

HANNAH ARENDT'S CONCEPTION OF SOVEREIGNTY

Annelies Degryse*

Abstract

Until recently, the concept of sovereignty has served us well. Although in reality there has never existed an absolute sovereign or completely homogenous nation-state, both provided an adequate theoretical means to conceptualize the actual political ordering of modern societies. These linked power to a nation defined by a territory, forming the nation-state. Through popular sovereignty, it was then again linked with democracy.

However, this model has a downside as well. Reflecting upon her own experience as a refugee, Hannah Arendt pointed out one of its vicious flaws through her criticism of human rights. When most desperately needed, human rights remained empty boxes, failing to provide protection for refugees, as they were inseparable from the condition of citizenship. And her criticism does not only touch human rights, but also popular sovereignty. Those who were not considered part of the people did not only lose their right to speak, but all their rights, as their rights were determined through the will of the people.

Recently, however, the concept of sovereignty has come under tremendous pressure. It is contested from below and above to such an extent that it even loses its usefulness as a model. Some contemporary theorists such as Habermas and Held defend new models of sovereignty, in which sovereign power is vertically 'dispersed' over various intertwined, political levels. This model attempts to address the problems of multiculturalism and globalization.

However, does this new model pass the test? Can it stand up to Arendt's criticism of state sovereignty? What is the worth of human rights in this model? One hundred years after her birth, it is an appropriate time to reflect on Arendt's criticism on human rights and sovereignty and the alternatives she had in mind.

Keywords: Hannah Arendt, political philosophy, sovereignty, human rights, globalisation.

In contemporary political theory and philosophy, it is generally accepted that the nation-state and its sovereignty have been put under pressure by the increasingly multicultural character of today's society and by globalization processes. Many political phi-

* Annelies Degryse – Ph. D. student, Centre for Ethics, Social and Political Philosophy, Catholic University of Leuven, Belgium; Annelies.Degryse@hiw.kuleuven.

losophers agree with Jürgen Habermas and David Held that the supposed homogeneity of the sovereign nation has become very problematic and that the increase of globalization processes and the rise of supra- and transnational organizations have diminished the impact of the nation-state on its politico-juridical and social-economical processes. In the same line, the concept of sovereignty seems to lose its meaning in the 'postnational constellation', where boundaries have become permeable. Therefore, Habermas and others propose alternative conceptions of the world order, discussing the world state, or a world federation and introducing new concepts into the academic debate, such as 'global governance', or 'governance without governments', 'cosmopolitan citizenship' and 'cosmopolitan democracy'. At the same time, other scholars, who argue that our nationality is too much part of our identity, object to these claims and proposals, and maintain that attempts at cosmopolitanism will fail. They often defend the nation-state as the best way to frame our political goals.¹

This claim, however, of the erosion of the nation-state and its supporting concept of sovereignty is not new. In 1945, Hannah Arendt already argued that «national sovereignty is no longer a workable concept», stating that «[i]t is true, and almost self-evident, that the whole Continent is likely to collapse because of the principle of national sovereignty[.]»² Yet, history seemed to provide evidence of the contrary. The European nation-states did not collapse and they proved to be much more adaptable than Arendt would grant. And even new nation-states emerged not only from the process of decolonization, but also and more recently from the collapse of the Soviet Empire.

Considering the recent academic debates on the role and the future of the nation-state and the concept of sovereignty, it is interesting to review Arendt's early critique. Was Arendt just ahead of her time, claiming that the concept of sovereignty was no longer workable? Or was she wrong, and do the recent debates have nothing to do with her analyses of the nation-state? Or – another possibility – are the recent debates concerning the nation-state and its alternatives also ill-conceived? In this paper, I shall re-examine Arendt's critique of sovereignty and the nation-state and try to evaluate it in the light of the contemporary debates.

The Decline of the Nation-State

«[S]overeignty is no longer a workable concept».³ Arendt presented this claim in many of her political writings throughout the years. It was one of her conclusions from her book *The Origins of Totalitarianism* and she never changed her opinion on it. Well known in the book is her chapter on 'The Decline of the Nation-State and the End of the Rights of Man', where she describes the nation-state as a contradiction in terms and criticizes human rights. What is less well recognized is that in the first parts of the book, Arendt attributes a positive role to the nation-state. In her search for proto-totalitarian elements, Arendt describes the nation-state as a barrier against imperialism and totalitarianism. Unfortunately, they gave way to imperialism in the end. In what follows, I will focus on

both roles the nation-state plays in *The Origins on Totalitarianism* and Arendt's alternative conception of sovereignty.

The Nation-State as a Fortress

In the first parts of *The Origins on Totalitarianism*, Arendt describes the nation-state as a fortress against totalitarianism. In the introduction of 'Imperialism', the second part of the book, she writes:

«Nothing was so characteristic of power politics in the imperialist era than this shift from localized, limited and therefore predictable goals of national interest to the limitless pursuit of power after power that could roam and lay waste the whole globe with no certain nationally and territorially prescribed purpose and hence with no predictable direction».⁴

From this line of thought, we can reconstruct her positive attitude towards the nation-state. The nation-state provided clear boundaries, defining the territory as well as its residents. And by providing these boundaries, the nation-state stabilized politics and action. Its importance can only be understood in the light of her understanding of totalitarianism as endless motion. For Arendt, totalitarianism was «the culmination of forces in modern times that uproot people by destroying the worldly structures that hold them together, turning them into masses of motion»⁵. The stability provided by the nation-state stood in strong opposition to the unending motion of totalitarianism and made action and speech possible and meaningful. For Arendt, politics is only possible within a limited space, and though she is vague on it, these limited spaces need to be protected by the positively established fences of laws and institutions. Most importantly, in her positive analysis of the nation-state, these boundaries set limits on politics and action, making politics predictable to some extent, for its goal is the national interest. Again, the characteristic feature of action, unpredictability, needs limits and these are established by the political and territorial boundaries, set by the nation-state and its institutions. Arendt will further elaborate these initial ideas in *The Human Condition*, where she presents the Greek polis as a model of the world as 'human artifice', with territorial and political boundaries protected by the city walls and its laws.⁶

However, during the rise of the nation-state, capitalism arose as well, slowly undermining the nation-state and, according to Arendt, finally giving way to imperialism. Hauke Brunkhorst calls this rightly Arendt's '*Imperialismustheorie*', and it differs significantly from her second account of the decline of the nation-state.⁷ Here, the positively estimated nation-state is overwhelmed by economic forces. This line of thought leads Arendt to the strongly contested strict distinction in her work between the political and the social and economic. Again, she will further elaborate these ideas in *The Human Condition*, where she presents her '*Verfallsgeschichte*' of modern politics overpowered by the social. In this paper, I focus on her account of imperialism, as sketched in *The Origins of Totalitarianism*.

As was just mentioned, according to Arendt, capitalism arose along with the rise of the nation-state, creating a new class: the bourgeoisie. At first, this class was not at all interested in politics and government, but was well contented «with every type of state that could be trusted with protection of property rights».⁸ As long as their property was protected, they left politics for what it was. But «when the nation-state proved unfit to be the framework for the further growth of capitalist economy ... the latent fight between state and society become openly a struggle for power»⁹. The bourgeoisie turned to politics and imported not only the language of successful businessmen but also economic dynamism into the political realm:

«The bourgeoisie turned to politics out of economic necessity; for it did not want to give up the capitalist system whose inherent law is constant economic growth, it had to impose this law upon its home governments and to proclaim expansion to be an ultimate political goal of foreign policy».¹⁰

Expansion became a permanent and supreme aim of politics, giving rise to imperialism. Therefore, Arendt understands imperialism as a political, rather than an economic phenomenon:

«Imperialism must be considered the first stage in political rule of the bourgeoisie rather than the last stage of capitalism».¹¹

Unfortunately, «[o]f all forms of government and organizations of people, the nation-state is least suited for unlimited growth[.]»¹². According to Arendt, the nation-state is based on the consent of its people and its laws are the «outgrowth of a unique national substance», only valid within the boundaries of its territory.¹³ Consequentially, «[w]herever the nation-state appeared as conqueror, it aroused national consciousness and desire for sovereignty among the conquered people, thereby defeating all genuine attempts at empire building»¹⁴. So, Arendt claims that a conflict between the imperialist goal of expansion and the limited interests of the nation-state arose, a conflict that neither the bourgeoisie, nor the nation-state won.¹⁵ However, the damage was done. Economics found its way into politics, replacing political values and standards by economical ones, and paving the path for totalitarianism.

For Arendt, the philosopher who expressed these new economic values was Thomas Hobbes. His *Leviathan* was one of the most important intellectual sources of imperialism. Hobbes was «the only great thinker who ever attempted to derive public good from private interest and who, for the sake of the private good, conceived and outlined the Commonwealth whose basis and ultimate end is accumulation of power»¹⁶.

By doing so, he sketched «an almost complete picture, not of Man but of the bourgeois man, an analysis which in three hundred years has neither been outdated nor excelled»¹⁷. In Arendt's reading, Hobbes depicts man as a creature without reason, without the capacity for truth and without free will, that is, a man without the capacity for responsibility. Man has only one passion: desire for power, as he is only driven by his individual inter-

ests that he needs to protect against others. In this struggle for power, all men are equal:

«Their equality as potential murderers places all men in the same insecurity, from which arises the need for a state».¹⁸

So, the *raison d'être* of the state in Hobbes's philosophy is security, as all men are threatened by their fellow men. Therefore, the state acquires a monopoly on killing and violence, and in exchange provides security against being killed or losing one's goods. Its law is not established by men according to the human standards of right and wrong, but is the emanation of this state's monopoly on violence:

«In regard to the law of the state – that is, the accumulated power of society as monopolized by the state – there is no question of right or wrong, but only absolute obedience[.]»¹⁹.

Though Arendt does not mention the concept of sovereignty in her reading of Hobbes in *The Origins of Totalitarianism*, she understands sovereignty in the same way, as becomes clear from her other writings on the topic. For Arendt, Hobbes's concept of sovereignty is the expression of the bourgeoisie's indifference towards politics, handing over their rights to enter the public realm to the sovereign in exchange for protection of their private property, and by doing so, giving over to domination and 'rule over others'. Sovereignty is then «the ideal of uncompromising self-sufficiency and mastership»²⁰. It can only be achieved by giving up freedom, not the negative freedom of 'liberation from', but the Arendtian human freedom to take part in human affairs. Therefore, «[i]f men wish to be free, it is precisely sovereignty they must renounce»²¹. In *The Human Condition*, she takes her argumentation against sovereignty a step further, claiming that it is 'contradictory to the very condition of plurality':

«No man can be sovereign because not one man, but men, inhabit the earth- and not, as the tradition since Plato holds, because of man's limited strength, which makes him depend upon the help of others».²²

Sovereignty for Arendt is a fiction:

«[S]overeignty is possible in imagination, paid for by the price of reality».²³

The least one can say of Arendt's reading of Hobbes is that it is oversimplified and one-sided. She does not understand Hobbes's philosophy as an early blueprint of the nation-state, but as the blueprint of totalitarianism, as «the Leviathan actually amounts to a permanent government of tyranny[.]»²⁴. To her, Hobbes' social contract is not the foundation of a freedom-guaranteeing state based on the rule of law, but the surrender of men in the hands of a tyrant in order to protect their goods. This interpretation of Hobbes brings Arendt also to her impotence to understand popular sovereignty, as we will see below.

The Nation-State as a Contradiction in Terms

Arendt's early '*Imperialismstheorie*' describes the nation-state as attacked by external forces. Its decline, caused by imperialism, is therefore not inevitable but due to historical contingencies. In her later chapter on 'The Decline of the Nation-State and the End of the Rights of Man', her insight of the nation-state has changed. Its decline is now described as inevitable, as the nation-state is a contradiction in terms. At the heart of this intrinsic tension between the nation and the state stands her conception of popular sovereignty as national sovereignty.

«The secret conflict between state and nation came to light at the very birth of the modern nation-state, when the French Revolution combined the declaration of the Rights of Man with the demand of national sovereignty».²⁵

The positive aspects that she ascribed to the nation-state as such in her first analysis are in her later analysis only ascribed to the state and no longer to the nation. Before the French Revolution, according to Arendt, the state protected all inhabitants of its territory, no matter what their nationality was, as the state acted as the supreme and impartial legal institution. However, the people's rising national consciousness interfered with the state and its functions.²⁶ This consciousness was originally evoked by the state to prevent 'a permanent civil war' after the abolition of the king:

«The only remaining bond between the citizens of a nation-state without a monarch to symbolize their essential community, seemed to be national, that is, common origin».²⁷

This uniting sentiment of common origin would express itself in nationalism. However, this nationalism, combined with popular sovereignty, is a deadly fusion for Arendt, since she has an over-simplified conception of popular sovereignty as the highest power «bound by no universal law and acknowledging nothing superior to itself»²⁸. At the same time that the people claimed human rights as inalienable, they claimed to be sovereign, rejecting every other authority.

«Man appeared as the only sovereign in matters of law as the people was proclaimed the only sovereign in matters of government».²⁹

So, the 'inalienable' rights of man would find their guarantee in the government by the people. And although the French Revolutionists intended it otherwise, «[t]he practical outcome», according to Arendt, «was that from then on human rights were protected and enforced only as national rights and that the very institution of a state, whose supreme task was to protect and guarantee man his rights as a man, as citizen and as national, lost its legal, rational appearance[.]»³⁰ Consequentially, Arendt refers to 'national sovereignty' instead of popular sovereignty.

From this point of view, Arendt develops her critique on human rights. Human rights were unenforceable, because they were linked with citizen-

ship, and citizenship at its turn, was linked with nationality. Therefore, Arendt claims that the declaration of human rights misses the point:

«The calamity of the rightless is not that they are deprived of life, liberty and the pursuit of happiness, or of equality before the law and freedom of opinion – formulas which were designed to solve problems *within* given communities – but that they no longer belong to any community whatsoever».³¹

People who were no longer citizens of any state, appeared as 'rightless', since no state took care of them. As long as there existed a 'comity of European nations' and 'an unorganized solidarity and agreement', the consequences of national sovereignty remained hidden.³² However, when a growing number of people became homeless or stateless, the full implications of national sovereignty became clear:

«[T]he moment human beings lacked their own government and had to fall back upon their minimum rights, no authority was left to protect them and no institution was willing to guarantee them».³³

In her conception of popular sovereignty, Arendt makes a radical distinction between the rule of the people and the rule of law. For her, the rule of the people reduces law into an instrument in the hands of the people. She cannot conceive of popular sovereignty as the constituting act of the people founding a state based on equality and the rule of law. Therefore, she is eager to find another ground for law, restricting the power of the people, to solve 'the problem of an absolute'³⁴.

In his excellent book on Arendt, Hauke Brunkhorst claims that her account of the nation-state as contradiction in terms is due to her silent substitution of the original French political-juridical concept of nation with an ethnic-cultural concept of the nation. According to Brunkhorst, Arendt neglects making a difference between formal and substantial homogeneity.³⁵ Arendt does not see the distinction between the late eighteenth-century conception of 'nation' as political-juridical concept and the nineteenth-century conception of 'nation' as ethnic concept. As a consequence, she confuses popular sovereignty with national self-determination. This critique, however, is not entirely convincing, since Arendt does make a difference between 'tribal nationalism' of Central and Eastern Europe and the nationalism of 'the fully developed Western nation-state'.³⁶

In an attempt to present Arendt as in favor of the nation-state, Margaret Canovan describes the latter as 'worldly' nationalism. In Canovan's reading of Arendt's *'Imperialismustheorie'*, it was exactly due to this 'worldly' nationalism that the nation-state was able to stand up against proto-totalitarian forces. Yet, in contradiction to what Canovan claims, Arendt rejects nationalism in general, as it is «essentially the expression of this perversion of the state into an instrument of the nation and the identification of the citizen with the member of the nation»³⁷. This rejection of nationalism and her distinction between the nation and nationalism makes clear what is at stake for Arendt. What concerns Arendt is how vulner-

able all nation-states are to nationalism in general. As a refugee herself in France, she experienced how quickly even 'the glorious power of French nationhood', where every citizen was considered as a national, was substituted by an organic doctrine in terms of blood relationships and family ties.³⁸ For Arendt, a unity of nation and state, combined with popular sovereignty, could easily lead to nationalism, excluding all minorities and individuals that do not fit into the organic doctrine. Therefore, Arendt was eager «to find a political principle which would prevent nations from developing nationalism and would thereby lay the fundamentals of an international community, capable of presenting and protecting the civilization of the modern world»³⁹. Arendt will retake the problem of popular sovereignty and she presents her solution in *On Revolution*.

Constitutional Republicanism as Alternative

In *On Revolution*, Arendt claims that the American revolutionaries devised a solution for 'the problem of an absolute'. They did not make the mistakes the French revolutionaries made. First, and in contradiction to the French revolutionaries, they were never tempted to derive law and power from the same origin:

«The seat of power to them was the people, but the source of law was to become the Constitution, a written document, an enduring objective thing[.]»⁴⁰

Here, Arendt explains why this is so important. It also clarifies why she makes such a radical distinction between politics and law:

«[P]ower, contrary to what we are inclined to think, cannot be checked, at least not reliably, by laws, for the so-called power of the ruler which is checked in constitutional, limited, lawful government is in fact not power but violence, it is the multiplied strength of the one who has monopolized the power of the many. Laws, ... are always in danger of being abolished by the power of the many, and in a conflict between law and power it is seldom the law which will emerge as victor».⁴¹

In the continuation of the paragraph, Arendt elaborates on how power can be checked. It was the second political innovation of the American founding fathers. As an answer to their question on how to establish power, they established a federal system:

«Yet even if we assume that law is capable of checking power – and on this assumption all truly democratic forms of government must rest if they are not to degenerate into the worst and most arbitrary tyranny – the limitation which laws set upon power can only result in a decrease of its potency. Power can be stopped *and* still be kept intact only by power, so that the principle of the separation of power not only provides a guarantee against the monopolization of power by one part of the government, but actually provides a kind of mechanism, built into the very heart of government, through which new power is constantly generated, without, however, being

able to overgrow and expand to the detriment of other centres or sources of power». ⁴²

Linked with these two political innovations was a third:

«[T]he great and, in the long run, perhaps the greatest American innovation in politics as such was the consistent abolition of sovereignty within the body politic of the republic, the insight that in the realm of human affairs sovereignty and tyranny are the same». ⁴³

Again, Arendt fails to construe sovereignty. She understands it as the arbitrary exercise of power that can only be controlled by federalism, not as a form of agency represented as a unity.

Hannah Arendt Reconsidered

The preceding observations reveal why Arendt talks about ‘the bankruptcy of the nation-state and its concept sovereignty’⁴⁴. Though her warning for nationalism and its consequences is still valuable and worth considering, her conception of sovereignty fails. Through her reading of Hobbes, Arendt can only think of sovereignty as arbitrary power, leading to tyranny and excluding freedom and plurality. However, this does not mean that Arendt’s thoughts on politics are useless to understand and to face the challenges of the 21st century. Recently, her preference for republicanism has gained more and more approval for organizing our societies.⁴⁵ And also the renewed interest in her writings on Zionism is due to her striking, almost prophetic insights on the situation in Israel. These writings provide us with clues about how Arendt imagines the concrete framework of politics. She argues for non-nationalist policies structured as a federation, a structure she also imagines for world politics. In the essay *Karl Jaspers: Citizen of the World?* she argues that «[p]olitically, the new fragile unity brought about by technical mastery over the earth can be guaranteed only within a framework of universal mutual agreements, which eventually would lead into a world-wide federated structure»⁴⁶.

In the same essay, she pleads against a world state, since it would be the end of all citizenship, and the end of politics.⁴⁷ Her criticism against the world state is based on her political conceptions such as plurality, diversity but also boundaries, territorial as well as political. But Arendt also points out the dangers of ‘political globalization’, for this could turn out to be ‘an unbearable burden’, evoking «political apathy, isolationist nationalism, or desperate rebellion against all powers that be rather than enthusiasm or a desire for the revival of humanism»⁴⁸.

Arendt might not always have been correct in her interpretations and distinctions as a philosopher. However, her sharp and penetrating political judgments might still prove their usefulness in evaluating the events of the 21st century. Only a critical elaboration of contemporary political philosophy, taking into account Arendt’s insights, will tell.

References

- ¹ The European Union is in these debates often regarded as a prototype of ‘how a new order could function’, but also as an example of ‘what its limits are’.
- ² Arendt, H. (1990) *Essays in Understanding*. New York: Schocken Books. P. 143, 157.
- ³ Ibid, p. 143.
- ⁴ Arendt, H. (1967) *The Origins of Totalitarianism*. San Diego, New York, London: Harcourt. P. xviii. Further referred to by *OT*.
- ⁵ Canovan, M. (1999) Is there an Arendtian case for the nation state? In: Garrath W. (2006) *Critical Assessments of Leading Political Philosophers: Hannah Arendt*. London, New York: Routledge. P. 47
- ⁶ Though Arendt deals rather superficially with public institutions in *The Human Condition*, they are not missing in her account. In *On Revolution*, she makes up for this lack.
- ⁷ Brunkhorst, H. (1999) *Hannah Arendt*. Verlag C.H. Beck. München. P. 84.
- ⁸ *OT*, p. 138.
- ⁹ *OT*, p. 124.
- ¹⁰ *OT*, p. 126.
- ¹¹ *OT*, p. 138. Margaret Canovan remarks that in Arendt’s theory, imperialism is the opposite of nationalism construed as a sort of national pride that prompted nation-states to conquer territory in ruthless pursuit of national interests. See: Canovan, op.cit, p. 47.
- ¹² *OT*, p. 126.
- ¹³ *OT*, p. 127.
- ¹⁴ Ibid.
- ¹⁵ *OT*, p. 123–124.
- ¹⁶ *OT*, p. 139.
- ¹⁷ Ibid.
- ¹⁸ *OT*, p. 140.
- ¹⁹ *OT*, p. 141.
- ²⁰ Arendt, H. (1958) *The Human Condition*. Chicago, London: The University of Chicago Press. P. 234.
- ²¹ Arendt, H. (1961) *Between Past and Future*. London: Penguin Books. P. 165.
- ²² Arendt (1958), op.cit, p. 234.
- ²³ Ibid, p. 235.
- ²⁴ *OT*, p. 144.
- ²⁵ *OT*, p. 230.
- ²⁶ Ibid.
- ²⁷ *OT*, p. 230.
- ²⁸ Ibid.
- ²⁹ *OT*, p. 291.
- ³⁰ *OT*, p. 230.
- ³¹ *OT*, p. 295.
- ³² *OT*, p. 278.
- ³³ *OT*, p. 292/
- ³⁴ Arendt, H. (1963/1990) *On Revolution*. London: Penguin Books. P. 158. Further referred to as *OR*.
- ³⁵ Brunkhorst, op. cit., p. 90.
- ³⁶ *OT*, p. 229.
- ³⁷ *OT*, p. 231. Arendt also states the reason: «The reason why highly developed political communities, such as the ancient city-states or modern nation-states, so often insist on ethnic homogeneity is that they hope to eliminate as far as possible those natural and always present differences and differentiations which by themselves arouse dumb hatred, mistrust, and discrimination[.]» (*OT*, p. 301).

³⁸ *OT*, p. 166.

³⁹ Arendt (1990), op. cit., p. 206. In this book review, she claims that this is the question Delos poses. However, it is her own question as well.

⁴⁰ *OR*, p. 157.

⁴¹ *OR*, p. 151.

⁴² *OR*, p. 151–152.

⁴³ *OR*, p. 153.

⁴⁴ Arendt, H. (1970) *On Violence*. San Diego: Harcourt Brace&C°. P. 6.

⁴⁵ See for example: Habermas, J. (1996/1999) *The Inclusion of the Other. Studies in Political Theory*. Cambridge, Massachusetts: The MIT Press. P. 139–140: «Given the challenges that confront us today, I want to argue, the communicative account of republicanism is more appropriate than either an ethnonational or even a communitarian conception of the nation, the rule of law, and democracy».

⁴⁶ Arendt, H. (1968) *Men in dark times*. San Diego, New York, London: Harcourt Brace Jovanovich. P. 93.

⁴⁷ *Ibid*, 82.

⁴⁸ *Ibid*, 83.