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Sovereignty under Pressure: Multilevel Crisis Governance from Lockerbie to Libya (2011)

Bakr Hazem Al-Zubaidy[1*], Maha Ali Hameed[2]

[1]College of Political Science, University of Baghdad, Baghdad, Iraq ✉ bakr.hazem@copolicy.uobaghdad.edu.iq
[2]College of Political Science, University of Baghdad, Baghdad, Iraq ✉ maha.ali@copolicy.uobaghdad.edu.iq

Abstract
This study examines how multilevel crisis governance under Chapter VII of the United Nations Charter reshapes state sovereignty and affects liberty, human rights, and the legitimacy of international governance. Using a structured comparative design and process-tracing methodology, it analyzes the Lockerbie crisis (1988–2003) and the 2011 intervention in Libya. The findings show that United Nations Security Council sanctions and institutional interventions constrain sovereign decision-making through institutional layering, resulting not in the loss but in the fragmentation and reconfiguration of sovereignty. The study argues that this transformation may strengthen human rights protection while simultaneously raising concerns about democratic accountability and the concentration of international authority. It contributes to debates on sovereignty by conceptualizing it as an evolving and negotiated principle within contemporary multilevel governance.

Keywords
Sovereignty; Multilevel Governance; UN Security Council; Chapter VII Sanctions; Liberty; Human Rights; International Legitimacy

UN Sustainable Development Goals (SDGs)
SDG 16: Peace, Justice and Strong Institutions; SDG 10: Reduced Inequalities

INTRODUCTION

International sanctions and multilevel forms of crisis governance have brought about a paradigm shift in contemporary debates on state sovereignty, moving the focus beyond the institutional question of authority toward broader concerns regarding liberty, human rights, and the legitimacy of international governance. In its traditional sense, sovereignty refers to the supreme power exercised by a state within its territory; however, the nature of sovereignty has become increasingly complex, as decision-making processes are now structured and constrained by international governance frameworks. Sanctions implemented under the authority of Chapter VII of the United Nations Charter, together with the expanding functions of regional organizations, have contributed to the emergence of multilayered systems of authority operating simultaneously at national and supranational levels. These developments also reflect broader transformations in the international distribution of power (see Carpenter, 2025; Leeds et al., 2025) and raise fundamental questions not only about the exercise of sovereignty but also about what aspects of sovereignty are being transformed and how these changes affect individual liberty and the protection of human rights.

The struggle between sovereign authority and perceived threats to international justice and/or the protection of human rights is embodied in major international crises. Critical turning

points include the Lockerbie crisis (1988–2003), during which the Libyan state asserted exclusive jurisdiction while facing challenges from the United Nations regarding accountability and becoming involved in a prolonged legal dispute. The 2011 intervention in Libya, by contrast, represents a more intensive form of multilevel crisis governance, in which, alongside sanctions, military authorization and regional support played a decisive role in the implementation of the Responsibility to Protect (R2P) doctrine (Orford, 2011). Sovereignty was increasingly reconceptualized as a function of protecting civilian populations, while liberty and human rights became central justifications for international intervention. These cases demonstrate that contemporary crisis governance is not merely a coercive mechanism but also a normative arena in which competing claims concerning authority, liberty, and responsibility are negotiated.

Recent scholarship has examined the multifaceted nature of sanctions, humanitarian interventions, and global governance; however, it has largely focused on the institutional dynamics and practical outcomes of sanctions regimes and humanitarian actions rather than on the underlying normative frameworks that shape these practices. Multilevel governance has been conceptualized as the decentralization of authority across multiple, overlapping levels of governance (Jeffery & Peterson, 2020; Take, 2012), while scholars have also questioned the legitimacy of the United Nations Security Council's authority to impose binding constraints on states (Scherz & Zysset, 2019). Nevertheless, these perspectives have rarely been integrated into a comprehensive analytical framework capable of simultaneously explaining the transformation of sovereignty and its implications for liberty, human rights, and institutional legitimacy. Consequently, sovereignty should not be understood simply as being diminished or preserved, but rather as undergoing a complex and continuous process of reconfiguration in response to changing structures of power and responsibility.

To address this research gap, this study develops an analytical framework with two interconnected dimensions: causal and normative. It examines the changing nature of state sovereignty within the context of multilevel crisis governance and explores its implications for liberty, human rights, and the legitimacy of international governance. Accordingly, the central research question guiding this article is: **How does multilevel crisis governance negotiate state sovereignty in sanctions-based crises, and how do these negotiations influence individual liberty and the legitimacy of international authority?**

The study pursues three interrelated objectives. First, it examines the Lockerbie crisis and analyzes how the emergence of sanctions-based governance reshaped processes of sovereign decision-making. Second, it investigates the 2011 intervention in Libya as a high-intensity case of multilevel governance, focusing on how sovereignty was contested and reinterpreted within the framework of the Responsibility to Protect (R2P) doctrine and human rights protection. Third, it comparatively analyzes these two cases to determine whether sovereignty has been undermined, reinforced, or reconfigured, and to assess the implications of these transformations for authority, liberty, and accountability.

By focusing on multilevel crisis governance, this research argues that sovereignty has not been abolished but rather transformed in its exercise within increasingly complex and hierarchical institutional structures. This transformation is normatively ambivalent and can be interpreted from multiple perspectives. On the one hand, the limitation of state power in favor of international human rights protection may strengthen safeguards against state abuses (Peters, 2009a). On the other hand, significant legitimacy concerns emerge when authority is

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increasingly centralized within international institutions that lack sufficient democratic accountability (Krieger, 2018). In this context, the reconfiguration of sovereignty functions as a mechanism for advancing individual protection while simultaneously generating tensions between global governance structures and the principles of liberty and self-government.

Finally, this study introduces a novel analytical framework that integrates theories of multilevel governance (Hooghe & Marks, 2002; Jeffery & Peterson, 2020), normative approaches to institutional legitimacy (Scherz & Zysset, 2019), and theoretical perspectives on sovereignty within political and legal thought (Bartelson, 2014; Peters, 2009a). Through a structured comparison of the Lockerbie crisis and the 2011 intervention in Libya, the article contributes to contemporary debates on sovereignty by conceptualizing it not merely as an institutional attribute, but as an evolving practice through which state authority, international responsibility, and individual liberty are continuously negotiated within processes of institutional transformation and reconfiguration.

THEORETICAL AND NORMATIVE FRAMEWORK

Sovereignty as a Relational and Evolving Concept

Sovereignty is no longer conceived as a static and absolute legal power confined to territorial boundaries, but rather as a processual and relational formation shaped through institutional interactions and evolving structures of global governance. Aalberts (2004) conceptualizes sovereignty as a socially constructed practice that responds to changing institutional conditions, while Bartelson (2014) understands it as a historically contingent and symbolic practice that is continuously redefined through political and legal processes.

Contrary to this perspective, Koskenniemi (2011) argues that, despite transformations in institutional and normative structures, sovereignty remains a fundamental organizing principle of international law. This approach supports an understanding of sovereignty not as an immutable entity, but as an adaptive legal and political practice capable of evolving in response to changing international conditions.

From a legal perspective, Peters (2009b) situates sovereignty within the emerging framework of global constitutionalism, where normative obligations toward humanity and the protection of individual rights increasingly condition state authority. This reconceptualization transforms sovereignty from a principle based on absolute autonomy into one embedded within broader legal, institutional, and normative frameworks.

Multilevel Governance and Institutional Layering

The restructuring of sovereignty is strongly interconnected with the emergence of multilevel governance, where power is divided among global, regional, and domestic institutions. Hooghe and Marks (2002) describe this model as a regime in which decision-making power is shared among multiple levels, thereby questioning the state monopoly. This viewpoint is further elaborated by Jeffery and Peterson (2020), who emphasize the growing complexity and interrelatedness of governance structures. Recent literature focuses on the strength of sanctions and regional actors in reinforcing global governance structures, with von

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Borzyskowski and Portela (2023) showing how regional sanctions can influence UN systems, and Leeds et al. (2025) and Carpenter (2025) placing these processes within the context of broader changes in the global order. These approaches are combined to identify how sovereignty is increasingly asserted within layered institutional environments rather than through isolated state power.

Normative Legitimacy of International Authority

Multilevel governance raises fundamental questions regarding the normative legitimacy of international authority and the role of the United Nations Security Council within it. The concept of legitimacy, in this context, extends beyond legal authority to include normative justification, accountability, and transparency. Scherz and Zysset (2019) emphasize that authority should be normatively justified, whereas Binder and Heupel (2015) and Take (2012) highlight the significance of transparency as a means of maintaining legitimacy. Meanwhile, Krieger (2018) points to a so-called legitimacy trap, whereby states become institutionalized within governance systems that limit their autonomy without sufficient democratic checks and balances.

Based on these perspectives, this paper adopts a critical normative stance: multilevel crisis governance represents a normatively ambiguous framework. It should be considered legitimate in the sense that it must achieve a balance between protecting individuals from the abuse of state power and preventing the excessive concentration of authority in institutions that lack democratic accountability. This means that the reconfiguration of sovereignty cannot be assessed solely through institutional effectiveness; rather, it must also be evaluated in terms of its consequences for liberty, rights, and the legitimacy of power (Plouffe & Gift, 2025).

From the perspective of political and legal theory, this transformation indicates a change in the relationship between power and freedom. Peters (2009a) argues that legitimacy depends on safeguarding individuals within responsible governance structures, whereas Jens Bartelson considers sovereignty to be a historically constructed concept redefined through political practice. Combining these perspectives, it is important to note that the reconfiguration of sovereignty is not merely an institutional effect but also a normative transformation that affects the foundations of the legitimacy of authority and the conditions of individual freedom.

Liberty, Human Rights, and Responsibility to Protect

The normative effects of sovereignty transformation can be best observed through its connection to liberty and human rights. According to Peters (2009a), sovereignty places human beings at the center, with state authority being further explained and justified by its capacity to safeguard individual rights. This transformation is embodied in the doctrine of Responsibility to Protect (R2P), which reconceptualizes sovereignty as a responsibility toward populations rather than as a barrier to foreign intervention (Orford, 2011). The application of this principle within the global governance system, as discussed by Coen (2015), demonstrates how global governance seeks to establish a balance between safeguarding human rights and respecting state autonomy, while Rowhani (2023) argues that the introduction of rights-based limitations on sanctions is necessary. As a result, the restructuring of sovereignty through multilevel governance represents a two-pronged process: it can strengthen the protection of individual

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freedoms while simultaneously challenging the legitimacy, accountability, and limits of international power.

Expanding upon this perspective, liberty within this research is not understood as an abstract philosophical concept but as an analytically observable condition shaped by governance structures. It is operationalized through two closely interconnected dimensions: (1) the absence of state-level coercion and abuse, and (2) the presence of external constraints imposed by international institutions. Under multilevel governance, liberty may increase along the first dimension while diminishing along the second, making it a dual and context-dependent outcome rather than a unidirectional consequence.

Causal Mechanism and Conceptual Model

This paper suggests a three-step causal process through which sanction-based multilevel governance transforms the practice of state sovereignty. Sovereignty is understood as a capacity to make independent decisions, institutionally entrenched in a relational manner that can be constrained under hierarchical rule without losing its legal form (Aalberts, 2004). The independent variable is the institutionalized constraint produced by Chapter VII sanctions and multilevel institutional layering, whereby sanctions function not only as coercive instruments but also as components of transnational legal and regulatory orders that organize state actions through binding obligations (Mallard & Sun, 2024). With the assistance of regional organizations, these mechanisms create nested authorities that gradually restrict discretionary space, extending regulatory power into areas of domestic governance without direct territorial intervention (von Borzyskowski & Portela, 2023; Krisch, 2022).

Regional organizational agency and the global hierarchy of power within the Security Council moderate the degree of this constraint, determining the extent and uniformity of enforcement (Leeds et al., 2025). Increased institutional density generates a greater reduction in autonomous decision-making and produces more deeply embedded constraints. In this context, states respond strategically by adapting their behavior rather than passively complying, through processes of negotiated adjustment, legal reinterpretation, or selective implementation.

The dependent variable, reconstitution of sovereignty, is defined as the continuation of formal sovereignty and its functional integration within multilevel governance systems. Empirically, it can be observed through indicators such as sustained monitoring, participation in transnational legal regimes, limitations on foreign policy autonomy, and institutionalized compliance. This differs from sovereignty erosion, which implies the displacement of authority, and resilience, which suggests the restoration of autonomy. The proposed mechanism is tested through a systematic comparison of the Lockerbie crisis and the 2011 intervention in Libya, where institutional density varies, enabling the identification of differences in the depth and speed of sovereignty reconfiguration.

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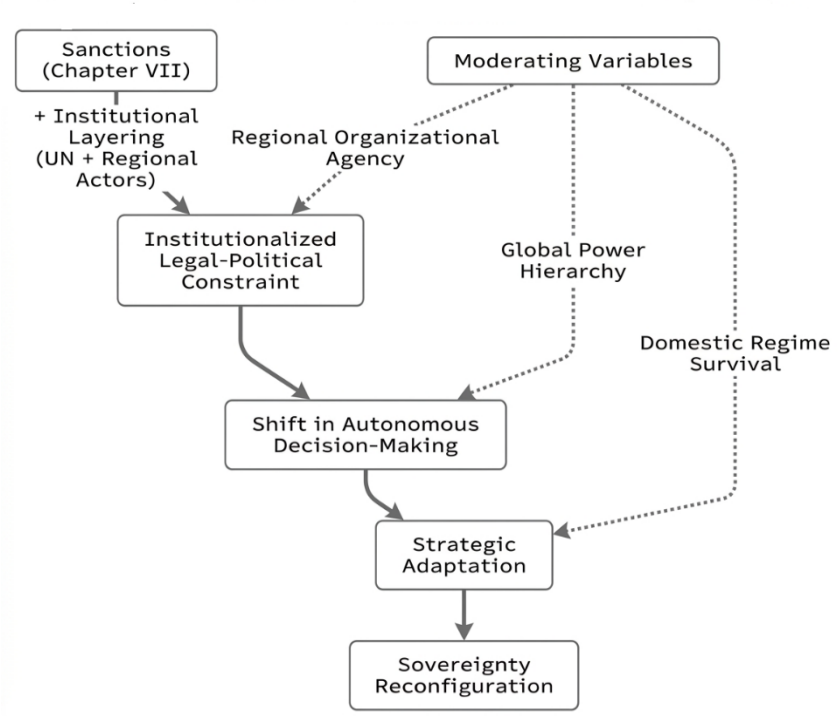


Figure 1: Proposed Causal Mechanism of Sovereignty Reconfiguration under Sanction-Based Multilevel Governance (Source: Authors' elaboration)

The ordered causal pathway, which includes Chapter VII sanctions and multilevel institutional layering as the combination of United Nations Security Council actions and regional involvement serving as the key independent variables, is presented in Figure 1. Based on transnational legal-order theory (Mallard & Sun, 2024) and the concept of extraterritorial governance (Krisch, 2022), these mechanisms create long-term constraints on independent decision-making.

These constraints are shaped by two moderators: regional organizational agency (von Borzyskowski & Portela, 2023) and the global hierarchy of power within the Security Council (Leeds et al., 2025). States respond strategically to long-term institutional pressures in ways consistent with relational sovereignty (Aalberts, 2004), resulting not in the loss of sovereignty but in its reconstitution within hierarchical governance structures.

Under conditions of high-density governance, the Responsibility to Protect (R2P) functions as a normative catalyst that consolidates institutional forms of constraint by providing a foundation for intervention beyond customary understandings of sovereignty. By redefining sovereignty as contingent upon the protection of populations, R2P accelerates the narrowing of autonomous decision-making and further strengthens institutional embedding.

To reinforce causal inference, the research tests three rival hypotheses as alternative explanations of sovereignty transformation. Each hypothesis relates to a specific deviation point within the proposed mechanism and is characterized in terms of observable implications. The competing hypotheses are associated with different points of causal deviation and their observable implications, as summarized in Table 1. These hypotheses are mapped onto specific stages of the causal pathway, transforming the model into a systematic framework of inference:

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erosion alters the outcome, resilience modifies the constraint–adaptation relationship, and domestic survival affects the moderating process. Process tracing assesses the persistence of institutional constraints, the long-term limitation of autonomy, and the nature of adaptation based on hierarchical embedding rather than regime-based adjustment. Where these conditions are met, the reconfiguration hypothesis receives stronger empirical support than the competing explanations.

Table 1: Rival Explanations and Points of Divergence in the Proposed Causal Mechanism (Source: Authors' elaboration)

Hypothesis	Core Assumption	Deviation Point	Observable Implications
Sovereignty Erosion	Sanctions externalize sovereign authority rather than embedding it within hierarchical governance structures (Mallard & Sun, 2024; Scherz & Zysset, 2019).	**Outcome stage:** sovereignty reconfiguration is replaced by authority displacement.	(1) Transfer of decision-making authority to external actors (2) Replacement of domestic jurisdiction (3) Irreversible structural dependency
Sovereignty Resilience	Sanctions produce temporary compliance without long-term institutional embedding, thereby allowing the restoration of autonomy (Ridi & Fikfak, 2022).	**Intermediate stage:** constraints fail to produce sustained contraction of autonomy.	(1) Absence of codified oversight mechanisms (2) Restoration of unilateral authority (3) No durable governance restructuring
Domestic Survival	State adaptation reflects strategic compliance with sanctions rather than long-term institutional embedding (Ridi & Fikfak, 2022).	**Intermediate stage:** compliance remains strategic and temporary rather than becoming institutionally embedded.	(1) Compliance ends after sanctions are relaxed. (2) No durable institutional embedding occurs. (3) State behaviour reflects strategic adjustment rather than governance transformation

METHODOLOGY

The research design follows a comparative approach based on systematic case comparison and a theory-grounded process-tracing methodology. Rather than providing a descriptive explanation of two crises, the research tests a causal hypothesis: that multilevel crisis governance under Chapter VII sanctions does not eliminate sovereignty but instead reshapes its practical exercise within hierarchical institutional orders. Accordingly, the methodology is explicitly hypothesis-testing and aims to explain the relationship between sanctions, institutional layering, and shifts in sovereign decision-making.

A controlled comparison of two cases is conducted: the Lockerbie crisis (1988–2003) and the intervention in Libya in 2011. These represent most-similar cases, as both involve Libya and a comparable geopolitical environment, and both were subject to formal intervention by the United Nations Security Council under Chapter VII. This design controls for domestic and structural variables while allowing variation in the intensity of multilevel governance. The key distinction lies in institutional density: the Lockerbie case is characterized by a sanction-based structure with limited regional involvement, whereas the 2011 Libya case involved the

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imposition of sanctions, authorization of the use of force, and regional participation. This difference enables an examination of how varying degrees of institutional layering contribute to the transformation of sovereignty.

Sovereignty is treated as the dependent variable, not as a fixed legal status, but as a practice manifested through decision-making autonomy, judicial control, and conditions of compliance. Its transformation is operationalized through changes in autonomy, policy adjustments resulting from institutional pressure, and forms of negotiated compliance. Reconfiguration occurs when sovereignty is formally preserved but is effectively exercised within externally structured limitations.

The independent variable is multilevel crisis governance, which is operationalized through the number, scope, and authority of institutional actors involved in the crisis. This includes Chapter VII resolutions, regional-level organizational functions, enforcement measures such as sanctions and monitoring frameworks, and the distribution of decision-making authority across different institutional levels.

Process tracing is used to establish causal inferences by reconstructing the pathway between institutional constraints, strategic adaptation, and the transformation of the practice of sovereignty. The analysis applies standard evidentiary tests, including hoop tests to identify necessary conditions and smoking-gun tests to determine decisive causal evidence, in order to assess whether sovereignty is reconfigured rather than eroded.

Cross-case comparison complements within-case analysis by applying a similar analytical framework to both crises. This approach enables a comparative assessment of patterns of continuity and variation in how institutional pressure is generated, structured, and translated into compliance. Rival explanations are systematically evaluated, including erosion (external displacement of authority) and resilience (temporary compliance without structural transformation), based on their consistency with the empirical evidence from the two cases.

The research is limited to sanction-based crises justified under Chapter VII, where multilevel governance frameworks are evident. Although the findings may have analytical relevance for similar cases, they are not intended to be generalized to purely domestic conflicts or cases lacking institutionalized international intervention.

Furthermore, because both empirical cases concern Libya, the proposed causal mechanism should be interpreted as analytically transferable rather than statistically generalizable. Future comparative research could examine whether similar patterns of sovereignty reconfiguration emerge in other Chapter VII interventions or sanctions regimes involving different institutional and political contexts.

The main sources of data include United Nations Security Council resolutions and voting records, official government documents from Libya, statements by the African Union and the Arab League, reports of sanctions committees, and other relevant secondary analyses. These sources are selected due to their relevance to sovereign claims, institutional authority, and compliance behavior, with the focus placed on the structure of decision-making rather than on the reconstruction of narratives.

The methodological design provides an explicit operationalization of variables, a controlled comparison, and theory-informed process tracing to enable a rigorous test of the study's central claim: the transformation of the role of sovereignty under multilevel governance.

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THE LOCKERBIE CRISIS: SANCTIONS AND STRUCTURED SOVEREIGN CONSTRAINT

In applying the first stage of the proposed causal mechanism, namely, whether Chapter VII sanctions can create lasting institutional constraints that subsequently alter the practice of sovereignty in a uniquely identifiable setting, the case of Lockerbie provides an appropriate context for analysis. The analysis does not merely describe what occurred; rather, it adopts a process-tracing approach to determine whether the observed outcomes reflect sovereignty erosion, resilience, or reconfiguration.

Institutionalized Constraint under Chapter VII

The institutional constraint emerged gradually through a series of binding resolutions adopted by the United Nations Security Council. Several sanctions were imposed, including restrictions on international aviation, military cooperation, and diplomatic relations under Chapter VII through Resolution 748 (1992), while Resolution 731 (1992) initially called for Libyan cooperation with investigations into the Lockerbie bombing. Subsequently, financial sanctions and the freezing of certain Libyan assets were introduced through Resolution 883 (1993), further intensifying institutional pressure on the Libyan government. These measures were not merely diplomatic messages intended for short-term application; rather, they represented a legally binding form of governance that, over a period of more than ten years, regulated Libya's external relations. Similar to the concept of extraterritorial governance (Krisch, 2022), sanctions constrained the state's capacity for autonomous decision-making without replacing territorial sovereignty. In this way, sanctions operated at the level of institutionalized governance as a sustained legal "restriction" rather than as an isolated exercise of coercive force (Mallard & Sun, 2024), with their legal character generating a specific form of constraint on sovereignty.

Contraction of Autonomous Decision-Making

The central issue in the sovereignty dispute was Libya's demand that the two suspects be tried in Libyan courts. At the same time, the United States and the United Kingdom insisted that they be extradited for trial in another country. The effect of the continuing sanctions was that Libya's capacity to make independent policy decisions became increasingly constrained during the 1990s, reducing its degree of autonomy. In 1999, a major development occurred when Libya agreed to surrender the two suspects to be tried before an internationally negotiated Scottish court established in the Netherlands. This was a negotiated arrangement rather than a simple act of compliance, as it represented a strategic adjustment involving the exercise of sovereignty within institutional frameworks established by external actors. Moreover, in 2003, Libya accepted responsibility for the actions of its officials. It agreed to provide compensation to the families of the victims as part of a broader process of institutional adaptation, which ultimately led to the lifting of UN sanctions. The durability of these outcomes demonstrates that the changes identified in the sanctions literature (Ridi & Fikfak, 2022) were not merely temporary, thereby challenging the resilience hypothesis, as institutional compliance extended beyond the period of direct coercive pressure.

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Evidentiary Assessment

Hoop Test

A necessary condition for the sovereignty reconfiguration hypothesis is the existence of sustained institutional constraints that extend beyond immediate coercive pressure. The continuation of binding Chapter VII sanctions between 1992 and 2003, together with Libya's negotiated surrender of the suspects in 1999, satisfies this requirement by demonstrating that sovereign decision-making remained institutionally constrained over an extended period.

This interpretation is further supported by the wording of United Nations Security Council Resolution 748 (1992), which decided that Libya must comply without delay with the Council's requirements. The legally binding character of this resolution demonstrates that institutional constraints were formally embedded within the Chapter VII framework rather than operating solely through political pressure.

Resolution 748 expressly required Libya to "comply without delay," providing direct documentary evidence that the institutional obligation was legally binding rather than politically advisory.

Smoking-Gun Test

The decisive evidence supporting sovereignty reconfiguration is Libya's acceptance of responsibility and the compensation agreement in 2003 while retaining its formal international legal personality. This combination demonstrates strategic adaptation within hierarchical governance rather than either complete sovereignty erosion or the full restoration of autonomous decision-making.

Limited Multilevel Layering

The Lockerbie situation can be viewed through one lens as a relatively low-density model of multilevel governance when contrasted with other contemporary crises. Institutional authority was largely concentrated within the United Nations (UN) Security Council, with regional organizations playing only limited facilitating roles. This was primarily the result of a high degree of centralization within the governance structure, making the case suitable for evaluating the transformation of sovereignty under relatively simple institutional conditions. Despite some contestation regarding the legitimacy of the Security Council's decision-making processes, its resolutions possessed legal validity under Chapter VII (Binder & Heupel, 2015; Scherz & Zysset, 2019). This indicates that, at least in the context of the Lockerbie case, significant institutional constraints can emerge without extensive long-term regional institutional layering.

Strategic Adaptation

The Libyan response, however, represented negotiated adaptation rather than passive acceptance. As demands from the international community continued to be imposed, Libyan authorities adjusted their policies through diplomacy, judicial compromise, and procedural

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cooperation with international bodies. Relational theories of sovereignty (Aalberts, 2004) suggest that, in seeking to maximize their choices, state actors may strategically adapt by pursuing new opportunities and aligning with new partners. The acceptance of a neutral location for trial, cooperation with the sanctions regime, and eventual compliance with compensation provisions illustrate this process. Sovereign agency was therefore not entirely abandoned but exercised within a more hierarchical institutional framework. This dynamic represents negotiated adaptation rather than complete sovereignty erosion.

Causal Outcome: Reconfiguration

The Lockerbie case provides stronger support for the sovereignty reconfiguration hypothesis than for the erosion and resilience hypotheses. Institutional obligations that persisted beyond the immediate crisis challenged the resilience hypothesis, while the absence of a full transfer of sovereign authority to external actors rules out sovereignty erosion. Instead, the evidence suggests that Libya exercised its formal legal sovereignty within an external governance framework (Mallard & Sun, 2024). This occurred through three empirical conditions that emerged as a result of Chapter VII measures: the persistence of institutional restrictions generated through the Chapter VII framework, the gradual reduction of autonomous decision-making, and strategic adaptation within hierarchical governance processes.

Overall, the Lockerbie case occupies an intermediate position within the typology; it represents a moderate rather than an extreme case of sovereignty transformation. Institutional constraints persisted and remained highly organized, but they did not eliminate domestic decision-making capacity. Rather, they altered the practical exercise of sovereignty without affecting Libya's formal status as a sovereign state.

From a normative perspective, this situation resulted in a partial transformation of the conditions of liberty. Constraints on sovereign autonomy contributed to greater international accountability and the pursuit of justice but did not fundamentally alter the distribution of authority between domestic and international institutions. Consequently, liberty was indirectly strengthened through legal responsibility structures that remained largely mediated by state institutions. Thus, the Lockerbie case illustrates the continuing tension between the concept of the autonomous sovereign state and the demands of international justice within a sanction-based multilevel governance framework.

THE LIBYA INTERVENTION OF 2011: HIGH-DENSITY MULTILEVEL GOVERNANCE AND SOVEREIGNTY TRANSFORMATION

The Libyan crisis of 2011 provides the most suitable empirical context for evaluating the proposed causal mechanism under conditions of high institutional density. Unlike the previous sanctions regime in the Lockerbie affair, which was primarily UN-led, the 2011 intervention involved Chapter VII sanctions, referral to the International Criminal Court (ICC), authorization for military intervention, and support through formal regional endorsement. This multilayered institutional arrangement enables a systematic examination of how increasing institutional density contributes to the acceleration and deepening of the transformation of sovereign power.

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Institutionalized Constraint under Layered Authority

The institutional constraint was established through a series of Security Council resolutions adopted under Chapter VII. Resolution 1970 (2011) introduced comprehensive sanctions against Libya, including an arms embargo, asset freezes, travel bans, and the referral of the situation in Libya to the International Criminal Court (ICC), the first time in the history of sanctions that such a far-reaching measure had been adopted. Subsequently, Resolution 1973 (2011) authorized Member States to take "all necessary measures" to protect civilians, including the establishment of a no-fly zone, while explicitly excluding any foreign occupation force. Collectively, these resolutions created an interdependent legal–political framework encompassing economic sanctions, judicial accountability, and military enforcement mechanisms (Mallard & Sun, 2024). The expansion of prosecutorial authority beyond national boundaries, together with the Arab League's endorsement of the ICC initiative, further strengthened the international legitimacy of these measures. Consistent with the concept of extraterritorial governance (Krisch, 2022), these mechanisms significantly affected domestic decision-making without explicitly replacing Libya's territorial sovereignty. The hierarchy of institutional control was considerably greater than in the Lockerbie case, reflecting a form of shared governance between global and regional levels (Hooghe & Marks, 2002).

Contraction of Autonomous Decision-Making Capacity

The aggregate impact of economic sanctions, judicial measures, and military mandates resulted in an immediate and significant reduction in Libya's autonomous decision-making capacity. The no-fly zone had a substantial impact on the government's ability to control national airspace and organize military operations, as coordinated NATO actions affected Libya's security environment and capacity for resistance. At the same time, financial measures restricted the government's access to external resources, while ICC proceedings introduced the possibility of individual criminal accountability, further constraining political leadership. Libya's status as a sovereign state remained recognized under international law; however, its ability to exercise sovereign authority over critical policy domains became subject to multiple layers of institutional restrictions.

Unlike the Lockerbie case, where external pressures resulted in gradual adaptation and eventual adjustment of mandates, the 2011 intervention produced a more rapid and sustained limitation of sovereign autonomy, reinforced by the overlapping nature of international institutional mandates.

Moderating Variables: Regional Agency and Power Hierarchy

Regional organizations played significant roles in shaping institutional constraints during the crisis. The Arab League's call for international action to "proceed with measures to protect civilians" provided the Security Council with important political support for the adoption of Resolution 1973. This sequence illustrates the capacity of regional organizations to complement the hierarchical structure of governance institutions in ways that strengthen global governance (von Borzyskowski & Portela, 2023). Meanwhile, the implementation of military operations was

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also influenced by the broader geopolitical power dynamics of the international system, with permanent members of the Security Council and NATO countries exercising greater influence over decisions concerning the conduct of military operations (Leeds et al., 2025). Although domestic political instability undoubtedly influenced the trajectory of the Libyan conflict, the comparative evidence suggests that institutional layering remained the primary mechanism through which sovereignty was transformed.

Strategic Adaptation under High-Density Governance

While adaptation in the Lockerbie case was a negotiated process involving compliance, in the case of Libya, it represented a process of sovereignty transformation characterized by the collapse of the regime and the transition of the institutional framework. Following the fall of the Gaddafi regime in October 2011, transitional authorities operated under extensive international supervision and sought external recognition and international support. The causal mechanism remained the same, although it unfolded within a considerably different political context than in the Lockerbie case. While sovereign authority formally remained and the ICC process continued to operate within this framework, the actual exercise of authority became increasingly embedded within a multilayered governance structure involving the ICC, the UN, regional organizations, and international partners. This process occurred through institutional restructuring rather than negotiated continuity, constituting a form of strategic adaptation.

Evidentiary Assessment

Hoop Test

The coexistence of Chapter VII sanctions, ICC jurisdiction, regional endorsement by the Arab League, and military authorization under Resolution 1973 constitutes the necessary institutional conditions anticipated by the proposed causal mechanism. The simultaneous operation of these institutional layers confirms the presence of dense multilevel governance required for sovereignty reconfiguration.

Additional support is provided by United Nations Security Council Resolution 1973 (2011), which authorized Member States to take "all necessary measures" to protect civilians, together with the Arab League's formal request for international action. These primary institutional decisions illustrate the interaction between global and regional authorities that underpins the proposed mechanism of sovereignty reconfiguration.

Likewise, the Arab League's formal request for the establishment of a no-fly zone provides contemporaneous documentary evidence that regional and global institutions jointly shaped the governance response.

Smoking-Gun Test

The continued recognition of Libya as a sovereign state under international law, despite extensive external constraints, combined with the transition to internationally supervised

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governance arrangements after the fall of the Gaddafi regime, provides decisive evidence that sovereignty was reconfigured rather than displaced.

Outcome: Intensified Sovereignty Reconfiguration

The Libyan intervention of 2011 represents a much more profound case of sovereignty reconfiguration. It created extensive institutional layers that significantly curtailed state discretion without eliminating Libya's formal international legal status. Multilevel governance does not replace sovereignty; rather, it incorporates sovereignty into a broader network of international legal and political structures. Three interrelated conditions supported by the empirical evidence confirm the proposed causal mechanism:

- Multiple institutional layers of authority established through Chapter VII sanctions, ICC jurisdiction, regional authorization, and military authorization.
- Rapid and relatively enduring decentralization of competences in the areas of security, the judiciary, the economy, and diplomacy.
- Strategic adaptation, whereby elements of hierarchical authority were maintained despite an externally structured institutional arrangement based on international agreements, legal frameworks, and regulations.

The case of Libya also demonstrates the application of the Responsibility to Protect (R2P) doctrine and how this concept implied a shift in the understanding of sovereignty from an absolute right of non-intervention toward a responsibility to protect populations (Orford, 2011). This form of governance reshaped the political framework by seeking to safeguard rights while simultaneously raising questions regarding the legitimacy, proportionality, and democratic accountability of external interventions.

For analytical purposes, the concept of sovereignty reconfiguration is theorized as a continuum that operates according to the density of institutional governance. Accordingly, three ideal types can be distinguished:

- Weak Reconfiguration: Characterized by limited and short-term external constraints, low levels of embeddedness in international institutions, and a high degree of sovereign autonomy.
- Moderate Reconfiguration: Characterized by more enduring institutional constraints that alter decision-making processes while preserving substantial domestic autonomy through monitoring and negotiated compliance.
- Deep Reconfiguration: Characterized by the entrenchment of states within dense multilevel governance structures involving multiple international institutions, significant influence over sovereign decision-making autonomy, the integration of domestic governance with transnational institutional arrangements, and the conditioning of sovereign action across multidimensional policy areas.

These analytical categories are used to systematically compare cases and assess how varying degrees of institutional density contribute to different levels of sovereignty transformation.

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From a normative perspective, the 2011 intervention represents a more profound transformation of liberty than the Lockerbie case. Its justification was based on the protection of civilians, which became a new rationale for international intervention. At the same time, however, it established an institutional framework for human rights protection while expanding external involvement in the domestic political sphere. Liberty was therefore simultaneously protected and constrained within a complex structure of multilevel governance.

Overall, the 2011 intervention constitutes an example of deep sovereignty reconfiguration, characterized by extensive institutional layering, a rapid and significant reduction in autonomous decision-making, and continued incorporation into overlapping governance structures. The case further demonstrates that this transformation cannot be explained solely by institutional density. Rather, the interaction between dense institutional governance and the normative legitimacy provided by the Responsibility to Protect (R2P) framework accelerated the process of sovereignty reconfiguration.

COMPARATIVE ANALYSIS: CONVERGENCE, DIVERGENCE, AND HYPOTHESIS TESTING OF CAUSAL MECHANISMS

The comparative analysis is used to determine whether differences in sovereignty transformation can be systematically explained by variations in institutional layering across the two cases. The comparison is structured around the key stages of the proposed causal sequence: institutionalized constraint, the narrowing of autonomous decision-making, strategic adaptation, and the resulting configuration of sovereignty. Comparative assessment integrates the evidentiary findings from the hoop tests and smoking-gun tests across both cases to evaluate the explanatory strength of the proposed sovereignty reconfiguration mechanism relative to rival hypotheses.

Convergence: Institutionalized Constraint and Embedded Sovereignty

In both cases, Chapter VII measures produced enduring legal-political constraints through governance institutions. In the Lockerbie case, Security Council Resolutions 731 (1992), 748 (1992), and 883 (1993) progressively established a longer-term sanctions-based governance framework. In contrast, the 2011 Libya case involved a much denser institutional framework, including the introduction of sanctions, the referral of the Libyan situation to the International Criminal Court (ICC), regional endorsement, and the authorization of military force under Resolution 1973. Nevertheless, these measures did not abolish sovereignty. Libya continued to exist as a sovereign state under international law, while institutional governance structures significantly constrained its capacity to exercise sovereignty. This convergence reflects a relational understanding of sovereignty (Aalberts, 2004) and demonstrates that sanctions are not merely episodic instruments of coercion but components of broader governance frameworks (Mallard & Sun, 2024). The persistence of institutional effects after sanctions were lifted or eased indicates that the outcomes cannot be fully explained by the resilience hypothesis, which would expect a restoration of autonomy once coercive pressure was removed.

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Divergence: Institutional Density and Magnitude of Transformation

The key difference between the two cases lies in the higher density of institutional governance in the 2011 intervention. The Lockerbie case did not involve the ICC. In contrast, the 2011 intervention included ICC jurisdiction, United Nations Security Council (UNSC) authority, Arab League endorsement, and a multinational military force for enforcement (Hooghe & Marks, 2002; von Borzyskowski & Portela, 2023). Accordingly, Lockerbie represents a relatively low-density governance model focused primarily on the UNSC, while the 2011 intervention reflects a more complex and layered institutional arrangement. These institutional differences explain the variation in the extent and pace of sovereignty transformation: the Lockerbie case involved a gradual process of reconfiguration, whereas the 2011 intervention produced a rapid and profound transformation affecting a greater degree of sovereign autonomy. This comparative analysis reinforces the significance of institutional layering in global governance (Leeds et al., 2025) and highlights its moderating role.

From a comparative perspective, differences in institutional infrastructure affect not only the modalities of sovereignty reconfiguration but also the conditions under which liberty is exercised. Lower-density governance, as demonstrated by Lockerbie, emphasized legal accountability while having a relatively limited impact on external control over domestic authority. In contrast, the high-density governance framework of the 2011 intervention provided a short-term mechanism for civilian protection while also significantly constraining sovereign decision-making. These divergent outcomes demonstrate that multilevel governance is neither inherently an enabler nor a disabler of liberty; rather, it constitutes an evolving institutional framework that can reshape liberty through increasingly hierarchical forms of governance.

Strategic Adaptation and Hypothesis Testing

There was no big difference in the institutional context of strategic adaptation; however, there was a significant difference in the underlying logic. The Lockerbie case involved negotiated adaptation, including the surrender of suspects for trial and subsequent cooperation within the framework of international obligations. The 2011 intervention, by contrast, produced adaptation through regime collapse and transitional institutional restructuring. Despite these different trajectories, both cases demonstrate that sovereign agency persisted within institutional governance structures rather than being completely displaced or fully restored. Instead, sovereignty was transformed through adaptation within a reconfigured institutional environment. This supports the understanding of sovereignty as reconfigured rather than eroded or fully resilient.

At the same time, differences in institutional density systematically affected not only the overall extent of sovereignty reconfiguration but also its pace. Lockerbie represents moderate reconfiguration, involving gradual institutional transformation under a centralized sanctions regime. In contrast, the 2011 intervention represents deep reconfiguration due to the involvement of multiple institutions within a dense multilevel governance structure characterized by overlapping authorities. These findings indicate that sovereignty transformation should be understood as a continuum rather than as a binary outcome.

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Normatively, sovereignty reconfiguration does not generate uniform outcomes. In both cases, institutional constraints contributed to limiting state abuses and strengthening international accountability. At the same time, they transferred significant decision-making authority to international governance institutions that are not fully subject to democratic accountability. Therefore, the legitimacy of sovereignty reconfiguration remains context-dependent and reflects a continuing tension between the protection of individual rights and the concentration of authority within multilevel governance structures.

The results of this comparative analysis are presented in Table 2, which demonstrates how variations in institutional density influence the extent of sovereignty transformation and its implications for liberty. The findings suggest that sovereignty does not disappear but becomes increasingly embedded within multilevel governance systems. At the same time, liberty is simultaneously affected by both enhanced protection from state abuse and potential restrictions imposed by other levels of governance.

Table 2: Comparative Model of Sovereignty Reconfiguration (Source: Authors' elaboration)

Dimension	Lockerbie (1988–2003)	Libya (2011)
Institutional Density	Low to Moderate	High
Type of Governance	UN Security Council sanctions	Multilevel governance (UNSC + Arab League + ICC + NATO)
Empirical Evidence	UNSC Resolutions 731 (1992), 748 (1992), 883 (1993); negotiated surrender of suspects (1999); compensation agreement (2003)	UNSC Resolutions 1970 (2011), 1973 (2011); ICC referral; Arab League endorsement; NATO operations
Autonomy Constraint	Gradual and selective	Rapid and extensive
Mode of Adaptation	Negotiated institutional compliance	Transitional institutional restructuring
Level of Reconfiguration	Moderate	Deep
External Monitoring	Limited and sanctions-specific	Sustained and multi-domain
Integration into Global Frameworks	Partial	Extensive
Liberty Outcome (Protection)	Indirect (legal accountability)	Direct (protection of civilian populations)
Liberty Outcome (Constraint)	Limited external constraint	Extensive external constraint
Normative Assessment	Conditional legitimacy	Intensified legitimacy dilemma

The comparative evidence supports the sovereignty reconfiguration hypothesis. The outcomes of both cases demonstrate neither the external transfer of sovereign authority required to support the erosion hypothesis nor the restoration of fully autonomous decision-making following the relaxation of institutional constraints, as suggested by the resilience hypothesis. Consequently, the domestic survival hypothesis receives only partial support, as the observed patterns of sovereignty transformation do not primarily reflect variations in domestic political conditions or regime type. The comparative analysis indicates that sovereignty was neither eroded nor temporarily curtailed but was instead systematically reconfigured.

An important difference between the two cases concerns the role of the Responsibility to Protect (R2P) as a normatively oriented catalyst in the transformation of sovereignty. The Lockerbie crisis demonstrates that institutional constraints can emerge without a clear

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application of multilevel governance embedded within an R2P-based legitimizing framework. By contrast, the 2011 intervention in Libya involved both dense multilevel governance and an R2P-based legitimizing structure. This interaction between institutional density and normative justification strengthened and accelerated the process of sovereignty reconfiguration at the domestic level. It suggests that the transformation observed in the 2011 case was not merely a result of institutional layering but rather a process in which institutional layering interacted with evolving international normative principles.

Adjudicating Rival Hypotheses

Erosion

There is only limited support for the erosion hypothesis. Empirically, if sovereignty had been genuinely eroded, there would have been a significant transfer of authority to external actors and a replacement of the boundaries of effective jurisdiction previously exercised by the Libyan government. This outcome is not observed in either case. During both the Lockerbie crisis and the 2011 intervention, Libya formally retained its international legal personality, its seat at the United Nations, and its status as a recognized sovereign state under international law. Institutional restrictions did not eliminate autonomous decision-making; rather, they reshaped it through external legal and political obligations. Therefore, the evidence indicates a transformation of sovereignty from one form of exercise to another, providing stronger support for the sovereignty reconfiguration hypothesis than for the sovereignty erosion hypothesis.

Resilience

Comparative evidence also demonstrates that the resilience hypothesis is not supported. This explanation is based on the assumption that sanctions generate only temporary compliance and that, once sanctions are reduced or removed, constraints on state autonomy diminish as states return to previous conditions. The findings of this research do not confirm this expectation. In both cases, institutional constraints produced longer-term changes in governance structures that extended beyond the immediate crisis context. Even after the peak of institutional pressure, compliance mechanisms, external monitoring, and institutional commitments continued to influence sovereign decision-making. Both cases demonstrate long-term adaptation to multilevel governance, with no evidence of a return to "unilateral autonomy." The persistence of these institutional arrangements contradicts the resilience hypothesis and further reinforces the conclusion that sovereignty was reconfigured rather than merely constrained for a limited period.

Domestic Survival

Finally, there is also limited empirical support for the domestic survival hypothesis. While the domestic political context significantly influenced the speed and form of governmental responses, the systematic differences observed between the two cases cannot be fully explained by domestic political conditions. Unlike the 2011 intervention, in which regime collapse occurred

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alongside dense multilevel governance, the Lockerbie case involved significant sovereignty adjustment without regime collapse. Therefore, variations in institutional layering, rather than differences in domestic political vulnerabilities, provide the primary explanation for the observed outcomes in both cases. This finding suggests that external governance structures, rather than domestic political dynamics, constitute the primary drivers of sovereignty transformation, while domestic factors play a secondary and conditioning role.

Theoretical Implications

The results confirm the main hypothesis that multilevel crisis governance restructures rather than destroys sovereignty. Sovereignty remains a formal institution, but it is exercised within the framework of hierarchical governance. This finding has three theoretical implications. First, sovereignty should be understood as a relational and adaptive construct that is continuously re-established through institutional interactions rather than categorized in binary terms (Aalberts, 2004). Second, institutional density emerges as a significant predictive variable that determines the extent and pace of sovereignty transformation, emphasizing the importance of layered governance structures (Hooghe & Marks, 2002). Third, sanctions should be understood as organized governance regimes within transnational legal orders that extend beyond the episodic use of coercion (Mallard & Sun, 2024).

Taken together, these implications contribute to a broader understanding of sovereignty as a dynamic institution that is neither abolished nor fully restored but continuously restructured within multilayered systems according to the intensity of governance arrangements and geopolitical stratification.

Discussion

The dynamics of sovereignty in multilevel crisis governance, as identified in this study, offer important insights. They do not simply demonstrate a loss of sovereignty or a complete restoration of sovereignty; rather, they reveal a dynamic and adaptive practice that can be continuously reconfigured through institutional interaction. As demonstrated by the comparative evidence, the extent of this reconfiguration is largely determined by institutional density, governance structures, and the ways in which states adopt strategic adaptations.

A significant contribution of this study is its demonstration of a systematic relationship between institutional variation and both empirical and normative outcomes. Through the analysis of the Lockerbie crisis and the 2011 intervention in Libya, the study shows that greater institutional density corresponds with more profound and rapid transformations in the practical exercise of sovereignty. This transformation is not merely structural but also involves changes in the institutional context within which authority is exercised, constrained, and recognized as legitimate. Specifically, the findings demonstrate that multilevel governance reshapes the distribution of authority among interconnected levels of governance, generating new forms of constraint while preserving the formal legality of sovereign statehood.

From a normative perspective, the findings demonstrate that protection and control within multilevel governance are intrinsically interconnected. While stronger accountability mechanisms can prevent abuses by national authorities and enhance the protection of

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individuals, increased accountability through international institutions may also expand supranational and insufficiently democratic forms of authority. This dual dynamic highlights the complex normative consequences of sovereignty reconfiguration, in which the protection of rights exists alongside concerns regarding legitimacy and the expansion of external authority.

The implications of these results extend beyond the cases examined, offering broader insights into the present and future of global governance. They call for a multidimensional approach to assessing the legitimacy of multilevel governance, which should consider not only institutional effectiveness and policy compliance but also the capacity of governance arrangements to maintain a balance between authority, accountability, and democratic legitimacy. The central challenge is no longer the preservation of sovereignty in its traditional sense but its transformation in ways that remain consistent with the principles of liberty, transparency, and legitimate political authority. This represents a fundamental question for increasingly multilayered governance arrangements.

More broadly, the study demonstrates that sovereignty transformation is a long-term process shaped by institutional configurations and normative conflicts. The proposed analytical framework can therefore be applied to additional cases and empirical contexts to examine the growing interconnections among sovereignty, liberty, and international authority under diverse political conditions.

From the perspective of contemporary political theory, the findings also indicate that sovereignty is increasingly expressed through institution-mediated forms of governance rather than exclusively through territory-based authority. This development supports a reconceptualization of sovereignty from an absolute legal status toward a contingent and relational practice shaped by changing institutional and normative contexts. At the same time, this transformation generates new challenges regarding the democratic mandate of international authority. International institutions increasingly exercise significant power while remaining only partially subject to democratic accountability, even when their legitimacy is derived from their capacity to protect fundamental rights. This ongoing tension highlights the need to analyze sovereignty transformation through both empirical and normative perspectives.

CONCLUSION

This study has demonstrated that multilevel crisis governance under Chapter VII reshapes, rather than eliminates, state sovereignty through processes of institutional layering and hierarchical governance. Drawing on a structured comparative analysis of the Lockerbie crisis (1988–2003) and the 2011 intervention in Libya, the findings show that both cases support the same underlying causal mechanism while differing in the intensity of institutional embedding. The Lockerbie case illustrates a gradual and negotiated process of sovereignty reconfiguration under relatively limited institutional density. In contrast, the 2011 Libya intervention represents a deeper and more rapid transformation driven by overlapping sanctions, regional involvement, judicial oversight, and military authorization. Together, the two cases demonstrate that increasing institutional density systematically accelerates the fragmentation and functional reconfiguration of sovereign decision-making without extinguishing the state's formal legal status.

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These findings provide strong empirical support for the paper's central theoretical argument that sovereignty under contemporary multilevel governance is best understood as a relational, adaptive, and institutionally embedded form of authority rather than as an indivisible or absolute attribute of the state. The comparative evidence demonstrates that sovereign authority increasingly operates through negotiated interaction with international institutions, where formal statehood persists. However, the practical exercise of decision-making becomes conditioned by multilayered governance arrangements. The study therefore advances the concept of sovereignty reconfiguration as a distinct analytical framework that explains how international institutions constrain, reshape, and redistribute sovereign authority while preserving its formal legal foundations.

Beyond its empirical contribution, the study extends contemporary scholarship on sovereignty, multilevel governance, liberty, human rights, and the legitimacy of international authority by integrating causal and normative perspectives within a single explanatory framework. Rather than treating sovereignty, institutional effectiveness, and human rights protection as competing concepts, the analysis demonstrates how they become mutually interconnected through evolving structures of international governance. In doing so, the article contributes a theoretically grounded explanation of how sovereignty is continuously negotiated across multiple institutional levels and how this process generates both opportunities for protecting individual rights and new challenges for the legitimacy of international authority.

The findings also highlight the normative ambivalence of multilevel crisis governance. International intervention may strengthen the protection of liberty and human rights by constraining state abuses and enhancing international accountability. At the same time, however, expanding international authority raises fundamental concerns regarding democratic accountability, institutional transparency, proportionality, and the risk of concentrating decision-making power in institutions that are only indirectly accountable to affected populations. Consequently, the legitimacy of sovereignty reconfiguration cannot be assessed solely by reference to institutional effectiveness or humanitarian objectives; it must also depend upon whether governance arrangements remain accountable, transparent, proportionate, and consistent with the protection of individual rights and political self-determination.

Ultimately, this study argues that sovereignty should no longer be conceptualized as a fixed, absolute, or territorially self-contained authority. Instead, contemporary multilevel governance reveals sovereignty to be an evolving, relational, and negotiated form of authority whose legitimacy depends on balancing effective international cooperation with democratic accountability, respect for human rights, and the preservation of individual liberty. Understanding sovereignty in this way provides a more comprehensive theoretical framework for explaining how authority is exercised, contested, and legitimized within the increasingly complex institutional architecture of contemporary global governance.

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Bakr Hazem Al-Zubaidy: Conceptualization; Methodology; Formal analysis; Investigation; Data curation; Visualization; Writing – original draft; Project administration. **Maha Ali Hameed:** Conceptualization; Methodology; Validation; Investigation; Writing – review & editing; Supervision.

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