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Globalization and the Boundaries of the State: A Framework for Analyzing the Changing Practice of Sovereignty

EDWARD S. COHEN*

The impact of globalization on the sovereignty of the modern state has been a source of great controversy among political scientists. In this article, I offer a framework for understanding the state as a boundary-setting institution, which changes shape and role over time and place. I argue that, rather than undermining the state, globalization is a product of a rearrangement of the purposes, boundaries, and sovereign authority of the state. Focusing on the United States, the article traces the changing shape of state sovereignty through a study of the patterns of immigration policy and politics over the past three decades. Immigration policy, I argue, provides a unique insight into the continuities and changes in the role of the state in an era of globalization.

During the 1990s, globalization emerged as one of the central terms in political conflict and political analysis around the world. In political science, globalization became perhaps the most widely used phrase to characterize the social, economic, and political changes that reconfigured the map of world politics over the decade. Whether actors and commentators hailed or cursed the impact of these changes, most accepted the claim that the idea of globalization helped to make sense of the emerging direction of politics around the world. The controversies surrounding globalization had a certain pattern, always returning to the relationship between the modern nation-state and the international social, economic, and political context in which it is situated. A close look at any of the debates or conflicts surrounding globalization suggests that they are indicative of important changes going on in the nature and role of the boundaries that both separate states from each other and the international environment, and regulate the relationships between states and this environment. Whether the specific issue concerns trade policy, the power of financial markets, or the impact of immigration, most discussions of globalization eventually turn to the question of the role of the state in a new, globally organized social and economic context.[1] Given its place in defining the role and legitimacy of the modern state, analysts of globalization are then inevitably led to examine the nature of sovereignty and its future in this new environment.

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In this article, I aim to present a framework for understanding the impact of globalization on the practice of political power and authority in the modern state.[2] I offer an approach that emphasizes the state's role as an agency of boundary constitution and maintenance, in which sovereignty operates as a claim to authority and responsibility for political choices within these boundaries. For the past two centuries, these boundaries have been understood to coincide with the territorial borders of the state, within which is contained a political community that is the source and object of the state's sovereignty. From this perspective, the main significance of globalization is that it is working to disengage the boundaries of the state's authority from its territorial borders, and/or changing the ways in which these boundaries are governed. As part of this process, globalization is generating new approaches to understanding the purposes, responsibilities, and legitimacy of the state, approaches that challenge many long-held expectations concerning the proper priorities and responsibilities of the modern liberal democratic state.

I begin by elaborating this framework for analyzing the sources of globalization and impact of globalization on the state (and vice versa), and focus especially on the meaning of all of this for the future of sovereignty in contemporary politics. I then present an account of the way this process is being played out in the context of the pressures of international migration. Control over the movement of persons across its borders is one of the fundamental hallmarks of a state's sovereignty. In order to be persuasive, any argument that the practice of sovereignty is changing must face up to the continuing attempts of modern states to exercise control over migration. I conclude the paper with an argument that the state and sovereignty will remain with us in a decisive way, but that the practice of power and authority will take on new and unprecedented forms. Ultimately, the future of the state will be shaped by the politics surrounding globalization, not by any necessary logic inherent in the process itself.

THE STATE AND ITS BOUNDARIES

For the past four centuries, the sovereign state has been the dominant form of political organization in the European and European-settled world. In this century, it has spread around the globe, supplanting all challengers and—when linked to nationalism—emerging as the norm for the structure of political community (Bull and Watson). Nevertheless, it has been common over the past decade to read popular and scholarly accounts of the impending eclipse or death of the state as we know it. The usual culprit in these analyses is the emerging global economy with its interdependent systems of production and consumption, dramatic flows of currency across national borders, and increasingly sophisticated technologies of information gathering and processing. In William Greider's (11) formulation,

> The logic of commerce and capital has overpowered the inertia of politics and launched an epoch of great social transformations. Settled facts of material life are being revised for rich and poor nations alike. Social understandings that were formed by the hard political struggles of the twentieth century are put in doubt. Old verities about the rank ordering of nations are revised and a new map of the world is gradually being drawn. These great changes sweep over the affairs of mere governments and destabilize the established political orders in both advanced and primitive societies.

In such accounts, this global economic system is less and less tied to geography, less and less reliant upon any particular physical-territorial location in which to carry out its activities. As a result, states are less able to control economic activity and are losing their relevance as either facilitators or obstacles to the function of the global economy. As such, they are also losing control over their borders and are destined to recede into some sort of oblivion as the global economic system comes to dominate the evolution of society around the world (Strange).

However, these predictions have elicited numerous counterdiagnoses that pronounce the state's continuing vigor and relevance. Many such arguments emphasize the continuing centrality of the state as a reality and as an aspiration, embodied most clearly in the proliferation in the 1990s of deadly ethnic-nationalist conflicts. In addition, the thesis of the eclipse of the state has been challenged on the terrain of the global economy itself. One line of argument emphasizes the limits of the contemporary degree of global economic integration, especially as compared to that of the end of the 19th century, and thus attacks the notion of an inevitable decline of the state (Bairoch and Kozul-Wright). A second line of analysis points to the central role of states, especially the United States, in initiating and sustaining the current movement towards economic globalization, without which, it is argued, this movement cannot be maintained (Helleiner). A third and related approach contends that states retain significant capacities to regulate the terms of economic activity that crosses their borders (Hirst and Thompson; Weiss). All three approaches combine to suggest that the state remains as central as ever in constituting and regulating the terms of global economic exchanges, and shows no signs of disengagement from this position.

For some thoughtful commentators, this debate has become sterile, with the participants locked into two unsatisfactory alternatives (e.g., Rodrik). As with all such arguments, it is tempting to respond that the truth lies somewhere in between the two extremes. However, this will not do, for reasons I hope will become clear in the following discussion. Both of these positions rest on the assumption that the nature and future of the state are indelibly linked to a particular territory within which the state's sovereignty is supreme. Moreover, both conceive of the state's sovereignty in terms of specific capacities to open or shut that territory to the movement of capital, goods, and persons across its borders. In order to grapple more effectively with the impact of globalization, we need to

reexamine these assumptions and think again about the relationship of the modern state to its territorial borders.[3]

The sovereign state was, of course, created out of the turmoil of competing forms of political authority in early modern Europe (Spruyt). On the ruins of the medieval system of overlapping jurisdictions, state-building monarchs created a new form of political authority and community, in which all power was centralized in the hands of one person/institution claiming final and unchallenged jurisdiction over all persons and activities within definable territorial limits. This was the claim of sovereignty, and it depended upon the mutual recognition of all states of the claims of each state. As Janice Thomson has shown, it is important to emphasize that these claims included the authority to decide what was and was not a proper subject of political authority at any particular time. Moreover, these decisions about the scope of political power within the state were also subject to the mutual recognition of other states. After all, the "Westphalian system" was constituted on the basis of a renunciation by each state of the right to interfere in the religious affairs of other states. In this arrangement, the territorial borders of each sovereign's authority marked the proper boundaries of its claims. It is also important to remember, as Thomson emphasizes, that sovereignty as a claim to authority did not necessarily mean that states had the actual power to enforce these claims. The ability and capacity of states to enforce these claims have always varied over time and space (Krasner).

Throughout the evolution of the states system, however, the definition of the spheres of activity that are of political concern has changed, and with them the ways in which states have understood and treated the relevance of their borders. While this can be seen in many areas, those of economic exchange and population movement are especially relevant. During the Mercantilist era, the territorial borders of the state were used to prevent the outflow of specie and expertise, while inflows of the same goods across these borders were actively encouraged. To the extent that free trade became a priority of states, their control of borders was used to facilitate both the inflow and outflow of resources. In this case, these movements of economic activity were depoliticized, but few would claim that these choices resulted from a decline in the sovereignty of states. Rather, states pursued such goals to promote perceptions of national power, and coordinated their policies to ensure that trade could flow smoothly across a wide range of territories.[4] During the 20th century, democratic and nationalist impulses came to define the economic well-being of the nation as the central priority of state policy, and the relationship of territorial boundaries to economic flows was again redefined, in a manner that has continued to shape current perceptions of the role and responsibility of the state (Thompson 1997).

A similar pattern can be seen in the area of population movement (Castles and Miller). As the mercantilist preoccupation with the hoarding of skilled labor diminished in the 19th century, most states took a more or

less "hands-off" attitude towards the movement of persons across their borders. From the mid-1800s until 1914, a complex system of population flow across Europe and then the Atlantic emerged, in which supplying nations often encouraged emigration while those in the Americas (and Australia) accepted a large influx of migrant labor. For the most part, this migration was privately organized, as local governments and industries recruited workers and later worked with organizations of already settled migrants to sustain the flow. All of this occurred in a context devoid of much systematic effort by states to police the entry and exit of persons across their borders.[5] By the 1930s, however, this lax regime had been transformed, as nationalist pressures and closed economies produced a systematic regime of passports and border controls around the world. As in the case of trade, the meaning and relevance of movements across a state's borders changed significantly over time, along with shifting domestic political-economic priorities and international norms for the exercise of sovereign power.

What do these examples, of which many more can be provided, suggest about the ways we should think about the state and its sovereignty? First, rather than focusing initially on territorial borders, I would suggest that we think of the state as a *boundary*-setting and maintaining institution.[6] In this view, the state's essential role is that of establishing boundaries around those activities and persons over which it claims authority. Seen from the perspective of the system of states, this establishment of boundaries functions as a way for states to recognize the spheres and limits of each other's claims. Moreover, the state also establishes boundaries within its sphere of authority, determining which kinds of activities it will manage directly and which it will allow to be pursued and organized without any direct state involvement. This determination arises from the purposes and responsibilities the state accepts at any particular time, the "project" it pursues along with the dominant social and economic actors subject to its rule and to which it is responsible. The same kinds of movements across boundaries will be the focus of either control or neglect depending on the state's central policy goals, and these vary across time and across states. For the most part, states in the modern world have used territorial borders as the central proxy and embodiment of the polity's boundaries and thus the boundaries of its authority. However, borders have been relevant in different ways, and this suggests that the scope of sovereignty is not essentially and in all respects tied to the territorial limits of states, and that the way in which the exercise of sovereignty is related to territory can vary over time and place.

Second, historical experience seems to warn us against thinking of the sovereignty of the modern state as a fixed and indivisible quality. The variability of the objects/activities considered legitimate aims of state control demonstrates the flexibility inherent in the sense of the necessary prerequisites for the maintenance of state power and authority. Moreover, state authority can be delegated and exercised in many ways. States

may and have delegated the responsibility to organize certain aspects of social life to nonpublic agents operating under more or less general state supervision and sanction. For instance, it is clear that the influx of a large and steady flow of migrant workers was a central concern of states in the Americas during the later 19th century. However, most states seemed content to let private agents (or lower levels of government) organize and promote this flow, stepping in only to set limits on those migrants they would not accept. This experience also suggests that we avoid identifying sovereign power with particular kinds of capacities, in this case a regime for strict enforcement of border controls. The capacities relevant to the practice of state power and authority depend upon the purposes the state is pursuing. In this context, the absence of a systematic regime of border control is not obviously or necessarily an indication of any fundamental weakness of the state's sovereign powers; it would amount to such an indication only if it is clear that the state aims to control the movement of persons across its borders but in fact is unable to do so.[7]

Third, it seems clear that the ways in which states constitute the boundaries of their authority are partially determined by the collective practice of the system of states. To some extent this follows logically from the fact that the sovereignty of any particular state is constituted and recognized only in the context of the actions and judgments of other states. However, it is also clear from the patterns evident in the practices briefly discussed above. There seem to be clear phases in the evolution of state power over the past three centuries, and in each era policies concerning the control of borders appear to be diffused among the major states of the system. Any attempt to reshape the kinds of boundaries that define the limits of state authority would push the states leading these attempts to ensure some degree of uniform practice in the state system. Thus, states have often resorted to more or less organized attempts to promote this uniformity, ranging from consultations to treaties to the establishment of formal organizations to oversee the maintenance of shared understandings and practices. Although they may not be necessary, these kinds of cooperative endeavors help clarify the boundaries of states and thus facilitate the smooth relations between states.

These two latter points or discussions suggest that we need to take seriously John Gerard Ruggie's argument that the authority, capacities, and powers usually "bundled" together in discussions of sovereignty can be "unbundled" and repackaged in many different ways (Ruggie 1993). In fact, it is this very fungibility of sovereignty that helps us understand why the authority of a state need not absolutely track the territorial borders of a political community. The assertion of absolute control over the flow of persons, goods, capital, and ideas across borders is only one strategy by which states can pursue their ends, especially when this requires them to assert some control over forces that act on a global scale. In order to secure the ends it desires within its territory, a state may decide to share some elements of its sovereign authority with other states—as states have

done in such areas as trade dispute resolutions under the World Trade Organization (WTO) or in some aspects of environmental policy-making. Alternatively, a state may attempt to act beyond the limits of its territory to shape actors or forces that have a major impact on developments within its territory. This has long been the case in the area of military security, but can also be seen in the efforts of the U.S. to influence corporate behavior in other countries and to control the international networks that dominate the production and distribution of narcotics (Nadelmann). To argue that sovereignty connotes the state's role in constituting a political community within which its authority is supreme, then, does not in itself tell us exactly what the objects and limits of that authority are, how it is exercised, or how it is affected by changes in the structure of political, social, and economic life.

Fourth and finally, it is worth emphasizing again that any state's claim to sovereign authority in a particular context does not entail that state's ability to enforce those claims. At different times and across different states, the ability of governments to promote certain economic ends, control population movements, or assert their will on the choices of other states varies tremendously. This point is especially important in evaluating the impact of social and economic change on the sovereignty of any particular state or group of states; we must always be careful not to conflate a government's decreasing power or capacity to control certain social processes with a threat to its sovereignty as such. Of course, sovereignty becomes meaningless in the absence of any capacity of a state to act effectively, a reality that can be seen in practice today in such areas as sub-Saharan Africa (Jackson). However, we are better off understanding the relationship between a state's authority and its power as a complex and dialectical process, in which claims to sovereignty and strategies to enforce it are continually modified in light of the changing social and economic context in which the state exists. The question we need to ask, then, is what the implications of globalization look like from the perspective of the framework I have outlined here.

GLOBALIZATION AND THE STATE

For the purposes of this paper, globalization can be defined as a set of economic, cultural, and technological processes that are reducing the significance of territorial boundaries in shaping the conditions of life of persons and societies. The increasingly global scope and operation of capital markets, the global integration of systems of production and consumption, and the flow of information and cultural practices around the world via communication and media technologies are all tying the fates of persons and groups around the world to forces and processes that operate with less and less concern for the territorial borders of states. This is not to suggest that the world is now globalized, or that territory is now irrelevant to human social life. In fact, Hirst and Thompson are probably justified in

their skepticism concerning extreme models of globalization and their suggestion that we are experiencing something closer to an internationalization of social, economic, and political life. However, it seems fair to say that we are living through a process of change in which the degree to which the lives of persons within a state's borders are shaped primarily by forces operating within these borders is diminishing. So understood, globalization seems a useful term for coming to grips with contemporary social change.

What are the sources of contemporary globalization? In most accounts, changes in technology and in the structure of business enterprise take pride of place in explaining the emergence of this new global context. However, I believe it is imperative to recognize the role of political choice and power in creating a situation in which economic and technological processes could flourish and spread. The key to understanding the political origins of contemporary globalization is to examine the institutions and policies of the post-1945 Western economic and political alliance. The conscious strategy of the U.S. after World War II emphasized the use of a process of increased trade and economic interdependence both to revive Western economies and to provide the underpinnings of the Western political and military alliance. As Ruggie (1982) has argued, though, this process was carefully managed to allow the pursuit of various forms of the welfare state without the potential disruption of global economic change, and assumed a relatively closed domestic locus of authority and responsibility for most states.

This model of managing the relationship between national and international forces—known most generally as the Bretton Woods model—faced severe strains in the 1970s, as the international financial and trade regimes appeared to collapse and domestic political and economic formulae seemed unable to cope with stagnation and inflation. In the late 1970s, however, the U.S. began building the framework for a renewed era of globalization, one that would qualitatively increase its impact and transform the relationships among states, societies, and territories. The essence of this project has been to create a more open, dynamic, and competitive global economy, in the process breaking down the barriers that had been used to protect domestic constituencies from the instability, risks, and competition of international economic changes.

The emergence of this approach can be seen in a number of areas. The completion of the General Agreement on Tariffs and Trade's (GATT) Tokyo Round in 1979 yielded the first significant international commitment to address "nontariff barriers" to trade, primarily those linked to the domestic structures of economic and social regulation. In the U.S., Congress and the administration began the process of "deregulating" structures of law and policy in areas including banking, telecommunications, and transportation. Such policy choices were clearly justified in terms of using increased market competition—including international competition—to promote the efficiency and adaptation of domestic economic and

social structures (Derthick and Quirk). It was during this same period of time that controls over international capital flows began to fall, and with them the obstacles to the emergence of truly global money markets. Few if any of these changes were forced upon policy-makers by economic pressures alone. Instead, they were the results of a relatively coherent strategy of immersing domestic economies in more competitive market relationships, including a more competitive international market context.

During the 1980s, the momentum towards the emergence of a more globalized world and the effects of these policy changes began to be felt more intensively. To be sure, the decade saw the spread of various types of selective protectionism for industries and sectors in many states. However, the larger movement was towards greater integration of financial markets, increased levels of international trade (especially after 1985), and the growing integration of large-scale production around the world. A central part of this process was the increasingly widespread adoption of policies designed to weaken domestic laws and institutions that protected industries and labor markets, ranging from the reform of professional regulation to the encouragement of corporate "restructuring" to attempts to reduce the protections and "rigidities" associated with social welfare regimes. The U.S. played a central role in this process. The ability of the Reagan Administration to maintain an overvalued dollar in the first part of the decade and to resist generalized protectionist pressures throughout the decade played a central role in securing the deeper immersion of the U.S. economy into the global economic system. Moreover, that administration maintained systematic pressures on other states —Western Europe and Japan—to pursue similar agendas in their own societies.

Implicit in these changes is a new model of the purposes of the state and the boundaries of its authority. To use Philip Cerny's terminology, by these policy directions advanced capitalist states began to reject the notion that their primary purpose was to provide for the security and protection of their citizens from the forces of economic competition and risk. In its stead, these states began to substitute a commitment to the promotion of economic globalization itself as a defining purpose of policy choice. The model of the "competition state," which pursues the immersion of domestic society and institutions in rapidly evolving market relationships, came increasingly to shape the exercise of state power and authority. In this model, the state searches for ways to deconstruct the elaborate systems of social protection built up over past decades, while acting as a facilitator for the increasing interdependence of economic and cultural process around the world. As Saskia Sassen has noted, the constituency of the state is no longer only or simply a population of citizens defined by territorial borders and demanding protection from forces outside of those borders (Sassen 1996, 33–62). It is increasingly the global economy and its dominant actors and institutions themselves.

In order to facilitate the promotion of a more integrated global economic system, states also began to put a new emphasis on the creation and use of multilateral institutions through which policy choices could be coordinated. The ten-year period beginning in 1985 saw a flurry of such activity, including the initiation of the Uruguay Round of GATT negotiations, the U.S.-Canada Free Trade Agreement, the European Union's (EU) Maastricht Plan, the North American Free Trade Agreement (NAFTA), and the creation of a new World Trade Organization (WTO). The increased role of these organizations marked an intensification of efforts to secure globalization. However, they also embodied an attempt to help adjust the structure of political power and authority to accommodate and promote globalization. As the literature on "two-level" diplomatic games has emphasized, multilateral agreements and institutions can be seen as instruments that states can use to deflect and overcome domestic opposition to increased economic openness (Goldstein, Putnam). In this sense, they are part of the creation of the capacities needed by the competition state to effectively achieve its purposes, and thus of the model of sovereign authority on which they are based. On the one hand, such institutions and agreements work to limit the independence of states and their ability to assert national priorities in the face of global changes. On the other hand, from the perspective of the competition state they are more important as ways of facilitating the aim of each state to secure the global immersion of domestic economies that dominates current policy directions and purposes. While they may limit the pursuit of some elements of sovereignty, such arrangements can be seen as ways of bolstering the kinds of sovereign authority emerging as central to a globalized world.

In addition to increasing each state's ability to promote market-opening measures, multilateral institutions and agreements can also be a way for states to exercise control over these markets and the actors within them. This is perhaps the clearest example of the evolution of state sovereignty in a more globalized world. As a number of commentators have noted, it becomes increasingly difficult in such a context for any state to control many elements of economic and social change, since they have no clear locus in one particular territory. The creation of a capacity for international responses to these problems, while not necessarily crafting a new site of sovereignty, extends each state's ability to address challenges of common concern. Since it is likely that states will be interested in maintaining some control over the general direction of a globalized economy, and will need to respond to the kind of crises we saw in Asia and Latin America in the late 1990s, multilateral agreements and institutions will likely continue to develop as key tools of the practice of state power so long as globalization continues to characterize the world's economy and society (Reinicke).

What does all this imply for our understanding of the future of the state in light of globalization? As I have described them, these practices

do not amount to the creation of forms of "global governance" that will supersede the sovereign state. Indeed, they depend on the continued existence of the state for their operation and success, as does the globalized economy itself. Moreover, states still retain much of their traditional domestic authority and responsibilities, of which the maintenance of territorial cohesion is a crucial part.

However, these practices do amount to something new in the operation of state authority, especially among the advanced capitalist states and especially when compared to the dominant patterns of the post-World War II era. First, along with the emergence of the promotion of markets as a central priority of the state has come a whole new range of institutions and constraints designed to secure policy choices that reflect this priority. The capacities necessary to support the welfare state and Keynesian-style economic management have been curtailed, and with them the ability of states to shape whole areas of economic activity. At the same time, a variety of domestic and international institutions, insulated from direct political control but exercising key elements of sovereignty, have been created or grown in power to secure market-promoting policy choices and directions. These include central banks, key legal and credit-evaluating industries, and international bodies governing disputes in the areas of trade and finance. In order to secure their larger goals, states have unbundled long-accepted elements of sovereign power and delegated many of these elements to institutions over which their authority is no longer absolute.[8]

Second, as a result of these changes in the practice of sovereignty, the operation of state authority seems likely to be less tied to the promotion of the interests and security of the territorially defined political community than we have become used to. As the purposes and responsibilities of sovereignty are reordered, advanced capitalist states seem increasingly focused on the promotion of a global economic system and the specifically national interests and actors willing and able to compete and succeed in this environment. Those interests and actors unable to meet these criteria are increasingly excluded from significant participation in and influence over the making of state policy. It is in this sense that the boundaries of the state's authority are being redefined. It can no longer be taken for granted that a state will recognize any interest or group located within its territory as having a legitimate claim to its attention, and it will likely be increasingly attentive to the claims of interests and groups not clearly or deeply tied to its own territory (Evans). Indeed, I would suggest that in a globalized world states will tend to manage the persons and activities in their territories to maximize their attractiveness to global economic, technological, and social concerns and interests, rather than the reverse relationship to which we have become so accustomed.[9]

INTERNATIONAL MIGRATION AND THE BOUNDARIES OF THE STATE

If there is one area in contemporary politics in which the thesis of a declining significance of territory for state power seems clearly problematic, it would be the area of international migration and immigration policies. Over the past three decades, a combination of unrelenting civil conflict, deepening poverty, and inter-state conflict has generated a massive movement of population across the globe, to a degree unparalleled since the early parts of this century (Castles and Miller; Weiner). As these movements have translated into a rapid growth in the number of immigrants in the U.S. and Western Europe, they have generated a backlash of potent political force. In both areas, powerful movements have resisted the further influx of migrants, and have articulated their concerns in terms of the regaining of the state's control of its borders (Cornelius, Martin, and Hollifield). The states have responded to one degree or another, reforming and tightening rules of entry and devoting new resources to policing their borders against further entry of persons. Immigration policy, then, would seem to provide a prima facie case for the limitations of the model of the emerging state that I have offered.

However, the story turns out to be more complicated than this initial account would suggest. The movement of migrants has indeed produced a call to "renationalize" the territorial borders of the state,[10] but a closer look at the sources of this movement and the responses of states reveals that international migration is closely connected to globalization. Moreover, this area of development turns out to be of crucial importance in understanding the structure of sovereignty in a globalized world and the ways in which political conflict shapes and limits the evolution of the practice of state power and authority. In the next sections of this article, I will present a tentative outline of the links between global migration, immigration policies in advanced capitalist states, and the emerging practice of state sovereignty.

Migration and Globalization

The scholarship on global population migration points to a number of crucial factors that have contributed to the explosion of migration over the past three decades. In this work, the kinds of civil and military conflicts that have been mentioned play a central role, as do the ways in which major states have involved themselves in these conflicts. The patterns of migration from the "underdeveloped" to the "developed" world tend to follow decades-long patterns of political and colonial influences: migrants from Southeast Asia, the Caribbean, and Central America head toward the U.S., while Africans and Middle Easterners dominate migration towards Western Europe. The growth of such steady patterns of migration has also been closely tied to the spread of a more open and integrated global system of production and services.[11] As territorial borders have diminished in significance for the location of economic activity,

firms and individuals have developed international sources of labor supply as well.

Such patterns of labor migration date back to the early post-World War Two era, but have changed their form considerably. In the case of the U.S. migrant agricultural labor programs and the guest worker programs in Europe, the organization of labor flows in the two decades after the War was closely directed by the state. The recent growth of these flows, however, has been primarily organized by "private" organizations and individuals. These include a variety of networks, including ethnically based recruitment of unskilled workers, the more informal networks for the recruitment and use of (often undocumented) service workers, and the corporately organized recruitment of highly skilled technical and managerial labor. While states in the receiving countries still set the overall framework for the movement of labor, much of the actual organization of the process is increasingly in the hands of nonstate actors. As in the 19th century, states have seemed willing to delegate much of the task of securing a labor supply abroad to those actors and organizations with a specific interest and stake in the process.

However, states have been more than passive agents in this process. The U.S. provides a good example of the ways in which policy choices have shaped the flow of migrant labor.[12] These choices can be grouped into two major categories. First, U.S. economic and social policies over the past two decades have facilitated the development of an economic structure increasingly dependent upon low-wage unskilled labor. As the distribution of income grew more unequal, technological innovation eliminated many well-paid manufacturing and service jobs, and corporations downsized in the pursuit of new efficiencies, successive U.S. administrations reacted by doing little to counter this trend and indeed celebrated much of it as indications of the revival of the competitiveness of the economy. At the same time, the economy was generating millions of new jobs, but many if not most of these were low-skilled, low–paid forms of employment, and many involved part-time employment. Meanwhile, there were continuing declines in the strength of unions in the private sector and in efforts aimed at enforcing labor standards, as well as a refusal by government to act effectively against employers using undocumented labor. Together, these trends created a labor market that was well matched to the kinds of skills and the willingness to work characteristic of most of the world's migrants.

However, the nature of the migrant flow to the U.S. over the past decades has not been random. It has been shaped to a great degree by the policy choices that fit the second category, that of U.S. immigration policy.[13] As is well known, current immigration rules date from the 1965 Immigration Act, which restructured the legal regime to eliminate ethnically based quotas and replace them with a system that did not discriminate on the basis of race or national origin, and which was based on the primary value of family reunification and secondarily on attracting

migrants with skills in short supply domestically. While the emphasis on family reunification seems to have been based primarily on humanitarian concerns, it has played a central role in sustaining the flow of relatively low-skilled migrants into the U.S. economy, and has been important in generating the family and ethnic networks that organize a good deal of the travel and settlement of migrants in the world today. Moreover, beginning with the 1980 Refugee Act, U.S. policy has expanded the kinds of categories through which migrants may qualify for entry into the country, while at the same time steadily increasing the allowable level of legal immigration.

The 1990 Immigration Act solidified these directions in U.S. law. It also introduced a more recent attempt to encourage the migration of highly skilled technical and managerial workers to benefit the economy. The global competition for such workers is of growing importance for corporations with a global presence, and from 1990 onward U.S. immigration policy has attempted to facilitate this by allocating an increasing amount of skill-based permits to enter the country to these kinds of workers. Moreover, U.S. policy has been active abroad in pushing for reduced barriers against such movement around the world, as the EU has done within its borders. The increasingly large role played by American lawyers, insurance companies, and financial specialists around the world is evidence of the success of this policy. All told, then, the combination of general political-economic policy directions with the specific priorities of immigration law in the U.S. has played an important role in accommodating and shaping the global flow of migrants generally and its effect on U.S. society in particular. Rather than simply defending its borders, U.S. policy has manipulated the control over territory to facilitate the flow of certain types of persons across those borders, and has done so in a way that generally matches the structures of the increasingly globalized world economic system.

Moreover, as the tentative developments associated with the labor regulations of the NAFTA agreement illustrate, U.S. policy is beginning to explore the use of bilateral arrangements for governing the flow of migrants across its borders (Sassen 1998). To be sure, there is much less of this kind of activity in the area of migration than in trade and finance. However, the policy record in this traditionally sensitive area of state power and authority shows some of the same transformations in the operation of sovereignty. Thus, instead of the unified and absolute image of the classical theories, a regime emerges in which the state's regulation of the process of migration is partially delegated to nonpublic organizations and institutions, and the framework of immigration policy is adapted as much as is possible to direct the flow of migrants towards the composition most suited to the kind of globalized and competitive economy and society increasingly important to the state's priorities. Another part of this process is the disposition to treat the territorial borders of the state as tools to promote a larger global agenda, rather than as barriers to the penetration of global changes into a domestic society understood as the focus

of protection. Even in the area of population movement, then, there are clear indications of the emergence of a practice of sovereignty that is less directly linked to and less devoted to the primacy of territorial borders.

Migration and the Politics of Sovereignty

Up to this point I have been using a relatively apolitical model to examine the changing practice of state power and sovereignty, focusing on the choices of states in response to changing global and domestic economic conditions and priorities. However, the rearrangement of the relationship between state and territory is a deeply political process involving much conflict, and in no area is this clearer than in the politics of migration. In all advanced capitalist states, the growing impact of global migration has led to the emergence of powerful movements demanding the renationalization of the state. Embodied in the demand for limitations on immigration, these movements go beyond relatively extreme political activists and have had significant effects in recent years, leading to important changes in immigration policy in these states (Brubaker; Cornelius, Martin, and Hollifield; Joppke 1998b). Such movements, which are demanding what might be called the "reterritorialization" of the state, are central to the contemporary politics of globalization, and exploration of their origins can convey much about the changing role of the state.[14]

The key to these protests lies in the ways in which globalization and migration work to "devalue" citizenship (Schuck). As Schuck has presented it, this notion indicates the ways in which the differences between the rights, status, and obligations of citizens and legal—and to some extent illegal—residents of a particular state have been minimized over time. When Western states began accepting large flows of migrant labor in the 1950s, they generally took care to clearly distinguish the status and rights of such persons from those of citizens. Beginning in the 1960s, however, such distinctions gradually eroded. In Western Europe, as Yasemin Soysal (1994) has argued, this erosion resulted from the increasing eligibility of migrants for the social and economic protections provided by the welfare state, and came to include the extension to migrants of most of the legal protections offered to citizens. The increasing incorporation of international human rights law and European human rights principles into the domestic legal systems of the member states accounts for much of this development. The central thrust of these principles is to diminish the ability of states to deny to migrants the protections offered to citizens—to use citizenship status as a basis for legal discrimination (Bosniak). As David Jacobson has pointed out, a similar development has occurred in the U.S., but here the impetus has come from the role of the judiciary in using the Constitution's protections for "persons" (as opposed to citizens) to restrict the state's ability to deny to migrants a newly expanded set of social benefits and due process of law protections.[15] In both contexts,

there remains little beyond the right to vote that distinguishes between the privileges of citizens and those of other residents.

This kind of devaluation of the status of citizenship fits well with the model of a declining significance of territory in the practice of state power. However, it also runs up against deeply ingrained ideas—derived both from modern nationalism and from modern democratic thought—according to which the state owes a primary obligation to the (in many cases native-born) citizens from which it derives its authority. In this tradition, the territorial borders of a state play a central role in defining the boundaries of the state and the purposes it should pursue. As states began admitting more migrants and as these migrants became eligible for more of the privileges of citizenship, it is not surprising that the notion that states were abandoning citizens and losing control of their borders came to be more appealing to a wide constituency. It has also been fortuitous for such movements that the past two decades have brought more economic insecurity to major sections of the population. The lack of an effective response to such insecurity has worked to further the openness of many to the argument that the state is less and less responsive to the interests of citizens and needs to be reigned in, reconnected to its primary constituency.

The impact of such movements over the past five years has been substantial. We have seen significant attempts in both France and Germany to limit the further influx of migrants and to reemphasize the status of citizenship. In the U.S., these concerns have usually been articulated in the context of illegal immigration, and since the 1980s there has been a steady stream of attempts to reestablish control over the flow of such migrants, especially across the border with Mexico. More striking were the changes enacted in the 1996 Immigration Reform and Welfare Reform Acts, which for the first time denied to legal residents and even naturalized citizens some of the social benefits provided by what remains of the welfare state. This act also denied to noncitizens many of the due process protections that had been extended by the judiciary over the past two decades. Moreover, the issue of immigration played an important role in the unprecedented popular mobilization against the NAFTA treaty in 1992 and 1993. It has been the issue of migration more than any other that has placed the question of territory back at the center of political conflict. In their demands for the state to clearly demonstrate its primary commitment to those within its borders, these movements strike at the heart of new forms of state power and sovereignty that have developed along with and in response to globalization.

The anti-immigration politics of border control are only one part—if the most obvious in some contexts—of a variety of attempts to reterritorialize political authority at the end of the century. Similar arguments and coalitions have emerged in the conflicts over free trade agreements, environmental protections, and the social and economic priorities of the state. Up to this point, these movements may have slowed the process

and impact of globalization, but have yet to show the ability to stop it. Nonetheless, they have demonstrated some of the crucial issues at stake in the evolution of the modern state, and may have begun a fundamental discussion over the limits of the emerging model of state power and authority.

Globalization, Sovereignty, and Immigration

To this point, I have presented an alternative framework for thinking about the impact of global change on the contemporary state, and have tried to show how this framework can help us make sense of the impact of global migration on the politics of advanced capitalist states, especially the U.S. As in the more familiar areas of trade and monetary policies, American immigration policy has played a major role in promoting and facilitating the flow of persons across the territorial borders of the state, in order to accommodate and advance the goal of more deeply immersing the American economy into a global economic system while also enhancing its ability to prosper in that system. In the process, the relationships between the state, its territorial borders, various private organizations and actors, and the nation have all undergone some significant transformation. As it encouraged the flow of migrants into domestic society, the state created a context for the growth of highly developed networks of ethnic organizations, corporate labor recruiters, and local government agencies that have taken the lead in organizing and sustaining the flow of labor into the U.S. The deeper the connections between American employers and ethnic organizations with sources of labor in other countries, the more American policy-makers have been forced to take the interests and influence of these countries into account in the making of policy concerning legal and illegal immigration, refugees and asylum-seekers, and the control of its borders.

These kinds of considerations have worked their way into American policy-making by other means as well. I have already referred to the arguments of Sassen and others that the greater involvement of American domestic society in global patterns of migration has meant that American policy has had to respond to changing international norms for treating migrants, and to the influence of public and civic international institutions such as Amnesty International and Human Rights Watch that aim to ensure that state practices live up to these norms. Perhaps more important, though, is the fact that the emergence of relatively permanent communities of migrants within American society has created new constituencies within the territorial boundaries of the polity, constituencies which promote the same aims. As Jeannette Money has shown, the organization and involvement of migrant communities within the political process of the country of settlement is the most powerful way in which international processes of migration work to transform the political context of policy-making in the contemporary state. All of these processes

point in the same direction. As the U.S. has been immersed in global processes of population migration, the political constituency to which policy-makers must respond has been broadened to include a variety of interests and purposes that are not defined and limited by the territorial boundaries of the national community. In this area as well, the boundaries of the state are less and less defined by the territorial borders of the nation.

What does this mean for the impact of migration and immigration on the practice of sovereignty? An important group of scholars has argued that it means little. For James F. Hollifield and Christian Joppke (1998a), arguments contending that immigration has undermined the sovereignty of governments in Western Europe and North America are misguided, for three basic reasons. First, the states that have become major recipients of immigration have done so because of policy choices made by governments pursuing domestically defined priorities. Second, the extent that these states are now constrained in their ability to limit the flow of migrants is primarily due to liberal political norms deeply incorporated in their legal systems and institutional practices. Western states remain open to immigration and provide a variety of legal protections and social services to migrants because of the liberal imperatives of nondiscrimination and human rights. Finally, as discussed above, liberal states have in fact shown the capacity to control and reduce the flow of migrants when domestic political imperatives and alignments push them in that direction. Liberal democratic states may indeed be experiencing much more immigration than many of their citizens approve of, but it is hardly evidence of any decline in their sovereignty.

There is much to be said in support of these arguments. Indeed, my own account of the politics of global migration and immigration illustrates the importance of these writers' major contentions. Most importantly, the success of the recent backlash against liberal immigration policies in the Western Europe and the U.S. clearly shows states' continuing ability to exercise significant control over who and what moves across their borders (Andreas).[16] However, it seems to me that the overall thrust of Hollifield's and Joppke's analyses misses the central issue by limiting the discussion of sovereignty to the ability to physically control what passes across the state's territorial borders. When we look at the broader dimensions of sovereignty—the scope of the state's claims to authority, its relationship to the territorially defined national community as its major constituency, and the structure of the policy-making process—we can see significant changes in the ways in which sovereignty is exercised, particularly in the relationship between the state and the borders of its territory. The point is not that sovereignty is or is not still relevant to the structure of politics in the contemporary world; it clearly is, and Hollifield and Joppke are effective in showing many of the reasons why. The real issue is the transformation in its objects and practices.

This is, after all, the key to the significance of the growth and success of movements to restrict immigration, especially in the U.S. While the

rhetoric of the conflict suggests that the main issue is sovereign control over territory, Sassen (1996) argues correctly that the real question concerns what the aims and priorities of the sovereign state will be, in the sense of its commitment to the priority of a globally structured and organized economy and society versus its role as defender of a territorially defined community. Immigration restriction movements are less about the capacities of the state than about the state's commitment to the primacy of the territory it governs; they attempt to recreate a match between the boundaries of the state's authority and the borders of its territory. As Andreas shows, governments may achieve some success in playing into the definition of the conflict as one about border control, but they have not been able to permanently address the grievances behind the restrictionist movement. The real conflict concerns the priorities of the state, the choices it makes among the many constituencies demanding its support. To be sure, this conflict is primarily played out in domestic politics. In the form of human migration, however, globalization has transformed domestic politics into a battleground between groups with very different visions of the proper boundaries of the state's authority and responsibility. It is in this sense that globalization has worked to transform the practice of sovereignty in the contemporary state.

CONCLUSIONS

I believe that this framework or understanding of the evolving practice of state power and sovereignty can help us move beyond the dichotomies of much public and a good deal of scholarly debate. Globalization does not imply the transcendence or irrelevance of the states and sovereignty. Not only does a globalized world economy depend on the support of states, but states are also quite active in continuing to regulate the development of such an economy. Moreover, territorial borders still matter greatly in the policy decisions of states—indeed, they are a crucial tool that states can and do use to pursue their ends in the global context—and in the political conflicts generated by globalization. However, the tendency of globalization is indeed to transform the practice of sovereignty. No longer is it persuasive to claim that nothing significant has changed in the operation and structure of the modern state, or that globalization is some sort of temporary, coincidental result of policy choices that can be easily reversed. Globalization is working to significantly reconstitute the nature of state power and sovereignty, and a central task for political scientists and policy analysts is to explore the implications of these changes for the future vitality and responsiveness of the democratic state.

Notes

1. Of course, these boundaries are the result not simply of the choices of individual states acting alone, but also of the result of the interactions of states

with one another and with other forces operating in the global arena. I will explore these interactions in more depth, but it seems clear that the ultimate responsibility for the boundaries remains with the modern state.

2. My analysis in this paper focuses on the role of the state and the impact of globalization in advanced capitalist societies, with a particular focus on the United States. The paper is the product of an ongoing research project on the impact of globalization on U.S. politics. While I believe the arguments may have a wider relevance, at this point my claims are meant only to apply in this context.
3. My own approach is closer to the second than the first of the alternatives, but rejects some key aspects of the usual forms in which it is presented. In this sense, it is closest to the work of Wolfgang Reinicke, which goes furthest in rethinking the question of sovereignty.
4. As scholars in the "hegemonic stability" school have emphasized, Britain played a central role in creating and managing these arrangements. It is probably fair to say that at any point certain dominant states define the direction of policy and purposes that characterize the system of states. However, this is quite different from suggesting that the policy of free trade was (or is) based on a decline of state power and ability to regulate economic flows. Rather, a redefinition of the purposes of states leads to a change in the kinds of policies and capacities relevant to the regulation of the flow of economic exchange across borders (Gilpin).
5. This is, of course, an oversimplification. In the U.S., for instance, immigration law at the time attempted to restrain the entry of migrants with criminal histories and uncertain economic resources, as well as those from Asia and Africa. Nonetheless, the general attitude of policy was to encourage the flow of migrant labor and to allow the activity to be organized primarily by nonpublic institutions and groups.
6. I have derived my basic inspiration and vocabulary for this approach from the work of Friedrich Kratochwil and John G. Ruggie (1993), although I do not follow either author in all respects and would not suggest that my applications are necessarily in exact conformity with their intentions.
7. I owe this formulation to the comments of a reader of the manuscript.
8. I want to thank a reviewer of this article for suggesting this formulation.
9. It is important to clarify this point. When I suggest that states are becoming more responsive to constituencies and interests not tied to their territorial borders, I do not necessarily mean that they are simply intervening in the domestic affairs of other states. To some extent this is the case, as in trade negotiations that involve U.S. demands that Japan or Europe reform domestic institutions or that developing countries change their labor practices. In my mind, these trends are less distinctive than the fact that states are increasingly limiting their responsiveness to interests that act globally and share a commitment to an increasingly globalized world. This does not always mean interests or actors outside of its territorial borders; in the case of the U.S., in particular, it means a realignment of power and influence among domestic firms and social groups. Globally organized or oriented interests always operate in specific places. In the emerging practice of sovereignty, they are likely to have a dominant position of access and influence with whatever state governs the particular territory in which they happen to be operating. For an excellent study of the way in which this process has shaped the politics of trade policy in the U.S., see Milner (1988).
10. The notion of the "renationalization" of the state's territory—the political demand that the state "return" to a kind of governance in which the central

goal is the insulation of domestic society from global processes and changes—is presented and developed by Sassen (1996, 1998).

11. These two sets of factors are of course often closely related. Thus, the spread of American corporations and economic activity abroad has been closely—though not always—linked to the exercise of American military and geopolitical power, and a similar connection fits the European cases as well.
12. The U.S. is a particularly relevant case, as it remains the largest recipient of migration in the "West."
13. There are many excellent sources on U.S. immigration policy over the past three decades. My account is based especially on DeSipio and de la Garza, Dittgen, Gimpel and Edwards, Isbister, and Reimers.
14. By "renationalization," I mean the demand that the state return to a policy of putting the interests of the national community ahead of those of global interests and priorities. By "reterritorialization," I mean a demand that the state consider only the interests of those living within its territory, and focus on defending its territorial borders against penetration from global forces. It is a demand that the boundaries of the state match the borders of its territory. While critics of globalization usually see these two terms as interchangeable, they need not be. In particular, the national community in which such demands are usually made often does not include many persons living within the territory of the state, especially those only recently arrived.
15. As a reviewer of this article notes, it is generally agreed among critics that Jacobson overestimates the degree of change in the U.S. and the degree of similarity between developments in the U.S. and in Western Europe. Moreover, federal court decisions in the 1990s have tended to reverse the course of previous decades, narrowing the protections provided for noncitizens.
16. Andreas' account also provides an important investigation of the gap between the triumphalist rhetoric of the Clinton Administration and the U.S. Border Patrol and the more limited success of these policies on the ground. He concludes that the increased commitment to "border control" is primarily important as a symbolic measure to distract popular protest, while U.S.-Mexican economic integration continues to deepen (Andreas).

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