

Hierarchical Citizenship in a World of Unequal Nation-States

Introduction

Citizenship in modern democratic states has a dual character. First, it denotes inclusion in a self-governing political community. Second, it means belonging to a specific national community, defined both by territorial boundaries and cultural practices. The democratic state appears in the guise of the nation-state, whose *citizen* is also a *national*. Political citizenship is universalistic and inclusive, while national belonging is culturally specific and exclusive. Everybody in the country is meant to belong, while the rest of the world is excluded: foreigners cannot belong. This dualism helps explain some contradictions such as: why the age of democratic nationalism was a period of devastating wars based on the total mobilization of populations of warrior-citizens; how democratic states could justify the colonization of the rest of the world; and why democracy and racism are so often linked (Castles and Davidson 2000).

The nation-state model had reached a nadir by 1945, following two world wars. The emergence of the bipolar power structure of the Cold

War seemed to herald a new, if perilous, world order. Yet, by 1990 the bipolar order was gone, and new discourses of economic globalization and global governance appeared to be finally

undermining the power of the nation-state.

Today, however, celebratory ideas of a global economy and society seem naïve. The East-West divide has been replaced by a new division between North and South. The nation-state has made a come-back: For the first time in history, the majority of countries have the institutional structures of nation-states, and most people are legally defined as citizens.

This article discusses the changing character of the nation-state and citizenship in this new situation. It focuses on two main aspects: first, how citizenship has been reshaped by complex new forms of international migration; second, the way the meaning of citizenship has shifted away from universalism and equality to denote a specific position within an unequal and hierarchical order of nation-states.¹

How Globalization and Migration Challenge Nation-State Citizenship

In fact, the formal principles of equality and cultural homogeneity have always been ideolo-

gies, even in long-established nation-states. Citizenship rights were often originally confined to male property holders of the dominant ethnicity and religion—women did not get the right to vote in France until 1944! The construction of democratic nation-states often meant compulsory assimilation of minority cultural groups. Today, ethnic minorities and indigenous peoples may have formal citizenship rights, but they are often excluded from real political and social rights. Citizenship in nation-states remains deeply *differentiated*.

Such contradictions inherent in nation-state citizenship have been sharpened by globalization. The dynamics of economic and social life now transcend national borders and cannot be fully controlled by national governments. Rapid improvements in transport and communications have led to unprecedented cultural interchange, undermining the nationalist ideology of distinct national cultures. Above all, globalization means increasing migrations of all kinds, which are closely linked to dramatic social transformations in both sending and receiving communities (Castles and Miller 2003). Technological advances make it possible for migrants to maintain close links with their areas of origin and to carry out circulatory or repeated mobility, leading to the emergence of *transnational communities*: groups with regular and significant activities in two or more countries (Portes, Guarnizo, and Landolt 1999; Vertovec 2004). Thus globalization changes the meaning of social and political space.

These trends pose difficult challenges to nation-states. In the past, governments believed that immigration would not cause significant cultural change. Either the migrants could be kept separate from the host population and denied citizenship rights on the “guestworker” model (in Germany, Switzerland, etc.) or they would be assimilated fully into the host community, as in the “classical immigration countries” (United States, Canada, and Australia). By the 1970s it was becoming clear that both these approaches were failing. Migrants experienced labor-market segmentation and residential segregation, and responded by developing ethnic communities with their own associations and businesses. Cultural and religious difference thrived.

If cultural diversity could not be avoided, states had to seek ways of managing it. Canada and Australia were first to introduce policies of multiculturalism. The state recognized the legitimacy of communities with their own languages, religions, and cultural practices, while at the same time adopting measures to ensure equal

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access to government services and protection against discrimination for minorities. Several European countries followed suit, some declaring themselves multicultural societies, while others officially rejected pluralism yet brought in specific measures to address issues of diversity and inequality in education and social policy. Virtually all Western immigration countries found it necessary to modify their citizenship laws to make it possible for immigrants and their descendents to be part of the political community (Aleinikoff and Klusmeyer 2000; 2001).

Since the mid-1990s, there has been a backlash against multiculturalism. The right sees immigrants as a threat to national identity and security, while the left is concerned about social cohesion and the weakening of welfare states. If citizenship is separated from national belonging, can it still be a basis for social cohesion and solidarity? Increasingly, immigrants and asylum seekers are seen as potential threats to security. France and other European countries are especially concerned about their large Muslim minorities. With the enlargement of the EU have come fears that local workers would be threatened by cheaper labor from new member-state countries: the competition of the “Polish plumber” was a key theme in the May 2005 French Referendum on the EU Constitution. Immigration has become a powerful symbol of the perceived threat of globalization. Entry rules have been tightened and multicultural policies cut back. Yet it is doubtful whether such measures can hold back powerful trends toward increased mobility and diversity.

The Rise of the Hierarchical Nation-State System

However, it is at the international level that the most dramatic shifts are seen. Many people hoped that the collapse of the Soviet Bloc in the early 1990s would lead to a more unified world, with resources diverted from arms to development. However, it soon became clear that the East-West conflict had been replaced by a North-South divide. Expectations of universal prosperity and human rights have been cruelly disappointed: inequality has grown rapidly (Freeman 2004), while violence and insecurity seem more widespread and intractable than ever.

The global order that has emerged since the end of the Cold War is new in character. It is based on a single superpower at its center, but, unlike earlier empires such as the Roman or 19th-century Britain, this center is surrounded not by powerless vassals, but by a hierarchy of states with varying levels of power. This order can be seen as a *hierarchical nation-state system*. Moreover, the varying power of states is reflected in a similar hierarchy of rights and freedoms of each state’s peoples: *hierarchical citizenship*.

The most distinctive feature of the new global order is that the overwhelming majority of polities now define themselves as sovereign nation-states. The membership of the United Nations has grown from 50 in 1945 to 191. The great majority of these states have adopted the institutional structures of democratic nation-states, including constitutions, elections, and the rule of law. Of course, in many cases these institutions are mere facades for authoritarian regimes, but the ideological hegemony of the nation-state model is obvious. In international law, all nation-states are equal. In reality however, there is a marked hierarchy in which power flows from the center through a number of intermediate levels. This is not a simple process in which the superpower can pass out orders which must be obeyed. The principle of nation-state sovereignty means that complicated incentives and pressures are used to obtain compliance. The following hierarchy is apparent:

Tier 1: The U.S.—globally dominant in military, economic, political and cultural affairs.

Tier 2: Highly developed countries like the EU member states, Japan, Canada, and Australia.

Tier 3: Transitional countries like Russia, and newly industrializing countries like Brazil or Malaysia.

Tier 4: The less-developed countries of the South.

Tier 5: “Failed states” like Somalia; “rogue states,” such as North Korea; and peoples without states like the Palestinians and Kurds.

Positions in the hierarchy are not permanently fixed. Central and Eastern European countries are moving from Tier 3 to 2 through reforms linked to EU membership. East Asian and Latin American states strive to become modern developed countries, although there is always the threat of being pushed backwards by financial crisis, as Argentina experienced in 2002.

The hierarchy can be seen in various types of international interaction. *International law* is supposed to apply equally to all states and people. Yet the U.S. made strenuous efforts to prevent the International Criminal Court from trying U.S. citizens accused of crimes against humanity. Similarly, the U.S. has refused to apply the Geneva Convention rules on the rights of combatants to those accused of being terrorists. But such examples also show the limitations of U.S. hegemony: in 2004, the U.S. had to drop its claims to exemption to the jurisdiction of the International Criminal Court after revelations on the treatment of prisoners in Iraq.

The same applies to *rules on international trade*. The World Trade Organization (WTO) is designed to free up world trade through fair and universal rules. However, the U.S. continues to subsidize and protect its own producers. U.S. subsidies to cotton farmers so depress cotton prices that peasant farmers in Africa lose more than \$350 million a year (Stiglitz 2002, 269). Similarly, the EU’s Common Agricultural Policy is a major factor in ruining the livelihoods of farmers in Africa (Oxfam 2002). Here too we see limitations: in 2005, the WTO declared the U.S. cotton subsidies illegal, although it remains to be seen whether they will be removed.

For centuries, sovereign states have claimed a monopoly over the means of violence. In the hierarchical nation-state system, this has been redefined as a *monopoly over weapons of mass destruction and the means of their delivery* by a select group of Northern powers. The U.S.—the only country to have used both nuclear and chemical weapons (Agent Orange in Vietnam)—classifies less-developed countries that try to break this monopoly as “rogue states” that may be legitimately attacked.

The hierarchy of power also exists in the organs of *global governance*. Each state is supposed to have equal voting rights in the United Nations, the IMF, and the WTO. But states that vote against Northern interests are put under considerable pressure. Financial incentives and threats of denial of investment and aid are used to secure the outcomes wanted by the more powerful states.

Hierarchical Citizenship

Citizenship as a global norm implies the possession of a set of civil, political, and social rights, but again this legal principle masks a steep real hierarchy.

Tier 1: U.S. citizens enjoy a high level of formal rights. Democratic structures and a strong legal system ensure that most Americans can successfully claim these rights. But even here there are exceptions: Native Americans, African Americans, and other ethnic or religious minorities may experience discrimination and exclusion.

Tier 2: The citizens of other highly developed countries also enjoy strong rights and the rule of law. Rights may be somewhat weaker than in the U.S. in some areas—such as legal protection—but stronger in others—especially welfare.

Tier 3: Citizens of transitional and intermediate countries have lower standards of rights and legal protection. Corruption and ineffective policing can reduce personal security. Elections may be less fair, social protection less developed, and health services less effective.

Tier 4: The people of the poorer countries of the South may be citizens in name but not in reality. Elections are often mere facades for dictatorial regimes. Police and armed forces may oppress the people rather than protect them, and welfare systems may be almost non-existent. The poor quality of social services is sometimes the result of structural adjustment policies imposed by the North.

Tier 5: The worst thing to be in a world of nation-states is a “non-citizen.” This includes people living in a country where the state has disintegrated and there is no protection from armed factions. Many states in the South, such as Somalia, Sierra Leone, the Democratic Republic of the Congo, Afghanistan, and Azerbaijan, have passed through or are in such conditions. It is equally bad to live in a country defined as a “rogue state” by the U.S., because this can mean not only oppression by the local ruler, but the threat of bombardment or even invasion. Refugees are also often stateless people without citizenship. In a world of nation-states, statelessness equals social death.

Thus the absolute equality of human rights laid down in the instruments of international law does not exist in social reality, where hierarchy and relativism prevail. All people may have certain rights on paper, but many lack the opportunities and resources to actually enjoy these rights.

Is Democratic Citizenship still Possible?

The hierarchies of nation-states and citizenship are among the factors that perpetuate underdevelopment and conflict in the South. They are also powerful markers of difference: all passports are equal, but some are more equal than others. Such international hierarchies have not replaced national hierarchies (the differenti-

ated citizenship mentioned above). Rather they interact with them in complex ways. Together they add up to a new global order of domination, in which the legal principle of equality of nation-states and of citizens is in stark contradiction to a reality of hierarchy and exclusion.

Does this mean that hierarchical citizenship is inevitable under conditions of globalization? That would imply that democracy—in the sense of the active participation of citizens in law-making and government—has no future. I do not think that this is the case. Globalization cannot be reversed, but there could be more democratic and inclusive forms of global governance.

This is not just a theoretical possibility. Recent disputes over military intervention, human rights, trade policy, and the environment show that the hierarchical nation-state system is neither monolithic nor free of countervailing forces. Dissenting voices can be found at every level. It is important to remember that the rise of democracy from the 17th century onwards was not the result of inexorable structural processes, but rather of human agency in the form of social and political movements (Habermas 1996). Such movements exist today too. They include environmental, anti-racist, pro-development, and anti-war movements, as well as political parties.

A move from hierarchical to *transnational citizenship* would have several components. First, since the nation-state remains the central focus of power, more inclusive and effective forms of citizen participation are needed at this level. Groups that suffer exclusion need special measures to allow genuine participation in various sectors of society.² Measures are also needed to allow greater citizen participation through the devolution of decisions to local and regional levels, information provision using new technologies, and democratization of administrative bodies (for instance health, housing, or education authorities).

Second, many crucial decisions are now made by international bodies, so democracy needs to be established at this level too. The governing councils of the IMF, the WTO, and the World Bank are dominated by the finance and trade ministers of the North. Southern governments have little say, and the farmers, workers, and poor people of the world are not represented at all (Stiglitz 2002, Chapter 9). Broadening participation to include both Southern governments and directly elected representatives of the world's people would be an enormous step toward democracy.

Third, if global institutions had a democratic mandate, there would be greater legitimacy for international action in situations of oppression or conflict. In the past, interventions have mainly been about securing Northern interests by containing refugee flows, controlling strategically important areas, securing vital commodities (especially oil), and combating threats of terrorism. With greater democracy and transparency in international decision-making, there might be more willingness to act to prevent genocide, to curtail racial, ethnic, or religious repression, and to depose despots who oppress their own people.

Notes

1. More detailed treatments of this theme are to be found in Castles (2003; 2005).

2. See, for instance, Bauböck (1996); Gutmann (1994); Kymlicka (1995); Young (1989).

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