

Central Lancashire Online Knowledge (CLoK)

Title	What does regional studies study? From subnational to supra-national regional spaces or Grossraum of sovereign governance
Type	Article
URL	https://clock.uclan.ac.uk/16640/
DOI	##doi##
Date	2016
Citation	Uwazuruike, Allwell Raphael orcid iconORCID: 0000-0002-3746-9254 and Salter, Michael (2016) What does regional studies study? From subnational to supra-national regional spaces or Grossraum of sovereign governance. <i>Territory, Politics, Governance</i> , 5 (1). pp. 1-22. ISSN 2162-2671
Creators	Uwazuruike, Allwell Raphael and Salter, Michael

It is advisable to refer to the publisher's version if you intend to cite from the work. ##doi##

For information about Research at UCLan please go to <http://www.uclan.ac.uk/research/>

All outputs in CLoK are protected by Intellectual Property Rights law, including Copyright law. Copyright, IPR and Moral Rights for the works on this site are retained by the individual authors and/or other copyright owners. Terms and conditions for use of this material are defined in the <http://clock.uclan.ac.uk/policies/>

What does regional studies study? From sub-national to supra-national regional spaces or *Grossraum* of Sovereign governance

Allwell Uwazuruike and Michael Salter

ABSTRACT

This article makes a case for expanding the scope of current versions of “regional studies” to include greater emphasis upon transnational regions as of equal if not greater importance compared with an exclusive focus upon sub-national regions. The latter more restrictive approach is typically predicated on the continued centrality of state borders against which the dominant notion of regions as subnational entities is constituted and reiterated. Drawing upon a case study of the African Union our study provides a framework, a critically revised *Grossraum* theory, for addressing the emergence of a new pluralistic and multipolar world order characterised by supra-national regions and regional organizations. Traditional Schmittian notions of *Grossraum* are shown to be in need of substantial revision before they are able to adequately accommodate and explain the empirical details of our case study.

KEYWORDS

Africa, Asia, new regionalism, new state spaces, regional development, regions, spatiality

INTRODUCTION

The question of how slices of territorial space are interpretatively constituted, reiterated, appropriated, distributed and shifted, often as a result of the politics and geopolitics of practices of governance, is a key one (Agnew, 2013), not least for “regional studies”. It is clear from even a cursory review of the overwhelming majority of publications and conference papers presented as contributions to the broad and often interdisciplinary banner of “regional studies” that this research field is not quite as pluralistic as it might appear to be on first sight. In particular, this field operates within an already established interpretive zone: one that is opened up and pre-delineated by a certain taken-for-granted understanding of what, for these purposes, is being taken to constitute a “region”. With a small number of exceptions, the general assumption is that “region” of regional studies has to be interpreted as a *subset of a nation state*, such that a statist framework remains presupposed throughout.

And yet, no self-reflective contributor to regional studies can entirely avoid the qualitative issue of how the question of the “regionality of regions” is being both set up and pragmatically resolved within the discourse of those engaged in such studies. Perhaps, we need to reflect self-critically upon, and even rethink and extend, the prevailing conception of the “regionality of regions” in terms of *supra-national regions*? Our theoretically informed account of the interpretive constitution of the “regionality of regions” can, perhaps, be saved from the pitfalls of abstraction through a close and critical attention to the implications of empirical realities highlighted by detailed and apt case studies of *supra-national types* of regional bodies (Levy, 2011).

Our study develops such a case study approach to the geopolitical constitution of “regions” with respect to Pan-African institutions centred around the African Union (AU). Two central issues arise here: First, the extent to which this and other case studies of supra-national regional bodies can be illuminated when viewed through the geopolitical lens of one particular theory of regionalism within international law and relations: Schmittian “*Grossraum theory*”. Secondly, what analytical and normative refinements need to be made to Carl Schmitt’s theory in the light of whatever we can learn from both the successes and instructive failures of its attempted application to these case studies (Ulmen, 1987; Bendersky, 1983; Elden, 2010; Balakrishnan, 2000)? We argue that although such theory can, in one respect, be interpreted as an instructive failure, it is the very *instructiveness* of this failure that is of most relevance and importance for the conceptual underpinnings of regional studies.

Our methodological approach is that of Hegelian “immanent critique”. During such critique, we immerse ourselves in the phenomenon itself, and sympathetically reconstruct both its nature and main contentions. Then – in the later distinctly critical moment – we expose various discrepancies, restrictions and contradictions between what, say, *Grossraum* theory promises in terms of theoretical cogency and empirical insight, and that which it actually delivers or – even under ideal cases of applications – is *capable* of delivering. Having identified theory/practice discrepancies, we proposed concrete suggestions to mitigate these contradictions, possibly on both sides of the promise vs. performance distinction.

In short, we will be exploring whether a transnational or supra-national “*Grossraum theory*” and analysis, as developed by the controversial German scholar Carl Schmitt (Teschke, 2011a, 2011b; Balakrishnan, 2011; Koskenniemi, 2013; Salter, 2013; Elden, 2010)¹ and developed by political geographers, historians (Carr, 1945, p. 52), political theorists (Benhabib, 2012, p. 688) and jurists (McCormick, 2003 pp. 139–141; Schmitt, 1939, p. 303; Schmitt, 1995; 2 Schmoeckel, 1994; Stirk, 1999, p. 360), can contribute positively to an enhanced understanding of this founding qualitative conception of “region”.

Our ultimate aim is to call into question the customary premise that the very idea of whatever is contingently identifiable as an instance of a “region” (and hence whatever is recognizable as a historically specific instance of “regionalism”, “regional”, “pan-regional”, “regional studies”, etc.) refers primarily to *sub-national regions*, either essentially (as if “by definition”) or at least by the force of unreflective reiterations of traditional state-centric practices. Here, we follow Agnew for whom the practice of (geo)politics constitutive of slices of terrestrial, air and maritime space of our planet takes place: ‘across a variety of geographical scales’ and involves supra-national institutions and powers exercising sovereign power across national borders (Agnew, 2013). To avoid the pitfalls of abstract theoreticism, our argument must draw upon historical evidence of the eclipse of the traditionally conceived nation state interpreted as the premise of an overly restricted type of regional study prejudiced in favour of a conception of “region” that is confined to subnational phenomena.

THE PREMISE OF THE NATION STATE AS A COUNTER-CONCEPT FOR SUB-NATIONAL REGIONALISM

We question the idea that “regional studies” has to rest upon a core – if implicit – conception of “region”, understood as a slice of territory subject to governance within a traditional state-centric or interstate framework³: one whose de facto absolutization of formal state borders often neglects the presence and implications of the transnational variant of regional entities (Elden, 2011; Agnew, 2009).

Indeed, the last two decades have seen a growing academic recognition of empirical tendencies towards market oriented, Neo-liberal globalization, internationalization and supra-national regionalism exercising different types of power across state borders. These trends have – to a greater or lesser extent – challenged the premises of state-centred and interstate orientations towards sovereignty (Hoffman, 1996; Stinger, 2002; Slaughter, 2004; Vernon, 1971). Such a restrictive state-centric orientation towards territory had previously dominated debates within, for example, international politics, political geography and political science (Murphy, 2013; Shah, 2012). Its “allure” has often been at the expense of more pluralistic approaches sensitive to regionalised slices of politically constituted spaces and territories over which, say, regional institutions, such as the European Commission and European Union Council of Ministers, exercise non-traditional forms of “pooled sovereignty”, albeit following a theoretically reversible sovereign decision by states to join this regional ensemble. Although most legislation arises from domestic politics and institutional processes, European Union (EU) law and policy is regularly mediated not only through intergovernmental arrangements and national legislation but also by executive decrees with “direct effect” (ECJ Case 26/6; Lerner, 2011; Allen, 2003). Of course, here we have to recognise on-going tensions between the delegation of sovereign powers of governance to the EU, which reached a highpoint in the early 1990s, and on-going attempts by nation states to repatriate such powers, or to block sub-national regions from dealing directly with the EU other than subject to the state’s prior conditions.

Our concern for theorising supra-national regions is not confined to Europe. There is no country in the world that exists totally independently from other countries in the region and preserves an emphatic nineteenth century conception of national sovereignty. It is clear that of the world countries (total 203: 195 + disputed territories) nearly all are members of a number of large international organizations, such as North Atlantic Treaty Organisation (NATO), the EU, the Shanghai Cooperation Organisation (SCO, 6 members plus observers), the African Union (AU) (32), the United Nations (UN) (193 members and 2 observers), the International Monetary Fund and the World Bank (188 member states and the EAEU (Eurasian Economic Union) - the most recent regional organisation (01/01/2015) – with 5 member states) and the World Trade Organisation (166 members and 24 observers). Each region of our world has its own distinctive regional organization uniting almost all its states, and which is dominated by one or few “leading powers” and forms a regional power bloc. In cases where states are not full members of a regional organization, they are typically members of other organizations, such as Organisation of Islamic Cooperation (Bangladesh and Turkmenistan) and Asia-Pacific Economic Cooperation (Canada and the USA), or are observers to regional organizations.

Most “regional studies” projects rely implicitly upon a concept of “region” defined sometimes polemically against that of centralised nation states, and which is understood as providing an alternative devolved or more localised centre of gravity and focus for both decision-making and goal-oriented political action. Yet, like any kind of polemically deployed conception, the notion of sub-national regions depends, implicitly at least, upon the significance of that which it negates. It rests on the premise of the continued relevance of the theory and practice of individual nation states. Arguably, it also relies upon a silent negation and displacement of any expanded supra-national conception of “region” whose alternative centre of gravity is that of transnational regions or power-blocs transcending state borders. Such spatial blocs are made up of the territorial spaces of two or more nation states amounting to a geographically defined spatial zone encompassing a region of, say, Europe (the original six member European Community), Central Asia (SCO), even NATO and Association of Southeast Asian Nations (ASEAN) (Schickel, 1993, p. 28).

According to Schmittian *Grossraum* theory, both international relations, and transnational laws aspiring to regulate the conduct of such relations, have been steadily entering into a new global order comprising multiple and co-existing regional hegemonic bodies requiring coordination. The twentieth century witnessed the emergence of a range of new regional entities involving not just cooperation between nation states but also the clear *pooling of sovereignty* – even with respect to military affairs and “security” (Delmas-Marty, 1998; Byers, 2000; Koskenniemi, 2004; The US National Intelligence Council’s 2010 Report, 2010; Yamamoto, 1999; Bouzas, 2002; Laporte & Mackie, 2010; Mansfield & Milner, 1999; Fawcett, 2004; Vayrynen, 2003; Kosov, 2012, p. 123). Each of these entities possesses its own spatially constructed “sphere of influence” within territories whose extent cannot be reduced to state borders (Sassen, 2013; Foucault, 2008, p. 77), and operates at an intermediary level located between that of the UN and the traditional individual nation state.

For Schmitt, during the past 70–80 years, there has been a historical eclipse of the traditional nineteenth-century model of the emphatic individual nation state – understood as a bearer of an allegedly individualised, discrete and self-sufficient type of national sovereignty, supposedly allowing it to act as a total master in its own house (Schmitt, 2003, p. 211). This eclipse has been driven partly by the regulative implications of technical developments in communications, military and other technologies, including satellite surveillance and cyberspace, and the internationalization of finance and world trade, such as the rise of China’s financial power as a major exporting and creditor nation (Sassen, 2013, p. 39). Each of these developments has allowed interactions to take place that, to a greater or lesser extent, are *independent of formal state borders* and purely national levels of legal, administrative, financial and other forms of regulation. This Schmittian contention receives contemporary scholarly support with Agnew identifying: ‘an increasing contradiction between what can be called effective sovereignty (exercised by a range of agents)...and claims to legal territorial sovereignty (exercised by singular central state authority)’ (Agnew, 2013, p. 2). In addition, however, we should not forget the implications of changes within post-Cold War international relations previously characterised by the division and imperial assimilation of much of the earth between Soviet and US-dominated empires, often at the expense of the development of comparatively independent regional developments within Europe, Asia and Africa (Luoma-Aho, 2007, pp. 40–41).

For Schmitt, the traditional model of the autonomous nation state has, at least in part, undermined itself at the ideological level. The idealistic – but essentially fictional – conception of a world order comprised of independent, self-determining and equal sovereign states properly equipped with equal voting rights within international legal bodies has been challenged (Schmitt, 2011, p. 79, 104, 112). In practice, the apparent “idealism” of treating each nation state as truly independent self-governing sovereign nations operates to undermine the institutional reality of this “ideal”. This is because of the impact of contexts of not only differential distributions of global power, wealth and military/nuclear capabilities, but also the geopolitical effects within global politics – including the United Nations Security Council and other international bodies – of the emergence of controlled “client states”. The latter’s foreign policies are, in practice, largely dictated by strategic concerns of regional superpowers, which are thereby able by proxy to exercise a backstage form of sovereign power, but without accepting the burdens of either responsibility or legal accountability.⁴

For Schmitt, the traditional state-centric model has been further unsettled by the steady growth during the second half of the twentieth century of supra-national forms of regionalism and regional bodies and confederations involving a pooling of sovereignty. Examples include: the EU, the SCO, and, to a lesser extent, the Arab League, the Cooperation Council for the Arab States of the Gulf, the AU and ASEAN (Schickel, 1993, p. 28). Such pooling by these other states is for example – only regarding economic matters and regional security issues.

Arguably, this historical eclipse of a largely state-centric international ordering has resulted in a growing discrepancy arising between traditional state-centric views of international relations, and the empirically ascertainable realities of growing regionalist trends within the politics and practice of international relations, and hence international law. State borders have become relativised as but one among many (geo)political determinants of slices of space and politically defined spatial relationships. Such developments have allowed astute commentators to refer to the “debordering” of such borders in favour of large “bordered” supra-national spaces broadly resembling what we will later characterise as “*grossräume*” (Sassen, 2013, p. 21).⁵ Arguably, the on-going contingencies of this historically specific context provide the rationale for at least a modified form of Schmittian *Grossraum* analysis.

THE AIMS, LEVELS AND IMPLICATIONS OF A *GROSSRAUM* MODEL OF A SUPRA-NATIONAL REGIONAL SPACE

This section will first define and clarify the key characteristics of a Schmittian *Grossraum* model of supra-national regions (Blindow, 1999; Proelß, 2003,⁶ Kervegan, 1999). Next, we will discuss the aims and implications of a type of analysis that this model calls for (i.e., “*Grossraum* analysis”).

In brief, the concept of *Grossraum* (literally “large space”) that is relevant to the “regionality of regions” has four major elements (Schmitt, 2011, p. 88): First, a distinct “political idea” with which the other member states broadly identify and accept as legitimate on the basis of their overlapping cultural traditions (Legg, 2011, p. 101; Salter and Yin, 2014).⁷ The second element is the presence of a shared and express commitment of members of a regional association not to deploy sovereign power outside the borders of their “own” recognised spatial region,

that is, a *doctrine of non-intervention by spatially alien powers* (Bailes, et al., 2007, p. 6). Here, the pre-imperialist and moderately successful US Monroe Doctrine of 1823–99 provides an illustration and possible historical precedent.⁸ Third, within a viable *Grossraum* there will typically be an acceptance by a regional “leading power” of specific pan-regional security responsibilities (CARR, 1945, pp. 73–74),⁹ which need not itself be a state formation. Examples include NATO, and – in other maritime security respects – aspects of the EU Commission and EU Council of Ministers. These security responsibilities stem from a voluntary pact or formal treaty directed defensively against the threat of unilateral extra-regional interference, or – as was clear with respect to the Monroe Doctrine – imperialistic re-colonization (Schmitt, 1939/2011). The leading power also assumes responsibility for playing the decisive role in determining the meaning and scope of applicable regional principles. This occurs through either the open and the direct exercise of its executive authority, or – sometimes only indirectly – within those “weaker” intergovernmental types of supra-regional bodies, which are strongly mediated by national government measures (Salter, 2012a).¹⁰

The fourth defining quality of a *Grossraum* model of supra-national regionalism is a *politically defined space*, or zone, about which one can distinguish a geopolitically determined “inside” from a relative “outside”. This bordered space is protected materially (diplomatically and militarily) and, in a sense, dominated by the transnational sovereignty of the major regional leading power (Schmitt, 2011, p. 85; Rasch, 2005, Schwab, 1994, p. 186).

The type of supra-national regional analysis that follows Schmittian *Grossraum* thinking has a number of aims. Perhaps, the most emphatic goal is to develop regional studies well beyond the restrictive limits of a “state-centred” view of regions stemming from a more traditional statist or “interstate” approach. This approach is directed against the *sub-national* notion of region (more precisely multiple potential regions, such as the North West of England, the South East and North East of England). All of these are confined to a given state’s borders that are typically interpreted as if they were spatially constitutive. To remain self-consistent, *Grossraum* analysis has to reject such a restrictive approach to regional analysis. This is because it operates at the expense of any systematically developed recognition of the nature and (geo)politics of regional transnational bodies, or power blocs, exercising different types of sovereign power “across state borders, whereby such power relativises (or ‘debororders’) such borders” (Hooker, 2009, p. 152).

Another major aim is to illustrate the potential benefits for regional studies of recovering a strong sense of the “politics of spatiality” (Schmitt, 2011, p. 113). In this context, the notion of “politics” is not a distinct realm. Rather, its defining characteristics lie in the *intensity of relations of association or affiliation*. Here, individuals, groups, regional institutions – and even clusters of states – form themselves into transnational relations as one another’s current “allies”, “neutrals” or “enemies”, in ways subject to both frequent changes and even dramatic reversals (Schmitt, 2006; Salter, 2012b).

We can analyse the “politics of spatiality” here at two-levels: those of already constituted social understandings of what a region is defined as being (and where it now starts and finishes, and its defining qualities and characteristics); and, secondly, the dynamic “constitutive” level. The latter refers to that on-going series of interpretative processes of

social construction of relations of meaning, relevance and value, which underlie the constituted level. In turn, these often dynamic processes continuously generate, sustain and sometimes modify each of the categories found within them. These include the socially constructed senses of identity and political idea(s), such as the notion of being “a good European”.

The vital goal here is to assess the extent to which the on-going processual and contingent determination of units of space, with boundaries demarcating their internal space from extraregional spaces, is itself typically driven by various contingent and particularistic geopolitical factors. These can relate, for example, to the search for extensive regional or international influence and securing effective control over resources deemed to be vital to realise strategic interests.

In addition, the specifically critical impulse of *Grossraum* analysis lies in how it seeks to develop an *alternative post-statist model* of legal and other forms of regulation of slices of bordered space. This model could prove to be more adequate to the historically specific empirical details of how transnational geopolitical relations and regional geopolitics are currently operating in practice (Schmitt, 2003, p. 355).

In turn, the proposed analytical model and associated interpretive practices would need to address *six distinct levels of analysis* not found in traditional horizontal interstate models. The first level comprises those forms of legal and constitutional regulation of public and civil society relations within any given *Grossraum* that exhibit transnational implications (Schmitt, 2011, p. 110). Clear examples are competition policies, corporate taxation, drug trafficking, transportation and trade policies, including their regulation by means of region-wide commissions, courts and tribunals operating in ways akin to the EU’s European Court of Justice (Micklitz & Witte, 2012).

A second analytical focus is directed towards the specific constitutional position and public law type *lines of possible accountability* of each “leading power” within a particular *Grossraum*. This is a distinctive issue raised by the unique security, overall coordinating responsibilities and associated sovereign rights and capabilities possessed by leading powers. It is also necessary for all member states of a supra-national region to clearly *know about* and reaffirm those principles that determine where the scope of legitimate sovereign power starts and stops. Member states must also be able to appreciate the nature of the principles determining the meaning, scope and limits of power(s) and duties of intervention by the leading power, as well as having institutional avenues for assessing and, perhaps, even challenging the “constitutionality” of how a particular leading power is deploying region-wide sovereignty within any given context.

The third level of analysis relates to the regulation of inter-*Grossraum* “foreign relations” (Schmitt, 2011, p. 111). For example, it is important for scholarship to examine and clarify the distinctive implications of region-on-region relations among, say, the SCO and EAEU, and then EU and NATO, and the AU. Issues raised by the regulation of such higher level relations are clearly not reducible to those between individual member states, that is, their strictly bilateral relations and formal treaty obligations.

For *Grossraum* analysis, the fourth level of investigation concerns the *bilateral relations* between the leading powers of each particular *Grossraum*. We have to analyse the distinctive regulative challenges arising where the leading powers enter into, or modify, transnational relations when acting on behalf of the region as a whole, for example, when the EU claimed to represent “Europe” during the Ukrainian crisis of 2014–15 (Koskenniemi, 2001, p. 420). While the EU claimed to represent Europe, this was really the stance taken by its major leading states (Germany, France, the UK). However, it could not be said that all the minor European states wanted to be represented in this dispute, especially where their economies depended on trade with Russia. Contrary to the outdated and formalistic doctrine of the “equality of all states”, these regional superpower relationships cannot be interpreted as somehow akin to those bilateral relations between other members of different transnational regions, for example, between the UK and Algeria. This is because relations between leading powers can take on global dimensions and implications concerning, for example, decisive geopolitical relations of war and peace, globally significant flows of international trade, etc.

The fifth level of *Grossraum* analysis relates to the development and enforcement of policies of respect for the integrity and comparative autonomy of all those diverse peoples, both comparative minorities and majorities, who inhabit particular *grossräume* (Schmitt, 2003, p. 211). For example, although Russia and China are leading powers of the SCO, ethnic Chinese are a minority group within neighbouring central Asian SCO member states and, as such, potentially vulnerable to xenophobic persecution.

The final level of *Grossraum* analysis addresses the regulative challenges arising from contestable issues between two or more *grossräume* considered as part of a global order comprising various regional ensembles (Bailes & Dunay, 2007; Schmitt, 2011, p. 109). Examples could include controversies between the EU and the AU over immigration and trade policies. Here, the unit under study embraces the differentiated interregional global order as a whole. These inter-*Grossraum* issues could also stem from the presence and aspirations of peoples whose traditional “homelands”, themselves understood as primary spaces for the realization of a particularistic form of cultural (intersubjective) belonging and modes of spatial rootedness indifferent to state-centric national borders, typically span at least two *grossräume*.

Having briefly clarified the six different vertical levels of *Grossraum* analysis, the fulsome elucidation of each could easily fill an entire monograph, it is now both possible and vital to consider the various implications for regional studies of carrying out such analysis. Among these, we can highlight distinctly normative, policy and scholarly analytical implications. A vital task that stems from scholars adopting *Grossraum* analysis is that of re-framing and re-adjusting the traditional legacy of state-centred international relations and interactions. These need to be revised to better account for the policy and regulative challenges posed by the rise of a growing range of regional bodies already discussed above, and which constitute a *multipolar* form of transnational ordering. It is clear that *Grossraum* principles embody a pluralistic model of transnational relations, and the type of legal and other forms of regulation these require. Studying these requires our focus to fall upon a *grossräume* multipolar world order comprising a small number of divergent and largescale regional associations and spatial blocs, of which the EU is probably the most fully articulated (if problematic) partial approximation to date (McCormick, 2003). (Here, we are identifying little more than a “family

resemblance” in that we are not suggesting, and to be self-consistent could not suggest that the current trajectory of the EU is somehow pre-programmed and hardwired to develop along *Grossraum* lines.) For *Grossraum* thinking, these sovereign regional associations operate within the specific and unpredictable historical contingencies of on-going balances of power and permanently fragile political equilibrium.

In this respect, *Grossraum* analysis moves away from an ideological conception of a singular universe of international relations and their regulation by universalistic forms of international law, itself conceived within a statist or interstate manner. Such analysis begins to address the regulatory implications of the emergence of a multipolar “pluriverse” of *grossräume* (Schmitt, 2006, pp. 53–54). Here, it becomes clear that such a pluriverse consists of a structure of territorial divisions between a limited number of regional blocs, themselves stemming from an underlying processal ordering process (Schmitt, 2011, p. 109; Hooker, 2009, p. 151–2; McCormick, 2003, pp. 140–41). It is also clear that to constitute and sustain a viable constitutive ordering/constituted order, each *Grossraum* must be required to consistently recognise each of the others’ institutional legitimacy and right to exist free from any type of extra-regional interventions (Koskenniemi, 2001, p. 420).

Hence, without resorting to so-called “humanitarian” and other forms of *extra-regional* “intervention”, wherever one member state acts inconsistently with core *Grossraum* values constitutive of “mutual respect for difference” by, for example, engaging in sectarian genocide, then it can expect to become subject to *internal sanctions* from the other member states. These sanctions could include deployments of diplomatic pressure, economic restrictions, military force and “peacekeeping” missions that are both authorised and staffed at the regional, not UN, level. Ideally, any such fragile and contingent pluriversal order would constantly act to re-affirm an equilibrium and balance of power in ways that were consistently constituting and sustaining a pluralistic multipolar reordering of the earth (Schmitt, 2003, p. 355).

The result of a pluralistic reordering regulated by pluralistic principles would still be a global order formally regulated by, say, an overarching form of international law primarily addressing inter-*Grossraum* relations and transnational issues, such as drug and people smuggling. However, it would also be a different *vertically structured type* of legal ordering exhibiting deference to the role of law in the intra-*Grossraum* relations (akin to current EU law), while also generally reserving direct international law regulation to inter-*grossräume* spatial orders (Schmitt, 1941, p. 71; Scheuerman, 1999, p. 144). Clearly, this would mark a radical break with the purely horizontal nature of more traditional interstate forms of regulation presupposed and celebrated by mainstream international law and scholarship.

The pluralistic multipolarity endorsed by *Grossraum* analysis is not and cannot be politically neutral. Rather, it exhibits a defensive yet *ideologically polemical* orientation towards that which it negates (Koskenniemi, 2001, p. 155, 165). This is directed against *any type* of imperialistic orientation seeking to impose a single and homogenising world ordering. For example, an ordering rhetorically justified in the name of normative values, imperatives and economic models, such as Neo-liberalism and absolutist natural law forms of “human rights”, purporting to have a universal relevance, general applicability and timeless truth (Schmitt, 2011, pp. 109–10). In this respect, the pluralistic dimension of *Grossraum* analysis, which on

normative grounds generally endorses the positive value of a (bio)diversity of different cultural traditions while promoting the principles of *mutual respect for such differences*, exhibits decidedly anti-imperialist political implications (Luoma-Aho, 2007, pp. 36–55, 41). Its pluralist stance, which combines regional self-interest with more generic normative commitments, includes an acceptance and promotion of the decidedly multipolar implications of *Grossraum* analysis. In turn, this commitment entails a clear rejection of a singular unipolar principle of global ordering of a would-be and empirically dubious “international community” (Schmitt, 2003, p. 355).

Insofar as a unipolarity is implicated in forms of US imperialistic universalism, including Neoliberal and Neo-Conservative versions, *Grossraum* thinking cannot remain politically neutral or normatively indifferent (Toulmin, 1990; Monod & Estes, 2013; Habermas, 1996; Carty, 2001; Schmitt, 2005; Constellations, 2004; Gowan, 2001; Campi, 1996). At least at the ideological level, it deliberately intervenes to counter those universalistic approaches that tend to make the: ‘smaller peoples chickens in the kitchen of the cosmopolitan restaurant’ (Schmitt, 1940, pp. 178–179). Such intervention is needed because the overall normative and policy thrust of *Grossraum* analysis involves *essentially polemical oppositions* between the following categories: multipolarity vs. unipolarity, pluralism vs. homogenization and mutual respect for difference vs. universalistic imperatives towards assimilation. In each of these binary oppositions, the former term is given a one-sided priority over its devalued counterpart. As a result, and to remain consistent with its own underlying normative value system, *Grossraum* analysis has to develop a sustained critique of the theory and practice of *all forms* of imperialistic assimilation and homogenization stemming from the unipolar ideological project of a “one world”, “the international community” or a liberal cosmopolitan “new world order”.

Typically, such imperialisms deploy doctrines and devices to impose a single and typically US-dominated “new world order”. This is often promoted in the name of regional and international “security”, the supposedly universal and “natural” order of “liberal democracy”, “human rights” and the “rule of law” as promoted by a revived natural rights tradition. By contrast, *Grossraum* analysis develops an essentially defensive type of pluralism. This is directed against not only such universalistic ideologies in themselves, but also the typical *double standards* and hypocrisies that inevitably flow from their highly selective interpretation, application and enforcement. Here, those interpreted as political enemies or neutrals are subject to the negative side of universalistic sanctions for, say, “human rights violations;” which apparently do not apply to political friends, who in effect are afforded de facto immunities. Here one only has to think of how post-war US foreign policy has applied double standards over its reactions to alleged “human rights” violations within Allied and non-Allied states.

Subscribers to *Grossraum* analysis will probably seek to re-work its arguments specifically designed to combat the universalistic claims of contemporary forms of economic, legal and cultural imperialism. In particular, they may adopt a critical stance towards policies endorsing “one world” Neo-liberal models of economic globalization, unrestricted circulation of finance capital and “one size fits all” conceptions of “world development”. To be viable and remain internally coherent, each regional *Grossraum* must be territorially bounded geographically and embrace a particularist form of ideology rooted in its peoples’ distinctive cultural

tradition(s) (Hooker, 2009, p. 152). The very particularity, even singularity, of such traditions is often the basis upon which cultural–religious barriers can be established between, say, where European cultural traditions end and where those of Asia start. In the case of Istanbul, this cultural distinction, which should not be confused with “natural borders”, can be specified by the two sides of a single stretch of water dividing the European side (*Avrupa Yakas*) from the Asian side (*Anadolu Yakas*). Religious aspects of cultural traditions, including fear of political Islam, may even provide barriers to, for example, the integration of Iran and Pakistan into the SCO’s quasi- *Grossraum*, for example, and Turkey into that of the EU.

To remain coherent at the global level of a possible supra-national ordering of the earth, *grossräume* must work to both achieve, and then respect, a *global equilibrium*. The latter has to be reiterated through a balance of power arising between a small (and ideally an odd number) of culturally differentiated regional power blocs (Luoma-Aho, 2007, pp. 40–41). The possibility of a generally peaceful – if always fragile and potentially threatened – multipolar form of global ordering can only occur where every *Grossraum*, for its own, often self-interested geopolitical and strategic reasons, remains committed to respecting following three core imperatives:

- (1) Principles of non-intervention in the internal affairs of other *grossräume*.
- (2) Resistance to all forms of imperialism (including cultural, economic and legal variants or forms).
- (3) Principles of mutual respect for those different and sometimes incompatible cultural traditions that provide the distinctive integrating principle for each particular *Grossraum*.

In turn, these imperatives have to be treated as now having transregional validity only within a post-statist historical context (as opposed to timeless universal truths).

Grossraum analysis also exhibits an essentially critical orientation: one that renounces as spurious a non-political (more precisely “depoliticised”) conception of social scientific “neutrality” and value-freedom within, for example, regional studies. Unlike liberalism, it is more than capable of taking its own side during its critical engagements with alternative approaches. *Grossraum* analysis is also an expressly politically conscious form of scholarship, in the sense of recognising a need for theorising spatial relations as *contingent outcomes of concrete geopolitical processes*. Here, a key focus falls upon the on-going politics of spatial differentiation. In other words, *Grossraum* analysis recognises that on-going political relations operate to continuously mediate not only the object of supra-national regionalism, but also its social scientific analysis. It accepts, on hermeneutic grounds, the unrealistic and naïve nature of claims to value-neutrality within social scientific analysis of, say, a regional phenomenon. These are rejected as self-contradictory “prejudices against prejudice” reliant upon a naïve conception of value-free description. Naively, the latter’s descriptions are typically presumed to remain unaffected by the underlying perspective of the interpreter, whose deeply rooted ideological and other normative commitments typically remain hidden, and thus evade methodological purging in the name of social science.

A further implication of accepting *Grossraum* analysis is recognition of a need to develop a revised model of the core nature of “the political” that is better attuned to the spatial and other politics of regionalism interpreted as an *on-going and contested practice*. Here, even

core scholarly ideas and qualitative underpinnings to the field of regional studies can be deployed polemically as (determinate) negations of negated alternatives (Salter, 2012a).

Grossraum analysis also recognises that, throughout its contingent performances, the structure of “the political” itself operates to endorse a pluriverse of divergent regional blocs in ways that further support multipolarity. Hence, the liberal cosmopolitan dream of the total eradication of multipolarity, leading to an undifferentiated “international community” centred around the UN in which all decisions are conceived of in technocratic/instrumental terms, would result in a form of total depoliticization; that is, the reduction of global challenges to purely technical issues within a presumed (but rarely expressly articulated) liberal “consensus” as to the ultimate ends of human life. Here, scholarly analysis and research would be reduced to the essential unreasonableness of an instrumental means-end rationality in which the focus of scholarly attention falls only upon how best to achieve given ends in an optimally cost-effective manner. As a result, both the ultimate ends themselves, and their underlying normative premises, tend to escape critical scrutiny. By contrast, *Grossraum* theory reinstates recognition of the constitutive role of geopolitics in differentiating the global order into “friends”, “neutrals” and “enemies”.

To be credible, *Grossraum* analysis has to explain historical specific tendencies towards regionalism, and the remainder of this study is devoted to a single case study of a region.

CASE STUDY: PAN-AFRICAN LEGAL INSTITUTIONAL DEVELOPMENTS AS AN EMERGENT PAN-AFRICAN *GROSSRAUM*?

It is arguable that, since the formation of the AU in 2002, the African continent, through the development of Pan-African institutions, appears – in some but not all respects – to be progressing towards an embryonic *Grossraum*-type model of “regional sovereignty”. This section highlights the transformation of Africa from a largely disconnected series of countries largely focused on establishing state sovereignty in a post-colonial context, to a group of nations seeking (albeit with various and fluctuating degrees of enthusiasm) to forge a strong and sustainable regional alliance.

This shift is evidenced in both the formation of the AU, the development of a comprehensive peace and security institutional structure, as well as an African Court of Justice.

In addition, Africa’s sporadic quest for regional autonomy is also demonstrated in the AU’s growing refusal to cooperate with the International Criminal Court (ICC) over the trial of African leaders, and calls for the creation of a distinctly African Criminal Court to try international crimes (i.e., cases of genocide, crimes against humanity and war crimes). This is a distinctly regionalist project, developing partly along *Grossraum* lines, that would make the African regional system the first to take over and consolidate at the regional level what was previously an “international” criminal law mandate.

Africa’s post-colonial history has been characterized in part, by the “political idea”, in a Schmittian sense, of a “Pan-African vision”. This has involved persistent efforts to create a unified region of states haunted by a similar tragic past of colonialism and the slave trade,

and focused on achieving a “brighter future”. This ideological vision is based on the belief in the political idea that:

all Africans have a spiritual affinity with each other and that, having suffered together in the past, they must march together into a new and brighter future: a future secured, not least, through a common Pan-African security infrastructure directed against extra-regional interference. (Emerson, 1962, p. 280)

The latter sentence clearly echoes the *Grossraum*-style rejection of spatially alien interference. In 1981, in response to international condemnations, especially following the gross human rights violations of the Ugandan government of Idi Amin, African political leaders sought to salvage their image and rectify the situation by adopting an African Charter on Human and Peoples’ Rights (Malcolm, 2008).

The Charter projected a more positive (though mainly aspirational) light on the continent. However, the weak Organisation of African Unity’s structure and operation prevented sanctions and other sovereign-like executive or judicial enforcement actions being directed even against states that grossly flouted the Charter’s provisions. The African Commission on Human and Peoples’ Rights, the body responsible in principle for protecting rights on a regional basis, could only submit “recommendations” to the AU’s Assembly of Heads of State and Government after hearing complaints. It could not even make its findings public without obtaining express and prior permission from the Assembly. From a *Grossraum* perspective, this was clearly inadequate and could, at most, be seen as a preparatory, almost entirely ideological step towards the achievement of a pooled pan-regional sovereignty coordinated by a “leading power”.

After the Rwandan genocide of 1993, which resulted in the death of over a million Rwandans after a failed UN Mission, African leaders realised that they had to act to salvage the poor security and human rights situation in the continent as a whole. Thus, towards the late 1990s, African states recognised the need to modify the existing state-centric principles of non-interference within domestic affairs by qualifying their previously absolutist doctrines and practices of “national sovereignty”. In 2002, they ceded more sovereign control to a newly created Pan-African regional body – the AU. Unlike its predecessor, this created an institutional structure of governance that not only challenged the state-centric principle of absolute national sovereignty but also forged a stronger regional authority closer to a *Grossraum* conception of a “leading power”. That is, an authority capable – in principle and within limited spheres – of exercising region-wide sovereign control over aspects of Africa’s affairs.

The development of the AU was driven more by the political idea of Pan-Africanism than by an economic agenda. In keeping with *Grossraum* imperatives, this entailed African leaders recognising the perceived need to resist extra-regional interventions, and thus reinvented African, as opposed to UN “international”, bodies as prime agents for humanitarian intervention and civilian protection on this continent (Vine, 2013). Thus, the AU came to embody a revived Pan-African ideological vision being developed, in part, through polemical negation of pseudo-universalism. Its main practical aims have been to address Africa’s

insecurity and perceived “underdevelopment”, and to create a sense of more assertive supra-national entity and spatial zone (Vine, 2013).

In terms of the vital practicalities and institutional executive structures responsible for the region-wide sovereignty of an emergent leading power, the AU created an African Peace and Security Architecture comprising the Peace and Security Council (PSC), Continental Early Warning (CEW) System, African Standby Force (ASF) and Military Staff Committee, Panel of the Wise (POW) and an African Peace Fund (APF). The PSC is the political decision-making body, the POW a mediation and advisory body, the CEW an analysis centre, the ASF a military element, with the APF providing a special fund to cover costs (Vine, 2013, p. 97). Such attempted regional security guarantees, which are embedded in a pan-regional security framework, represent a necessary requirement of a *Grossraum*, especially as foreign interventions are usually justified on the pretext of resolving state conflicts.

In an encouraging development from a *Grossraum* perspective, the AU and African subregional communities signed a comprehensive Memorandum of Understanding in 2008, with the aim of enhancing and streamlining their cooperation on the implementation of the continent’s wider peace and security agenda (Vine, 2013, p. 18). Thus, the African regional system takes the unique form of a system not necessarily dominated by one or two hegemon but strengthened by existing sub-regional communities, offering the prospect of a more devolved federal structuring. From a *Grossraum* perspective, a succession of AU “peace missions” involving security related interventions within member states represent an evolving and assertive form of supra-national regionalism: one that is aware of its security responsibilities and willing to formulate and mobilise sovereign power even in difficult contexts.

As discussed above, for effective regional governance, there is also need for the provision of effective regional executive mechanisms, including possibly legal/constitutional institutions, for the peaceful resolution of intra-*Grossraum* disputes between members. Prior to the formation of the AU, African leaders were still attached to an absolutist conception of national sovereignty and the view that the African concept of dispute resolution involved negotiations and conciliations, as opposed to adversarial or court systems (Naldi, 2002, p. 12). This position was incompatible with the idea of regional civil, criminal and constitutional courts exercising binding adjudicatory powers and final judgments over member states. It effectively derailed the establishment of a Pan-African human rights court to enforce the African Charter akin to role played by European Court of Human Rights.

However, the advent of the AU has seen a change in stance towards regional strength, allowing the creation in 2001 of the AU’s African Court of Justice (The ACJ’s Constitutive Act 2001), largely modelled on the International Court of Justice, to adjudicate on matters of transnational law between member states. Furthermore, in 2004, AU member states adopted a protocol providing for an African Court on Human and Peoples’ Rights (African Court) to supplement the human rights work of the Commission. Even before the courts had started full operations, it was decided to merge the two into a single “African Court of Justice and Human Rights (ACJHR)” comprising the Human Rights Section and the General Affairs Sections. While still awaiting the necessary ratifications for the ACJHR to come into force, certain global developments (mainly disagreements with the ICC) caused the formation of a

committee to look into the possibility of creating an additional *criminal chamber* in the proposed ACJHR

Within Africa's quest for region-wide forms of pooled "sovereignty" broadly akin to the *Grossraum* model there is clearly a political motivation linked to concerted resistance to the exercise of extra-regional sovereignty by supposedly universal hegemonic "international" institutions, particularly those dominated by former colonial powers. This polemical tendency is clearly present in the AU's strained relationship with the ICC over the trial of African leaders (Murungu, 2011, p. 1067, 1069). Irked by the ICC's decision to carry on with the indictment process, in 2009 the AU directed the African Union Commission to assess the implications of recognizing the jurisdiction of the African Court to try "international crimes", that is, as genocide, crimes against humanity and war crimes (Murungu, 2011; Akokpari et al., 2008).

The AU's insistence on developing a regionalist, as opposed to an internationalist, response to atrocities means that its relations with the ICC have become even more strained over the trial of Kenyan President, Uhuru Kenyatta, and Deputy President, William Ruto. The AU has even accused the ICC of bias and "race hunting" (Bbc News, 2013). At a session of the AU Assembly, Rwandan President, Paul Kagame, re-affirmed a supra-national political idea in the *Grossraum* sense. The latter involves a conception of regional sovereignty interpreted as necessary both in principle and in practice to counteract the perceived humiliation of Africans becoming subject to "extra-regional interference", and the double-standards characteristic of the application of pseudo-universalism (African Union, 2013).¹¹

Kagame's position points towards two focal points of the *Grossraum* model of regional sovereignty. Firstly, the fight against extra-regional imperialistic interventions within Africa. Secondly, the mission of creating a regional body with sufficiently wide powers to preclude any need for extra-regional intervention, most emphatically in a form that prompts perceptions of renewed Western imperialism. It is this belief of Africans being "singled out" for humiliating treatment as a mere "object" of global governance that has led African leaders at an extraordinary session of the AU Assembly in October, 2013, to pass a resolution that African Heads of State shall not appear before any international court during their term of office (African Union, 2013).

As a sovereign union not allowing interference by foreign bodies that are not part of the regional entity, Africa has met the *Grossraum* requirement in the formation of both the AU and institutions such as the APSA and African Court of Justice (Møller, 2009, p. 57). Certainly, with respect to the bounded regional space, we can identify the entire African continent (except Morocco) as this extended transnational spatial zone. All continental African states are also members of the AU, allowing the *Grossraum* to have contiguous borders. The AU also meets the characteristic of possessing a distinctive core "political idea" capable of differentiating one region from another – at least to the extent that a Pan-African ideology ("African Solutions for African Problems") mentality animates many developments. However, this "political idea" appears to be stronger when it is united and directed against extra-regional intervention but far weaker on issues raised by interstate relations within Africa.

Grossraum theory also suggests the existence of a "leading power" to pilot and coordinate the affairs of the *Grossraum*. However, in the African case, it is far from clear whether there

is such a clear leading power. There is certainly no executive body equivalent to the EU Commission and EU Council in which region-wide sovereignty resides. The African case is also peculiar in that the sub-regional bodies which existed prior to the formation of the AU still play crucial economic and security roles on the continent. Thus, the workings of the AU have been described as being based upon an ephemeral group hegemony (Møller, 2009, p. 57).

CONCLUSION

It is clear from any careful cross-referencing of the AU case study to the Schmittian theoretical model set out above that, at most, Schmittian *Grossraum* analysis can provide an agenda for raising a range of vital questions and for sign-posting a number of key of topics to help with the structuring of spatial analysis of regions. What it cannot do is to prescribe, from on high as it were, a fixed number of characteristics that any regional body somehow “must” exhibit to match a dogmatically conceived and projected criterion of a “true” supra-national region. Any attempt to prescribe empirical or institutional content in this way would surely amount to a violation of the normative pluralism and analytical contextualism of *Grossraum* analysis, as well as its reliance upon contingent historical materials.

The fact that the first *Grossraum*, the USA under the 1823 Monroe Doctrine, relied upon a single leading state does not mean that the AU (or even EU or SCO) cannot, in principle, be considered a *Grossraum* because the role of a “leading power” is exercised by an executive body or intergovernmental structure, as opposed to a nation state. In this respect, it is possible that Schmittian *Grossraum* theory possesses certain Eurocentric elements insofar as it is predicated on the idea that the era of state building has now come to an end. However, across much of Africa, there still remains considerable enthusiasm for state building and actively enhancing – as opposed to pooling or delegating “upwards” – the powers and obligations traditionally associated with emphatic forms of national sovereignty.

During our cross-referencing of Schmittian *Grossraum* theory with the AU case study, it has become clear that the former needs to be substantially adapted. Indeed, the limits of the classic formulation of the *Grossraum* idea and empirical analysis of region-wide regulation become especially apparent when we try to apply and illustrate each strand of this model to our case study and – in the course of this attempt – discover certain discrepancies and resistances. In other words, we need to emphasise those contexts where either certain aspects of the distinctly regional qualities of the AU overshoot, or significantly differ from, the prevailing *Grossraum* model – even to the point where any assimilation of these bodies into the Schmittian theoretical framework would involve the interpretive violence characteristic of an uncomfortable “forced fit”.

Viewed in a more positive light, our reflections on the results of such cross-referencing provide considerable resources for a future project of constructively revising and adapting this Schmittian theory, expanding it in some areas, contracting it in others and purging the model of various questionable Eurocentric assumptions. For example, the idea that there will be only one regional “leading power” equipped with unique responsibilities for pan-regional security and self-defence.

Another lesson from our comparative cross-referencing is that *Grossraum* theory raises a series of vital issues for every attempt to analyse *supra-national* regional bodies. What it can usefully contribute is a response to four key questions: First, how are transnational forms and modes of sovereignty, in effect, sovereign power, currently being exercised across an entire supra-national region, and by means of which institutional executive power or powers? Here, the “leading power(s)” issue could prompt a range of critical institutional questions, not least concerning constitutional accountabilities and the enfranchisement and political representation of distinct peoples whose traditional homelands span two or more national borders of member states. Where there are huge refugee movements the question arises as to which *Grossraume* will be responsible for their allocation, and how agreement can be reached between leading powers. Second, within any particular historically specific era what issues arise as to the *geographical scope* of any “given” region? And how are the borders of this region being constituted, sustained and revised, possibly through the exercise of the politics of spatial relations resulting in territorial reiteration, expansion or contraction?

A third issue that *Grossraum* analysis highlights is: by what means are groups of all kinds culturally integrated into a historically and socially defined region to the point that regional characteristics both feature in, and permeate, aspects of their sense of identity as, for example, “fellow Africans”? When addressing processes of integration within any given *Grossraum*, what is the empirical balance among culture, social welfare, economic interests and security concerns as factors promoting relative regional integration (or relative disintegration)? And can this combination of contingent factors be credibly understood in terms of a unifying “political idea” (or – more realistically – complex of related ideas) by reference to which the identity of the region itself is reiterated?

Fourth, how are the various strata of vertical relations within *Grossraum* being regulated by rules and principles of law, constitutional provisions and institutional policies and practices, including those of courts, tribunals and commissions of various kinds? And how – and by what means and to what effect – are such processes of region wide regulation now taking place between two or more *grossräume*? Here, the question of the role of public institutions, such as courts, and the possibilities of public law challenges may be underplayed in Schmittian *Grossraum* theory, as our AU case study shows clearly.

At the same time, our AU case study casts some critical philosophical light on even the most sympathetic reconstruction of a *Grossraum* model, at least insofar as this is understood as resting upon a complete rejection of universalism and a relativistic endorsement of both cognitive and normative pluralism *without limits*. Contrary to Schmitt’s apparently blanket polemical critique of universalism, a consistent regionalism informed by *Grossraum* theory must advance its normative arguments at least as having a general validity, and claim that doctrines of “respect for difference”, multipolarity and regional self-determination free of extra-regional interventions by other powers are *not wholly particular to a given time and place*. We would suggest that the critique of universalism within regional studies can only be directed towards that spurious sub-type which is specifically unilateralist and unipolar in its orientation. In turn, this leaves the possibility open, not least for its own foundations, of a more *genuine* universalism (Benhabib, 2012). However, this would have to be confined to a thin level of general regionalist principles lacking substantive content and, perhaps, detailed prescriptive implications. For example, over the question of whether there must be one or

two “leading powers”? Or whether self-consistency means that security cooperation can only ever be a purely *intra-Grossraum* concern? Or whether the imperative of “balancing” and the quest for a peaceful form of multipolarity is better realised through overlapping memberships in regional security regional bodies, together with a range of bilateral relations whose dynamics tend to be supportive of equilibrium both in themselves and particularly when considered together?

There is also the difficult issue concerning whether even the core defining structural features of a *Grossraum* are historically specific and contingent, or whether they possess a transcontextual (if not universal) validity? For example, is the prohibition of extra-regional forms of sovereign intervention, that is, the basically anti-imperialist dimension of *Grossraum* theory, a merely contingent feature with a limited shelf life? It is not possible to be dogmatic on this point. However, the idea of self-governing regional arrangements equipped with their own regional security apparatuses, courts and systems of governance does seem to presuppose a *general commitment* to regional autonomy from imperial subordination. Indeed, every example of a successful *Grossraum* to date, and the results of our own analysis of the AU as a *Grossraum*-like entity, point in this direction.

Arguably, although there can be all manner of contingent variations concerning the factual details of how the core structures are developed and revised, the structures themselves retain a transcontextual solidity, going to the essence of the very idea and historical rationale of a *Grossraum*. The idea of a *Grossraum* lacking effective sovereignty within its own borders, and with large parts made up of “client states” of an extra-regional superpower, such as the USA, is surely a contradiction in terms. Arguably, a similar point applies to the other core structural features, the existence of a specified zone with identifiable borders defining what is inside and outside the region, and – but perhaps to a lesser extent – the existence of a core political idea on whose basis “friends”, “enemies” and “neutrals” are contingently specified, and the presence of a leading power (which may or may not be, a singular state acting as a regional superpower but can be an agency akin to the EU Commission and Council of Ministers). We would argue that the latter two structural features are open to greater contingencies than the first two. This is because they operate at the level of the practical realization and reiteration of the *Grossraum* project.

Universalism both generally, and with respect to universalistic “human rights” and liberal democratic ideologies, tends to be portrayed by *Grossraum* thinking as if it were inherently homogenising, unipolar and potentially imperialistic. At most this is a half-truth. Indeed, once set up in this polemical way, we are faced with a conception of a threatening ideological enemy who embodies diametrically opposite values to those of pluralism and decentralised multipolarity that defenders of *Grossraum* analysis promote. In other words, universalistic ideologies, particularly those that are endorsed by liberalism and Neo-liberalism, supply the polemical and ideological enemy of *Grossraum* thinking that operate as a foil against which it seeks to justify its position. Given the rhetorical importance of this ideological “enemy”, it would be naive to think that Schmittian *Grossraum* analysis can ever provide an even-handed and fair assessment of rival universalistic positions.

There are also the well-known dangers of Schmittian *Grossraum* analysis falling prey to performative contradiction. That is, making claims in a form that contradicts the substance of

what is actually being claimed. Here, we can highlight a problem whenever *Grossraum* analysis advocates pluralism in a manner that it *is not itself pluralistic*. For example, where the virtues of a pluriverse (more precisely a multipolar “pluriversalistic” global ordering involved a small number of grossräume) are presented as universal and globally applicable as distinct from being specific to the particularistic and distinctive “political ideas” of any specific region. Clearly, at least at the level of normative claims, this would involve a performative contradiction insofar as pluralism and multipolarity have been deployed polemically against universalistic policies associated, for example, with a human rights agenda or the project of an international criminal court (Sassen, 2013, p. 33).

It is, therefore, important for *Grossraum* analysis to engage in a sustained self-critical practice of actively seeking out empirical examples of contexts where political ideas that are important to regional integration transcend that region itself. In other words, to identify counterexamples that cannot be so easily assimilated into a particularistic regional ideology, such as Pan-Africanism. Here, we cannot ignore how aspects of an international human rights framework have been adapted as part of the Pan-African agenda in terms of a “responsibility to protect”. The pluralistic element here lies not in the values in themselves, such as a general respect for imperatives relating to humanitarian protection of peoples from civil war and genocidal dictatorships founded on the right to life and freedom from torture, etc. Instead, it is exhibited in a refusal to allow extra-regional powers, including the ICC, to selectively interpret and apply these in ways that appear discriminatory and hypocritical.

In sum, we would suggest that we are currently witnessing the emergence of a distinctly multipolar and regionalistic world order that may, to a greater or lesser extent, be intelligible in terms of classic *Grossraum* theory, which makes important claims for the preconditions of peaceful coexistence. However, our analysis suggests that such theory needs to be subjected to a number of substantial modifications before it can be considered to provide a useful lens through which to make sense of current trends towards supra-national forms of regionalism. These revisions will be ongoing as further case studies, such as those relating to the EU, the Eurasian Economic Union, the Arab League, are developed in the near future. What has been shown from the AU case study (and a related SCO case study published previously Salter & Yin, 2014) is that this theory still has the capacity to prompt a series of challenging questions. It is able to organise analytical concerns that – taken together – can enhance our understanding of fundamental analytical and geopolitical issues relating to how the “regionality of regions” is both set up and sustained as a process. Only by means of later case studies perhaps in relation to the EU, the Eurasian Economic Union, NATO and ASEAN, we will arrive at less provisional conclusions about the potential practical relevance of adopting a revised form of *Grossraum* theory.

Viewed in a positive light, our reflection on the cross-referencing of such case studies to the Schmittian *Grossraum* model provides considerable resources for constructively revising and adapting this theory. This involves expanding it in some areas, contracting it in others that we have highlighted, while also purging this theory of various possibly outdated or otherwise contextually inappropriate Eurocentric assumptions. For example, the idea that there will be only one regional “leading power” equipped with unique responsibilities for pan-regional security and self-defence is challenged by AU’s overlapping security institutions and commitment.

NOTES

1. Schmitt is highly controversial, not least because of his three-year period of collaboration with the Nazi government between 1933 and 1936, which has prevented his ideas receiving a fair hearing in their own right. It may be many decades before the contemporary relevance of Schmitt's work can be soberly assessed akin to that of Weber, Hobbes and Morgenthau, and in ways that avoids the twin pitfalls of apology and biographical reductionist attack that are hermeneutically naive in the sense of failing to realise that the significance of his work today is reducible to his original intentions because the present provides the frame of reference for reinterpreting the significance of the past. See SALTER (2013) for a further development of the argument that it is the contemporary analytical and explanatory power of Schmitt's arguments—as opposed to moral judgements upon the political choices of the author — that is of primary importance.

2. Schmitt's analysis of *Grossraum* and related spatial issues is largely contained in the articles brought together in the post-war collection entitled *Staat, Grossraum, Nomos: Arbeiten aus den Jahren 1916–1969*, includes the following noteworthy studies: 'Raum und *Grossraum* im Völkerrecht', 234–68, 'Völkerrechtliche *Grossraumordnung*', 269– 320; 'Die Raumrevolution: durch den totalen Krieg zu einem totalen Frieden,' and 'Die letzte globale Linie,' 441– 48 (Schmitt, 1995).

3. RSA Conference 2014 Catalogue and articles; www.regionalstudies.org 2010–2014 search keyword – 'region'. Total: 205 + 26 = 231. In terms of sub-national conceptions, these papers addressed 40 countries, 46 cities (39 + 7) 62 (51 + 10) different regions (including islands and provinces). In terms of comparisons between sub-national and other regions, there were many examples, including, EU/European regions: 14; EU as an organization: 4; Supranational: 2; Mediterranean region: 2; USSR: 1. Other sub-national conceptions include 11 studies addressing EU/ European regions: (8 + 3). In terms of the deployment of a supra-national conception of regions, there were only nine examples (8 + 1). Of course, there were other variants too with 18 studies which could not be distinguished and classified in these binary terms (14 + 4). Four other studies could only be considered "mixed", with the remainder indeterminate.

The universal definition of the concept of 'region' does not exist as division of space into regions depends on area of studies and formulated problems. A designation of the borders of a region and its signs in most cases depends on goals and the methodic base of a study. (Anzaurovna, 2006)

4. NATO members and the former Warsaw pact satellite states of the Soviet empire spring to mind here as examples.

5. Sassen (2013) is noting how:

It is a debordering that constitutes new types of bordered spaces inside national territory itself. These may ...cut across state borders...they are distinct albeit partial jurisdiction not generated by or dependent on the state itself...they make legible asymmetries between the state's sovereign jurisdiction and the territory itself.

6. The relevance of Schmitt's *Grossraum* theory is addressed more fully in the German-language literature. Proelß (2003) addressed connections between this theory of *Großraum* and the modern EU concluding that the differences were more significant than the similarities in that the latter remains too diverse, decentralised and market-oriented policies to be understood as a *Grossraum*.

7. Each *Grossraum* is shaped 'the leading powers, whose political idea radiates through a specific *Grossraum* and who specifically exclude the intervention of alien powers into this *Grossraum*' (Legg, 2011).

8. US President James Monroe first introduced the Monroe Doctrine in his seventh annual State of the Union Address to Congress on 2 December 1823. See <http://www.nolo.com/legal-encyclopedia/content/monroedoctrine-speech.htm> (accessed on 5 July 2014).

9. The terminology here is important. The wider term "leading power" which could accommodate a higher level regional executive authority responsible for some aspects of governance and administration is perhaps more appropriate. Carr once suggested that immediate post-war Britain could – if it only shed the spatially incoherent British Commonwealth – play the role of the "leading power" of a Western European *Grossraum*.

10. *Regional & Federal Studies* 20(3), (2010) Special Issue: 'Studying regions as 'spaces for politics': Territory, mobilization and political change; creating new spaces for politics? The role of national minorities in building capacity of cross-border regions. McCormick's (2003) rather rosy and idealistic account of how the EU also differs from a Schmittian *Grossraum* is contestable on my reading of the latter, as if there is no anti-Americanism in European culture, desire to appropriate aspects of Eastern Europe, or that the "central" powers of France and Germany are not currently dominant forces within the geopolitics of the EU.

11. In his statement to the 21st Ordinary Session of the Assembly of the Union, Addis Ababa, 26 May 2013 Paul Kagame said "We cannot support an ICC that condemns crimes committed by some and not others or imposes itself on democratic processes or the will of sovereign people. Such a court cannot facilitate reconciliation which is a vital precursor to peace. [...] The need to build our own capacities on the continent to address criminal justice calls for crucial and urgent steps – in particular the Africa court of justice should to be strengthened and supported.

[...] "It is not in the interest of the ICC, the Security Council, the African continent and relationships between the three, to see further humiliation of African people and their leaders by an unfair criminal justice system." – the text of the statement can be read here: <http://www.paulkagame.com/index.php/speeches/1088-statement-by-he-paulkagame-president-of-the-republic-of-rwanda-at-the-21st-ordinary-session-of-the-assembly-of-the-union>

REFERENCES

- African Union. (2013). *Decision on Africa's relationship with the International Criminal Court (ICC)*, Extraordinary session of the African Union, October, Ethiopia. Retrieved February 14, 2016, from http://www.iccnw.org/documents/Ext_Assembly_AU_Dec_Decl_12Oct2013.pdf
- Acj's Constitutive Act. (2001). *Constitutive act of the African Union*. Retrieved July 2, 2014, from http://www.au.int/en/sites/default/files/ConstitutiveAct_EN.pdf
- Agnew, J. (2013). (editorial) Territory, politics, governance. *Territory, Politics, Governance*, 1(1), 1–4.
- Agnew, J. (2009). *Globalisation and sovereignty*. Lanham: Rowan and Little.
- Akokpari, J., Ndinga-Muvumba, A., & Murithi, T. (2008). *The African Union and its institutions*. Johannesburg: Jacana Media.
- Allen, J. (2003). *Lost geographies of power*. Oxford: Blackwell.
- Anzaurovna, A. (2006). *Regional identity from geopolitical perspective*. Retrieved July 2, 2014, from <http://cyberleninka.ru/article/n/regionalnaya-identichnost-s-tochki-zreniya-geopolitiki>
- Bailes, A. J. K., Dunay, P., Guang, P., & Troitskiy, M. (2002). *The Shanghai Cooperation Organization*. SIPRI Policy Paper No.17. Retrieved April 10, 2015, from [www.peacepalacelibrary.nl/ebooks/files/SIPRI_Policypaper17\(1\).pdf](http://www.peacepalacelibrary.nl/ebooks/files/SIPRI_Policypaper17(1).pdf)
- Bailes, Alyson JK, Pál Dunay, Pan Guang, & Mikhail Troitskiy. (2007). *The Shanghai Cooperation Organization*. Stockholm: Stockholm International Peace Research Institute.
- Balakrishnan, G. (2000). *The enemy*. An intellectual portrait of Carl Schmitt. London: Verso.
- Balakrishnan, G. (2011). The geopolitics of separation: Response to Teschke's "decisions and indecisions". *New Left Review* II, 68, 57–72.
- BBC NEWS. (2013). *African Union accuses ICC of hunting Africans*. Retrieved May 30, 2014, from <http://www.bbc.co.uk/news/world-africa-22681894>
- Bendersky, J. W. (1983). *Carl Schmitt*. Princeton: Princeton University Press.
- Benhabib, S. (2012). Carl Schmitt's critique of Kant: Sovereignty and international law. *Political Theory*, 40(6), 688–713.
- Blindow, F. (1999). *Carl Schmitts Reichsgrundung: Strategie fur einen europaischen Grossraum*. Berlin: Akademie.

- Bouzas, R. (2002). *Mercosur ten years after: Learning process or Deja-Vu? Paths to regional integration the case of Mercosur* 115–134. Retrieved January 15, 2014, from <http://www.wilsoncenter.org/sites/default/files/Mercosur%20Rpt%20on%20Amer%205.pdf#page=121>
- Byers, M. (Ed.). (2000). *The role of law in international politics*. Oxford: Oxford University Press.
- Campi, S. (1996). *Grande spazio contro universalismo, Schmitt, Freund, Miglio*. Florence: Akropolis.
- Carr, E. H. (1945). *Nationalism and after*. London: Macmillan.
- Carty, A. (2001). Carl Schmitt's critique of liberal international legal order between 1933 and 1945. *Leiden Journal of International Law*, 14(1), 25–76.
- Delmas-Marty, M. (1998). *Trois défis pour un droit mondial*. Paris: Seuil.
- Elden, S. (2010). Reading Schmitt geopolitically Nomos, territory and Großraum. *Radical Philosophy*, 161, 3–12.
- Elden, S. (2011). Governance, part 1. In J. Agnew & J. Duncan (Eds.), *Wiley-Blackwell companion to human geography* (pp. 271–282). Oxford: Wiley-Blackwell.
- Emerson, R. (1962). Pan-Africanism. *International Organisation*, 16, 275–290.
- Fawcett, L. (2004). Exploring regional domains: A comparative history of regionalism. *International Affairs*, 80(3), 429–446.
- Foucault, M. (2008). *The birth of biopolitics*. Basingstoke: Palgrave Macmillan.
- Gowan, P. (2001). Neoliberal cosmopolitanism. *New Left Review*, 27, 71–93.
- Habermas, J. (1996). Kant's idea of perpetual peace, with the benefit of two hundred years' hindsight. In J. Bohmann & M. Lutz-Bachmann (Eds.), *Perpetual peace. Essays on Kant's cosmopolitan ideal* (pp. 113–153). Cambridge: MIT Press.
- Hoffman, S. (1996). Obstinate or obsolete? The fate of the nation-state and the case of Western Europe. *Daedalus*, 95, 862–915.
- Hooker, W. (2009). *Carl Schmitt's international thought: Order and orientation*. Cambridge: CUP.
- Kervegan, J.-F. (1999). World unity. In C. Mouffe (Ed.), *The challenge of Carl Schmitt* (pp. 54–73). London: Verso.

Koskenniemi, M. (2001). *The gentle civilizer of nations: The rise and fall of international law 1870–1960*. Cambridge: Cambridge University Press.

Koskenniemi, M. (2004). International law and hegemony. A reconfiguration. *Cambridge Review of International Affairs*, 17(2), 197–218.

Koskenniemi, M. (2013). Letter in response to Michael Salter's recent paper on Carl Schmitt's Grossraum. *Chinese Journal of International Law*, 12(1), 201–202.

Kosov, J. (2012). *World politics and international relations*. St. Petersburg: Piter.

Laporte, G., & Mackie, J. (Eds.). (2010). *Building the African Union: An assessment of past progress and future prospects of the African Union's institutional architecture, European Centre for Development Policy Management (ECDPM)*. Report No. 18. Retrieved January 15, 2014, from <http://www.diva-portal.org/smash/get/diva2:373584/FULLTEXT01.pdf>

Larner, W. (2011). *Governance: Part 1*. In J. Agnew & J. Duncan (Eds.), *Wiley-Blackwell companion to human geography* (pp. 271–282). Oxford: Wiley-Blackwell.

Legg, S. (Ed.). (2011). *Spatiality, sovereignty and Carl Schmitt: Geographies of the Nomos*. Abingdon: Routledge.

Levy, J. (2011). *Territory: Part 2*. In J. Agnew & J. Duncan (Eds.), *Wiley-Blackwell companion to human geography* (pp. 271–282). Oxford: Wiley-Blackwell.

Luoma-Aho. (2007). Geopolitics and grosspolitics from Carl Schmitt to E. H. Carr and Burnham J. In L. Odysseos & F. Petito (Eds.), *The international political thought of Carl Schmitt* (pp. 40–41). London: Routledge.

Malcolm, E. (2008). *The African Charter on Human and Peoples' Rights: The system in practice 1986–2006*. Cambridge: CUP.

Mansfield, E. D., & Milner, H. V. (1999). The new wave of regionalism. *International Organization*, 53(3), 589–627.

Mccormick, J. P. (2003). Carl Schmitt's Europe. In C. Joerges & N. S. Ghaleigh (Eds.), *Darker legacies of law in Europe: The shadow of national socialism and fascism over Europe and its legal traditions* (pp. 139–141). Oxford: Hart.

Micklitz, H.-W., & Bruno, D. W. (2012). *The European court of justice and the autonomy of the member states*. Oxford: Intersentia.

Møller, B. (2009). The African Union as a security actor: African solutions to African problems? Crisis States Research Centre Working Papers Series 2, 57. Crisis States Research Centre, School of Economics and Political Science, London. Retrieved May 30, 2014, from <http://eprints.lse.ac.uk/28485/>

- Monod, J. C., & Estes, R. (2013). Toward perpetual war? The stakes and limits of Schmitt's critique of Kant's cosmopolitanism. *The New Centennial Review*, 13(1), 137–160.
- Murphy, A. (2013). Territory's continuing allure. *Annals of the Association of American Geographers*, 103(5), 1212–1226.
- Murungu, C. B. (2011). Towards a criminal chamber in the African court of justice and human rights. *Journal of International Criminal Justice*, 9(5), 1067–1088.
- Naldi, G. (2002). Future trends in human rights in Africa: The increased role of the OAU? In M. D. Evans & R. Murray (Eds.), *The African Charter on Human and Peoples' Rights: The system in practice 1986–2000* (pp. 1–35). Cambridge: Cambridge University Press.
- Proelß, A. (2003, May 12). *Nationalsozialistische Baupläne für das europäische Haus? John Laughland's 'The Tainted Source' vor dem Hintergrund der Großraumtheorie Carl Schmitts*, *Forum Historiae Juris*. Retrieved January 15, 2014, from <http://fhi.rg.mpg.de/zitat/0305proelss.htm>
- Rasch, W. (2005). Enmity as a structuring principle. *South Atlantic Quarterly*, 104, 253–261.
- Salter, M. (2012a). The return of politicised space: Carl Schmitt's re-orientation of transnational law scholarship. *Tilburg Law Review*, 17(1), 5–31.
- Salter, M. (2012b). Law, power and international politics with special reference to East Asia: Carl Schmitt's Grossraum analysis. *Chinese Journal of International Law*, 11(3), 393–427.
- Salter, M. (2013). A reply to Koskenniemi's letter. *Chinese Journal of International Law*, 12(1), 203–210.
- Salter, M., & Yin, Y. (2014). Analysing regionalism within international law and relations: The Shanghai Cooperation Organisation as a Grossraum? *Chinese Journal of International Law*, 13(4), 819–877.
- Sassen, S. (2013). When territory deborders territoriality. *Territory, Politics, Governance*, 1(1), 21–45.
- Scheuerman, W. E. (1999). *Carl Schmitt: The end of law*. Rowman & Littlefield.
- Schickel, J. (1993). *Gesprache mit Carl Schmitt*. Berlin: Verve.
- Schmitt, C. (1939). Grossraum versus universalism: The international legal struggle over the Monroe Doctrine. In S. Legg (Ed.) (2011). *Spatiality, Sovereignty and Carl Schmitt: Geographies of the Nomos* (pp. 46–55). Abingdon: Routledge.
- Schmitt, C. (1940). *Raum und Grossraum im Völkerrecht*. *Zeitschrift für Völkerrecht*, 24, 178–179.

Schmitt, C. (1941). *Volkerrechtliche Grossraum ordnung mit Interventions verbot fur raumfremde Machte* (2nd ed.). Berlin: Duncker & Humblot.

Schmitt, C. (1995). *Staat, Grossraum, Nomos: Arbeiten aus den Jahren 1916–1969* (G. Maschke, Ed.). Berlin: Duncker & Humblot.

Schmitt, C. (2003). *Nomos of the earth*. New York: Telos Press.

Schmitt, C. (2005). *Political theology*. Revised Edn. Chicago: University of Chicago Press.

Schmitt, C. (2006). *Concept of the political*. Chicago: Chicago University Press.

Schmitt, C. (2011). *Writings on law*. Cambridge: Polity.

Schmoeckel, M. (1994). *Die Grossraumtheorie*. Berlin: Duncker & Humblot.

Schwab, G. (1994). Contextualising Carl Schmitt concept of Grossraum. *History of European Ideas*, 19(1), 185–190.

Shah, N. (2012). The territorial trap of the territorial trap: Global transformation and the problem of the state's two territories. *International Political Sociology*, 6(1), 57–76.

Slaughter, A. M. (2004). *A new world order*. Princeton, NJ: Princeton University Press.

Stinger, P. (2002). *One world: The ethics of globalization*. New Haven, Conn.: Yale University Press.

Stirk, P. (1999). Carl Schmitt's Völkerrechtliche Grossraumordnung. *History of Political Thought*, 20, 357–374.

Teschke, B. G. (2011a). Fatal attraction: A critique of Carl Schmitt's international political and legal theory. *International Theory*, 3(2), 179–227.

Teschke, B. G. (2011b). The Fetish of geopolitics: Reply to Gopal Balakrishnan. *New Left Review*, 11, 69, 81–100.

Toulmin, S. (1990). *Cosmopolis: The hidden agenda of modernity*. New York: Free Press.

Ulmen, G. L. (1987). *American imperialism and international law – Carl Schmitt on the US in world affairs*. Telos, 72, 43–71.

US National Intelligence Council's 2010 Report. (2010, September). *The US National Intelligence Council and EU Institute of Security Studies, Global Governance 2025: At a critical juncture*. Retrieved January, 15, 2014, from http://www.iss.europa.eu/uploads/media/Global__Governance_2025.pdf

Vayrynen, R. (2003). Regionalism: Old and new. *International Studies*, 5(1), 25–52.

Vernon, R. (1971). *Sovereignty at bay: The multinational spread of U.S. enterprise*. New York: Basic Books.

Vine, A. (2013). A decade of African peace and security architecture. *International Affairs*, 89(1), 89–109.

Yamamoto, Y. (Ed.). (1999). *Globalism, regionalism and nationalism*. Oxford: Blackwell.
142 (2004). Special issue: Constellations. *An International Journal of Critical & Democratic Theory*, 11(4).