

## The New Map: Terrorism and the Decline of the Nation-State in a Post-Cartesian World

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*The fundamental problem of political philosophy is still precisely the one that Spinoza saw so clearly (and that Wilhelm Reich rediscovered): Why do men fight for their servitude as stubbornly as though it were their salvation?*<sup>2</sup>

- Gilles Deleuze

The Long War, Philip Bobbitt's concept of a singular 20<sup>th</sup> century conflict spanning World War I through the end of the Cold War, created the broad paradigm of the Nation-State through which to view our world.<sup>3</sup> In this conflict, the struggle by Nation-States to legitimate various theories of domestic political order was played out on the international stage. This century-long conflict ensured the primacy of the Nation-State paradigm until the underlying tension among different models of government was resolved and the world system could be unified behind a single, victorious manifestation of the Nation-State.<sup>4</sup> The eventual victory of the democratic-capitalist manifestation of the Nation-State removed the barriers that had been erected between competing factions,<sup>5</sup> facilitating the rapid acceleration of economic globalization and the spread of multiculturalism. As with the conclusion of prior epochal

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<sup>2</sup> GILLES DELEUZE & FÉLIX GUATTARI, ANTI-OEDIPUS 29 (Brian Massumi trans., U. Minn. Press 1983) (1980).

<sup>3</sup> See PHILIP BOBBITT, THE SHIELD OF ACHILLES: WAR, PEACE, AND THE COURSE OF HISTORY 7 (2002).

<sup>4</sup> The main competing theories of Nation-State organization during the Long War were the democratic-capitalist model, embodied by the U.K. and the U.S., the communist model, embodied in the U.S.S.R., and the fascist model, embodied by Germany under National Socialism. See generally, *id.*

<sup>5</sup> While the end of the Cold War did not energize the rise of free-trade movements, it did remove the principle political hurdle to the advance of global free-trade agendas by the major Western powers. See generally, *id.*

conflicts,<sup>6</sup> the peace dividend of diminished international barriers is providing fertile soil for a host of new threats to the Nation-State status quo. Chief among these threats, international terrorism<sup>7</sup> poses a direct challenge to the very fabric of the Nation-State system.<sup>8</sup> Having spent the past nine years in the intelligence and counter-terrorism community, I am forced to conclude that our increasing failure to effectively combat terrorism is not merely the failure of programs and policies, but rather the fundamental failure of the Nation-State paradigm. In order to understand and effectively respond to terrorism, we must first replace the current international paradigm of the Nation-State with a *New Map* of our world: globalization and multiculturalism are invalidating the Cartesian geography that is the foundation of the Nation-State, laying the framework for the coming structural, epochal conflict of *hierarchy versus rhizome*.<sup>9</sup>

A paradigm shift is not a trivial affair.<sup>10</sup> In order to define the structural conflict between hierarchy and rhizome and to understand the paradigm of the New Map, it is first necessary to understand the old paradigm of the Nation-State system. Specifically, it is necessary to understand how the Nation-State is dependent on the core assumptions of Cartesian geography, and how globalization and multiculturalism are increasingly invalidating these assumptions. In the absence of a Cartesian world order, it is not discrete state actors, but rather conflicting

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<sup>6</sup> For example, the close of the era of kingly states with the Napoleonic Wars unleashed the forces of national sentiment on the largely unprepared aristocracy of Europe. *See generally* PHILIP BOBBITT, *THE SHIELD OF ACHILLES: WAR, PEACE, AND THE COURSE OF HISTORY* (2002).

<sup>7</sup> The term “terrorism” is extremely unfortunate: terrorism, correctly defined, is a tactic, not a movement or enemy. Semantically, terrorism cannot be fought because it is a symptom, not a cause. The goal of this essay is to highlight the cause of today’s conflicts—of which the tactic of terrorism is one symptom—and to suggest policy measures to address this root cause. Unfortunately, any attempt to replace the term “terrorism” with something more appropriate during the course of this argument would be a self-defeating detour. In the end, I hope that the term “rhizome” rhizome used in this paper stands out to the reader as what is really meant when one says “terrorism.”

<sup>8</sup> KENICHI OHMAE, *THE END OF THE NATION STATE* 7 (1995).

<sup>9</sup> Rhizome is an organizational pattern characterized by interconnected but independent networks of entities, derived from the botanical structure seen in ginger plants or aspen trees. *See* GILLES DELEUZE & FÉLIX GUATTARI, *A THOUSAND PLATEAUS: CAPITALISM AND SCHIZOPHRENIA* 506 (Brian Massumi trans., U. Minn. Press, 1987) (1980)(first use of the term “rhizome” as an analogy for patterns of human organization).

<sup>10</sup> *See* DENISE BRETON & CHRISTOPHER LARGENT, *THE PARADIGM CONSPIRACY: WHY OUR SOCIAL SYSTEMS VIOLATE HUMAN POTENTIAL – AND HOW WE CAN CHANGE THEM* 7 (1996).

organizational principles such as hierarchy and rhizome that define our world.<sup>11</sup> These principles, and the inherent conflict between them, provide the backdrop for the *New Map*. This New Map reveals the emerging, structural underpinnings of world order and provides new avenues to affect change. It demands that international policy makers stop trying to influence the outcomes of that order, and instead turn their attention to policies that affect its underlying structure.

## I. The Nation-State System

Our international system is founded upon the Nation-State paradigm that gradually evolved out of developments in Western Europe over the past 500 years. Peer-polity<sup>12</sup> competition between secular powers in Northern Italy served as the catalyst for innovation in statecraft—and resulted in the development of a secular international system.<sup>13</sup> The rejection of Papal authority and the feudal system of networked allegiances by Sienna, Florence and other emerging city states created the modern notion of sovereignty, where complete power rested at a single, temporal point.<sup>14</sup> This modern notion of the state was solidified at the Peace of Westphalia, where the privilege of temporal leaders to exert complete control over the policies of their territory was formalized.<sup>15</sup> The resulting environment of peer-polity competition between newly conceptualized sovereign states facilitated another major innovation: the conception of a

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<sup>11</sup> James Rosenau also sees a global conflict, but rather than juxtapose the concepts of hierarchy and rhizome, he uses the term “framegration” to denote the opposing tendency of hierarchy to integrate and centralize while rhizome fragments the world through decentralization and localization. See JAMES ROSENAU, *DISTANT PROXIMITIES: DYNAMICS BEYOND GLOBALIZATION* (2003).

<sup>12</sup> See JOSEPH A. TAINTER, *THE COLLAPSE OF COMPLEX SOCIETIES* 201-4 (1988).

<sup>13</sup> See PHILIP BOBBITT, *THE SHIELD OF ACHILLES: WAR, PEACE, AND THE COURSE OF HISTORY* 81-83 (2002).

<sup>14</sup> *Id.*, 83-83.

<sup>15</sup> The treaties that ended the Thirty Years War (1618-1648), commonly known in their collective form as the Peace of Westphalia. See Treaty of peace of Münster, Fr.-Holy Roman Empire, Oct. 24, 1648, 1 Parry 271 and Treaty of Osnabrück, Swed.-Holy Roman Empire, Oct 24, 1648, 1 Parry 119.

national population. Initially this created the State-Nation, where the boundaries of the nation were envisioned as tools of destiny or justification for acts of the state.<sup>16</sup> As the concept of the nation gained traction, however, and a new actor—the national psyche—took the stage, the nation became not merely an excuse of the state but its basic motivation. This is not to say that within the new concept of the Nation-State the state was entirely subordinated to the needs of its constituent nation. Rather, the nation remained a tool of state power, but an enormously powerful tool that once mobilized allowed the state to embark on endeavors that demanded the ongoing support of the nation. Like some form of perversely reciprocal chemical dependency, the state became, in a sense, addicted to the power of mobilized national sentiment.<sup>17</sup>

Within the Nation-State paradigm, the state's legitimacy is grounded upon its ability to provide security and welfare to a homogenous, constituent nation.<sup>18</sup> This legitimacy is measured by the ability of the state to provide continual, absolute, and relative gains in the standard of living of its nation.<sup>19</sup> Despite the need to create gains relative to other nations, and especially to create gains relative to competing theories of domestic political order during the Long War, it was also necessary for the Nation-State to preserve at least the pretense of internal equality in order to maintain the myth of a unified national body. At least in first-world nations, a "[w]elfare ideology had...fostered the nationalist myth of a raceless, classless society."<sup>20</sup> This mythology was essential to the success of the Nation-State as it facilitated the unification of effort behind a single national myth, repressing factional infighting between class groups or sub-

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<sup>16</sup> The association of a single state with a single nation, formalizing the State-Nation concept, was most significantly advanced at the Congress of Vienna. See Final Act (General Treaty) of the Congress of Vienna, June 9, 1815, 64 Parry 453.

<sup>17</sup> This analogy of psychological and physiological dependency seems at least superficially to extend to the human state-leadership of some of the most mobilized nations: Hitler, Mussolini, Stalin, etc.

<sup>18</sup> See PHILIP BOBBITT, *THE SHIELD OF ACHILLES: WAR, PEACE, AND THE COURSE OF HISTORY* 468 (2002).

<sup>19</sup> *Id.*, 468-77.

<sup>20</sup> JANE KELSEY, *Restructuring the Nation: The Decline of the Colonial Nation-State and Competing Nationalisms in Aotearoa/New Zealand*, in *NATIONALISM, RACISM AND THE RULE OF LAW* 177 (Peter Fitzpatrick ed., 1995).

national groups. It is the redistributive policies and entitlement programs that resulted from this need to maintain a pretense of internal equality that are today making the Nation-State so vulnerable to the economics of globalization.<sup>21</sup>

One of the defining features of the Nation-State system is its Cartesian sense of space. Rene Descartes' namesake theory suggests that space can be conceptually broken down into a linear, coordinate system.<sup>22</sup> Cartesian space is the notion that the geopolitical landscape can be similarly conceptualized as a discrete and exclusive plane. This concept is critical for the validity of the Nation-State model: in order for the extent of each state's territorial sovereignty to match the limits of its constituent nation, geopolitical space must exist as a discrete and exclusive—Cartesian—concept. Within the Nation-State model, an individual's nationality is exclusive; one must, for example, be either Mexican or American, but one cannot belong to both nations. Similarly, the territorial boundaries of nations are presumed to be exclusive and not overlapping; Alsace, for example, is populated by either the French nation or the German nation, but it cannot be populated by an overlap of both. As John Stuart Mill observed, "it is in general a necessary condition of free institutions that the boundaries of governments should coincide in the main with those of nationalities."<sup>23</sup>

The territorial borders of an ethnic nation and the territorial borders of that nation's Nation-State are assumed to be mutually conforming and exclusive in this Cartesian sense.<sup>24</sup> This Cartesian quality is so axiomatic to the contemporary understanding of the Nation-State that nationalism itself is often defined as "a theory of political legitimacy, which requires that ethnic

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<sup>21</sup> See PEER ZUMBANSEN, *Quod Omnes Tangit: Globalization, Welfare Regimes and Entitlement*, in *THE WELFARE STATE, GLOBALIZATION, AND INTERNATIONAL LAW* 135 (Eyal Benvenisti and Georg Nolte eds., 2004).

<sup>22</sup> I.M. GELFAND, *THE METHOD OF COORDINATES* 45-46 (1990).

<sup>23</sup> John Stuart Mill, *Considerations on Representative Government*, in *ON LIBERTY AND CONSIDERATIONS ON REPRESENTATIVE GOVERNMENT*, 109, 294 (R.B. McCallum ed., 1948).

<sup>24</sup> *Id.*

boundaries should not cut across political ones.”<sup>25</sup> This is a critical assumption, as the legitimacy and viability of a Nation-State is based upon the intertwined need to mobilize an entire nation under a single state, and the promise of using the derived state power to provide for that nation as a whole. This can only be done effectively if a nation is contained entirely within the borders of the mobilizing state’s sovereignty, lest the state’s role as provider to the nation be diminished due to its inability to adequately provide for that part of its nation that is outside its sovereign reach. The validity of a Nation-State on the international stage is in turn demonstrated by its ability to exert complete sovereignty over its territory. As long as all states conform to the notions of exclusive territory and total sovereignty, the system is theoretically stable. However, the ebb and flow of Cartesian boundaries over time echoes into the present, guaranteeing the impossibility of mutually conforming national and state boundaries<sup>26</sup>—a phenomenon that makes the Nation-State a ticking time bomb that’s time is running out.

The movements of state borders and the migrations of national groups over time are sources of perpetual tension for the Cartesian Nation-State because it creates the situation of *mutually-exclusive overlap*. In order to achieve internal stability, the borders of a Nation-State’s territorial sovereignty and national identity must coincide. The vagaries of history, however, create a reality where this is necessarily not the case: all modern Nation-States overlap, to one degree or another, with the national territory of a nation represented by another state or with the territories of nations that are without states. Some states, generally those emerging from the shadow of colonialism,<sup>27</sup> cannot even be conceptualized within the Nation-State paradigm.

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<sup>25</sup> ALLEN BUCHANAN, SECESSION: THE MORALITY OF POLITICAL DIVORCE FROM FORT SUMPTER TO LITHUANIA AND QUEBEC 48 (1991).

<sup>26</sup> Guntram H. Herb, *National Identity and Territory*, in NESTED IDENTITIES 9, 20 (Guntram H. Herb & David H. Kaplan Eds., 1999).

<sup>27</sup> See Stanley Hoffman, *Clash of Globalizations*, in FOREIGN AFFAIRS, Jul./Aug. 2002.

Nigeria, for example, is a colonial-era construct containing roughly 250 separate nationalities.<sup>28</sup>

The first cracks in the Nation-State paradigm began to emerge as the international community tried to reconcile the tensions of mutually-exclusive overlap with the established right to national self-determination during decolonization after World War II.<sup>29</sup> National self-determination was enshrined as a founding principle of world legal-political order in the UN Charter,<sup>30</sup> but the past 50 years have seen the UN make several failed attempts<sup>31</sup> to reconcile this principle with the equally fundamental principle of state sovereignty.<sup>32</sup> This tension resulted in the modern “solution” of *uti possidetis juris*,<sup>33</sup> which fails to address the root causes of tension due to mutually-exclusive overlap. Rather, it creates a set of tests to establish a status quo novo<sup>34</sup> that serves merely to justify whatever nation and state configurations lead to the most easily enforceable stability that suits the interests of the great powers. This failure to address the fundamental causes—not just the symptoms—of mutually-exclusive overlap only fans the flames of ethnic divisions and reactionary ideology. The resulting spectacle of failed states can be seen around the world, from the chaos of the Congo<sup>35</sup> and the illegitimate stability of the Somali

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<sup>28</sup> Alemante G. Selassie, *Ethnic Federalism: Its Promises and Pitfalls for Africa*, in 28 YALE JOURNAL OF INT’L LAW 51, 105 (2003).

<sup>29</sup> See Anthony Whelan, *Wilsonian Self-Determination and the Versailles Settlement*, in 43 INT’L & COMP. L.Q. 99 (1994) (outlining the Wilsonian origins of the principle of self-determination, and the initial intention that they be applied within the context of central European national groups).

<sup>30</sup> U.N. Charter art. 2, para. 1.

<sup>31</sup> See, e.g., Conference on Security and Co-operation in Europe: Final Act, Aug. 1, 1975, 14 I.L.M. 1292 (a.k.a. the Helsinki Accord), and G.A. Res. 1541, U.N. GAOR, 15th Sess., Supp. No. 16, at 29, U.N. Doc. A/4684 (1960) (which gave “peoples” the right to self-determination, but only within the borders drawn for them by colonial cartographers).

<sup>32</sup> U.N. Charter art. 2, para. 1.

<sup>33</sup> Roughly “have what you have had.” See Timothy Walter Williams, *Contemplating Failure and Creating Alternatives in the Balkans: Bosnia’s Peoples, Democracy, and the Shape of Self-Determination*, in 29 YALE JOURNAL OF INT’L LAW 423, 433 (2004).

<sup>34</sup> *Id.*, at 455.

<sup>35</sup> See, e.g., *Congo: Africa’s Unmended Heart*, in THE ECONOMIST, June 9th, 2005 (discussing the bloodiest post-colonial civil war in the world since 1945 in this former Belgian colony).

states<sup>36</sup> to the restless indigenous populations of Bolivia.<sup>37</sup> While post-colonial failed Nation-States may be of particular value for understanding the impending fate of the Nation-State system as a whole, established, Western states have not been immune to this crisis.

Spain under Franco provides an illustrative example of the Nation-State's efforts to eliminate overlapping national boundaries within the state. Franco envisioned Spain as a monolithic and homogenous entity founded upon the Falangalist mythology of a single Spanish people.<sup>38</sup> This vision left no room for the separate and overlapping Catalan, Galatian, and Basque nations within the borders of Franco's Spain, and resulted in decades of cultural and political repression of these groups.<sup>39</sup> The oppression of Catalonia and Euskadi<sup>40</sup> under Franco was both sensible and necessary within the context of the Nation-State paradigm: the state cannot effectively mobilize its population under the auspices of nationalism if there are in fact several nations pulling in different directions. This is especially problematic if an overlapping national group, as in the case of the Basque, extends national solidarity to residents of a neighboring state and historical enemy!<sup>41</sup> The Basque issue in particular is an outstanding case study. In many ways it foreshadows potential global conflicts of the 21<sup>st</sup> century. The transition of Spain into a unitary state in 1876 eliminated many medieval provincial rights and privileges.<sup>42</sup> When the industrial boom of Bilbao and Navarre in the early 20<sup>th</sup> century led to an influx of

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<sup>36</sup> See, e.g., *Somalia, Africa's Most Palpably Failed State*, in THE ECONOMIST, Dec. 14th, 2005 (discussing the prospects for the hodgepodge of semi-states, including Somalia, Somaliland, and Puntland that emerged from the ashes of failed Italian colonialism and American attempts at humanitarian and military intervention).

<sup>37</sup> See, e.g., *Bolivia: A Champion of Indigenous Rights—and of State Control of the Economy*, in THE ECONOMIST, Dec. 14th, 2005 (discussing how former indigenous rebel and cocoa grower Evo Morales won the recent presidential election in Bolivia, a former Spanish colony).

<sup>38</sup> HELEN GRAHAM, THE SPANISH CIVIL WAR 84 (2005).

<sup>39</sup> See generally MARK KURLANSKY, THE BASQUE HISTORY OF THE WORLD (1999).

<sup>40</sup> Euskadi is the Basque word for their homeland. *Id.*

<sup>41</sup> The Basque homeland, or Euskadi, covers the Western Pyrenees, including territory in both France and Spain. *See Id.*

<sup>42</sup> Pauliina Raento, *The Geography of Spanish Basque Nationalism*, in NESTED IDENTITIES 219, 223 (Guntram H. Herb & David H. Kaplan eds., 1999).



workers from across Spain,<sup>43</sup> the loss of their provincial autonomy left the Basque feeling as though the central government was steadily eroding their grip on power, wealth and cultural identity. What was at first dismissed as paranoia by the mainstream Basque populations was soon borne out by the harsh and oppressive policies of the Falange.<sup>44</sup> In response, the Basque terrorist organization ETA was formed to violently resist these transgressions—both perceived and real.<sup>45</sup> The parallels with today’s burgeoning anti-globalization movements are both clear and chilling.

An analysis of the incongruity between national boundaries and state borders is also valuable in understanding the present conflict in Iraq. In this case, however, the conflict does not foreshadow today’s headlines—it creates them. British and French cartographers, following the Sykes-Picot accord,<sup>46</sup> created the state of Iraq along lines that did not match any single national territory. Instead, evidence suggests that the British intentionally misaligned the map in a conscious policy of exploitation<sup>47</sup> repeated throughout their empire that leveraged minority ethnicities towards the end of more efficient colonial rule. In the case of Iraq, by empowering the minority Sunnis, the British leveraged a large local population to do their bidding in exchange for the rewards of power. The British knew that they could count on the Sunni population to further their colonial aims because the Sunnis relied on British support to maintain power; if the British removed that support, the Sunni minority would quickly fall victim to the vengeance of the oppressed Shi’a majority.<sup>48</sup>

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<sup>43</sup> *Id.*

<sup>44</sup> *Id.*

<sup>45</sup> *Id.*

<sup>46</sup> See Sykes-Picot Agreement, May 9-Oct. 23, 1916, Gr. Brit.-Fr.-U.S.S.R., 22 Consol. T.S. 323, 336

<sup>47</sup> Jeff Vail, *Adapting the Exploitation Model: Does the US Have No Plan or a New Plan?*, <http://www.jeffvail.net/2004/12/adapting-exploitation-model-does-us.html>.

<sup>48</sup> The current sectarian conflict in Iraq illustrates the “stick” aspect in the long-running Anglo-American “carrot and stick” policy of support towards the Iraqi Sunni. The Sunni insurgency is largely fueled by Sunni fear of the breakdown of their preferred status and fear of a Shi’a backlash. See *Id.*

The root cause of conflict in Iraq—and in much of the former colonial world—is the misalignment of state boundaries with national groups. In that sense, the strife and internal conflict that is so prevalent in these constructs of colonial cartography foreshadows the future for the Nation-State in general as multiculturalism and globalization knock its Cartesian foundation increasingly out of alignment.

Since the end of the Cold War, it has been tempting to try to view emerging reality within the familiar Nation-State paradigm, but to do so would create an understanding of the situation that is “no more than the work of early cartographers . . . [such understandings] are products of illusion, and they are faithful to their roots.”<sup>49</sup> Rather, the emerging reality of the 21<sup>st</sup> century demands that we move beyond the Nation-State paradigm. Any process or phenomenon that threatens to blur the exclusivity of the Cartesian system, that creates multiple and overlapping affinity groups, poses a mortal challenge to the Nation-State system. The problem of mutually exclusive overlap is the catalyst for this challenge, but multiculturalism and globalization are the modern accelerants that are bringing to a close the era of the Nation-State.

## II. The Eroding Foundation of the Nation-State

### A) Multiculturalism

By the latter half of the 20<sup>th</sup> century, multiculturalism had spread throughout Western democracies,<sup>50</sup> with the notable exception of Japan.<sup>51</sup> This unprecedented human and cultural mobility has undermined the contiguous ethnic nation that served as the foundation for the

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<sup>49</sup> KENICHI OHMAE, *THE END OF THE NATION STATE* 8 (1995).

<sup>50</sup> See VERNON M. BRIGGS, *MASS IMMIGRATION AND THE NATIONAL INTEREST* (1996).

<sup>51</sup> See Wilhelm Heitmeyer, *Xenophobia: Modernization's Curse*, 5 *EUROPEAN AFFAIRS* 51-57 (1991).

Nation-State.<sup>52</sup> It has been proposed under the “melting pot” theory of cultural assimilation that the discrete entity of the ethnic nation would dissolve.<sup>53</sup> This would then lead to the rise of a “nation” defined not by ethnicity but by affiliation with a given state and its principles—a self-defining Nation-State.<sup>54</sup> For a variety of reasons, however, this self-defining “Nation-State” has not materialized. One such reason is that alternative theories of multiculturalism encouraged immigrant groups to maintain their separate identities,<sup>55</sup> while racism, lack of prior economic accumulation, international media access, and geographic proximity to parent-nations often conspired to reinforce existing national divisions among immigrant populations. In particular, modern telecommunication and satellite TV have been important factors in the increasing retention of immigrant ties with their parent nation. While the idealized, homogenous nation upon which the Nation-State is founded was generally a historical fiction, it was once both sufficiently real and accepted so as to serve as a stable foundation for the Nation-State.<sup>56</sup> This homogenous national foundation is quickly eroding, however.

The recent riots by minority immigrant populations in France and Australia shocked their respective nations, unaccustomed to seeing such “third world” problems played out on the streets of Paris and Sydney.<sup>57</sup> But through the lens of the crumbling Nation-State, these outbursts of extra-national groups are to be expected. With the spread of multiculturalism, the contiguous, Cartesian nation that once served as the basis for the Nation-State is steadily eroding. In its place

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<sup>52</sup> See Gerard Delanty, *Beyond the Nation-State: National Identity and Citizenship in a Multicultural Society*, 3 SOCIOLOGICAL RESEARCH ONLINE (1996), <http://www.socresonline.org.uk/1/3/1.html>.

<sup>53</sup> See TAMAR JACOBY, REINVENTING THE MELTING POT: THE NEW IMMIGRANTS, AND WHAT IT MEANS TO BE AMERICAN 15 (2004).

<sup>54</sup> See GERARD DELANTY, INVENTING EUROPE: IDEA, IDENTITY, REALITY (1995).

<sup>55</sup> See Peter J. Pitts, *Tossed Salad for the Holiday*, THE ONE REPUBLIC, Dec. 22, 2004, <http://www.californiarepublic.org/archives/Columns/Guest/20041222PittsTossed.html>.

<sup>56</sup> Take, for example, the use of the same historical character—Charlemagne (for the French) and Karl der Große (for the German)—by two rival nations to construct a national myth as the basis for a Nation-State. Also consider that this same myth was alternately used to convince the inhabitants of Alsace-Lorraine of their respective “German-ness” or “French-ness.”

<sup>57</sup> See *Brining in Curfews to Stop the Unrest*, in THE ECONOMIST, Nov. 8th, 2005, and *Australia: On the Beach*, in THE ECONOMIST, Dec. 14th, 2005.

are multiple and overlapping affinity networks that increasingly do not correspond with state border, undercutting one of the fundamental tenets of the Nation-State.

## B) Globalization

Globalization, the process of utilizing mobility of capital to seek international economies of place and scale, is another assault on the territorial barriers of the Nation-State system.<sup>58</sup> At its core, the increasing mobility of human, financial, and intellectual capital is rapidly exceeding the gate-keeper function of state borders, creating strong connections that overlap with the Cartesian territory of states. The political order of the Nation-State “is rapidly decaying in many parts of the world, and . . . this decay is brought on at least in part by the same factors that promote globalization: fast communications, inexpensive travel, and porous borders.”<sup>59</sup> Globalization creates a positive feedback cycle by both benefiting from and causing the destruction of the territorial exclusivity of the Nation-State. Multi-national corporations play one Nation-State against another for advantageous labor status,<sup>60</sup> environmental regulation,<sup>61</sup> and tax breaks,<sup>62</sup> using the ideology of “free trade” to ensure that neither goods nor capital are constrained by the sovereignty of any state.<sup>63</sup> In order to remain competitive in the global marketplace, Nation-States must continually erode the very policies and regulations that safeguard the welfare of their constituent nation, or risk losing the economic basis for that welfare entirely. Much like the Cold War’s dilemma of the nuclear arms race, any concession by

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<sup>58</sup> See generally THOMAS L. FRIEDMAN, *THE WORLD IS FLAT: A BRIEF HISTORY OF THE 21ST CENTURY* (2005).

<sup>59</sup> Francis Fukuyama’s review of MOISÉS NAÍM, *ILLCIT: HOW SMUGGLERS, TRAFFICKERS, AND COPYCATS ARE HIJACKING THE GLOBAL ECONOMY* (2005), at back jacket text.

<sup>60</sup> See *Imported Car Factories: Buying Jobs can be Expensive*, in *THE ECONOMIST*, Nov. 27th, 2003.

<sup>61</sup> See Richard McNally, *Pollution for Export?*, in *THE NEW COURIER (UNESCO)*, Dec. 1998, available at [http://www.unesco.org/courier/1998\\_12/uk/planete/txt1.htm](http://www.unesco.org/courier/1998_12/uk/planete/txt1.htm).

<sup>62</sup> See *supra*, note 58.

<sup>63</sup> See *Ever Closer Union?*, in *THE ECONOMIST*, Apr. 9th, 1998 (discussing the loss of sovereignty to supra-national organizations such as the European Union).

one Nation-State to attract global capital merely raises the ante for all others, creating a downward spiral of decreasing protections for the welfare of constituent nations. This results in the lowering of the Cartesian barriers that stand as the backbone of the Nation-State system.

Proponents of free trade argue that trade liberalization will “raise all boats,”<sup>64</sup> and that the leveraging of economies of place and scale create efficiencies that benefit all parties. However, with human capital at all levels increasingly being viewed as a fungible and mobile resource,<sup>65</sup> the human component in economic production becomes merely one more factor to be optimized; in other words, to be reduced to the lowest possible cost. This driving force—the need for continual optimization in the face of globalized competition—will only serve to further marginalize the very populations upon whose welfare the Nation-State depends. Economist Friedrich List understood this reality at the very dawn of the ideology of free trade. He observed that “the result of general free trade would not be a universal republic, but, on the contrary, a universal subjection of the less advanced nations to the supremacy of the predominant manufacturing, commercial and naval powers.”<sup>66</sup> This observation was not intended to be a prophecy for the 21<sup>st</sup> century, but never-the-less it provides a concise critique of the modern world economy.

The steady decrease of the Nation-State’s ability to provide for the welfare of its nation serves to decrease the bond between nation and state, lowering the barriers to entry of alternate, overlapping affinity networks. This results in either the reversion of marginalized populations

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<sup>64</sup> Donald L. Evans, US Secretary of Commerce, address to the Council of the Americas, Freedom Democracy, and Political Stability (May 8, 2001), available at <http://www.ita.doc.gov/media/Speeches/COA050801.html>.

<sup>65</sup> See, e.g., Wolfgang Kasper, *Globalization and Immigration: Long-Term Perspectives for New Zealand*, presented at New Zealand Association for Migration and Investment Annual Conference (May 28, 1993), available at <http://www.nzbr.org.nz/documents/speeches/speeches-92-93/kasper-may.doc.htm>, and Industry Canada Research Publication Program, *Making Canada the Destination of Choice for Internationally Mobile Resources*, Jan. 2004, available at [http://strategis.ic.gc.ca/epic/internet/ineas-aes.nsf/vwapj/dp14e.pdf/\\$FILE/dp14e.pdf](http://strategis.ic.gc.ca/epic/internet/ineas-aes.nsf/vwapj/dp14e.pdf/$FILE/dp14e.pdf).

<sup>66</sup> FRIEDRICH LIST, *THE NATIONAL SYSTEM OF POLITICAL ECONOMY* 126 (Sampson S. Lloyd trans., Kelley Publishers 1966)(1841).

to their primary loyalties, the adoption by that population of supra-national loyalties, or both. Primary loyalties,<sup>67</sup> the small scale, local or ethnic affinity networks that emerge in times of chaos, are particularly effective at fomenting the breakdown of national cohesion.<sup>68</sup>

Iraq is an excellent example of the emergence of networks of primary loyalty in the absence of an effective central power.<sup>69</sup> In a “nation” that was the creation of British colonial cartography, the fostering or maintaining of a singular national sense of identity requires that the people of Iraq look to the federal government—to the center of the desired national identity—to guarantee their basic welfare and services. As long as they cannot do this, then they will psychologically devolve into fragmented affinity groups. This is especially true if, as is the case in Iraq, cultural fault lines are already present.<sup>70</sup> Exactly because the federal Iraqi government is unable to provide for basic needs such as power, water, and security,<sup>71</sup> local networks centered on religious establishments, tribal and ethnic connections, or village elders are emerging as substitute providers. These networks of primary loyalty hinder the reconstitution of a national identity in Iraq because they are perceived as filling the role of the “nation”—that is, the guarantor of basic welfare and services—better than the federal governing bodies.

The continual, hierarchal intensification of the process of globalization is steadily fueling the worldwide emergence of competing networks of primary loyalties which are co-spatial and contemporaneous to the national foundations of the Nation-State. These include networks based on religious identity, economic caste, micro-cultural affiliation, and geographic locality.

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<sup>67</sup> See John Robb, *Primary Loyalties*, GLOBAL GUERRILLAS, Jan. 5, 2005, [http://globalguerrillas.typepad.com/globalguerrillas/2005/01/primary\\_loyalti.html](http://globalguerrillas.typepad.com/globalguerrillas/2005/01/primary_loyalti.html).

<sup>68</sup> See John Robb, *State Failure 101*, GLOBAL GUERRILLAS, Dec. 13, 2004, [http://globalguerrillas.typepad.com/globalguerrillas/2004/12/legitimacy\\_101.html](http://globalguerrillas.typepad.com/globalguerrillas/2004/12/legitimacy_101.html).

<sup>69</sup> *Id.*

<sup>70</sup> See generally, SAMUEL P. HUNTINGTON, *THE CLASH OF CIVILIZATIONS AND THE REMAKING OF WORLD ORDER* (1998).

<sup>71</sup> See John Robb, *Iraq: Electricity Disruption*, GLOBAL GUERRILLAS, Jun. 29, 2004, [http://globalguerrillas.typepad.com/globalguerrillas/2004/06/iraq\\_electricit.html](http://globalguerrillas.typepad.com/globalguerrillas/2004/06/iraq_electricit.html).

Because these networks rarely coincide spatially with Nation-State borders, their very existence contradicts the Cartesian notion of the constitutional nature of modern Nation-States.

Increasingly these networks of primary loyalties are blending—not behind a single ideological or political platform, but behind a unifying, non-hierarchical organizational principle: rhizome. For now this organizational principle is most visibly embodied by the phenomena of international terrorism.<sup>72</sup>

The rise in international terrorism is perhaps the final straw that, when combined with the influences of multiculturalism and globalization, destroys the legitimacy of the Nation-State. The Nation-State system is predicated upon the twin principles of sovereignty: a domestic monopoly on the use of violence, and a singular focus for inter-state violence.<sup>73</sup> Terrorism invalidates both claims. Exacerbated by reactionary ideologies<sup>74</sup> and the expanding economic inequality brought by globalization,<sup>75</sup> terrorism undermines the state's role of security provider.<sup>76</sup> Additionally, as independent international actors, both terrorist organizations and multinational corporations represent their own interests,<sup>77</sup> unconstrained by either a Cartesian notion of Nation-State borders or the prevailing interests of a national constituency. Terrorism represents the merger of the military force of the state and the overlapping, non-Cartesian geography of non-state networks. In a world freed of the rigid boundaries of the Nation-State system, and with the substantial, overlapping web of affiliation and connectivity created by emerging, global

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<sup>72</sup> See JEFF VAIL, *Rhizome, Guerrilla Media, Swarming and Asymmetric Politics in the 21<sup>st</sup> Century*, in *POLITICS TO-GO: A GUIDE TO USING MOBILE TECHNOLOGY IN POLITICS* 47 (Julie Barko-Germany ed., 2005).

<sup>73</sup> See PHILIP BOBBITT, *THE SHIELD OF ACHILLES: WAR, PEACE, AND THE COURSE OF HISTORY* 206 (2002).

<sup>74</sup> See ROBERT WRIGHT, *NONZERO: THE LOGIC OF HUMAN DESTINY* 232 (2000).

<sup>75</sup> See ANURADHA MITTAL, *The South in the North*, in *VIEWS FROM THE SOUTH: THE EFFECTS OF GLOBALIZATION AND THE WTO ON THIRD WORLD COUNTRIES* 164 (Sarah Anderson ed., 2000).

<sup>76</sup> See John Robb, *Primary Loyalties*, *GLOBAL GUERRILLAS*, Jan. 5, 2005, [http://globalguerrillas.typepad.com/globalguerrillas/2005/01/primary\\_loyalti.html](http://globalguerrillas.typepad.com/globalguerrillas/2005/01/primary_loyalti.html).

<sup>77</sup> See John Ikerd, *Rethinking the Economics of Self-Interests*, presented at Organization for Competitive Markets annual conference (Sept. 1999), available at <http://www.ssu.missouri.edu/faculty/jikerd/papers/Rethinking.html>.

terrorist organizations, the stage is set for a defining conflict that will replace the last vestiges of the Nation-State with the New Map.<sup>78</sup>

### III. Beyond the Nation-State, Beyond Cartesian Order

Fueled by the breakdown of Cartesian order, the spread of multiculturalism, and technological advancements in communication and transportation, the hierarchal process of globalization is forcing the Nation-State to evolve or die.<sup>79</sup> Those states that are evolving to maintain viability are gradually taking the form of the Market-State,<sup>80</sup> an awkward and unfinished formulation where powerful market interests exert their influence on the state to leverage the remnant allegiances of national populations to the benefit of their selfish interests.<sup>81</sup>

While the Market-State is theoretically organized to maximize opportunity and total wealth, its failure to account for median wealth and to support expected social safety nets such as pensions and health care serves ultimately to polarize the Earth's population. In the end, while the Market-State may theoretically maximize wealth, it also maximizes disparity between an increasingly rich and powerful few with the increasingly impoverished masses. Ultimately, this "disparity and economic desperation is the fuel that supports the reactionary flame of

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<sup>78</sup> See, e.g., Nico Schrijver, *Sovereignty versus Human Rights? A Tale of UN Security Council Resolution 688 (1991) on the Protection of the Kurdish People*, in *THE ROLE OF THE NATION-STATE IN THE 21ST CENTURY: HUMAN RIGHTS, INTERNATIONAL ORGANIZATIONS AND FOREIGN POLICY 347* (Monique Castermans-Holleman, et al. eds., 1998).

<sup>79</sup> Where the Nation-State has refused to abandon its national roots, as in Colombia or Somalia, the resulting failed state has not, in turn, failed the processes of globalization. On the contrary, the argument has been made that such total breakdowns of the Nation-State create conditions that are ideally suited to business interests. See John Robb, *Guerrilla Entrepreneurs*, *GLOBAL GUERRILLAS*, Oct. 22, 2004, [http://globalguerrillas.typepad.com/globalguerrillas/2004/10/guerrilla\\_entre.html](http://globalguerrillas.typepad.com/globalguerrillas/2004/10/guerrilla_entre.html).

<sup>80</sup> See generally PHILIP BOBBITT, *THE SHIELD OF ACHILLES: WAR, PEACE, AND THE COURSE OF HISTORY* (2002).

<sup>81</sup> See JOHN BREUILLY, *NATIONALISM AND THE STATE* 94 (1982).



terrorism.”<sup>82</sup> In the face of this growing disparity created by the emerging Market-State, a rhizome countermovement is emerging. It may have been Nietzsche who best captured the future emergence of rhizome with his famous question. “Problem: where are the barbarians? Obviously they will come into view and consolidate themselves only after tremendous socialist crises.”<sup>83</sup> The social crises created by globalization, multiculturalism, and the decline of the Nation-State system has opened the door to a fundamentally new kind of “barbarian” in rhizome’s structural opposition to hierarchy.

At present, the phenomena of international terrorism is the most publicly visible example of this rhizome opposition. The watershed innovation of today’s terrorism is not its military efficacy, however, but its use of rhizome structure to confront the hierarchal establishment.<sup>84</sup> The global community is gradually becoming aware of this structural novelty, but they fail to perceive it as a larger, structural transition.<sup>85</sup> As *Foreign Policy* Editor Moisés Naím keenly observed, there is an increasing tendency for non-state power structures to:

move away from fixed hierarchies and toward decentralized networks; away from controlling leaders and toward multiple, loosely linked, dispersed agents and cells; away from rigid lines of control and exchange and toward constantly shifting transactions as opportunities dictate. It is a mutation that [governments] barely recognized and could not, in any case, hope to emulate.<sup>86</sup>

In short, the watershed innovation of the New Map is the rise of this organizational principle of rhizome, fueled by the changing pathways of a globalizing world, to present a direct challenge, not merely to the existing Nation-State structure, but to the very principle of hierarchal organization that underwrites today’s concept of global order. It is this fundamental, structural

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<sup>82</sup> Kevin J. Fandl, *Terrorism, Development & Trade: Winning the War on Terror Without the War*, in 19 AM. UNIV. INT’L. LAW REV. 587, 591-92 (2005).

<sup>83</sup> FRIEDRICH NIETZSCHE, THE WILL TO POWER 465 (Walter Kaufman trans., Vintage Press, 1968) (1888).

<sup>84</sup> See Jeff Vail, *Defending Pala: Rhizome as a Mode of Military Operations*, Sep. 6, 2005, <http://www.jeffvail.net/2005/09/defending-pala-rhizome-as-mode-of.html>.

<sup>85</sup> See generally MOISÉS NAÍM, ILLICIT: HOW SMUGGLERS, TRAFFICKERS, AND COPYCATS ARE HIJACKING THE GLOBAL ECONOMY (2005), 6.

<sup>86</sup> *Id.*, at 7.

nature of conflict within the New Map that is so grossly overlooked by today's theorists and policy makers. In order to truly understand the crisis of the New Map, in order to create effective policy within this novel structural context, an examination of the polar structural patterns of hierarchy and rhizome is necessary. Hierarchy, an unstable organizational pattern<sup>87</sup> that is constantly evolving toward a more intense and centralized form, is the organizing principle behind globalization. Rhizome, the opposing constitutional system of networks of independent but interacting nodes, is the animating principle behind terrorism, emerging illicit trade networks, and the more benign economic processes of localization and self-sufficiency that stand in opposition to globalization.<sup>88</sup>

The interaction of hierarchy and rhizome inherently generates conflict as hierarchy's attempts to create economic dependency through economies of place and scale are mutually exclusive of rhizome's tendency to devolve economic structures towards localized independence and parity. In a world largely stuck in the mindset of the Nation-State and oblivious to the emerging conflict of hierarchy versus rhizome, terrorism is the vanguard of a rhizome movement that sits on the cusp of a dawning, non-Cartesian reality. It is what Antonio Negri has called a "diagonal" that opposes hierarchy by confronting its weaknesses, rather than direct confrontation with its strengths.<sup>89</sup> Rhizome is out of phase with hierarchy while simultaneously occupying the same point in history, the same territory on the Cartesian plane. Rhizome is an emergent phenomenon, analogous to the emergent intelligence of the human brain,<sup>90</sup> presenting radically

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<sup>87</sup> Any pattern that is predicated upon continuous growth must eventually exceed its resource base and collapse. *See generally* JOSEPH A. TAINTER, *THE COLLAPSE OF COMPLEX SOCIETIES* (1988).

<sup>88</sup> For a detailed account of rhizome as the animus for economic localization efforts by marginalized groups in opposition to the perceived threat of globalization, *see* JEFF VAIL, *A THEORY OF POWER* (2004), *available at* <http://www.jeffvail.net/atheoryofpower.pdf>.

<sup>89</sup> *See Generally* MICHAEL HARDT & ANTONIO NEGRI, *EMPIRE* (2000).

<sup>90</sup> Rhizomatic intelligence is similar to human intelligence in that uncontrolled, non-hierarchal interaction leads to the emergence of directed action, the direction for which cannot be sourced from the interaction. *See, e.g.*, HOWARD BLOOM, *THE GLOBAL BRAIN* (2000) *and* JOHN H. HOLLAND, *EMERGENCE: FROM CHAOS TO ORDER* (1998).

different, and often superior, information processing capability when compared to the machine intelligence of hierarchy.<sup>91</sup> One example of emergent rhizome is the complex web of interaction between Middle-Eastern Islamic extremism, South American populism, the struggle of indigenous groups to control hydrocarbon resources, and cross-border drug-trafficking. Few people, for example, are aware of the significant and growing presence of al-Qa'ida in the “tri-border area” between Brazil, Argentina and Paraguay.<sup>92</sup> The standard, hierarchal paradigm cannot make sense of such an apparently anomalous connection between a fundamentalist Islamic group and a remote corner of South America. It is this kind of emergent “nation”—the networked affiliation between groups as diverse as al-Qa'ida, Hugo Chavez and Salvadoran Maras<sup>93</sup>—that is replacing the Cartesian “nation” of the Nation-State system.

While the fringes of the United States intelligence community understand the watershed threat posed *in combination* by these seemingly unrelated phenomena,<sup>94</sup> the Nation-State paradigm that dominates state power is not capable of perceiving the greater threat. Perhaps more importantly, because rhizome is oblique to the perception of hierarchy,<sup>95</sup> the Nation-State actors of globalization do not realize that rhizome terrorism is not fighting the policies of particular states, but that the source of conflict is the fundamental incompatibility of rhizome with the hierarchal nature of both globalization and the state. Proponents of globalization suggest that the leveraging of economies of place and of scale will bring wealth to the worlds

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<sup>91</sup> For a discussion of the information processing capabilities of Hierarchy and Rhizome, see ROBERT ANTON WILSON, *QUANTUM PSYCHOLOGY* (1990).

<sup>92</sup> Philip K. Abbott, *Terrorism Threat in the Tri-Border Area: Myth or Reality?*, *MILITARY REVIEW*, Sep. – Oct. 2004, available at [http://www.army.mil/professionalwriting/volumes/volume3/january\\_2005/1\\_05\\_4.html](http://www.army.mil/professionalwriting/volumes/volume3/january_2005/1_05_4.html).

<sup>93</sup> “Maras,” or Central American street gangs such as Mara Salvatrucha-13, now constitute one of the most significant organized crime syndicates within the United States. They utilize their extensive cross-border ties and their shared ability to identify with a distant homeland to control significant portions of the trans-American drug trade. See *Criminal Gangs in the Americas: Out of the Underworld*, in *THE ECONOMIST*, Jan. 5<sup>th</sup>, 2006.

<sup>94</sup> See, e.g., Jeff Vail, Intelligence Analyst, U.S. Dept. Interior, Keynote Address at the Summer 2005 Interagency Forum on Infrastructure Protection: The Global Threat Puzzle: Understanding the Rhizome Threat (Jul. 8, 2005).

<sup>95</sup> See JAMES C. SCOTT, *SEEING LIKE A STATE* 347-49 (1998).

poor and one day eliminate the root cause of terrorism.<sup>96</sup> Such theories demonstrate a fundamental lack of understanding of the cause of terrorism: rhizome movements do not seek to regress to less efficient forms of hierarchy, but rather seek freedom *from* hierarchy, and its symptoms of dependency, disparity and instability. Rhizome is not merely the struggle against hierarchy, but it is the proposition of an alternate mode of economic organization that is fundamentally more compatible with human ontogeny,<sup>97</sup> and that actually reduces society's capacity for conflict.<sup>98</sup>

#### IV. Navigating the New Map

It is my hope that thus far I have helped to explain the emerging and radically new world structure of the New Map. Understanding this structure will provide a more accurate lens through which to view our world, leading to an understanding that can better inform international policy choices in this new century. However, understanding this emerging reality, by itself, is not sufficient to enable the world community to effectively address its challenges. Equally important is the need to understand that, despite the headlines, this is a structural, not phenomenological, transition. The New Map is most readily observed as a set of emerging phenomena, but the core development that drives these symptoms is fundamentally structural. The New Map is a shifting of the balance of power from hierarchal forms of organization closer towards rhizome. As such, it is essential that the challenges of the New Map are confronted with

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<sup>96</sup> See, e.g., Mark Leonard, *The Geopolitics of 2026*, in THE ECONOMIST: THE WORLD IN 2006, 24 (espousing The Economist's generally rosy view on trade liberalization and globalization).

<sup>97</sup> For an in-depth examination of the potential for rhizome structure to better meet the demands of human ontogeny, see JEFF VAIL, A THEORY OF POWER (2004), available at <http://www.jeffvail.net/atheoryofpower.pdf>.

<sup>98</sup> See Jeff Vail, *Defending Pala: Rhizome as a Mode of Military Operations*, Sep. 6, 2005, <http://www.jeffvail.net/2005/09/defending-pala-rhizome-as-mode-of.html>.

policy measures that address that structure—not the resulting phenomena. A war on terrorism, for example, will surely fail if the structural underpinnings of that phenomenon—primarily economic disparity—are not addressed. On the most fundamental level, the challenges of the New Map must be met with policy that *embraces rhizome*. Reducing the dominance of hierarchal organization within our world economic and political system and working to affect a smooth transition to a more decentralized, networked world will result in a world with less disparity and a lower capacity for conflict.

This suggestion will sound completely “un-American”<sup>99</sup> to many readers. It is. Those within the Nation-State paradigm praise as “American” those things which are fundamental to the constitutional nature of the American Nation-State. Similarly, the principles of the French and American Revolutions were antithetical to the constitutional basis of the kingly states of France and Britain.<sup>100</sup> That did not invalidate the French or American revolutions—in fact, it is the very criteria for any truly revolutionary development in world affairs! The “un-American” nature of rhizome does not mean that it is not the most prudent course of action at the dawn of a new age. Holding on to the trappings of nationalism in the New Map will only invite the same backlash that monarchists witnessed at the close of the era of the Kingly state.

Within the New Map there are two choices. Existing Nation-States can embrace hierarchy, and transition to the market-state model, as envisioned by constitutional law professor Phillip Bobbitt,<sup>101</sup> or they can embrace rhizome and embark upon the same spirit of bold adventure and constitutional invention that created America over two centuries ago. Those that

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<sup>99</sup> For example, in President Bush’s address of 8 November, 2001, he noted that “We will defend the values of our country...we will persevere in this struggle no matter how long it takes to prevail.” George W. Bush, President of the U.S., Presidential Address (Nov. 8, 2001), *available at* <http://www.whitehouse.gov/news/releases/2001/11/20011108-13.html>.

<sup>100</sup> See CAROLINE THOMAS, *NEW STATES, SOVEREIGNTY AND INTERVENTION* 4 (1998).

<sup>101</sup> See PHILIP BOBBITT, *THE SHIELD OF ACHILLES: WAR, PEACE, AND THE COURSE OF HISTORY* 283 (2002).

embrace hierarchy will increasingly face the emergent, rhizome forces of those who must, by definition, reside at the base of hierarchy's pyramid—"terrorists" and "freedom fighters" alike. Those states that choose to transition to rhizome, however, might finally escape this structural violence of hierarchy.

The New Map is a problem that requires a structural solution—that of rhizome. Advocates of the perpetuation of hierarchy and the Market-State system will surely continue to suggest legal solutions that merely address structural symptoms such as terrorism. It is my opinion that they will meet with the same failure as past attempts to deny the reality of the evolving global structure. For example, the 1979 International Convention Against the Taking of Hostages,<sup>102</sup> which illustrates that the desire of the Nation-State to outlaw tactics that play to their weaknesses does not in fact reduce their use;<sup>103</sup> the 1980 Convention on the Physical Protection of Nuclear Materials,<sup>104</sup> which failed to effectively secure radioactive materials<sup>105</sup> as well as failed to prevent subsequent nuclear proliferation to several states;<sup>106</sup> the 1997 International Convention for the Suppression of Terrorist Bombings,<sup>107</sup> which has similarly failed to prevent the dramatic increase in terrorist bombings in subsequent years;<sup>108</sup> the 1999 International Convention for the Suppression of the Financing of Terrorism,<sup>109</sup> which failed to prevent the financing of numerous trans-national terrorist plots in subsequent years;<sup>110</sup> and perhaps most tellingly the general failure of the current "war on terror," which has resulted in

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<sup>102</sup> International Convention Against the Taking of Hostages, G.A. Res. 34/146, U.N. Doc. A/C.6/34/L.23 (1979).

<sup>103</sup> See *Patterns of Global Terrorism*, US STATE DEPT., 1995 through 2003.

<sup>104</sup> Convention on the Physical Protection of Nuclear Material, T.I.A.S. 11080 (Feb. 8, 1997).

<sup>105</sup> See *The Time-Bombs of Tomsk*, in THE ECONOMIST, Feb. 24th, 2000.

<sup>106</sup> See *Nuclear Proliferation: Holding the Line*, in THE ECONOMIST, Jan. 16th, 2003.

<sup>107</sup> International Convention for the Suppression of Terrorist Bombings, G.A. Res. 164, U.N. GAOR, 52nd Sess., U.N. Doc. A/52/653 (1997).

<sup>108</sup> See *supra*, note 103.

<sup>109</sup> International Convention for the Suppression of the Financing of Terrorism, G.A. Res. 109, U.N. GAOR, 54th Sess., Supp. No. 49, at 408, U.N. Doc A/54/109 (1999).

<sup>110</sup> See *supra*, note 85.

such an increase in terrorism that the US State Department ceased publication of its annual “Patterns of Global Terrorism” after 2003 when it was repeatedly unable to hide the political failure of the explosion in the number of terrorist incidents since 2001.<sup>111</sup> In light of the emerging reality of the New Map, it would be more prudent to employ the law as a tool to embrace rhizome, to affect a smooth transition to a world that has, on the ground, already begun moving beyond the Nation-State. The embrace of rhizome is not a policy that must be affected by expeditionary militaries or in far-off lands. It is a policy that must be affected in the heart of Western powers—in their state-sponsored systems of wealth creation and distribution. These systems are currently founded upon the hierarchal mode of ownership, and are the engine of structural disparity.

The New Map brings the uncomfortable situation of treading in new and unfamiliar territory, with its fundamental departure from the historical establishments upon which our cultural identities are founded. But it may also provide a source of hope for the future. The absurdity and injustice of national borders that elevate the economic well-being of select groups based mainly upon their race or ethnicity may recede or fade away.<sup>112</sup> Absent the Nation-State bastions of ethnic and racial division, multiculturalism may finally fulfill its promise of tolerance and equality among humans. Similarly, the promise of rhizome structure to reduce social stratification, wealth disparity, and the systemic exploitation of hierarchal systems may create a stable, just basis for international society—a basis that is impossible within the strict confines of sovereignty and territory that define the Nation-State system. With an understanding of the New Map, it becomes self-evident that clinging to the remnants of the Nation-State will only serve to fuel reactionary ideologies and terrorist tactics. It is by accepting the potential of the New Map

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<sup>111</sup> See *supra*, note 103.

<sup>112</sup> See Paul Treanor, *Why Destroy the Nation-State*, <http://web.inter.nl.net/users/Paul.Treanor/nationstate.html>.

and fostering the development of rhizome structure that we can hope to disarm the causes of terrorism, eliminating the very division and disparity that are its *raison d'être*.