

Singing in the Rain

The False Promise of Sovereign Independence

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Abstract: The chapter focuses on the call for (more) digital sovereignty that has frequently been made in the last years. The core feature of sovereignty that is particularly emphasized in politics is independence as a means to self-emancipation and better control. Such a claim for independence is, however, a false promise that is neither desirable nor realistic. The digital transformation goes along with a high number of threats and vulnerabilities which cannot be simply shut down by the proclamation of sovereign independence. It would, therefore, be better to emphasize resilience than independence, when speaking of digital sovereignty. In these times, sovereignty must be understood far more in terms of resilience than as a call for independence.

Keywords: Sovereignty, Resilience, Vulnerability

1 Digital Sovereignty as a Multi-Layered, All-Encompassing Concept of Self-Emancipation

“Digital sovereignty” is a frequently used term these days. It is employed (1) on the level of the individual, (2) for organizations, including both companies and non-profit organizations, (3) for states and for supranational institutions (Gesellschaft für Informatik e.V. 2020, p. 4; Fries et al. 2023). This multi-layered use of the word “sovereignty” is new. Even if there are facets of sovereignty on the individual level that have been used here and there in the past, such as “sovereignty of the consumer” or “sovereignty of the patient”, the traditional understanding of the term “sovereignty” refers to the state, both in its internal structure (sovereignty of the king vs. sovereignty of the people) and its external relations (national sovereignty). We can, therefore, speak of an expansion of sovereignty discourse from the political domain to other layers of society. Sovereignty has become a goal for all, well beyond the affairs of the state.

This expansion is an interesting development I would like to reflect upon in the following paragraphs. It is remarkable with regard to the history of ideas. More than that, it says a lot about our current society. To put it in a nutshell: sovereignty is aimed for on all levels of action because there is a common feeling that we are no longer masters of our actions, that we are more and more dependent on others, and that we have to win back our freedom. In politics in particular, “digital sovereignty” is promoted as a means of self-emancipation and independence, which is very much in line with the

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traditional use of the sovereignty concept in politics, now expanded to all dimensions of society.

Following this reconstruction which will be presented in more detail in the following two sections, I will add two critical sections that emphasize both parts of the notion of “digital sovereignty”: (1) Is it recommendable to react to the challenges of the twenty-first century by proclaiming a concept of freedom as *sovereign independence*? (2) Can the *digital* sphere keep the promise of self-emancipation? My answers to both questions will be rather negative, and, therefore, the last section of my paper will propose to aim rather for resilience than for sovereign independence, given the phenomenon of human vulnerability, which cannot be simply erased by proclaiming independence and which is predominant in the digital sphere as well.

2 Sovereignty as Independence

Some proponents of sovereignty in our days use the concept as an equivalent of autonomy. One example is Paul Timmers, who explains sovereignty by referring to strategic autonomy (Timmers, 2019). Likewise, digital sovereignty and strategic or technological autonomy have been closely related to each other in a 2020 ideas paper edited by the Research Service of the European Parliament (EPRS, 2020). This is interesting in view of the expansion mentioned above, because the autonomy concept has undergone a history in its use that went in the exactly opposite direction than the notion of sovereignty: autonomy used to be a quality of a person and was only recently – as “strategic” autonomy – applied to an institution like the European Union.

There is, indeed, an overlap between both concepts: autonomy and sovereignty both emphasize the capability of self-determination. However, there are differences, too, which can be traced back to the original sense of both words. “Sovereignty” is the English translation of the French word “souverain” which in turn is the translation of the Latin “superanus”, “above the others”. It is very much in accordance with this original meaning when Jean Bodin, who in the sixteenth century coined the term for the political realm, defines sovereignty in the following way: “La souveraineté est la puissance absolue & perpétuelle” (Bodin, 1576, I/9). It has no limits: “Or la souveraineté n’est limitée, ny en puissance, ny en charge, ny à certain temps” (Bodin, 1576, I/8). With these qualities “above the others”, political sovereignty is thought to be an image of God’s power and might (Deppisch, 2015, p. 26–27), and Carl Schmitt is certainly right when he takes Bodin’s notion of sovereignty as a key example of the adaptation of a theological concept to politics (Schmitt, 1996 [1922]).

“Autonomy”, on the other hand, is a combination of the two Greek words “autos” and “nomos,” meaning “self-legislation.” Its main proponent in the history of ideas is Immanuel Kant, for whom the notion of “law” in autonomy is crucial: to live an autonomous life does not mean to live without limits and dependencies, but to live according to obligations and laws as they are given by reason. Therefore, beyond the overlap in terms of a general notion of self-determination, there is a clear distinction to be made between the two concepts of sovereignty and autonomy, and this in particular with regard to their relationship to the idea of independence. “Autonomie bedeutet

also vielmehr Selbstbestimmung als Unabhängigkeit, wie dies – zumindest implizit – oft gedacht wird. So verstanden schließt Autonomie den Bedarf nach Hilfe durch andere keineswegs aus” (Dierks et al., 2001, p. 1–2).

This distinction seems to be seen by most of the proponents of digital sovereignty, because most of them avoid speaking of autonomy, while employing a notion of sovereignty as independence, thereby – often tacitly – emphasizing the quality that distinguishes sovereignty from autonomy (at least in the Kantian understanding of the latter). A good example is the definition of “digital sovereignty” as proposed in a study edited by the German Ministry of Economics: “Souveränität bezeichnet die Möglichkeit zur unabhängigen Selbstbestimmung von Staaten, Organisationen oder Individuen. Digitale Souveränität ist heute ein wichtiger Teilaspekt allgemeiner Souveränität, der die Fähigkeit zur unabhängigen Selbstbestimmung in Bezug auf die Nutzung und Gestaltung digitaler Systeme selbst, der darin erzeugten und gespeicherten Daten sowie der damit abgebildeten Prozesse umfasst” (BMW, 2021, p. 11). The double mention of “unabhängig”/“independent” is key: it shows that the proclamation of sovereignty is driven by an interest in independence. As early as 2015, in one of the first programmatic papers on digital sovereignty, it was defined prominently as “independence” by Bitkom e.V., a federation of German enterprises: “Unter dem Begriff ‘Souveränität’ versteht man allgemein die Fähigkeit zu ausschließlicher Selbstbestimmung. Diese Selbstbestimmungsfähigkeit wird durch Eigenständigkeit und Unabhängigkeit gekennzeichnet. Sie grenzt sich einerseits von Fremdbestimmung und andererseits von Autarkie ab” (Bitkom e.V., 2015, p. 7). The same is true for the already mentioned EPRS ideas paper, to give a third example: “In this context, ‘digital sovereignty’ refers to *Europe’s ability to act independently in the digital world*” (EPRS, 2020, p. 11; emphasis in the original).

3 The Struggle for Independence as a Struggle for Values and Self-Emancipation

The emphasis on independence (and, henceforth, the recourse to the notion of sovereignty) in the last quote gets its explanation in its immediate context within the EPRS ideas paper: “Strong concerns have been raised over the economic and social influence of non-EU technology companies, which threatens EU citizens’ control over their personal data, and constrains both the growth of EU high-technology companies and the ability of national and EU rule-makers to enforce their laws” (EPRS, 2020, p. 11). In this quote, we not only find a good example for the three-layer approach to digital sovereignty (individual person – companies – states and supranational institutions), but also a common threat of control as the over-arching reason for envisioning it. Without expanding on the idea of “control” in the context of digitalization (see Tretter, 2022), it is obvious that the political striving for “digital sovereignty” is put forward as a reaction to a situation of crisis in which self-determination is threatened by forces from outside. The perceived levels of threat are succinctly described in a letter from four European prime ministers that was sent to the head of the European Commission in 2021: “The dependencies and shortcomings in European digital capacities, skills and technologies have become more apparent. A significant amount of

digital value-added and innovation takes place outside Europe. Data has become a new currency that is mainly collected and stored outside Europe. And fundamental democratic values are under severe pressure in the global digital sphere” (Merkel et al., 2021).

It is, therefore, more than a vague feeling of loss of control that stimulates the call for a renewed European sovereignty in the digital age. In a globalized society and economy, a lack of enforcement power and a growing dependence on others who do not adhere to the same moral principles put fundamental values at stake. Digital sovereignty is seen as a way to restore Europe’s political identity, economic welfare, and cultural-moral vision in a process of self-emancipation.

On the national German level, the Grand Digital Strategy issued by the German government in 2022 takes a similar approach from a perception of threat to a concept of digital sovereignty. Threats are identified on all three layers: the individual (Bundesregierung, 2023, p. 24: “Eine moderne und den europäischen Grundwerten entsprechende Datenökonomie kann daher nur zusammen mit einem starken Schutz der Rechte der Verbraucherinnen und Verbraucher im digitalen Raum gedacht und umgesetzt werden.”), companies (“Wir sichern funktionierenden Wettbewerb durch zeitgemäße digitale Ordnungspolitik für digitale Märkte. Dabei geht es um die Verhinderung wettbewerbsschädlicher Konzentration von Marktmacht genauso wie um die effektive Verhinderung konkreter Praktiken, die faire und bestreitbare Märkte besonders gefährden”, *ibid.*, p. 33), and the state (“Um die Kontrolle über die eigene IT sicherzustellen und insbesondere Informations- und Datenschutz gewährleisten zu können, muss die öffentliche Verwaltung unabhängiger von einzelnen Anbietern und Produkten werden”, *ibid.*, p. 48). The proposed answer to these threats is the transformation to a digital sovereign society with reduced dependencies (“Technologische und digitale Souveränität sind notwendig, um Handlungsfähigkeit zu stärken und Abhängigkeiten zu reduzieren”, *ibid.*, p. 2). These efforts for more digital sovereignty are presented as preconditions for an implementation of core values in times of digitalization (“Mit dieser Strategie wollen wir die Rahmenbedingungen verbessern und dazu beitragen, dass der digitale Wandel im Sinne einer nachhaltigen, vielfältigen, inklusiven und demokratischen Gesellschaft geschlechtergerecht und diskriminierungsfrei gestaltet werden kann und insbesondere Zivilgesellschaft, Wirtschaft, Bildung und Wissenschaft die Chancen der Digitalisierung und die Gestaltungsmöglichkeiten des digitalen Wandels im Sinne der Menschen nutzen können”, *ibid.*, p. 4–5).

4 The False Promise of Sovereign Independence in the Twenty first Century

The analysis of threats that was briefly presented in the last section seems evidence-based and correct. But is the proclamation of more independence and the struggle for sovereignty the right way to deal with these threats to self-determination? Bodin developed his concept of sovereignty in the post-Reformation period, which was shaped by conflicts all around at both national and European level. It was also a time in which an idea of absolute power (“puissance absolüe”) was thriving, both in theology and in

politics. A concept of self-determination with an emphasis on powerful independence fitted well in this intellectual and historical context.

This is no longer the case in our times, and the presented threat analysis confirms this, somehow inadvertently. Bodin's sovereign republic does not thrive on threats, but on its own power. As an entity which claims to represent the almighty God on earth, it is above all possible threats, rather threatening others with its use of force (Loick, 2012). On the other hand, by enumerating threats to self-determination on all levels, the quoted strategic papers start from a completely different view of the preconditions of political action. In my analysis, they presuppose notions of weakness, individual rights, and interconnectedness that shape postmodern culture and are alien to Bodin's vision of politics.

(1) Weakness. Even if the emphasis on power and the presumed need of God-like strongmen has regained attraction and relevance in the recent past, modern societies have learnt first to accept and then to cherish a weaker posture in the centuries since Bodin, with the first half of the twentieth century and its two world wars perceived as an ultimate call for change. Modernity has become reflexive (Beck et al., 1994), acknowledging the mistakes of the past and the threats in the present and future times. Violence is no longer the preferred way to resolve conflict (Pinker, 2012). Threats and suffering, the "times of crisis" (Lodge & Wegrich, 2012), are more emphasized than the promises of human progress (Horkheimer & Adorno, 2007). The postmodern society perceives itself as overcharged (Nassehi, 2021) and vulnerable (Rostalski, 2024). This experience of vulnerability on all levels of society (Lenz, 2009) is very much the backdrop for all threat perception that marks the current talk on restoring sovereignty. However, a vulnerable society that acknowledges its weakness never can be sovereign and independent in the proper sense. In our times, if talk of sovereignty is to be maintained, it must be acknowledged there can be nothing more than a "fragile" sovereignty (Essen, 2024).

(2) Individual rights. The notion of individual, human rights was from its inception very much guided by acknowledging vulnerability and weakness as essential parts of the human condition. "Empathy" was a key word for the first human rights activists in the eighteenth century (Hunt, 2008), and it has since then been a continuous motive for strengthening a moral and legal framework that starts with the individual and its need for protection. There have been efforts to rethink sovereignty as responsibility for the protection of human rights (Deng et al., 1996; Annan 1999), which is a valuable development in reconnecting the concepts of sovereignty and human rights, even if it has to be acknowledged that there has been, since the 2000's, a "sovereignty backlash" in the sense of "sovereign absolutism" in politics (Traub, 2009; quotes: p. 80 and p. 76). The understanding of sovereignty as independence, in any case, is not reconcilable with the feeling of mutual and universal responsibility for the other members of the human family and their protection that is inherent to the idea of human rights.

(3) Interconnectedness. The universal human rights culture is the moral answer to the experience of connectedness that shapes modernity and its continuous efforts of globalization, both on the economic and cultural level. It upends the one-way understand-

ing of this connectedness – as a means for imperial domination and economic exploitation – and changes it into a notion of mutual interconnectedness in which the same rights are given to all (Linklater, 2010). In the times of ecological crisis, the circle of interconnectedness must be expanded to a vision of being in which everything is related to and dependent on one another (Latour, 1993). This vision of being is irreconcilable with an idea of sovereignty as independence. Or, in the words of Judith Butler: one has to get rid of sovereignty in order to become human (Butler, 2007, p. 11; cf. Lieb 2022). In particular, an autarkic understanding of sovereignty implies a denial of interconnectedness. The fact that many proponents of digital sovereignty emphasize the difference between sovereignty and autarky confirms that such a (mis-) understanding is real and obvious (see, e.g., Bitkom e.V., 2015, p. 7: “Autarkie ist in einer global vernetzten digitalen Welt weder zu erreichen noch anzustreben.”; BMWi, 2021, p. 10: “Jedoch ist Autarkie im Sinne einer (vollständigen) Unabhängigkeit nicht zwingend mit Souveränität gleichzusetzen.”). It is very much present in populist political discourse from left to right, like in Vladimir Putin who recently pledged to make “sovereignty” one of the key aims of his fifth term in the Kremlin: “We must remember and never forget and tell our children: Russia will be either a sovereign, self-sufficient state, or it will not be there at all” (Voice of America, 2023). The same vision of sovereignty was promoted by Boris Johnson when he declared that the United Kingdom had “recaptured sovereignty” by Brexit: “We will rediscover muscles that we have not used for decades – the power of independent thought and action” (Politico, 2020).

5 Singing in the Rain

If we analyze the programmatic calls for “more” digital sovereignty in our days, we find two intentions behind those calls, echoing the very ambivalent view of the ongoing digital transformation of society by the broad public: (1) prophetic: we need more sovereignty and independence, and digitalization is the best way to fulfil this goal; (2) apologetic: digitalization is perceived by many people as more of a threat than a promise, so we must show that it actually increases freedom instead of limiting it.

(1) The prophetic use: sovereignty is possible *because of* digitalization. Digitalization and the digital transformation of society are often presented as a “must” by their proponents (see, e.g., the many “musts” in the “Aktionsplan Digitale Souveränität” issued by Bitkom, Bitkom e.V., 2015, pp. 16–18). One of the reasons for this presumed necessity is the contention that freedom and sovereignty are enhanced by digitalization. Some of the proponents of blockchain technology, for example, promote it as a way to be liberated from human intermediaries in transactions (Nakamoto 2008, cf. Fries 2022). The digitalization of patients’ records is introduced by the German government as a way of enhancing the sovereignty of the patient (“Elektronische Patientenakte für mehr Patientensouveränität” is one of the headings in Bundesministerium für Gesundheit, 2024). On the level of companies, the potential of the digital transformation to increase productivity and to enable more choice in the supply and demand chains are emphasized over and over again. There is a feeling of “technological solutionism” (Corballis & Soar, 2022, p. 2) that characterizes all these efforts to promote digitalization as a means to gain freedom and independence.

(2) The apologetic use: sovereignty is possible *in spite of* digitalization. These prophetic visions are, however, overshadowed by a deep and somehow vague feeling of distrust with regard to digitalization in broad parts of the public. They are like singing in the rain, pretending that everything is fine while it is not. Therefore, many of the statements in favor of digital sovereignty have an apologetic intention: they admit the threat to sovereignty that comes with digitalization and contend that these threats should, and can, be overcome. This approach is clearly evident in the German Grand Digital Strategy: the threats and dependencies it presents in order to make the claim for digital sovereignty (see above section 3) are, for the most part, threats and dependencies that stem from the digital transformation of politics, economics, and the society as a whole. The concentration of market power with its inherent growing dependencies is, for example, mentioned as a characteristic particularly of *digital* markets. On the level of the individual, the notion of “data sovereignty” (Hummel et al., 2021) addresses the widespread fear that digitalization (e.g., of patient data) actually implies a loss, and not a gain, in the protection of data, understood as self-determination with regard to the use of data (see, e.g., Bundesregierung, 2023, p. 29: “Wir werden verschiedene Datenräume domänenübergreifend miteinander vernetzen. Ziel ist ein sektorübergreifendes digitales Datenökosystem, in dem Daten unter Wahrung der Datensouveränität und des Datenschutzes zwischen Akteuren geteilt werden können. Hierzu unterstützen wir die Entwicklung eines universalen globalen Datenstandards und etablieren dafür strategische internationale Partnerschaften.”). The apologetic posture implies that digital sovereignty is not an automatic outcome of digitalization; rather, it has to be secured by particular measures against risks that are growing with the digital transformation of society.

However, if these threats, risks, and dependencies are real and caused by digitalization, it hardly seems recommendable to go for the long haul and call for digital *sovereignty*, which is, for memory, defined as the “capability of exclusive [!] self-determination” (Bitkom e.V., 2015, p. 7, see above section 2). In the following section, I will plead for a more prudent and modest approach which emphasizes the capability to resist threats to security and freedom as a goal of political governance, instead of the false promises connected with the call for sovereignty as independence. The term which has become familiar as a label for this capability is “resilience.”

6 Conclusion: Digital Sovereignty as Resilience

The term “resilience” has become even more frequent in recent years than “sovereignty”. The main reason for this popularity seems to be that it fits very well with the widespread feeling of vulnerability that was already mentioned above (see section 4): to ask for resilience signifies not to minimize risks and vulnerabilities, but to ask for a better way to cope with them. It implies the notion of power (the power to resist), but not with the claim of absolute power as it is connected with the original idea of sovereignty. Power is conceived as a capacity to resist. The more complex the system, the more vulnerable it is. Therefore, resilience is a key factor when it comes to digitalization (Hiermaier & Scharte, 2018), given, for example, its dependence on the electrical grid (Knauf, 2020).

Given its popularity, it is no surprise that the papers on digital sovereignty which have been quoted above in this contribution mention “resilience” as well. “Critical infrastructures and technologies need to become resilient and secure” (Merkel et al., 2021). In the Grand Digital Strategy of the German government, resilience is often mentioned in the same context as digital sovereignty, stating that more digital sovereignty would bring more resilience to the German society (e.g. Bundesregierung 2023, p. 2: “Technologische und digitale Souveränität sind notwendig, um Handlungsfähigkeit zu stärken und Abhängigkeiten zu reduzieren. Dies wiederum sind Bedingungen für Wettbewerbs- und Innovationsfähigkeit sowie Resilienz.”).

However, the relationship between sovereignty and resilience is far more complex than this. It is certainly true that a reduction of outward dependencies can increase resilience, but in the current situation digitalization is shaped by dependencies (Pohle & Thiel, 2021, p. 326–327), and getting rid of them does not seem easy. In addition, the sovereign lone rider is much more vulnerable than the one who looks for shelter in federated efforts in order to increase cybersecurity and to decrease uncomfortable dependencies (Autolitano, 2023). Sovereignty, when it is understood in the sense of independence and self-sufficiency, would actually stand in the way of vigilance, which is a key factor of a resilient society. This understanding comes close to autarky, which is – and rightly so – not seen as the right pathway by those who emphasize the difference between sovereignty and autarky. However, if we reject autarky, the idea that resilience is a follow-up to sovereignty, falls apart. It is rather the other way around: a society must first develop resilience before it can strive for self-determination. In our times, sovereignty must be understood much more in terms of resilience than as a call for independence.

The digital transformation offers enormous potential for all three layers of society: individuals, organizations, and state and supranational institutions. However, it comes with a lot of threats and vulnerabilities that must be coped with. In this situation, the call for digital sovereign independence in politics and in the public discourse projects false promises that are neither desirable nor realistic. On a rainy day, singing hymns of praise doesn’t offer protection. It is better to strengthen resilience by putting on a coat.

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