CHAPTER 10

Multi-layered Diplomacy in a Global State

Inside everyone in this great chamber today, and everyone listening all around the globe, there is the heart of a patriot that feels the same powerful love for your nation, the same intense loyalty to your homeland. The passion that burns in the hearts of patriots and the souls of nations has inspired reform and revolution, sacrifice and selflessness, scientific breakthroughs, and magnificent works of art. Our task is not to erase it, but to embrace it. To build with it. To draw on its ancient wisdom. And to find within it the will to make our nations greater, our regions safer, and the world better. To unleash this incredible potential in our people, we must defend the foundations that make it all possible. Sovereign and independent nations are the only vehicle where freedom has ever survived, democracy has ever endured, or peace has ever prospered. And so we must protect our sovereignty and our cherished independence above all…. America is governed by Americans. We reject the ideology of globalism, and we embrace the doctrine of patriotism. Around the world, responsible nations must defend against threats to sovereignty not just from global governance, but also from other, new forms of coercion and domination… We will never surrender America’s sovereignty to an unelected, unaccountable, global bureaucracy. (Trump 2018)

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Globality Is Connectivity

The idea of global governance cuts across many disciplinary domains – particularly those of International Relations and Native American Studies – and in a way not dissimilar to the vertical axis that reveals different understandings of sovereignty and sites of diplomacy along the levels of engagement for California or other subnational entities. As fields of inquiry, and like every discipline in the academy, International Relations and Native American Studies frame the world in a way they believe offers insight and perspective on a specific set of questions. However, the questions themselves are now being tested, sometimes severely, as globalization has compressed and conflated ideas of tribe, nation, country, state, or any form of governance. At the same time, ideas of identity, patriotism, nationalism, and popular sovereignty have been brought to the fore as defining features of social discourse. As Kurt Mills provocatively reminds us in *Human Rights in the Emerging Global Order: A New Sovereignty?*, “Regardless of what criteria one uses to describe nations, they are not ‘natural’ entities waiting to be discovered with natural inherent rights... Although having a nation has come to be seen as ‘an inherent attribute of humanity’, Gellner describes the nation as a ‘myth’... Nationalism, then, is an exercise in myth-making. And, to the myth of the nation, nationalists apply the principle of the so-called ‘nation-state’” (Mills 1998).

To date, International Relations as a field has observed and described the evolution and development of an international society in an attempt to take back what it claims to be the anarchical space between states by creating the rules and order of place through the building of institutions, alliances, and norms of global governance. Today, the discipline is being called upon to predict and define the direction and forms these governance structures will take in a post sovereign/post nation-state world. Globalization has eroded the idea of the *universal* in favor of the *national* or even the *individual*, as devolution and identity politics undermine the established international order. “Modernity” has been found guilty of enforcing homogenization and a specific type of uniformity, with little recognition that such a charge is overblown given that many systems, cultures, and traditions of governance resonate and continue to operate – despite the dominance of the hierarchical sovereign narrative.

Meanwhile, indigenous scholars have been forced to argue the case for inherent sovereignty using the language of the bounded hierarchical state. The general assumption has been that all prior types of sovereignty have
been effectively assimilated – yet the entire traditional frame is antithetical to the aims and desires of inherent sovereignty. The human rights/global governance discourse helps connect the questions of disparate disciplines by cutting across the territory between them and perhaps move the conversation toward what it means to be global.

Following that line of reasoning, Shahar Hameiri and Lee Jones argue that the “global” is not done on some high, remote, plane of authority, but is work that is increasingly happening at the subnational level(s). International organizations are too remote from the people they are intended to represent or protect, and thus agencies and entities need to be closer to the issues they purportedly deal with. They go on to say “...achieving this requires jettisoning the outdated concept of sovereignty” and further claim that the “unitary state” must be “disaggregated” (Hameiri and Jones 2016).

Whether we use James Rosenau’s idea of “fragmengration” to indicate the simultaneity of integration and fragmentation currently happening in the system, or Ivo Duchacek’s visual of sovereign boundaries as a “sieve” (Duchacek 1986), the assertion remains the same. The idea that a “modern” state must relentlessly push toward an ideal-type of an international or global institution as being ever-larger – or that the creation of overarching authority structure will enable us to deal more effectively with the issues that affect the earth’s population – has come to a standstill. The anarchical society is no longer somewhere “out there” beyond and between the sovereign nation-states. Globalization has revealed the anarchy within. Time and the tension between the universal and the particular has exposed the roots and true colors of the nation-state. Hameiri and Jones continue, arguing, “The claim that ‘global governance is in crisis’ makes sense only if we limit our definition of the term to processes like the conclusion of formal international treaties or the emergence of supranational institutional authorities” (Hameiri and Jones 2016) and effectively suggest that we are looking in the wrong direction.

Taking their ideas one step further, even if the claims made on behalf of the supranational have stalled, perhaps truly global governance will come from what they call a “transformation of domestic state apparatuses to enact international agendas” (Hameiri and Jones 2016). Perhaps to be global we must dismantle the Westphalian state and not only allow, but encourage, the “multi-layered and polyarchic networks” that are made up of NGOs, IGOS, transnational corporations, and a whole host of non-state and sub-state entities now active on the international stage (Sending
and Neumann 2006). Thus, the language of international relations brings us directly to the intersection of global governance, sovereignty and inherent sovereignty, and the vital importance of diplomacy.

Not surprisingly, indigenous studies also engage with global governance with almost identical claims by re-framing the question. For Sheryl Lightfoot, “Global indigenous politics necessarily forces an important global question to the surface: how to negotiate and redesign new plural, overlapping and multiple types of sovereignties – state and indigenous – within and across state borders, including sovereignties that may or may not be tied to exclusive authority over territories” (Lightfoot 2016).

For many native scholars, the “global” is inextricably woven into the issue of self-determination or self-governance, while positing the view that such desires and recognition need not be seen as a claim to secession. As Walter Echo-Hawk explains, “…indigenous self-determination runs parallel to state sovereignty and takes place within the body of the state” (emphasis added, Echo-Hawk 2013). As Duane Champagne points out, the nation-state is not well equipped to deal with the self-governance needed by tribes. Further, and directly relevant to the state of California, the pervasive language of diversity or multiculturalism will not square this circle. What is needed, he argues, is a multinational state (or, as suggested by Michael Keating, a plurinational state) “…that can accommodate Indigenous rights, territories, institutions, cultures and self-governance” (Lightfoot 2016).

Such an approach, Mills suggests, will require a “variety of forms of political association outside of the sovereignty discourse… self-determination is not a one-time thing, used once and then discarded forever”, as “different types of communities may be eligible to claim self-determination at different times” (Mills 1998).

The challenge to traditional hierarchical sovereignty is clear. This fluid form of recognition and a constantly negotiated and renegotiated form of governance is, by many standards of sovereign understanding, positively dangerous. Perhaps more importantly, the idea that the current form of governance that Paul Keal calls, “The nexus between identity and difference” would have to be broken to remove the old state structures of place and regain the room for the pluralities of space. As he argues, “Difference would have to be accepted as non-threatening and as valuable in and of itself” (Keal 2003).

In the specific case of tribal sovereignty, as James Casey points out, “in many locations within the borders of the United States, there exist
three sovereigns – the Indian Nations, the individual states, and the federal government – all with uncertain powers with respect to each other” (Casey 1994; ncai.org) and therefore a “de-centering” and a “re-conceptualizing” of state sovereignty is needed (Keal 2003). Again, the radical idea supported here is that such a form of governance need not result in states losing sovereignty, but could mean that tribes and others could gain a form of sovereignty over fundamental cultural issues.

**Globality in Practice**

The theoretical struggles are, in some ways, not as important as the ways in which these issues are worked out in practice – as seen in the overlap of these layers around the world today. In Europe, the protodiplomatic actor of Catalonia has been identified by Keating as an “incomplete sovereign” (Keating 2004), and yet the powerful nation-state of Spain is no longer able to withstand the pressure from this region’s movement toward independence. The country’s politics have become increasingly complicated and fragmented to the point of deadlock over the issue of regional secession. In the United Kingdom, the Brexit debate has been made even more intricate by the presence of a secessionist entity (Scotland), a subnational entity (Wales), and an entity with a long history of community violence (Northern Ireland). The sovereignty over and between these “nations within” has prolonged an already thorny process and may still push these subnational units in a new and different direction.

In Australia, and in more explicitly diplomatic terms of recognition, in 1972 a beach umbrella (and then a small tent) became the Aboriginal “Tent Embassy” in front of the old Parliament House in Canberra. Yet, when offered space inside, the leaders of the aboriginal movement refused. The tent had become a symbol. As Constantinou and Der Derian note, “…although the Australian government has not recognized it as a de jure embassy, it seems to have accepted it de facto, and it is now listed on the National Estate by the Australian Heritage Commission” (Constantinou and Der Derian 2010). Similarly, as indicated, tribes in the United States such as the Navajo Nation or Diné are considering the opening of an embassy (Denetclaw 2019), while the Cherokee may send a delegate to the United States House of Representatives (Kaur 2019). Elsewhere, and according to some interviewees, other groups that are heavily invested in symbolic politics – such as the Palestinian Liberation Organization – have rejected the idea of joining forces with indigenous
groups in forums such as the United Nations as they want to be fully recognized, separate, and in their own right.

In the United States, some foreign representatives of secessionist nations find common ground. There is even some dialogue between Quebec, Basque Country, Catalonia, and Kurdistan (though not so much Scotland). According to some interviewees, there have even been discussions about the possibility of a grouping in Washington, DC designed to discuss the diplomatic issues they have in common – though, to date, this has not happened. In a slightly different innovation, and as of 2017, there is now a fully accredited “Tech Ambassador” named by Denmark operating in California (Horejsova et al. 2018).

The point here is that subnational, tribal, and national entities of many different varieties are seeking representation – or at least a more powerful voice on both the national and international stage. However, there is no organization of these different efforts or a clear sense of direction, as each entity acts in its own interests and within its own context. Despite the fact their goals are the same, what is accepted as legitimate or accountable governance remains to be seen.

CALIFORNIA AS A GLOBAL COSMOPOLITAN VS AN ACCIDENTAL INTERNATIONALIST

Ivo Duchacek makes the basic observation:

…the human race has lived for millennia in separate territorial compartments – local, tribal, or national – and organized its work, set common goals, and progressed toward them within geographically delineated areas, large or small. The political organization of the world is still primarily based on territorial divisions and subdivisions of the land surface and its imaginary extensions into the seas and air space. (Duchacek 1986)

The challenge of globalization is fundamentally about the difficulty of being connected locally and globally at the same time. Loyalties at every level are constantly being tested by the fact that technology has enhanced our ability to see far away while still living with and through local issues. Kwame Appiah frames this as the “task” of the cosmopolitan and presents us all with the need “to focus on both far and near”. He argues, “Cosmopolitanism is an expansive act of the moral imagination. It sees human
being as shaping their lives within nesting memberships: a family, a neighborhood, a plurality of overlapping identity groups, spiraling out to encompass all humanity. It asks us to be many things because we are many things” (Appiah 2019). However, the intentional “paradox” at the heart of cosmopolitanism is the increasing juxtaposition of what it means to be a citizen and what it means to be a patriot – despite the fact that, as Appiah points out, managing the multiple identities and citizenships is “something everyone has to do”.

Returning to two deceptively simple observations made over the course of this investigation, the issue of “whether or not something is foreign depends on where you are” and the question of “when is a treaty not a treaty?” together effectively sum up the practical realities of globalization for subnational diplomacy. Various scholars have called on California to look beyond its borders and embrace its international role. The state needs to move from the accidental or even default internationalist to something more intentionally connected from the bottom to the top of its axis of action – and back again. To be a global cosmopolitan is not just about economic development or outreach, although that is clearly a significant undertaking for the fifth largest economy in the world. This process needs to be about creating collaborative structures within the state, thoughtful connections to those diplomats and others in the state representing outside interests, and building a footprint in other countries – either through the State department (like other subnationals) or separately (like other protodiplomatic entities).

Governor Newsom, quoted at the outset of this project, has continued to work and to build a team that is expanding the state’s vision of what it means to be locally responsible and globally connected (and vice versa). As well as the new interagency committee under his Lt. Governor, new and more staff have been hired and an ambitious work plan has been developed to build a more robust infrastructure. However, in itself, even that effort will not be enough. To be global is also a mindset, and to be a global cosmopolitan may require the state to examine its own self-confidence at least long enough to seek advice and guidance from the many other subnational entities who have already been doing this work for decades. Governor Newsom is not wrong in saying that California has much to say to the world, but to be a credible global actor also means having a better understanding of those within the state and of the fact that California is only one of many voices in that external space. The global world requires more collaboration, not more one-party, state hegemons.
In the midst of the Brexit debate, British journalist, David Goodhart, outlined what he saw as the struggle between the “somewheres” and the “anywheres” as particularly relevant to the issues facing a number of liberal democracies today. Briefly, the argument suggests that “anywheres” (people who are educated, relatively affluent, mobile, and who value autonomy and fluidity) have effectively taken over the political structures of all parties to benefit themselves. Meanwhile, the “somewheres” (less educated people, who prioritize group identity and security) have been left behind and are accused of being less “modern”, less “civilized”, xenophobic, or even racist. Goodhart concedes there are many “inbetweeners” who Appiah essentially calls the “elsewheres”, made up of those who can see that “somewheres” and “anywheres” must ultimately live together and that many (if not most) of those making up both of these core groups actually came from “elsewhere”. In effect, our connections to the rest of the world cannot be denied, nor can the importance of the local be ignored.

To recognize that entities, like people, can, and for centuries have, maintained many different identities, or even sovereignties, and that each of those identities must be respected, is no small change for a system that resists change – often with violence. However, history tells us that nations, states, and nation-states (or state-nations) as entities are not naturally occurring. Like everything else in our social world, these forms of governance were created by human need and imagination.

The system of states has been undergoing seismic, almost geologic change for some time. The results of that change are now becoming more visible as countless subnational entities, tribes, cities, counties, provinces, states, länder, cantons, etc., are constantly altering their behavior on the international stage. Ironically and tragically, the current global pandemic has now forced the pace of what is effectively a paradigm shift in terms of our governance in ways that remain unpredictable and perhaps dangerous. Governors, mayors, and others have often been lauded for their actions in support of efforts against climate change and other forms of collaboration. They now find themselves struggling against each other and even against the federal government in ways that recall the realist idea of a battle of “all against all”.

Governor Newsom has again called down the language of the “nation-state” as other governors talk about their need to compete as a “country” to gain the supplies they need to deal with COVID-19 and many at home and abroad resist sharing what they have. To this point, California
has avoided entirely self-interested behavior, but even by partnering with neighboring states “against” the central power they reflect older modes of alliance building and counterbalancing. The direction the state will ultimately take as it prepares for the reemergence of the sovereignties of space in the midst of such turmoil and uncertainty cannot be known or even predicted at this point. However, repeating the mistakes of the nation-state or recreating the hierarchies at deeper levels or with more players involved, will not provide the multi-layered diplomacy needed to answer the issues of a global world – nor will it ultimately create a California for all.

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