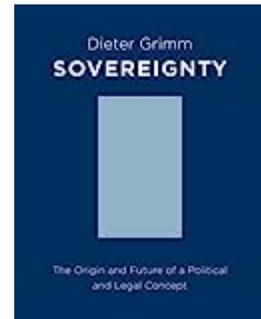


**Dieter Grimm.** *Sovereignty: The Origin and Future of a Political and Legal Concept.* New York: Columbia University Press, 2015. 192 pp. \$80.00 (cloth), ISBN 978-0-231-16424-5; \$28.00 (paper), ISBN 978-0-231-16425-2.



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In an era of actual and potential political upheaval in regions around the world, investigating key political concepts in contextualized ways may provide useful tools to better understand emerging forces. In *Sovereignty: The Origin and Future of a Political and Legal Concept*, Dieter Grimm provides a critical and historicized analysis of sovereignty, a key concept in political theory. Grimm, a scholar of constitutional law and former justice of the Federal Constitutional Court of Germany, provides a rich, clear analysis of sovereignty as a concept and a measured, nuanced investigation of political thought in European and American traditions. Translated from the original German for the Columbia Studies in Political Thought/Political History series, this text offers an accessible tool for anyone seeking an historical understanding of sovereignty and the role self-determination plays in the contemporary geopolitical landscape.

As Grimm notes in the preface, the intention of his text is not to offer a complete history of sovereignty in practice or as a concept. Rather, Grimm investigates whether sovereignty retains analytical value in a globalized world of states, supranational entities, and myriad political forces working in opposition to the global order. This effort is meant to counter ahistorical approaches to the idea, grounding his investigation of sovereignty

in political events. Drawing from his historical analysis, Grimm answers his own question in the affirmative, arguing that while sovereignty may not be *essential* to global political stability, it is a key principle of our contemporary time. He also argues that a much more drastic shift in global governance than we have yet experienced would be required for a complete dismissal of the concept. However, in demonstrating the importance of constitutional democracy for preserving *and limiting* contemporary sovereignty—a key mechanism for maintaining global order against aggressive expansionism by single or collective powers—Grimm argues that global politics no longer operate along hierarchies of sovereign institutions. Instead, Grimm contends that the post-World Wars era has witnessed the emergence of a diverse and complex “heterarchy” of sovereignty shared by states, federations, and supranational institutions—an intriguing claim aligned with much critical political scholarship of recent decades.[1]

Grimm constructs his argument across three broad sections. In “Part A: Sovereignty in a Time of Changing Statehood,” Grimm contextualizes the meaning of “sovereignty” as variable and contested throughout history and across geographies. Moving from the political milieu of the medieval period and the emergence of

nation-states to contemporary questions relating to the European Union's future, part A investigates the conflicting conceptualizations of sovereignty from a comparative, historical perspective. Through this analysis, Grimm argues that contemporary sovereignty, as a governing concept, is eroding. Grimm views this as resulting from increased needs for security and regulation generated by technological and military forces around the world, along with the response to these needs by supranational governing institutions.

Despite Grimm's insistence that the text is not intended as a conceptual history, "Part B: Development and Function of the Concept of Sovereignty" functions as such, reviewing in admirable detail the competing intellectual and applied definitions of sovereignty from the medieval period onward through three subsections (I: "Bodin's Significance for the Concept of Sovereignty"; II: "Sovereignty in the Constitutional State"; III: "External Sovereignty"). Beginning with Bodin's foundational theorizations, Grimm works through ongoing debates as to whether sovereignty is divisible, how sovereignty has related to the emergence of the state, and the relationship of constitutional democracy to popular and national sovereignty. Grimm thus argues that constitutional democracy's separation of the holding and exercising of state power produces a reality that "there is no sovereignty in a constitutional state, but only powers. Sovereignty withdraws into the constituent power and expresses itself only in the act of constitution making" (p. 71), producing a contemporary sovereignty that is firmly "latent" (p. 71), making the sovereign "invisible" not a reality, but an ascription" (p. 73).

In "Part B, III: External Sovereignty," Grimm pivots from a conceptual history to a history of contemporary events. In doing so, he argues that the "crucial phenomenon in understanding modern sovereignty" is the territorialization of political rule by means of state formation. State rule is territorially limited rule" (p. 77), creating a distinction and generative tension between internal and external sovereignty. Sovereignty is therefore more foundational to international law than to constitutional law, providing supranational institutions such as the United Nations, European Union, and International Criminal Court their justifications, legitimations, and *raison d'être*. As Grimm asserts, the "distinction between internal and external [sovereignty] has become blurred" and the "state is changing in the same way" (p. 92). Echoing scholars of critical geography and international relations who argue for alternative, blended understandings of the international order based on sys-

tems of external sovereignty, "what varies is the intensity with which sovereignty is impaired, but not the basic fact that sovereignty in the traditional sense has been lost" (p. 92). Conceptualizing sovereignty in this heterarchical manner speaks boldly to contemporary global affairs and leads Grimm to ask whether we may have entered an era of "postsovereignty."

The final section of Grimm's text, "Part C: Sovereignty Today," explores this final question of a possible postsovereign era. While conceding that contemporary forms of constitutional democracy depend on direct articulations of popular and external sovereignty within a global system of territorial states, Grimm concludes that "[s]overeignty's most important function today lies in protecting the democratic self-determination of a politically united society with regard to the order that best suits it". Today sovereignty protects democracy" (p. 128). Sovereignty, for Grimm, is a concept that transforms over time. While sovereignty is therefore not an inherent or indispensable concept for global political stability, it remains essential to the contemporary global order and we should not discard the study of sovereignty (and its history) too quickly.

Grimm's analysis provides a rich history of sovereignty in a compact narrative, locating the concept's emergence and development as essential to some of the most critical moments in global political history: the decline of feudalism, the American and French Revolutions, the inception of the United Nations, and so forth. The extensive footnotes and references which Grimm uses to anchor his analysis trace these sprawling historical threads, through works of many key European and American political intellectuals during the last three centuries. The text is impressive in scope, making a nuanced yet compact contribution about the importance of sovereignty to power and governance today.

Those looking for engagement with poststructural political theorists who grapple with related questions (e.g., Giorgio Agamben, Michel Foucault et al.) will be disappointed, as this is beyond the intended scope of Grimm's text.<sup>[2]</sup> One area in which *Sovereignty* might have most benefited from such an undertaking is in questioning the nature of power itself, employing a relational, rather than discrete and transactional, understanding of power. Such perspectives have been used throughout critical political scholarship to great effect in decentering political analysis of sovereignty, citizenship, and territory from a state-centric focus.<sup>[3]</sup> Grimm's history of sovereignty could have potentially spoken to larger ques-

tions about the nature of contemporary territoriality or transnational political culture by approaching the history of sovereignty from a more relational perspective. However, such theorization is outside Grimm's stated intention in this book. Anyone seeking to better understand shifts of global governance in a historicized context will find an extremely helpful guide in Grimm's succinct, clear, and rigorously researched text.

#### Notes

[1]. For just a few of many possible examples, see John Agnew, "Sovereignty Regimes: Territoriality and State Authority in Contemporary World Politics," *Annals of the Association of American Geographers* 95, no. 2 (2005): 437-461; Stuart Elden, *Terror and Territory: The Spatial Extent of Sovereignty* (Minneapolis: University of Minnesota Press, 2009); Bob Jessop, "From Micro-Powers to Governmentality: Foucault's Work on State-

hood, State Formation, Statecraft and State Power," *Political Geography* 26, no. 1 (2007): 34-40; Alison Mountz, "Political Geography I: Reconfiguring Geographies of Sovereignty," *Progress in Human Geography* 37, no. 6 (2013): 829-841; and Aihwa Ong, *Neoliberalism as Exception: Mutations in Citizenship and Sovereignty*, 1st ed. (Durham NC: Duke University Press, 2006).

[2]. Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life*, 1st ed. (Stanford, CA: Stanford University Press, 1998); Michel Foucault, "Security, Territory, Population," in *Lectures at the Collège de France 1977-1978* (New York: Macmillan, 2007).

[3]. For a recent review of such possibilities, see Sami Moisi and Anssi Paasi, "Beyond State-Centricity: Geopolitics of Changing State Spaces," *Geopolitics* 18, no. 2 (2013): 255-266.

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