Will no one rid me of this meddlesome state?
Social inequality and the new social contract

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ABSTRACT: IR scholars argue that globalization both affords citizens new opportunities for collective action and exacerbates social inequalities, from the “digital divide” to the “democratic deficit.” As a consequence, in a globalizing world citizens seek social protections from political organizations other than the nation-state. How do citizens organize to provide social protections and form a new “social contract” when the nation-state no longer can meet their needs? Building on Hanna F. Pitkin’s classic work on “Obligation and Consent” (1986), the paper utilizes James Rosenau’s concept of “spheres of authority” (1990, 1997) or SOAs to explain why some citizens successfully derive social protections from SOAs while others do not. The paper argues that citizens can successfully organize to provide social protections when (1) SOAs are as decentralized, and sometimes as disorganized, as possible; (2) SOAs learn to solve informational problems arising from its decentralized organization; and (3) SOAs utilize pre-existing state institutions to facilitate the citizens’ collective action. These hypotheses suggest that as citizens strive to redress the social inequalities of globalization, their organization ironically both is shaped by the nation-state and depends upon its institutions for its success.

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1 This paper is a draft in progress. Please do not cite or attribute it without the permission of the author.
In 1170, King Henry II of England uttered fateful words that led to the murder of Thomas à Becket, the Archbishop of Canterbury. Though they had once been friends before Henry appointed the Archbishop in 1162, the two men had come into conflict over the prerogatives of their respective domains. Henry sought to extend his sovereignty to all his subjects, secular and ecclesiastic, while Becket steadfastly defended the Church’s prerogatives, including its responsibility for trying clergy accused of secular crimes. The leniency of the ecclesiastical courts toward clergy became the focus of a conflict of authority between church and state in England, one which Henry’s fateful words and the knives of his knights may have prolonged rather than foreshortened. “What shall a man who has eaten my bread . . . insult the King and all the kingdom, and not one of the lazy servants whom I nourish at my table does me right for such an affront?” is how historian Will Durant (1950, p. 671) records the King’s implicit permission to murder the Archbishop. Hollywood screenwriters by contrast simplified the King’s lament. In \textit{Becket} (Wallis, Glenville and Unsworth, 1964), Peter O’Toole as Henry simply utters, “Will no one rid me of this meddlesome priest?”

Henry’s clash with Becket epitomizes the conflict of authority between church and state that went unresolved until 1648 when the Peace of Westphalia established secular sovereignty over all subjects. With the proliferation of new forms of authority in the contemporary era of globalization, several international relations theorists equate today’s world politics with the overlapping patterns of authority and obligation of the middle ages. In this period of globalization, citizens have obligations to multiple authorities other than the state, blurring the limits of the classic social contract. With weakened states and increasingly assertive non-governmental actors on the world stage, the loyalty sentiments of citizens toward states and other authorities come into conflict more frequently, so much so that the very idea of a “social contract” deserves reexamination. If world politics can be characterized as a period of “neo-medievalism” (Bull, 1977; Buzan, 1993), how do citizens understand their obligations to diverse authorities and resolve them when they come into conflict? Is there a new social contract between citizens and authorities other than the state? Does the social contract metaphor collapse under the weight of globalizing forces, or does it maintain its salience?

These questions are both philosophical and empirical. To answer them, this paper uses Hanna F. Pitkin’s classic exposition on obligation, consent and authority (1986) to develop four hypotheses about the evolution of forms of authority that both complement and compete with the state for the loyalty sentiments of citizens. Building on the literature on globalization, the paper seeks to understand how forms of authority that James N. Rosenau (1997) has labeled “spheres of authority” compete with states for

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2 Screenwriter Edward Anhalt developed his script from Jean Anouilh’s play \textit{Becket or the Honor of God} (1960). Anouilh has Henry moan, “I can do nothing! Nothing! I’m as limp and useless as a girl. So long as he’s alive, I’ll never be able to do a thing. I tremble before him astonished. And I am the King! Will no one rid me of him? A priest! A priest who jeers at me and does me injury! Are there none but cowards like myself around me? Are there no men left in England?” (p. 121).
and sustain the legitimacy sentiments of citizens.\footnote{Rosenau adopted the term “spheres of authority” to denote actors in world politics other than states. He explicitly rejects the more conventional phrase of “non-state actors” since by construction the phrase affords a privileged place, both intellectually and perhaps normatively, to states. For this reason, this paper follows Rosenau’s word choice rather than the convention of most international relations literature.} Using the metaphor of a social contract, the paper explores whether globalization has changed the limits of a citizen’s obligation to states and other authorities; whether the locus of sovereignty has shifted from states to other spheres of authority; whether citizens have a changed understanding of the difference between legitimate authority and coercion; and whether there are differences in the justification of obligations to states and to spheres of authority. The paper then proposes four hypotheses about the formation of social contracts in a world of globalizing forces. Building on its discussion of the limits, locus, and justification of authority, the paper hypothesizes about how spheres of authority organize to sustain the legitimacy sentiments of citizens and to survive in a world of sovereign states. In this respect, the paper seeks to understand how spheres of authority survive conflicts of authority with sovereign states—that is to say, how they avoid the proverbial courtiers’ knives to which Henry unsuccessfully resorted in his attempt to end his authority conflict.

**Globalization, Authority and Obligation: Pitkin’s Four Propositions**

The classic social contract between citizen and state increasingly is taxed in the era of globalization. This is because the various processes associated with globalization both afford citizens with more opportunities for collective action independent of the state, and exacerbate existing social inequalities. Whereas the proliferation of information technologies allows citizens to communicate across sovereign borders and create transnational issue networks, the growing “digital divide” assures that these opportunities will favor some and disadvantage others—so much so that the recent World Economic Forum considered programs to close the divide (Beattie, 2001; Shadid, 2001). Similarly, intergovernmental organizations (IGOs) both facilitate interstate cooperation and exacerbate the “democratic deficit” (Caldeira and Gibson, 1995; Dahl, 1994). The digital divide and democratic deficit not only exist between states, but within them as well, resulting in a structure of opportunity and inequality that transcends state boundaries. As a result, the processes of globalization ironically produce new forms of transnational authority as well as increase the demand of citizens for new social protections. In this sense, globalization creates both a supply of and a demand for new forms of authority to provide those social goods that states are either incapable of or unwilling to provide.

In her work on obligation and consent, Pitkin (1986) poses four interrelated questions about the nature of social obligation that are helpful in thinking about both the growing inequality and emerging forms of transnational authority that characterize the processes of globalization. These are (1) when are you obligated to obey authority, and when not? (2) whom are you obligated to obey, and when? (3) is there any meaningful...
difference between legitimate authority and mere coercion? Are you ever really obligated to obey? and (4) why are you ever obligated to obey even a legitimate authority? While Pitkin’s piece is a philosophical one and her questions carry normative import, the questions she raises nevertheless are helpful in an examination of the formation of social contracts today. The next section of the paper address each question in turn. The second half of the paper proceeds to formulate four hypotheses about social contracts in the era of globalization.

(1) The Limits of Obligation: When are you obligated to obey, and when not?

Citizens today regularly and constantly redefine their answer to the question of whom they are obligated to obey and when: this is the essence of the conscientious objector’s claim to moral authority in his or her refusal to do military service. Some theorists argue this phenomenon both causes and is a consequence of the processes of globalization. Rosenau (1997) has coined the phrase “fragmegration” to capture the simultaneous dynamics of integration and fragmentation that characterize the shifting boundaries of citizens’ loyalty sentiments. In Rosenau’s model, citizens’ challenges to existing authority — when coupled with a revolution in the political skills of citizens and a bifurcation of world politics into “state centric” and “multi-centric” domains — result in the emergence of “spheres of authority,” or SOAs. These SOAs:

... are distinguished by the presence of actors who can evoke compliance when exercising authority as they engage in the activities that delineate the sphere. The sphere may or may not correspond to a bounded territory: those who comply may be spread around the world and have no legal relationship to each other, or they may be located in the same geographic space and have the same organizational affiliations. (Rosenau, 1997, p. 39)

Spheres of authority are emergent authority relationships delineated by “the needs of the individuals and groups encompassed by its jurisdiction as these are defined by its politically effective leaders — by those whose resources, followership, knowledge or legal status provides them with the capacity to speak and act on behalf of the individuals and groups affected by the issues out of which the SOA’s legitimacy is constructed” (Rosenau, 1997, p. 41). Spheres of authority may be temporal or enduring, local or global. What makes them unique is their ability to provide social goods and protections that states are either incapable of or unwilling to provide. SOAs encompass “traditional” units of analysis like intergovernmental and nongovernmental organizations, but include less structured forms of social behavior including transnational coalitions, issue networks, and global civil society. Just as Becket challenged the sovereignty of the English monarchy over church matters, these SOAs create challenges to the authority of the contemporary nation-state in a wide range of issue areas, from the land mine ban to monitoring human rights conditions and governmental corruption.
Because spheres of authority exist alongside sovereign states in a fragmegrative world—simultaneously complementing their resources yet competing for the support of global-minded citizens—the loyalty sentiments of these citizens often come into conflict, further confounding our understanding of the limits of obligation. Pitkin’s first question is particularly difficult to answer, furthermore, because citizens frequently contest their obligations in particular circumstances without contesting their overall obligations: a U.S. soldier may refuse to wear the flag of the United Nations on his uniform without necessarily objecting in principle to military authority or that of multilateral institutions (Fisher, 1996). This demonstrates that although the limits of obligation are fundamental to any social contract, in a fragmegrative world the limits are increasingly blurred.

Pitkin’s ideas nevertheless help clarify some basic issues about the terms of emerging social contracts. She notes that the classical consent theory of obligation of John Locke is based upon the doctrine of “hypothetical consent,” which she characterizes as:

Your obligation depends not on whether you have consented but on whether the government is such that you ought to consent to it, whether its actions are in accord with the authority a hypothetical group of rational men in a state of nature would have (had) to give any government they were founding. (Pitkin, 1986, p. 42)

Nonetheless, Pitkin argues that while classical consent theory provides justifications for obligation, it fails to account adequately for citizens’ obligations to resist authority—which is fundamental to the emergence of SOAs in a world of fragmegrative dynamics. She offers several examples of individuals with moral claims or obligations to resist authority for which consent theory cannot account: an oppressed African-American in the Mississippi of the 1960s, a black in apartheid South African, and a minor official in Nazi Germany who continues to obey the state. Given that “normally law, authority, government are to be obeyed. You are not morally free to resist as a matter of whim,” (Pitkin, 1986, p. 44) how can citizens as a practical matter—and political scientists as an empirical matter—distinguish between legitimate obligation and consent, and moral obligation to resist state authority (and perhaps to obey non-state authorities)? Though Pitkin’s point is a philosophical one, it demonstrates how little consent theory can contribute to our empirical investigation of the limits of obligation in a world of multiple SOAs competing with states for the loyalty sentiments of citizens.

One might generalize, furthermore, from Pitkin’s dichotomy of consent versus resistance to the state’s authority to a broader question of when do citizens consent to other authorities such as SOAs. When one views the limits of obligation in terms of competing loyalty sentiments, it is apparent that conflicting obligations may be more prevalent in a fragmegrative world. Again, consent theory offers little guidance. To put it another way, the philosophical question of “where does authority reside?” raises a practical question for what one might call “transborder” or global-minded citizens: “where does my obligation lie?” In this sense, disobedience of a state authority is merely a byproduct of an individual’s recognition of his or her obligation to other authorities, be they family, communal, criminal, spiritual or transnational. It is worth noting, furthermore, that conflicting loyalty sentiments are not necessary a modern
social phenomenon, as the history of 12th century England suggests. Pitkin discusses another interesting example of conflicting limits of obligation: Socrates’ dilemma, as depicted in Crito and the Apology:

How is Socrates to know to what he has consented, particularly if his consent has been tacit? Surely it is not enough to say that he has consented only to those precise things the government did in the past, so that any new or unprecedented action is automatically ultra vires. But if not that, then what? Is it to the particular people then in authority, or to the authority of the office they hold, or to the laws that define and limit that office, or to the body that makes those laws, or to the Constitution that lays down rules and procedures for the making of laws, or to the principles behind that Constitution, or to the fellow-members of the society, or even to all mankind? In particular cases, these various foci of loyalty may come into conflict; then knowing that one has consented to them all at a time when they were in agreement is no help for deciding what to do. (p. 46, emphasis added)

Pitkin’s conclusion is illuminating for our understanding of obligation in a world of spheres of authority. She notes that “... all that one can say [about obligation and consent] beyond calling attention to the meanings of the words, is that no absolute, deductive justification exists or is necessary. There are no absolute first principles from which this obligation could be derived. It is related to all kinds of other obligations in all kinds of ways, but the relationship is not hierarchical and deductive” (p. 52). Political obligation—and its social consequent, authority—is a fluid construct embedded within other social conventions and institutions. As citizens we largely derive our obligations, and hence choose to obey authority, merely because we are born into a pre-existing set of norms, rules and institutions. Because we are born into this web of social institutions, however, we are not ethically obligated to obey these rules and authorities, since we did not give actual consent. Again, Pitkin is helpful here:

... the person who makes a promise seems to recognize and commit himself to the institution of promises; the person who makes a contract seems to acknowledge thereby the binding character of contracts, so that a later refusal to accept them as binding strikes one as a kind of self-contradiction. But of course this is a confusion. The making of particular promises or contracts presupposes the social institution of promising or contracts, and the obligation to keep promises cannot itself be founded on a promise. ... What has been suggested by philosophers is this: “promise” is not just a word. Promising is a social practice, something we do, something children have to learn how to do. It has rules, penalties, roles and moves almost in the way that games have them. (p. 50-51)

The same is true of social contracts emerging in the fragmentive era. Social contract theory has moved beyond the doctrine of hypothetical consent to a more nuanced understanding of the limits of obligation: people do not derive political
obligations from an assessment of whether or not the state acts in accord with a hypothetical set of rational men in a state of nature. Similarly, few citizens today would acknowledge an ultra-vires obligation to the state. Both contemporary philosophers and transborder citizens view the limits of obligation as much more circumspect. One might argue, furthermore, that contractarian political philosophy is much like the study of history: both are embedded in contemporary norms and values to the point that the study of philosophy tells us more about the time in which it was written than it does about deontology. For this reason, authors like Pitkin criticized the doctrine of hypothetical consent during a time of tremendous social turmoil in the United States and elsewhere. They followed—not preceded—the beginnings of broad popular rejection of classical notions of obligation and consent. The civil rights movement, the large-scale conscientious objections to the Vietnam War, and the rising phenomenon of jury nullification among other examples suggest that, at least in the United States, citizens have been circumscribing the terms of the social contract for more than four decades.4

Social contracts today arise largely from path-dependent processes. Citizens everywhere derive obligations to which they have never formally acceded. In “mature” states, political institutions are robust (if not stagnant, a point that critics of the “bureaucracy” and proponents of “reinventing government” never fail to make). In fact, this was Weber’s point (1946): bureaucracies are a form of social contract disguised in technocratic or meritocratic forms that by design deprive citizens of any consent to the obligations they derive from such bureaucracies. Privatization of state functions has only furthered the “depoliticization” of governance, a term that suggests citizens have even less say over the obligations they inherit. In this way the twin pincers of privatization and bureaucratization entrap the modern citizenry in a web of political obligations and authority relationships without the commensurate institutions of consent. To put it another way, in state-centric politics, citizens are unwitting “partners” in social contracts to which they have not formally consented. We derive obligations merely because we are born as social creatures.

For these reasons, at least in a world of sovereign states the “contract” metaphor is inappropriate. Once international relations theorists break away from state-centric thinking, however, the idea of a social contract ironically becomes a more appropriate metaphor. When a transborder citizen joins Amnesty International or some other SOA, the acts of donating money, signing a petition, or attending a rally express consent in a more meaningful way than paying taxes and voting do (we are compelled to do the former, and taught that the latter is our “duty”). Anecdotal evidences seems to lend credence to this argument. Greenpeace derives much of its “moral” authority from the sheer number of volunteers and members it has worldwide. By contrast, no theorist equates a state’s legitimacy with the number of its citizens; more populous democracies are no more legitimate than smaller ones (and less populous dictatorships are no less tyrannical than larger ones). Few people criticize the legitimacy of SOAs, furthermore, precisely because transborder citizens are free to leave any SOA they consider “illegitimate.” Even the most democratic states, by contrast, face questions about the

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4 For a recent discussion of the increasing incidence of jury nullification, see Biskupic (1999).
legitimacy of their authority: for example, there has been international criticism of recent executions of foreign nationals in Virginia and Texas. One might respond that transborder citizens hold SOAs and nation-states to different standards of legitimacy, but this only begs the question of why? The answer is that in the case of SOAs, a citizen's consent to a social contract is unambiguous to a degree inherently not true of any nation-state. For this reason, the social contract metaphor has more salience in a discussion of globalization than it does in a discussion of sovereignty-bound actors. In a sense, by moving beyond state-centric thinking international relations theorists reinvigorate contractarian philosophy.

This answer to Pitkin’s question of whom to obey and when has, however, two potential criticisms. The first is the “bowling alone” criticism. If Putnam (1995) is correct that citizens today have fewer civic associations than ever, one might conclude that citizens consent to fewer and fewer spheres of authority with each passing year. If our social contract argument is correct, by contrast, we would expect to find that citizens across the world are joining non-governmental actors, SOAs, or “transnational civic associations,” whichever label one prefers.

A second criticism also addresses the contract metaphor. This paper has argued that in the era of globalization citizens give their consent to SOAs in a way that makes the contract metaphor more meaningful than it is for nation-states. One might respond, however, that this consent entails no obligations since SOAs have no institutional recourse to enforce agreements with their members, volunteers or citizens. To put it another way, the word “contract” presupposes that two parties can appeal to the state to compel a party to uphold its obligations in the event of a disagreement: because SOAs exist in what one might call sovereignty-free space, they have no such recourse to compel their volunteers. Transborder citizens therefore consent to SOAs without meaningful obligations, implying that the contract metaphor does not hold. This is an important criticism, and along with the discussion above, it shows that the contract metaphor is an imprecise one. But in this case it is no less imprecise than classic contractarian philosophy, which as Pitkin argues presupposes an act of consent to the state’s authority that citizens, as a practical matter, cannot in fact give. Whereas is the state-centric world citizens do not give consent, in the world of SOAs citizens do not incur obligations. This is an important distinction both in normative terms and in its implication for the way spheres of authority are organized.

These criticisms bring us back to Pitkin’s first question: in the era of globalization, when are you obligated to obey, and when not? Regarding the limits of our obligations under existing and emerging social contracts:

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6 This in fact might make an interesting research project. Whereas Putnam argues that Americans have declining ties in civic associations, one might respond that his methodology was flawed precisely because he was trapped in state-centric thinking. If the civil society literature could reproduce his data with the inclusion of transborder affiliations, it would be a telling finding if it discovered an increase in civic associations.
• We are obligated to obey the state largely because of conventions and norms that we have inherited. Much like we are born into a network of social values about which we have no choice, we cannot consent to our political obligations in a true sense. The word “contract” therefore is a misnomer for the nature of our obligation to the state.

• We are obligated to obey sovereignty-free actors like SOAs because we actually consent—as contractarians suggest we should—to the authority of many of these actors, from NGOs like Greenpeace or CARE International to which we give financial support to community leaders whose rallies we choose to attend.

• Unlike the state, we are not obligated to obey sovereignty-free actors all the time. This is an important difference between sovereignty-bound and sovereignty-free actors in global politics: whereas the former can compel our obedience with its authority, the latter cannot. In this sense, our social contract with SOAs is fundamentally different than with states. Our obligations to SOAs are more circumscribed, a fact which explains in part both the organizational form of SOAs and the relative absence of “legitimacy crises” for SOAs (as this paper discusses later).

(2) The locus of sovereignty: whom are you obligated to obey, and when?

This provocative question takes on new meaning in a world of fragmegrative dynamics. The answer no longer is “always obey the state.” Today, both halves of the question—whom to obey and when—are more problematic than ever. It is evident that state sovereignty today is different that it was even half a century ago, in both material and normative terms. States often violate each other’s sovereignty and tolerate such violations. They routinely pass judgment on the legitimacy of other sovereign states (such as the United States’ perspective on Iraq) while simultaneously encouraging SOAs to participate in efforts to solve global problems, from land mines to drug trafficking to environmental degradation. Clearly, sovereignty means something different to statesmen than it did in the 18th or 19th centuries.

The question as posed above is insufficient, furthermore, because it presupposes that only individuals can assume obligations of obedience. Contrariwise, increasingly states and SOAs also assume obligations to obey each other in different issue areas. In a highly dynamic fragmegrative world, sometimes SOAs assume obligations to obey states while at other times the relationship is reversed. While SOAs often depend upon the hospitality of states to operate their national chapters and therefore must consent to state authority, there are numerous examples of states assuming obligations to SOAs. These include states such as Mexico and Indonesia that adopt IMF-mandated economic restructuring plans in order to alleviate balance-of-payments problems; the December 1997 Kyoto Conference on the environment, at which states depended upon SOAs both for technical information about environmental remediation as well as for help obtaining domestic ratification of the accords; and the influence that the bond market has played on a range of state practices, from U.S. policy toward the bailout of Mexico and Russia to
local governments’ efforts to revitalize decaying urban infrastructures. These latter two examples illustrate the complex patterns of obligation today: some SOAs are states’ allies in winning ratification from skeptical publics, while a highly-decentralized, leaderless bond market can influence (if not paralyze) governmental fiscal policy. That an amalgam like the bond market can dictate state policies indicates the problematic nature of the question of whom one is obligated to obey.

Clearly, the question of which authorities transborder citizens choose to obey has no easy answer. These complex and dynamic patterns of obligations arise from two variables with which globalization theorists are familiar: the skill revolution (Rosenau, 1990; 1997) and the emergence of financescapes, mediascapes, technoscapes, infoscapes and ethnoscapes (Appadurai, 1996). The growth in the organizational, political and cathetic skills of individuals empowers them to provide numerous social goods without reliance upon states. The growth of the technoscapes and mediascapes has provided citizens with an increasing number of informational cues about their states and the political sentiments of citizens elsewhere. This information explosion facilitates collective action independent of the state, forcing the state to compete for loyalty sentiments. The recent crisis of authority in the Philippines is an illustrative example. Filipinos used their text-messaging cell phones to organize protests against President Joseph Estrada. Whereas demonstrations once took weeks to organize, skillful Filipinos can organize such protests in hours (Weiner, 2000). By contrast, the increasing reliance of states upon technological demonstrations of their competence underlies the degree to which they must compete with independent sources of information. It is therefore little surprise that mediascapes like global CNN and infoscapes like the world wide web have grown concurrently with an apparent rise in publics disaffected with states.

This disaffection not only arises from a growing awareness of the actions and limited capacities of states, but from the ability of citizens to organize themselves independent of the state to provide public goods. The emergence of the financescape, technoscape and mediascape has overwhelmed states’ abilities to provide many of the public goods that formed the foundation of the post-World War II embedded liberalism compromise (Ruggie, 1997). For instance, trade flows have grown so rapidly that most states today—including the United States—are incapable of monitoring the safety and legality of most of the trade across their borders (Flynn, 1999). For this reason, other SOAs have stepped in to provide socially desirable benefits:

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7 For an interesting discussion of the role of informational cues in collective political action, see Lohmann (1994).
8 Rosenau (1990, pp. 425-429) has an excellent discussion of this point. Noting an emerging global norm that states must justify their actions with scientific proof, he cites the example of the lengths to which Soviet government officials went to justify their actions following the downing of a Korean airliner in 1983. “The energy that officials and publics devote to generating, evaluating, and contesting evidence in international disputes is a sign that the culture of science is acquiring a salience and credibility. . . . The struggle to recover the downed Korean airliner’s black box from the Sea of Japan . . . was one of the most dramatic instances of a felt need to demonstrate the soundness or justify the morality of policies through the citation of solid evidence and proof” (p. 427).
. . . the status of policy responses to the emerging threats from infectious disease is indicative of some of the broader political dynamics incumbent in the process of globalization. In an increasingly integrated, interdependent and technologically advanced world, the role of the sovereign is becoming more ambiguous. The diffusion of communications and information technologies, for example, has empowered the scientific and medical communities and facilitated more effective global surveillance of infectious disease in the absence of any major government initiatives. The ProMED [Program for Monitoring Emerging Diseases] network demonstrates the extent to which technology can place real power in the hands of non-governmental groups, enabling them to act swiftly to bridge gaps in existing government programs. (Pirages and Runci, 1999, p. 26)

Some argue, furthermore, that states may actually exacerbate global problems in a way that SOAs do not: “Sticking to an approach that makes states the dominant players in drug control,” Flynn (1999) writes, “practically assures that drugs will become more widely available, not less, and concurrently, that the criminal organizations that advance the trade will become increasingly powerful and corrosive” (p. 30). For these reasons, it is unsurprising that citizens and states alike have assumed new obligations to SOAs that were not possible before the emergence of the technoscape, financescape, mediascape, and ethnoscape.

In short, there are two answers to the question of the locus of sovereignty. First, citizens today consent to obligations both to states and to SOAs. The question of whom to obey when these obligations are in conflict presents perhaps the most fundamental political challenge to every citizen today and the most difficult question for international relations theorists or political philosophers. While there is no simple answer to this question—citizens will often decide whom to obey largely on an issue-by-issue basis—one might argue that there are some global problems that SOAs can manage more readily, and more socially beneficially, than states can. As Pirages and Runci (1999) argue, one such area is global epidemiology:

The current lack of a comprehensive response to the challenges of emerging and resurging disease at both the national and international levels reflects two trends. First, it illustrates the continued weakening of the state and its withdrawal from some historic oversight and regulatory roles. This reflects the impact of the ‘privatization’ of key public functions, growing budgetary constraints, and other limitations that have made private or market-based approaches appear more seductive. And, of course, it demonstrates the extent to which technology is enabling citizens to act directly on matters of concern to them, circumventing government involvement and limitations. (p. 27)

Another example might be disease mitigation of another sort: the effort to control computer viruses that are propagated over the internet. Around 50 Computer Emergency Response Team (CERT) Coordination Centers worldwide monitor viruses, identify their mechanisms, break apart their programs, and develop inoculations. These
teams are public-private partnerships, receiving government funding but staffed and operated by universities worldwide (Corcoran and Shannon, 1997). It is apparent that many states already appreciate the importance of these SOAs and allow their citizens to participate and observe their recommendations.

A second set of obligations, which international relations theorists understand much less and have not thought much about, are the obligations that states hold to SOAs. While this idea goes against state-centric thinking, several important examples demonstrate the possible ways that states are beholden to SOAs. Scholars currently dismiss these examples as instances of weak states that are beholden to NGOs controlled by strong states, such as the International Monetary Fund. It is apparent, however, that even the United States is occasionally constrained by bond markets and other diverse forms of SOAs. For some problems, furthermore, states may choose to defer to more-capable SOAs. Flynn (1999) argues that:

There is a curious paradox embedded in the predicament of declining sovereignty that is playing such an important role in fueling the drug trade. It is that in order to strengthen the role of the states in the international system, states must agree to act less and less like states. That is, they must agree to embrace universal norms and empower an array of non-state actors to advance common interests even though these actions ultimately may limit their capacity to act independently in the pursuit of their own national interests, narrowly defined. (p. 32)

These examples suggest that in the era of globalization, there is no one locus of sovereignty. Rather, the loci of citizens’ obligations are multiple and fluid. They emerge and coalesce due to the increasing political skills of citizens who utilize the proliferation of information technologies—the technoscape and infoscape—to assert their claims to authority and legitimacy. The loci of sovereignty no longer belong exclusively to states either. States themselves defer to more capable spheres of authority to deal with issues that the state system itself is incapable of regulating. For these reasons, the processes of globalization have complicated any answer to Pitkin’s question of the locus of sovereignty.

(3) The difference between legitimate authority and mere coercion: is there really any difference? Are you ever really obligated?

This question risks an etymological confusion, because by the definition of sovereignty, legitimate coercion is solely the province of states. That is, only states conduct legitimate coercion, but not all state coercion is legitimate. For this reason, the ideas of “legitimacy” and “coercion” are inextricable: we understand each in terms of the other, both in analytical terms as well as in our daily behavior as political beings. Indeed, states insist upon being the sole institutions of coercion: for this reason we consider other authorities that exercise coercion, like the Mafia, to be illegitimate by definition. The answer to the first part of this question, then, is that the difference
between legitimacy and coercion is a shared, constructed meaning among citizens. It therefore has no objective meaning independent of citizens and their states. Indeed, SOAs cannot exercise coercion without either citizens or states labeling them as “illegitimate,” “criminal” or “terrorist.” This is one of the important differences, furthermore, between states and most SOAs: whereas states claim a monopoly on the use of coercion to uphold they law because they are “legitimate,” SOAs claim they are legitimate because they have foresworn the instruments of coercion.

This question is illuminating, nonetheless, because the relationship between “legitimate authority” and “mere coercion” lies at the heart of how citizens form and organize SOAs. Clearly, SOAs derive their legitimacy not from coercion but from voluntarism: the active participation of transborder citizens sustains SOAs without coercion of any form. Indeed, as Rosenau (1999) has argued, SOAs that fail to facilitate easy access for transborder citizens (in Hirschmann’s (1970) metaphor, “voice”) will fail to survive (since citizens will “exit”). Because legitimacy is an intersubjective construct, furthermore, SOAs survive in a world dominated by sovereign states precisely because transborder citizens view SOAs as being non-compulsive. To avoid the appearance of coercion, many SOAs will go to great lengths to dissociate themselves from formal state institutions. For instance, in her discussion of the Leipzig demonstrations that in the fall of 1989 brought down the government of the German Democratic Republic, Lohmann (1994) makes the following observations:

. . . the successful Leipzig Monday demonstrations were dominated by unorganized individuals and small groups who made their participation decisions in a decentralized way. . . . organized efforts appear to be discounted by the people, the media and political decision makers. (p. 89, emphasis added)

. . . [the opposition groups’] attempts to take over the Monday demonstrations were by and large confounded. Beginning in early November, representatives of the opposition citizens’ group New Forum and reform-minded members of the SED who delivered speeches at the Monday demonstrations in favor of a ‘democratic socialist alternative’ were greeted with boos and hisses. The unorganized masses participating in the demonstrations clearly had their own ideas about the direction their country would take – ones that differed from those held by many of the opposition groups and parties that claimed to represent them. In November and December the pro-unification forces began to dominate the Monday demonstrations: the slogan Wir sind das Volk! (We are the people!) was replaced by Wir sind ein Volk! (We are one people!), and the German national anthem was sung as a matter of course. By some measures, the demonstrations became more organized over time: the number of prefabricated banners increased, public address systems were set up, and various groups publicly called on the population to attend the demonstrations. Nevertheless, the Leipzig demonstrations continued to serve as a forum for the expression of the opinions of large numbers of people who were not organized or otherwise politically represented. (p. 75, emphasis added)
In their analysis of these same demonstrations, Opp and Gern (1993) note that “...there is no evidence that opposition groups mobilized the population directly or were widely accepted reference groups that helped shape incentives to protest. In addition, there is no evidence that a group planned any of the demonstrations” (p. 671). Manion’s analysis of the Tiananmen protests (1990) also indicates that protestors gradually stated objectives that exceeded those of the original student protestors who organized the demonstration, again suggesting that citizens often discount the goals of formal organizations and will substitute their own objectives. These analyses indicate that SOAs enjoy citizens’ support precisely because they are unorganized and informal. In this sense, SOAs build their following—and their legitimacy—by dissociating themselves from the instruments of coercion that typify the state.

Both of these analyses suggest an important hypothesis, which may be characterized as the “advantage of disorganization.” SOAs derive legitimacy and attract the force of mobilized transborder citizens from their decentralized and disorganized nature—an organizational form distinct from coercion. It is precisely this informality of organization that signals the intentions of citizens without the refraction of official institutions, agents, or media. It is because some SOAs are disorganized that average citizens treat them as legitimate and take information cues—that in turn inform their political behavior—that they would otherwise discount if they came through official channels.

For all these reason, the greater the spontaneity of the SOA, and the lesser its formal organization, the greater its legitimacy and authority with transborder citizens precisely because its organizational form is distinct from the coercive form of the state. In other words, SOAs achieve a meaningful distinction between legitimacy and coercion through its organizational form. Of course, some SOAs are disorganized and informal by nature, while others attempt to disguise their formal organization in a manner that makes them appear spontaneous—this is why “grass roots” is such a powerful label for NGOs like Greenpeace. Perhaps the most ubiquitous such SOA is the market. Many private-sector SOAs, whether organizations like businesses or numerous diverse consumers in a market, coordinate their behavior in a decentralized way. When coupled with the normative meaning of markets—as “efficient” despite the homeless, as “democratic” in Margaret Thatcher’s ideal of democratic capitalism—it is little wonder that these are among the most powerful SOAs today. International bond markets influenced U.S. policy makers as they considered plans to bolster the exchange value of Mexico’s currency. Given the growing trend among state and local governments to finance public works through bond issues, it is little surprise the bond raters, buyers and sellers have much greater influence over public spending than ever before. When markets are coupled with information technologies—the overlap of Appadurai’s (1996) financescapes and infoscapes—transborder citizens can “meet” and organize in a placeless world with great consequence for, but little practical opposition from, states. This is because in the era of globalization markets disguise human agency, and enjoy popular legitimacy for many of the reasons discussed above: transborder citizens perceive markets as independent of the institutions of coercive state power.
It is worth noting that other SOAs organize themselves in a decentralized manner because it simultaneously enhances their legitimacy and helps them to survive in a world of sovereign authorities. Consider the following analysis:

Unlike student protesters who noisily thronged the streets of Beijing with colorful banners and pungent slogans 10 years ago, Sunday’s demonstrators drew no attention to themselves and attracted no notice until there were suddenly many thousand of them sitting quietly in one of the most politically sensitive locations in the nation.

They looked like ordinary people from different parts of China, which they were. Here lies a puzzle—and for China’s leaders, the scariest thing about the protest.

As followers of a sect of qigong, a traditional Chinese teaching that human energy can be cultivated by yoga-like disciplines to improve one’s own health, to heal others and, when mastered, to achieve powers like flying, the protesters represent an amorphous and hard-to-control body that is deeply confident and far-reaching. (Faison, 1999)

It is this combination of “spontaneity” and decentralization that gives some SOAs—what Rosenau labels “transient” SOAs (1997, p. 155)—their power. Leaderless organizations have an important advantage: “The decentralized character of the Leipzig demonstrations arguably contributed to their strength vis-à-vis the regime,” Lohmann (1994) argues. “Since the demonstrations [were] unorganized, there [was] no possibility of appealing to someone to intervene and prevent something from happening.”

In brief, in this era of globalization there are two answers to Pitkin’s question. First, “coercion” and “legitimacy” are inextricable terms born of state-centric thinking. The former term is merely a heuristic device we use to understand the meaning of the state’s claim on the latter. From this perspective, Pitkin’s suspicion is correct: there is not really any difference between the two, at least in a philosophical (and etymological) sense. In terms of social behavior, however, the words have meaning to transborder citizens, affect their political behavior, and therefore are analytically useful. Precisely because coercion is the province of states, SOAs derive their legitimacy by contrasting their organization, institutions, membership, and their operations from those of states. The advantage of disorganization is a manifestation of this: without the refraction of institutions, spokespeople, and other actors, spontaneous and disorganized SOAs inform transborder citizens about the desires and actions of their compatriots elsewhere. This informative role of SOAs explains the power of a decentralized, informal organization. In this sense, the juxtaposition of coercion and spontaneous organization enhances the legitimacy of SOAs.

10 This argument is similar to Mark Granovetter’s argument about the “strength of weak ties” (1973). Granovetter argues that because citizens tend to trust friends more than co-workers,
(4) The Justification of Obligation: Why Are you Ever Obligated to Obey Even a Legitimate Authority?

While this is perhaps the most normative of Pitkin’s four questions, it nevertheless can provide some guidance to empirical investigations of today’s changing patterns of authority. Citizens regularly contest norms of obligation, and hence lines of obligation usually are unclear. Obligation is inherently an intersubjective construct; it does not exist independent of those who invoke it and those who respond to these invocations. As a consequence, we gain little analytical or explanatory weight from distinguishing between “legitimate” and “illegitimate” conceptions of authority and obligation, since such a distinction is usually itself the object of political contestation. This analytical problem is evident in Flynn’s discussion (1999) of conflicting obligations in combating the flow of illegal drugs:

. . . there is little agreement over exactly what constitutes the evil to be eradicated. While there is nearly universal acknowledgment that the abuse of drugs such as heroin and cocaine is a bad thing, it is difficult to formulate similar tidy judgments about the array of interwoven activities that ultimately supply the addict with his fix. Farmers, chemists, shippers, and bankers who are directly or indirectly involved in the drug trade rarely see themselves as criminals, but instead characterize themselves as ‘good’ businessmen striving to embrace one of capitalism’s chief tenets—a commitment to maximizing profits. The investors and suppliers of new technologies that are exploited by organized criminal networks do not see themselves as accomplices to crime, but as purveyors of progress. Importers, exporters, tourists, and commercial carriers are acting in concert with the principles of economic liberalization when they strongly oppose the use of intrusive border controls governments have traditionally relied upon to detect and stop contraband. Finally, civil libertarians are embracing the core ideals of democratic society when they fight to restrict the intrusiveness of governmental authority into the individual lives of their citizenry, even if it means that some drug crimes will go undetected. (pp. 19-20)

Two elements of this analysis deserve elaboration. The first is the role of conflicting obligations to authority: businessmen invoke their obligations to the free market (which, as noted earlier, is a type of SOA), scientists invoke their obligations to “progress,” and civil libertarians invoke obligations to democratic principles. This illustrates the loyalty conflicts that citizens face every day in the face of the forces of fragmegration. Second, these competing obligations demonstrate the degree to which citizens contest their obligations. This contestation is evident in most pressing social problems today, whether gun control or the drug trade. While transborder citizens may well acknowledge that they have obligations other than those to states—an empirical political protests by a co-worker in an authoritarian state may strengthen protests because such a bold act demonstrates the depth of opposition to a regime.
question that deserves investigation—there is likely little agreement among such citizens as to which authority structures they should obey and under what circumstances.

Four Hypotheses on Emerging Social Contracts

Pitkin’s four questions help us understand elements of new social contracts: who will be the parties; when the parties will invoke the terms of the contract; what differences if any are there between the contracts that states have with citizens and those that citizens have with SOAs; and why transborder citizens may choose to follow their obligations to SOAs, even when they conflict with obligations to the state and even when SOAs cannot compel obedience. The analysis above is by no means complete, however. Can Pitkin’s normative discussion provide us with some useful hypotheses for empirical investigation? Toward this end, the theoretical literature on spontaneous organization illuminates the emergence of new social contracts. Although this paper has offered some observations about the relationships between states, SOAs, and transborder citizens, it is useful to state explicitly some of the hypotheses that this discussion generates.

Hypothesis One: SOAs must solve informational problems in order to form, thrive and sustain the legitimacy sentiments of transborder citizens.

This paper has used informational dynamics to explain the cascading processes that lead both to the formation of SOAs and to the legitimacy sentiments that sustain such SOAs. Such authority structures must overcome the state’s control of information, a degree of control that leads to “pluralistic ignorance” and “preference falsification” among citizens (Kuran, 1991, pp. 29-30). Because citizens may be ignorant of how widely or narrowly their political beliefs are shared, they may hesitate to express their preference for alternative authority structures even when doing so would garner widespread support. Such ignorance and preference falsification sustains the state’s authority:

Official repression met with the approval of ordinary citizens and indeed was predicated on their complicity. By falsifying their preferences and helping to discipline dissenters, citizens jointly sustained a system that many considered abominable. According to Havel, the crucial ‘line of conflict’ ran not between the Party and the people but ‘through each person,’ for in one way or another everyone was ‘both a victim and a supporter of the system.’ . . . By thus avoiding an open battle with communism, they acquiesced to battle silently with themselves. (Kuran, 1991, p. 29)

In essence Kuran, Lohmann (1994), Granovetter (1978) and others seek to explain how citizens today solve Schelling’s (1960) coordination game: in the absence of information and without resorting to coercion, how can citizens achieve collective
action? The answer lies in the dynamic interaction of citizens who provide signals to other citizens; SOAs organized to maximize informational content while minimizing their vulnerability to state coercion; and the growth of infoscapes, financescapes, mediascapes, ethnoscapes and technoscapes. The case of Filipinos using their cell phones to organize protests against President Estrada illustrates how this dynamic interaction can have significant consequences for the state and its agents. It is worth noting, furthermore, that these dynamics are neutral from a normative perspective; skilled individuals can use infoscapes to facilitate “subversive” political activity as well. A recent illustration is the practice of German neo-Nazi groups using American internet servers to circumvent German laws prohibiting the dissemination of neo-Nazi materials (Finn, 2000). Unfortunately, although this rich body of work illustrates these information cascades (Granovetter, 1973, 1978; Kuran, 1991; Lohmann, 1994; Opp and Gern 1993), it tends to come from the comparativist tradition. It does not assess the role of informational cascades in transborder politics and in sovereignty-free issue areas and political spaces—those areas that form a preponderance of the political activity labeled as “globalization.” This is an important area of future research by international relations and globalization theorists.

Hypothesis Two: SOAs derive both practical and normative advantages from being as decentralized, and sometimes as disorganized, as possible.

This paper has argued that transborder citizens organize SOAs so that they can survive and operate alongside sovereign states. For some SOAs, this means that they seek accommodation with sovereign states—in Rosenau’s typology (1997, p. 155), this includes “established” SOAs like intergovernmental organizations and accommodative SOAs like NGOs. By contrast, for others—contested and transient SOAs, including protest movements and “illicit” organizations like drug cartels or neo-Nazi websites—this means organizing to maximize their concealment and to minimize exposure to the instruments of state authority. These latter SOAs exist in the folds of sovereignty that states do not, and perhaps cannot, regulate—including quasi-states and areas where state sovereignty is ineffective. In fact, Williams (unpublished) has argued that it is precisely because such states are ineffective that citizens attach loyalty sentiments to drug cartels or the Mafia, which provide the average individual with a modicum of protection and patronage. States cannot “decapitate” many SOAs precisely because, like some mythical creature, they are headless creatures with many arms. Many SOAs have chapters in numerous states, few leaders but many activists, and no one location or headquarters which states can use to manipulate them. In practical terms, then,

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11 In organizational terms, the twin goals of concealment and the sharing of information are mutually exclusive. See Baker and Faulkner (1993).
12 An interesting example is the Falun Gong group in China, which has staged ongoing protests outside the Chinese leadership compound in Beijing. The Chinese government once considered the group—which practices a traditional Chinese teaching of qigong, a type of yoga—a health organization and consequently did not initially seek to curtail its political activities.
decentralized and networked organizations allow SOAs to thrive in a world of sovereign states.14

There is evidence, furthermore, that transborder citizens attach their loyalty sentiments to some SOAs precisely because they enjoy an apparent independence from the institutions of the state. This seems particularly true of transient SOAs—not only those “in which the loci of authority are unclear as a result of cross-border spill-overs” but those which are transient in a temporal sense as well (Rosenau, 1997, p. 155). This independence allows SOAs to provide “private” information that citizens find credible and informative in their political behavior. Lohmann (1994) correctly points out a paradox: states deliberately control information (through government-owned media and censorship) to prevent the transmission of these cues, but the cues in turn have meaning precisely because the act of censorship imbues them with political significance these cues otherwise would not have. The selfless behavior of average protestors, who brave the prospect of detainment and corporal harm, “can be thought of as a voluntary and costly contribution to a public good: information” (Lohmann, 1994, p. 50). It is for this reason states that control the media experience massive cascades of protestors, as did China and East Germany, while in free societies the information value of such protests is considerably less. In this way unorganized, spontaneous and leaderless SOAs can encourage collective action in a manner that more formal authority structures cannot. For this reason, Lohmann (1994, p. 56) characterizes “personal networks” as “groups of individuals who share correlated private information,” a definition which applies to SOAs as well. Indeed, the essence of the new social contract is an obligation among transborder citizens to share private correlated information in a way that facilitates political behavior independent of the institutions of the state, whether those institutions be formal legislatures, corporatist groups, or the media. Unorganized, spontaneous and leaderless SOAs can encourage collective action in a manner than more formal authority structures cannot.

Hypothesis Three: In a fragmentative world, transborder citizens enjoy newfound opportunities to organize and join new social contracts.

Another advantage of decentralized, informal SOA organizations is that they empower individuals to organize political behavior from the bottom up, rather than relying upon the top-down organization of existing institutions such as political parties, unions, and other civic associations. Individuals enjoy this power to form new social

14 On the organizational form and advantages of networks, see Fukuyama (1996); Hock (1994); Tarrow (1995); and Waldrop (1996). The example of computer viruses demonstrates both the vulnerability and power of the network as an organizational form. While the internet speeds the propagation of viruses, it also speeds the ability of SOAs to combat silicon contagion. Corcoran and Shannon (1997) note that “CERT’s fundamental mission is education about network vulnerability. It holds workshops and publishes papers. But mostly it uses the Internet—because broadcasting complex information to countless people with just a few clicks of a mouse is what the sprawling network is best suited to do.”

15 For an example of mass protests in a state with controlled media, see Fackler (1999) and Schoof (1999a; 1999b).
contracts and SOAs for three reasons. The first arises from Granovetter’s insight about the strength of weak ties (1973): to the degree that a state controls the flow of information, “mobilization is easier when networks overlap, i.e., when weak ties exist between networks. . . . For example, if individuals have friends at their workplace as well as in other firms, information can flow much more easily than if workers in a firm spend their free time only with each other” (Opp and Gern, p. 673). As citizens’ weak ties become more global through the techno-, info- and mediascapes like e-mail or online chat rooms, transborder citizens provide and take cues from distant strangers to inform their own local political behavior. A recent example is the Kosovar teenager whose e-mail dialogue with an American high school student informed American public debate about NATO’s operation against Yugoslavia (Burress, 1999; Hammil, 1999). A second reason why informal, unorganized SOAs empower transborder citizens is that such arrangements place a premium on moderate citizens while discounting the role of political entrepreneurs and extremists (Lohmann, 1994, p. 57). Again, in states which control the media and public protests, moderate citizens who demonstrate new allegiances and loyalty sentiments provide more meaningful information to other citizens than do the actions of extremists who have long criticized state institutions, or political entrepreneurs who are associated with state institutions. In this sense, anonymous protestors in Leipzig and Moscow give more impetus to new SOAs and social contracts than Vaclav Havel or Alexander Solzhenitsyn ever could. When moderates use ubiquitous information technologies, their signals and behavior strengthen SOAs.

The information cues which citizens take from these weak social networks and from political moderates also lead citizens to perceive an increase in their own ability to influence the course of political events. In their survey of participants of the Leipzig 1989 protests, Opp and Gern (1993) found citizens broadly believed their participation would make a difference:

Apparently, GDR citizens assumed that emigration and liberalization of Eastern Europe would pressure the East German regime to introduce reforms. Citizens believed that their participation would speed up reforms. Our data confirm an increase in perceived influence: Respondents were asked about their reactions to emigration and liberalization in Eastern Europe. Fifty-four percent of respondents agreed with a statement referring to the emigration wave: ‘I thought that if I participate in demonstrations and similar actions now, I can personally change something.’ Forty-seven percent of respondents agreed to a similar statement referring to the liberalization in Eastern Europe. Citizens also thought that these events imposed an obligation on them to do something to promote change in the GDR, i.e., moral incentives increased. (p. 674, emphases in original)

In this sense, structural changes such as a government’s collapse can influence citizens’ perceptions of their own political efficacy. New social contracts may therefore have a “snowball” or exponential effect: once established, more and more transborder citizens may begin to express loyalties sentiments and assume obligations to emergent SOAs. In conjunction with the skill revolution and the growth of citizens’ cathetic capacities, it is
little surprise that SOAs have proliferated both widely and quickly in the era of globalizaton.

_Hypothesis Four: States and other pre-existing institutions may play an unwitting and ironic role in the conclusion of new social contracts._

It is an irony of the fragmegrative era that states provide the opportunities and the motivations for citizens to conclude new social contracts and form new SOAs. In the case of transient SOAs, state repression actually may increase loyalty to an SOA rather than decrease it. This happens in two ways. First, in their survey of the Leipzig protestors, Opp and Gern (1993) found what they called the “indirect radicalization effect:” those protestors who had experienced the state’s coercion in the past (such as having been arrested) were more likely to protest, rather than less so (pp. 669-670). Although this finding makes intuitive sense—citizens do become frustrated with repressive regimes, and revolutions do occur—it is illustrative of the degree to which some states are muscle-bound by sovereignty. It is interesting to see, furthermore, that states today are wary of this indirect radicalization effect. For example, in April 1999 members of the Falun Gong gathered outside the government’s residential compound in Beijing to protest the Chinese government’s treatment of Falun Gong members. The group, which the government at the time considered a health organization and by official Chinese government estimates had 70 million members, “is also a formidable social network linked by mass loyalty to its founder, Li Hongzhi, a martial arts master who lives in New York” (Schoof, 1999(a)). Writing about the protests, one journalist noted “Chinese leaders are in a bind: acting decisively against a qigong sect clearly risks a greater counterreaction; allowing large protests is an invitation to other kinds of demonstrations, including the overtly political” (Faison, 1999). Clearly, even authoritarian regimes like the Chinese government fear the indirect radicalization effect with good reason. Although Beijing did eventually crack down on the Falun Gong, several members of the sect recently immolated themselves in Tiananmen Square (Pan, 2001). In this way the radicalization resulting from state coercion often prompts the formation of transient SOAs, just as it did in Leipzig and throughout Eastern Europe in 1989.

Another irony is that the institutions of the state itself, as well as other private institutions, often play an important role in solving the coordination problems associated with unorganized, transient SOAs. These institutions and practices may afford citizens the opportunity to overcome their pluralistic ignorance. Two examples from the Eastern European revolutions are illustrative. Interestingly, the Leipzig demonstrations occurred every Monday evening, starting in January 1989 with only 800 participants, peaking with an average turnout of over 130,000 in November 1989, and ending in September 1990 with an average of 567 participants (Lohmann, 1994, pp. 65-66). Why did protestors choose Monday evenings? Interestingly, since 1982 a church in central Leipzig had been holding Monday-evening “peace prayers:” “By mid-1989 the church and the peace prayers were firmly established in the minds of the people as an ‘institution’ of protest associated with the local oppositional subculture” (Lohmann,
Lohmann’s analysis is an interesting case in self-organization that deserves a longer read:

It was commonly known that each Monday at about 6 p.m. a large number of people would come streaming out of both the Nikolai Church and other nearby churches that held late afternoon services. Many of these people would cross the Karl-Marx-Platz, the central town square. We know from the diary of one of the regular demonstrators that small groups of friends typically met on Monday afternoons in the city center, where they would join churchgoers and other strangers to form a demonstration. They would then proceed along the Ringstrasse, which encircles the center of town, picking up additional people along the way. . . . Thus, the unique timing and convenient layout of the city center facilitated the spontaneous coordination of thousands and later tens and hundreds of thousands of individual participation decisions. (pp. 67-68)

This is a telling example of how a simple social practice, in this case the Monday prayers, can facilitate the formation of a new social contract.

Another example is the demise of the Romanian dictatorship regime in 1989. When Romanian leader Nicolai Ceaucescu held a rally at the Communist Party headquarters in central Bucharest on December 21, 1989, he undoubtedly hoped that the mass gathering and its televised coverage would end the sweep of violent protests in his country. When the crowd—forcibly gathered by state authorities—jeered him, however, it sent a clear signal to citizens throughout the country, encouraging their participation in the protests. Shortly thereafter the civil war commenced. Revolutionaries killed Ceaucescu five days later (Kifner, 1989). The irony of this example is that it was a state-organized demonstration of “support” for the regime that provided the opportunity for citizens to organize themselves against it. As this example suggests, transborder citizens can use state institutions to organize their own authority structures: this is how the Falun Gong survived in China up until 18 months ago—as a state-approved health organization. SOAs use existing institutions to organize, survive and thrive within the folds of sovereignty.

Conclusions: Globalization and Crises of Authority

These four hypotheses illuminate the processes by which transnational citizens conclude new social contracts and form SOAs of all varieties. The phenomena of spontaneous organization illuminates how transborder citizens can evoke loyalty sentiments and obligations of other citizens, even in the teeth of the nation-state’s opposition and repression. There are several ironies about the formation of new social contracts. Unorganized authority enjoys a legitimacy that organized forms do not. Moderates have greater influence on these social contracts than extremists do. Weak associations across sovereign borders facilitate the formation of authority structures more easily than strong, national associations will. Pre-existing institutions, including the state itself, may provide the organizational impetus for emergent social contracts.
These are the paradoxes of the fragmegrative world: just as globalizing and localizing forces interact, the forces of centralized and decentralized organization, strong and weak social networks, moderate and extreme opinion, and existing and emergent institutions interact in complex ways that defy prediction. But these complex patterns nevertheless illuminate the processes by which transborder citizens conclude new social contracts and construct new spheres of authority.

The hypotheses also demonstrate how complex any answers to Pitkin’s four questions must be. In this era of globalizing forces, the emergence of spheres of authority demonstrates how citizens’ obligations to states have become increasingly contested and limited. These spheres of authority have also shifted the locus of sovereignty: whereas sovereignty once was solely the domain of states—and in a juridical sense remains by definition the domain of states—globalizing forces provide citizens with alternative forms of authority to which to turn for the provision of collective goods, whether the good be a global ban on land mines or independent monitoring of human rights abuses. These new loci of sovereignty have blurred the delineation between legitimate authority and mere coercion: by organizing themselves along informal lines that emphasize voluntarism, furthermore, these spheres of authority juxtapose their legitimacy to the coercive form characterized by states. Finally, the emergence of global information and media networks has complicated each citizen’s contemplation of the justification of obligation, since obligation to one authority may conflict with or obviate the justification for obligation to another. In this sense, the prevalent crises of authority that characterize the fragmegrative dynamics of globalization arise from increasingly skilled citizens who question the limits, loci, and justification of authority.

For this reason, the prevalence of spheres of authority today represents a challenge to the primacy of states no less powerful or important than religion’s challenge to monarchical sovereignty during the Middle Ages. Whereas Becket was one meddlesome man, however, sovereign states today face a proliferation of impertinent authoritative figures. Some of these spheres of authority, like the International Monetary Fund, are more formal than others. But increasingly decentralized and networked form of spheres of authority rely upon information technologies instead of bureaucracy to sustain legitimacy sentiments of citizens. This organizational form means that states can no longer rely upon the proverbial long knives of its courtiers to rid the international system of their influence. Becket died but the conflict between church and state persisted for centuries. The adaptive quality of spheres of authority by contrast assures that crises of authority will be a lasting feature of globalization.
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