Article

POST-CORONA WORLD: BALANCING INTERNATIONAL COOPERATION AND NATIONAL SOVEREIGNTY

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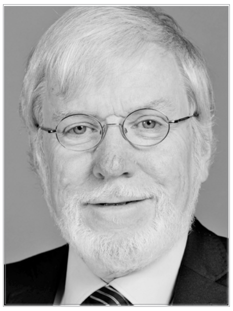

Introduction. *National governments play a key role in the Covid-19 Pandemic as they have to lead the national policy, under emergency law. This is the opposite of the globalization boom since the 1990s after the end of the bi-polar world, where many predicted and expected that national governments will no more be important as the global economy will be run by international companies and globalized markets. What is in the post-corona world the relation between national sovereignty and international cooperation? How much cooperation is needed just under the global threat of the pandemic?*

Materials and methods. *This article is based on my presentation at the MGIMO International Conference on 25 May on "Pandemic as a motor of transformation» and on an extensive research over several years on the ethical concept of balancing opposite values, under the term Globalance [3], and applying this concept to thirty sectors of society, in the perspective of the experiences and new realities after the Covid-19 pandemic. The method is classical ethical decision making [See: 4] with a combination of collecting empirical data from social sciences (here only few) and normative orientation on fundamental values, based on philosophical and theological ethical concepts and principles (justifications not elaborated in detail in the article).*

Study results. *The study focusses on the two values freedom and solidarity as value-poles with the ethical goal to show their relationality and balance them. These two values are applied to the poles of international cooperation and national sovereignty.*

Conclusion. *The Covid-19 pandemic shows the importance of sovereign national governments in handling such a pandemic within its territory and its shows the crucial global cooperation and strong respective multilateral institutions and mechanisms such as the WHO, but also ILO, UNCTAD, migration and refugees organisations, International Telecommunication Union ITU and financial institutions such as IMF and World Bank. A key aspect of Globalance is also the balance between national cybersovereignty and international cooperation for cybersecurity by fighting cybercrime.*

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Study

The Covid-19-pandemic: Non-cooperation Kills Lives

The tiny Covid-19 virus spreads in billions of drops around the globe, it can affect every human being, infected already over 6 million people (only those counted, 9 June 2020) and killed over 400'000 persons. The virus is a common enemy of humanity! In a war, the different troupes of an army would not fight each other, but have only one goal: to defeat together the common enemy. The same strategy should be implemented in the 'war' against the corona pandemic.

The alternative to cooperate and fight together against a common enemy is to not to cooperate, but to leave each other alone or even fight each other. In a pandemic, the virus can affect anybody independent of country, status, wealth, status, age, political party or religion. Non-cooperation includes the risk of lack of access to medical equipment, material for protection like masks, lack of qualified human resources, lack of access to data, knowhow etc. in addition, non-cooperation means a loss of efficiency and speed in resource allocation. Non-cooperation also leads to a decrease of trust during and after the pandemic. Non-cooperation can be rooted in and can lead to conspiracy theories, blaming specific countries or ethnic or religious groups for being the origin of the disaster. Mistrust, cono-cooperation and conspiracies lead to revenge strategies, legal cases against others, which then in addition worsens the situation.

In summary: non-cooperation kills lives!

Cooperation Saves Lives: Ethical Principles and Action

Related to the Covid-19 pandemic, three ethical principles are key:

Solidarity: cooperation in solidarity costs less lives than non-cooperation.

Equality: every human life has dignity and should – as ethical principle - be saved. Concrete strategies lead to ethical dilemmas such as priority of allocation of limited resources such as beds in hospitals or lockdown to save lives for health reasons but endangering jobs so that later people may die from hunger. Health and economic development are not a contradiction per se, the goal must be to save as many lives as possible by balancing these measures. Dying from the virus, from hunger, from unemployment or from social unrest has equally to be avoided.

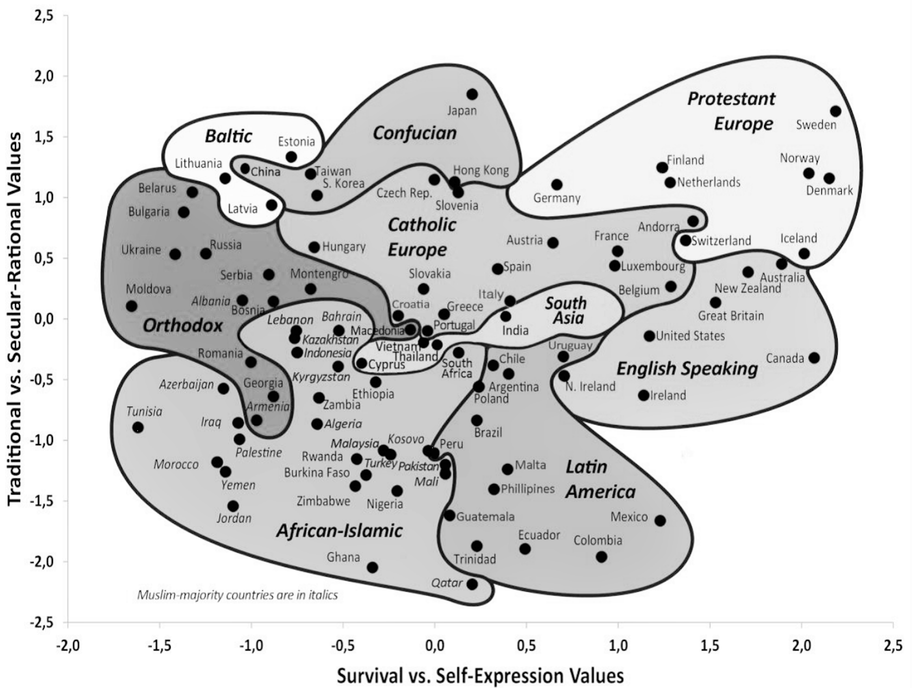
Temporary restriction of rights: Emergency law may make it necessary to restrict freedom and some human rights like free movement to save lives. It is ethically justified, even mandatory, under condition that it is limited to a short, limited time of emergency and not abused to make emergency legislation permanent and abuse it for short term political constitutional changes.

Cooperation then leads con concrete actions in and after the pandemic. Just a few examples: the access to a vaccine, once available is debates. The US government wants to force some companies such as Lonza in Switzerland to provide the vaccine first to Americans. The World Health Organization WHO and the majority of countries underline that a vaccine has to be available worldwide. From an ethical point of view, a vaccine against a virus in a global pandemic has to be a global public good, available to all nations and at affordable price. Another action of cooperation is global coordination in the health sector. «We need to improve the governance system for public health security», said President Xi on 18 May 2020 to the WHO General Assembly. The WHO published in April 2020 a strategy update[1] with a list of necessary actions, all based on cooperation: Strengthen enforcement competences of WHO; mechanism to share anonymous digital health data worldwide for improved diagnostics, prevention and solutions; Coordination and Monitoring of country preparedness and response; Epidemiological analysis and risk assessment; Risk communication and community engagement; Coordinated global supply chain management; Technical expertise and health emergency workforce; Accelerating research, innovation and knowledge sharing; Strengthening pandemic preparedness for the future.

Cooperation between different Value-Systems

Global cooperation is of course complex and needs not only goodwill, but a deeper understanding of the common and differentiated political and economic systems as well as cultures and their values. The *World Values Survey* (WVS)[2] is as far as I see the most differentiated and largest empirical data set on values. It analyses since 1986 ethical values around the globe. Every five years, a new survey is published,

[1] World Health Organization, WHO Covid-19 Strategy Update, Geneva, April 2020, 12-15.
[2] www.worldvaluessurvey.org.



with data from increased number of countries. The newest one of 2020 collects data from 80 countries and will be published in 2021. Apart from in-depth country data, the following graph (with data from 2014) shows nine clusters as cultures of value systems. On the horizontal line, survival values (basic human needs) versus self-expression values (individual empowerment and self-realization) are shown; on the vertical line we see traditional versus secular-rational values. The graph also shows that the clusters have a geographic focus and a religious predominance, but the reality of pluralist societies leads to an overlap in many cases. Interesting is also the development of countries over the last 35 years, since the survey started. It shows e.g. the expansion of the rational-liberal-protestant value cluster and a shrinking of the orthodox traditional-survival cluster[3].

Cooperation means to be aware of these value-worlds and the different priorities. Nevertheless, common action if possible, especially in times of such vital global survival needs as it is the case during a pandemic.

Global cooperation needs a global ethics. However, this does not mean that these values-cultures must be mixed in a syncretistic way or unified as a monoculture. Human cultural, political or religious monocultures are vulnerable and not sustainable, as agricultural monocultures need a lot of pesticides because of exposure to diseases whereas biodiversity is sustainable. What is then the solution for cooperation between different value-cultures? The answer is Globalance, global balance.

Globalance: Balance of Opposite Values

My term Globalance [See: 3] means a global balance of values and virtues, which are opposites or in tension to each other but belong together. Globalance is a worldview of the combination and reconciliation of opposites, the 'and' instead of the 'or', based on the assumption of a living centre holding the opposites together (believers may call it God, philosophers a superior principle, scientists the uniting force in the natural laws). Globalance leads to a dynamic (not static) and innovative middle way in overcoming extremisms and fundamentalisms. Globalance has roots in the wisdom and believes of many world religions, cultures and philosophical traditions (more in the East than in the West). Globalance is a worldview and strategy which recognizes the connectivity and relationality[4] (being in relation) of values, virtues and all phenomena. It recognizes the relativity of the own standpoint and therefore is self-critical. Globalance strives to be inclusive and holistic. It is the ethical foundation for cooperation.

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[3] A 30-second impressive video shows the development 1986-2015. URL: https://www.youtube.com/watch?v=AiIpymGeGoo&feature=emb_rel_end

[4] Relational is a key concept in the ethical methodology of my respected late teacher in Zurich and pioneer in 20th century modern economic ethics, professor Arthur Rich, *Business and Economic Ethics: the ethics of economic systems*, Leuven: Peeters 2006, chapter 3.3.7.1, Relationality of the Basic Values.

Globalance between National and International Entities

Let us apply this principle of Globalance on one domain: the relation between national and international entities, which is key for the question of cooperation in a pandemic. Almost all living beings live in communities, small and large, be it a herd, a swarm, a bee colony, a family, a tribe, a duchy or a nation. This automatically raises the issue of the relation between one community and other communities. This observation is behind the modern question of the relation between national sovereignty and international cooperation. National law regulates the rules within one nation, international law has to regulate the rules between nations in international relations and interactions. What does Globalance mean in this balance between national and international level?

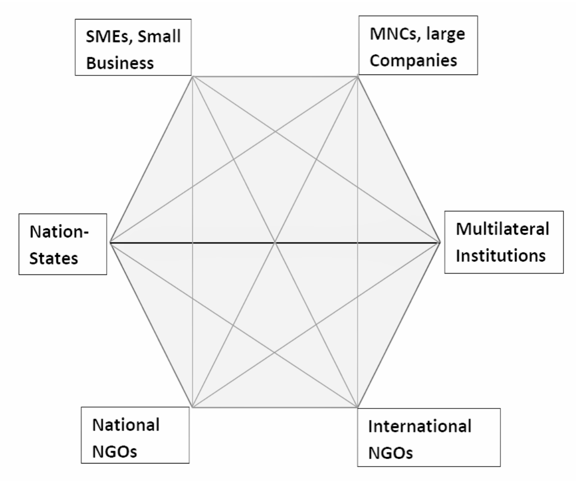
The *modern nation-state* as a sovereign entity in a geographical area is in modern time mainly a result of the Treaty of Westphalia in 1648. It was a system with clearly defined, sovereign legal entities in a territory and a central control within this entity. It allowed a balance of power between these entities. Based on this concept, only in the 19th century most of the European nation-states developed as national entities. It was a political basis, even precondition for colonial imperialism by some of these nation-states.

International law regulating the relation between independent states started in Europe mainly with the Renaissance, but in world history as early as 2000 BC in Mesopotamia in Ancient Middle East, then in Egypt, in Greece (with the city-states), the Roman Empire (jus gentium, law of nations/people) and the Middle Age where principles of international relations have been reflected as part of natural law (the Jewish philosopher Moses Maimonides, 12. Century, and Thomas Aquinas, 13th century) and the canon law of the Roman-catholic church. With Renaissance and Reformation, international trade law, merchant law, maritime law became very important. The International Red Cross in the 19th Century was crucial in developing war law. In the 20th Century, the League of Nations after the First World War and the United Nations and its specialized organisations after the Second World War became the global framework for a much extended international law system covering all sectors of society. It ranges from labor to trade, from health to security, from war to peace, from telecommunication to customs law, from tax law to criminal law, from environment to climate, from mining for air traffic, from cybersecurity to artificial intelligence and above all the human rights and right to development declarations and conventions.

The relation between international law and national law is crucial for national sovereignty and the weight of international commitments. In the broad international debate, two main schools are struggling with each other, also in concrete political conflicts: the dualists consider national law and international law as two separated legal systems. They therefore deny the direct and automatic validity of international law for a national legislative system. The monists see international and national law as two parts of one legal system. The radical wing of the monists consider national law, which contradicts international law as void. The moderate monists consider national law, which contradicts international law as valid at least for a transitory period [8].

Global Governance became a concept especially with globalization since 1990. It means not a global government ruling all nations but a system of rules, international laws and conventions of actors (such as nation-states, but also private and non-governmental sector) who voluntarily agree to cooperate, without a central monopoly of power. Therefore, global governance can be combined with democracy [2] and is different from an empire where one central power has the monopoly of power even if it gives a partial autonomy in specific areas. Global governance was also pushed to counter neoliberal globalization [1] with its attempt to sideline governmental interference in the free market. Global governance is also seen as an instrument to govern, manage and give equitable access to 'Global Public Goods' such as water, air, land and other natural resources. Especially the UN Development Program UNDP contributed essential efforts to govern such global public goods [6]. With the COVID-19 pandemic, global governance became a burning issue in terms of global coordination dealing with the pandemic, from health to economy to finance to violent conflicts. Whereas the World Health Organization WHO plaid a key role in information, coordination and supply, the political organs of the UN have been longtime absent and silent, at least until spring 2020. The UN Security Council was not able to take any position or give guidance because of blockages between US and China. The question comes up, if new instruments for such situations are needed.

The *UN Reform* would be an important part of a reformed architecture of global governance. UN Reform proposals are discussed since over 25 years. The Non-Alignment Movement made proposals in 1996, represented by the Geneva-based South Centre [9]. The last three Secretary Generals of the UN – Kofi Annan 1997-2006[5], Ban Ki-Moon 2007-2016 and Antonio Gutierrez since 2017[6], made many efforts for UN reform, but with very limited success. They did not lead to substantial changes as the struggle between the superpowers is too strong.

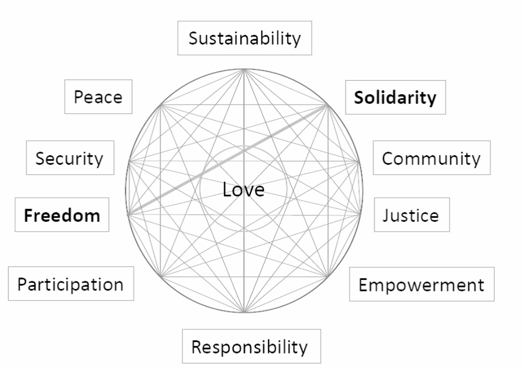


There have been theories and models expecting the disappearance of nation-state as a result of the multilateral world order since 1945 and even more as a result of globalization since 1989. The private sector became indeed very influential, some multinational companies larger in their economic power than some nation-states and neoliberal politics tried to push back the influence of the nation-states to a minimum of interference. Then suddenly, with the financial crisis of 2008, a strong state intervention in the market in order to save with public tax money those banks, which were declared 'system-relevant', was implemented. In the Corona crisis in March 2020 the industrial countries, especially USA and EU, flooded the financial markets through their central banks within two weeks. USA alone with 1.5 trillion USD and the UN through UNCTAD called 'for 2.5 trillion corona virus package for developing countries'[7]. Almost all countries declared emergency status, which means very large competencies of governments of sovereign nation states for a limited period of time. In all these developments, the key question of international politics is the weight and influence of sovereign nation-states compared to international rules and regulations and the cooperation between the two levels.

The same question is true not only for governmental organisations like states and multilateral institutions, but also for the private sector and the non-governmental sector. The all have a national part with their own partial sovereignty (left part of the graph). Many of them are at the same time part of an international entity (right part of the graph). Global NGOs like WWF or World Vision also have this challenge, how much autonomy and freedom of decision is with the smaller entity and how much with the larger entity. All models from very hierarchical to very autonomous subsidiaries exist. Similar with the private sector. Some multinational companies are very centralized from international top, others are holdings with many national legally independent companies which need to be motivated to cooperate with the international entity.

Value-Poles: Freedom and Solidarity

There are several values involved in the relation between nation-states and international cooperation. What is the responsibility of each actor? How are national security and international peace related? How can international sustainability of climate, air, water and financial systems be related to national participation in decision making? The following graph shows ten fundamental values.



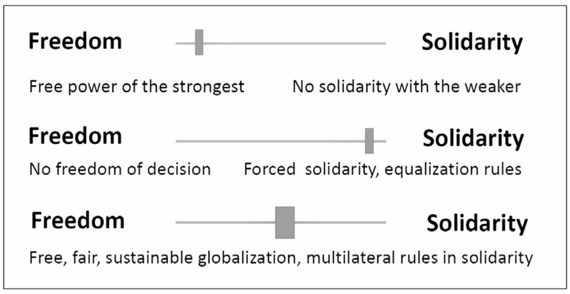
It is not the place here to explain all of them. Let us focus on one core value–pole: freedom and solidarity. Value-poles are two values, which are in opposition or at least in tension to each other and not easy to reconcile. Behind national sovereignty stands the value of freedom of decision of a sovereign state independent from others. At the same time, international solidarity

[5] *In Larger Freedom*, Reform document March 2005 under Kofi Annan. https://www.un.org/press/en/2005/ga10334.doc.htm.
[6] https://reform.un.org, on reform efforts of the current UN SG Antonio Guterres since 2017.
[7] UNCTAD, 30 March 2020. https://unctad.org/en/pages/newsdetails.aspx?OriginalVersionID=2315

is needed to maintain national freedom. Freedom is often one-sided understood as freedom to decide what somebody or a community like a nation-state wants to do. This *'freedom from'* as independence from others' intervention is part of the liberal understanding of freedom. Nevertheless, as important is the ethical and religious understanding of *'freedom to'* as ability to do the right and good thing and freedom of overcoming the bad and evil. In Christian ethics, freedom means first of all the freedom from sin by the liberating act of life, death and resurrection of Jesus Christ. Liberation therefore is a more adequate expression than freedom [5]. On the other hand, solidarity [7] is often misunderstood as total integration in a larger entity without any participation in decisions or space for defined areas of decisions and freedom with solidarity. It then leads in extremis to centralised dictatorship, forced solidarity, loss of identity and revolutionary conflicts. Or solidarity is just the group solidarity of a group of nation-states against the others.

Globalance as Balance of Sovereignty and Solidarity

Globalance means that freedom – in this case in the form of national sovereignty – and solidarity – in this case in the form of mutual support of the sovereign nation-states - are both needed in a balanced way.



Sovereignty misunderstood as total autonomy or even autarky from all cultural, political, economic and religious influences from outside leads to isolation, poverty, cultural and religious monotony and social stress. The ethical principle of subsidiarity enables the balance between national and international levels as decisions are taken on the lowest possible / the most adequate level. What can be decided on family or village level, should not be decided at the headquarters of the UN, EU or AU; but common climate standards, trade rules, measures in times of a pandemic or an international court for crimes against humanity need decisions on the international level and the respective solidarity to execute such collective decisions. In many situations, freedom can only be guaranteed or protected by a superior level: the city police for the individuals, the national law for fair and equal taxation and the UN Security Council for international peacekeeping missions.

The global developments since 2008 show that the two extremes lost their attraction and are almost dead: nobody would seriously say – as it was in the 1990ies – that nation states may disappear in a globalized world and be replaced by a world government or self-regulated free markets. On the other side, those who worked for dismantling the multilateral (UN-) system by cutting its budgets, undermining or blocking international conventions or even cancelling or leaving existing agreements, are hardly convincing after the Corona crisis. The USA announced in 2017 to leave the Paris Agreement on Climate Change Mitigation by end of 2020, left the Iran Nuclear Agreement in 2018, pulled out of the nuclear treaty (Intermediate-Range Nuclear Forces Treaty) by 2019 and accounced to leave WHO in 2020.

From an ethical Globalance perspective, not a global government is the solution but strengthening global governance in terms of strong cooperative actions. It can also include in exceptional situations a joint, multilateral (not unilateral!) intervention in a sovereign state under very restricted conditions, e.g. when fundamental rights are in large scale violated, as it is the case in a genocide. Then, UN-intervention as the "Responsibility to Protect"[8] can ethically be justified.

Conclusion

The Covid-19 pandemic shows the importance of sovereign national governments in handling such a pandemic within its territory and its shows the crucial global cooperation and strong respective multilateral institutions and mechanisms such as the WHO, but also ILO, UNCTAD, migration and refugees organisations, International Telecommunication Union ITU and financial institutions such as IMF and World Bank. A key aspect of Globalance is also the balance between national cyber-sovereignty and international cooperation for cybersecurity by fighting cybercrime. After decades of great

[8] *The Responsibility to Protect. Report of the International Commission on Intervention and State Sovereignty,* Ottawa, ICISS, 2001. The report elaborates the responsibility to protect, to prevent, to react and to rebuild (11-46).

global cyber-integration via internet, cyber-sovereignty becomes a trend so that nation-states protect their area from cyber-attacks, but also for control of their citizens and information flow. Globalance of freedom and solidarity means a certain cyber-sovereignty of states as justified, as long as common standards and cooperation in *international cyber-governance* is still promoted and pursued! Cybercrime can only be limited with strong international cooperation.

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МИР ПОСЛЕ КОРОНАВИРУСА: ОПРЕДЕЛЕНИЕ БАЛАНСА МЕЖДУ МЕЖДУНАРОДНЫМ СОТРУДНИЧЕСТВОМ И НАЦИОНАЛЬНЫМ СУВЕРЕНИТЕТОМ

Введение. *Правительства отдельных стран играют основную роль в регулировании вопросов, связанных с пандемией COVID-19, поскольку они руководят проведением национальной политики в соответствии с нормами законодательства в области чрезвычайных ситуаций. Данная тенденция является антитезой стремительного роста настроений в отношении глобализации, начиная с 1990-х годов, после развала биполярного мира, когда согласно многим прогнозам и ожиданиям правительства отдельных стран должны были утратить свою значимость, а бразды правления мировой экономики должны были перейти к международным компаниям и глобализированным рынкам. Какого рода взаимосвязи существуют между национальным суверенитетом и международным сотрудничеством в условиях мира после коронавируса? В какой мере необходимо сотрудничество только в условиях угрозы всемирной пандемии?*

Материалы и методы. *Данная работа подготовлена на основе материалов моей презентации на проводившейся 25 мая в МГИМО Международной конференции «Пандемия как движущая сила преобразований» и результатов обширных исследований за период нескольких лет по этической концепции определения компромиссов между противоположными ценностями, отнесенными в своей совокупности к термину Globalance [3], и применения данной концепции к тридцати секторам общества с учетом опыта и изменений, обусловленных последствиями пандемии COVID-19. Данный метод следует общепринятому алгоритму принятия решения по этическим вопросам [См: 4] с использованием определенного набора эмпирических знаний социальных наук (в данном случае всего нескольких наук) и обязательной ориентации на основополагающие ценности с учетом философских и теологических концепций и принципов (при этом в дан-*

ной статье не приводятся соответствующие обоснования).

Результаты исследования. В основе данного исследования лежат две ценности – свобода и солидарность, служащих ориентирами с целью отражения взаимосвязи и определения баланса между ними с этической точки зрения. Действие данных двух ценностей распространяется на основные столпы концепции – международное сотрудничество и суверенитет.

Выводы. *Пандемия COVID-19 наглядно демонстрирует значимость национальных правительств в работе по урегулированию данного кризиса в территориальных границах своих государств, а также значимость основных организаций и учреждений международного сотрудничества и влиятельных международных финансовых организаций, таких как ВОЗ, МОТ, ЮНКТАД, организаций по вопросам миграции и беженцев, Международного союза электросвязи, МСЭ, а также кредитно-финансовых учреждений, таких как МВФ и Всемирный банк. Кроме этого, основными аспектами Globalance являются уравновешенность приоритетов национального суверенитета в области кибербезопасности и международного сотрудничества по борьбе с киберпреступностью.*

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Ключевые слова:
международное сотрудничество, национальный суверенитет, международные морально-этические принципы, ценности, Globalance

Keywords:
international cooperation, national sovereignty, global ethics, values, Globalance