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Does Sovereignty Help Us To Understand International Politics?:
Its Change and Robustness from the Debate between Realism and Constructivism.

Yuka Fujioka*

Introduction

Sovereignty is a social construction, as constructivists argue, that did not exist from the beginning of mankind’s history. The concept of state sovereignty was set up only in 1648 at the Treaty of Westphalia. Thus sovereignty is not a historically given/static fact of states, unlike neorealists who assume that it is. Furthermore, since its creation in Europe, it has gone through changes in terms of its interpretation according to changes in international norm and in power politics.

However, just because it is not static and has undergone changes in its interpretation does not necessitate that it is not also robust. The robustness of sovereignty can be confirmed by the very fact that it still survives today despite many challenges of arguable compromises and violations since its creation. This paper argues that sovereignty is helpful and will continue to be a vital concept for us to further understand international politics as long as powerful states regard it as serving their interests that are defined materially and ideationally. This is because the norm of sovereignty has been defined, sustained and interpretively changed by major powers. It is an evolving norm backed by power.

Moreover, major powers will continue to support it for the following two reasons: First, it is crucial for them to retain the highest authority to make decisions over the affairs of a country in order to survive in the anarchical international structure. In other words, it serves their material interest of survival. Second, sovereignty has already developed from a norm of powerful states to a global norm. This serves their ideational interest to

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1 This is the definition of sovereignty I use in this paper; a state's authority to make rules and decisions over a country's affairs.

2 I acknowledge that this is primarily realists' argument and that constructivists who regard cooperation among states and through international institutions as possible would not agree that keeping authority to make decisions as a requirement for states' survival.
preserve a norm that is already globally institutionalized.

In this paper, first, I will discuss a definitional problem of the debate on sovereignty. Then I will draw theoretical literatures mainly from realism and constructivism to discuss the change, the robustness and the helpfulness of sovereignty. The reason for this is because the debate on sovereignty has been driven primarily by the disagreement between these two schools. Furthermore, neoliberal institutionalism, another major school of thought, does not contribute more than neorealism does for the purpose of contrasting theoretically contentious points about sovereignty, as it embraces neorealisms’ assumption of sovereignty as a given fact of states. I will also provide empirical examples mainly from subfields of international security and international organization. In the end, I will conclude this paper by suggesting future research agendas to further improve the debate on sovereignty in the field of international relations (IR).

**Definitional Problems of the Debate on Sovereignty**

Positions on the robustness of sovereignty depend significantly on the scholars’ definition of the concept. One of the stumbling blocks in the debate on sovereignty has been the lack of agreement on its definition and on the criteria for assessing its robustness (Janice Thomson³). As a result, scholars of International Relations Theories (IR) have often spoken past one another (James Caporaso⁴). The lack of coherence or clarification of the term and the measurement scheme of its robustness disables IR scholars to constructively discuss and accurately evaluate the utility and the robustness of sovereignty. This has inhibited the research on sovereignty from making progress.

Some scholars have, nevertheless, contributed to advancing the research by sorting out possible definitions of sovereignty and/or by suggesting concrete measurement criteria. Stephen Krasner⁵ categorized sovereignty into four types: 1) Domestic sovereignty: authority and control; recognition of authority structure inside the state and a state’s control over its affairs, 2) Interdependence sovereignty: control; a state’s control of movements across its borders, 3) International legal sovereignty: authority and legitimacy; the extension of recognition to territorial entities that have formal judicial independence, 4) Westphalian sovereignty: authority and

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legitimacy; exclusion of external actors from territory of state and from internal authority arrangements. Focusing not on control but on authority associated with international legal sovereignty and Westphalian sovereignty as a definition to assess the robustness, Krasner reaches the conclusion that sovereignty is organized hypocrisy and thus not robust. Meanwhile, Janice Thomson conceptualizes sovereignty as state authority (exclusive right for rule making), as opposed to state control (rule enforcement capacity). Using this definition to assess the robustness, she concludes that sovereignty has not been eroded and thus robust.  

These contradictory examples show that definitions affect the substantive discussions of sovereignty’s robustness. In this paper, I use most common definition: A state’s authority to independently and autonomously make rules and decisions over the affairs of a country.

How Has Sovereignty Changed? Complementarity of Realism and Constructivism.

I argue that sovereignty, since its birth, has changed over time in terms of its interpretation and by dominant powers of each historical period. Accordingly, I partly converge with constructivists who can explain changes of sovereignty’s interpretation. They regard sovereignty as a dynamic norm that is a source for changes in the international system (John Ruggie⁷), and as an intersubjectively shared understanding among actors (Alexander Wendt⁸), meaning it is changeable depending on practices and understandings among states.

In contrast, to most realists, there have hardly been changes in sovereignty, because power politics and power maximization have always driven states to violate the norm of sovereignty. Also, their state-centrism depends on their recognition that sovereignty is crucial for the existence of states. Neorealists assume that the distribution of capabilities among units is the only source for changes of the system.⁹ Sovereignty is a given fact of the state and premise, thus its interpretation changes are outside of their analysis. (I state “most” realists, since Stephen Krasner is a realist but explains changes in sovereignty practice, not through norms’ change but

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through changing instrumental interests of powerful rulers).

Despite this, I also partly converge with realists, because I use a realist variable of power (of dominant states) as an agent that has changed sovereignty’s interpretation. In other words, to explain how sovereignty’s interpretation has changed, both constructivism’s capacity to explain changes and realism’s variable of power are necessary, and they serve as complementary to each other. This is because sovereignty is an intersubjectively shared understanding among states, ensured by dominant ones.

Sovereignty has changed from its initial interpretation under the Treaty of Westphalia which defined it as the non-acquisition of territory by force against the will of an existing sovereign state to different interpretations. For example, the United Nations (UN) Charter transformed this European-specific principle into the universal one and concurrently gave the UN Security Council the power to disregard state sovereignty and authorize the use of armed force against states that are threats to peace or commit acts of aggression. One could argue that such change in its interpretation was conducted by victorious nations of the Second World War, because it is they who defined the Charter through establishing the UN.

With the rise of respect for human rights, the interpretation of sovereignty has further changed in the past decade into including the concept of individual sovereignty which defines respects for individual human rights and self-determination based on ethnicity. This is despite its conflicting nature with the traditional understanding of the state sovereignty. Such change can be observed in the U.S. engagements in humanitarian interventions under the Clinton Administration in conflicts across the globe including former Yugoslavia and Somalia, and the UN support for self-determination in places such as East Timor. Respect for ethnic minorities as well as respect for borders and control of nuclear weapons is one of sovereignty recognition criteria by the European Union (EU) and the United States for new states in Eastern Europe and the former Soviet Union. In these cases again, it is a dominant state/group of states that changes sovereignty’s interpretation.

In the study of International Relations Theories (IR), constructivists, more than realists, can explain sovereignty’s interpretation changes. Constructivists like Samuel Barkin and Bruce Cronin10, analyzing the time

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periods since the post-Napoleonic Wars till the post-Cold War, argue that the interpretation historically shifted between state sovereignty and national sovereignty and that it was after major wars that sovereignty was redefined through interactions among the victorious states. James Caporaso, another constructivist, argues that the Westphalian state system which defines the exclusion of external actors from domestic authority structures is changing because the bond between territory and authority has been decoupled. To prove that territory and authority are increasingly separated, he uses the United Kingdom as an example that its Parliament law has been overridden by judgments of European Court of Justice in certain areas. Mark Zacher also makes a constructivist argument that the respect for the territorial integrity norm has risen, particularly since mid-1970s. While he uses both instrumental and ideational variables as symbiotic to explain such rise, he argues that instrumental variable is more dominant than ideational one. In short, constructivists are able to explain interpretation changes of sovereignty, as they treat it as an intersubjectively shared understanding among actors.

Constructivism can also explain changes from previous historical periods to modern state system from which to an alternative in the future, as it regards norm as a source for a change in the international structure. They are interested in investigating not only how norm changes but also how norm emerges. In contrast, to neorealists like Kenneth Waltz and John Mearsheimer, pre and post sovereignty is outside of their investigation. Their analysis is on the international politics under the modern state system to which sovereignty is specific, and their assumption is that the distribution of capabilities among states is the only source for the change. Classical realists like Robert Gilpin acknowledge changes throughout history from previous political organizations such as empire, fiefdoms, city-league and city-states to sovereignty, and Charles Tilly

11 This stresses a link between sovereign authority and a territory.
12 This stresses a link between sovereign authority and a population.
15 The proscription that force should not be used to alter interstate boundaries.
16 Feared association of territorial revisionism and major war.
17 Liberal democratic respect for other juridical states.
18 Daniel Philpott’s (constructivist) major criticism against Stephen Krasner in “Usurping the Sovereignty of Sovereignty?” (World Politics, Vol. 53, No.2, January 2001, pp. 297-324.) is that Krasner does not touch upon the constitutive dimension of how norm of sovereignty was formed. However, I do not see it as Krasner’s shortfall. To argue that sovereignty has always been compromised, it is unnecessary to explain how sovereignty is formed. Emergence of norm of sovereignty which constructivists like Philpott is interested in explaining and the effectiveness of norm of sovereignty after its emergence which Krasner focuses are two separate researches.
concretely explains how sovereignty emerged by arguing that war makes states. Their differences from constructivists are 1) they explain changes from previous political forms to sovereignty using material variables (military/economic/technological development to Gilpin\textsuperscript{22}, and military efficiency to Tilly\textsuperscript{23}), as opposed to constructivists’ use of social variables (religious roots to Daniel Philpott \textsuperscript{24}), and 2) their prospect for sovereignty’s unlikely change in the future.

For example, John Ruggie\textsuperscript{25}, a constructivist, regards the shift from the medieval period of heteronomy to the modern period of sovereignty as a change in the international system. As to a future, he argues that sovereignty can be transformed, since it is a way of ordering global politics unique to the modern state system which has not been a constant feature of the international system. Hendrik Spruyt\textsuperscript{26}, another constructivist, argues that the international system can go through changes by changes in a dominant type of units, (with which classical realists like Gilpin converges). The rise of trade, according to Spruyt, produced a need for an institutional efficiency as a result of which sovereign states emerged. Accordingly, for him, sovereignty is not holding and could be changed in the future to an alternative which would fit new economic needs if they arise. In contrast, to realist like Tilly, sovereignty is unlikely to change in the future, as it is the most efficient political form to win war that is necessary to gain power. Because his underlying assumption is that rulers inherently search for power, they would not abandon sovereignty to keep gaining power most efficiently.

Constructivism is better positioned to explain the changing nature of sovereignty than realism: It can explain changes from previous historical periods to the modern state system, changes of sovereignty’s interpretations over time, and its potential change to an alternative in the future. However, it cannot explain how sovereignty’s interpretations have changed by the use of its social variable of idea alone, unless it is assisted by realism’s material variable of power, because changes of its interpretation have been enforced by dominant powers.

For instance, Zacher argues that his instrumental variable is more

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dominant than his ideational variable to explain the rise of territorial integrity norm, while both variables matter. Barkin and Cronin assert that it is largely based on the principles and beliefs of a dominant coalition out of wars that our understanding of sovereign authority has been formed. Martha Finnemore, another constructivist, uses realist variable of power as well to explain the rise of humanitarian intervention norm from the 19th to the 20th century. She contends that it is the perception change of Europeans/people in Western states, implying dominant actors, towards nonwhite non-Christians, by starting to identify them as humans that changed the humanitarian intervention practice to begin including nonwhite non-Christians as targets of protection. Therefore, both constructivism’s capacity to explain changes and realism’s variable of power are necessary to explain sovereignty’s interpretation changes. Constructivism and realism serve as complementary to each other in this regard.

Sovereignty’s Robustness and Helpfulness

Sovereignty is not a fixed notion as constructivists would contend. However, it does not necessarily mean that it is not robust. I argue that it is interpretively evolving but robust, thus helpful to understand international politics as long as dominant states support it. And, they will continue to support it, primarily for two reasons: It serves their material interest of survival to retain the authority to make decisions in the anarchical international structure. It would also severely undermine their ideational interest to abandon the norm of sovereignty already institutionalized as a global norm.

In the study of IR, both realism and constructivism would generally agree on its robustness, as opposed to hyper globalizationists such as Kenichi Ohmae and Charles Kindleberger who claim that sovereignty is eroded. (I state “generally”, as while realists and many constructivists mean the robustness of state sovereignty, some constructivists like Martha Finnemore argue that of individual human sovereignty).

30 See Kenichi Ohmae, The Borderless World: Power and Strategy in the Interlinked Economy, HarperCollins, New York, 1999. In this work, Ohmae contends that national economies are giving way to a single global economy. The basic argument of Kindleberger is that the nation state is just about through as an economic unit.
What differentiates realism and constructivism is their reasons for the robustness, derived from their different emphasis; power and idea/norm, respectively. Realists use their material variable of physical power to explain the robustness, arguing that sovereignty is robust because it is the best way to realize states’ power maximization. Constructivists use their social variable of idea to explain the robustness. They argue that because idea that sovereignty must be respected is institutionalized as a global norm, sovereignty is robust. (Accordingly, to most realists, sovereignty is helpful to understand international politics to the extent that it helps rulers to maintain/seek power. To constructivists, it is helpful, as the strength of the norm of sovereignty is a principal agent to explain international phenomena such as decreased interstate conflicts).

To be concrete, to neorealists, sovereignty’s robustness is not a subject of their analysis, as sovereignty is an indisputable feature of states and premise of state centrisim. To them, material capabilities such as military and/or economic power\(^\text{31}\) are the only important aspect of states to assess their robustness in relations to other states.

Other realists are generally skeptical about the erosion of sovereignty, as they regard sovereignty as the best form so far for states to maintain/maximize power. Robert Gilpin claims that it is still premature to argue that sovereignty is dead or dying, though he acknowledges that it is a historical product and does not deny the possibility of its demise in the future.\(^\text{32}\) Charles Tilly’s assertion that war makes states\(^\text{33}\) implies that sovereignty is not only robust but also it will be sustained in the future, as it is for him the most militarily efficient form for states to seek power. Peter Andreas\(^\text{34}\), in his research on clandestine transnational actors, converges with realists by arguing that sovereignty is not eroded when defining it as a territorial control in terms of policing borders, though he diverges from them on a point that he acknowledges the decline of military borders.

However, realists are not monolithic in this regard. Though both Janice Thomson and Stephen Krasner treat sovereignty as fixed and


analyze its authority aspect, they come to different conclusions: Thomson concludes like other realists that it is not in decline\textsuperscript{35}, whereas Krasner argues that it is often violated, thus organized hypocrisy\textsuperscript{36}, though enduring on which he converges with constructivists and other realists. To Krasner, it is a tool of powerful rulers, so unhelpful for understanding international politics, as rulers would do whatever they want and the principle of sovereignty does not prevent states from violating sovereignty of other states.

Krasner’s criticism against constructivists such as Alexander Wendt for understating the importance of power and overemphasizing the impact of the norm of sovereignty is valid. Yet, his assertion that a logic of consequences can always prevail over a logic of appropriateness\textsuperscript{37} does not capture instances under which the norm of sovereignty is effective and thus is not fully convincing.

On one hand, sovereignty of weak states seems to be more compromised than that of strong states in terms of military power, and this is applicable even among developed states. For example, European states and Japan more voluntarily allow their sovereignty to be compromised than the United States, as they are militarily weaker than the United States. European states, even though many of them possess internationally competitive economic power, remain or join the European Union (EU) and the North Atlantic Treaty Organization (NATO) at the cost of sacrificing their sovereignty including political, economic and judicial autonomy. Japan, even though it is the world’s second economic power, keeps allowing the U.S. troops to station within its territory. This is at the cost of sacrificing its juridical authority within the U.S. military complex. This is because European states and Japan are weaker than the United States in terms of their distributional military power. Meanwhile, the United States, except some rogue states, is virtually the only state in the world at the moment that can manage to least compromise its own sovereignty. This can be confirmed in a series of the G.W. Bush Administration’s refusal to place itself under the jurisdiction of multilateral frameworks, including the International Court of Justice and the Kyoto protocol. The recent U.S. invasion of Iraq in 2003 could be interpreted in a way such as the U.S. military strength allowed it to violate sovereignty of a weaker state, signifying Iraq, by disregarding the UN Security Council. Therefore,
Krasner’s criticism against constructivists for understating the importance of power is fair. Sovereignty seems to be more compromised in weak states, especially in terms of their distributional military capabilities among states.

On the other hand, it is too far to claim that sovereignty is organized hypocrisy. One could counter argue that the very act of entering into international organizations and treaty is an exercise of state sovereignty, or that it is serving states’ interests of improving their sovereignty in the long run through some loss of their sovereignty in the short run. The European states themselves decided to join EU and NATO. They retain their authority to make decisions on whether to remain in these organizations or not. It is Japan that agreed to sign the U.S.-Japan Security Treaty with the United States. The country maintains its authority to make decisions whether to adhere to the treaty and allow the U.S. troops at its soil. Meanwhile, grown criticism at home and abroad against the Bush administration on its decision to attack Iraq in 2003 and unceasing terrorism across the globe since then including in Madrid and London implies that even the strongest powers cannot do whatever it wants and must respect the norm of sovereignty. In addition, strong states no longer resort to power and colonize weak states due to the strengthened norm of sovereignty at present.

Krasner’s alleged selection bias makes his argument less compelling as well. Krasner does not demonstrate whether cases of violated sovereignty he selects are sufficient to prove that the compromise outweighs the lack of compromise (Daniel Philpott\textsuperscript{38}). Despite the fact that he states to focus on authority aspect of sovereignty, he omits from his analysis, domestic sovereignty which he defines as both authority and control. He does not offer a yardstick to measure the extent of compromise of sovereignty, either. These problems undermine the persuasiveness of his argument.

That sovereignty is not organized hypocrisy can be confirmed through constructivists’ arguments as well. Robert Jackson and Carl Rosberg\textsuperscript{39} argue that weak African states persist, because even powerful states have enough military might, they cannot attack those weak states without legitimate reasons, due to the norm of sovereignty. David Strang\textsuperscript{40} argues that there exists the different survival rates between states that are

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recognized as sovereign and those that are not, which suggests that the norm of sovereignty is effective. The number of interstate conflicts is decreasing due to the rise of the territorial integrity norm, according to Mark Zacher. Finnemore points out that many cases of humanitarian intervention occur in states of negligible geostrategic or economic importance to powerful states. These serve as evidences that sovereignty is not organized hypocrisy.

Yet, sovereignty is robust primarily because it is institutionalized as a global norm ensured to survive by powerful states. The norm alone cannot be independently causal to explain why weak states persist, why the number of interstate conflict is decreasing, and why weak states are no longer colonized, unless it is backed by power. In other words, if sovereignty was supported only by weak states, it is highly uncertain whether it had developed beyond what Kathryn Sikkink and Martha Finnemore call “tipping point.” It was originally powerful states that created and drove it to develop beyond “tipping point” to serve their interests that are initially instrumental (survival) and later ideational (high public acceptance of the norm of sovereignty). Therefore, Krasner’s claim is both valid and invalid. Sovereignty appears more robust for stronger states, but could be robust for weak states too, as it is already developed as a global norm enforced by powerful states. Instead of treating power (of strong states) and norm (of sovereignty) as a dichotomy, it is more appropriate to regard them as complementary to explain the robustness of sovereignty.

Conclusion

Sovereignty, since its creation, has gone through changes in its interpretation according to changes in the international norm and in power politics. This, however, does not necessarily mean that it is not robust. If it does not matter at all, it would not have survived more than three hundred and fifty years until present time. I argue that it is, and will be, interpretively evolving but robust, thus helpful to our understanding of international politics as long as the dominant states support it. Moreover, they will continue to support it, primarily for following reasons: It is crucial

for their survival in anarchy to retain the authority to make decisions over the affairs of a country. It serves states’ material interest of survival. Also, abandoning the norm of sovereignty already developed from that of powerful states to a globally institutionalized norm severely undermines their ideational interest. It would cause serious backlash against dominant states both at home and abroad, because of the high norm acceptance across the globe.

One desirable future research agenda is to develop operationable criteria to more accurately assess sovereignty’s robustness. Though Janice Thomson offered concrete criteria, they are still too vague for analysts to draw empirically testable propositions.

Finally, another area to investigate relates to under what conditions a specific norm (individual human sovereignty) has priority over another norm (state sovereignty). Constructivists assert the robustness of one norm (individual sovereignty) without explicitly touching upon an implication that such assertion theoretically undermines another norm (state sovereignty). The research to specify those conditions may help them further clarify the causal mechanism.
Reference


Other contributors to *International Studies Review*, special issue, 2000


Robert Jackson and Carl Rosberg, “Why Africa’s Weak States Persist: The


