

Historical pendulum of sovereignty as a result of the “black holes” of sovereignty

Liudmyla D. Chekalenko

National Taras Shevchenko University of Kyiv, Department of History

ORCID: 0000-0002-2819-9424

Abstract

The article explores the issue of “sovereignism” – a phenomenon that strengthened in Europe in the interwar period and blossomed after the Second World War. Nowadays, “sovereignism” implies a return to, or a greater focus of attention on the nation-state, in opposition to the globalisation. In Ukraine, the modern “sovereignism”, as the author argues, is caused by the “black holes” in sovereignty – misuse of sovereignty principle as an artificially created and legally warranted mechanism that serves interests of the political authorities. The reasons for these “black” gaps range from internal to external and include Holodomor, war, refugee crisis, lawlessness and the abuse of human dignity.

In order to oppose “sovereignism”, the author suggests, it is to eradicate war as a phenomenon incompatible with the human existence, promote mutual assistance, respect international law, and strengthen the weaklings of the global system. The remedy may seem utopic, but it becomes reality with each of the small bricks put into the foundation of the future building.

Key words: sovereignism, “black holes”, sovereignty, aggressor, artificial mechanism, war, burning issue

Introduction

Signs of sovereignty are deeply embedded in human history with the first proto-State formations. Its foremost variants, in our opinion, can be traced back to ostracism system in Ancient Greece. Back to our time, we note that sovereignty as a phenomenon spread during the Interwar Period and intensified its expansion with the end of World War II. Appropriate conditions for its development, we assume, were laid in international relations system since the creation of the universal Organisation of the United Nations. Thus, with the end of the War and the first salves celebrating the victory over fascism, the two world superpowers - the USSR and the United States - articulated their plans to reshape the world under their own scenarios. The scenarios that in some point coincided and involved identical means of implementation.

Sovereignty for many years was considered as the highest stage of statehood and established interstate relations development. This system guaranteed territorial integrity, non-interference in internal affairs, recognition of the rights of persons living in this territory, the right to choose an economic development model, positive image. However, these provisions were signed on paper and enshrined in international instruments. Sovereignty rather represented a legal norm than a system of practical implementation. Only leading, powerful, nuclear states were able to boast of holistic sovereignty. Whereas they used any opportunity to violate the sovereignty of other less powerful and capable states. The system of sovereignty in a certain way acted as a shield in international life. It was a deterrent against the seizure and violation of the dignity of states, as well as a certain taboo against external interference.

We assume, sovereignty can be regarded as a manifestation of pseudo-evolution of sovereignty theory, in fact its miscalculations or “flaws”. Sovereignism, as an ideology of sovereignty, opposes federalism and supranational communities. Sovereignism thus protects the state from “dissolving” in other states or in another dimension, as for example in international supranational communities. Modern representatives and supporters of sovereignism stand up for unification schemes upon confederation basis. These views are exactly in unison with those of a prominent politician - President of the French Republic, General de Gaulle. This is reaffirmed in the modern principles of sovereignism – Gaullism with its main slogan – “Europe of Nations”.

The etymology of this concept is still not finally adopted, since in different countries there are differential branches of sovereignism. One of the analysts and researchers of sovereignism, Stefano Bellucci, estimated that there are more than 140 different definitions of this concept in English. According to the same author, two groups of sovereignism can be distinguished – the right wing (representatives of Germany, moderate) and the left wing (representatives of France, holding the views of extreme Marxists-Leninists, fascists, Trotskists, etc.). There are big names among the left wing representatives — such as: Marine Le Pen in France, Salvini in Italy, Kurz in Austria, Orbán in Hungary. All of them hold anti-Europeanism, Euroskeptic and anti-migration convictions that serve as a ground for the policies they pursue. In the UK, this approach has already backfired with Brexit. And, in our opinion, Stefano Bellucci expressed an interesting remark that international associations are established in the interests of specific countries: The World Trade Organization (WTO) – in the interests of the United States, and the European Union – in the interests of the UK. At the same time, in general, the entire sovereignism movement is aimed against globalization.

French political circles demonstrate especially strong support for and close attention to sovereignism. Using Gaullist rhetoric, they are trying to popularize sovereignism principles of global development and, in particular, of European development.

Where did sovereignty come from and where was it born? Here we observe an interesting phenomenon: sovereignism first established itself in Africa, namely in Algeria, the French colony, in the late 1950s. At the time, the French-speaking Algerian population predominately from mixed families opposed the policy of General de Gaulle, who

decided to transfer sovereignty to this French colony (1956). In the 1980s sovereignty burst out with renewed vigor in Canadian French Quebec and later finally gained a foothold in France. Implementation of state social development programs became the motto of French sovereignty i.e. it embraced a model opposing free market and individualism (USA). Now sovereignty varieties can be found in Catalonia and Basconia Spanish regions that are considered predominantly socialist. Whereas the Scottish version is of British nationalistic colours and fundamentals. The leading ideas of the above-mentioned branches include government non-intervention in economic development process, promotion of neo-liberal and conservative ideas. Over time, sovereignty has acquired populism features: it promotes development of nation-states shutting and opening their borders whenever they deem it necessary. Now sovereignty advocates mainly appeal to independence of the state, to preservation of its identity, to protection of its reputation.

What did other countries gain after surviving the fires of war? As enshrined in the UN Charter, all peoples in the world gained freedom, independence, peace and human rights. Ukrainians have the right to be proud of their representatives - leading scientists: historian M. Petrovskyi, biochemist O. Palladin, diplomat D. Manuilskyi, who wrote the preamble and the first chapter of the UN Charter (Chekalenko 2005: 297-298). At the same time, this document entailed deep contradiction, incorporating time-bombs, namely with regard to the principle of self-determination of peoples and the right to unitary and territorial integrity of a state (Charter 1995). The question is: either scientists were oblivious of this inappropriateness or they deliberately overlooked it. The answer remains behind the scenes.

Perhaps that is why in most cases the Organization promoted the interests of the main powers. Today, the UN performs mainly mediation functions: it does not interfere in minimal conflicts, but mostly considers significant clashes with regard to victim threshold. If the number of victims exceeds 1000 people, then the Organisation may pay attention to such a conflict, call it a war and reflect on deploying blue helmets. Although, take the case of Ukraine, the number of our victims in the war has far exceeded 1000, but the Organization is powerless to apply the mechanism for the punishment of aggressor.

And UN statutory provisions on “the administration of territories whose peoples have not yet attained a full measure of self-government”, as well as the statement on “establishing an international trusteeship system for the administration” of certain territories (Charter 1995, 2) seem quite obsolete. At the same time, we note that since there is no other alternative to the international security system within hard power and soft power, no one would challenge to strengthen or restore the well-known UN mechanism on a new basis.

Sovereignty for many years was considered as the highest stage of statehood and a certain taboo from external interference. Whereas sovereignty, in our assumption, can be regarded as a manifestation of pseudo-evolution of sovereignty theory, in fact as “flaws” of sovereignty. Sovereignty is treated as some kind of sovereignty, but, in fact, it is rather a hidden historical error. Yet all of us at the current stage of development are obliged to protect the sovereignty of our states from possible chaos. “Sovereign and independent nations are the only vehicle where freedom has ever survived, democracy has ever endured, or peace has ever prospered,” US President Trump said in his address to the UN General Assembly in September 2018. “And so we must protect our sovereignty and our cherished independence above all” (Sovereignty 2019).

Literature Review

When reviewing modern scientific literature on sovereignty, we confirmed our assumption that the issue of sovereignty for most domestic researchers with some exceptions (M.Mynakov 2016) turned out to be a Terra incognita problem — a new and unknown field. In this plane, foreign research papers prevail. In independent Ukraine, first of them were translated from Russian into Ukrainian and had small circulation due to lack of funding (Kupchan Ch 1998; Hedley Bull 1985; James N. Rosenau 2005; Buzan Barry 2004; Freyberg-Inan Annette 2004). The researchers analyze the origin of sovereignty, reveal its essence, compare invariants of its application. There is also some interest in scientific reviews on sovereignty evolution that criticize this phenomenon and the mechanism of its implementation (Galtung Johan 2004; D. Thompson 2019; Bzezhinskyi Z. 1994; Martti Koskenniemi 2011).

In domestic literature sovereignty issues were considered mainly by politicians and legislators already at the time when independent Ukraine was assuming its statehood (since 1990), since only one state – the Soviet Union, not the republics had the right of sovereignty in the USSR.

The first state document of Ukraine to this end was called “Declaration of State Sovereignty of Ukraine” (Declaration 1990). Although today the Declaration is null and void, it laid out the principles of state independence and sovereignty of Ukraine, and its texts later became a part of other legislative acts (Law 2003). With further build-up of legal and legislative framework new developments were presented on this subject. These developments became the basis for education and science reforms, for new textbooks on law and legal validity, history of Ukrainian statehood and history of Ukraine, as well as for textbooks and manuals on social science that evolved into... political science. At the same time, we recall that political science was banned as a science in the USSR being regarded as bourgeois. Thus, an unofficial license for its development was given only since 1992.

The first international law developments on public affairs also included sovereignty issues, since there were no discussions regarding sovereignty at that time. Official documents, textbooks and manuals, foreign research papers were published for the needs of higher and secondary schools and the public of Ukraine. They explained the main components of the given theory in Ukrainian (Muravyov V.I. 2002; Theory 2002; Bzezhinskyi Z. 1994; Bull Hedley 2002; Galtung Johan 2004; Topornin B.N. 1999; Hardt M., Negri A. 2004).

Gradually the Ukrainian researchers started to publish the scientific reviews on sovereignty. Apart from articles and monographs, theses were also devoted to this issue. (Zadorozhniy O.V. 2014; L. Chekalenko 2005, 2007). Russia's aggression against Ukraine gave a strong impetus to the development of the issues mentioned (M. 2014). At the

same time, it should be noted that studies of legal direction consider sovereignty in terms of international law and its application in practice (Syroid T.JI. 2018; Skrynka D.V. 2010; Kozak L. 2002; Juano Daniel 2006; Noam Lubell 2011; Marko Milanovic 2013).

For the first time, the political interaction analysis of sovereignty/sovereignism and supranational international structures was presented in the context of learning and realizing that for Ukraine there is no alternative to EU and Euro-Atlantic integration models for development. The forementioned studies were related to drafting legislative acts of Ukraine on national security and cooperation with the EU and NATO.

Analysis of the existing literature leads to the conclusion that the vast majority of researchers consider sovereignism in terms of its outcomes. Take the emergence of self-proclaimed, non-recognized states, as a major example. Scientists mainly ignored other issues caused by sovereignism.

Discussion

Absence of civil society

Our observation is that souverization of states was a pillar of the post-WW2 international order. At that time, the strong supported the weak for certain privileges, and the weak tried to find a defender of their sovereignty either among the main powers, or in international organizations.

The civil society shall act as a mechanism of “bottom-up” sovereignty defence. However, we face the following problem: is there a full-fledged civil society in post-Soviet societies, or is it only a wish of political scientists? The practice of political life in the FSU region proves that FSU states, and, Ukraine, in particular, are far from fostering sustainable civil society and nowadays there is practically no sign of it. What we observe in Ukraine is only a name of “civil society” that is still far from reaching its final development phase in conformity with all the criteria of this full-fledged creation. Confidence that civil society exists is gradually disappearing as we move from Kyiv to remote areas. Ukrainian society is still in a transitional phase from “Homo sovieticus” to “Homo civilizus”. Society does not seem to be Soviet, although you could still hardly name it civilizational or civil.

Thus, the origins of emerging sovereignism, in our opinion, are the “black holes” in sovereignty, its former power and modern weakness, its historical ineffectiveness and vague future. As well as in the absence of civil society. Recall that sovereign middle-income European countries had bitter experience of being unable to defend themselves. We don't need to look any further, recall that the USSR seized sovereign territories of Romania and Poland on the eve of IWW, played “games” with sovereignty through neutrality with the Republic of Austria. What is more, it seized parts of Ukrainian territories followed by their distribution to Moldova, Poland, Russia, it played ball with Crimea status, the Hungarian Revolution, the then SFR Yugoslavia, etc. The same tactics was applied to Asian and African countries, where the USSR “was building” socialism (the then Cambodia, Cuba, Vietnam, Laos, Egypt, Afghanistan, etc.).

The West kept up with the USSR, by crushing the then Czechoslovakia, by joining the process of “scalping” Germany, by pursuing shameful colonial policy. On top of that, the West cast a long shadow on its image due to involvement in Yugoslav Kosovo events. Has the process of sovereign states humiliation come to an end? As we can see, humiliation is explained (tested) by sovereignism and this continues until now. Russia has cut the territories of Georgia and Ukraine, it shares control over Syria with Turkey, it creates artificial enclaves and exclaves, it blackmails Belarus...

In the world dimension, post-industrial society is formed at one pole, and on the other — in the 21st century (!), as stated by the UN Charter, there are semi-colonial, so-called “mandate” territories, “ whose peoples have not yet attained a full measure of self-government” (UN Charter 1995), and are in need of international governance. As we see, even the Charter of the universal organization still incorporates colonialism ideology. And, strangely enough, everybody is fine with that! Thus, the process of overriding sovereignty continues.

In this situation, why not the underdeveloped territories with their underdeveloped leaders establish a separate semblance of statehood for themselves? Therefore, all over the world, the self-proclaimed countries emerge/disappear like mushrooms in the rain. They fail not only to develop independently in economic and political field, but also are too weak even to establish their own administration. The self-proclaimed DNR and LNR that disappeared, Transnistria, Nagorno-Karabakh, Ossetia and Abkhazia (the list goes on), are not only “milking” their sponsors, but are also trying to intimidate the whole world either by terrorism, or by blackmail of the possibility that all these rudiments would unify under a single umbrella.

“Failed states” as a source of sovereignism

There was nearly a consensus regarding sovereignty between the theorists and politicians of the bipolar world. They stated that sovereignty was the highest form of statehood existence, which was either assumed by the state itself or provided “forever” by other more powerful state formation. Sovereignty is the form of state existence aimed at preserving territorial integrity and protecting against external interference, as well as from internal turmoil. How often we heard about seemingly inviolable postulate enshrined in international law principles that sovereignty is a defence mechanism against the aggressor, a taboo for the invader, etc. (Shestopal S.S., Turyanskaya E.S. ; Sergunin A.A. 2010; Konyshv V.N. 2014; Claus D. Zimmermann; Jorge E. Núñez Taylor 2017). It seems that the researchers substituted the wish for the reality.

Now we are all experiencing a transition period, when something new emerges, and this is always a long and painful process. And more. This process is also dangerous. As history shows, when the established international rules

collapse, the world wars and local clashes occur - sweeping millions of people off the face of the earth and ruining economic potential.

Thus, the system of checks and balances cracked. The foregoing system was established as a practical application of the theory that all the freshmen are familiar with. It was the theory of political realism by Hans Morgenthau and his followers (Hans J. Morgenthau 1985). As long as the power dominated – it led the process. The sovereign put pressure on the state, through the power of control, dependence, power management and military power. There was not a slightest mention of sovereignism and it was unpopular. Only the power weakened - sovereignism resurfaced. This happened mainly in failed states, which have become an excellent basis for the implementation and justification of sovereignism.

To call states "failed" the characteristics of "fragile states", "weak states", "unstable states", "poor states", etc. are applied, with all the definitions used interchangeably. The report of the British Overseas Development Institute on failed states indicates that there is no clear definition of "fragile state". On the one hand, this term is used to determine both the state functionality and the consequences of state failure. That means identifying the problems that these states generate, such as threats to global security or refugee problem (Donors 2006). In addition, the level of failure is estimated, according to which the weak states are divided into a number of relevant groups. This is how the Failed States Index 2011; Fragile States Index 2019 was compiled.

The first group includes states that can no longer perform most of their functions, such as Somalia. The second group involves failing states that behave deliberately to provoke conflicts. 'Rogue states' constitute the third group. And, finally, there are states that are completely or significantly unsustainable. It is on the territory of these states where various uncontrolled enclaves or enclaves controlled by field commanders appear. The above-mentioned Somalia serves a typical illustrative example of a failed state for a long time. The same is true of the Democratic Republic of Congo, Guinea and Sudan.

The world most developed countries are deeply concerned with the threats posed by such states and primarily due to terrorism. American presidents are increasingly involved in this field. Thus, since the Clinton administration, the Plan on developing strategies for failing states, failed states and states that are rebuilding (1994) was devised. Later, this project was continued by the Center for Institutional Reform and the Informal Sector (IRIS) of the University of Maryland and George Mason University, funded by USAID. (Vasylieva 2011; Framework for the Assessment).

The role of personality in sovereignism

The activities of particular social groups and even individual wirepullers prone to conflicts are the trigger mechanisms for the fall of states and the emergence of enclaves, as well as for the first manifestations of sovereignism. They make full use of the failures of the authorities, such as, political repression, high corruption level, poverty, lack of education, religious conflicts, lessons learnt from civil conflicts, etc. In addition, external intervention can also be a trigger, although it is not always taken into account when studying this phenomenon. It should be recognized that the attitude to the role of personality is gradually changing from rise to critical factor of any revolt — to fall to plain role in oblivion. Today, the role of personality in any unrest again takes its rightful place.

I remember how centuries ago the theorists of two schools – Anglo-American (political realism) and French (idealism +) took a stand for the issue who should be allowed international legal personality. The French School of Sociology insisted on adding particular individuals (such as Soros, Gates, etc.) to the list of "happy men". That is the list of the dominant figures able to turn the world upside down in a couple of hours by ruining the market, destroying generally recognised principles etc. The Americans harshly opposed this idea, because in their opinion, particular individuals can "misuse" the provided personality and do harm to the world community. Therefore, until now the classical three lines of bearers of personality include states (the first line), international organizations (the second list) and financial industrial groups.

After a while, the problem of altering the paradigm of international existence has arisen again. Some billionaires have everything but for international personality. Now they are proud of their own status, articulated on a formula, "then we followed the rules." Today, on the contrary — "they follow our rules". Now, when Tim Cook or Mark Zuckerberg come to Paris, they are the ones who decide who they will meet among the French political staff. Yet the goal of these Western American players here is not merely to defend their economic interests, but also to promote a vision of the world based on their values.

Another example concerns the dialogue between the FBI and Apple with the former asking for the tools to read the encrypted messages on the iPhone of one of the two terrorists who shot 14 people in the San Bernardino case. Apple refused to give access to its smartphones on the pretext of privacy risks of its customers. Apple prided itself on defending fundamental rights, such as the right to privacy of conversations, in order to oppose the American state. So, the idea that thanks to technology, private actors will be able to effectively replace the state and its public services by performing traditional state functions is becoming increasingly popular (Gilles Babinet 2019). And it is these individuals who fuel sovereignism popularity that benefits them in terms of wealth and privileges.

A number of examples of increased sovereignism influence relate to partially recognized self-proclaimed states. This is Kosovo, and Chechnya, and Tatarstan, the former DPR and LPR. "A la independent" Crimea also wanted to be enlisted there (but there were no time). When analyzing the events resulting in the emergence of such entities, you realize that these sovereignism issues in FSU countries are generated by Russia that must be held accountable for the consequences of such a policy (Gilles Babinet 2019). There are home-grown players inherent to other regions of the world.

Crisis

We regard crises as the next reason for strengthening sovereignty. The crisis always causes destruction. Crisis in politics, economics, ideology, culture..., eventually “crisis in the minds”. The global economic crisis has lasted for an indefinite period. As a result, the crisis situation of the economy aggravates the social situation, and the deterioration of the social situation in any country exacerbates the negative attitude to the authorities with the ethnic factor often in focus, since it is much easier to blow up the “fire” on ethnic grounds than on political ones. The national question, ethnic differentiation is a rather vulnerable and subtle substance that responds sensitively to any problems caused by both internal and external factors. The reason for this is mainly unresolved issues with ensuring full development of ethnic minorities, inappropriate policy of the title nation regarding them, historical grievances that trace its roots to ancient artificial territorial rearrangements, as well as historical shortfalls and mistakes of the predecessors.

Ethnic outbreaks of confrontation arise in those societies where the statehood evolved mainly upon the tradition of seizure of alien territories, artificial annexation of other nations that represented other values and other civilizations. The aggressive policy, the behavior of absolute sovereign on the seized lands, the limited instinct of property that evolved for centuries - all this contributed to forming the deep roots of antagonism. That means alienation of the establishment by the large swathes of population, everlasting hatred to the exploiter, the historical code of confrontation and struggle for independence.

And the manifestation and realization of sovereignty inclinations, the outbreaks of disobedience, social revolutions, hard confrontations, ethnic wars, etc. they all happen more often against the backdrop of this historic opportunity, against the backdrop of “window of opportunity” — a successful coincidence of circumstances/puzzles that were the most favourable for achieving success. (Richard Ned Lebow 2007)

Thus, in order to comprehend sovereignty phenomenon, it is necessary to look into sovereignty phenomenon that is the power of the contra state. There is a question on the essence of sovereignty: whose power is utmost? Over the enemy? No. Sovereignty means the utmost power over fellow citizens. If we take a closer look at such a phenomenon as sovereignty, it comes to mind that it was artificially introduced (developed, created) to assert power against its own people. Recall that the history of sovereignty originates from the power of one — the power of sovereign. And the notion of “sovereignty” originates from suzerain, sovereign, that is, the monarch responsible for the territory owned by their, for their citizens and subjects living on the land. Thus, sovereignty is ruled by those who constitute society. Thus, it is highly likely that the sovereignty mechanism, as a necessary (punitive) apparatus, was raised to a high level of international legal norms and enshrined in the relevant international legal documents.

Sovereignty weakness as a source of sovereignty

Has the sovereignty provided security for the countries? Sovereignty originates with the advent of Westphalian system of international relations after the Thirty Years' War against religious dogmas for secular and independent European states. Availing ourselves of this opportunity, we express our deep gratitude to diplomat, legal scholar, Hugo Grotius for developing and researching sovereignty concept (for example, in maritime law, etc.). This phenomenon was incorporated in the texts of the Peace of Westphalia in 1648 (Osnabrück and Münster treaties). Secular monarchs have happily availed themselves of this innovation, because they received legal confirmation of their rights. Although, despite its emergence, the wars continued, as well as the permanent struggle for redistribution of territories, for repartition of the world called confrontation. And each time sovereignty as a protection system suffered deep blows that made its principles tottering and undermined.

Among the various historical examples of triggering sovereign defence mechanism, one, forgotten by modern researchers, is striking: to defend sovereignty through neutrality. This is one of the tragic pages of the Hungarian Revolution of 1956, when prime minister of the insurgent country, economy teacher Imre Nagy appealed to the UN for a neutral state status for Hungary, in order to protect the sovereignty of his country. (Chekalenko 2016). The neighboring Republic of Austria, served as example for Hungary, by applying the same mechanism to force Soviet troops to leave its territory (1955). In such a way, this dreamer hoped to stop aggressive Soviet machine by declaring neutrality. As far as I recall, U.S. representative headed the UN Commission on this issue. It is difficult to predict how the events of that time could have evolved, if it hadn't been for the coincidence of international developments that sometimes occur. In this particular case these were Egypt events and the Suez crisis. The Americans put everything at stake in order to achieve advantages in the rich in energy-rich Arab region... and they played the wrong card. They didn't offer a helping hand to Hungarians. They left them at the mercy of Stalin to be eventually crushed by the Soviet crushing machine. However, the Americans failed to achieve significant progress in Egypt.

The supranational mechanism of international organizations (*hereinafter - IO*) promotes sovereignty. Of course, not all of them, but for Ukraine — there are two most important — the European Union and the North Atlantic Alliance. From the formal legal positions, there can be distinguished the following EU features of supranationality, such as, the right to interfere within issues of internal competence of states as enshrined in the constitution; the imposition of full powers to international officials for the creation of rules and control over their implementation; the right by their decisions to oblige and grant the right of individuals and legal entities to member states, etc. So, in the official US document, we read, “Sovereignty issues arise if the IO usurp the powers of self-governing nations. The International Criminal Court, for example, has attempted to assert jurisdiction over citizens of states that never agreed to the court's statute (Sovereignty 2019).

The incompatibility of IO supranational functions with the principles of observing state sovereignty and non-interfering in internal affairs of member states is still a hotly debated. Thus, EU researchers have reached a consensus that there will be no conflict between the fundamental principles of international law and state membership in

supranational organizations only when the charters of organizations provide for voluntary withdrawal from the organization. Note that recent history has demonstrated that Ukraine tried in every possible way to refrain from participating in such organizations with incorporated supranational elements. This, in particular, was discussed when deciding at the first stage on the issues of CIS structure including Collective Security Treaty Organization, border troops at the CIS Interparliamentary Assembly. This position was explained by the reluctance to “share” sovereignty. The state documents of Ukraine of that time included provisions on non-participation in any supranational formations and non-aligned status (Law of Ukraine 2010).

Over time, the programme for the development of state evolved. There were changes in interpreting sovereignty concepts. Recognition of the legitimacy of supranational character of some international organizations has concrete effects for the state recognizing it. In view of this, the democratization of the Ukrainian society and the state as a whole provides for a deep restructuring of the entire legislative, judicial and social system, as well as implementing various reforms (Law of Ukraine 2018; Resolution 2019).

Anti-sovereignty: state – IO

Is it possible to measure the interaction of a sovereign state with international entities in terms of anti-sovereign? According to our studies, the level of interaction of sovereignty and IO supranational mechanism is measured by the share of state competences transferred to IO (Chekalenko 2013 3, 298-302). And the less such a share is, the more sovereignism tendencies magnify. IO legal personality depends upon the will expressed by member states, upon defining IO purposes, competence, powers, nature of the decisions taken, the structure of organs and other parameters. When establishing the IO, states act as sovereign and equal, forming an organization on the basis of an international treaty. At all stages of this process, the interaction of states has a coordinating, horizontal nature and is the interaction of subjects of the same level.

When IO charter comes into force, this leads to quite serious consequences, the main of which is the emergence of a new subject of international law that not identical to founding States. The organization established by States begins its own life, often independent of the will and aspirations of its individual members, but at the same time this organization has no sovereignty. It only has the amount of authority necessary for its functioning.

Whereas the transfer of sovereign competencies weakens the state and often causes the development of irreversible processes, including sovereignism. American researcher Gilles Babinet argued that “Some transfers of sovereignty are sometimes carried out with the clear support of government agencies” (Gilles Babinet 2019).

How can sovereignism be prevented?

1. One of the options for stopping such a scenario may be to refuse to participate in the international organization. However, the weak states, with a view to their own insolvency, cannot afford such an option. When observing current trends, we may conclude that the protection of a weak state is possible only through integration with developed countries, international structures that can take responsibility for a partner. Thus, Ukraine's security can be ensured by a collective defence system, which is now implemented through cooperation and integration with world and regional European and world security structures, as well as through the development of its own defense forces. At the same time, the process of developing European security space is quite difficult. The European security system is being formed for more than 70 years, but due to the challenges of invariable threats, the ultimate goal has not yet been achieved.

2. To reject other irritants, such as by implementing the Democratic peace theory, declared by US President J. Kennedy (1964). At first glance, its essence is quite appealing. It means confronting wars through building the world on democracy. The belief is that democratic states DO NOT wage wars, and finally that all countries should be democratic. But how to be with those who do not meet the criteria of democracy? The leading countries of the world will actually “force” such subject of international law to become democratic. The advocates of such views support the right of humanitarian intervention in the case of troubled states (failed state); welcome the scenario implemented in Kosovo and approve of forceful intervention to Libya.

XXI military powers consider humanitarian intervention as virtually the only effective means of protecting population from manifestations of power genocide, used by them a ground for interfering in the internal affairs of states. Thus sovereignty is inferior to sovereignism.

3. The use of historical memory instruments, the outcomes of which appear through several generations (Chekalenko L. 4 2019). In connection with the above, the Velvet Divorce of Czech Republic and Slovakia was the manifest of sovereignism of the Czech Republic, wasn't it?

Recent maintenance of socialist countries in obedience has severely damaged the positive attitude towards Ukraine and Ukrainians of Hungarians (1956) and Czechs (1968), as far as Ukrainians were part of the Soviet army. The rejection of Ukrainians also causes simulated stand-off in Poland (due to Volyn and Visla events...). Sovereignism was especially noticeable in Serbia and succeeded in the former Yugoslavia by fragmenting this prosperous country into a range of mini-republics, some of which still remain in crisis. Sovereignism also played into the hands of Yugoslav Kosovo; assisted in ripping off the part of the Greek island through Turkish gambit. In Ukraine it resulted in annexing Crimean Peninsula and losing control over industrial Donetsk and Lugansk regions...

4. Finally, we add that we also see *the activities of non-governmental organizations* as a means of implementing sovereignism (Wendell L. 1944; Gilles Babinet 2019).

Sovereignism has become a dangerous challenge in today's world. This disease of unrealized political ambitions has gone beyond one state and spread around the world. It ruins the established norms, traditions and

stability. And the opinion of Lord Palmerston more than ever confirms the victory of the modern sovereignism of today. He wisely stated that "We have no eternal allies and we have no perpetual enemies. Our interests are eternal and perpetual..." Precisely these interests are disrupting the European Union and the United Kingdom acted as the ruiner of this European project.

So, we have partly answered the eternal question: who is to blame? It seems that to answer the question: what to do next? Is far more complex. In our opinion, the best way to resist sovereignism is to become strong. To take as the credo the idea of the outstanding creator of Germany Otto von Bismarck that "the best gift for the state is its strength, its army and the army that knows how to defend".

In conclusion, the Pope expresses the viewpoint that "populism is basically the same as sovereignism, which "always ends badly" and "causes war." The Pope focuses on the difference between sovereignism and populism. Populism, on the other hand, the pontiff likens to "show-politics," adding that in today's political climate "fear is the means of manipulation of civilizations, the creative agent of xenophobias and racism, a terror sown in the peripheries of the world." He continues, "the people are sovereign (they have their way of thinking, feeling, evaluating, and expressing themselves), while populist movements lead to forms of sovereignism. That suffix, 'ism', is never good."

Possible prospects and conclusions

1. Sovereignism is the newest (although long-time) form of sovereignism. Any social phenomenon has to develop, evolve. And sovereignism, being an old-time form of statehood, is transforming into new versions. The idea that sovereignism emerged only in the 21st century, is far from the truth, since sovereignism existed before. But it was not formally termed as sovereignism. Revolutionary coups, aggressor states, invaders with their *raison d'être* in waging war, suffer from sovereignism. The advent of social-Nazism to power is also considered as a manifestation of sovereignism. There's no need to remind what was the result?
2. We defined sovereignism as the "black holes" in sovereignism. The black hole has two dimensions: either to pave the way for a new — to discoveries or to become a road to nowhere — to oblivion and destruction.
3. Sovereignism can be regarded as a possibility of either weakening or strengthening sovereignism. We agree with the point of view of researcher Martti Koskeniemi (2011) who argues that sovereignism originated as the result of weakening sovereignism that is manifested as inability to stay in an acceptable system of international coordinates. The researcher names sovereignism version of "realizing human rights under military occupation", exercised by Russia, as "functional interventionism".
4. Sovereignism means to love yourself, to stretch a point. To neglect the rules of the community, to neglect the rights of the other.
5. As a consequence: sovereignism generates narcissism — self-admiration that in international relations leads to dangerous actions (power play, blackmail, *bleforism*, etc.).
6. Sovereignism used to be traded and is traded. President of Russia Boris Yeltsin at one time appealed to the governors of the Russian Federation with the motto "to take as much sovereignism as you can swallow" ! President's motto was implemented in practice: sovereignism mechanism was triggered. This resulted in the struggle of republics for sovereignism - Ichkeria, Bashkortostan, Ingushetia, Yakutia and others. This led to growing powers of Russian central government; in destroying all the participants of sovereignism both physically and morally, although the ideas survived.
7. To address the question, can the norms of international peace and human rights survive in a global system of exceptionalism? The answer is that they will be able to survive if they accept sovereignism as it is.
8. Sovereignism led to the outbreak of bloody wars across regions. Mass migration of the population is another consequence apart from human casualties and the destruction of economic potential. And today there is no way of opposing it.
9. Sovereignism pushed from the outside, crushed the dignity of the states: remember humiliated Georgia, Ossetia and Abkhazia, Nagorno-Karabakh, Transnistria, DPR and LPR, Ukraine.
10. Sovereignism creates a new social identity in war-torn regions, which is *inter alia* a national security challenge.
11. Future: sovereignism brings about instability, chaos, clashes and human casualties.

Bibliography:

- Mynakov, Mykhayl. *Pochemu vse ne tak — fylosof Mykhayl Mynakov* [from Rus.: Why all not so is – a philosopher Mikhail Minakov], <http://argumentua.com/stati/pochemu-vse-ne-tak-filosof-mikhail-minakov>.
- Chekalenko, Liudmyla D. (2004). *Zovnishnia polityka i bezpeka Ukrainy*. Kyiv. RNBO Ukrainy. [from Ukr.: Chekalenko Liudmyla. Foreign Policy and Security of Ukraine].
- Ustav Orhanyzatsyyi Obyedinnonykh Natsyi, Ofitsiynyi sait Verkhovnoi Rady Ukrainy. [from Ukr.: The Charter of UN] <https://www.un.org/ru/charter-united-nations/index.html>, https://zakon.rada.gov.ua/laws/show/995_010.
- Kupchan, Ch. (1998). After Pax Americana: Benign Power, Regional Integration, and the Sources of a Stable Multipolarity. *International Security* 2: 40-79.

- Bull, Hedley (2002). *The anarchical society: a study of order in world politics / forewords by Stanley Hoffmann and Andrew Hurrell*. Basingstoke: Palgrave.
- Galtung, Johan (2004). *Transcend and transform: an introduction to conflict work*. London, Sterling: Pluto Press. 189.
- Freyberg-Inan, Annette (2004). *What moves man: the realist theory of international relations and its judgment of human nature*. N.Y.: State University of New York Press. 266.
- Thompson D. (2019). *Sovereignty: What it means and what it doesn't*. By *ShareAmerica*. Sep 23. <https://share.america.gov/sovereignty-what-it-means-and-what-it-doesnt>
- Bzezynski Z. (1994). Vne kontrolia. Hlobalnyi besporiadok na porohe XXI veka. [from Rus.: Brzezinski Z. (1994). *Out of control. Global mess on the threshold of the twenty-first century*]. *Referativnyi perevod* 4: 10–12.
- Koskenniemi, Martti (2011). *What Use for Sovereignty Today?* *Asian Journal of International Law*,1, 61–70. <http://journals.cambridge.org> Downloaded: 26 Jan 2011 IP address: 88.114.240.10
- Deklaratsiia pro derzhavnyi suverenitet Ukrainy (1990). Vidomosti Verkhovnoi Rady URSS (VVR). 31. 429. [from Ukr.: *Declaration of State Sovereignty of Ukraine (1990)*. Information of the Supreme Soviet of the USSR (BBR)]. <https://zakon.rada.gov.ua/laws/show/55-12>
- Zakon Ukrainy «Pro zasady vnutrishnoi i zovnishnoi polityky». *Vidomosti Verkhovnoi Rady Ukrainy (VVR)*. 2010.40. st.527. [from Ukr.: *Law of Ukraine "On the Principles of Domestic and Foreign Policy"*. The Verkhovna Rada of Ukraine (VRU)].
- Zakon Ukrainy “Pro osnovy natsionalnoi bezpeky Ukrainy”. 19 cherv. 2003 r. [from Ukr.: *Law of Ukraine “On the basics of national security of Ukraine*. 19 Jun 2003].
- The expansion of international society (1985). ed. by Hedley Bull and Adam Watson. (1985). Clarendon: Oxford. 479.
- Wallace W. (1999). *The Sharing of Sovereignty: The European Paradox*. *Political Studies*.47/3. 502–521.
- Globalization, security, and the nation-state: paradigms in transition (2005) / edited by Ersel Aydinli and James N. Rosenau. Albany: State University of New York Press. 282.
- Huntington S. *The Lonely Superpower* (1999). *Foreign Affairs*. March-April.
- Globalization, security, and the nation-state: paradigms in transition (2005) / edited by Ersel Aydinli and James N. Rosenau. Albany. State University of New York Press. 2005. 282.
- Williams Michael C. (2004). *Why ideas matter in international relations: Hans Morgenthau, classical realism, and the moral construction of power politics* host item: *International organization* (Print). ISSN 0020-8183.(58):4. 665.
- Buzan, Barry (2004). *From international to world society? : English school theory and the social structure of globalisation*. Cambridge: Cambridge University Press. 294.
- International relations theory and the politics of European integration* (2002) /edited by Morten Kelstrup and Michael C. Williams. London: Routledge, 2000. 304.
- Muraviov V.I. (2002). *Pravova pryroda Yevropeiskoho Soiuzu. Aktualni problemy mizhnarodnykh vidnosyn*. KNU im. T.Shevchenka, In-t mizhn. vidn.[from Ukr.: Muravyov V.I. (2002). *The legal nature of the European Union. Actual problems of international relations*. KNU named T. Shevchenko, Inst. inter. relations].
- Teoriia mezhdunarodnykh otnosheni na rubezhe stoletyi*. Pod red. K.Busa y S.Smyta / Obshch. red. P.A. Tsyhankova. M. 2002. 362. [from Rus. *Theory* (2002). *International relations theory at the turn of the century*. Ed. K. Busa and S. Smith / General. ed. PAS. Tsygankova. M. 2002. 362].
- Topornyn B.N. (1999). *Evropeiskoe pravo*. M. 1999. 436. [from Rus.: Topornin BN (1999). *European law*. M. 1999. 436 p.].
- Khardt M., Nehry, A. (2004). *Ymperyia / Per. s anhl. M.*[from Rus.: Hardt M., Negri A. (2004). *Empire / Trans. with English. M.].*
- Mezhdunarodnoe pravo / Otv. red. Yu. M. Kolosov*. M. 2000. 730. [from Rus.: *International Law / Ans. ed. YM Kolosov*. M. 2000. 730 p.].
- Chekalenko, L. *Stanovlennia systemy bezpeky yevropeiskoi intehratsii. Ukraina dyplomatychna*. 2009. 10. Kyiv. Heneralna dyreksiia z obsluhovuvannia inozemnykh predstavnytstv. 2009. 647–670. [from Ukr.: Chekalenko L. *Establishment of the European integration security system. Ukraine is diplomatic*. 2009. Kyiv. Directorate-General for Foreign Representative Services].
- Zadorozhnii O.V. (2014). *Ukrainska revoliutsiia hidnosti, ahresiia RF i mizhnarodne pravo*. Ukr. asots. mizhnar. prava [Antonovych M. M. ta in.; uporiad. i zah. red. Zadorozhnii O. V.]. Kyiv. K.I.S. 1013. [from Ukr.: Zadorozhny OV (2014). *The Ukrainian Revolution of Dignity, Russian aggression and international law*. Ukr. individuals international. law [Antonovich MM and others; order. and the head. ed. Zadorozhny OV]. Kiev. KIS 1013].
- Syroid T.L. (2018). *Mizhnarodne publichne pravo*. Odesa. Feniks. 744. [from Ukr. T.I. Syroid (2018). *Public international law*. Odessa. Phoenix. 744].
- Kozak L. (2002). *Neuriadovi orhanizatsii Yevropeiskoho Soiuzu: porivnialnyi analiz hromadskykh orhanizatsii Ukrainy*. Kyiv.48. [from Ukr.: Kozak L. (2002). *Non-governmental organizations of the European Union: comparative analysis of public organizations of Ukraine*. Kiev.48.].
- Zhuano, Daniel (2006). *Svitova orhanizatsiia torhivli*. Per. z frants. K.: K.I.S. 120.[from Ukr.: Juan Daniel (2006). *World Trade Organization*. Trans. with the French. K.: K.I.S. 120].
- Lubell, Noam (2011). *Extraterritorial Use of Force Against Non-State Actors*18 August. 9780199641222.

<https://global.oup.com/academic/content/series/o/oxford-monographs-in-international-law-omil/?cc=ua&lang=en&>

- Milanovic, Marko (2013). *Extraterritorial Application of Human Rights Treaties*. Paperback 28 March.
- The expansion of international society (1885) / ed. by Hedley Bull and Adam Watson. Clarendon: Oxford. 479.
- Chekalenko L.D. (2006). *Zovnishnopolitychni mekhanizmy zabezpechennia natsionalnoi bezpeky Ukrainy*. Avtoref. na zdobuttia nauk. stupenia dokt. polit. n. Kyiv. ISEMV NAN Ukrainy. 36. [from Ukr.: Chekalenko LD (2006). *Foreign Policy Mechanisms for National Security of Ukraine*. Author's abstract for the doctor of Politics Sciences Degree. Kiev. NAS of Ukraine. 36].
- Vvedenye v teoriyu mezhdunarodnykh otnosheni (2001). / Otv. redaktor A.S. Manykin/. M.: Yzd-vo MHU. 2001. 320. [from Rus.: *Introduction to International Relations Theory (2001)*. / Ans. editor A.S. Manykin. M.: Moscow State University Publishing House. 2001. 320].
- Voles Viliam, Voles Helen (2004). *Tvorennia polityky v Yevropeiskomu Soiuzi* / Per. z anhl. Kyiv. Vyd-vo S. Pavlychko „Osnovy”. 765. [from Ukr.: Voles William, Voles Helen (2004). *Policy Making in the European Union* / Trans. from English. Kiev. The type of S. Pavlicko "Fundamentals"].
- Morgenthau, H. (1960). *Politics among Nations: The Struggle for Power and Peace*. Third Edition. N.Y. 1960. 242.
- Waltz, Kenneth N. (1979). *Theory of International Politics*. University of California, Berkeley. A. Addison-Wesley Publishing Company. Reading, Massachusetts. 1979. 251.
- Shestopal S.S., Turianskaia E.S. *Klasycheskye y postklasycheskye ynterpretatsyy hosudarstvennoho suverenyteta: tradytsyy vs sovremennyy polytyko-pravovoi diskurs* [from Rus.: Shestopal S.S., Turyanskaya E.S. *Classical and postclassical interpretations of state sovereignty: traditions vs modern political and legal discourse*].
- Serhunyn A. A. (2010). *Suverenytet: evoliutsiya kontsepta*. [from Rus.: Sergunin A.A. (2010). *Sovereignty: concept evolution*].
- Claus D. Zimmermann. *A Contemporary Concept of Monetary Sovereignty* OUP Oxford. <https://books.google.com.ua/books?id>
- Jorge E. Núñez Taylor & Francis (2017). *Sovereignty Conflicts and International Law and Politics: A Distributive Justice Issue*. 12.5. 186. https://books.google.com.ua/books?id=pDAIDwAAQBAJ&dq=sovereignty+-+monograph&hl=uk&source=gbs_navlinks_s
- Pro natsionalnu bezpeku Ukrainy (2018). *Vidomosti Verkhovnoi Rady (VRU)* [from Ukr.: *On National Security of Ukraine (2018)*].
- Polityko-ideolohichni protses v ukrainskomu suspilstvi v umovakh modernizatsii: porivnialnyi analiz (2013). K. IPIEND im. I.F. Kurasa NAN Ukrainy. 448. [from Ukr.: *Political-ideological process in Ukrainian society in terms of modernization: a comparative analysis*].
- Sirant M.M. (2013). *Mizhnarodne publichne pravo. Skhemy ta definitsii*. [from Ukr.: Sirant M.M. (2013). *Public international law. Schemes and definitions*].
- Zvezdova O.O. (2019). *Problema vynyknennia nevyznanykh derzhav u XX–XXI sen. Chornomorskyi natsionalnyi universytet*. 2019/05 > Disertatsiya-Zvezdova. mon.gov.ua > nauka > nauka > ogoleshennya-shodo-zahistiv-disertacij. [from Ukr.: Zvezdova OO (2019). *The problem of the emergence of unrecognized states in XX–XXI*. Dissertation. Black Sea National University. 2019/05 > Disertatsiya-Zvezdova. mon.gov.ua > science > science > ogoleshennya-shodo-zahistiv-dissertation].
- Daliavska T.P. (2015). *Fenomen nevyznanykh derzhav*. Library. Dysertatsiia na zdobuttia naukovooho stupenia kandydatopolitychnykh nauk. [from Ukr.: Dalyavska TP (2015). *The phenomenon of unrecognized states*. Library. Thesis for a Candidate Degree in Science].
- Donors and the 'fragile states' agenda: a survey of current thinking and practice (2006). London: Overseas Development Institute. *A Survey of Current Thinking and Practice Library D Cammack, D McLeod*. 141 p. p. 25–26.
- Fragile States Index 2019. The Fragile States Index, produced by The Fund for Peace, is a critical tool in highlighting not only the normal pressures that all states experience, but also in identifying when those pressures are pushing a state towards the brink of failure. 44.
- For fragile contexts – UNICEF in Humanitarian Action. 76 p. <http://unicefinemergencies.com/downloads/eresource/docs/Fragility/Integrating%20Humanitarian%20Response%20and%20Development>; *The Failed States Index 2011*. *Foreign policy*, Fund for Peace, 2011.
- Vasylieva, Mariia (2011). *Zarubizhna dopomoha v systemi priorytetiv zovnishnoi polityky SSHA*. Kyiv. Feniks. 2011. 183. [from Ukr.: Vasylieva Maria (2011). *Foreign assistance in the US foreign policy priority system*. Kiev. Phoenix. 2011. 183].
- Treatment of Fragile States. U.S. Agency for International Development 28. 4. <https://www.google.com.ua/search?safe=active&sxsrf=ALeKk008kG8mfd2JidojYSObk46+Google>
- USAID will continue to refine its understanding Framework for the Assessment and Treatment of. *Fragile States Strategy framework for the assessment and treatment of fragile states*. *U.S. Agency for International Development*.
- Gilles Babinet (2019). *The End of Nation States? Part 1: Technology-Induced Sovereignty Transfers*. Institut Montaigne 2019. <https://www.institutmontaigne.org/en/blog/end-nation-states-part-1-technology-induced-sovereignty-transfers>
- Windows of Opportunity: Do States Jump Through Them? Richard Ned Lebow. *International Security*. Vol. 9, No. 1

- (Summer, 1984), pp. 147-186 DOI: 10.2307/2538638. <https://www.jstor.org/stable/2538638>
- Chekalenko Liudmyla (2016). Imre Nagy: «Ja dvichi namahavsia vriatuvaty hidnist poniattia «sotsializm» v dolyni Dunaiu». *Zovnishni spravy*. 2016. 10. 24-25. [from Ukr.: Chekalenko Lyudmila (2016). Imre Nagy: "I have tried twice to save the dignity of the concept of socialism in the Danube valley. *Foreign Affairs*. 2016. 10. 24-25].
- Chekalenko, Liudmyla (2013). Intehratsiia i suverenitet / Svitovi intehratsiini protsesy v umovakh transformatsii mizhnarodnykh system / kol. avtoriv, za naukovoiiu kontseptsiiu i redaktsiiu prof. L.D. Chekalenko. Kyiv. Dyplomatychna akademiia Ukrainy MZS Ukrainy. 126-132. [from Ukr.: Chekalenko, Ludmyla (2013). Integration and Sovereignty / World Integration Processes in the Conditions of Transformation of International Systems / according to the scientific concept and edited by prof. L.D. Chekalenko. Kiev. Diplomatic Academy of Ukraine at the Ministry of Foreign Affairs of Ukraine. 126-132].
- Pryiniato Postanovu «Pro Zaiavu Verkhovnoi Rady Ukrainy "Shchodo pershocherhovykh krokiv zabezpechennia yevroatlantlychnoi intehratsii Ukrainy – nabuttia povnoppravnoho chlenstva Ukrainy v Orhanizatsii Pivnichnoatlantlychnoho dohovoru" 3 hrudnia 2019 [from Ukr.: The Resolution "On the Statement of The Verkhovna Rada of Ukraine" On the First Steps to Ensure Ukraine's Euro-Atlantic Integration - Acquisition of Ukraine's Full Membership in the North Atlantic Treaty Organization was adopted on December 3, 2019].
- Chekalenko L. (2019). Istoriia pamiaty abo pamiat istorii: metodolohiia doslidzhennia. *Evropsky Politicky a Pravny Diskurz*. 182–186. Prag. [from Ukr.: Chekalenko L. (2019). Memory History or History Memory: A Research Methodology].
- Our Sovereignty: Shall We Use It? By Wendell L. Willkie April 1944. – <http://www.globalization101.org/the-issue-of-sovereignty/>
- Papa Frantsysk zaklykaie vykoriniuvaty populizm. <https://nikomu.net/politics/papa-rimskij-zaklykaye-borotis-z-populizmom> [from Ukr.: Pope Francis calls for the eradication of populism].