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Institute on Comparative
Regional Integration Studies

Working Paper Series

W-2018/10

The Rise of Non-territorial Sovereignties and Micronations

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Abstract

There is much debate as to whether globalization is changing the face of geographical boundaries or leaving the world void of state and sovereignty. As a result of globalization, the exclusive territorial power of the state has become challenged by the operations of powerful multinational corporations (MNCs). MNCs can now pressure states to cut their labor costs, reduce taxation and tariffs. Sovereignty, though remaining part of the system, has become located instead in a multiplicity of institutional domains – MNCs and supranationals. There are huge repercussions to this decoupling of territory and sovereign state, including states no longer being free to instigate their own policies. With the weakening of the state-sovereignty relationship, tensions have been created and insecurity has meant the rise of walls within walls - in the form of micronations and non-sovereign states - MNCs have grown in power, dominating the system. This paper critiques the insubstantial definitions of what constitutes a state, the effects of the reconstitution of state-sovereignty, the shift in the balance of power from states to MNCs and devolved, regional bodies, which has been a contributory factor to the rise of micro-nations.

Keywords: *Globalization, state sovereignty, territory, micro-nation, panarchy, Multinational Corporations, supranational, neoliberal, neomarxist, neorealist, hyperglobalist, devolution, nation-state*

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Introduction

With the rising influence of multinational corporations (MNCs), and increased international economic links, making it difficult for individual states to operate in isolation, the question arises as to whether nation-states have become less significant (Panić, 1997, p.29). The processes of globalization and regionalization which cut across territorial boundaries, transforming the global state system, challenge the Westphalian Principle¹ of sovereignty which specifies exclusive rule over a bounded territory (Held and McGrew, 1998, p.220). Some hyperglobalists believe that globalization has made the nation-state obsolete or that we are witnessing the end of the state and that regions of all kinds are filling this gap (Ohmae, 1995 pp.80, 81).

Regions vary in size; can be part of a state or composed out of different states; constitutional regions or cross-border regions; recognized economic, social and cultural entities or unrecognized, but whatever they may be, they are not sovereign states (Van Langenhove, 2016, p.1). This reconfiguration of the global landscape into devolved regions is a global phenomenon, jostling to assert its position amongst sovereign states and MNCs (Van Langenhove, 2016, p.3). There is an emergence of putative states, in various forms and for various reasons including devolved regions, small nations (micro-nations) like Brittany, Scotland and Corsica, along with micro-nations which have formed, based on hobbies or artistic ventures, all striving for recognition (Strange, 1996, pp.5, 6). Regionalization and the rise of micro-nations has become part of the social and political transformation process of the Westphalian world order. The question arises as to how putative states can gain their statehoods, a subject becoming increasingly important under the influence of globalization (Zadeh, p.7).

This paper intends to firstly, analyze what constitutes a nation-state and its territory. Secondly, the effects of globalization on the sovereign state and its territory will be explored to understand the impact of globalization, through MNCs and supranationals. Thirdly, the accepted criteria for statehood will be examined according to the constitutive and declaratory theories, alongside the practical difficulties that arise. Next, investigation will be made into how sovereign states have become increasingly compromised by the process of globalization, bringing about regional governance through devolution and the rise of microstates before finally establishing whether regions or micro-nations can gain legitimate independent status.

¹ In 1648, the Westphalian order came into existence which defined the principle of the state system with separate states and nations each defining its own goals and cultural mission. Sovereignty provided the justification for control within the specified territory and recognition from other states (Caporaso, 2000, p. 1).

1. Discussion Around Definition

To establish how an entity can become a state, it is necessary to set out the requirements of what constitutes a nation and state. McCrone (2000, p.7) notes that nation and state have, in discourse, become almost synonymous with one another. However, a nation is defined as:

‘a large-scale solidarity, constituted by the feeling of the sacrifices that one has made in the past and of those that one is prepared to make in the future. It presupposes a past; it is summarized, however, in the present by a tangible fact, namely, consent, the clearly expressed desire to continue a common life’ (Renan, 1882).

Nations are therefore developed from the needs of the people, made from different social groups seeking a common, collective identity. Carvalho et al. (2017, p.250) posits nations and societies are constructed by the institutional theory, a series of institutions like laws, education, religion which help to construct society in a certain manner. Vattel (1586) explains sovereign states, which are defined as a population ruled by an independent government in a territory, are formed by nations. A state, on the other hand is defined as ‘an entity that wields political authority over a specific territory’ (Miller, 2012, p.252). States have numerous powers, one of the most important being to enact and enforce laws (Tesón, 2015, p.28).

Nation and state have become inextricably bound because nationhood is such a fluid, human construct and culture is peoples’ language and religion, together with their place, territory, politics and economics. Nation-states are divisions of people, according to their social groupings with the right to participate in their own governance (White, 2004, p.3). This is ultimately the reason for the initial stirrings for the formation of new states –

‘nations within these states who felt that their rights had been violated and that the only way to protect their rights and to cultivate national identities was to proclaim political, and therefore territorial independence’ (White, 2004, p.3).

In the 20th / 21st century, there have been many conflicts, whereby nations have sought their independence. With globally about 5000 nations but only approximately 200 states, this means new micro-states seek to carve out new territory from land already taken, which explains why national governments are reluctant to recognize independence declarations from potential new states (White, 2004, p.4).

The term ‘sovereignty’ has many conflicting meanings though it is generally considered to be the ‘supreme authority within a territory - Authority is the right to command and correlatively, the right to be obeyed’ (Philpott, 1995, p.353). Wolff (1970, p.4) defines sovereignty as ‘a matter of right or

legitimacy, not one of mere power'. Furthermore, in a democratic state it is the collective people who legitimize political power over its citizens.

1.1. Concept of 'Territory'

Essential to becoming a state is that an entity should have a defined territory, an area within borders, in which it can become sovereign. Though this area is itself ambiguous as not all states necessarily require a territory to become a state. Take, the case of Poland and Czechoslovakia², which were recognized by France as nations during World War 1 with France recognizing their right to raise an army, have a national flag and have military tribunals (Grant, 1999, p.436).

As a state has power over a territory, we need to attempt to define territory, not as a single meaning but rather to critically explore its historical metamorphosis, suggesting that the socio-political meaning of 'land' or 'terrain' is no longer entirely sufficient. In political practice, a territory is usually referred to as 'a geographical area belonging to or under the rule of a government' (Sullivan, 2009, p.514). Miller (2012, p.253) regards territory as a 'triangular relationship between first, a piece of land, second, a group of people who live on that land and, third, the political institutions that govern those people in that place'.

Should we automatically think of territory as a piece of land or is it a spatial area which is not necessarily a tangible thing? The theory is put forward by Wijhe (2011, p.21) that territory is political, economic and jurisdictional and has increasingly become regarded as '*a volume of space*' associated with MNCs and the internet, with communities of people sharing common cultures, their boundaries delineated by borders which have gradually changed in 'structure'.

The concept of territory as a fixed entity with its limits at its borders determining the start and end of its sovereignty, statehood and control has started to change. The idea of territory as a physical and finite space is construed as the territorial trap³, viewing territory in only this one way (Agnew 1994, p.53). Territory can no longer be seen as only a tangible, fixed piece of land but as a symbolic social and political creation which, even if tangible land, will undergo changes in shape (Newman, 2010, p.773).

² The Polish National Committee had its Headquarters at Paris and had never had its seat in Poland. Moreover Poland could not claim continuity to a state as Poland had been wiped from the map of Europe in 1815. This is contradictory to the Montevideo Convention criteria (See Grant, 1999, p.436).

³ Conventional belief concerning territory is that states are fixed units of sovereign space; containers of societies. This is known as the territorial trap which under contemporary events is called into question.

It is proposed by Elden (2009, p.xxviii, xxix) that because the Latin root of 'territory' could be either *terra* (referring to land) or *terrere* (to frighten) then territory could signify a place where the enemy are frightened away or alternatively a place where fear is employed potentially for government to exercise sovereign power and maintain control. Territory is generally considered as a bounded space, and how civil society organize themselves in that space, in their cultures, societies, associations and institutions; a 'human social creation' (Delaney, 2005, p.10). The most common understanding of territory is that it is 'bounded space under the control of a group of people, usually a state' (Elden, 2009, p.xxv). However, another paradigm is that territory is a concept growing out of territoriality, a biological urge or a social strategy – a kind of territorializing behavior, much like animal behavior (Wijhe, 2011, p.19).

2. Why Globalization matters

Since the Treaty of Westphalia in 1648, the state's legitimacy over its territory with sovereignty having absolute power, has been emphasized and the nation-state has become the foundation of the international system of global governance. With no rights of interference from outside and with the introduction of modern taxes based on centralized administration, the activities of the state shifted to government to have power over the state's security and welfare (Sotirovic, 2017) However, with the rise of globalization in the 1990s at the end of the Cold War and the expansion of the global market, MNCs have become able to challenge national sovereignty and weaken the nation-state (Fjäder, 2014, p.114).

The speed of social life has increased so greatly over the last few decades that social space has become 'compressed'. Digital technologies have enabled virtual global communication at any time and major global cities inclusive of New York, Hong Kong and London, with their different commerce and cultures have begun to merge as one space (Sassen, 2016). Though globalization has been occurring for hundreds of years (Sassen, 2016) this process has accelerated through technological advancement and is changing how states interact with others but also the consistency within states.

However, when discussing the mechanisms of globalization, it is important not to dismiss state involvement within the globalization process. Castells (1996, p.407) believes that as well as technological advancement causing, a 'space of flows'⁴, states are creating an ever more interconnected world with cross-border economic transactions, trading policies and greater labor

⁴ Castells 'space of flows' is defined as 'the material organization of time-sharing social practices that work through flows'. This involves technology which is time-sensitive and can flow throughout the world bringing people together in real time enabling interacting groups.

migration. Therefore, it could be argued that globalization is a resultant feature of policy liberalization. Both methodologies help propel globalization and lead to the transformation of statehood (Brenner, 2004, p.5).

The Treaty of Westphalia gave European nation-state governments the monopoly over taxation, security and laws, with control over economic flow to channel economic growth into national development. In return civil societies gained spiritual and moral development with education, culture and healthcare. However, many theorists believe globalization has caused the destruction of state control of capital with supranationals taking over as the gatekeepers of the economic system and de-territorializing the nation-states, with their governments becoming controlled exogenously.

2.1. Globalization and its Effect on State-Sovereignty

Globalization means information, goods and trade flows across more fluid borders. The globalization process has allowed people to communicate almost instantaneously throughout the world and has created the notion of a shrinking world where people are no longer confined by geographical place to meet their potential. This process is a recent phenomenon and has allowed people to learn, communicate and adopt new cultures which historically they have been unable to do to the same extent. Advanced technologies have provided greater interconnectedness and more choice, people can choose which groups they perceive and recognize themselves as belonging to.

Nine (2005, p.27) posits, communities were historically motivated to establish territories for control of resources which enabled economic power. This meant state citizens, had a right to resources contained on their land within their borders and the larger the territory and more resources within that territory the more powerful the state. Nine (2005, p.126) informs us a state's land must increase in value and so if MNCs exploit a state's natural resources then the state's value would deplete. This has meant sovereignty and territory have reorganized with territory becoming partly deprived of its sovereignty which has moved to other locations outside of territorial bounds. The transference of the state's power and sovereignty has major implications. Brown (2010, p.23) explains this shift as the 'coming apart' of the 'nation-state-sovereignty'. Ruggie (1993, p.165) supports this theory, referring to it as an 'unbundling of the relationships between sovereignty, territoriality and state power'.

There is much contentious debate as to whether globalization is changing the face of geographical boundaries and leaving the world devoid of territorial sovereignty. Debate arises over whether globalization spells the end of states, territory and sovereignty or alternatively, whether it is blurring

the contours of territory and reconfiguring its relationship with sovereignty. On the one hand, it is argued that globalization is responsible for ‘flattening’ the world⁵, bringing an end to territorial sovereignty with globalization challenging governments from below or having to transform from top-down (Friedman, 2005, p.48). While alternatively, territory and sovereignty could be viewed as remaining key players but are reconstituted and displaced outside the state. Where once the sovereign state protected its boundaries, globalization is limiting this with economic pressures brought to bear upon the state by MNCs and supnationals. The growth of MNCs and global markets, allowing 24/7 trade, has led to national economies becoming weaker. This economic transformation has created new patterns of governance whereby the modern, territorial bordered states have become more vulnerable, as seen in the EU with its ‘borderless area of freedom, security and justice’ which contests the Westphalian territorial state system (Vaughan-Williams, 2009, p.5).

3. Legal Barriers Towards Becoming an Independent State

The concept which is central to the nation-state is ‘self-determination’. Self-determination is fundamentally the right of people to rule over themselves and create their own state. The Atlantic Charter (1941)⁶ determines: ‘respect the right of all peoples to choose the form of government under which they will live’ and is enshrined in the UN Charter (June 1945). In a similar notion, the International Covenant on Civil and Political Rights (ICCPR)⁷ (1966), declares that ‘All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development’. These treaties state that people have the entitlement, under international law, to forge their own nation and rule over it without interference. Self-determination is the process whereby people gain self-government- they form a community of shared identity, invest these ideals in a state so forming a nation (Etzioni, 2015, p.470).

The term self-determination is also used to refer to the normative principle that is evoked to justify breaking away from the old regime to form a new one. However, legally when a state gains independence within the borders of the parent state, more separations and border changes cannot

⁵ Friedman, T., believes the world to be flattening due to globalization, with advances in technology and communication across the globe.

⁶ The Atlantic Charter was an agreement signed by the United States of America and Great Britain for a Post-World War 2 world. There are 8 major points: The third point set forth self-determination was a right of all people. The rights of all people would be respected to choose the form of government under which they would live and the rights to the restoration of sovereignty and self-government to those who were forcibly deprived of them.

⁷ The ICCPR document was a declaration setting out general principles of human rights and a convention containing binding commitments. Part 1 recognises the right of all people to self-determination including their right to freely determine their political status; the right to pursue their economic, social and cultural goals, to manage and dispose of their own resources.

take place. This enables autonomous countries to form within the borders of the country from which they want to gain independence, but disallows the formation of separate states unless there is a very strong reason backed by powerful countries (BBC, 2017). If a region should recognize itself as a state before the parent state has relinquished its territory, this could be construed as a violation of territorial integrity (Grant, 1999, p.440) contravening Article 2(4) of the UN Charter, which prevents an entity from intruding into another state's territory. This is evident in the case of Kosovo which was not able to gain full independence when Yugoslavia split because it would violate Serbia's territorial rights.

3.1. Criteria for Statehood - The Montevideo Convention

One reason any group of people who control a piece of land / territory can claim they are an independent state is due to the legal definition of a state as laid down in the Montevideo Convention (1933). This is the source most often cited as the basis for statehood from the section, 'On the Rights and Duties of States' (Grant, 1999, pp.413, 414).

The definition of state by the Montevideo Convention (1933) gives the opportunity for regions and micro-nations to legally come into existence as states.

To gain legal recognition as a nation-state, the 'Montevideo Convention'⁸ (1933) declares that a sovereign state must possess the following criteria:

'a) a permanent population; b) a defined territory; c) government; and d) capacity to enter into relations with other states'.

(University of Oslo (UiO) The Faculty of Law)

Vattel (1586) posits:

'Each nation which governs itself without any dependence upon a foreign power, is a sovereign state'.

The constitutive theory was the standard nineteenth-century model of statehood, declaring a state as existing exclusively through recognition. However, the declaratory theory, developed in the twentieth century, with the Montevideo Convention, addressed the shortcomings of the constitutive theory, laying down its four requirements and making two pronouncements in articles 3 and 6.

Article 3 of the Montevideo Convention states that:

'The political existence of the state is independent of recognition by the other states. Even before recognition the state has the right to defend its integrity and independence, to

⁸ The Montevideo Convention (1933) on the Rights and Duties of States was a treaty signed at Montevideo, Uruguay, to set out the declarative theory of statehood in international law.

provide for its conservation and prosperity, and consequently to organize itself as it sees fit, to legislate upon its interests, administer its services, and to define the jurisdiction and competence of its courts’.

(UiO: The Faculty of Law)

And, article 6, states:

‘The recognition of a state merely signifies that the state which recognizes it accepts the personality of the other with all the rights and duties determined by international law. Recognition is unconditional and irrevocable’.

(UiO: The Faculty of Law)

The twentieth century declaratory theory declares that statehood is independent of recognition – it is no more than expressing willingness to enter into relations with other states. Conversely, the nineteenth century constitutive theory declared a state gains statehood by other states recognizing it as such. This would require an unbiased international organization (IO) to acknowledge it as a state on behalf of the community of states (Zadeh, p. 2).

4. Ambiguities relating to applying the Montevideo Convention.

The ambiguity of what constitutes a *state* is demonstrated in the case of Somalia. Somalia has a government but controls only a small area of Somalia. Somaliland, on the other hand, has a territory, though with disputed borders, and has a population and a government which has power over its territory. Recognition of Somaliland is immaterial, given that a state is independent of recognition, however before it can establish relationships with other states it first has to exist. Somalia has recognition by other states, though lacks control but continues to exist as a state, thus indicating that states already in existence, even if in fact collapsed do not come under the criteria required for statehood. Somalia’s existence as a state therefore depends upon recognition but a ‘new’ state, unrecognized by other states cannot gain statehood. While Somalia is a member of the UN, Somaliland is not (Zadeh p.3, 4).

As Davids (2012) asserts, the more a state has of one criteria, the less they need of the other; ‘you need a little of both to be a state’. This would suggest balance is required between the Montevideo Convention (1933) and recognition of a State. Take the Vatican State with recognition; it has territory and a government and interacts with other states but does not have a constant and permanent population. Yet the Vatican is a state under the Montevideo convention (1933). Likewise, Israel’s territory, which has been disputed since 1948, has gained statehood and joined the UN. It appears from this that recognition by other states can surmount the lack of other criteria within the Montevideo Convention (1933) definition of a state.

5. Tensions Created Instigate Walls Within Borders

The weakening of sovereignty does not mean borders are less important, rather the tensions created through the flow of capital, ideologies and violence have led to the building of more concrete borders for states to control. Take for instance, the USA - Mexico border fence started in 2006 for violence and drug-related offences and to control immigration, and the Iraqi urban "gated-communities" built in reaction to sectarian violence with western coalition assistance within the state. Brown (2010, p.8) concurs that as globalized institutions and globalized violence has led to tensions, borders have altered and grown in number, many built within states. So while global threats might have appeared to have eroded sovereignty, in essence unease has intensified and built a newly reconstituted form of nation-state-sovereignty which has justified the building of more physical borders to keep back external threats in the backdrop of tension. States now have different levels of threat, but separate states continue to have their own inputs regarding matters such as global climate change where all states establish their policies, spatial vulnerabilities and adaptation strategies.

If globalization is dissolving boundaries with economic flows, interstate boundaries have become important where access to citizenship rights are concerned. Immigration, particularly where wealthy countries are concerned has meant reinstating borders. Boundaries between regions and localities have grown in number, which differ to the political map and these new boundaries are more meaningful to social life (Agnew, 1994, p.23).

The view that globalization has created a borderless world through economic decisions made without heed to borders is controversial. But does globalization mean borders are no longer important? Kobrin (2017, p.151) argues that globalization has heralded the transition from 'a space of places to a space of flows.'

Paradoxically, neoliberals, cosmopolitans and humanitarians state the globalized world has become borderless due to global economics, global citizenship, or global governance however Nation-States, both developed and developing countries, have developed a penchant for wall-building. Furthermore, people throughout the world are building micronations with both physical and imaginary territories. In 1945, there were 51 countries which were members of the UN, by October 2017 there were 193 countries (BBC, 2017). Brown (2010, p.24) supports this paradigm of wall building generally dividing affluence from poverty. The key here is that these walls are symbolic of the desire for security, protection, containment which are all promised to civil society by political sovereignty.

5.1. Globalization and Devolution

Despite globalization promoting cosmopolitanism, with cross border homogeneity, local and regional elements have grown in significance. Many theorists posit that globalization encourages the process of devolution by eroding the importance of policy-making, culture and society promoting homogeneity across borders (Rodríguez-Pose and Gill, 2003. p.3) Though some theorists believe globalization continues to bring about the demise of the nation-state, others argue that it has increased the importance of regional government (Keating, 1992) and regionally-based competition that mobile capital is inducing (Cheshire and Gordon, 1998, p.321) which has given renewed interest to the role of regions.

Prior to the Cold War, nation-states were built around ideological differences such as democracy or communism however this has changed. According to Huntington (1993, p.23) 'It is far more meaningful now to group countries not in terms of their political or economic systems or in terms of their level of economic development but rather in terms of their culture and civilization'. A powerful trend is growing apace whereby people within a state are demanding and gaining autonomy and political strength within regions. Globally, many of these devolutionary movements evolved from nations within states in Europe however there has now become a global drive towards state re-formation with devolution and decentralization; these nations define themselves through their distinct identities - religions, language and accents and ethnicity. Post-Cold War, culture has become both divisive and unifying which has led to people being united in historical ideologies but divided in civilization (Huntington, 1996, p.28).

By 2002, globally, Independent states had emerged transferring power, authority, and resources to subnational levels of government. For instance, in 2002, eight out of the fifteen members of the European Union, accounting for about 87% of its population had decentralized to some extent (Rodríguez-Pose and Gill, 2003, p.10) - the UK, Portugal and Poland having transferred power to some of their regions; Austria, Germany, Belgium and Italy had federalized; Spain is decentralized and Brittany and Corsica in France have regional autonomy. Powers have shifted to the regions with the Scottish Parliament law making and raising taxes, creating separate educational and social policies. Both Scotland and Catalan held referendums to gain independence and wanted secession from their parent state whilst remaining part of the EU (Guibernau, 2014). The Catalan Independence referendum (2017) was declared illegal by the Spanish government as a breach of the Spanish constitution and the Scottish referendum failed to get a majority vote.

Devolution is a complex and heterogeneous process and ranges from decentralization of certain federal states, such as Germany and some Spanish regions, to the more limited power of regions in

France. Decentralization takes place across the world and takes place in a variety of forms. Globalization has accelerated micro-statism in three main ways. Firstly, it weakens the nation-states with devolved government and supra-state institutions whereby microstates can become independent autonomous states. Micro-nations can form as a collective identity need through the globalized world rather than as part of the original nation-state. Secondly, globalization can encourage reactive creation of the microstate with societal demand moving away from the uniformization offered through globalization. Thirdly some indigenous groups agitate for their identity to be recognized within their own state such as the Cree in Canada (Scholte, 2005. p.238).

For instance, nations have formed through a split in the parent state. Yugoslavia broke into six republics, one being Serbia. Kosovo, though a province of Serbia, has a very different ethnic populace. Unlike the other states, Kosovo was not granted its independence because it would have violated Serbia's territorial rights which caused civil unrest to break out in 1999. When Kosovo, in 2008, declared unilateral independence, which Serbia declared as invalid and took to the UN International Court of Justice. Kosovo was recognized by half the UN members as a sovereign state and so gained some benefits such as accessing the World Bank and IMF and being part of the international Olympic committee.

Catalan is another region seeking independence from within a nation but again there are difficulties attaining independence because of Spain's right to maintain its border integrity and so autonomy is the most they can legally hope for. Spain does not give any recognition to Kosovo as an independent state because it would be tantamount to allowing Catalonia recognition (BBC, 2017).

The problem is attaining recognition and backing from international powers. A case in point is East Timor, a Portuguese colony which was invaded in the 1960s by Indonesia. As the Indonesians were a US ally in the Cold War, the people of East Timor received little support at the time but during the 1990s when communism had fallen and the Indonesians were no longer an important ally to the USA, western powers, which were embarrassed by the abuse of human rights, allowed the East Timor people to claim their right to self-determination and when the Timorese claimed independence in 1999, they attained it in 2002. However, they needed support from the UN because of the violence from irregular Indonesian forces.

As regions have gained power and autonomy within their nation-states, they have looked for foreign relations so as to strengthen their positions often linking across borders such as the Kurds in Iraq linking with powerful allies in the form of America (Michelmann and Soldatos, 1999). This process of the formation of subnational regions has accelerated, with nation-states challenged both endogenously and exogenously from the IOs. Power becomes increasingly centralized as in the case

of the EU with borders weakening and local demands growing (Öner, 2004 p.33). Rather than external governments in capital cities like Brussels, local authorities take charge of issues including immigration, crime and drug-trafficking (Öner, 2004 p.33). However, subnational regions can use EU powers to increase their power in the nation-state (Keating, 1992, pp. 10-12).

There are various theories regarding political boundaries of the twenty first century however they tend to center on the fact that civil societies construct them. Huntington (1993, p.22) for instance proposes that the global political order will transform and is in favor of a new civilization paradigm, leading away from the western hegemony. Religion has replaced politics as people seek new sources of identity, community, and morals to give them meaning and purpose (Huntington, 1993, p.26). After the Post-cold war order, countries of similar cultures, have begun to align themselves with those states which have similar religions, languages, values and institutions. This common culture enables states to collect around core culture states to legitimize leadership and external institutions - for the EU the core states being France and Germany (Huntington, 1996, pp.156, 157). This implies that small micro-nations or regions gain security from their adjoining core states.

One of the reasons for states to devolve power to the regions is to allow more local control of lesser important state functions whilst tightening control of the important reins of power. It also reduces the demands for independence and reduces the possibility of civil unrest.

5.2. Direct MNC Influence of Political Systems

Strange (1996, p.5) posits that the state can no longer provide security against violence and aggression, stability for trade and investment and political authority through legitimate coercive force and popular consent – the very reason for its fundamental existence is therefore becoming obsolete.

Taking Europe as an example, power has been shifting from national governments upwards in the EU and down to the regions. Within the EU, there has been a shift in power from the nation-state to Brussels to make decisions such as which citizens can travel within Europe and health and safety at work. But there continues to be patriotism to one's own country before Europe. There has become a proliferation of states in Europe as people see identity as important – the breakup of the Yugoslav Federation, the breakup of Czechoslovakia and the Soviet Union- with new states in the making. While nation-states dilute their sovereignty by joining the wider EU, citizens strengthen their national identities within regions.

'The EU has done something to foster the idea that people can have national and regional identities that are not as clear cut and as exclusive as they were once thought to be. It's

disjoined the old belief that national culture and national sovereignty had to be one and the same thing' (Rohan, 1998).

In other words, as nation-states weaken, national cultures thrive and grow through their breakup into regions and potential new micro-states.

White (2004, p.2) supports this theory stating: 'Ironically, globalization is intensifying some people's senses of identity. Of these identities, national identity figures prominently'. Conflicts, such as those in the former Yugoslavia and violence in the Caucasus region, could potentially stem from nationalism, an inherent desire of national groups to gain territorial sovereignty. 'The persistence and intractability of these conflicts derive from overlapping claims to territory,' which White (2004, p.4) claims 'have been merely new incarnations of this nationalist principle'.

The nation and the state have not always been synonymous – states could enclose several nations and the nations divided into several states. 'You had important nations on the one hand and you had states on the other hand, but where the two were not necessarily congruent in the form of the nation-state' (Rohan, 1998) - perhaps there is a return to the past, in this respect.

The problem is that the most powerful states set the pace for cultural homogeneity with the less powerful absorbing into the more powerful. The paradoxical nature of globalization is that it also creates cultural fragmentation with clashes of cultures (Mazaar, 1999, p.248).

Globalization has allowed MNCs to increasingly become more influential in places they have previously been unable to market before. A good example of this is the spread of McDonalds, opening stores in the Negev Desert, Israel, on the ground floor of the Museum of Communism, Prague or building a ski through at Lindvallen, Sweden (Meltzer, 2016). To attract MNCs to specific locations, states offer pull factor incentives such as: reduced tax, tariffs and other incentives.

Griffing and Buchan (2012, p.17) suggest that the EU appears to be moving towards regionalization of member states because by the breaking up of the sovereign state, the power dynamic relationship changes and if only one part of the state fully absorbed into the EU this would weaken the nation-state. A Europe of regions would therefore be a model for a federal Europe. (Griffing and Buchan, 2012, p.16). Once the nation-state's power is given over to a centralized multinational control then the EU would gain control over national laws and interests.

Strange (1996, p.5) posits that while governments, especially in Western Europe and North America have weakened powers, there are an increasing number of regions wanting to build their own states. Neoliberalism has replaced the nation-state power with supranationals (Strange, 1996, p.247), with

nation-states unable to find ways to convince citizens they can survive without the intervention of political union (Jotia, 2011, p.247). This is especially illustrated by some of the political elites in Europe pushing for greater harmonization and central control whilst regions seek greater independence from their parent state.

5.3. Panarchy

Globalization is providing a new lens to view and interact with the world, but with greater interconnectivity people are beginning to question their national identity. A new form of statehood is beginning to emerge with increasing prevalence, panarchy⁹.

‘Panarchy is a normative political meta-theory that advocates non-territorial states and explicit social contracts between citizens and states, formalized as constitutions. Panarchy founds the relations between citizens and states on formalized voluntary consent, rather than on land and blood, the territorial and ancestral accidents of birth’ (Tucker and Bellis, 2015, p.1).

‘Panarchy separates geographical location from citizenship and severs the link between where one lives, works or practices business and one’s political association, just as religion is separated from geographical domicile in liberal states today’ (Tucker and Bellis, 2015, p.1).

One of the issues surrounding this type of governance is how are services paid. For instance, traditional states may collect taxes in order to pay for publicly owned services like roads, hospitals or schools within a geographical area. However, in a panarchist system, with citizens able to choose which nation they belong to in a non-spatial area, payment of these services may become illusive and unknown.

5.4. What is a Micronation?

A micronation is an entity that claims to be a sovereign nation, however these nations lack recognition from other governments and major IOs though some have obtained recognition through negotiation and visits with ambassadors of various countries (Barry, 2017). ‘A micronation formally and persistently agitates for sovereignty over a given territory and is thus differentiated from other social groups’ (Sawe, 2017). Today, in excess of 400 micronations exist for many reasons whether for: hobbies, personal entertainment, artistic ventures, tourist attractions, as a sign of protest or as a method of exempting themselves out of taxation. These projects endeavor to create human-made

⁹ In 1860 de Puydt coined the term panarchy and applied the theory to the concept of individuals having the freedom to choose any form of government they wish without having to move in place.

islands and claim self-independence. Another form of micronation is the alternative government, recognizing themselves as an authority within the same geographical area and may try to open dialogues between other micronations to try to build more notable recognition with larger populations (Sawe, 2017).

Micronations are entities that claim political, social and economic independence but as Andel (2011, p.9) suggests it has become difficult to know when they are 'serious' political entities or merely 'hobbies'. Though 'micro' gives the impression they are small nations, this refers to their dimensions in the global sense rather than their actual population. Micronations tend to begin their existence as small projects and are then accompanied by proclamations of sovereignty and independence and declarations of constitutions and gaining legitimacy through referendum.

The World Wide Web has enabled online micronations to form and this phenomenon has gained significant interest. Internet micronations (IMNs) have spread in popularity and offer non-territorial statehood or a de-territorialized statehood with people existing in a virtual reality in online space within the cybernation. As Foucault points out language exerts power (Wandel, 2001, p. 368) which makes cybernations powerful, dynamic forces.

International agreements confirm that micronations have a right to self-determination with The Atlantic Charter (1941) and the ICCPR (1966) entitling all people to be ruled by government of their own choice. Using the Montevideo Convention (1933) definition criteria of a State, these micronations have the ability to make decisions, and most, if not all, have full constitutions and codes of practices.

5.5. Newly formed Non-territorial sovereignties and Micronations

New panarchies and concepts of non-territorial sovereignties and micronations are beginning to form and grow in influence. Examples of such micronations include: 'The Empire of Atlantium', 'Christiania', and 'Elgaland-Vargaland' –all real places, occupied by patriotic citizens, new nations that have little to no physical land but still exist online. These non-territorial / micronations are formed with their own institutions with governments, flags and even their own currencies (Robson, 2015). Instead of International Relations, internet relations and internet governance is becoming a new phenomenon, and geopolitics is having to adapt to new concepts of how people define the country they belong to.

Middleton (2015), a geography lecturer at the University of Oxford, has mapped these hidden lands and the formation of new countries in his book, 'An Atlas of Countries that Don't Exist'. This human concept of non- territorial sovereignties even has its own international football league.

5.6. Example of Micronations

An interesting example of the formation of a micronation is the Space Kingdom of Asgardia, founded by the Russian aerospace engineer, Igor Ashurbeyli in 2016. The nation has about 200,000 citizens and rapidly growing; the first 100,000 registered received 500 kilobytes of space to upload information to a small satellite called Asgardia-1 (Mosher, 2017). Asgardia has sufficient citizens to qualify for consideration of statehood by the UN, since the minimum number is 100,000. However, it is dubious that Asgardia will receive statehood recognition from other traditional state actors as it is not recognized in the traditional sense by international law. Other micronations and non-territorial sovereignties recognize and engage in diplomacy with Asgardia. As proposed by the Montevideo Convention (1933) so long as the state can engage with other states in this sense it can claim statehood (UiO: The Faculty of Law). Asgardia seeks to avoid restrictions imposed upon them by the Outer Space Treaty (1967) which requires supervision of all space activities by governments, by campaigning that access to space should be a human right (News4Jax, 2017).

There are scores of micronations, many launched by people trying to seek freedom from the pressures of government or society by setting up collectively with their own governments (Konway, 2009, p. 31). One entrepreneur set up Sealand, on an abandoned World War II gun tower in the North Sea off the coast of England declaring the platform the Principality of Sealand. Sealand continues as a micronation (Dunford, 2009, p.34).

5.7. Examples of Non-territorial Sovereignties

In Cyberspace people can escape to an alternative 'space' in their desire to seek a form of security, in a place where people live and have experiences on their own, in groups, communities, among friends and sometimes strangers – it is everywhere and nowhere in particular, global and local. People can experience imaginary worlds ranging from playing games which can include becoming characters and avatars, to connecting to the real world without being part of it by shopping online, chatting with friends, paying visits to libraries. While in cyberspace, they are also in the real world, inhabiting two places. Johnson and Post (1997, p.1367) propose that cyberspace will create its own new law and legal institutions, and this could potentially free cyberspace from the real world which would create a type of 'sovereignty' (Lessig, 1996, p.1403).

Johnson and Post (1997, p.1378) posit that cyberspace as a place differs to the real world in that it does not need to coerce society to abide by laws but can simply change the code to enforce the law; people must agree to a password to enter or pass a border. Of course, this is a *possibility*, but it is the

difference between democracy and control which does not necessarily mean a just society. People have the choice to return to the place of reality however it could undermine real space, affecting the ability of citizens to engage in the real world. This would depend on, 'how this space may regulate that space, if that space affects life here' (Lessig, 1996, p.1410).

Neue Slowenische Kunst (NSK) State in Time is a territory which classes itself as a transnational heterotopia. It was founded by five Slovenian artists in 1992 shortly after Slovenia's independence from the Yugoslav Federation. It presents itself as a shift through time and space, most famed for its frequent art shows, TV channel, conferences ability to hand out physical passports to those who want to become citizens. NSK formed its own state so as to expose inadequacies existent in citizenship policies (Wilmer, 2012, p.827).

Nine (2005, p.42) posits that internet groups are like nations apart from having no geographical territory; they have common interests and protect members rights'. This establishes that groups can have nationalist rights to self-determination, without having territory in the geographical sense (Nine, 2005, p. 43). Territory as we have seen can be intangible, which would under the Montevideo criteria, afford internet groups the right to self-determination and the right to form a nation with common interests and aims and to strike out as a state. This would suggest non-territorial nations could become states, as defined by the historical definition of 'terre' (to frighten) as opposed to terra (referring to land).

Conclusion

The phenomenon of globalization challenges our socio-political lives through changes in technology and the economy, reshaping time and space. Globalization has shifted the spatial and temporal dimensions of social life, accelerating and cramming social lives to the extent that it is 'compressing' social space. People can now communicate across the globe to any person in any location. Both wealthy countries and developing countries interact by mobiles and social media and economic goods are mass-produced across the world where profits can be maximized. Furthermore, people can pay for goods and services through credit systems with money transferred across space and time in seconds. David Harvey (1990, p.285) argues there is a 'time space compression'¹⁰ whereby the

¹⁰ Time-space compression appears to cause relative distance between places to contract. The concept of a 'shrinking world' is that places become closer due to advances in technology. Harvey puts forward that economics is also affected with fast, movement of capital around the globe.

acceleration of economic activities can reduce the distance between places. We can make contact with people around the world almost immediately, bringing our time and space closer together, compressing time and space. Furthermore, travel and migration to other states is much easier and contact between people is often through technology rather than physically meeting. As well as the increase in trade, the internet encourages the spread of ideas with increasing spread of human rights which is responsible for allowing people to see how others live and engendering a demand for improving life conditions and rights. Sassen (1998) asserts that globalization is reshaping the internet space and physical space of the earth, and space has become infinitely expandable with people being able to buy more virtual space. It is this that has had impact on territory and the state-sovereignty relations, paradoxically causing barriers within states to be built, while state borders have become more fluid.

Secondly, The Montevideo Convention (1933) article 1 means that it is possible to set up micronations, declare independence and seek state sovereignty as they potentially fit the criteria. Micronations have governments and constitutions. A territory may consist of houses for its members, its permanent population is its members and if asked they can enter relationships with other states. Article 3 makes it clear there is no need for recognition by other states. Micronations can exert sovereignty in that they have power over their territory and create laws to enforce this. This begs the question as to whether micronations are legitimate states however under the current laws and treaties, they could potentially be recognized as such. 'We have a government, a flag, and meet the terms of the Montevideo convention' (Duncan, 2012).

As the state is a significant part of International Relations, it would be expected that there would be a clear definition of 'state' however this is far from the case. Definitions either fail to gain acceptance or unsatisfactorily describe the paradigm; while the Montevideo criteria (1933) are widely used to define a state, this perhaps points to the lack of a better model (Grant, 1999, p.414). The most widely accepted definition of the state is that used by the Montevideo Convention (1933) but even this is insufficient. This paper has considered how state-sovereignty has weakened and become 'torn-apart' due to globalization and technology. This has led to civil uncertainties with greater numbers of barriers built between and within states, or as Brown (2010, p. 19) calls it *walls within walls*. Micronations and non-territorial states have grown in number and continue to do so and without a non-partisan administrative institute to preside over statehood and with only a vague definition of state, then new states become more prolific, some even imagined states that nonetheless achieve criteria set down in the Montevideo convention (1933). The two-tier system of declaratory and constitutional theories can benefit states, particularly as support from states who give them recognition can be used to their advantage for statehood and potentially bound by political motives (Grant, 1999, p.440).

The question as to why some states get recognition as independent states while others do not, remains unclear. It seems almost impossible for a region to gain independent statehood, unless powerful states or organizations are willing to back them. This is best illustrated by considering the two very different states of East Timor and Catalonia, both agitating for their independence – East Timor gaining support from the UN because of human rights abuses and gaining its independence while Catalonia remains an autonomous state within Spain. It is apparent that self-determination is powerful in building a moral case for an autonomous state but gaining independent statehood is an entirely different matter unless there are human rights abuses involved or issues that need international political support. It is no easy matter to strike out as an independent nation, particularly if the parent state's territory is threatened with becoming violated by an endogenous region seeking its independence. Any group of people who control a piece of land (territory) can claim independence but unless key powers give support, the odds are heavily weighted against creating an independent sovereign nation.

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