

## From state to individual. Human security – a new framework of understanding sovereignty

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### Abstract

*After the end of the Cold War, reframing the anatomy of conflict (from inter to intra state) and safeguarding the human in the equation of security has been defined the concept of human security as a way to surpass the classical state-centric approaches. In terms of responsibility to protect, human security could be a new way of understanding sovereignty, not excluding the state but linking the concepts that traditionally divide the international community and sovereign state; the new notion of sovereignty becomes a mechanism of mitigating/eliminating the arbitrary power of the state (reflecting the state control and the freedom from any interference) by the accountability of its actions (reflecting a better way to balance order and justice).*

*Keywords:* state (security), globalization, human security, responsibility (to protect), sovereignty

### Introduction

Transformations associated with globalization mark a contradiction with the international system specific to the twentieth century, which was designed to protect states in full accordance with the norms of sovereignty; thus national security stemmed from the balance of power between states. In this way, the security of individuals was ensured in an indirect manner, in accordance with the provisions of intergovernmental agreements. Negotiations between states, which have a monopoly over sovereignty within their own borders, can raise at least two major problems. On the one hand, intergovernmental agreements place possible solutions at the high politics level, ignoring the negative effects that concurrent or even divergent provisions of national and international law can have on their own citizens. On the other hand, national governments are not always willing to comply with international obligations, invoking the same state reasons that go beyond the immediate interests of citizens. Moreover, beyond these limits of the traditional approach of how individual security is a result of national security, intergovernmental agreements

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have been imagined as ways of resolving possible tensions and inter-state conflicts. But, given the fact that more and more of the current threats against citizens are of an intra-state nature, a level at which, based on the invocation of national sovereignty, the inter-state mechanisms cannot function, there are new ways in which civilians can be protected. Globalization thus becomes the catalyst for a profound change in international relations, equivalent to a „Copernican Revolution” that makes „human security, rather than state security, a new measure of success for international security, and for the international system” (McRae, 2001, p. 15). Subsequently, the process of globalization offers the conditions to rethink the traditional way of understanding sovereignty by challenging the central role of the state as (the only) relevant security referent.

According to this perspective, the paper offers a normative framework reflecting the move from the very general approach to security (sovereignty) in terms of realism, to a more sophisticated one in terms of sovereignty as responsibility. In fulfilling this endeavour, the paper is primarily focused on the issue of security defined in the light of the state-centred traditional realism. The second part is underlying that, in the context of the transformation induced by the end of the Cold War, it became possible and necessary a (re)construction of the security analysis to enlarge the explanatory sphere foreseeing the possibility of a normative theory. Based on this dichotomy, the third part is underscoring that a new concept – human security – is reflecting the transformation of the individual into the reference object of security (this new narrative means the necessity to define human security adding normative priority to the impact different policies have on the individual). The implication of tackling the prominence of the national security by normativity associated with the human security will be approached in the last section dedicated to the rescue of the state (which is still an actor in the narrative of security) but in accordance to a new understanding of its own sovereignty, in terms of responsibility.

## **1. Security in “the realist world” / State defence**

The realist/neo-realist view on international relations is built around the concepts of power and security as grounding the relations between and among states: the realist model of international politics is seen as a struggle for power (Morgenthau, 1948). The central topic is the state or the state’s power, and, due to the anarchic environment, its insecurity. States are seen as “locked into a power struggle, and security easily slipped into the subordinate role in which it was seen as a derivative of power”. In the realist orthodoxy, power is the key concept and consequently security becomes either the image of” how well any particular state or allied group of states was doing in the struggle for power, or how stable the balance of power overall appeared to be” (Buzan, 2000, p. 7).

International politics and relations can thus be rendered in one word only: insecurity, as international politics is conflicting by nature, unlike domestic politics,

where conflict only emerges occasionally (as a result of distortions). For the realists, power represents nothing else than the capacity to threaten with the use of force, while insecurity is defined as the “vulnerability in front of others making deliberate use of force” (Walt, 1991, p. 212). So, in situations of intense confrontation or conflict, power may become the essence of security. Or, having in mind such an interchangeability (between power and security), John Herz introduced the idea of the security dilemma as a structural notion in which the self-help attempts of states to look after their security needs automatically to lead to a rising insecurity for others as each interprets its own measures as defensive, and the measures of others as potentially threatening (Herz, 1950).

Power or the evaluation of a state’s power depends on its military capacities, on the capabilities that have a direct contribution to sustaining and maintaining those capacities operational, and only ultimately does the equation of power include factors bearing an indirect influence on the military sector. It results that the most powerful actors (the actors with the highest level of security) are those who also hold the capacity to sustain significant armed forces.

Arguing that the state-bound ethnocentricity of strategic studies is not only seriously deficient in relation to the character of a security definition but also dangerous in that the resultant diagnosis as applied through state policy, Ken Booth (1979) recognizes the importance of the realist tradition considering the national (state) security as the only way of understanding security. States represent the key factors in the realist world as it is at their level that the highest concentration of power is found, especially since states have the largest capacity of using military force. A state’s condition is defined by insecurity as the state acts in an anarchic environment that allows and even favours interstate conflicts; so, power and the insecurity it prompts and maintains dominate international relations. Hence, ensuring and maintaining security becomes a permanent preoccupation within the “units” that interact in the international environment. Because of such an understanding of international environment, no constraint, even if intended to create a safe international environment, can be accepted or conceived against the autonomy of the component parts – the nation states. National interest cannot be pursued and achieved in an anarchic environment except in relation with power and its distribution in what is called the “balance of power”. In the realist view, international relations are nothing else than a competition among states for ensuring their security and securing their acquired power, not excluding war as a way of achieving these purposes.

The traditional view defines security as the state’s capacity to protect its borders and sovereignty, as well as its ability to act to this purpose. Power, the capability of states to achieve these objectives, depends both on military components, and on non-military ones (technology, population, natural resources, geographic factors) (Papp, 2002), with the military force however, prevailing. That is because violence is always likely in “the realist world”; in “the realist world” the central threat to security comes from the threat of force or even from the use of it.

The other – non-military – components gain a meaning only to the extent to which they contribute to the development of the military capabilities or to increasing the ability of using them. Given such a perspective, the realist approach of security focused on the issue of the threat and use of force, on the one hand, and, on the other hand, on a model for states to administrate this vast source of insecurity.

So, for realists, the most important actors in the international system being not the individuals per se but states, the significant worry is the prospect of going to war and security as a primary concern. This becomes obvious because for the states the primary motive is to protect their sovereignty. According to such a view, which privileges the state as the only repository of sovereignty (because of that the national security / state defence is so important), the international order could be guarantee and (inter)national security achieved “only if states respect each other's sovereignty by adhering to the norms of non-intervention in internal affairs of other states” (Ayoob, 2002, p. 81). Stephen Krasner identified four different meanings for the term sovereignty: international legal sovereignty, associated with mutual recognition, usually between territorial entities that have formal juridical independence, meaning the reciprocal recognition of states; westphalian sovereignty, based on the exclusion of external actors from authority structures within a given territory; domestic sovereignty, understood as formal organization of political authority within the state and the ability of public authorities to exercise effective control within the borders of their own polity; and interdependence sovereignty, referring to the ability of public authorities to regulate the movements over the borders (Krasner, 1999). Based on the traditional (realist) framework of understanding international relations, sovereignty means a combination of two components: internal and external. Internally, sovereignty refers to the exclusive competence of state to make authoritative decisions with regard to people and resources within a territory and, externally sovereignty represents the legal identity of the state in international law (Thakur, 2011, p. 78). National sovereignty (in the same way as national security) transforms the state in the ultimate seat of power and authority. Translated in terms of external autonomy and internal control, the traditional meaning of sovereignty is encompassed under the terminology of *sovereignty as authority* (Badescu, 2011, p. 20). And the essence of sovereignty seen through the lenses of security is “to act as a normative barrier to unwanted external interventions” (Ayoob, 2002, p. 82); thus, sovereignty had acted as “a restraint on the interventionist instincts” (Ayoob, 2002, p. 83) for the strong (ex-colonial) states. On the other hand, this understanding of sovereignty could be very easily abused by the by regimes looking to consolidate their domestic power through violence and impunity.

## 2. (Re)Construction of the security framework for analysis

The traditional view (realism) of understanding the international space staked on the state as the single explicative variable and therefore, placed the responsibility to protect individual security to the state. From these positions it is claimed that the international system is an anarchical one that determines major implications in the behaviour of the states. The impact of this axiom is that the pacifist behaviour of states can never be guaranteed and also, that the possibility of force threatening/deterrence can never be excluded (Ștefanachi, 2011, p. 406).

Despite the attempts to reform realism and to supplement it with new analyse coordinates including a moral termination under the form of *ethics of responsibility*, such intentions generated a series of difficulties because, for example, in the case of the above mentioned ethics, “whilst instructing leaders to consider the consequences of their actions, it does not provide a guide as to how state leaders should weigh the consequences” (Smith, 1986, p. 51). Realism does not only offer an amoral alternative for the state leaders but even builds an entire argumentation against those who attempt to bring ethics into international relations, explaining the dynamics of international relations in terms of the structures that determine and support the actors to pursue their interests (Ștefanachi, 2011, p. 407).

But, from the perspective of a post-positivist theory of international relations we can foresee the possibility of a normative theory emergence. From this perspective, the *traditional* explanatory structures are replaced by processes, especially because the “structure has no existence or causal power apart from process” (Wendt, 1992, p. 395); or, this implies a profound change through the fact that classical elements of the international relations – *self-help* and *power politics* – „do not follow either logically or causally from anarchy” and „this is due to process, not structure” (Wendt, 1992, p. 394). It thus becomes obvious that identities and norms must be used in order to detect and explain the dynamics of international politics reflecting the manner in which they maintain themselves as well as the way in which those identities are shaped through the different level interactions. So, we can assert that the behaviour of the states is inspired by the new ideas and norms and not by power and self-interest (Finnemore and Sikkink, 1998), and, on the other hand, we can observe that „what social scientists study are human actions and interactions” (Frost, 1998, p. 126). In the conditions in which a given natural doesn't exist but rather a built one, we can then conclude that „we constitute ourselves within social formations which themselves are constituted by us” (Frost, 1998, p. 126) a fact that furthermore implies that „we are not outsiders to these social practices, but insiders” (Frost, 2009, p. 104).

Therefore, the here advanced post-positivism exercise consists in the attempt to make accessible what is occulted by the current (traditional) way of doing politics, „to reveal our global international social order to be a human construct within which are embedded certain values chosen by us and to show how this construct benefits

some and oppresses others” (Frost, 2009, p. 127). If the norms and the way in which they constitute themselves become major explanatory factors, then we can identify at least three situations that raise ethical problems common to the international life and which subsidiary refer to security aspects: the tension between sovereignty and human rights, the national self-determination and identifying the institution which can appeal to it legally and also the ethical problems that can spring from the *market failure* threatening the democratic functioning of the states (Frost, 1998, p. 130-131).

Such a reconstruction of the international theory, on different grounds from those state-centric ones, is absolutely necessary to adequately theorize the „emerging forms of transnational political identity” (Wendt, 1992, p. 425) and also to enlarge the explanatory sphere with the inter-subjective knowledge that constitutes identities and interests. Moreover, if we are to apply this interpretative grating to the security issue, then we will have to claim that neither the traditional arrangements focused on the state and its military capabilities, nor the international organizations approaches that subsume the state-centric logic (even though they contest it) can no longer represent solutions for the contemporary world problems. The licit use of force (including the military force) will have to be argued by human security, as a novel formula in terms of “a tough security policy aimed at protecting individuals and less at protecting states” (Kaldor, 2010, p. 213) – this aspect marks the first phase in the state-centric abandonment approach. On the other hand, also as a natural prolongation of this mutation, human security will reflect the importance of the norms within the construction of the social reality since „the world we built will reflect our ethical beliefs” (Frost, 1998, p. 126), and this is even more obvious in the security discourse (Ștefanachi, 2011, p. 408-410).

Within this process, security depends on the way different norms, different worlds interact; in other words „concepts of security therefore differ in the extent to which and the manner in which the self is identified cognitively with the other” (Wendt, 1992, p. 399), and from this process the power distribution and international anarchy develop. This encompassing perspective, due to the fact that it operates with identities and not structures, enables the existence of apparently irreconcilable entities. So, assuming the cosmopolitan position, a series of authors argue in favour of the individual centrality within the moral and politic universe (Harbour, 1999; Kuper, 2004). On the other hand, we have to highlight that the state and the international system encompassing the states continue to be a reality (even though a socially built one) fact for which the pragmatic *limitation* of the cosmopolitanism is thus entitled. The pragmatic cosmopolitanism (Weinert, 2009) – transcending this cleavage marking two opposed manner of understanding and explaining international politics – preserve the individual as the referent and immediate beneficiary of security, but, at the same time, sees the state as the last referent and beneficiary and, that is why, human security can be also read as the means through which the state viability can be built. The implications of this grating are major, because thus „human security both defends the sovereign state, and locates the state

in a larger moral project” (Weinert, 2009, p. 158), implying, on the one hand, the defining of the obligations towards the others, and, on the other hand, the (re)construction of state according to the general accepted moral norms.

### 3. Human security and the state

The realist traditional explanation, through its exclusive attention conferred to the state, fails to foresee or even hides a series of real threats towards the individual and thus, the security fails even in its core objective: to protect (the individual) or, in other words, it could be said that “state-centric security has rarely been concerned with the lives of human beings” (Roberts, 2009, p. 9). Therefore, overcoming the traditional approaches brings into foreground a series of new concepts such as societal security, comprehensive security, (global) international security and human security.

On the background of the mutations occurred at the end of the Cold War and as a direct implication of it, “the ubiquitous idea is of security in an extended sense” (Rotschild, 1995, p. 55), meaning the defining of a „permissive or pluralistic understanding of security, as an objective of individuals and groups as well as of state” (Rotschild, 1995, p. 60). In this new principles’ geometry that shapes contemporary security, the enlargement of the concept is undertaken in several directions. Therefore, from the point of view of the entities to which security must be ensured, the concept of security is extended from the security of the nations to the security of the individuals. On the other hand, the concept is extended upwardly- from the nation to the international system. Third, the concept of security extends horizontally, supplementing the military perspective with the political, economic and environmental ones and thus, the range of security can basically receive a human dimension. Forth, it also extends (as a natural consequence) the politic responsibility to ensure security from states to international institutions, subnational authorities, nongovernmental organizations, public opinion or markets (Rotschild, 1995). Therefore, the major transformations generated by the enlargement of security and the make-up of security under these conditions became easily observable; the road thus covered marks the profound differences between the traditional paradigm and the new approach, as well as the complexity of the expansion of the new concept.

Originated in the debates about “collective security” around the end of the Cold War, human security identifies the security of the individuals as the central objective of national and international security policy. It means that the individual becomes the main referent object of the security policy because “human security is about placing ordinary living human beings everywhere front and centre of the security question”, it is about “asking questions about our own personal security, rather than the security of an anonymous, bureaucratic entity we call the state or the system” (Roberts, 2009, p. 15). In a similar manner, Mahbub ul Haq considers human security as a new paradigm reflecting the fact that “the world is entering a new era in which the very concept of security will change-and change dramatically. Security will be interpreted as: security of people, not

just territory. Security of individuals, not just nations. Security through development, not through arms. Security of all the people everywhere – in their homes, in their jobs, in their streets, in their communities, in their environment” (Haq, 1995, p. 115).

Human security retains the state as a central part of the security equation, but accepts it at the same time as „democratization empowers new actors, such as civil society, that must be accounted for in the security framework. And globalization means that the national security of states can be challenged by forces other than foreign armies, including forces that endanger the lives of people while leaving the physical boundaries of states intact. Human security in this sense reflects real-world developments that cannot be captured by the narrow and military-focused notion of national security alone” (Acharya, 2004, p. 355). After the end of the Cold War, the traditional approaches to national security lose their relevance, as the number of intra-state conflicts increases, the democratization process increases the importance of human rights (which will represent the decisive argument for humanitarian interventions) and globalization highlights a whole series of economic vulnerabilities. In the new international context – deeply marked by the implications of globalization – the exclusivity of national security is no longer possible due to the fact that a series of new concepts interfere in the realities with which we operate because „abstract concepts such as value, norms, and expectations also influences both choices and outcome of security” (Liotta and Owen, 2006, p. 51).

From this perspective, one of the striking features of globalization consists in moving away (at least partially) the state from the epicentre of policy making and implementing; the main consequence of this transformation constitutes a new *narrative*, represented by the transformation of the individual into the reference object of security (this new *narrative* means the necessity to define human security adding normative priority to the impact different policies have on the individual). In other words, on the background of globalization, human security could be described as a particular instance of a more general approach that is referred to as *people-centered* or *human-centered* (Tigerstrom, 2007, p. 15). Neither the traditional arrangements focused on the state and its military capabilities, nor the international organizations approaches that subsume the state-centric logic (even though they contest it) can no longer represent solutions for the contemporary world problems (Ștefanachi, 2013, p. 115).

As a *peace dividend*, security can be conceived outside the *raison d'etat* politics, outside the state-centric approach. Within such an atmosphere, Buzan will claim that “the security of human collectivities is affected by factors belonging to five main sectors: military, politic, economic, social and environmental” (Buzan, 2000, p. 31) and the Human Development Report 1994 will identify seven components of the human security: economic security, food security, health security, environmental security, personal security, community security and political security (UNDP, 1994, pp. 24-25). But, this preliminary step in redefining security according to the multiple sources of threats (Buzan *et al.*, 1998) is still limited because is



keeping the vulnerabilities outside the security agenda. Or, precisely the human vulnerability is the necessary further development in order to mitigate the gap between threats and vulnerabilities which requires the redefinition of the place and the status of the state in the context of new wars (Kaldor, 2007). These transformations generated sufficient arguments in order to define human security as encompassing four fundamental characteristics: (1) human security is a universal challenge and concern; (2) the human security components are interdependent; (3) human security can be sooner accomplished using prevention than subsequent intervention; (4) human security is centred on the individual (UNDP, 1994, p. 23). Therefore, human security brings in the foreground a state whose sovereignty is „more and more conditioned – depending both on the domestic behaviour and also on the international world approval” (Kaldor, 2010, p. 186).

According to this general view, human security has two fundamental dimensions: freedom for fear and freedom from want (UNDP, 1994, p. 24) although at an intellectual level this distinction is attenuated by the United Nations Commission for Human Security which defines human security as protecting “the vital core of the human life through increasing human freedom and the means they are achieved” (CHS, 2003, p. 4). The endeavour to sum up the two perspectives – extended and narrow – is assumed by the International Commission on Intervention and State Sovereignty (ICISS) which proposes such an integrative formula - *the responsibility to protect* (R2P), which translates into responsibility agencies or even states to implement the principles of security that sovereign states owe to their own citizens. Thus, the connection with human security becomes evident, insofar as, contrary to the traditional understanding of security that favours states, the essential purpose of the R2P doctrine is to protect individuals when security is endangered and, more generally, to provide the international community with a valid instrument to combat humanitarian / human disasters. However, such a vision can become problematic, because responsibility to protect also entails the right to intervene, all the more so since, in the current topography of power, some (dominant) states can do this anywhere and anytime. As a way of avoiding such a situation, ICISS (2001, p. viii) considers that it is up to the sovereign states to „protect their citizens from preventable disasters - genocide, rape, hunger - and when they are incapable or unwilling to do so, it is the responsibility of the community of states” in accordance with international norms. This means that an international norm is being developed in accordance, while the international community has the responsibility to protect the safety of the communities/populations/individuals who are in major danger. The humanitarian intervention imposed by this norm acquires an instrumental importance in a double scenario: in the case of *the failed states* where the disintegration of the governments and of the society endangers the population and also, in the dictatorial regimes, of the abusive governments that are guilty of serious violations of human rights (Hanlon and Christie, 2016, p. 139).

Thus, the normative component of human security becomes obvious, and transforming the R2P into a fundamental principle of collective security marks „a commitment to ethical progress in international relations” (Weinert, 2009, p. 159), which becomes possible only at the extent in which we understand „the indivisibility of security, economic development and freedom” (UNDP, 2004, p. 1). Moreover, the need to develop a functional ethical component of the framework for the analysis and interpretation of international politics is becoming more visible, given that, on the one hand, there is a recrudescence of terrorism that must be counteracted, and on the other hand, the right mechanisms that provide the necessary criteria for legitimizing the right to intervene must be identified. That is why the main reason „for the development of new international human rights policies by states, intergovernmental organizations, and NGOs alike is moral, not material” and, subsequently „international human rights policies rest largely on the fact that they seem to be demanded by morality. The harm that they try to avoid is material harm for others, but a largely moral harm for oneself” (Donnelly, 1995, p. 145). Thus, from ethical-moral positions, the necessity of limiting the freedom of action of the state in accordance with the authority of the doctrine of norms of international law is argued. Withal, Ann Ticker (1993, p. 43) underscored that a central feature of the human security framework is „the focus on social relations as sources of insecurity”. In this sense the problem with sovereignty is not just the fact that state becomes the source not the remedy for insecurity. It is also the fact that sovereignty gives priority to a specific kind of threat and insecurity over the others. But, from the perspective of human security there is no logic in following this kind of approach.

#### **4. State and a new understanding of sovereignty**

In order to have an appropriate understanding of that transformation it is necessary to interrogate the sovereignty as the central aspect of modernity, underlying some of its new understandings within the framework of globalization. But a direct approach to sovereignty may be ineffective because it would raise a lot of reserves; a more functional way of analysing sovereignty is through the way security is conceived. There is a very deep connection between sovereignty and security, invoking national security meaning nothing more than a call to mobilize all available resources in order to ensure sovereignty. Sovereignty is thus operationalized in the discourse of security. Therefore, a look through security to sovereignty could better shape the understanding of sovereignty. If the sovereignty syntax seems to be constant in time and space since the seventeenth century, its semantics may vary according to the emergence of alternative discourses on security. Thus, if national security, in the classical (traditional) manner, is consistent with the defence of the state, as reflected in various strategic analyses, human security is the contemporary challenge to the orthodox realism and thus, it would create prerequisites for a more sophisticated understanding of sovereignty. Moreover,

within the new framework of understanding these profound transformations, a broader way of understanding security as a different concept than the defence is arising and because of that, the idea of an westphalian way of dealing with sovereignty is put into question. On the other hand, the demilitarization of security doesn't imply the elimination of traditional strategic concerns but only the supplementation of these with some other that no longer can be solved through the exclusive focus on the state level.

As a result, the reactions against the westphalian-based state system place greater responsibility on the state and are depicted as a post-westphalian sovereignty approach. In line with the most important challenges to state sovereignty represented by the international law, global human rights and the forces of globalization (Hanlon and Christie, 2016, pp. 87-88) the westphalian sovereignty and its corollary - the non-intervention - were weakened by the recent shift from sovereignty as a feature of governments to sovereignty as a functional concept for societies (post-westphalian sovereignty); it means that the state-centred perspective could be, at least, added to a societal one, which transforms the individual in a referent object both for security and sovereignty, in a human-centred perspective. So, it becomes possible or, in some cases necessary, to translate the security responsibilities from a nation state to some agents or even states in order to implement the principles of security that sovereign states owe to their own citizens. The ethnic atrocities in failed states from Africa could offer the appropriate framework for putting into question the traditional way of understanding the nation-state. From such a perspective, the Sudanese catastrophe is consistent, on the one hand, with the precepts of national self-determination, non-intervention and autonomy and, on the other hand, the globalization could unmask the necessity of interconnection between ethics and politics in the complex landscape of social, economic, political and environmental security (Burgess, 2004, p. 278).

The launch of the 'Responsibility to Protect' report marks a redefinition of sovereignty, by translating from the law plan into the responsibility of the state in relation to its citizens, reflected in its duty to protect its citizens from violations of human rights. Only this innovation is not fully confirmed by a genealogical perspective on sovereignty, and this perspective – precisely because it marks continuity with an intellectual tradition rather than a radical break – can give back to sovereignty the component of responsibility. Recovering an entire intellectual tradition of reflections on sovereignty, Oppenheim (1963) argued that sovereignty is not only the supremacy of the state in relation to its territory and population, but also its conformity with standards that make it accepted in the international community. If the state presupposes “a people settled in a territory under its own sovereign government” (Oppenheim, 1963, p. 120), at least since the twentieth century, sovereignty must be corroborated with “the very notion of international law as a body of rules of conduct binding upon states irrespective of their internal law which implies the idea of their subjection to international law” or, even more, “a number of states in their constitutions have made express provision for limitations of their

national sovereign powers in the interest of the international cooperation” (Oppenheim, 1963, p. 125). Although it puts at its core the equality of the Member States which translates into even recognizing national sovereignty as a principle that excludes intervention in domestic affairs, the Charter of the United Nations does not in turn rule out the possibility and even necessity of intervention in certain situations (such as those regulated by Chapter VII - *Action in case of threats against peace, breaches of peace and acts of aggression*). Deng (2010) addresses this combination of traditional sovereignty, designed inwardly to the state and the way it translates into the international arena. He believes that sovereignty does not exclude responsibility, but that they are concomitant and that sovereignty should not deepen the cleavage between responsibility and the right to self-determination – „I realize that is an internal matter that falls under the state sovereignty; I’m respectful of your sovereignty. But I do not see sovereignty negatively, as a barricade against the outside world. I see it as a very positive concept of state responsibility for its people. And if it needs support, to call on the international community. The subtext, in the right solidarity with the government, would be: But in this day and age of concern of human rights and humanitarian issues, the world will get involved in one way or another. So to the best way for you to protect your sovereignty is not only to protect your own people and take care of them, but to be seen to be doing so, and to call on the international community if necessary. That’s how you gain internal legitimacy; that’s also how you gain external legitimacy and a respected place in the international community.” Therefore, sovereignty should not be understood as the discretionary mechanism that the state has at its disposal to legitimize any action. On the contrary, when the state is „unwilling or unable to do so, that responsibility must be borne by the broader community of states” (ICISS, 2001, p. viii), this is why the principle of non-intervention in accordance with the westphalian definition of sovereignty is replaced by that of the responsibility to protect both at the state level and at the level of the international community.

Thus, the *responsibility to protect* becomes the fundamental mechanism through which human security can ultimately be achieved and guaranteed, but at the same time, traditional security (which involves military capabilities) continues to represent a fundamental means of achieving human security. R2P is not an innovation whose objective is to replace the military component of traditional security, but rather the teleology concerned is that of legitimizing security assurance, and therefore ultimately using military capabilities, in accordance with individual life and dignity and not violating them, in the name of a principle that transcends the human condition (not even in the name of the sovereignty of the state).

The approach of sovereignty as *responsibility* was articulated in order to protect the people from a territory, which explicitly challenge the key principle of non-intervention. Sovereignty in terms of human-centred understanding could be described as „a new normative principle of international order”, as a „telling sign of the new, shared moral understandings” (Etzioni, 2006, p. 84). And this offers the

opportunity “to treating nations not as free agents, but as members of an international community who are expected to adhere to that community's evolving norms regarding what is considered legitimate” (Etzioni, 2006, p. 83). The erosion of the sacrosanct concept of national sovereignty is rooted in the reality of global interdependence, which has widened the distance between the legal status of state and the actual way states act. Moreover, the civil society begins “to use the international human rights norm and cross-national global coalitions to subject the actions of their own governments to increasingly critical scrutiny” (Thakur, 2011, p. 80). Without denying the sovereignty as *authority* and as a consequence accepting the state as a major / important international actor, but in the same time underlying the centrality of freedom and human rights and as a consequence accepting the rise of a human centred system, sovereignty as *responsibility* „means that individual states are entitled to full sovereignty so long as they abide by the norms established by the international community” (Etzioni, 2006, p. 83). In lights of the above transformation the new understanding of sovereignty is significant from a triple perspective (Thakur, 2011). First, the state is still responsible for protecting the safety and welfare of citizens. But, second, the states (even they are sovereign) are responsible to the citizens internally and to international community through the UN. And third, the states are responsible for their actions, that is to say, they are accountable for their acts of commission and omission. According to the ICISS Report, it is acknowledged that “sovereignty implies a dual responsibility: externally – to respect the sovereignty of the other states, and internally, to respect the dignity and basic rights of all the people within the state” (ICISS, 2001, p. 20). In Kofi Annan’s words, these two layers of sovereignty imply that sovereignty remains the ordering principle of the international system, but he stressed that it is “*the people* sovereignty rather than the sovereign’s sovereignty” (Annan, 1999, p. 81). Sovereignty is not vanishing as a paradigm or as a reality that outline the dynamics of international relations, but sovereignty must be practiced with responsibility, which means that “sovereignty is thus transformed from an absolute claim into a conditional one, revocable in case of bad behaviour” (Etzioni, 2007, p. 194).

So, the reinterpretation of sovereignty is relevant for highlighting the connection between law and politics. And even more, because of the slide from the state to the individual, the law is profoundly linked with the ethics and, becomes a means “to achieve the fundamental values of an international society” (Shelton, 2006, p. 323). So, the human security (as *responsibility to protect*) could be a new way of understanding sovereignty, not excluding the state but linking the concepts that traditionally divide the international community and sovereign state. Moreover, security – defined and implemented as a people-centred pattern – by transforming the understanding of sovereignty, implies the transformation of statecraft and this phenomenon is structured by the implications of globalization (Ștefanachi, 2013, p. 116-117). Thus, rethinking the statecraft must be part of reinventing the metaphysics of security appropriate for the global(ization) challenges, and a transformative

perspective over sovereignty offers the right means for the comprehension of international politics according to contemporary evolutions.

## Conclusions

The implications of globalization are positive or negative, but more important is that they are not beyond our power to control and manage them; to succeed in that endeavour it is crucial to identify, develop and implement new political means to control their impacts. Part of this new analytical landscape is human security and its legitimate tool – the responsibility to protect. Based on this development it is possible to make real a stable peace but not as a result of (just) the balance of sovereign powers but as an example of mutual co-existence according to international law. Human security becomes a valid technique to identify, classify, prioritize and resolve the transnational security issues, respecting the fact that every human security crisis calls for a different answer related to local circumstances. Focusing on the individual as the nexus of concern, human security enables us to understand the complexity of contemporary threats and their fundamental synergy. Even if it can be contested because it over extends and overloads the security agenda and can limit its analytical capacity, human security remains attractive and useful because it continues to be an important sign-point of common/shared moral and political axiology.

Involving the change of the referent object of security from state to individual and being a mix of domestic and international issues, human security involves the negotiations “outside the box” – outside the sovereign state framework. This does not imply the de-legitimization of the state or the devaluation of sovereignty, but the resetting of the role and functions of the traditional security agents on the background of globalization. Leaving the state behind means that the old instruments become part of a new comprehensive approach based on safeguarding the welfare of civilians, and in this manner human security could generate new and solid arguments for the perpetration of state as a new way to organize and safeguard the common interest and values. From such a perspective it is possible to state: *The state is dead! Long life to the state!*

The distinction between classical way of defining security and human security is an attempt to define the right relation between justice and order in international relations. If the international system, based on the mutual recognition of sovereignty, is the least bad system of organizing international relations, failed states put in grave danger the human security; this means that it is opening the way for peace-building and humanitarian interventions which open the path towards defining a new regime of sovereignty (as responsibility), reflecting the manner of how the statecraft is transformed. In such circumstances, the state responsibilities and its sovereignty could be held to international scrutiny and we have to read the sovereignty mediated by the increasing role of the individual and human rights and, because of that, the

state ceases to be a reality *per se* (if it ever was!?). So, the transformation of statecraft, within the context of contemporary globalization, could represent a new/appropriate approach to sovereignty and legal system in terms of a better way to balance order and justice, a strategy to identify the mechanism that eliminates the tension between individual (human security) and state (security of the state).

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