Transformation of Government Roles Toward a Digital State

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INTRODUCTION

Information technologies (IT) and the new (virtual) space of dominion that they create can alter the order of the powers of the democratic states.

This article will discuss the idea that the digital state is becoming a Virtual state with less power of control over its territory, because the historic power of the state is being restricted by the rise of governance beyond the state. The process of globalization, as well as the larger use of digital technologies, challenges the Westphalian nation-state, changing the state’s boundaries so that new forces and new actors acquire even larger space of dominion.

We will explain that the information society challenges, but does not eliminate, the effectiveness of the state. The Web, with its open spaces, extends the state’s boundaries, creating new spaces of virtual dominion and changing governments structures: Actually, digital technologies affect functions of direction, control and organization of governments, and democracy quality, opening new areas of dominion for governments.

Even if some of the functions of the states, like those related to economics, are diffuse under the new globalized and virtualized world, the states still preserve most of their political and military power. And more, the regulatory role of the state is considered pivotal: In the future, national governments need to define a new code of regulation of the Internet to defend citizens’ rights in the virtual space.

BACKGROUND

The Internet creates a new space for “virtual” power, where it is not completely possible to individualize classical concepts of state and nation, rights and laws. Some scholars think the power of the state can be compromised from the pre-eminence of information and communication technologies (ICTs) (Dyson, 1998; Tapscott, 1998), imagining catastrophic scenarios and losses of power of the states: They are considered incapable to keep up with information society’s innovation. In the same way, Jerry Everard, in Virtual State, The Internet and the Boundaries of the Nation-State (2000), examines the impact of the global growth of the Internet and links it to the fragmentation of the unitary state intervenes. Everard emphasizes that the traditional realistic approach was geared towards the identification of the state as an individual actor, embracing the Cartesian idea of sovereign identity. In relation to this analysis, Nicolas Negroponte sees in the growth of the Internet, the end of the nation state. In Being Digital, he argues that the four cardinal virtues of the information society—decentralize, globalize, harmonize and authorize to do—are going to subdue the Hobbes’ idea of the state as a Leviathan (Negroponte, 1995). The state was seen by Hobbes as the social personification of the corpus of the domestic polity. By analogy, the Prince was considered by Machiavelli like the captain of the ship of the state (Machiavelli, 1975). By extension, the social organs working were the arms or limbs of the state. Establishing such boundaries, rules and laws of the state defines the identity of a nation. Indeed, the identity is the result of the process of the construction of boundaries, a manner to identify oneself from others. But, today, the ability of the Internet to break through boundaries challenges the traditional structures based on the identity of the state. This new situation changes the nature of the state’s boundaries, but does not erode them. In the new digital state, the point is to rethink the manner of the construction of national identity and the meaning of identity itself, which is no longer connected to territory.

THE STATE SOVEREIGNTY IN THE WEB

As Mattelart reminds us, “like it or not, the territory of the nation-state remains the place where the social contract is defined. It has by no means reached the degree of obsolescence suggested by the crusade in favor of deterritorialization through networks” (Mattelart, 2002, p. 609). The territory of the nation state is still the historical and functional painting of the democracy, the place of definition of the social contract. Therefore, it is quite distant from the obsolescence that the crusaders of the