



## Challenges for the Westphalian Statehood in the Twenty First Century

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### Abstract:

The Treaty of Westphalia is a major hallmark of the modern history of nations. It not only covers the Europeans but also encompasses the foreign policies and diplomatic conduct of all the modern nation states. Over the centuries, nations followed the Westphalian peace model to run the international system/order smoothly. However, with the rise of globalization in 20<sup>th</sup> century, the changing political and economic landscape posing challenges to the Westphalian narrative once again. The questions on the validity of the Westphalian model of state sovereignty have initiated a debate on the expected new World Order long ago. How states could deal with the globalization related challenges facing the state sovereignty and supreme authority in decision making is yet to be answered. This paper is a descriptive study to understand the challenges to the old system in the Globalization related World Order of 20<sup>th</sup> and 21<sup>st</sup> century.

**Keywords:** Westphalian state, peace, challenge, new world order, globalization, power

### INTRODUCTION

The Treaty of Westphalia marks the termination of the devastating Thirty Years' War that started in 1618 as a religious battle within the Holy Roman Empire between the ruling Catholic Hapsburg dynasty and their Protestant subjects in Bohemia. What started as a religious feud incrementally morphed into a 'wider political conflict' (Kegley & Raymond, 2001). By the early 1640s, the exhausted participants from different states constituting the Holy Roman Empire gathered at Muenster and Osnabruck to chalk out peace from the dregs of war. Little did they know that they were laying the foundations for a globally applicable system; a system that remains the 'scaffolding of international order' (Kissinger, 2004) such as it exists now. It is not without reason that any conversation on Westphalia in our times, bears a special resonance as the path breaker of a new concept of international order that has spread around the globe. The Peace of Westphalia overturned the medieval system of centralized religious authority and replaced it with a decentralized system of sovereign, territorial states. For some scholars, the Westphalian treaty marks the birth of the nation-state, itself the primary subject of modern international law.

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Over the past three and a half centuries, the principles and practices of the Westphalian Treaty gradually spread from Europe to the rest of the world. Scholars and policymakers, however, are inquiring whether they continue to be applicable in the twenty-first century. Contemporary world politics is shaped by centripetal and centrifugal forces with globalization pulling many of the planet's inhabitants together while fragmentation pushing people apart. The paradox of our times lies in the world simultaneously becoming more cosmopolitan and more parochial; the latter's attractive political bulwark being populism. Powerful non-state actors now vie with sovereign states. Intricate patterns of transnational exchange compete with emotional ties of national identity. Nation-states are enmeshing with complex networks of transnational governance that include corporations, banks, and intergovernmental and non-governmental organizations. In sum, the world today is being shaped by forces that challenge the Westphalian state-centric view of international politics (Kegley & Raymond, 2001).

## **LITERATURE REVIEW**

### **Westphalian Statehood – Challenges in the Past**

At any moment in history there are forces promoting anarchy in the world just as there are others promoting order (Haass, 2020). The order that emerged out of Westphalian Peace was repeatedly overwhelmed by forces of disorder but what gave the modern statehood its true character is how it has been able to defeat these forces and reassert itself stronger than before. Cataclysmic events that challenged and uprooted the Westphalian order of their time and were only reversed by the collective enforcement enabled by the powers of status quo will be discussed in the ensuing discourse.

### **Napoleonic Conquests**

The first test to Westphalian statehood and its order came to the fore at the turn of the nineteenth century. A consequence of the turmoil brought about by French Revolution, Napoleon Bonaparte rose to power in France as an autocratic leader. The imperialistic appetite of Napoleon undermined the Westphalian principles and put in jeopardy the order created by them. Feeding on his own successes, however, Napoleon became 'overwhelmed by choosing to fight too many foes on too many fronts and was finally defeated by a coalition that included Austria, Prussia, Russia and England' (Haass, 2020). The victors and the vanquished came together in Vienna in 1814 to re-establish order. The Congress of Vienna made the wise choice of integrating a defeated France rather than ostracizing it and potentially sowing the seeds of disorder, bears testimony to the 'fluidity and pragmatism' (Kissinger, 2014) of the Westphalian order. The Congress of Vienna produced what became to be known as the Concert of Europe, an arrangement that generally endured till World War One.

### **World War I**

The emergence of a unified Germany in 1871 as a dominant power with France as its irreconcilable foe, the Westphalian order started losing its grasp. Diplomacy still entrenched in its traditional methods, 'lost touch with the emerging technologies and its corollary; warfare' (Kissinger, 2014). The kaleidoscope of alliances then made without thinking through their implications – most notably Britain's abandoning its 'splendid isolation' (Morgenthau, 1948) and alignment with France and

Russia – broke the last strands of the Westphalian order. Lastly, an impulsive, irrational and trigger-happy Kaiser Wilhelm II provided the necessary impetus to expand the monstrosity of the war. In the words of Liddle Hart, “Fifty years were spent in the process of making Europe explosive. Five days were enough to detonate it” (Hall, 1999). Europe was thus seen ‘sleepwalking’ (Clark, 2012) its way to war. By the time an armistice was signed, a stunned Europe, in stark contrast to Treaty of Vienna, refused to accept Germany back into the European order. Germany lost 13 percent of its land where 10 percent of its people lived (Krieger, et.al., 1990). With nationalism deeply enmeshed within the web of German statehood, such a measure was tantamount to sowing the seeds of a rematch. Despite the unpredicted scale of the war, followed by a treaty with no takers and formulation of redundant League of Nations, the Westphalian notions of statehood prevailed. The Treaty of Versailles in the end failed to re-establish equilibrium in the continent and did little to bring lasting peace.

### **World War II**

As it were, the world soon realized that the apparent calm that emerged from the Treaty of Versailles was ‘a peace built on quicksand’ (Krieger, et. al., 1990). Too drained from the war, France maintained a pacifist role while the world witnessed rise of totalitarian regimes and economic depression on a global scale. In 1930s, a revanchist Germany under the leadership of a fascist Adolf Hitler becomes ‘hostage to a political system that essentially eliminated any checks and balances’ (Haass, 2020). This was reciprocated by a policy of appeasement by European powers that proved to be too poor a substitute of the ‘balance of power’ function enshrined in Westphalia statehood order. The inevitable catastrophe thus ensued. World War II ended with Germany and Japan being reintegrated into the Westphalian order; rhyming with the Treaty of Vienna if not repeating it. The provisions of the Peace of Westphalia ‘constitute an early precedent for Articles 10, 12, and 16 to the Covenant of the League of Nations’ whereas the Charter of the United Nations ‘seems to have left essentially unchanged the framework of the state system and of international law resulting from the Peace of Westphalia’ (Gross, 1948). Within the larger context, not only the Westphalian order stood the test of time but post-World War II, went on to solidify its position across the globe. The Cold War stayed cold because forces of order, including diplomacy, arms control, nuclear deterrence and alliances like North Atlantic Treaty Organization (NATO), more than offset competing ideologies, proxy wars, a nuclear arms race, the division of Germany etc. (Haass, 2020).

By the end of the Cold War, the late twentieth and early twenty-first century however have witnessed the nation-state shaken by various economic, social and technological trends which would be the object of discussion of the upcoming part of the paper.

### **RESEARCH METHODOLOGY**

This study employed qualitative research method and used descriptive and analytical techniques. The data was collected mainly through secondary sources such as books, research papers, reports, articles, and articles etc. The criterion for data selection was based on the wide range of studies related to the topic. The collected from various sources was scrutinized in order to draw patterns and conclusions through content analysis method.

## **NEW CHALLENGES FOR THE WESTPHALIAN STATEHOOD**

### **Globalisation – Dominant Characteristics and Interplay with Statehood**

“Globalisation has made us more vulnerable. It creates a world without borders, and makes us painfully aware of the limitations of our present instruments, and of politics to meet its challenges.”  
(Anna Lindh, ex-Minister of Foreign Affairs, Sweden)

Globalization is a multi-dimensional phenomenon which perhaps explains why it has varying definitions and perceptions in social science literature. Nevertheless, integration appears to be a common idea whenever globalization is discussed. Nobel laureate Joseph Stiglitz believes it to be ‘the process of economic integration of countries, through the increasing flow of goods, services, capital and labour’ (Medina, 2010) Anthony Giddens, an adviser to the former British Prime Minister Tony Blair, defined globalization as ‘growing interdependence between different peoples, regions and countries in the world’ (Giddens, 2006). Globalisation is not synonymous to interdependence; the latter implying ratified connections and mutually accommodating ties between sovereign states. Globalization, on the other hand, is characterised not only by the ever-expanding connections between states measured in terms of movement of goods and capital but the circulation and interpenetration of people and ideas (Kirshner, 2006).

#### ***Dominant Characteristics of Globalisation***

Additional Players on the Chessboard: World order today is not one dominated exclusively by states. A snapshot of the modern diplomatic environment suggests a more diffuse landscape. Today Non-Governmental Organisations (NGOs), Multinational corporations (MNCs), religious enterprises, human rights organisations, Intergovernmental Organisations (IGOs), think tanks, academia and even terrorist groups all bring to bear their weight on the state’s ability to exercise authority and influence within its territorial boundaries. Some facts may put the statement into perspective. The number of NGOs has risen from 997 in 1954 to 20,928 in 2005-06 (Kristina, 2023). The large numbers of MNCs is also noteworthy. At the beginning of the twenty-first century there are more than 53,000 MNCs, which have over 450,000 foreign affiliates (Kegley & Wittkopf, 2004). MNCs exercise significant clout in the international system, with global assets in excess of dozens of trillion dollars. More than half of the world’s top economies are not countries but global MNCs, with waning affiliations to the nation-state. The growth of IGOs in the last hundred years is also significant. In 1909, there were 37 IGOs, by 1962 this number had risen to 163, and by 2005 / 2006 the modern diplomatic environment had 1,963 IGOs (Jonsson & Kinnvall, 2003). These non-state groups have even adopted basic diplomatic functions such as negotiation skills, visible representation, effective communication, filtered information, and political reporting from overseas and symbolism.

#### **Proliferation of Information – A Paradox**

##### ***Increased Awareness***

Around two billion users visit Facebook daily (Kendrick, 2020) while 300 billion emails messages and 500 million tweets are sent every day. With a plethora of newspaper online vying of attention and one billion hours of content being watched on YouTube every day, it is hard to wrap one’s head around the sheer magnitude of information stream and its horizontal spread. An increasing aware

population of netizens is devouring the flux of information coming its way and responds differently to the digital stimulus. In late August 2011 for instance, a 28-year-old New York activist Tumblr blog gave rise to the slogan, "We are the 99%", which became a unifying slogan of the Occupy Movement (Van Gelder, 2011).

### ***Bots and Fake News***

A complex mix of cognitive, social, and algorithmic biases manipulate online misinformation. Resultantly, online misinformation is just as likely to go viral as reliable information. The online social networks are also strongly polarized and segregated along political lines. The resulting "echo chambers", thus provide selective exposure to news sources, biasing peoples' view of the world. Such algorithmic manipulation makes truth hard to discern which usually results in confusion, unrest and anxiety amongst the masses.

### **The Enormity of Flows**

Globalization is about flows, vast in scale and fast in speed of just about anything one could possibly think of, from people and emails to viruses and carbon monoxide, across the globe. Borders have always been crossed. What is different about contemporary globalization is the scale and variety of the phenomenon and its importance and potential impact. Few important 'flows' that are both visible and nebulous are discussed below.

### ***People***

There are more than 1.5 billion departures per year for international tourists, up from 600 million just twenty years ago. Approximately one million people obtain permanent resident status in the United States each year which has led Doctor Michio Kaku to term H1N visa a secret weapon of sorts. The observation holds a lot of ground since almost 45 percent of companies in 2019 Fortune 500 were founded or co-founded by an immigrant or the child of an immigrant. Current statistics suggest that there are some 250 million international migrants in the world. As of 2019, 71 million of these are involuntarily or forcibly displaced. There are also between 25-30 million refugees and IDPs; the highest it has been since World War Two. Add to it the unidentified number of people crossing borders illegally and those being human trafficked and the figure swells further. It is only a matter of time before climate change becomes the greatest cause of refugee flows.

### ***Capital and Goods***

Foreign direct investment flows top \$ 1 trillion a year. Trade in goods is valued at some \$ 20 trillion; seven times what it was thirty years ago and nearly one hundred times what it was fifty years ago. Other businesses from illegal drugs to guns have also sought markets outside their own borders. The speed combined with the scale is such that it is often impossible for governments to monitor, much less control, everything that crosses their borders.

### ***Global Governance and Multilateralism***

There is no global government but there is a degree of global governance to help deal with virtually every domain of globalization. Initially the United Nations, The International Monetary Fund, and the World Bank, and subsequently the General Agreement on Tariffs and Trade, the precursor of the World Trade Organization, were created in the aftermath of World War Two. These institutions

were created to facilitate the peaceful resolution of disputes, promote free trade and development, and encourage cross-border investment and commerce. That no country on its own can shield itself from downsides of impact of globalization or harvest solely its crop, is the essence of multilateralism. The political reality, though, is that there is little consensus over how globalization should be seen; whether it should be governed or regulated.

### ***Emerging Construct of Political Sovereignty Under Receding Globalisation and Rising Populism***

“We will no longer surrender this country or its people to the false song of globalisation.”

(Mr Donald John Trump, Republican Candidate for Presidency, 2016)

Populism, while not a doctrine, is a coherent proposition which adopts a commitment to traditional values and abhorrence to liberal ideals. It promotes partisanship and appeals to nationalists, already uneasy with pace and effects of globalization. The idea espouses two primary claims:

- a. Country’s ‘true people’ are locked into conflict with outsiders, including establishment elites.
- b. Nothing should constrain the will of the true people by Tony Blair Institute for Global Change (Achterbosch, 2020).
- c. Mostly, the common strands visible thus far are variants of cultural, socio-economic and anti-establishment populisms.

### **Rising Tide of Populism**

In 1990 there were four countries having populist leaders but in 2020 there are 20 countries; a fivefold increase. Trump’s election or Brexit votes are not isolated occurrences. All over Europe, in the oldest and established democracies, populist candidates and parties have sprung to power raising concerns of an authoritarian slide. Populist parties now govern parliaments in Greece, Hungary, Poland, Slovakia and Switzerland and are part of governing coalitions in Finland, Norway and Lithuania. In France, Germany and the Netherlands, parties promoting xenophobic rhetoric have made gains and dominated campaign seasons with their fiery rhetoric (Frantz, 2017). On the other side of the divide, Liberal democrat’s assumptions about populism self-destructing because of irresponsible policies or some inevitable backlash from civil society have also proven to be unfounded. Populism, despite being extremely polarizing and borderline racist, is not only enduring but also spreading.

### **Drivers Fueling the Trend**

- a. Discontent with liberal democracy
- b. Social anxiety & insecurity of “middle class” due to declining living standards (Engels, 1892).
- c. Loss of Public Space & Sovereignty. There has been imposition of Global Values on societies.
- d. through media conditioning. Intl Institutions/ orgs are seen to ingress and dictate in policy making domain of countries. People, judged for beliefs not aligned with mainstream discourse, were pushed to embrace laws not commensurate to their aspirations/ values. Such conformity went against the core of struggle for individual rights/ freedoms and hence the reaction.
- e. Centrist Agendas of Political Parties. To broaden appeal/ increase voter base, over the course of time mainstream political parties started adopting centrist positions on vital economic and

social issues. With identical party outlook, the voters saw limited choices and felt disconnected from political process. This growing discontentment with successive governments led to choosing of Political Outsiders for a quick fix or to “drain the swamp” (Jackson, 1998).

- f. Keeping it Simple. Populist leaders engaged with masses at basic level and were able to turn this dissatisfaction into votes with: simple answers to complex issues, direct language, short slogans resonating with people’s psyche, personal charisma and a promise of return to past status/ glory (appealing to privilege anxiety). The mantra hence that a liberal will win arguments but a populist will win elections.
- g. Technological Trends. Social media provided spot light and a conduit for uncontested unfiltered content to performance hungry populist leaders. The content used seemed crass but was already tested to resonate with grass root supporters through insights provided by data mining companies like Cambridge Analytical techniques like data enhancement, audience segmentation, behavioral micro targeting etc. were used to make informed decisions. Electioneering became a science to be mastered.
- h. Meltdown of Capitalist Order. Capitalism sustenance is centered on high growth rates, consistent profits and unlimited resource potential. With economy in continuous recession, productivity falling, interest rates virtually at zero and resource constraints, the whole system is caving in and hence the despondency.

### **Perils of Populism**

Populism is dangerous precisely because it can look like a better way to implement core democratic principles such as popular sovereignty (Kumie, 2020). However, in reality it does following damage:

- a. Consensus building/ democratic discourse is undermined;
- b. Rejects notion of pluralism and embrace cultural exclusion;
- c. Polarizes electorate;
- d. Democratic institutions safeguarding against excesses/ abuse of power are dismantled paving way for authoritarian or majoritarian rule;
- e. Reject democratic checks and label them as ‘stifling of peoples will”;
- f. Use fear to curtail freedom and liberties;
- g. Personality oriented (top down structure);
- h. Structured on faux moral high ground and pitch the struggle as the one between good and evil (Honest hard working people vs corrupt elite);
- i. Lack of interest or aptitude for governance; end up delegating more power to executive;
- j. Have disdain for democratic ideals and seek to weaken liberal international institutions exercising oversight.

### **CONCLUSION**

Westphalian order has now endured almost four centuries of upheaval and has been substantially successful in preserving order, and the authority and sovereignty of the state as the most important actor in the international system. Hyper-nationalism and fascist ideologies, populism, advent of new technologies, the race for power and resources have all tried to cause disarray and yet, forces of order, alliances, deterrence, economic interdependence and the collective moral conscience of the world have succeeded in restoring balance every time. The velocity and scale of change in the 20th Century has threatened to erode this order and the sovereignty of state once again, and while it has succeeded in a large measure to affect it, states still remain the principal actors on the global political chessboard. Unless polities and states adapt to the speed of change that comes with globalization, the preservation of the state system and with it, global order and stability, can be hurtled in jeopardy. States would require collaboration, collective effort and ‘unifocal’ commitment

to peace if status quo is to be maintained. While the danger is clear and present, the commitment to thwart it remains obscure.

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