

*“Territorial Representations for a True Global Democracy”*

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**The Future of Sovereignities**

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**Power of national states, local autonomies and supernational governances. Where is sovereignty heading, who is really exercising it and with what entitlement?**

The processes of globalisation under way have generated a profound transformation “from below”, launched by the technological revolution and by the development of transnational functional networks. The traditional coincidence between territory, people, market and regulations that characterised the nation-state within the defined sphere of its own frontiers has therefore been altered and muddled. Fundamental shifts of powers are today imposed not only upwards or downwards, but also transversally. In this way, new transnational public spaces have come about and “glocal” strategies and policies, local and global at the same time, have become necessary in order to be able to act effectively in these spaces. Today these emerging needs challenge the institutions to redefine their nature and even the very idea of sovereignty, which today would seem to have had its day in view of the lack of sovereign powers.

1. Sovereignty is «that absolute and perpetual power» belonging to the state. Thus, in chapter VIII of *Les Six Livres de la République* (1576), Jean Bodin identified the fundamental characteristics of a term and a concept that was to prove decisive over the course of Western history. The author’s aim was to stress the complete autonomy of the public sphere from the private and, at the same time, to justify the existence of a sole source of power. Sovereignty was in fact entrusted with the task of unifying the political community and making it cohesive. Therefore, sovereign power was necessarily indivisible, non-transferable, unlimited and uninterrupted.

Bodin’s considerations were certainly not isolated, nor anachronistic in the first modern

age<sup>1</sup>. Fifty years after the French author, it was Thomas Hobbes who offered a new interpretation of the subject of sovereignty. According to the author of the *Leviathan*, the birth of the state occurs through a pact between individuals, who, in order to emerge from a condition of natural violence, decide to forego certain rights in order to guarantee their own individual security. Hobbes' aim was to make power 'immanent', cutting any medieval reference to the derivation of *auctoritas* from above, that is, from God. And he did so also and above all as a response to the religious civil wars that had raged in Europe until that time. In Hobbes' work, the absolute power of the monarch does not derive from a divine investiture, but rather sovereignty is representative and belongs to the people. The Leviathan is - as the author observes in chapter XVII of book II - the «*mortal god to whom we owe, beneath immortal God, our peace and our defence*».

Hobbes, like Botero and others, therefore represents a break with the previous model, precisely because with them the figure of the State is born as a subject exclusively appointed to exercise sovereignty<sup>2</sup>.

Over the centuries various authors have engaged in the activity of describing and prescribing the special and specific characteristics of sovereignty<sup>3</sup>. However, the 20<sup>th</sup> certainly constituted a strong break with all the previous reflections. And this due to some key transformations that

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<sup>1</sup> Starting from partly different premises, which prompted him to theorise a contractualistic and federative conception of the state, in his *Politica methodice digesta* (1603) Johannes Althusius also reflects on the inalienability of sovereignty. Moreover, between the late 16<sup>th</sup> and early 17<sup>th</sup> centuries political teaching was almost entirely devoted to the study of the state.

<sup>2</sup> In the 'social contract' that Hobbes places at the basis of the passage from the state of nature to civil society, the sovereign does not participate, he is not a contractual party (as he was to be for Locke), and it is precisely this that allows him not to assume obligations and to be an 'absolute' sovereign, as claimed by the state in the contemporary age; the source of the absolute character of sovereignty is the non-participation of the sovereign in the founding agreement. Underlying the Hobbesian idea of sovereignty is a pessimistic anthropological model (the state of nature characterised by the famous principle of *homo homini lupus*). This model was to serve as the counterpoint to the 'optimistic' one of the great Spanish theologian-jurists of the School of Salamanca (Francisco de Vitoria, Luis Molina, Francisco Suarez), according to whom man is characterised by an *appetitus sociatatis*. It is not by chance that they theorise *ius commercii* and *ius transiti* as 'fundamental' rights.

<sup>3</sup> From *La Ragion di Stato* [The Reason of State] (1589) by Giovanni Botero to the *Leviathan* (1651) by Thomas Hobbes, numerous authors have engaged in the activity of describing and prescribing the special and specific characteristics of sovereignty. The topic of sovereignty thus continued to set political thinkers against each other. Among others, John Locke, Jean-Jacques Rousseau, Benjamin Constant, and then also Hans Kelsen and Carl Schmitt, each in the sphere of his own legal and philosophical doctrine, participated in a lively debate revolving around the transformations that sovereignty has undergone over time.

modified international policy. The system of sovereign states forged in Westphalia (1648) met with a very serious crisis with the First World War, once the equilibrium between the European powers was upset within the international system. The crisis became even more acute with the outbreak of the Second World War. At the end of that conflict, therefore, the winning powers decided to put new international institutions in place that would be capable of guaranteeing stability and peace through the concentration of political-military power in the hands of supranational bodies responsible for reducing the sovereign prerogatives of the nation states.

Today many political forces - and regional councils are no exception - still consider that autonomist thought is founded upon the old concept of sovereignty: that is, on the idea of bringing power downward (and, at the same time, making it arise from the bottom). But the reality has become more complex.

Already at the end of the last century the process of globalisation demonstrated the inability of states to tackle international problems and their unsuitability for the task; these problems, assuming a planetary scale, have ended up requiring 'global' strategies, political institutions and legal systems, when not and perhaps even more 'glocal' ones. Indeed, if on one hand globalisation has eroded the control of each state over its own territory, on the other it has shown the importance of sub-national or local areas in the activity of responding to the personal and collective expectations of citizens. The glocal reality is, in my view, a reality marked by two fundamental structural innovations that are shaping a new panorama.

The first is represented by the fact that, with globalisation, the distinction between "inside" and "outside", or, in other words, between domestic policy and foreign policy, has disappeared. With the increasing transnational mobility of goods, capital and people (consider migration flows and the new mobility of professionals) and of signs (information, images, values, etc.), the "outside" increasingly often enters the "inside", while the "inside" becomes "nomadic", traversing and pervading the global world. Consequently, no one - at the various different levels of government - can delude themselves any longer that they can govern (or even simply know) the processes under

way with the traditional instruments of domestic policy or with those of foreign policy. What is truly “external” and what is truly “internal” in a world in which the “inside” and the “outside” increasingly permeate and merge with each other?

At *Globus et Locus*, the association I chair, right from the start we have placed this new phenomenon at the heart of our reflection, and have considered the category of “glocal”, the “glocal” point of view, to be the most appropriate language and approach. In the “locus” [the place, the local], in every place, the “globus” [the world, the global] is increasingly present, and the “globe” is in turn localised, it is structured locally. Through the flows and along the (transnational) networks, the local and the global, the interior and the exterior, are interconnected and become hybrid. The space of any possible sovereignty is compressed and distorted. Governance (and government), consequently, in order to be legitimised and effective, becomes “glocal”, or, in other words, internal and external at the same time. The Region Authorities, from this point of view, are structurally - and necessarily - glocal institutions. Their sovereignty appears powerfully conditioned.

The second innovation I mentioned, which is structurally connected to the first, is the multiplication of players who act on the global stage, who come and go between the, “inside” and the “outside”, designing transnational paths and therefore also making “foreign policy”, in various ways and at least to some extent.

If all this is true, we can understand why it must be considered that the most pressing challenge the political authorities find themselves facing today is that of adapting to glocal ‘complexity’. Faced with glocalisation, Hobbes’ idea of sovereignty also collapses: it is clear, in fact, that if it were constructed starting from a subject, in a world of plurality of subjects, such as that of a pluralistic society, structured into autonomies, each subject will be called upon to construct its own sovereignty as a contribution to a higher-level subjectivity.

2. Globalisation therefore requires new responses to the expectations and needs of citizens. If, in

many ways, the “rules of the game” on which sovereignty has been based starting from the 16<sup>th</sup> century reveal their now almost complete inadequacy, so the regional legislative and sub-national assemblies we are discussing today are called upon to reinterpret those principles of sovereignty and representation that are evolving along with the new reality.

In this regard, I consider that classical autonomist thought can still help us in our attempt to understand the future of sovereignty only to the extent that it is prepared to rethink certain fundamental convictions. Faced with the imposing phenomena of ‘resilience’, politics - in all of its various sub-national dimensions - must in my view acknowledge the need to prepare a phase of ‘consilience’, which, in order to be adequate, must inevitably be ‘different’ from the lively pluralism of ‘resilience’. Faced with resilience, we cannot have a response of monistic ‘consilience’, rather, it is necessary to have structured and multiple responses. We need only think, for example, of the major functions, each of which propose their own global political synthesis and in the local have very restricted spaces of autonomy.

3. Concretely, faced with these transformations, what might the outlines be for a new political practice capable of inspiring the action of the regional and sub-national legislative assemblies? I feel I should highlight three.

First of all, the defence of ‘liberty’. In an age of considerable disaffection with politics (but particularly with the parties), there is a need to reinvigorate the contribution of citizens. That is why, recalling a famous dichotomy coined by Benjamin Constant, it is necessary to set aside the ‘liberty of the moderns’ and to defend the ‘liberty of the ancients’. We must know how to replace the ‘liberty from’, a private and individualistic liberty, with the ‘liberty to’, a genuinely political liberty, namely one based on responsibility and participation. Today public subjects and private subjects that are extremely diversified in their ‘responsibility’ speak to the world and act in the world, to an increasing extent, in various forms and with various means; subjects of which it may be said that at times they are ‘below’ the state (the regions and the local authorities, for example) and at times they are ‘above’ it (the European Union, for example); subjects ‘between’ the states,

deriving from their cooperation, such as international bodies and the meta-national subjects.

In substance there is an increasing ‘polyphony of voices’, with all the problems that result from this, between possible outcomes of ‘sound’ and possible outcomes of ‘noise’. This is a dynamic, after all, that is consistent with the increasing weight that soft power seems to have in international relations with respect to the traditional instruments of hard power (military and economic power). This soft power - material and non-material resources, capacity to influence and persuade - is in fact increasingly held by a plurality of players, public and private, institutional and from civil society.

*De facto*, no institution should therefore decline the contribution of the soft power of these players if it wishes to be effective and gain consensus.

Secondly, ‘subsidiarity’. A fundamental contribution to the future of sovereignty can be offered by a full implementation of the principle of subsidiarity, not only in its vertical dimension (on which federalist thought is based), but also and especially in its horizontal dimension (functional autonomies). The true turning point in years to come, much more than the proximity of the state - in its various levels of government - in its response to the demands of its citizens, will be the recognition of what comes before the state, namely society. To borrow a fine expression from Pope Francis, in fact, we could say that society *firsts* over the state [Translator’s Note: The Pope’s word is *primerea*, in Argentine Spanish slang].

In this regard, there is a future for sovereignty if it comes from below, in the sense that it knows how to take a gamble on people and not on the pre-constituted order. Mauro Magatti is right when, in his book *Libertà immaginaria*, he stresses the importance of a ‘widespread subjectivity’ to sustain democracy. Relaunching the democratic process in fact involves recovering and placing on file the enormous work that social players continually carry out in the concrete contexts of action in which they are active<sup>4</sup>. In many ways, it is necessary to climb over the wall that still divides a formal sovereignty, which lays claim to spaces *a priori*, from a substantial sovereignty, which

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<sup>4</sup> Mauro Magatti, *Libertà immaginaria. Le illusioni del capitalismo tecno-nichilista*, Feltrinelli, Milan, 2009, p. 383.

manages processes. In this regard, it would be useful to reflect on those functional practices that, modifying the exercising of representative delegation, must be, if not acquired, at least recognised by sovereign authorities so that a perverse mechanism of exclusion of essential ‘political-economic’ interests is not generated.

Finally, thirdly, ‘functionality’. The emergence of a new equilibrium between ‘functional powers’, which today are based on a different scale from the territorial, seems to have been made increasingly necessary by the phenomenon of glocalisation. If, until a while ago, the equilibrium reached by the international system was based on an architecture of the political system and on the classical powers of the nation-state, today the true forces pushing to change the same system are external to political-state organisation, such as technology, digital connectivity, demography and climate change. The discussed presence and role of the multinationals are an evocation of this.

4. That is why it seems permissible for us Europeans to glimpse the dawn, still hazy, of new relationships between yesterday's localisms and the advance of tomorrow's globalisms in the community policy of the major regions. The major regions, to which the European Union calls us, seem in fact to be tasked with filling this new design for Europe with political, but also constitutional contents, beyond the federalist. In this regard, the regional and sub-national legislative assemblies will obviously be - and, I feel I should say, must be - involved in this revolution. A revolution that is first and foremost conceptual and cultural, but that could probably become a political revolution. A political revolution that must be founded upon the three concepts referred to above: liberty, subsidiarity, functionality.

5. To conclude my speech, I would therefore like to express the wish that opportunities for dialogue, such as the one to which we have been summoned today, can renew our reflections on sovereignty and on democracy. For this reason, I strongly believe that “a space of common evaluation for the representatives of the regional legislative assemblies on the very meaning of representation and the possible forms that will characterise the relationship between citizen,

territory and intermediary levels of government”, as is stated in the programme of the Forum, should be embodied in a committed collaboration between all those who seek to establish a relationship with this new post-Westphalian equilibrium.