

STATE-BUILDING, GLOBAL INTEGRATION, AND TRANSFORMATION OF THE SOCIAL CONTRACT

R. ARENAS GARCÍA
Professor of Private International Law
Universitat Autònoma de Barcelona
<https://orcid.org/0000-0001-8596-6645>

A. ABAT NINET
Distinguished Researcher
Universitat Autònoma de Barcelona
<https://orcid.org/0000-0002-1091-0820>

Summary: 1. Introduction. 2. The Construction of Modern Nations: 2.1. From Personality to Territoriality. 2.2. The Centralisation of Power. 2.3. Economies, Armies and Laws. 3. The Construction of Globalisation: 3.1. Imperialism and War. 3.2. Integration Through the Economy. 3.3. The Globalised World. 3.4. Deglobalisation? 4. The Regulation of Integration: 4.1. European Integration. 4.2. Global Integration. 4.3. Owners, Workers, Consumers, Citizens. 5. The Social Contract: Historical Evolution of a Metaphor: 5.1. Antecedents. 5.2. The Golden Era. 5.3. Contemporary Reception. 6. The Social Contract of the European Union. 7. A Global Social Contract? 8. Conclusion. Bibliography

Abstract: The text analyses the evolution of public power and political organisation from the Middle Ages to contemporary globalisation, highlighting the legitimisation of authority and the relevance of social cooperation. The consolidation of modern states in Europe made it possible to centralise authority, organise standing armies, and establish a legal and economic framework that ensured internal stability while projecting external hegemony. This process contrasted with feudal decentralisation and anticipated the need for social agreements capable of legitimising power. Such agreements are reflected in social contract theory, which emerged as a conceptual tool to explain and justify the relationship between rulers and the ruled, articulating both the legitimacy of authority and the transfer of sovereignty.

The evolution of the social contract can be traced from its philosophical antecedents in Plato and Socrates, through the transformation of the Roman Empire, medieval associations, and the centralisation of power in the eighteenth century with Hobbes, Grotius, Kant and Rousseau, to its contemporary reception in Rawls and Nussbaum, who propose a democratic and potentially global social contract. In the current European context, this theory informs the institutional structure of the EU and guides cooperation between states and citizens. Its connection with the Sustainable Development Goals (SDGs) is reflected in the promotion of solidarity, social justice, environmental sustainability, reduction of inequalities, and the strengthening of democratic institutions capable of responding to the challenges of global interdependence.

Keywords: State formation and centralization - Territorial sovereignty Social contract -Global interdependence - Sustainable Development Goals (SDGs)

1. Introduction

We live in an age of change—but when has this not been the case? Or, at the very least, when have those living at a given moment not believed that their times were different from those experienced by their parents or grandparents? Perhaps this is a commonplace so often repeated that it has lost any real meaning. Yet, in the pages that follow, we will attempt to show that in the first decades of the twenty-first century we face specific challenges that do not correspond to those confronted by previous generations.

In this work, we address one of those challenges: the legitimisation of public authority in today's post-globalised society. We will analyse its different dimensions,

which requires a brief historical overview, since only by considering the evolution of various institutions over time can we ultimately grasp their deeper meaning.

Following this historical excursus—focused on the mechanisms of concentration of public power and of the economy—we will examine the similarities and differences between integration within the European Union (EU) and global integration. On that basis, we will then explore the functions and characteristics of both a European social contract and a global one.

2. The Construction of Modern Nations

2.1. From Personality to Territoriality

Today, law is essentially territorial. There are still examples of personal legal systems linked to ethnicity or religion (Iyengar, 2016); yet even in such cases the regulation has a territorial dimension insofar as it is connected to a state that, today, is defined by reference to a territory (Shaw, 2021: 416). This was not the situation in the past, when the application of law was tied to an individual's membership in a particular ethnic group or tribe. The period of intense migrations that coincided with the fall of the Western Roman Empire, and the centuries that followed, illustrate this situation clearly. Roman citizens—that is, the majority of the Empire's population after the Edict of Caracalla in 212 (Riccobono, 1941)—coexisted with peoples originating from beyond the *limes*, who had their own legal systems and distinctive forms of justice. In the centuries that followed (from the fifth to the eleventh), the prevailing rule was the personality of laws, meaning that each person was subject to the law of the ethnic group to which they belonged. This, in turn, raised interesting issues in cases involving mixed relationships (Neumayer, 1901, 3–5; Ancel, 2017, 69–73).

This situation changed during the transition from the Early to the High and Late Middle Ages as a result of the gradual territorialisation of political power (González Campos, 1996: 5244). This territorialisation took various forms across Europe. In northern Italy, cities achieved a certain degree of independence from the Emperor of the Holy Roman Empire (Waley, 1969, 56–86). In Spain, this period witnessed the development of local law through the *fueros* granted to different cities in the various Iberian kingdoms. In much of Europe, feudalism developed, one of whose defining features was the territorialisation of both the economy and public authority, binding most of the population to the territorial limits of the fief to which they were attached (García de Cortázar and Sesma Muñoz, 1997: 33; Bisson, 1994: 6–42; Barthélemy and White, 1996: 196–223).

The territorialisation of political power not only entailed the corresponding (and gradual) territorialisation of law; it also laid the foundations for the emergence of the conscious legislator—that is, one who regards themselves as legitimised to produce norms, rather than merely to recognise them, as had been the general tendency until the beginning of the Late Middle Ages (Neumayer, 1901: 2). As we shall see, this conscious

legislator would prove decisive in the evolution of political structures in Europe during the Modern and Contemporary periods.

This era also—largely as a consequence of the process of feudalisation—involved a political organisation based on a plurality of interrelated levels, such that an appropriate image would be that of a network rather than a juxtaposition of political entities. In the Late Middle Ages, there were no countries in the modern sense of the term. Instead, power rested on smaller entities (fiefs, cities) that related to one another through a network of lords (rulers) that was only partially hierarchical. The lord of a particular territory could be the vassal of another lord who, in turn, might be the vassal of the former in relation to a different lordship (Reynolds, 1994: 34).

Admittedly, within the medieval nobility there existed a form of ranking in which barons and untitled lords stood at the lower end, ascending through counts, marquesses and dukes up to kings. Yet any of these nobles, as indicated, could be the vassal of an “inferior” in relation to a specific lordship. Moreover, although in theory the king stood at the apex of the feudal organisation of lords and vassals, he did not exercise effective power over the serfs and vassals of his own vassals; his influence depended largely on the resources directly at his disposal. In other words, the king was not necessarily the most powerful lord within the kingdom, even if specific functions were reserved to him in his relations with the courts or other medieval institutions (García de Cortázar and Sesma Muñoz, 1997: 449–458).

This decentralised and multi-level structure of power operated within a framework that provided it with meaning and legitimacy. That framework was constituted, on the one hand, by the Church, which penetrated Europe in a capillary manner and, after the schism between the Eastern and Western Churches, extended across Western and Central Europe (García de Cortázar and Sesma Muñoz, 1997: 449–458; Chadwick, 2003: 211–212), and, on the other hand, by the remnants of the Roman imperial idea. These two dimensions were themselves interconnected. The administrative divisions of the Church, created during the Late Roman Empire—when Christianity became the Empire’s official religion (Hubenak, 1999: 14–15)—remained in place after the deposition of the last Western emperor in 476. Thus, the idea of a political structure extending beyond local power persisted (García de Cortázar and J.M. Sesma Muñoz, 1997: 92–93).

The Visigothic kingdom in the Iberian Peninsula and parts of southern France did not consider itself a radical break from the authority inherited from the Empire, and the coronation of Charlemagne as emperor in the year 800 demonstrates that the imperial idea endured. The same could be said of other political entities in Europe (the Ostrogothic kingdom in Italy, for example). Moreover, it should not be forgotten that the Eastern emperor retained a certain recognition as an authority in some parts of Western Europe (Vallejo Girvés, 1996: 211), partly on the basis of the continued use of Roman administrative structures (García Moreno, 1999: 108–109). All these circumstances allowed for a form of legitimacy of power that extended beyond those who held it locally—a situation that would change in the centuries to follow.

2.2. The Centralisation of Power

The origin of this transformation lies in the gradual assertion of royal authority, particularly in certain European territories. This process developed during the latter part of the Late Middle Ages and enabled the identification of territorial political entities in which one can already discern the contours of modern states (García de Cortázar and Sesma Muñoz, 1997: 449–458). Around the figure of the monarch, a structure of power was constructed that ultimately reduced the influence of both the aristocracy and the Church. This new configuration possessed the effective capacity to shape both the economy and the society of the realm. It achieved this through the creation of standing armies that rendered the military formations of the medieval nobility obsolete, and through the growing importance of cities, industrial activity, and trade—also increasingly brought under royal control.

The trajectory of this evolution differed considerably among European countries during the transition from the Middle Ages to the Early Modern period. In the Iberian Peninsula, for example, several particular circumstances converged. These included the end of the Castilian civil war between Queen Isabella and the supporters of the daughter of her brother Henry IV, which opened a period in which the monarchy began to control violence and assert its presence throughout the territory (Kamen, 2002: 7–8); the dynastic union of Aragon and Castile, which multiplied the military power of the composite monarchy (Aragonese participation in the conquest of Granada and Castilian involvement in the Italian Wars, which consolidated Aragonese control over the Kingdom of Naples in dispute with France); the conquest of Granada, which conferred enormous prestige upon the Spanish monarchy throughout Europe (Kamen, 2002: 14); and the arrival in the Americas, with the consequent expansion of wealth and trade.

In the case of England, the most significant development was the Crown's control over the Church during the reign of Henry VIII. This not only placed ecclesiastical administration under royal authority (Crossman, 2003: 59), but also expanded the monarch's resources through control of ecclesiastical property (Bernard, 2011: 390–409). Moreover, from the late sixteenth century onward, England joined the maritime and commercial expansion that Portugal and Spain had initiated.

In France, the monarchy had consolidated a strong position following the end of the Hundred Years' War (García de Cortázar and Sesma Muñoz, 1997: 691–692), a position it managed to maintain vis-à-vis other continental actors (chiefly the Hispanic monarchy). Although the French monarchy was burdened by religious conflicts during the sixteenth and early seventeenth centuries, royal authority ultimately prevailed under Louis XIV in the seventeenth century. At that point, the monarchy developed the institutional instruments characteristic of modern states—standing armies, economic and commercial control, and legislative capacity—building upon the groundwork laid by earlier rulers, notably Cardinal Richelieu during the reign of Louis XIII and Cardinal Mazarin during the minority of Louis XIV.

The outcome of this centralisation was the gradual overcoming of the imperial ideal—briefly upheld by Charles I in the first half of the sixteenth century, but ultimately unable to withstand religious divisions (the Protestant Reformation) and the growing

strength of territorial structures. As is well known, the end of the Thirty Years' War and the Peace of Westphalia marked the consolidation of a Europe divided into nations possessing the institutional capacity to organise their populations and economies within defined borders, to exploit the markets opened by navigators—first Portuguese and Spanish, and later others—and to compete with one another for territories, precious metals, raw materials, and markets. The eighteenth century represented the culmination of this process.

2.3. Economy, Armies, and Laws

The centralisation of power within each territory in the hands of the king (or an equivalent authority) made it possible to maintain armies and navies of considerable capacity, organise tax collection, and regulate the economy. With regard to the latter, it must be emphasised that the economic doctrine of absolute monarchy was mercantilism, which conceived the economy as an instrument at the service of the state. It advocated the accumulation of precious metals and therefore required, from a trade perspective, the promotion of exports and the restriction of imports, since payment for goods from other countries entailed an outflow of gold or silver. In this way, restrictions on trade with foreign powers were reinforced, and domestic industries were favoured (Marks, 2007: 134–138).

In accordance with this logic, European nations organised themselves as entities that were to be economically self-sufficient, so that relations between subjects of different countries were relatively uncommon. Social and economic life tended to develop within the borders of each country, and trade focused primarily on the metropolitan possessions in the Americas and certain regions of Asia (such as Indonesia, where the Dutch had established themselves as early as the beginning of the seventeenth century). The capacity of monarchs and their governments to organise life within their territories was further strengthened by the growing use of legislation, particularly in commercial matters. Thus, in France, the commercial and maritime ordinances were promulgated (Ripert and Roblot, 1998: 13), and in several European countries joint-stock companies or equivalent legal forms were regulated (Hierro Anibarro, 1998: 35–37).

This increase in legislation is significant. We have seen how, during the transition from the Early to the Late Middle Ages, the conscious legislator emerged. Yet the normative products of this legislator—namely, those prescriptions presented as the result of a deliberate choice by the holder of public power, rather than as customary law or as a mere rational distillation of natural or divine law—initially constituted only a small part of the legal material. As the territorialisation of public power progressed and the capacity of those governing these territories expanded, legislative activity increased accordingly. This process would culminate in the nineteenth century with the phenomenon of codification, which brought about a profound transformation in legal methodology by linking law to public power and, subsequently, to the state (Arenas García, 2019: 24–33).

Already in the eighteenth century, however, the role of public authority in regulating society in general—and the economy in particular—had become clearly

apparent. This development reflected the evolution of a process that began in the Late Middle Ages with the progressive territorialisation of government and law, together with the strengthening of monarchs, who acquired increasingly sophisticated instruments for controlling their territories, expanding them, and increasing trade through the force of arms. The use of military power also led to conflicts among European nations, which in turn provided incentives to refine the institutional mechanisms for structuring states (Marks, 2007: 127). These conflicts escalated over time, culminating in what may arguably be regarded as the first truly global war: the Seven Years' War (1756–1763), fought between England and its allies on the one hand and France and its allies on the other, and waged across Europe, the Americas, Asia, and Africa (Marks, 2007: 138–139).

One consequence of this war was the end of French presence in India (Treaty of Paris, 1763: Art. XII) and the consolidation of British influence in that region—an influence that proved disastrous for the Indian economy, which declined from nearly 25% of world GDP in 1750 to less than 5% by the end of the nineteenth century (Marks, 2007: 181).

From the mid-eighteenth century onwards, Europe's hegemonic position in the world was challenged only by China, whose industrial production continued to surpass that of all European countries combined until the end of the Napoleonic Wars (Marks, 2007: 181). However, the severe internal crisis in China following the Opium Wars against the United Kingdom—exacerbated by the various uprisings that affected the country between 1850 and 1878 (Gernet, 1999: 475, 479–487)—led to social and economic deterioration from which China has not yet fully recovered in terms of its share of global GDP. Around 1750, China accounted for more than 30% of world GDP (Marks, 2007: 181), whereas today its share stands at approximately 18% (The Global Economy, 2023).

European predominance during the nineteenth and early twentieth centuries consolidated the state as the dominant form of political organisation: a sovereign state, in the sense that it was not embedded within any superior structure—unlike the arrangements that had existed since the Middle Ages and their antecedents—which exercised a monopoly of public power within its borders, enjoyed broad legislative authority, and possessed the means to impose its will, even by force, both against internal opposition and in military competition with other states.

This new structure of power developed its own instruments of legitimation, designed to justify the new authority that had displaced the counterweights previously provided by the Church, the Empire, natural law, or divine law. Hobbes is perhaps the clearest example of these new modes of legitimation, which emphasised the independence of the sovereign and the submission to that sovereign of those residing within a given territory (Hobbes, 1985).

3. The Construction of Globalisation

3.1. Imperialism and War

During the nineteenth century, the development of the state materialised in several domains. In the legal sphere, codification took place. This went beyond the mere existence of codes; it entailed a new legal methodology that placed at its centre the product of the legislator's will—a product aimed at regulating social life and enforced through jurisdiction, understood as the mechanism by which general norms are transformed into concrete obligations, together with the monopoly of coercion.

Moving from the legal to the political sphere, the identification of law with the state (Kelsen), and the differentiation between international law and domestic law—where the latter was conceived as the particular product of a specific country—projected onto political organisation the methodological shift brought about by codification. From an economic perspective, public control of the economy through regulation, tariffs, and control of trade routes was eventually projected outward through the extension of colonial empires over Africa, while states began to exercise effective control over territories that had previously been subject only to nominal authority. This was the case, for example, following the independence of the American states from England, Spain, and Portugal, as the new nations expanded into lands that had previously remained largely undeveloped (such as the western United States or the Amazon rainforest in South America).

In any event, competition among nations for territory and markets—which, as we saw in the previous section, was an essential feature of the European nation-state model—ultimately led to wars that reached their peak intensity in the two major conflicts of the first half of the twentieth century: the First and Second World Wars. These wars devastated the European economy (Piketty, 2014: loc. 2799–2811), with the result that the continent lost the hegemony it had briefly—by historical standards—held from the mid-nineteenth century until the Second World War.

After 1945, the two superpowers—the United States and the USSR—shaped global politics decisively, primarily on the basis of their military power. Europe, despite retaining significant economic weight, lacked the instruments necessary to pursue autonomous policies. Today, the EU still accounts for nearly 17% of global GDP. Including the United Kingdom, this figure reaches approximately 20%—higher than China (17%) and not far below that of the United States (26%) (The Global Economy, 2023). In 1913, however, the European countries collectively accounted for more than 45% of world GDP (Marks, 2007: 181).

As we shall see, the decline of European countries has also entailed a transformation of the role of the nation-state and of relations among different regions of the world. There has been a shift from autonomous political, legal, economic, and social organisations to a form of economic integration that carries implications for the other dimensions mentioned (legal, political, and social). Globalisation is the result of these transformations, and its consequences for issues such as the legitimation of public authority and of social structures have not yet been sufficiently explored. We will address this in what follows.

3.2. Integration Through the Economy

The starting point must be the recognition of the profound trauma caused by the military conflict that engulfed the world between 1914 and 1945. The two World Wars may be viewed as two phases of a single process of warfare that began as a result of competition among the nation-states constructed during the eighteenth and nineteenth centuries, but ultimately evolved into a European civil war confronting competing projects that sought to transcend or replace the liberal state (fascism, National Socialism, and communism). From this perspective, other contemporary conflicts—such as the Spanish Civil War or the Chinese Civil War, which overlapped with the Japanese invasion and the projection of the Second World War into East Asia—can be naturally integrated into the same cycle of global violence.

The enormous destruction caused by these conflicts, and especially by the Second World War, encouraged studies and proposals aimed at preventing the recurrence of wars of such magnitude. In this context, the idea that increased trade among nations would make war less likely gained traction (Gardner, 1994: 79). The Bretton Woods Agreements of 1944 laid the foundations for a system of global financial and trade governance. However, they did not lead to a significant reduction of tariffs and other trade barriers at the global level until after the end of the Cold War, when the Uruguay Round—concluded in 1994—resulted in the creation of the World Trade Organization (WTO) (Gardner, 1994: 21–64).

The entry into force of the Uruguay Round Agreements enabled an unprecedented expansion of international trade. Within a few decades, this led to global economic integration, in the sense that economies ceased to function as purely national systems. Production increasingly moved away from the places of consumption and became geographically diversified, so that the manufacture of a single product often involved the participation of workers and industries located in different countries around the world. This integration resulted both from a reduction in tariffs and from the regulation of non-tariff barriers (Trebilcock, Howse and Eliason, 2013: 24–26).

One of the most significant milestones of WTO-driven integration was China's accession in 2001, which may have contributed to a reduction in global inflation over several years (Auer and Fischer, 2010: 491–503). However, already in the first decade of the twenty-first century it became apparent that WTO-led global integration coexisted with regional integration through large-scale trade agreements (Manero Salvador, 2014: 155–170). This process appeared poised to provide renewed momentum to global economic integration. Yet the failure of the Transatlantic Trade and Investment Partnership (TTIP)—the projected agreement between the EU and NAFTA—largely as a consequence of Donald Trump's victory in the 2016 U.S. presidential election, marked a certain slowdown in globalisation, the effects of which have persisted to the present and will be examined below.

3.3. The Globalised World

The world that emerges from globalisation differs markedly from the one that preceded it. The pre-globalisation order was characterised by its division into states, each endowed with a strong public authority capable of regulating both the economy and society, while also limiting commercial exchanges. As a result, economic activity developed essentially within state borders. There was, therefore, a correspondence between the territory and population subject to a given public authority and the economic organisation of that space.

Globalisation disrupts this configuration. Economic actors operate within an international sphere that is no longer constrained by state borders. The economy no longer corresponds to the state, and, as we shall see, public authorities find their capacity to organise economic life significantly limited. For public authority to recover that capacity of control over its economy, it would be necessary to “disconnect” the national economy from the global one. While such a disconnection is not impossible, it would entail negative consequences for the country’s economic development, insofar as development, growth, and innovation depend to a significant extent on participation in global networks (Wacziarg and Welch, 2008: 187–231; Castells, 2000: 179, 184–185).

The consequence of this transformation is that, as we will examine further below, the economy now operates within a global sphere distinct from that of public authority, which remains territorial. This divergence affects both the legitimation of public authority—no longer possessing the same capacity to shape society and individuals’ lives as it did in the era of the nation-state—and economic activity, which cannot rely solely on the forms of legitimacy associated with territorial public power. This misalignment will be crucial in shaping the social contracts capable of providing legitimation within the suprapstate arenas in which economic activity now unfolds.

Finally, it must be noted that the globalisation of the economy is not solely the result of the elimination of tariff and non-tariff barriers to international trade. It also rests upon the development of communication technologies that enable virtually cost-free and instantaneous communication across the globe. These technologies facilitate the creation of global networks and platforms, as well as the emergence of service markets that naturally transcend state borders. From audiovisual media to social networks, and including operators offering goods or services anywhere in the world via the Internet, this reality creates an economic and social space in which the state’s regulatory capacity is more limited—though still relevant, since states retain the ability, for example, to disconnect certain Internet services within their territories. Such measures, however, must be used with caution, both because of their political unpopularity and because technical mechanisms exist to circumvent such prohibitions.

3.4. Deglobalisation?

As noted above, already during the first decade of the twenty-first century the process of global economic integration began to be affected by a shift from multilateral negotiations to agreements between regional blocs. This phase, in turn, was slowed by

growing reluctance toward large-scale trade agreements, and we identified the arrival of Donald Trump to power during his first term as marking the definitive decline of that particular path of integration. It should not be forgotten, however, that the Transatlantic Trade and Investment Partnership (TTIP) also faced significant criticism in Europe (Arenas García, 2015). These developments demonstrated that further advances in globalisation beyond what had already been achieved would be difficult.

In recent years, however, it has become apparent that a partial reversal of globalisation is not impossible. The United States has raised tariffs on the majority of its trading partners (The Budget Lab, 2025), which in turn has led to retaliatory tariff increases on U.S. products in several affected countries (Rotunno and Ruta, 2025). In addition, economic sanctions imposed in response to certain military conflicts—most notably Russia’s invasion of Ukraine in 2022—have resulted in measures that have reduced international trade flows (Ruta, 2022), although their impact has been smaller than initially expected (Council on Foreign Relations, 2023). This limited impact may reflect the fact that global economic integration has reached a stage at which it is difficult to erode significantly through unilateral public action. The difficulties encountered by Donald Trump in implementing his original tariff plans may likewise illustrate the resilience of economic networks in the face of governmental intervention.

Nevertheless, even taking this resilience into account, recent years have witnessed a growing questioning of globalisation and attempts—if not to reverse it entirely—at least to limit its further expansion. Interestingly—or perhaps not so surprisingly—this partial questioning of economic integration has been accompanied by rising military tensions and renewed territorial claims; that is, efforts to secure direct control over spaces deemed necessary for economic or security reasons (Brennan, 2025).

In the following section, we will examine some of the causes that help explain this renewed scepticism toward globalisation. For present purposes, it is worth noting that while a return to the nineteenth- and early twentieth-century model of direct interstate competition appears unlikely, it is not impossible that certain logics characteristic of that period may re-emerge—albeit projected onto contemporary international actors (primarily the United States, the EU, Russia, China, and India) (IMF, n.d.). These actors may again resort to tariff barriers as instruments of both economic and foreign policy (as in the case of the United States), or to non-tariff measures such as sanctions (adopted by various actors, including the EU in its conflict with Russia). Such dynamics revive competition in which territorial control once again becomes relevant (for example, U.S. strategic interest in Greenland), thereby contributing to increased military expenditure—an especially notable development in the case of the EU.

In short, there appears to be a connection between threats to international trade and a return to classical patterns of military, commercial, and territorial competition. This is not, of course, a repetition of the twentieth century; yet certain elements unmistakably recall it.

4. The Regulation of Integration

4.1. European Integration

While the GATT rounds were being launched—eventually leading, by the turn of the twentieth to the twenty-first century, to global economic integration—a parallel project of economic and political integration was set in motion, one without equivalent when considering both the differences among the participating countries and the depth of the integration achieved. What is now the European Union originated in 1951 as the European Coal and Steel Community (ECSC), followed in 1957 by the European Economic Community (EEC) and the European Atomic Energy Community (Euratom). This process of integration displays several distinctive features that deserve particular attention.

First, it constitutes a highly ambitious form of economic integration: elimination of tariffs in trade among the participating states; a common external tariff for goods originating in third countries; free movement of goods and capital; freedom of establishment and freedom to provide services; and common regulation of legal matters relevant to integration, ranging from administrative law to competition law, company law, and industrial property.

Second, this economic integration includes the free movement of workers. In other words, an integrated economy was not conceived without a correspondingly integrated labour market—or at least one in which workers could move freely and economic operators could recruit employees across the entire integrated space. It hardly needs to be stressed that this represents a fundamental difference from global economic integration.

Moreover, the free movement of workers gradually evolved into an almost complete free movement of persons, as freedom of movement was progressively extended to groups beyond workers: first to their family members; then to former workers receiving social benefits; later to economically inactive persons with sufficient resources; and subsequently to students. Although freedom of movement has not become entirely unrestricted, it comes very close to that (Arenas García, 2013: 423–465).

Third, economic union was not pursued in isolation but was accompanied by the adoption of a set of common values, now primarily enshrined in Article 2 of the Treaty on European Union (TEU). These values, however, were integral to European integration from the outset, even though in the early decades the European Communities relied heavily on the work of the Council of Europe, including the European Convention on Human Rights and the Strasbourg Court (Arenas García, 2020: 57–58). This dimension is entirely absent from global economic integration, which does not rest upon any shared consensus regarding the values that should structure participating societies or the rights that must be respected by states engaged in economic integration.

Finally, European integration is not merely economic but also political. Institutions have been created that, to a large extent, mirror those of a state, including a legislative power (the European Parliament and the Council), an executive power (the European Commission), and a judicial power (the Court of Justice). These institutions enact legal norms, adopt administrative decisions, resolve disputes, issue declarations or

recommendations, and deliver judgments. In addition, the entire judiciary of the Member States forms part of the EU judicial system, since national judges also act as European judges (Arenas García, 2008: 37–38, 40–43; Barav, 1991: 93–103).

The overall result is that within the European sphere of economic integration there exists a public authority corresponding to the scope of integration itself. It is not equivalent to a state, yet it possesses its own distinct identity, as it constitutes an autonomous legal order in relation to those of the Member States and enjoys both primacy and direct effect. This sphere of public authority also confers upon its participants the status of citizens: European citizenship, which—although dependent upon the nationality of a Member State—has substantive content of its own. As we shall now see, this is not the case in global economic integration.

4.2. Global Integration

As we have seen, global economic integration gives rise to an economy that transcends state borders. However, this economy is not accompanied by any political structure capable of similarly transcending territorial limits and enabling its regulation at the global level. On the contrary, the guiding principle is to facilitate trade, with a territorially limited scope for public decisions affecting economic activity. This limitation also extends to regional organisations such as the EU, insofar as the direct effect of their regulations is confined to the territory of the Member States. The result is that states face increasing difficulties in controlling economic processes (Castells, 2001: 274), while no global authority has emerged capable of exercising over the global economy the functions traditionally performed by the state in relation to national economies (Castells, 2001: 296–297).

The absence of global government is not due to a lack of international institutions—we might almost say there is an abundance of them (UN, IMF, World Bank, WTO, etc.). Rather, these institutions are not designed to perform functions of economic steering in defence of specific interests or values in the way states do. The United Nations, for instance, lacks economic regulatory competences, while institutions focused on economic matters are primarily oriented toward promoting market freedom and facilitating transactions above other considerations (Castells, 2000: 178). In other words, these institutions tend to encourage deregulation; at most, they channel state interests that may, by way of exception, justify limiting trade and markets. Indeed, the very dynamics of globalisation move in this direction, as trade agreements generally result in an overall reduction of regulation (Arenas García, 2015). In a sense, it is not that there is no global government, but rather that the legal structure of globalisation allows for only one policy orientation: the expansion of trade and the reduction of states' regulatory power.

Unlike the EU, the legal structure of globalisation—formed by the various trade agreements that shape it—does not rest upon specific values such as respect for human rights, democratic principles, or the rule of law. As a consequence, countries with very different constitutional systems and potentially contradictory substantive values can participate in the process.

At the global level, moreover—and again in contrast to the EU—there is no integration of the labour market or free movement of individuals. An economy is designed that may exceed the realistic mobility of persons. From this perspective, the situation resembles that of late medieval Europe, where most of the population was tied to the fief to which they belonged, while trade extended beyond the boundaries of individual lordships. Today, the possibility of transporting goods, providing services, or moving capital is accompanied by relatively strict controls on the movement of persons between countries. The fact that physical mobility is no longer necessary to participate in the global economy (for example, a call centre operator in Latin America can provide services in Europe, or a remote IT technician in India can access a computer in the United Kingdom) does not, in fact, encourage international mobility of natural persons.

Finally, global institutions lack direct democratic legitimacy, marking another important distinction from EU integration. Within the EU, the democratic legitimacy of institutions has a dual source: on the one hand, the European Parliament is directly elected by European citizens; on the other, the Council is composed of representatives of the governments of Member States, which must themselves be democratically elected, since respect for democratic principles is a prerequisite for accession to and full participation in the EU. This explains why there exists a status of “European citizen” within the EU—something that has no equivalent at the global level.

It is therefore evident that a global social contract would face far greater difficulties than a hypothetical social contract within the EU, as we will examine in Section V of this work. Before turning to that issue, however, we must address another consequence of globalisation closely connected to the foregoing: the declining relevance of citizenship as a defining status, in favour of other roles attributed to individuals. This will be analysed in the following section.

4.3. Owners, Workers, Consumers, Citizens

From the perspective of public authority, individuals are citizens. That is, we relate to the administration in our capacity as members of the political community and holders of certain political rights. In this context, the concept of citizen is broader than that of national, since a foreigner may also be regarded as a citizen insofar as they hold certain rights vis-à-vis public authority. One might distinguish between full citizenship (reserved to nationals) and a more limited form of citizenship enjoyed by those who, without being nationals, are nevertheless entitled to demand certain conduct from public authorities or to claim the protection of specific rights. In this sense, almost every person enjoys some degree of citizenship in nearly any country in the world. Only those regimes that absolutely deny rights to an entire category of individuals would render them entirely devoid of citizenship—and such a situation would be exceptional, if it were to occur at all.

This observation, however, is introduced here not to explore the concept further, but to contrast it with the way individuals relate to the economy—or, if one prefers, to the market. In relation to the market, each of us occupies a triple position: worker, consumer,

and owner. It is common for individuals to perform all three roles at different moments or within different relationships.

Any economic relationship can ultimately be traced back to one of these three positions. One is an owner not only when holding title to a home or land, but also as a shareholder in a company (however minor the shareholding) or as the holder of a pension fund. We are consumers insofar as we acquire goods or services to meet our needs or satisfy our preferences; and we are workers when we provide services in exchange—typically—for economic remuneration. A taxi driver and a corporate executive are both workers; if they own shares in a bank, they are owners; and when they buy a newspaper, subscribe to a sports streaming platform, or eat a daily menu in a modest or luxurious restaurant, they are consumers.

Accordingly, each of us performs a role as citizen, another as worker, a third as owner, and a fourth as consumer. The relative importance of each role depends on personal circumstances and context. For some individuals, the role of worker may be marginal or nonexistent, if all income derives from property. In other cases, ownership may play a secondary role. In all circumstances, however, the role of consumer remains significant, since we all require goods and services, and in modern societies it is virtually impossible to live solely through a direct bilateral relationship with nature without relying on others for clothing, food, or entertainment. Finally, the importance of the role of citizen depends less on personal circumstances than on the capacity of the public authority vis-à-vis which citizenship is exercised—particularly its ability to guarantee rights or meet individual needs.

During the nineteenth and twentieth centuries, the relationship with public authority through the status of citizen acquired enormous significance, especially as the state evolved from being merely a “rule-of-law” and “democratic” state into a “social” state, assuming responsibility for guaranteeing essential public services. Moreover, given the control exercised by public authority over the economy, citizenship—through participation in elections, influence within political parties, or other forms of activism—could have tangible consequences for matters such as tariff increases or reductions, protection of specific industries, or the prohibition of certain commercial practices.

In the twenty-first century, however, the decline in the power of nation-states described in the previous section tends to dilute the relevance of citizenship. For many individuals, their position as workers, owners, or consumers becomes more decisive than their relationship with a public authority that may lack the capacity to secure their needs or fulfil their aspirations.

Naturally, this is a generalisation and will depend, among other factors, on the power of the state of which one is a citizen. Citizens of the United States, for example, have influenced tariff increases through electoral processes—measures that, once initiated by the United States, have affected other countries through retaliatory responses. For citizens of smaller states lacking the capacity to influence the global economy—and for whom “disconnection” from it would not be a realistic option—their position as owners or workers may be far more significant than their role as citizens. In some small yet exceptionally wealthy countries, one can observe points of intersection between the roles of citizen, on the one hand, and owner or consumer, on the other (Rao, 2025).

This perspective must be taken into account when considering a hypothetical global social contract. The concept of the social contract has traditionally served as a mechanism for legitimising public authority. But if public authority becomes less central in a globalised world, should we instead envisage an economic social contract—one that legitimises not public power, but the global economy itself? This question will be examined in the following section.

5. The Social Contract: Historical Evolution of a Metaphor

5.1. Antecedents

The social contract is a metaphorical pact of political association—at least in its origins—that establishes or renews a political order. This figurative agreement contains distinctive elements that differentiate political association from other social or political groups and may incorporate its own purposes, aspirations, constitutional identity, and moral foundations. In this pact, the contracting parties (citizens, property holders, residents, depending on the author) typically unite in an association—rather than in a mere aggregation—in order to voluntarily and autonomously cede part of their sovereignty so as to guarantee security, achieve peace, and promote welfare (Abat i Ninet, 2025: 78). The specialised literature further recognises that the terms of the contract must safeguard the most fundamental interests of the contracting parties, ensuring that those who enter into the association are in a better position—in terms of security and liberty—than they would be outside the contract (Abat i Ninet, 2025: 79–80).

Social contract theory has often been applied retrospectively; that is, it has been used to analyse legal, political, or social developments that occurred prior to the meta-conceptualisation and lexicalisation of the nominal expression “social contract,” which emerged in the eighteenth century. This epistemological reinterpretation—presentism—provided it avoids anachronism, may complement many of the political and legal developments described in the preceding sections of this chapter. In this regard, and with certain reservations, it is common in academic discourse to recognise in Plato’s celebrated Socratic dialogue *Crito*, and in Socrates’ acceptance of the death penalty, an antecedent or embryonic form of the social contract. This interpretation rests on the idea that Socrates’ decision to obey Athenian law, despite its unjust application in his particular case, reflects a tacit agreement between the individual and the state. His actions are thus frequently regarded as an early philosophical foundation of the social contract concept (Plato, 1997: 107–132).

It has likewise been argued that during the Late Roman Empire the Roman social contract underwent significant transformation in comparison with that of the Principate. Whereas the earlier arrangement had sought to ease the responsibilities of the emperor’s political coalition while granting him expanded rights within the imperial system, the later period produced a new equilibrium between rulers and ruled (Clark, 2017: 45). Taxation became one of the principal civic obligations, and its conditions, rates, and institutional mechanisms were the subject of intense negotiation between the two sides. The fiscal

system established under Diocletian reflects this reconceptualisation of the relationship between state and society: imperial constitutions allow us to reconstruct a vision in which all Roman citizens were expected to assume shared responsibility for the survival of both the emperor and the Empire itself (Clark, 2017: 45).

As previously noted, in the Late Middle Ages political reality evolved toward a context in which the king did not exercise effective power over serfs and vassals and was required to negotiate or reach agreements with the nobility. This pact—also understood as social in character—emerged as a form of collective action in the twelfth and thirteenth centuries, with the proliferation of sworn associations and corporations of various kinds, based on principles of mutual contractual obligations (Boureau, 2011: 243). By way of example, the formula according to which the nobles of the Crown of Aragon are said to have elected their king in the twelfth century—“We, who are as good as you, choose you as king and lord, on the condition that you respect our laws and privileges”—and the Magna Carta granted by King John in 1215, may be regarded as explicit political agreements between sovereign and nobility, arising from practices that consolidated the power of feudal rulers in the Middle Ages (Bajet Royo, 2009).

The process culminating in the centralisation of power in the eighteenth century coincided with what has been termed the “golden era” of the social contract. During this period, thinkers such as Kant, Grotius, Hobbes, Pufendorf, Rousseau, and Locke advanced contractualist solutions aimed at achieving lasting peace (Lim, 2020; McCormick, 2019). It was at this stage that these tacit or explicit agreements, with their social conditions and implications, were conceptualised in systematic philosophical terms.

5.2. The Golden Era

In early modern political and legal thought, Hobbes and Grotius offered theoretical responses to the profound structural transformations that were reshaping power in Europe. Their shared concern was order and stability in a context marked by internal wars, rivalries among great powers, and the emergence of new forms of state organisation. Contemporaries of armed conflicts that called into question traditional religious and dynastic legitimacies, both thinkers contributed to the formulation of a new conception of political authority, endowing the state with an almost “sacrosanct” character as guarantor of peace and political unity (Castellanos Corbera, 2024: 17–24).

Within this framework, Hobbes systematically introduced the notion of the social contract as a principle of rational legitimation of sovereign power, while Grotius laid the foundations of a law of nations grounded in consent among states. Their major works—*Leviathan* (1651) and *De jure belli ac pacis* (1625)—thus express a common historical necessity: to justify political power rationally and juridically, as well as its expansion beyond traditional boundaries (Hobbes, 1985; Grotius, 1925).

Historically, these ideas both reflected and justified the process of centralisation of power that unfolded in seventeenth- and eighteenth-century Europe. Political unification was accompanied by normative expansion: monarchs legislated on trade, commercial companies, and administrative organisation, consolidating the notion that law

emanated from sovereign authority. This development—culminating in nineteenth-century codification—represented, in practice, the institutionalisation of the Hobbesian Leviathan and the Grotian *corpus politicum*: a juridical and political order articulated from a central authority, capable of rationalising economic, social, and military life within defined territorial boundaries (Abat i Ninet, 2025). Although from different perspectives, both Hobbes and Grotius provided the intellectual foundations for this transformation.

In Hobbes, internal security is justified by the need to prevent a return to the state of nature; in Grotius, external security is secured through mutual recognition among sovereign states and their capacity to bind themselves through consent. In both cases, the notion of “consent”—whether individual in the social contract or collective in the law of nations—becomes the legitimating principle of authority, even if, as in absolutism, such consent may be more fictional than real. Despite their differing orientations—Hobbes from political philosophy and Grotius from natural law and the law of nations—both articulated the theoretical foundations of a shared historical process: the constitution of the state as an autonomous, rational, and centralised subject, capable of legislating, waging war, trading, and entering into agreements on behalf of a unified community (Abat i Ninet, 2025).

With regard to Hobbes, legal doctrine—much as political science and international relations initially did—has generally adopted a broad approach to his theory of sovereignty, the international order, the state of nature, and the contractual metaphor (Castellanos Corbera and Monserrat-Molas, 2024: 65–78). In international relations, Hobbes has traditionally been regarded as the originator of a “realist” vision, conceiving states as entities existing in an anarchic relationship driven by self-interest, characterised by uncertainty and therefore by danger. This scenario exemplifies the “state of nature” and the “war of all against all” (Mitchell, 2017: 443).

Realist international legal theory is valued for its pragmatic analysis of state sovereignty. This line of thought extends into the work of Carl Schmitt, one of the most influential realist critics of modern international law, who—drawing inspiration from Hobbes—argued that the sovereign authority of the state is justified by the fundamental epistemological uncertainty inherent in disputes over norms and values (Mitchell, 2017: 443).

In particular, realism in international law conceives of the state as a unitary, rational, and self-interested actor, and characterises the international sphere as a competitive space of “anarchy”—a conception ultimately derived, and often explicitly so, from Hobbesian reasoning on the state of nature. The Hobbesian position in international relations is commonly associated with scepticism regarding the effectiveness or legitimacy of international law, especially in light of the persistent difficulties surrounding its coercive enforcement. This view is frequently contrasted with cosmopolitanism and Kantian legal theory (Grewal, 2015: 618).

In his major political writings of the 1790s, Kant offers substantial indications that support the interpretation of him as a distinctive theorist of the social contract (Kant, 2005: 9–25). The principal foundation of the Kantian conception of the social contract lies in its universal character. The contract is not confined to a historical or contingent

pact among individuals within a particular society; rather, it constitutes a normative principle applicable to any rational community at any time (O'Neill, 2012: 26).

The legitimacy of political institutions and the laws governing citizens does not depend on custom, tradition, or specific prior agreements, but on whether those laws could be universally adopted and justified by a rational collective. This universality ensures that citizens' obedience rests upon shared standards of justice and reasonableness, rather than coercion or mere pragmatic acceptance. Moreover, grounded in universal principles of practical reason, the Kantian social contract not only establishes a framework of justice applicable to individuals within any community, but also projects the idea of a political order of cosmopolitan scope, in which relations among states are governed by laws and principles that could be universally accepted (Kant, 2005: 9–25).

This approach points toward the construction of a worldwide republic of free and republican states, in which peace and international cooperation do not depend on ad hoc agreements or particular interests, but on institutions and norms that secure peaceful coexistence and respect for the freedom of all peoples (Rawls, 1999). The universality of the contract thus extends beyond national borders, offering an ethical criterion for evaluating the legitimacy of a political and legal order that aspires to be global and just (Kant, 1902).

5.3. Contemporary Reception

In this sense, the Kantian vision may be regarded as a normative antecedent of contemporary globalisation, insofar as it promotes a framework of universal norms and international cooperation that transcends particular state interests and articulates an interconnected order of global governance (Rawls, 1999: 228). The contemporary reception of what might appear as an antinomy in the interpretation of social contract theories is reflected in the way modern authors revisit and reinterpret these approaches.

From a more theoretical perspective, and following the historical development of social contract theory, my current understanding of contractualism necessarily includes the work of John Rawls, one of its principal modern exponents. Rawls revitalised social contract theory after a period during which it had fallen out of favour among political philosophers (Rawls, 1999; Sen, 2009). In *A Theory of Justice*, Rawls argues that we may conceive of a political system as a mechanism for making social decisions when it is informed by the perspectives of representatives and voters. The idea of a democratically deliberated social contract underpins this conception of the political system (Rawls, 1999: 228). Rawls maintains that the selection of two principles—the first concerning fundamental liberties, and the second addressing access to positions of authority and responsibility, as well as the distribution of wealth and income—emerges through a contractual process (Rawls, 1999: 78).

A relevant question is how these principles might apply to a social contract of a global character. As Martha Nussbaum observes, Rawls begins from the assumption that the principle of justice applicable to each society has already been established (Nussbaum, 2004: 4). According to Nussbaum, the “basic structure” of a society is defined as “the way in which the major social institutions distribute fundamental rights and duties and

determine the division of advantages arising from social cooperation” (Nussbaum, 2004: 5).

In attempting to transpose the Rawlsian framework to the proposal advanced in this work, it is crucial to distinguish between the domestic and international dimensions of Rawls’s social contract. While Rawls primarily focuses on justice within the boundaries of the nation-state, the proposal of a universal and democratic social contract requires consideration of the simultaneous participation of individuals, institutions (where they exist), and states. This plural call carries significant implications for the application of Rawlsian theory: the task is not merely to secure fundamental liberties or a fair distribution of resources within a single country, but to articulate mechanisms of deliberation and cooperation that respect the diversity of interests, cultures, and political systems present in a supranational space (Rawls, 1999: 3–53).

In this context, a Rawlsian approach adapted to a global or European social contract entails reconsidering how principles of justice are selected and guaranteed—particularly through a reconfiguration of the original position. It is necessary to ensure that all actors involved—citizens and institutions alike—participate in a deliberative process analogous to the “veil of ignorance,” so that decisions regarding rights, responsibilities, and the distribution of resources reflect a fair and legitimate consensus at the supranational level.

From a contemporary perspective, the metaphor of the social contract has been used not only to justify obedience to the sovereign but also in multiple and diverse ways. For example, social contract theory has been employed:

1. To reinforce a particular political narrative (such as renewing the EU’s social contract to emphasise solidarity, or invoking it in India to support the right to education).
2. To strengthen political legitimacy (for instance, the implicit agreement between segments of China’s urban population and the Communist Party, whereby welfare provision is exchanged for political support).
3. To imagine new political objectives.
4. To support communitarian philosophy, illustrating how social contract theory might be interpreted differently from a non-Western perspective if the values highlighted in African communitarian philosophy are properly understood.
5. To guide citizens in addressing issues related to technology, the environment, and gender relations (in India), or to promote liberal values (in Argentina) (Abat i Ninet, 2025: 82–83).

Alongside this geographical diffusion of the theory, there has also been a thematic or sectoral diversification. Proposals have emerged for gender or sexuality-based social contracts, racial contracts, digital social contracts, environmental social contracts, social contracts aimed at preventing governance backsliding during pandemics, contractual initiatives to counter populism, among others.

The following section will examine the social contract within the European Union as yet another example of this extensive application of social contract theory.

6. The Social Contract of the European Union

Social contract theory has regained prominence in recent years as a response to the specific challenges faced by our generation. The metaphor of the social contract has been repeatedly invoked by the institutions of the European Union. Calls for its renewal have emerged in response to multiple crises. As early as 2013, Benoît Cœuré, then a member of the Executive Board of the European Central Bank, emphasised the need to reform the social contract in order to respond adequately to the economic crises confronting Europe at that time. Similarly, the Vice-President of the European Commission, Frans Timmermans (in 2019), and later the Prime Minister of Portugal, António Costa, during his speech at the opening session of the Porto Social Summit in 2021, stressed the need to renew the European social contract through a commitment to developing innovative and inclusive responses within their respective spheres of responsibility.

At the international and global level, the United Nations, during its 2020 annual conference, likewise underscored the need for a new social contract to address inequality. This institutional reference to the need for a renewed European social contract has resonated within academic and intellectual circles, prompting calls from authors such as Douzinas, Balibar, Sousa Santos, Nicolaïdis, and others for broad public debate and the formulation of a new pan-European social contract (EXPRESS2, 2025).

But what is the EU's social contract? What type of social contract does an evolving political reality require? The answer goes beyond a purely normative epistemological construction. The social contract—as theory, idea, and aspiration—carries symbolic and ideological weight that explains its use—and at times its overuse—as a means of securing additional political legitimacy and reinforcing specific political or doctrinal positions. It is precisely this symbolic-ideological dimension to which calls for reform of the EU social contract appeal, rather than merely invoking the Union's foundational principles and meta-legal values.

The evolution of the concept of the social contract, and its shift from the realm of theory—traditionally articulated in abstract and metaphorical terms—to that of political praxis, without thereby abandoning its theoretical foundations, is part of a philosophical problem widely discussed since Aristotle, whose distinction between *theoria* and *praxis* laid the groundwork for subsequent debates (Habermas, 1993). Thus, the social contract functions not only as a conceptual framework for interpreting the EU, but also as a tool that informs and guides its institutional and political practice. Within this framework, these principles resonate directly in the Treaties, objectives, and functioning of the Union, whose historical construction—although its value orientation has evolved over time—can fruitfully be read through the prism of social contract theory.

Indeed, one may speak of a pre-normative origin in the earliest contractual elements of the EU. In this sense, the declarations, negotiations, and visions of Churchill, Adenauer, Schuman, Monnet, and others—from 1946 to 23 July 1952 (the date of the signing of the Treaty of Paris establishing the European Coal and Steel Community (ECSC) and creating a common market for coal and steel as the first founding treaty of the European Community)—may be regarded as forming part of the original “pact of

association,” subsequently codified in the Treaty and reaffirmed each time it was amended.

It is difficult to delineate the precise scope of this original, uncodified social pact, but it would encompass elements ranging from Churchill’s speech at the University of Zurich on 19 September 1946—advocating a “United States of Europe” (or similar formulation)—to the establishment of the Council of Europe and the Franco-German partnership, culminating in the Schuman Declaration of 9 May 1950. This declaration proposed the creation of the ECSC with the aim of fostering peace and solidarity between France and Germany, despite their historic enmity (European Commission, 2015). Influenced by Jean Monnet, the Schuman Declaration stands as a foundational pillar of European integration: a fundamental political proclamation underscoring the urgent need for solidarity in the pursuit of self-preservation, peace, and the alleviation of European fears of renewed conflict following the Second World War.

From a normative perspective, the principle of solidarity was enshrined in the Preamble of the 1951 Treaty establishing the ECSC, laying the foundations for subsequent European treaties. The Preamble of the Maastricht Treaty (1992) functioned as a symbolic “birth certificate,” providing a constitutional framework and a sense of collective identity for the European project, consolidating solidarity as a guiding principle for the Union’s future (Abat i Ninet and Kutay, 2020: 99 ff.).

Normatively speaking, the European social contract—embodied in the Preamble of the Maastricht Treaty—not only incorporates an essential interpretative principle but also articulates a statement of purpose, clarifying principles of positive law. The Lisbon Treaty further reinforces the “dogmatic” dimension of the EU’s material constitutionalism, in the sense articulated by Ferdinand Lassalle or following Carl Schmitt’s well-known distinction between *Verfassung* (constitution) and *Verfassungsrechte* (constitutional laws) (Lassalle, n.d.; Schmitt, 2017), by enshrining in Article 2 TEU the foundational values that must prevail.

The elements conceptualised under the notion of the social contract carry significant political and legal implications that transcend the literal content of the Treaties. At the same time, the process of codification—understood as rationalisation—clarifies the *raison d’être* of the European Union. The EU’s social contractors, as rational beings who comprehend the Union’s foundational values and principles, as well as those of the Charter of Fundamental Rights (CFR), are now directly interconnected as members of a political organisation (Abat i Ninet, 2025: 82–83).

Meta-legal and ethical principles, together with the EU’s foundational values and those of the CFR, form an integral component of the European social contract, encapsulating its essence and logic and embodying the dogmatic dimension of EU material constitutionalism. These foundational values and principles remain constant even as new contracting parties join the political organisation. This constitutive identity of the EU precedes democratic deliberation and decision-making within the framework of the social contract. In essence, participation in deliberation requires alignment with these meta-ethical values underpinning the political organisation; otherwise, participation is excluded. Following Rousseau, legislation serves to animate the body formed within

the social pact, where “public enlightenment” culminates in the fusion of understanding and will within the social body (Rousseau, 2025: 103).

The EU’s social contract may play a significant role in strengthening—symbolically—the narratives and purposes shaping the EU’s political imaginary and institutional construction. This is particularly so if we understand the political imaginary, as Přibán suggests, as “the symbolic capacity to present the pluralistic construction of social reality as a commonly shared and meaningfully constituted political entity” (Přibán, 2025: 1–10).

The social contract of the European Union represents a unique opportunity to foster and strengthen deliberation and citizen participation in Europe, to articulate a contemporary European vision for the twenty-first century, and—consistent with the Preamble of the Charter of Fundamental Rights of the European Union—to place the individual at the centre of EU action.

This raises the final question: is it possible to conceive of a global social contract, and can Kantian theory provide guidance for such an endeavour?

7. A Global Social Contract?

The possibility of conceiving a global social contract has also been addressed in academic debate, with highly divergent views. To speak of a global social contract necessarily raises a preliminary question: which institution would be politically legitimised through such a contract? The issue is no longer limited to identifying which principles of justice might result from an agreement entered into by individuals, for their mutual advantage, in order to leave the state of nature and govern themselves through law (Nussbaum, 2004: 3). In a world marked by morally alarming inequalities—where the gap between the richest and poorest nations continues to widen—any theory of justice proposing political principles defining basic human rights must be capable of addressing these inequalities and the challenges they pose, particularly in a context in which the power of global markets and multinational corporations has significantly eroded the autonomy of nation-states (Nussbaum, 2004: 3; Nagel, 1991; Beitz, 1979; Pogge, 2008).

Must institutions exist beforehand in order for bonds of social and political integration to emerge? Or can relations of interdependence, solidarity, and cooperation—originating in economic interaction or moments of crisis—arise first and subsequently drive progressive institutionalisation?

Empirical reality sometimes shows that processes of economic integration generate a social reality not previously institutionalised. The economic crisis in the eurozone revealed that integration can give rise to forms of solidarity not fully institutionalised in advance. The case of Cyprus (2013), with the €10 billion bailout managed by the European Union, illustrates how political solidarity may emerge even prior to complete institutionalisation. Although expressions of support by German leaders, such as Chancellor Merkel, emphasised solidarity, such solidarity was conditioned upon financial reforms and adjustments, demonstrating that civic solidarity and institutionalisation do not always coincide (Reese and Lauenstein, 2014: 1–12). Similarly, during the Greek crisis, transnational solidarity initiatives emerged through

social movements and civil cooperation networks between German and Greek citizens, alongside symbolic expressions of political and religious support (Sternberg, 2018). These examples suggest that social and economic bonds may precede formal institutionalisation, raising the question whether institutions are a necessary precondition for integration or whether social practices may emerge first and only later become institutionalised.

From a Rawlsian perspective, justice requires that individuals be treated as subjects of rights, an idea that may be extended to a global framework through the work of Pogge and Beitz, who argue that negotiation of a global “social contract” should aim to improve the position of the least advantaged (Mylonas, 2020; Beitz, 1979). In this sense, emerging relations of solidarity may be understood as practical preconditions for the formalisation of a European or global social contract.

From this standpoint, integration would not be solely the product of deliberate institutional design, but also an emergent outcome of social practices, economic incentives, and shared experiences that gradually generate the need for more stable legal and political structures. In other words, institutionalisation may be interpreted as the historical formalisation of prior social bonds that, in their initial phases, take shape spontaneously or informally. Under this hypothesis, the social contract would not constitute a normative starting point but rather a subsequent crystallisation: institutions would arise in response to pre-existing forms of sociability seeking coordination, legitimation, and the protection of rights. Institutional legitimacy would thus derive not only from a generative capacity to produce norms, but also from its adequacy to the social dynamics that precede, shape, and demand it.

Global institutionalisation, therefore, does not arise exclusively from deliberate normative decisions but from patterns of cooperation, economic interdependence, and social ties that precede any formal legal order. Rather than conceiving the social contract as an initial point of departure, it may be understood as a subsequent normative crystallisation—an institutional response to prior forms of sociability that require coordination, legitimacy, and rights protection. The legitimacy of international institutions thus rests not solely on their norm-producing capacity, but on their responsiveness to pre-existing social and moral dynamics. This idea resonates with contemporary theories of global justice. From the perspective of Amartya Sen, institutions should be assessed according to their effective contribution to the expansion of human capabilities, rather than solely by their normative architecture. A political structure is legitimate insofar as it enhances individuals’ real opportunities for action and promotes inclusive deliberative processes.

Moreover, in the present context, integration transcends the strictly political or economic sphere. Factors such as artificial intelligence, digital social networks, and the cognitive interdependence of contemporary societies deepen social bonds beyond classical state-based cooperation. These dynamics reinforce the thesis that institutionalisation responds to prior forms of interaction: social and technological interdependence emerges first, and only thereafter is it stabilised through normative frameworks designed to govern it.

Under this interpretation, the creation of a global social contract does not consist merely in drafting norms or treaties by states or international institutions, but in formalising bonds and obligations that already arise from cooperation, economic interdependence, and pre-existing social ties. Rather than serving as an initial theoretical framework, the global social contract may be understood as a normative crystallisation responding to the need for coordination, legitimacy, and rights protection in an interconnected world. Its legitimacy depends not only on normative coherence, but also on its alignment with the social, technological, and moral dynamics that precede it.

In conclusion, a global social contract cannot remain a mere normative ideal; its effectiveness depends upon the existence of an institution capable of protecting, supervising, and translating it into practice. Yet such an institution cannot simply impose norms from above: it must aspire to legitimacy grounded in the recognition granted by citizens, acknowledging its authority as an expression of planetary cooperation and shared responsibility. In this sense, the idea of a “global Leviathan” emerges, recalling Plato’s philosopher-king: a centralised authority capable of coordinating and guaranteeing rights in an interdependent world. However, as Rawls warns, such a Leviathan carries significant risks; concentration of authority at the global level may degenerate into despotic power unless subject to institutional constraints, principles of justice, and deliberative citizen participation (Rawls, 1999; Hobbes, 1985). The paradox is therefore evident: a global social contract requires a guardian that is strong yet legitimate—capable of harmonising individual autonomy with the demands of planetary cooperation, balancing the need for order with the safeguarding of liberty and justice.

8. Conclusion

The trajectory leading from the formation of modern States—marked by the transition from personality to territoriality, the concentration of political power, and the simultaneous structuring of economies, armies, and legal systems—to the emergence of an interdependent global order reveals a profound shift in the material and symbolic foundations of political legitimacy. This shift manifests itself in the reconfiguration of the relative positions of owners, workers, consumers, and citizens, as well as in the progressive dislocation between state authority and global economic dynamics. Within this framework, the normative uncertainty characteristic of the contemporary international order, far from being anomalous, reflects a structural condition already identified by realist theories of international law, which emphasise the persistence of normative conflict in the absence of a unified centre of authority (Mitchell, 2017: 443). Likewise, reconsidering the analogy between domestic and international order demonstrates that systemic stability cannot be sustained without institutions capable of generating bonds of solidarity and regulatory mechanisms appropriate to an interdependent world (Grewal, 2015: 618).

In this sense, the 2030 Agenda does not constitute merely a policy framework, but rather a normative architecture closely aligned with the principles I develop in my proposal for a European social contract for the twenty-first century (United Nations General Assembly, 2015: paras. 1, 5, 14, 18, 23, 34, 35, 74). As I argue there,

reconstructing the European political bond requires structurally integrating solidarity, social justice, ecological sustainability, and democratic participation within a context transformed by globalisation and the erosion of classical state-centred bases of legitimacy. The 2030 Agenda reformulates precisely these elements: it redefines social justice in terms of substantive equality, incorporates ecological sustainability as a structural component of political order, and conceives international cooperation as an indispensable condition for the governance of global public goods. Its holistic character—reaffirmed in paragraphs 5, 14, and 18 of Resolution A/RES/70/1—expands the normative horizon of the Europeanised social contract by situating it beyond the state level, thereby compelling a rethinking of the political bond in terms of interdependence and shared responsibility.

Sustainable Development Goal 10, dedicated to reducing inequalities, is directly connected to the diagnosis I formulate regarding the fracture between owners, workers, consumers, and citizens in contemporary Europe. In my article, I argue that these tensions result both from internal processes of integration and from global dynamics that have redistributed economic power and weakened social cohesion (Abat i Ninet, 2025: 221–249). The 2030 Agenda reinforces this diagnosis by emphasising the need to “empower and promote the social, economic and political inclusion of all” (para. 23), thereby providing an international framework that supports the redistributive and social justice dimension of the European social contract.

Similarly, Sustainable Development Goal 16, focused on building effective, transparent, and accountable institutions, converges with the argument I develop concerning the need to consolidate a European institutional framework capable of sustaining democratic legitimacy in an environment characterised by normative complexity and multiple levels of decision-making (Abat i Ninet, 2025: 221–249). In parallel, Sustainable Development Goal 17, concerning partnerships for development, supports the central claim of my proposal: that the European social contract must be embedded within cooperative structures capable of overcoming the insufficiency of isolated state action. The 2030 Agenda’s reference to “policy coherence for sustainable development” (para. 74) directly aligns with the need to articulate a functional social contract operating across multiple levels of governance and capable of coordinating economic, social, and ecological policies.

Other goals further reinforce this structural relationship. Sustainable Development Goal 8, dedicated to decent work, corresponds to the analysis I offer regarding the transformation of the relationship between capital and labour in a context of economic integration and accelerated digitalisation. Sustainable Development Goal 11 introduces the territorial dimension of social cohesion—an aspect I connect to the overcoming of classical centralisation. Sustainable Development Goal 13, on climate action, supports the premise that any twenty-first-century social contract must incorporate intergenerational justice as a pillar of political legitimacy.

From this perspective, the 2030 Agenda may be understood as a normative orientation framework that accompanies and reinforces the fundamental elements of the European social contract I propose. It does not replace democratic debate or the plurality of conceptions regarding political community, but it provides a coherent set of principles—solidarity, substantive equality, sustainability, institutional cooperation, and

shared responsibility—that enable the reconstruction of the normative and material foundations of the political bond in a world shaped by global interdependence.

In this sense, the formulation of a renewed European social contract is not merely a theoretical exercise; it is a necessary condition for responding to the challenges emerging from the historical transformations analysed above and for guiding European and global integration towards a horizon of cohesion, justice, and sustainability—an orientation reflected transversally across all the Sustainable Development Goals.

Bibliography

- Abat Ninet, A. “An EU Social Contract of the Twenty-First Century.” *European Journal of Legal Studies* 16, n.º 2 (march 2025): 77–116.

—. “Hobbesian Insights in Core Elements of Private International Law.” In *More Power, More Liberty? The Relation Between Liberty and Power in Thomas Hobbes’ Late Works*, edited by R. Castellanos. Edinburgh University Press, est. 2026.

- Abat Ninet, A., and Kutay, A. “Europe’s Lack of Solidarity in its Response to the Humanitarian Crisis. Jeopardizing the European Union’s Constitutional Imaginary.” *Revista Catalana de Dret Públic*, n.º 61 (2020): 99 and ff.

- Arenas García, R. “Cinco décadas de proceso codificador en la UE: historia de un éxito.” In *50 años de Derecho internacional privado de la Unión Europea en el diván*, edited by C. Esplugues Mota, P. Diago Ditago y P. Jiménez Blanco. Valencia: Tirant lo Blanch, 2019, 23–51.

—. “Extranjería (I): principios generales, fuentes de regulación y libre circulación de personas.” In *Tratado de Derecho de la Persona Física*, directed by M.ª C. Gete-Alonso y Calera and coordinated by J. Solé Resina. Cizur Menor: Civitas, 2013, t. II, 393–465.

—. “El Estado de Derecho en la UE: Significado, desafíos y perspectivas de futuro.” *Araucaria* 22, n.º 45 (2020): 51–79.

—. “El Derecho internacional privado (DIPr) y el Estado en la era de la globalización: la vuelta a los orígenes.” In *Cursos de Derecho internacional y relaciones internacionales de Vitoria-Gasteiz 2007*, 19–94. Bilbao: Universidad del País Vasco, 2008.

—. “TTIP.” *El jardín de las hipótesis inconclusas*, 6 June 2015. <https://jardindehipotesis.blogspot.com/2015/06/ttip.html>.

- Auer, R., and Fischer, A.M. “The Effect of Low-Wage Import Competition on U.S. Inflationary Pressure.” *Journal of Monetary Economics* 57, n.º 4 (2010): 491–503.

- Bajet Royo, M. *El jurament i el seu significat jurídic al Principat segons el dret general de Catalunya (segles XIII–XVIII)*. Barcelona: Universitat Pompeu Fabra, 2009.

- Barav, A. “La plénitude de compétence du juge national en sa qualité de juge communautaire.” In *L’Europe et le droit. Mélanges en hommage à Jean Boulois*. Paris: Dalloz, 1991, 93–103.
- Barthélemy, D., and White, S.D. “The ‘Feudal Revolution’.” *Past & Present*, n.º 152 (agosto 1996): 196–223.
- Beitz, C. *Political Theory and International Relations*. Princeton: Princeton University Press, 1979.
- Bernard, G. W. “The Dissolution of the Monasteries.” *History* 96, n.º 4 (2011): 390–409.
- Bisson, T. N. “The Feudal Revolution.” *Past & Present*, n.º 142 (February 1994): 6–42.
- Boureau, A. “Essor et limites théologiques du contrat politique.” In *Avant le contrat social*, edited by F. Foronda. Paris: Éditions de la Sorbonne, 2011, 243.
- Brennan, D. “Trump Says US Will ‘Go as Far as We Have To’ to Get Control of Greenland.” *ABC News*, 27 March 2025. <https://abcnews.go.com/International/trump-us-control-greenland/story?id=120208823&>
- Castellanos Corbera, R. “Ley civil e inmortalidad artificial en Thomas Hobbes.” *Boletín de la Asociación de Estudios Hobbesianos*, n.º 43 (2024): 17–24.
- J. Monserrat-Molas. “Potentia eximia & Excellentia facultatum: The Relation Between Liberty and Power from the *Leviathan* to *De Homine*.” *British Journal for the History of Philosophy* 32, n.º 1 (2024): 65–78.
- Castells, M. *La era de la información. Vol. 1. La sociedad red*. Madrid: Alianza Editorial, 2000.
- . *La era de la información. Vol. 2. El poder de la identidad*. Madrid: Alianza Editorial, 2001.
- Chadwick, H. *East and West: The Making of a Rift in the Church*. Oxford: Oxford University Press, 2003.
- Clark, P. E. *Taxation and the Formation of the Late Roman Social Contract*. Ph.D. Thesis. ProQuest Dissertations & Theses Global, 2017. <https://www.proquest.com/dissertations-theses/taxation-formation-late-roman-social-contract/docview/1924712187/se-2> (accessed: 6 November 2025).
- Crossman, R. H. S. *Biografía del Estado moderno*. Trad. de *Government and the Governed (A History of Political Ideas and Political Practice)* by J. A. Fernández de Castro. Madrid: Fondo de Cultura Económica de España, 2003.

- Felbermayr, G. and others. “On the Effectiveness of the Sanctions on Russia: New Data and New Evidence.” *VoxEU*, 12 de marzo de 2025. <https://cepr.org/voxeu/columns/effectiveness-sanctions-russia-new-data-and-new-evidence>.
- García de Cortázar, J. A., and J. A. Sesma Muñoz. *Historia de la Edad Media. Una síntesis interpretativa*. Madrid: Alianza Editorial, 1997.
- García Moreno, L. A. “The Creation of Byzantium’s Spanish Province. Causes and Propaganda.” *Byzantion* 66, n.º 1 (1996): 101–119.
- Gernet, J. *El mundo chino*. Trad. of *Le monde chinois* by D. Folch. Barcelona: Crítica, 1999.
- Giss, P. (papiro de Giessen). *Constitutio Antoniniana (Edictum de civitate)*. Text according to S. Riccobono (ed.), *Fontes Iuris Romani Antejustiniani*, vol. 1. Florencia: 1941, núm. 207. https://droitromain.univ-grenoble-alpes.fr/Constitutions/Antoniniana_riccobono.gr.htm?
- González Campos, J. D. “El paradigma de la norma de conflicto multilateral.” In *Estudios Jurídicos en homenaje al profesor Aurelio Menéndez*, Madrid: Civitas, 1996, t. IV, 5239–5270.
- Grewal, D. S. “The Domestic Analogy Revisited: Hobbes on International Order.” *Yale Law Journal* 125 (2015): 618–620.
- Grotius, H. *De Jure Belli ac Pacis Libri Tres*. Ed. James Brown Scott. Oxford: Clarendon Press/Carnegie Institution of Washington, 1925.
- Habermas, J. *Theorie und Praxis: Sozialphilosophische Studien*. Frankfurt am Main: Suhrkamp Verlag, 6. Auflage, 1993.
- Hobbes, T. *Leviathan, or The Matter, Forme, & Power of a Common-Wealth Ecclesiasticall and Civil* (1651). Ed. C. B. Macpherson. London: Penguin Classics, 1985.
- Hubenak, F. “El hispano Teodosio y la cristianización del Imperio.” *Hispania Sacra* 51, n.º 103 (1999): 5–42, 14–15.
- Ihrig, J., S. B. Kamin, Lindner, D. and Marquez, J. “Some Simple Tests of the Globalization and Inflation Hypothesis.” *International Finance* 13, n.º 3 (2010): 343–375.
- Iyengar, R. “A Non-Muslim Has Been Punished Under Shari’a Law in Indonesia for the First Time.” *Time*, 13 April 2016. <https://time.com/4291832/indonesia-aceh-christian-muslim-sharia-law-alcohol>

- Kamen, H. *Spain's Road to Empire. The Making of a World Power 1492–1763*. London: Allen Lane, 2002.
- Lim, W. “‘The Racial Contract’: Interview with Philosopher Charles W. Mills.” *Harvard Political Review*, Boston, 29 October 2020. <https://harvardpolitics.com/interview-with-charles-w-mills/>
- Marks, R. B. *Los orígenes del mundo moderno. Una nueva visión*. Trad. of *The Origins of the Modern World. Fate and Fortune in the Rise of the West* by J. Ll. Riera. Barcelona: Crítica, 2007.
- McCormick, J. *Social Contract and Political Obligation. A Critique and Reappraisal*. London: Routledge, 2019.
- Mitchell, R. “Sovereignty and Normative Conflict: International Legal Realism as a Theory of Uncertainty.” *Harvard International Law Journal* 58 (2017): 443–476.
- Neumayer, K. *Die gemeinrechtliche Entwicklung des internationalen Privat- und Strafrechts bis Bartolus. First Part. Die Geltung des Stammesrechte in Italien*. Munich: J. Schweitzer, 1901, 3–5.
- Nussbaum, M. C. “Beyond the Social Contract: Capabilities and Global Justice.” *Oxford Development Studies* 32, n.º 1 (2004): 3–18.
- O’Neill, O. “Kant and the Social Contract Tradition.” In *Kant’s Political Theory: Interpretations and Applications*, editado by R. E. Goodin. New York: Routledge, 2012, 25–41.
- Piketty, Th. *Capital in the Twenty-First Century*. Cambridge (Massachusetts)/London: The Belknap Press of Harvard University Press, 2014.
- Platón. *Critón*. Trad. by Francisco Lisi. Biblioteca Clásica Gredos. Madrid: Editorial Gredos, 1997, 107–132.
- Přibáň, P. “European Constitutional Imaginaries: On Pluralism, *Calculus Imperium*, and *Communitas*.” pp. 1–10.
- Pogge, T. *Realizing Rawls*. Oxford: Oxford University Press, 2008.
- Rawls, J. *A Theory of Justice*. Rev. ed. Cambridge, MA: Harvard University Press, 1999.
- . *The Law of Peoples*. Cambridge, MA: Harvard University Press, 1999.
- Reese, G., y O. Lauenstein. “The Eurozone Crisis: Psychological Mechanisms Undermining and Supporting European Solidarity.” *Social Sciences* 3, n.º 1 (March 2014): 1–12.
- Ripert, G., y R. Roblot. *Traité de droit commercial*. París: L.G.D.J., 17ª ed. 1998, 13.

- Riley, P. “On Kant as the Most Adequate of the Social Contract Theorists.” *Political Theory*, vol. 1, n° 1.
- Ruta, M., ed. *The Impact of the War in Ukraine on Global Trade and Investment*. Washington: World Bank Group, 2022.
- Rotunno, L., and Ruta. M. “Trade Partners’ Responses to US Tariffs.” *International Monetary Fund*, WP/25/147, July 2025.
<file:///C:/Users/1003616/Downloads/WPIEA2025147.pdf>
- Sen, A. *The Idea of Justice*. Cambridge, MA: Harvard University Press, 2009.
- Shaw, M. N. *International Law*. Cambridge: Cambridge University Press, 9ª ed. 2021, 416 ff.
- Trebilcock, M., Howse, R and Eliason, A. *The Regulation of International Trade*. London/New York: Routledge, 2013, 24–26.
- Vallejo Girvés, M. “The Treaties between Justinian and Athanagild and the Legality of the Byzantine Possessions on the Iberian Peninsula.” *Byzantion* 66, n.º 1 (1996): 208–218.
- Waley, D. *Las ciudades-república italianas*. Trad. by J.-M. Velloso of *The Italian City-Republics*. Madrid: Guadarrama, 1969, 56–86.
- Reynolds, S. *Fiefs and Vassals: The Medieval Evidence Reinterpreted*. Oxford: Oxford University Press, 1994, 34 ss.
- Moustafa, T. *Constituting Religion*. Cambridge: Cambridge University Press, 2018, 56–57.

Web Pages

- Aceh Government. “Shariah Law in Aceh: Penjelasan Pemerintah Aceh tentang Syariat Islam di Aceh.” <https://acehprov.go.id/berita/kategori/pemerintahan/shariah-law-in-aceh-penjelasan-pemerintah-aceh-tentang-syariat-islam-di-aceh>
- Intermigra. Art. 2.4 del Código de Familia marroquí de 3 de febrero de 2004 (Mudawana). <https://web.archive.org/web/20130228134303/http://www.intermigra.info/extranjeria/archivos/CodFamiliaMarruecos.pdf>
- Edicto romano traducido al inglés. <https://andrewjacobs.org/rs91/cuentos.html>
- OAS. “Treaty of Paris 1763.” <https://www.oas.org/sap/peacefund/belizeandguatemala/historicdocs/treaty%20of%20paris%201763.pdf>

- The Global Economy. “GDP Share”, 2023
https://www.theglobaleconomy.com/china/gdp_share/
- The Global Economy. “Rankings GDP Share.”
https://www.theglobaleconomy.com/rankings/gdp_share/
- Visual Capitalist. “Ranked the 50 Richest Countries by GDP per Capita in 2025.” 13 de junio de 2025. <https://www.visualcapitalist.com/ranked-the-50-richest-countries-by-gdp-per-capita-in-2025/>
- The Budget Lab. “State US Tariffs – October 30, 2025.”
<https://budgetlab.yale.edu/research/state-us-tariffs-october-30-2025>
- EXPRESS2 Project. “Specify and Protect the EU Social Contract.” Proyecto Horizonte Europa, 2025. express2project.eu
- European Commission. “The Schuman Declaration of 9 May 1950.” Publications Office, 2015. https://europeanunion.europa.eu/principles-countries-history/history-eu/1945-59/schuman-declaration-may-1950_en