



Reconceptualizing Sovereignty in the Post-National State: Statehood Attributes in the International Order: The Federal Tradition

Flavio G. I. Inocencio

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This book offers a multidisciplinary approach to the study of the concept of sovereignty. This book outlines the origins, context and evolution of the concept of sovereignty as an essential attribute of the modern territorial State since the Peace of Westphalia in 1648. The book identifies two competing traditions of the concept of sovereignty; the tradition inaugurated by Jean Bodin in 1576 in his work "The Six Books of the Commonwealth" and another that started with Johannes Althusius in 1603, considered the 'father' of federal theory, in his less known work "Politica" In order to understand the concept of sovereignty, it is necessary to understand the 'constitutional rules' of each international system and the fact that the States are the primary polities in the international arena. The rise of International Organizations and the increasing 'institutionalization' of the international system challenges this state-centric world, considering their exercise of sovereign powers. Following authors such as Daniel Elazar, the book discusses the importance of federalism as political theory, which offers a different understanding of the concept of sovereignty. The book discusses the European Union as a paradigmatic case of a 'postmodern confederation' which challenges the notion of sovereignty as an absolute and exclusive statehood attribute. Furthermore, the reconceptualization of sovereignty in International Law should consider the rise of regional and functional legal orders, the different understandings of sovereignty offered by the federalist tradition and the processes of 'deterritorialization' and disaggregation of authority. The book concludes with the idea that concept of sovereignty in International Law should be seen as a flexible concept which is not an exclusive attribute of the modern territorial state. This book is required reading for all interested in the history and the evolution of the concept of soverea

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