what [young people] want is to be connected to the Internet. That is their priority. They don't care about politics; they don't care about, even, poor people, what they consider the main responsibility of the state, of the public institutions. Because the only way that they can reach globalization and people in other countries [is through the Internet].

While many hail the Internet as an unprecedented revolutionary force, Hannum qualifies its impact on state sovereignty and relations in a comparative fashion:

A lot of what is on the Internet is crap, and a lot of it is simply wrong and so it's hard for me to see the dissemination of wrong information or incorrect information as a positive thing. It does make it more difficult for countries to control their borders, if you will, and as a sort of godless cosmopolitan internationalist, I suppose I think that's a good thing... I think we're a long ways from seeing shuttle diplomacy and personal contact become less important because people can videoconference and do all the rest of it. And that's one reason why I do think it's relevant, technology is relevant, airplanes are relevant, but it's just a bit of technology, I don't think it changes the way we live, and I doubt that it will in very identifiably ways for quiet some time. And it will in the long run, the way everything does, but my guess is that the elimination of small pox had a much bigger impact than the Internet.

A more optimistic Severin explains how technology can be used to foster economic development and more peaceful state relations. This perspective is interesting in light of Romania's emergence from behind the iron curtain to membership in the EU:

At the same time, it is extremely important to use these new technologies for development of or promotion of win-win strategies. This new technology is appropriate for win-win strategies. While the past technologies, the old technologies, were more appropriate

for win-lose strategies. Well, this globalization, as I said, means contact, communication means contact, means knowledge, knowledge means comparison, comparison means rationality, rationality means sometimes to put aside the traditions. So now we have to build new traditions, extract from the old traditions the traditions which would allow us to live together, the traditions which will not exclude each other but will approach each other. This is the merit of technologies, which impose on us a rational thinking through comparison about our own tradition and about our own identity.

Boutros-Ghali looks at the particular ramifications of the changes taking place in global media due to technological innovations such as the Internet. He cautions against the duality of this great tool:

If it is used to defend human rights, to promote equality, tolerance, et cetera, then it is positive. If, however, it is used to promote uniformization, that is to say, imposing one language, one set of values, one clothing style, one food, et cetera, the media does great harm to humanity.

Technology can also be used by NGOs and governments to pressure countries to act in certain ways. If countries yield to these pressures, perhaps to avoid negative economic consequences, their sovereignty is compromised. Gaviria describes:

The other side [of] what you get, because the globalization process and because the way media has evolved to globalization, [is that] almost anything that happens within a country, it can pierce the pages of the issues, of the news, everywhere. So, if you're having problems of discrimination, if you have a corrupt official, any of those issues ... come to the attention of media. So, no matter [how] the government tries to put rules on certain issues, the media, and NGOs, are bringing to citizens all over the world, almost all the issues to the attention of citizens, and media has contributed to that. So countries tried to put rules on that, but they are not necessarily successful.

The reason why the media and NGOs now have this kind of power is partly that the emergence of technology allows them

to reach every corner of the world and mobilize citizens and governments. Noting its benefit to groups like Human Rights Watch, Roth describes and utilizes this power very directly:

It's changed the speed and our ability to communicate with people around the world. We are able to do real-time reporting about crises now in a way that was just not possible before the technological revolution of the last decade or so. We can build networks very easily, global networks, you know, around NGOs and others. We can also put people in the middle of a crisis, have them investigating crises, and, within a 24-hour news cycle, have those atrocities broadcast around the world. You know, all of this is a direct product of the technological revolution.

Increased information flows change culture and alter political systems. Roth's aspirations fit into this realm because he uses technology to gather information about the governments he wishes to monitor. He takes advantage of rapid information flows to sway international opinion and intensify pressure on oppressive governments. Technology offers unprecedented access and sophistication for reporting.

Technology is shifting the aspirations of young people in the developing world. According to Gaviria, youths are disenchanted and more apathetic towards domestic politics and instead prefer to focus on the potential of globalization. These young people are abandoning historical strategies for development and opting for technologically-based solutions. If this trend continues and becomes more widespread, it could transform the notion of sovereignty entirely. A new generation of leaders that chooses to circumvent much of the local political dynamic would render the traditional concept of sovereignty almost irrelevant. This has been the case throughout much of the world, with examples ranging from cyber-based grassroots organization in the United States to coordination of the insurgency in Iraq. Hannum cautions against embracing technology as such a panacea. To him, it is necessary to examine each development in context and not to pursue new technology with unbridled exuberance.

The future impact of technology on sovereignty will be an

amalgamation of the prior two scenarios; some will capitalize on the unresolved fusion of technology and sovereignty, while others will use it as a tool for economic development.

Lee Hong-Koo emphasizes one final impact of technological development when he argues, "Technology is progressing at a faster rate than we can govern ourselves in an orderly fashion." He ultimately concludes that the development of biotechnology, warfare technology, and other such controversial items necessitate global cooperation to effectively govern and administer their use.

PARADIGMS FOR A FUTURE WORLD

The Sovereignty Exchange began as an attempt forecast the future of sovereignty and what it means for international relations. Five years on, what was intended as an academic exercise has found its basis in practicality. The academic debate over precisely how to define sovereignty is far less relevant than the enormous implications that sovereignty's transition has for the future of international politics and even the world today. Concepts like "right" and "responsibility" reflect something more profound; sovereignty was our most important international welding structure. It was the most basic level of international relations, constituting the paradigm on which wars are fought, peace is made, states interact, and globalization continues. Now, however, with sovereignty in flux, the validity of such statements has been challenged, and the basis for analyzing the world around us is starting to disintegrate.

Hannum cautions that it is dangerous to think of one's own generation as existing on the precipice of something great or at the beginning of a new era. The problems in the world today are not necessarily new; they are just much bigger and happen much faster. The same logic applies to every aspect of state interaction and presents some startling new realities, namely:

1. **The world is more interconnected:** events in one location are of more interest to everyone; transnational problems require transnational solutions.

2. Information flows are increasing in speed and volume: commerce is transformed, as are imperatives for intervention; the flow of information increases interconnectedness.

3. Power is concentrating: the rich are getting richer much faster than the poor are moving out of poverty, and democracy faces critical challenges from voter apathy and the privatization of power. Power is concentrated at opposite ends of the spectrum, projected by major powers and hoarded by small groups and single individuals acting out against the sovereign system.

The ability of the United States and its allies to project power through multifarious means anywhere in the world highlights the importance of understanding their motivations for intervention. Interventions are not only military affairs but can involve the implementation of global policy through the UN or other organs of international law. We focus on the United States because it sits in a position of power that is unrivaled in history—power that has been acquired in a new way, through economic primacy and the projection of political power, rather than through traditional colonialism. Until quite recently, the position of the United States was unique because most were eager to share in and not circumvent its dominance.

As many of the interview candidates in the Sovereignty Exchange pointed out, this is changing as those outside the sphere of benefit in the West resent its opulence and success or perhaps feel exploited. Whereas previously suppressed peoples were isolated and non-threatening, today the disconcerted few can broadcast their message and organize nefarious actions. Ironically, the tools and policy prerogatives that have allowed the West to achieve global supremacy are now the same forces that threaten its interests and its sovereignty. Today the United States is increasingly contained by the UN, NGOs, the WTO, and other multinational organizations as weaker nations band together. The Internet, satellite communications, e-commerce, and other technological forces that contributed to the enrichment of the West now pose the greatest

challenges to its security and political hegemony.

The structure of the world is weakening and fostering greater instability. The participants in the Sovereignty Exchange, regardless of their country of origin, were quite consistent in their assertions that what happens in one part of the world is now of greater interest to everyone else. Boutros-Ghali perhaps puts it best:

There is a nationalistic conflict occurring between Yemen and Eritrea. There is civil war in Ivory Coast between the north and the south. So you can't really categorize these conflicts. What I believe we must focus on is the international ramifications of such disputes. Any civil war is an international war because neighbors always intervene or are affected. For example, in Israel, the US is supporting the Israelis, while Syria and Lebanon are aiding the Palestinians. Outsiders often interfere by helping militarily. Ultimately, the difference between a civil war and an international conflict is still important, but on the ground level, there is no real difference.

Change inevitably follows such instability. We thus conclude this exercise with analysis of three possible future sovereignty paradigms.

No structural reform

Unless people from around the world work together in great numbers toward some sort of common direction and common vision, it's obvious there will be all kinds of problems. If we don't have some sort of global control system, it could create a very dangerous situation, chaos even. This is a challenge you young people will face. —*Lee Hong-Koo*

This paradigm is a continuation of the status quo. The forces driving sovereignty's demise will continue regardless, and those countries and actors who perceive the greatest risk to their interests will attempt to mitigate this risk by controlling as many variables as possible. For the United States, this could include reining in threatening regimes in Iraq, Iran, North Korea, and Venezuela. The "Axis of Evil" and the "War on Terror" might just as easily be translated into the "Greatest Sovereign Risks." For those parties who disagree

with U.S. interests, the concentration of risk results in a greater payoff for unilateral, sub-sovereign action. The avenues for action are broadened by technology, and their effects are magnified.

Bipolarity/Regionalism

There is a concept around that borders don't really matter as much as they used to and that what really is a much more significant characteristic in modern society is its interdependence and that the concept of sovereignty is much reduced in salience, as a result. This is a kind of postmodern view of sovereignty, sometimes characterized, and it's one of the things that lie behind, at a less than global level, the emergence of many regional organizations that are exercising more and more authority, the most obvious and most developed of which is obviously the EU. —*Gareth Evans*

In response to greater Western hegemony, there could be a move towards regionalism and Cold War-style alliances. As sovereignty decreases for individual states, they might be tempted to club together. Perhaps led by China, which is actively courting allies in Africa, this paradigm would lead to sovereign retrenchment. Trade and information flows would be restricted, censorship tightened, effectively restricting globalization. This would also lead to greater global instability but perhaps on a more dangerous level than in the days of the Cold War, when regional power struggles were overshadowed by bipolar superpower involvement.

Multilateralism

I think that unfortunately, the experience of nation-states, the history of nation-states, is not a history of peace. The experience of the fundamental sovereignty approach is not an experience of peace, it is an experience of war, and it is an experience of competition, an experience of zero-sum game, with some exceptions. But exceptions are just confirming the rule. So that is why we have to look for something else. To go back to the previous empires of divine right is not a solution. But still we have to learn from that experience. Why did they collapse? Because they did not recognize the multicultural diversity. So we have

to bring together a global governance and a multicultural identity with respect to a multicultural diversity. If we can do the two, I think we are going towards a much more peaceful and secure world. — *Adrian Severin*

Multilateralism is the most optimistic of scenarios, and also the most rational. It presupposes the international assignment of risk, so that the requirement to mitigate variability is more evenly distributed. In a structure of concentrated power, what happens across the border of one country is of interest to fewer parties who have more political power. In a multilateral system, there is a broader consensus inherently opposed to instability. What happens across the border of any country is of greater interest to everybody, creating, ideally, an incentive for stability. Of course, this is the most challenging to orchestrate because it requires communication, trust, and a sense of common good.

FINAL THOUGHTS

The Sovereignty Exchange is an ongoing study. In the five years since the project began, many of the scenarios predicted by the respondents have transpired, and the instability foreseen by everyone is all too apparent. At a time when violence is more sporadic, financial markets more volatile, and the future less certain, the battles fought over sovereignty seem more akin to the dialectic of stability and instability. In the debate over how to define the “new state,” or whether sovereignty is a right or a responsibility, it is easy to overlook the vast potential that our new, smaller world provides. For the first time, collaboration to tackle major global ills, such as poverty, climate change, and even violent conflict, is feasible. Technology has fostered a global sense of community and provides the logistical requirements to take action quickly and on a massive scale. The challenge for today’s policymakers is not to develop these tools or eradicate terrorism or fight battles over borders. Rather, it is to coordinate our global human existence, in an age where we are more connected than ever before.