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Old Borders and New Bordering Capabilities: Cities as Frontier Zones

Vecchi confini e nuove possibilità di confinamento.
Le città come zone di frontiera

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ABSTRACT

The global city is a new frontier zone. Deregulation, privatization, and new fiscal and monetary policies create the formal instruments to construct their equivalent of the old military “fort”. The city is also a strategic frontier zone for those who lack power, and allows the making of informal politics. At the same time the border is a mix of regimes, marked by protections and opportunities for corporations and high-level professionals, and implies confinement, capture and detention for migrants. The essay discusses the transformation of the city in a frontier zone and analyses the separation between the capabilities entailed by territoriality and the geographic territory tout court. The analysis focuses on the effects of neoliberal policies that, far from making this a borderless world, have actually multiplied the bordered spaces that allow firms and markets to move across conventional borders. Cities are therefore one of the key sites where new neoliberal norms are made and where new identities emerge.

KEYWORDS: Global City; Border; Territory; Authority; Migrants.

La città globale è la nuova zona di frontiera. Deregolazione, privatizzazione e nuove politiche fiscali e monetarie creano gli strumenti formali per costruire il loro equivalente del vecchio fortino “militare”. La città è anche la zona strategica di frontiera per coloro che non hanno potere, e consente la nascita di una politica informale. Allo stesso tempo il confine è un mix di regimi, segnato da garanzie e opportunità per le multinazionali e i professionisti di alto livello, e implica confinamento, trattenimento e detenzione per i migranti. Il saggio discute la trasformazione della città in zona di frontiera e analizza la separazione tra le capacità derivanti dalla territorialità e il territorio geografico nel suo insieme. L'analisi è incentrata sugli effetti delle politiche neoliberali, le quali, lungi dal determinare un mondo senza confini, hanno moltiplicato gli spazi confinati che permettono alle imprese e ai mercati di muoversi attraverso i confini convenzionali. Le città sono perciò un luogo cruciale dove nuove norme neoliberali sono istituite e dove emergono nuove identità.

PAROLE CHIAVE: Città Globale; Confine; Territorio; Autorità; Migranti.

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The large complex city, especially if global, is a new frontier zone¹. Actors from different worlds meet there, but there are no clear rules of engagement. Where the historic frontier was in the far stretches of colonial empires, today's frontier zone is in our large cities. It is a strategic frontier zone for global corporate capital. Much of the work of forcing deregulation, privatization, and new fiscal and monetary policies on the host governments had to do with creating the formal instruments to construct their equivalent of the old military "fort" of the historic frontier: the regulatory environment they need in city after city worldwide to ensure a global space of operations.

But it is also a strategic frontier zone for those who lack power, those who are disadvantaged, outsiders, discriminated minorities. The disadvantaged and excluded can gain *presence* in such cities, presence vis a vis power and presence vis a vis each other. This signals the possibility of a new type of politics, centered in new types of political actors. It is not simply a matter of having or not having power. There are new hybrid bases from which to act. One outcome we are seeing in city after city is the making of informal politics.

Both the work of making the public and making the political in urban space become critical at a time of growing velocities, the ascendance of process and flow over artefacts and permanence, massive structures that are not at a human scale, and branding as the basic mediation between individuals and markets. The work of design produces narratives that add to the value of existing contexts, and at its narrowest, to the utility logics of the economic corporate world. But there is also a kind of public-making work that can produce disruptive narratives, and make it legible the local and the silenced.

1. Borders, Bordering Capabilities, and Frontiers

Today the border is a mix of regimes with variable contents and locations. Different flows, of capital, information, professionals, undocumented, each constitutes bordering through a particular sequence of interventions, with diverse institutional and geographic locations. The actual geographic border is part of the cross-border flow of goods if they come by ground transport, but not of capital, except if actual cash is being transported. Each border-control intervention can be conceived of as one point in a chain of locations. In the

¹ This is based on the author's *Territory, Authority, Rights: From Medieval to Global Assemblages*, Princeton, Princeton University Press, 2008 (Italian translation: *Territorio, autorità, diritti. Assemblaggi dal Medioevo all'età globale*, Milano, Mondadori, 2008); *Guests and Aliens: Europe's Immigrants, Refugees and Colonists*, New York, New Press, 1999 (Italian translation: *Migranti, coloni, rifugiati. Dall'emigrazione di massa alla fortezza Europa*, Milano, Feltrinelli, 1999); and *Expulsions: Brutality and Complexity in the Global Economy* (Cambridge (Mass.), Harvard University Press 2014 (Italian translation: *Espulsioni. Brutalità e complessità nell'economia globale*, Bologna, Il Mulino, 2015). Full research and bibliographic development of the core issues addressed here can be found in these three books.



case of traded goods these might involve a pre-border inspection or certification site. In the case of capital flows the chain of locations will involve banks, stock markets, and electronic networks. The geographic borderline is but one point in the chain; institutional points of border control intervention can form long chains moving deep inside the country.

One image we might use to capture this notion of multiple locations is that the sites for the enforcement of border regimes range from banks to bodies. When a bank executes the most elementary money transfer to another country, the bank is one of the sites for border-regime enforcement. A certified good represents a case where the object itself crossing the border is one of the sites for enforcement: the emblematic case is a certified agricultural product. But it also encompasses the case of the tourist carrying a tourist visa and the immigrant carrying the requisite certification. Indeed, in the case of immigration, it is the body of the immigrant herself which is both the carrier of much of the regime and the crucial site for enforcement; and in the case of an unauthorized immigrant, it is, again, the body of the immigrant that is the carrier of the violation of the law and of the corresponding punishment (i.e. detention or expulsion).

And yet, notwithstanding this variety, today we are seeing a collapse of diversity, and a starker bipolar differentiation than the older histories described. A large segment of actors, from firms to professionals, move in protected transversal bordered spaces; these bordered spaces are impenetrable. No coyote can take you across those novel borderings. At the other extreme, are the less protected, those which need to demonstrate their claim to entry, whether tourists or migrant workers; and at its most extreme, a less protected, more persecuted mix of people for whom the crossing of the border has degraded into an operation marked by the violation of their most basic rights as human beings. The cross-border space of corporations and high-level professionals is marked by protections and opportunities. The cross-border space of migrants, whether documented or not, is marked by a shift from opportunity to confinements of all sorts, at its sharpest, a space of capture and detention.

There are multiple diverse active borders in and around Europe. It could be said, that in their richness, brutality, and complex histories, such borders are a heuristic space: they tell stories about inter-state borders that are much larger than the conventional and formal account of such borders. Such borders are a space that makes the migrants who cross the border into a historic agent whose movements signal that a larger history is in the making in the places where they come from. The migrants themselves are not the only makers of their decision to migrate –it could be the devastating programs of the IMF and the

World Bank that are making those larger histories that activate people into becoming migrants to foreign countries. I have long thought of certain migrations as vanguards that are telling us much more than their movement from misery to (hopefully) possibility. These activators also include what look like long-standing, seemingly never-ending migration flows, but in fact are made up of multiple particular histories. There are endings and there are beginnings of new flows, with diverse geographic and temporal frames even when the statistics show an ongoing flow of some nationalities across the centuries. In short, migrations are far more embedded in larger conjunctures that such accounts suggest.

Let me elaborate on this mix of themes.

A direct effect of globalization, especially corporate economic globalization, has been to create increasing divergence among different border regimes. Thus the lifting of border controls on a growing variety of capital, services and information flows has taken place even as other border regimes maintain closure, and impediments to cross-border flows are made stronger, e.g., the migration of low-wage workers. We are also seeing the construction of specific “borderings” to contain and govern emerging, often strategic or specialized, flows that cut across traditional national borders, as is the case, for instance, with the new regimes in NAFTA and WTO, especially the GATTs, for the cross-border circulation of high-level professionals. Where in the past these professionals may have been part of a country’s general immigration regime, now we have an increasing divergence between the latter and the specialized global, rather than national, regime governing these professionals.

The multiple regimes that constitute the border as an institution can be grouped, on the one hand, into a formalized apparatus that is part of the inter-state system and, on the other, into an as yet far less formalized array of novel types of borderings lying largely outside the framing of the inter-state system. The first has at its core the body of regulations covering a variety of international flows – flows of different types of commodities, capital, people, services, and information. No matter their variety, these multiple regimes tend to cohere around a) the state’s unilateral authority to define and enforce regulations, and b) the state’s obligation to respect and uphold the regulations coming out of the international treaty system or out of bilateral arrangements. The second major component, the new type of bordering dynamics arising outside the framing of the interstate system, does not necessarily entail a self-evident crossing of borders; it includes a range of dynamics arising out of specific contemporary developments, notably emergent global law systems and a growing range of globally networked digital interactive domains.



Global law systems are not centered in state law – that is to say, they are to be distinguished from both national and international law. And the global digital interactive domains are mostly informal, hence outside the existing treaty system; they are often basically ensconced in sub-national localities that are part of cross-border networks. The formation of these distinct systems of global law or globally networked interactive domains entails a multiplication of bordered spaces. But the national notion of borders as delimiting two sovereign territorial states is not quite in play. The bordering operates at either a trans- or supra-national or a sub-national scale. And although these spaces may cross national borders, they are not necessarily part of the new open-border regimes that are state centered, such as those, for instance, of the global trading system or legal immigration. Insofar as these are global bordered domains they entail a novel instance of the notion of borders.

State sovereignty is usually conceived of as a monopoly of authority in a particular territory. Today it is becoming evident that state sovereignty articulates both its own borders and accommodates novel types of borderings. Sovereignty remains as a systemic property but its institutional insertion and its capacity to legitimate and absorb all legitimating power have become unstable. The politics of contemporary sovereignties are far more complex than notions of mutually exclusive territories can capture.

The question of a bounded, that is to say, bordered territory as a parameter for authority and rights has today entered a new phase. State exclusive authority over its territory remains the prevalent mode of final authority in the global political economy; in that sense, then, state centered border regimes—whether open or closed—remain as foundational elements in our geopolity. But these regimes are today less absolute formally than they were once meant to be. An additional factor is that critical components of this territorial authority that may still have a national institutional form and location are actually no longer national in the historically constructed sense of that term; they are, I argue denationalized components of state authority: they look national but they are actually geared towards global agendas, some good, some not so good at all.

Insofar as the state has historically had the capability to encase its territory through administrative and legal instruments, it also has the capability to change that encasement --for instance, deregulate its borders and open up to foreign firms and investment. The question that concerns me here is whether this signals that the capabilities entailed by territoriality, a form of exclusive and final authority, can be detached from geographic territory. Such detachment is conceivably partial and variable, depending on what is to be subjected to authority. This in turn raises a question about how the issue of borderings

functions inside the nation state. Thus the “border function” is increasingly embedded in the product, the person, the instrument: a mobile agent that endogenizes critical features of the border. Further, there are multiple locations for the border, in some cases long transnational chains of locations that can move deep inside national territorial and institutional domains. For instance, in financial flows, the actual border “moment” is often deep inside a country –a bank certifying the legitimacy of a money wire. Certified agricultural products often have their first border “moment” in the country where the product is grown.

In my reading, the locations of bordering capabilities are today in a phase of sharp unsettlement which opens up a whole new research agenda. Many of the active borders on the periphery of the EU are some of the most intense border zones in the world, which makes them particularly heuristic for the larger question of bordering and the hanging meaning of frontiers—well beyond the conventional geographic state-border.

A key process that makes visible some of these shifts is the *making of* new types of transversal bordered spaces. These new types of borderings include, most prominently, the global electronic financial market and the global operational space of global firms. But they also include the formalizing of a subject with cross-border portable rights: these are the new transnational professionals who move with the protections of the global trade regime, not only WTO but also the proliferation of regional trade organizations. It allows these professionals to circulate across borders and move freely through the networks that connect the 75 plus global cities in the world today. This is a transversal border that cuts across conventional state borders, but is a tighter border than those geographic borders, and even than the weaponized fence between Mexico and the US (and possibly that the EU wants to build in the Mediterranean and off West Africa). The professionals who move through this regime are in a space that separates them radically from working class and poor migrants. It is a border that cannot be crossed –the instruments to enter that space are far less accessible than a trafficker, a coyote. And even the courage to take a run over the river and into the desert or hide in a truck or a fast train,.

The other avant-garde historic agents in this shifting meaning of the territorial border are the Multi National Corporation and global financial firms. The formalizing of their right to cross-border mobility is producing a large number of highly protected bordered spaces that cut across the conventional border. If there is one sector where we can begin to discern new stabilized bordering capabilities and their geographic and institutional locations it is in the corporate economy. The sharp shifts from geographic borders to transversally bordered spaces are now far more common and formalized for major corporate economic



actors than they are for citizens and migrants. Neoliberal policies, far from making this a borderless world have actually multiplied the bordered spaces that allow firms and markets to move across conventional borders with the guarantee of multiple protections as they enter national territories. Firms are now enveloped with a range of new types of institutionalized protections through these new transversal bordering capabilities, while citizens and migrants keep losing protections under neoliberal regimes.

This resonates with that other asymmetry: The international human rights regime is a weaker system of protections than the WTO provisions protecting the crossborder circulation of professionals. It is also weaker, though far broader, than the specialized visas for business people and the increasingly common visas for high-tech workers. In brief, these new transversal bordered spaces provide particular legal protections that are increasingly detached from their national territorial jurisdictions. They become incorporated into a variety of often highly specialized or partial global regimes, and thereby often transformed into far more specialized rights and obligations than those of the protections and visas offered by national states.

Such specialized types of re-territorializing represent an insertion of a transversal bordered space into the exclusive territory of state authority. But they are not to be confused with the latter. In that sense they denationalize what has historically been constructed as national. This is a highly bordered event, but the nature of this border is foundationally different from that of the nation-state, that is, from inter-state borders.

2. Cities as Frontier Spaces: The Hard Work Of Keeping Them Open

In this context the city is an enormously significant assemblage because of its far greater complexity and diversity, and its enormous internal conflicts and competitions. But if the city is to survive as a space of great complexity and diversity—and not become merely a built-up terrain or cement jungle—it will have to find a way to go beyond the fact of conflicts—conflicts that result from racisms, from governmental wars on terror, from the future crises of climate change.

Historically cities have tended to transform conflict into the civic—through commerce, through the need of peaceful coexistence in dense urban environments. In contrast, the logic of national states is to militarize the response to conflict. This capacity of the city also implies the possibility of making new subjects and identities. For instance, often it is not so much the ethnic, religious, phenotype that dominates in urban settings, but the urbanity of the sub-

ject and of the setting. Yet these shifts to the urbanity of subject and setting do not simply fall from the sky. It is often the need for new solidarities confronted by major challenges that can bring this shift about. The acuteness and overwhelming character of the major challenges cities confront today can serve to create conditions where the challenges are bigger and more threatening than the internal conflicts and hatreds. This might force us into joint responses and from there onto the emphasis of an urban, rather than individual or group subject and identity—such as an ethnic or religious subject and identity.

Cities are one of the key sites where new norms and new identities are *made*. Cities have played this role at various times and in various places, and under very diverse conditions. This role can become strategic in particular times and places, as is the case today in Europe. One important instance in the making of norms concerns immigration. What must be emphasized here is the hard work of making open cities and repositioning the immigrant and the citizen as urban subjects, rather than essentially different subjects as much of the anti-immigrant and racist commentary does. Here I address this issue from the perspective of the capacity of urban space to make norms and make subjects which can escape the constraints of dominant power systems -- such as the nation-state, the War on Terrorism, the growing weight of racism. The particular case of immigrant integration in Europe over the centuries is one window into this complex and historically variable question of the making of the European Open City.

In my reading, over and over again across time and space, the challenges of incorporating the “outsider” became the instruments for developing the civic in the best sense of the word. Responding to the claims by the excluded has had the effect of expanding the rights of citizenship. And very often restricting the rights of immigrants has been part of a loss of rights by citizens. This was clearly the case with the Immigration reform act passed by the Clinton Administration in the US—a Democratic Party legislative victory for an “Immigration Law” had the effect of taking away rights from immigrants *and* from citizens!

3. Anti-Immigrant Sentiment in Europe: When the Immigrant is Your Cousin

Anti-immigrant sentiment has long been a critical dynamic in Europe’s history, one too often overlooked in older standard European histories. And it is one that might take on new formats and contents today.

Anti-immigrant sentiment and attacks occurred in each of the major immigration phases in all major European countries. No labor-receiving country has a clean record—not Switzerland, with its long admirable history of interna-



tional neutrality and not even France, the most open to immigration, refugees, and exiles. French workers killed Italian workers in the 1800s and accused them of being the wrong types of Catholics. Critical is the fact that there were always, as is also the case today, individuals, groups, organizations, and politicians who believed in making our societies more inclusive of immigrants.

History suggests that those fighting for incorporation succeeded in the long run, even if only partially. Just to focus on the recent past, one quarter of the French have a foreign-born ancestor three generations up, and 34 percent of Viennese are either born abroad or have foreign parents. It took active making to transform the hatreds towards foreigners into the urban civic. If you consider, for instance, that to have a sound public transport system or health system means that you cannot decide to allow users according to whether they are considered good or bad people – you cannot check on this if you also want to have a running system. A basic and thin rule needs to be met: pay your ticket and you are on. That is the making of the civic as a material condition: all those who meet the thin rule – pay the ticket – can use the public bus or train, regardless of whether they are citizens or tourists, good people or not so good people, local residents or visitors from another city.

Europe has a barely recognized history of several centuries of internal labor migrations. This is a history that hovers in the penumbra of official European History, dominated by the image of Europe as a continent of emigration, never of immigration. Yet, in the 1700s, when Amsterdam built its polders and cleared its bogs, it brought in workers from northern Germany; when the French developed their vineyards they brought in Spaniards; workers from the Alps were brought in to help develop Milan and Turin; as were the Irish when London needed help building water and sewage infrastructure. In the 1800s, when Haussmann rebuilt Paris, he brought in Germans and Belgians; when Sweden decided to become a monarchy and needed some good-looking palaces, they brought in Italian stoneworkers; when Switzerland built the Gothard Tunnel, it brought in Italians; and when Germany built its railroads and steel mills it brought in Italians and Poles.

At any given time there were multiple significant flows of intra-European migration. All the workers involved were seen as outsiders, as undesirables, as threats to the community, as people that could never belong. The immigrants were mostly from the same broad cultural group, religious group, and phenotype. Yet they were seen as impossible to assimilate. The French hated the Belgian immigrant workers saying they were the wrong type of Catholics, and the Dutch saw the German protestant immigrant workers as the wrong types of protestants. This is a telling fact. It suggests that it is simply not correct to ar-

gue, as is so often done, that today it is more difficult to integrate immigrants because of their different religion, culture and phenotype. When these were similar, anti-immigrant sentiment was as strong as today, and it often led to physical violence on the immigrant.

Yet all along, significant numbers of immigrants did become part of the community, even if it took two or three generations. They often maintained their distinctiveness, yet were still members of the community—part of the complex, highly heterogeneous social order of any developed city. At the time of their first arrival, they were treated as outsiders, racialized as different in looks, smells and habits, though they were so often the same phenotype, or general religious or cultural group. They were all Europeans: but the differences were experienced as overwhelming and insurmountable. Elsewhere I have documented the acts of violence, the hatreds we felt against those who today we experience as one of us.

Today the argument against immigration may be focused on questions of race, religion, and culture, and might seem rational—that cultural and religious distance is the reason for the difficulty of incorporation. But in sifting through the historical and current evidence we find only new contents for an old passion: the racializing of the outsider as Other. Today the Other is stereotyped by differences of race, religion, and culture. These are equivalent arguments to those made in the past when migrants were broadly of the same religious, racial, and cultural group. Migration hinges on a move between two worlds, even if within a single region or country—such as East Germans moving to West Germany after 1989 where they were often viewed as a different ethnic group with undesirable traits.

What is today's equivalent challenge, one that can force us to go beyond our differences and make what it is that corresponds to that older traditional making of the European civic?

4. A Challenge Larger than Our Differences?

The particularity of the emergent global urban landscape is profoundly different from the old European civic tradition. This difference holds even though Europe's worldwide imperial projects remixed European traditions with urban cultures that belonged to different histories and geographies.

What this emergent urban landscape shares with the older tradition is the fact that some challenges are greater than our differences. Therein lies a potential for reinventing the urban capacity to transform conflict (at least relatively) into an expanded openness rather than into war, as is the case for national gov-



ernments. But it is not going to be the familiar order of the Open City and of the civic as we have come to represent it, especially in the European tradition.

I sense rather that the major challenges that confront cities (and society in general) have increasingly strong feedback loops that contribute to a disassembling of the old civic urban order. The so-called “War on Terrorism” is perhaps one of the most acute versions of this dynamic— that is, the dynamic whereby fighting terrorism has a strong impact on diminishing the old civic urban order. Climate change and its impacts on cities could also be the source of new types of urban conflicts and divisions. But I would argue that these challenges do contain their own specific potential for making novel kinds of broad front platforms for urban action and joining forces with those who may be seen as too different from us. Fighting climate change can bring together on one side of the battle, citizens and immigrants from many different religions, cultures and phenotypes. Similarly, fighting the abuses of power of the state in the name of fighting terrorism, can create similar coalitions bringing together residents who may have thought they could never collaborate with each other, but now that there is a bigger threat to civil rights that will also affect citizens, not only immigrants, novel solidarities are emerging. The spread of asymmetric war and climate change will affect both the rich and poor, and addressing them will demand that everybody join the effort. Furthermore, while sharp economic inequalities, racisms, and religious intolerance have long existed, they are now becoming political mobilizers in a context where the center no longer holds – whether this is an imperial center, the national state, or the city’s bourgeoisie.

Against the background of a partial disassembling of empires and nation-states, the city emerges as a strategic site for making elements of new, perhaps even for making novel partial orders². Where in the past national law might have been the law, today subsidiarity but also the new strategic role of cities, makes it possible for us to imagine a return to urban law. For instance, in the US, a growing number of cities have passed local laws (ordinances) that make their cities sanctuaries for undocumented immigrants; other cities have passed environmental laws that only hold for the particular cities. We see a resurgence of urban law-making, a subject I discuss in depth elsewhere (see *Territory, Authority, Rights*, ch 2 and ch 6)³.

² One synthesizing image we might use to capture these dynamics is the movement from centripetal nation state articulation to a centrifugal multiplication of specialized assemblages.

³ The emergent landscape I am describing promotes a multiplication of diverse spatiotemporal framings and diverse normative mini-orders, where once the dominant logic was toward producing grand unitary national spatial, temporal, and normative framings (See S. SASSEN, *Territory, Authority, Rights: From Medieval to Global Assemblages*, chaps. 8 and 9).

In my larger project I identified a vast proliferation of such partial assemblages that remix bits of territory, authority, and rights, once ensconced in *national* institutional frames. In the case of Europe these novel assemblages include those resulting from the formation and ongoing development of the EU, but also those resulting of a variety of cross-city alliances around protecting the environment, fighting racism, and other worthy causes. And they result from sub-national struggles and the desire to make new regulations for self-governance at the level of the neighborhood and the city. A final point to elaborate the strategic importance of the city for shaping new orders, is that as a space, the city can bring together multiple very diverse struggles and engender a larger, more encompassing push for a new normative order.

These developments signal the emergence of new types of socio-political orderings that can coexist with older orderings, such as the nation-state, the interstate system, and the older place of the city in a hierarchy that is dominated by the national state. Among these new types of orderings are complex cities that have partly exited that national, state-dominated hierarchy and become part of multiscale, regional, and global networks. The last two decades have seen an increasingly *urban* articulation of global logics and struggles, and an escalating use of urban space to make political claims not only by the citizens of a city's country, but also by foreigners.