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Introduction: Cultural sovereignty – claims, forms and contexts beyond the modern state

Crisis? What crisis? Sovereignty, its proponents and discontents

“Sovereignty is back” – thus was the apodictic statement of Canadian historian and politician Michael Ignatieff in 2012.¹ Indeed, sovereignty has made a most remarkable comeback both as a subject of political and scholarly debate as well as a feature of political practice. The list of recent and palpable assertions of state sovereignty in the traditional sense is long, and they found perhaps their most symbolic as well as their most concrete expression at that traditional site of state sovereignty since the nineteenth century that is the inter-state border. A few numbers for illustration: Between 2006 and 2015, an estimated 40,000 people died trying to cross state borders.² While the number of border walls was as low as twelve in 1989 – the year the Berlin wall came down – walls and fences to clamp down and channel cross-border movements have risen to around 70 by the year 2014.³ Most recently, the pandemic caused by the SARS-CoV-2 virus has triggered a series of actions by the states from closing borders for citizens of other countries and preventing exports of medical goods to imposing curfews or restrict free movement within their territories. Even within the European Union, joint actions seemed to lag behind these unilateral measures so that international coordination appeared more the result of a competitive process than based on multilateral cooperation. Consequently, the global implementation of such harsh policies of excluding non-nationals during the SARS-CoV-2 pandemic stressed the current universal trajectory of sovereignty. If there has been a crisis of state sovereignty, as many political analysts have remarked over the last

1 Michael Ignatieff, ‘The Return of Sovereignty’, in: *The New Republic* (25 January 2012) <https://newrepublic.com/article/100040/sovereign-equality-moral-disagreement-government-roth>. [2020-03-18]

2 Reece Jones et al., ‘Interventions on the State of Sovereignty on the Border’, in: *Political Geography* 59 (2017), 1–10, 1.

3 Elisabeth Vallet ed., *Borders, fences and walls: State of insecurity?* Farnham 2014, 1.

25 years, sovereignty has nonetheless retained its decisionist, authoritative, exclusive and even lethal edge.

Yet, there is more to sovereignty than the control of borders and mobilities. One of the major mobilising factors for Brexit supporters, for example, was the desire to restrict the freedom of movement for Central and Eastern Europe workers in the United Kingdom. This argument was, however, charged not only with the demand to regain “full” or “real” sovereignty over legislation and justice but also with imaginaries of British, or more to the point, English identity, and the desire to regain former greatness and global outreach often associated with an unspecified imperial past.⁴ President Trump’s blend of “making America great again” and “keeping” it great in 2020, building a wall at the southern borders towards Mexico and the withdrawal from international multilateral agreements and institutions followed a similar if more openly racist pattern.

Sovereignty has, therefore, extended well beyond the agencies and institutions of modern states. Contests over migration have reverberated far beyond the geographic locality of borders and unleashed polarizing political debates over rights and citizenship, national identifications, belonging, and the degree of social and cultural plurality in virtually all European societies. The last decade has, for example, witnessed the emergence of vociferous right-wing identitarian movements across Europe who often claim the defence of “cultural identity” already in their respective denominations.⁵ Adherents of these groups draw on biologically-based ideas of a so called “ethnic pluralism” that draws a sharp distinction between people of Western European descent and immigrants, particularly with a Muslim background. In what is often taken as a founding moment of the movement, French identitarian activists unfolded a banner on the rooftop of a mosque in Poitiers in 2012, invoking the year 732 when Frankish troops under Charles Martel defeated the Umayyad caliphate in the battle of Tours-Poitiers or Ma’arakat Balāṭ ash-Shuhadā’. In Germany, similar ideas became part of a conspiracy theory of an engineered “population exchange” threatening “ethnic Germans” to become a minority in their own country after what has been called a loss of political control during the alleged Syrian refugee crisis of 2015.

The recently observable backlash of traditional state sovereignties, respectively claims of societal groups to authoritarian forms of governance and the defence of alleged cultural identity sit alongside, and in part react to what many

⁴ See e.g. Beatrice Heuser, *Brexit in History: Sovereignty or a European Union?* London 2019 and Steve Buckledee, *The Language of Brexit: How Britain Talked Its Way Out of the European Union*, London 2018.

⁵ The Austrian branch of the Identitarian Movement, for example, was registered in 2012 under the name *Verein zur Erhaltung und Förderung der kulturellen Identität*.

political observers have referred to as a widespread crisis of the sovereign nation state and the erosion of state sovereignty. Since the end of the Cold War, these commentators see various developments that have undermined the decision-making powers of the European nation states.⁶ For example, the creation of supranational institutions, such as the International Criminal Court in The Hague or the progressively integrated European Union, has effected the transfer of core competencies of nation-state sovereignty to these institutions. Decision making in important policy fields has been shifted from the national level of member countries to a cooperative or multilateral level, too.⁷ The power of the sovereign territorial state has been further eroded by the intensified cross-border mobility of capital, goods, information, and labour. Starting in the 1960s, this was reflected upon at first in terms of global interdependence and later globalization.⁸

Thus, it would be tempting to interpret many of the phenomena and developments to which we have just made reference as arising from the conflicting interplay between nation-states and the forces of globalization and transnationalization. However, such a privilege of the global, respectively the national as the most relevant levels of analysis obscures the involvement of a variety of actors across several levels, as well as their contesting claims to governance and decision-making. Similarly, placing such contestations of sovereignty too strongly within the later part of the twentieth century could mislead us to over-emphasise the decision-making power of earlier forms of statehood. Rather than

6 From an extensive body of literature, see Saskia Sassen, *Losing Control? Sovereignty in an Age of Globalization*, New York 2nd ed. 1996; Manuel Castells, *The Rise of the Network Society*, Chichester 2010; Richard Joyce, *Competing Sovereignities*, Abingdon 2013; Dieter Grimm, *Souveränität: Herkunft und Zukunft eines Schlüsselbegriffs*, Berlin 2009; and in a historical context, James Sheehan, 'The Problem of Sovereignty in European History', in: *American Historical Review* 111 (2006): 1–15. This introduction is partly based on Gregor Feindt, Bernhard Gissibl and Johannes Paulmann 'Kulturelle Souveränität. Zur historischen Analyse von Deutungs- und Handelsmacht jenseits des Staates', in: Idem (eds.), *Kulturelle Souveränität: Politische Deutungs- und Handlungsmacht jenseits des Staates im 20. Jahrhundert*, Göttingen 2017, 9–46; translation by Dona Geyer, Munich.

7 On the leeway that so-called "cunning states" have thus gained to strengthen their sovereignty through the clever exploitation of overlapping sovereignties, see Shalini Randeria, 'Cunning States and Unaccountable International Institutions: Legal Plurality, Social Movements and Rights of Local Communities to Common Property Resources', in: *European Journal of Sociology* 44/1 (2003): 27–60; Shalini Randeria, 'Rechtspluralismus und überlappende Souveränitäten: Globalisierung und der "listige Staat" in Indien', in: *Soziale Welt* 57 (2006), 229–258; Andrea Rehling, 'Materielles Kultur- und Naturerbe als Objekt und Ressource kultureller Souveränitätsansprüche', in: Feindt, Gissibl and Paulmann (eds.), *Kulturelle Souveränität*, 257–284.

8 Martin Deuerlein, *Das Zeitalter der Interdependenz. Globales Denken und internationale Politik in den langen 1970er Jahren*, Göttingen 2020; Paul James and Martin B. Steger, 'A Genealogy of "Globalization": The Career of a Concept', in: *Globalizations* 11/4 (2014), 417–434.

assuming a principled antagonism between the global and the national or the essential decline of the modern state, we propose to speak of *contested sovereignties* in the plural. This allows for the analysis of a dynamic understanding of claims- and decision-making as a process throughout European history. It is sensitive to conflicts and contradictions not only between actors but also across the levels from the global to the local and a variety of societal fields. Necessarily, such an understanding challenges the received idea of sovereignty as authority over decision-making that is solely linked to the modern state. In consequence, this notion of sovereignty itself has to be taken as a claim rather than a given.

In contrast to received concepts, the contributions assembled in this theme issue employ and explore the concept of “cultural sovereignty” in order to denote the fluid and contested character of sovereignty. Cultural sovereignty, as we understand it, is essentially a heuristic concept for the analysis of decision-making power and various efforts at self-determination and self-assertion. It takes seriously the always contested character of sovereignty and the associated claims by competing actors and stakeholders. In doing so, we seek to arrive at a deepened understanding of sovereign contestations as they manifest themselves between external and internal factors and forces, between various actors and groups within states, and over different fields from political decisions and economic powers to societal behaviour and cultural politics. The “culture” in the composite term of cultural sovereignty denotes, on the one hand, a specific domain with peculiar resources that may be employed to claim sovereignty. On the other hand, our approach goes beyond this limited understanding and conceives power and authority as cultural practices that are both situated in and mediated through political, societal, economic and cultural spheres. The state as well as societal actors like companies, social movements, the media or scholars were engaged in claims over sovereignties and their different manifestations and interpretations.

In the following, we will, first, discuss recent contributions to rethinking sovereignty and, second, bring forward cultural sovereignty as a “heuristic tool”. Finally, we will introduce the chapters to this volume and, in the conclusion, carve out their contribution to cultural sovereignty as a concept of analysis, which offers a heuristic for the historical analysis of sovereignty practices beyond the scope of the nation state.

Rethinking sovereignty beyond the modern state

In recent years, a rich literature has observed the various forces undermining sovereignty. These studies illustrate that sovereignty is changed if not challenged

not only by supranational institutions but also by transnational economic power centres, new digital means of communication and by the application of universal norms. They highlight the fact that, in addition to one's own government, other actors exert or lay claim to agency and interpretative power. These are not only other governments, companies as organizational forms of economic power, civil society organizations, and social networks, but also individuals who are usually understood as members of a social collective. Several non-state-centered terms have been proposed for the variety of sovereignty.

Shadow sovereigns: Alongside and even outside the realm of the state, economic centres of power in particular have sought to exercise sovereign agency and thus challenged state sovereignty. In reaction, there has been a “storm over the multinationals” since the 1970s amid the critical scrutiny and academic debate within civil society over the cross-border operations of multinational enterprises.⁹ The political scientist Susan George refers to globally operating corporations as “shadow sovereigns”¹⁰ because they exert their power through covert lobbying in national and, with increasing intensity, international bodies and institutions. It is here that, on a transnational scale, they influence labour law, healthcare, food and agriculture, consumer regulation, taxation, and international trade and investment conditions to the benefit of their own profit interests.

Sovereignty effects: With regard to the modern state and particularly finance, Joseph Vogl, a cultural studies scholar, has emphasized in turn that grey areas of sovereign power have been able to take hold and novel and competitive “sovereignty effects” develop.¹¹ Through the delegation of governmental agency to institutions, commissions, and expert bodies involved in finance, decisions concerning financial markets are removed from democratic control. Both the state and the finance economy profit from this form of strategic pull-back. The former partly evades its political responsibility, whereas the latter gains a greater radius to operate autonomously. This produces sovereignty effects without having to

9 Taken from a broader debate, Raymond Vernon, ‘Storm over the Multinationals: Problems and Prospects’, in: *Foreign Affairs* 55/2 (1977), 243–262; Raymond Vernon, ‘The Multinational Enterprise: Power versus Sovereignty’, in: *Foreign Affairs* 49/4 (1971), 736–751; Joseph S. Nye, ‘Multinational Corporations in World Politics’, in: *Foreign Affairs* 53/1 (1974), 153–175; Mira Wilkins, ‘The History of Multinational Enterprise’, in: *The Oxford Handbook of International Business*, ed. Alan M. Rugman and Thomas L. Brewer (Oxford 2001), 3–35; Thorsten Brenner and Jan Martin Witte, ‘Keine Macht den Multis? Die Rolle transnationaler Konzerne in Entwicklungsländern’, in: *Internationale Politik* (September 2006), 39–45.

10 Susan George, *Shadow Sovereigns: How Global Corporations are Seizing Power*, Cambridge 2015.

11 Joseph Vogl, *Der Souveränitätseffekt*, Zurich 2015.

attribute ultimate responsibility for democratic participation, political responsibility and the accompanying risks to any one sovereign actor.¹²

Mobile sovereignty: The emergence of human rights as the universal norm of government action after the end of the Cold War also resulted in an increase in humanitarian interventions by states of the global North to safeguard human rights in crisis regions and so-called failed states. The relativization of state sovereignty linked to these interventions was caused not only by state actors but also by non-governmental organizations of civil society, who used human rights to justify their involvement with, against, or alongside that of national governments. The anthropologist Mariella Pandolfi speaks of *souveraineté mouvante* (mobile sovereignty) to designate the interaction among civilian and military actors of humanitarian intervention in exercising forms of on-site transnational rule.¹³

Digital sovereignty: In recent years, issues involving access to personal data and control over the Internet have emerged as conflicts over sovereignty between citizens, states, and globally operating enterprises. A broad transnational debate over “digital sovereignty” has emerged, in which experts on media law like Rolf Schwartmann have, for example, proposed the introduction on the European level of a legal instrument linked to a payment model. In this model, the users of social networks would be free to choose whether or not to grant companies like Facebook and Twitter access to the personal data profile that is created through their use of these respective platforms.¹⁴ In addition to nation states and globally operating enterprises, Schwartmann is explicitly speaking of the

¹² Since 2008 this practice has come under strong criticism as a result, understandably, of the economic and financial crisis. In the interaction between finance and the state, the consequence has once again been intensified government control to the point of the temporary takeover of individual banks; see Jan Pieter Krahn and Laura Moretti, ‘A Greenhouse for Market Discipline: Making Bail-In Work’, in: *European Economy – Banks, Regulation, and the Real Sector* 1 (2015), 59–74.

¹³ Mariella Pandolfi, ‘L’industrie humanitaire: Une souveraineté mouvante et supracoloniale. Réflexion sur l’expérience des Balkans’, in: *Multitudes* 3 (2000), 97–105; see also Didier Fassin and Mariella Pandolfi, eds., *Contemporary States of Emergency: The Politics of Military and Humanitarian Interventions*, Cambridge, MA 2010; on mobile sovereignty, see Arjun Appadurai, ‘Sovereignty Without Territoriality: Notes for a Postnational Geography’, in: Patricia Yaeger (ed.), *The Geography of Identity*, Ann Arbor 1996, 40–58.

¹⁴ Rolf Schwartmann, ‘Digitale Souveränität: Wer unsere Daten anzapft, soll dafür zahlen’, *FAZ*, 24 October 2015, <<http://www.faz.net/aktuell/feuilleton/medien/digitale-souveraenitaet-wer-unsere-daten-anzapft-soll-dafuer-zahlen-13870819.html>> (accessed 27 Oct. 2015). See further Stéphane Couture, Sophie Toupin, ‘What does the notion of ‘sovereignty’ mean when referring to the digital?’, in: *New Media & Society* 21 (2019), 2305–2322; Mike Friedrichsen and Peter-J. Bisa (eds.), *Digitale Souveränität: Vertrauen in der Netzwerkgesellschaft* (Wiesbaden 2016).

citizen as a sovereign entity, who would retrieve through the payment model he proposes “an important bastion of civil liberty,” namely “true informational self-determination.” As citizens, individuals should reclaim sovereignty – albeit, tellingly, in the market-compatible form of an alienable basic right. This idea is prompted by the realization that the nation state is not in a position to effectively protect the data of its citizens against transnationally operating enterprises with significant market power. Schwartzmann’s proposal underscores both the very limited degree to which the state is able to assume ultimate responsibility in this area and points to the existence of new economic powers operating independently and parallel to the state. The edifice of state sovereignty is clearly cracked in some places, and other holders of agency and interpretative power are acting autonomously in the gaps left open by these cracks.

Yet there is more to question than just how sovereign individual citizens really are when they have no access to means of coercion and are left with no other option but to sell their right to informational self-determination in order to participate in the Internet and digital media. Another aspect is that today’s digital communication technologies actually give state actors instruments with which to assert sovereignty on a sweeping scale. A case in point would be the global mass surveillance using the Internet and telecommunications regardless of whether there were grounds for suspicion by state intelligence services such as the NSA and Germany’s BND that was revealed by whistleblower Edward Snowden in May 2013. Additional examples are data retention practices, which are justified as a means to fight crime, or the restriction of freedom of expression and unrestricted communication in the Internet, as is practiced not only in China, Iran, or Egypt, but also in Europe.¹⁵ Moreover, recent attempts to slow down the outbreak of COVID-19 cases exposed the varying degree to which the usage or collection of mobile phone data for contact tracing was deemed acceptable. While South Korea, Israel, or Russia made extensive usage of such data, Germany and other mostly European countries cautioned to collect only anonymized data.

In sum, we observe at present a pluralization and relativization of modern attributions of sovereignty. This diagnosis is often accompanied by dramatic rhetoric postulating the end of the sovereign nation state and its capacity to act.¹⁶ However, one is not doing justice to the current crisis of sovereignty to interpret it

¹⁵ For example, the internet tax introduced in Hungary is meant to hinder widespread access of its citizenry to blogs critical of the government. On the broader context of the relationship between the Internet and sovereignty, see Shawn M. Power and Michael Jablonski, *The Real Cyber War: The Political Economy of Internet Freedom*, Urbana, IL 2015.

¹⁶ For example, see Wolfgang Streeck, *Gekaufte Zeit: Die vertagte Krise des demokratischen Kapitalismus*, Berlin 2013.

as an aberration that emerges in the late twentieth and early twenty-first centuries. Such a perception of crisis rather reflects a changing understanding of political and societal claims to power and their implementation. From a historical perspective, it is obvious that the wide range of actors wrestling for sovereignty is not merely the consequence of a recent crisis. Instead, it is the expression of the inherently processual and relational nature of claims to sovereignty both in relation to and beyond the state. In history, relational, limited, and conditional sovereignty is generally the rule. Sovereignty has never been anything but contested, starting with the confrontations between church and throne in the European middle ages, to the building of polycentric empires in the early modern period, to the conflicts between monarchical and popular sovereignty, and finally to the various episodes of *Kulturkampf* in the nineteenth century. This finding is not new, particularly if we think of the long contests over popular participation and representation in political decision-making.¹⁷ If plurality is taken as given, however, then this implies a functional understanding of sovereignty as a guiding and regulative idea rather than a primordial attribute of the state or a preeminent political authority. This line of thought helps promote and advance historical observation because it directs attention to *manifold* articulations, forms, and contexts of claims to sovereignty.

“Cultural sovereignty” as a heuristic concept

We propose to employ the heuristic concept of cultural sovereignty that offers an analytical tool for the historic understanding of sovereignty practices beyond the scope of the modern state. It derives its value and, to no small degree, its intellectual allure from what at first seems like a paradoxical coupling of culture and sovereignty. What happens when we conjoin a fluid, process-oriented, and hybrid understanding of culture, as found in recent cultural studies, with the term sovereignty, a term often conceived in a monolithic sense and associated with the setting of clear borders? In doing so, the thoughts presented here also aim to decouple sovereignty conceptually from the narrow realm of state claims. The contributions in this issue diversify the idea of sovereignty in that they illustrate how various kinds of blueprints for sovereignty by various actors broadened, reshaped or in certain circumstances even challenged and replaced state agency. Likewise, cultural studies have expanded our understanding to

¹⁷ See Richard Bourke and Quentin Skinner (eds.), *Popular Sovereignty in Historical Perspective*, Cambridge 2016.

include the claim of sovereignty as an instrument serving societal groups and their organizational forms in asserting difference. Thus it can also be shown how even the subversion of ultimate authority determined and produced sovereign power to interpret and act.¹⁸ The approach historicizes what is said to be the “crisis” of sovereignty in our times by examining the inherently pluralistic and conflictual nature of interpretative power and agency in the political realm and by illustrating the societal setting. What we discover is that, in practice, sovereignty has seldom been the absolute or hermetic power constellation assumed in classic constitutional doctrine and political theory as suggested in the writings of Thomas Hobbes, Carl Schmitt, and others.¹⁹ Instead, it was an arena of competing and conflicting, interrelated claims and practices that ranged from confrontations for state authority to demands for self-determination and decision-making power by various social actors.

The heuristic concept of cultural sovereignty is meant to explain conflicts over decision-making power, attempts at societal self-determination and self-assertion, as well as institutional and state demands for cultural resources. Here “culture” means more than the domain and source of state claims to power; instead it offers a heuristic for the historical analysis of sovereignty practices beyond the realm of the state. The concept operationalizes the following five basic assumptions. First, we are dealing with a cultural history approach which is open to interdisciplinary analysis. Second, the main focus is on the actors and their interpretations and intentions; they are the starting point of the study. Third, cultural sovereignty covers a multitude of strategies involving social, religious, ethnic, political, or economic agency and interpretative power. It is not limited to state decision-making power. Fourth, questions concerning power, hegemony, and their defense are highly relevant. However, they are not linked exclusively to types of political institutions and instruments, but are to be studied in many different ways. Fifth and finally, the concept is applicable to theoretical models focusing on the nation state or an empire, to groups within society or members of a group with regard both to their impact internally and downwardly and to what they project externally. Such a concept of sovereignty includes societal and political action from an actor-centered perspective and thereby distinguishes itself from categories currently prevalent in cultural studies like “identity,” “hybridity,” and “multiculturalism.”

¹⁸ Klein, ‘Subversion der Souveränität’.

¹⁹ See the classic work, Thomas Hobbes, *Leviathan oder Stoff, Form und Gewalt eines kirchlichen und bürgerlichen Staates*, Frankfurt a.M. 2011; and very pointedly with his dictum on the state of exception, Carl Schmitt, *Politische Theologie: Vier Kapitel zur Lehre von der Souveränität*, Munich 1922, 9.

The twentieth century is a period particularly suitable to the study of overlapping or even conflicting claims to sovereignty. First, it witnessed the worldwide implementation of the nation-state model as the defining form for organizing the body politic. The nation state as one form of modern statehood thus became an important normative framework for cultural processes. However, at the same time, the homogenizing capacities of the nation state were undermined and questioned by internal cultural fragmentation and by the dynamics of border-crossing structures of communication and governance. Second, culture was indeed strategically deployed in a novel way as outright propaganda and informal “soft power.” Particularly in the later half of the century, culture became one of the main arenas of political controversy and conflicting identity politics for large strata of society. It was used as a political resource, claimed as a human right, and became a topic of scholarly reflection and debate to an unprecedented degree. This was, third, closely linked with the rise of democracy both as a form of government and cultural practice that affected all fields of politics, society, economy and culture. Democratic contestations and processes of democratization did, however, not only affect states internally, but transgressed borders between societies, for example in demands for global justice, the rights of minorities, or the establishment of democratic principles abroad. These requirements were thus not only made within established nation states but for colonial territories and on a global scale. The twentieth century, therefore, fourth, saw the fall of European colonial rule overseas, which meant political independence but left the question open how far the new state’s sovereignty reached, for example in terms of economic and cultural resources. Contestations took place between state authorities, in the arena of the newly established international bodies, and within societies, turning decolonization into a protracted process whose key issues remain largely unresolved into the present. By considering the multifarious, competing, and contradictory constellations of cultural, social, and political agencies and interpretative power, we take the first step to introducing new perspectives on key issues, namely the functioning of sovereignty between space and governance, between resources and artefacts, and between media and communication during the twentieth century.

Space and governance

From the middle of the nineteenth century, European states tried to deepen their reach over the territory they ruled and the people that lived therein. One may interpret this simply as exercising state sovereignty. The historian Charles

S. Maier has proposed an interpretation that opens up a new approach. He used the term “territoriality” for the guiding idea in this process, which characterizes for him a new epoch lasting until the 1970s.²⁰ The term emphasizes the spatial dimensions of statehood and separates analytically the “nation state” into two dimensions: a decision space and an identity space. Contemporary rulers, politicians and societal actors sought to bring both into alignment and close correspondence. In terms of sovereignty, this analysis is useful because it allows us to relate the traditional idea of sovereignty to cultural activities to make up an effective notion where one is not simply the function of the other. We may thus conceive sovereignty as a process shaped by several forces and practiced through various means by the state as well as societal agents. As is well known, language policy in France was an instrument employed to strengthen the French state of the Third Republic turning “peasants into Frenchmen” and into republicans.²¹ Silke Mende shows in her essay that the promotion of a standardized language and the idea of a certain form of political rule formed a dynamic concept that reached well beyond the confines of the so-called hexagon, i.e. French territory within Europe, and transformed relations between the metropole and the colonial empire. However, this kind of cultural sovereignty was not fixed but contested and variable according to where and when its proponents applied it.

State administration and politicians strongly supported by societal actors such as academic scholars and civil associations promoted Francophonie at the end of the nineteenth century. This was a modernization project aimed at geographically remote regions of the hexagon and backward rural populations but it also sought to spread republican values and civilisation in the sense of universal enlightenment. As Mende demonstrates, this mission when applied to dependent overseas territories and colonies revealed its variability rather than universality. Teaching French to colonized populations, in practice, had an instrumental function in terms of educating indigenous administrative staff in the lower ranks. The language courses and the certificates differed from the schooling in the metropole in aiming merely at basic skills. Clearly, the grand idea of spreading French civilization and integrating the beneficiaries had its limits. As in other fields of colonial rule, Francophonie was divided: there existed a language indigénat, we may conclude, as it did with regard to law based on racist

²⁰ See Charles S. Maier, ‘Consigning the Twentieth Century to History: Alternative Narratives for the Modern Era’, in: *American Historical Review* 105 (2000), 807–831.

²¹ Eugen Weber: *Peasants into Frenchmen. The Modernization of Rural France, 1870–1914*. Stanford, Cal. 1976.

assumptions.²² At the same time, various agents competed over Francophonie. On the one hand, Republican and Catholic organizations propagated different versions of French civilization as did the Jewish Alliance israélite universelle.²³ In addition, the Mission laïque pursued an aggressive secular agenda. On the other hand, the spread of French ideas was not easily contained and proponents of decolonization turned what they had learned against their teachers so-to-speak. The mandate territories after the First World War, in Mende's essay, serve as a good example for the ambivalence of Francophonie. Arab nationalists voiced their criticism of colonial rule in the language of the colonizers and based their demands for emancipation on French literature and Western liberal ideas. Some also recognized the value of language, in this case the Arab language, for propagating and furthering the idea of their national sovereignty, for example in Syria, and demanded teaching Arab rather than French in schools. This was, as Mende concludes, a kind of reversal of Francophonie and the French civilizing mission, which however speaks for the lasting importance of these practices of imperial cultural sovereignty. In the metropole, the propagation of the regional languages since the 1950s may be interpreted as a similar reversal.

In her essay on governing Mount Scopus, an international enclave in Jerusalem between 1948 and 1967, *Yfaat Weiss* analyses a situation that is best understood if we approach it as a process of contested claims for sovereignty on several interdependent levels. From the perspective of the Israeli government, the overall aim was to achieve what Leo Gross in 1948 called "Westphalian" sovereignty, i.e. sovereignty over territory free from outside intervention and based on the coexistence of a multiplicity of states equal to one another.²⁴ Yet, a closer look at the enclave of Mount Scopus in Jerusalem and the attempts to achieve this aim reveal a dynamic constellation of interlaced claims put forward by various means. On the level of state sovereignty, the Arab side did not accept the UN Resolution of 29 November 1947, which pronounced the partition of Mandatory Palestine into two states, while the Israeli government no longer felt committed to it after the 1948 war. The resolution had assigned Jerusalem a neutral status as a *corpus separatum* under international oversight thereby seeking to place it beyond state sovereignty. With the city de facto, though not de jure, divided between an eastern Jordanian sector including the Old City and a western sector under Israeli

²² Olivier Le Cour Grandmaison: *De l'indigénat – Anatomie d'un « monstre » juridique. Le droit coloniale en Algérie et dans l'Empire français*, Paris 2010.

²³ See, for example, Esther Möller: *Orte der Zivilisierungsmission: Französische Schulen im Libanon 1909–1943*, Göttingen 2013, 93–134.

²⁴ Leo Gross, 'The Peace of Westphalia, 1648–1948', in: *American Journal of International Law* 42 (1948), 20–41, here 28–29.

control, there remained because of battle lines and ceasefire agreements a demilitarized enclave on Mount Scopus in eastern Jerusalem. UN forces controlled entry and exit to the two square kilometers, in itself divided into an Israeli and a Jordanian section. Israel enjoyed possession of three sites in the enclave: the Hebrew University with the library, the Hadassah Hospital, and a British war cemetery, while according to its proximity it was able to control the Arab village of Issawiya as well.

As Weiss explains, Israel sought to turn the effective grasp of territory into claims to sovereignty trying to close the gap between “possession” and territorial sovereignty. In western Jerusalem, it did so by establishing its High Court of Justice, moving government offices from Tel Aviv and opening the Knesset. These were classical instruments of sovereignty, while in the eastern part of Mount Scopus Israel could make claims only by different means. The opening of the Hebrew University in 1925 had already been such a claim two decades before the establishment of the state of Israel. Now, the university was *de facto* separated from Israeli west Jerusalem. In particular, the library became a “library in exile” or in “captivity” as contemporary sources expressed its status. Against the needs voiced by the academics, the government chose to accept this state of affairs rather than to move the books to the western part of the city. The decision to leave the books of the *national* library on Mount Scopus meant indeed upholding a cultural claim to sovereignty. In a different twist, Israel made use of the British war cemetery situated in the enclave. The cemetery had been mined during the 1948 war and the Israeli offered to remove the mines. The British Imperial War Graves Commission, however, rejected the offer, as it did not normally allow foreign powers to look after its military graves. Israel still went ahead and initially even denied the representatives of the Commission entry for renovations, gardening or annual ceremonies thereby subordinating British as well as Australian and New Zealand claims over its war dead to Israeli claims of territorial sovereignty. It finally granted access to the cemetery, but only from west Jerusalem and by Israeli permission rather than from east Jerusalem and under UN control. Access was also used to claim state sovereignty in the case of the village of Issawiya. Here, Israel did not allow the Arab population to repair the main road connecting the village to Ramallah with its own funds. It even demolished independent roadworks and limited traffic forcing the population to use a second connection, which resembled a trail rather than a road.

The case of the Mount Scopus enclave after 1948 illustrates the use made of cultural and humanitarian institutions as well as infrastructures for competing claims of sovereignty. Weiss describes how the different levels from the UN, Israel and Jordan to the British Imperial Commission and the Arab villagers were all interlaced in an intricate manner of possession, control and sovereignty.

Although “Westphalian” sovereignty guided Israeli actions, the historical analysis reveals that this was only a particular if powerful notion of sovereignty pursued by various means beyond classical state instruments. The case also shows not only a society of equal states contested sovereignties but that international organizations, imperial institutions, local populations or indeed university scholars put forward claims to decision-making, self-determination or self-assertion.

The next paper by *Saima Nakuti Ashipala* explores the many twists and turns in the regime governing the extraction of the most valuable natural resource to be found in the territories of the South-West African states of Namibia and Botswana: diamonds. In April 1908, Zacharias Lewala, an African working for the German colonial railway administration, was allegedly the first to find a valuable diamond in what came to be declared the *Sperrgebiet*, an extensive area in the South of Namibia that has been reserved for the exploitation of diamonds up to the present. It was not until 1994 until all of Namibia’s citizens, including the black population, finally came to share the benefits of this resource. Starting from the first arrangements between the then German colonial state and private mining companies in 1908, Ashipala charts the changing development of these arrangements through Namibia’s varying political regimes, culminating in the 1994 agreement between the government of independent Namibia and the De Beers diamond mining company, a corporation with long-standing interests and experience in the exploitation of diamonds in Namibia. The analysis of more than a hundred years of the diamond regime in South-Western Africa makes clear that sovereignties over diamond resources have always been blurred, repeatedly contested, and long been operationalized in a way that benefited company and colonial state to the disadvantage of the majority of the country’s people. From the outset, the exploitation was conceded to private companies, a decision that was criticized within imperial circles in Berlin as sacrificing the sovereign interest of the state to the commercial interest of private enterprise. When the German colony of South-West Africa became a mandated territory under the League of Nations after the First World War, existing mining concessions were gradually taken over by Ernest Oppenheimer’s Consolidated Diamond Mines of South West Africa Ltd (CDM), a company that found the trust also of German investors thanks to the German heritage of its founder. In the course of Oppenheimer’s takeover of De Beers, a market leader in the diamond industry based in South Africa, CDM became a subsidiary of this company. Although the League of Nations had not invested the government entrusted with the mandate over the territory with sovereign rights, the so-called Halbscheid Agreement of 1923 nonetheless assigned the ownership of the diamond resource to the Administration of Southwest Africa while CDM was granted the sole right of exploitation. Colonial government and diamond

company had entered a mutually beneficial partnership in which, as Ashipala argues, “guaranteed revenue for the colonial administration” was exchanged “for monopoly over the diamond industry”.

Namibia’s independence in 1990 after years of armed resistance by the SWAPO movement necessitated a renegotiation of the diamond regime. Backed by the 1962 UN resolution that had established sovereignty over natural resources as a principle of international law, but short of mining expertise and capital the new Government of Namibia had neither the power nor the will to assert sovereignty by removing or nationalizing a company that was historically so rooted, privileged, and experienced in the exploitation of Namibia’s diamonds like De Beers. Without downplaying significant differences in the role of the diamond industry in both countries, Ashipala emphasizes the exemplary character of the diamond regime in Botswana for the renegotiations between De Beers and the government of Namibia in the early 1990s. Many elements of the arrangement achieved in Botswana, in particular the equal shareholding between government and De Beers, was applied to the newly-founded Namdeb Corporation, which has not only benefited the Namibian people through taxes and revenues, but also by investment and development schemes within the country.

The Namibian diamond regime is a fascinating example of the long shadow cast by colonial arrangements between a financially weak central state and private companies that were granted concessions to exploit natural resources and assumed the role of “shadow sovereigns” in the governance of these resources and, in the case of diamonds, the whole area of the *Sperrgebiet*. As Ashipala notes, the concrete terms of the 1994 agreement between De Beers and the Namibian government have never been fully disclosed, which can be interpreted as a continuation of the decontestation of sovereignties through sharing and the intentional blurring of stakes and ultimate responsibilities. The 1962 principle of permanent sovereignty over resources might have granted the post-independence state a basis for claims-making in international law. In practice however, a corporation as historically rooted, as financially powerful and as experienced in the mining and marketing of diamonds was simply too big and too sovereign for the Namibian state to ignore.

Media and communication

As the 1962 UN Resolution over the Permanent Sovereignty over Natural Resources shows, the question of control and exploitation of such resources has been a source of constant conflict and international deliberation and regulation. Very

much the same applies to the field of media and communication and the ways how the modern state exerts control over information, its citizens and its global relations.²⁵ This holds true especially after the Second World War when technological innovation and globalisation expanded information and communication beyond national borders to a precedently unknown degree. New media such as television or the internet have provided an arena for the contestation and redistribution of power relations within polities. Decolonisation affected the economic and infrastructural relations in the global production of information making the circulation of news a promising platform for remaking international relations. These challenges to received political cultures contributed to both the emergence of new claimants of sovereignty and the altered character of sovereignty as such – eventually becoming apparent to contemporary discourse. For many observers, the globalisation of television pointed to the cultural quality of national sovereignty²⁶ and the economisation of digital communication laid bare the contestation of supranational European sovereignty.²⁷

In his essay on the early years of Czechoslovak television, *Sebastian Lambertz* inquires into the “people’s own media” and contributes to the recent emphasis of individual agency and the ambivalence of power under state Socialism. Here, cultural sovereignty cautions against any too simplistic emphasis on violence, oppression, and victimhood. Studying the repressive regime of Czechoslovak Stalinism and its ensuing, yet short-lived, liberalisation in the 1960s, television serves as a case study into the relative spaces of individual articulation under authoritarian rule. Lambertz argues that viewers employed their role as Socialist citizens and especially as Socialist workers to influence the programme’s content and its organisation even expressing their individual and collective agency. Socialist ideology and its vernacular appropriation provided a language to express individual demands and relate to party and state. Since its introduction in 1953, Czechoslovak television encouraged its viewers to respond to programmes and write to the editors with a special television show regularly presenting selected letters to a broader audience. In comparison to responses to radio programmes or the ubiquitous petitions to state administration or party officials, television viewers spoke their minds and were highly critical of what they saw. As programme editors and directors cautiously monitored such

²⁵ Monroe E. Price, *Media and Sovereignty: The Global Information Revolution and Its Challenge to State Power*, Cambridge MA 2002.

²⁶ Daya Kishan Thussu, “Globalisation of the ‘infotainment’ industry”, *Third World Quarterly* 18.2 (1997), 391–396.

²⁷ Guillaume Klossa, *Towards European Media Sovereignty: An Industrial Media Strategy to leverage Data, Algorithms and Artificial Intelligence*, Brussels 2019.

audience responses, a clear gap in understanding television came to the fore: state and party officials and programme directors envisioned television as a tool of education and propaganda, but most viewers obviously considered it to be nothing but entertainment.

Demanding entertainment and objecting against any ideological prerogatives viewers, effectively claimed sovereignty over their free time and during this time of non-work. The viewers' arguments drew upon the ideological framework provided by Stalinism and to a lesser degree reformist Communism; the very ideology that viewers wanted to avoid watching. In addition to the self-evident argument that watching television was an integral part of individual free and recreational time after work, three argumentative scripts underpinned claims for individual and collective sovereignty. First, the authors of letters to the editors demonstrated a specific sense of entitlement as diligent Socialist workers who deserved entertainment after a day's work. Second, this script was presented in the form of collective rights: moving beyond the individual agency of a Socialist worker, the imaginary of the working class as the vanguard of society extended this claim into the collective and reproduced Stalinist propaganda. Third, authors drew parallels between the work of television employees and their own work in the factory or the office demanding diligence. In contrast to the aforementioned affirmative construction of Socialist identity, this script referred to the harsh disciplining of work spaces under Stalinism and thus an autonomous self-understanding of workers. Authors demanded that any television programme that did not meet the standards should be sanctioned in the same ways poor performances were sanctioned in other workplaces.

Such claims dynamically employed both the symbolic language and the ideological axioms of Socialism and often succeeded in influencing decision makers, for instance when viewers demanded to align programme timetables with the country-wide system of three shifts in factories. Making use of ideological catchphrases and outlining their individual or collective contribution to the making of Communism in Czechoslovakia, authors created legitimacy and agency. Here, the authors styled themselves as Socialist subjects and revealed varying degrees of ideological subjectification which allowed them to phrase their personal demands as hegemonic. Demands for self-control over their free time necessarily contested the alleged sovereignty of cultural decision makers such as television programme directors. However, mobilising hegemonic discourse allowed for avoiding open confrontation with party and state. In this relation between programme makers and audience, any demand of Socialist workers or other "productive members of society" that followed the hegemonic discourse was legitimate. In other words, proficiency in ideological vernacular allowed for expressing every-day needs well beyond Socialist free time. Against this background, cultural

sovereignty provides new insights into Socialist society and the societal negotiation of power under dictatorial rule. Bringing to the fore the ambivalence of hegemony and counter-hegemony and the relational quality of legitimacy helps to differentiate the roles of state and party and society. In fact, what Lambertz analyses points to recipient sovereignty, i.e. the viewers sovereign decision to watch television and receive its content – or to refrain from doing so.

Jonas Brendebach's contribution continues the theme of decolonization as a hotbed of sovereign contestations that have continued and remained relevant to the very present. Political independence did not automatically bring about sovereignty, but spawned controversies over the extent of state sovereignty in the fields of economy and culture that remain unresolved to this day. Newly independent states addressed this shared void of sovereignty within their post-colonial statehood in the international arena through organizations like the Non-Aligned Movement and the United Nations Educational, Scientific and Cultural Organization. Brendebach shows how the push for a reform of the international economic order through the Non-Aligned Movement in the early 1970s provided an opportunity for UNESCO to extend this reform agenda into the realm of “culture”, communication and the media. Particularly under the Senegalese Director-General Amadou Mahtar M'Bow, UNESCO aligned its norm-setting capacities with the non-aligned movement, both arguing that the achievement of a “new and more equitable world order” would remain incomplete without the decolonization of information and without addressing different forms of “cultural imperialism”, i.e. the uncontrolled import of information, content, and news via media organizations particularly from the United States and Europe.

Brendebach traces how, in a series of expert meetings and conferences, UNESCO evolved into a key arena for debating international policies of media and culture, trying to bring together national sovereignty and “cultural identity” in order to achieve a more just and equitable flow of global communication. Addressing both the level of international organizations and concrete policy attempts between states, the article shows how the envisioned “decolonization of information” was attempted by pooling the news agencies of several non-aligned states in order to enrich the global news flow with genuine Third World perspectives. This effort was, however, soon frustrated, amongst others because attempts at government control negatively affected the credibility of information. Other efforts, like the introduction of a prior-consent-clause to satellite broadcasting over foreign state territory, were rejected by an alliance of Western powers within UNESCO, leaving the clause without binding normative authority. In a similar manner, Western states defused Third World attempts at anchoring cultural sovereignty over communication flows and news production in the Mass Media Declaration of 1978, rendering it, as Brendebach argues, an “inconclusive compromise”.

Although UNESCO failed at enshrining cultural sovereignty into binding international law, Brendebach emphasizes the debates' capacity to generate academic knowledge and produce appealing, politically applicable concepts for non aligned states. However, it did so at the price of nourishing a nationally contained understanding of "culture" that made the term politically expedient, but contradicted both UNESCO's own notion of cultural plurality as well as the multiethnic, multi-religious and multilingual realities of decolonizing societies across the Southern Hemisphere. For these new states, UNESCO provided an important and internationally visible platform enabling new states the performance of sovereignty. At the same time, UNESCO's very function as a node that connected all sorts of transnational actors, experts, and state representatives resulted in a plurality of voices that contributed to the diffusion and dispersal of sovereign claims forwarded within the organization.

Ingrid Volkmer's contribution continues these international debates about the order of global communication into the present and analyses the scholarly and political debates about digital sovereignty over the last three decades. If the debate about the establishment of a New World Information and Communication Order of the 1970s and early 1980s was about determining the limits of state sovereignty and attempts at the territorialization of communication flows, recent discussions have crystalized around the means and ways how state actors could exert at least some degree of sovereign control over the communication flows within internet and cyberspace. Volkmer shows how scholarly analysts grappled to come to terms with the ambiguous nature of the internet as an essentially networked and deterritorialized, initially civic and increasingly commercial sphere. Apart from recognizing the limitations and exclusions of a networked space that long operated essentially in the English language and along a very uneven network infrastructure across the globe, Volkmer argues that states only realized the internet as a potential threat to their sovereign national polities with the challenge of cyberterrorism and, most recently, the potential to influence public opinion in election campaigns e.g. through digital microtargeting of voters. She distinguishes a first phase in the general attitude of states worldwide towards the evolution of the internet and digital communication which was marked by a more or less "blind eye on digital developments" around the turn of the millennium. At that time, the global monopolies that dominate the internet today began to establish themselves while states stood "side by side" allowing these corporations to develop platforms that influence, regulate and determine fundamental aspects of the everyday lives of billions of people, including consumption, information, communication and political participation. Since then, states have started to transform into "network states" adopting different answers and strategies to the challenge of globalized data flows, from authoritarian

attempts at nationalizing digital space at the cost of civic rights and opportunities, as practiced by Russia or China, to the struggle of liberal European democracies how to adapt their traditional territorialized tools for regulating media and communication infrastructures to the fluidity of digital communication spaces.

Volkmer identifies at least four arenas in which territorially framed notions of sovereignty are hard to adapt to today's realities of globalized data and communication platforms that overlay national borders: first, the application and extension of notions of "public service" – e.g. the provision of reliable and trustworthy information according to professional journalistic standards on e.g. political and public affairs, health or in situations of crisis communication – that developed with a view to largely nationalized communication spaces and public spheres, which are now partially provided by big transnational combination, but only in connection with the undermining of individual citizen rights through excessive data mining; second, the governance of data clouds and communication transmission technology; third, the difficulty to harness blockchain data interaction, data flows, and spatially disjointed server geographies by territorialized jurisdiction; and fourth, the challenge of actually existing and practiced digital citizenship and the realities of post-territorial civic interaction in the thoroughly dataified democratic state. As a consequence she proposes the development of transnational regulatory regimes that go beyond "ad hoc"-interventions and acknowledge the impossibility of governing digital fluidity within territorial or rigid borders. Models of "shared sovereignty" are required which are based upon "legal interoperability" and the transnational alignment of digital policies among democratic states willing to protect and, ideally, further, digital and post-territorial public spaces of communication.

What conclusions can we draw from these six different studies into cultural sovereignty across the long twentieth century? We regard four aspects as particularly pertinent for developing cultural sovereignty further as a field of research. First, we argue that cultural sovereignty originated in the political practice of twentieth century contestations and reflects the long heritage of European, respectively Western imperialism calling for a postcolonial critique. Second, we hold that defining culture is the fundamental claim of sovereignty in the twentieth century and the arena of negotiating global relations in the context of decolonisation and post-colonialism. Third, we stress that sovereignties are best understood in the plural and their various actors and claimants must also be understood in the plural. Fourth, we conclude that cultural sovereignty is a continued, yet inconclusive process. Future studies into the procedural nature of sovereignty should inquire into the growing gap between the imaginary of sovereignty and the factual decision making power of those parties involved.