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## INTERNATIONAL RELATIONS

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**People out of Place: Globalization, Human Rights, and the Citizenship Gap.** Edited by Alison Brysk and Gershon Shafir. New York: Routledge, 2004. 272p. \$75.00 cloth; \$24.95 paper.

— Shelley Wilcox, *Temple University*

The original essays in this anthology make a significant contribution to the ongoing debates about citizenship, human rights, and the future of the nation-state by exploring the contradictory impacts of globalization on the provision of individual rights. On the one hand, the transnational flows of people, capital, and technology associated with globalization have led to a deflation of citizenship rights, particularly for members of vulnerable groups, and created large noncitizen populations with significantly fewer rights than citizens. Yet on the other hand, the cosmopolitan aspects of globalization, such as the evolution of human rights and the expansion of liberal legal norms, create new levels of membership and new venues in which to claim rights. The book has two related goals. The first is to describe the complicated processes by which globalization is altering the nature of nation-state citizenship and creating a “citizenship gap” among global elites, legal citizens, marginalized citizens, and migrants. The volume’s second goal is to determine whether the cosmopolitan aspects of globalization can remedy the citizenship gap. Will existing nation-state citizenship and emerging universal rights regimes be sufficient to protect the rights of marginalized citizens and noncitizens? Or must human rights be embedded in global governance in order to close the citizenship gap?

Building on an historical introduction by Gershon Shafir, the essays in Parts II to IV masterfully accomplish the book’s first, descriptive goal. Part II provides fresh insights into the specific ways that the globalized political economy is reshaping the material and symbolic aspects of nation-state citizenship. It is widely agreed that neoliberalism inherently diminishes the social rights of citizens. Ronnie Lipschultz’s genealogy of citizenship lends new theoretical support to the view that neoliberal policies marginalize and constrict the national political sphere, thereby also weakening substantive political rights. Aihwa Ong’s chapter provides a fascinating account of a particular dynamic of economic globalization—the role of Asian entrepreneurs and techno-migrants in the Silicon Valley—and its impact on the social and symbolic meanings of American citizenship. She argues that the successes of Asian entrepreneurs and high-tech managers, which come on the backs of piecemeal and in-home migrant workers, have created a new class of elite, transnational citizens

while consolidating the notion that citizenship, and indeed humanity, must be earned through economic contribution, as measured in capital investment or transnational skills.

The chapters in Part III focus on the cosmopolitan aspects of globalization, describing the impact of human rights norms on state immigration laws, and ultimately, the practice of liberal democratic citizenship. Historically, states have enjoyed nearly complete authority to adopt whatever immigration policies are deemed to be in the national interest, and many have implemented discriminatory and exclusionary guidelines. Recently, however, argue David Jacobson and Galya Ruffer, and Peter Spiro, international law has begun to constrain state discretion over immigration and citizenship (e.g., requiring states to adopt nondiscriminatory admissions criteria). The most intriguing arguments in this part charge that the imposition of such universal norms, while moderating the citizenship gap between migrants and citizens, diminishes national democratic governance. Jacobson and Ruffer argue that the notion of individual agency implicit in human rights is displacing traditional democratic and republican practices. Political agency is no longer a matter of asserting one’s voice in the public sphere, but rather of pressing one’s rights via new judicial and administrative institutions. Echoing liberal nationalist concerns, Spiro warns that the external imposition of membership policies will erode national solidarity by undermining the connection between national identity and citizenship.

Together with Ong’s contribution, Part IV includes the book’s most illuminating chapters. Combining rich empirical studies with sophisticated theoretical analyses, these essays develop the volume’s central argument that globalization tends to benefit elites, while putting migrants and “second-class” citizens at risk. Gay Seidman argues that increasingly liberalized trade regimes provide a limited number of well-paying jobs to highly trained individuals, but generally worsen conditions for workers by weakening labor unions and undermining the ability of states to sustain labor and social rights. These effects are particularly acute in developing countries, where both unions and the state must be concerned with creating jobs and preventing capital flight. Kristen Maher’s chapter provides an insightful analysis of the new global “trade in domestic workers” (p. 131). Migrant domestic workers enhance the citizenship of their employers, she argues, but at a cost to their own rights: Domestic workers are subject to the same deficit of citizenship rights as other relatively poor migrants, and their gendered and racialized social positions in host states raise significant obstacles to claiming universal rights. Finally, Alison Brysk examines a neglected consequence of globalization: the increase in intercountry adoption and its contradictory impacts on migrant children.

Despite the promise of these chapters, however, the book falls short of accomplishing its second, explicitly normative goal. Theorists of globalization, including those in this book, frequently argue that neither the weakened nation-state nor nascent human rights regimes is sufficient to remedy the citizenship gap. As Brysk and Shafir put it, the forces of globalization “construct rights without sufficient institutions to enforce them, identities without membership, and participation for some at the expense of others” (p. 209). Thus, we would expect the volume’s final chapters, in Part V, to theorize new institutions and forms of governance capable of providing the rights, membership, participation, and accountability that would constitute substantive, universal, democratic citizenship. Regrettably, these essays fail to meet this critical challenge. Saskia Sassen’s contribution consists largely of a restatement of her earlier work on the emergence of “denational” citizenship in global cities. Although Richard Falk describes four possible modes of transnational citizenship—regionalism, a world state, international activist communities and nongovernmental organizations, and the “global pilgrim”—he offers little by way of critical evaluation. Finally, Brysk and Shafir evaluate various models of global governance in their concluding essay, but their appraisals are too brief to be of much use. Thus, *People out of Place* is likely to leave political theorists and philosophers unsatisfied: The book makes a strong case that globalization has created a multifaceted citizenship gap, yet leaves the pressing normative issues associated with it unresolved.

**Justice, Legitimacy, and Self-Determination: Moral Foundations for International Law.** By Allen Buchanan.  
New York: Oxford University Press, 2004. 520p. \$35.00.

— Richard Burchill, *University of Hull*

Allan Buchanan is well known for his work on justice, secession, and self-determination. The volume under review draws on and builds upon his past work, developing and updating previously stated positions and setting new ground in formulating a moral approach to international law. The title of the book clearly encapsulates its content and the intentions of the author. Buchanan’s first line in the book explains that it is “an attempt to develop moral foundations for international law” (p. 1). Undoubtedly this is a formidable and complex task, but one to which he skillfully addresses himself. His goal is to set out manageable frameworks for establishing and developing ideas and practices of justice and legitimacy that, in turn, will act as guiding principles in international law and relations. He certainly succeeds in achieving this and goes even further to set out interesting and provocative suggestions for reform of the international system. In short, this book is to be highly recommended, if not required, reading for anyone interested in the future of the international system.

The book is divided into four parts preceded by a synopsis and introduction. The introduction sets out Buchanan’s views on why moral theorizing about international law is necessary and the main lines of argument to be pursued in the remainder of the work. The structure of the book then follows the title. Part I examines justice; it deals with issues of how and why we should be committed to a particular view of justice, the key role human rights plays in our understanding of minimal thresholds of justice, and the nature and place of distributive justice in the international system. Part II concerns legitimacy, with chapters building from a more general discussion of political legitimacy that is then applied to the issue of legitimacy in the recognition of states and the legitimacy of the international system as a whole. Part III covers self-determination, secession, and intrastate autonomy, demonstrating the application of the previous parts on justice and legitimacy. There is a considerable focus on self-determination and secession, not only because these are the author’s main areas of research but also because secession and self-determination have become “one of the most important and perilous developments in international law in the last half-century” (pp. 1–2). Part IV sets out Buchanan’s views on reform of the international legal system, based on the views of justice and legitimacy developed in the previous parts. The chapters within the parts are well connected and build upon each other to provide strong support for his main argument, which is relatively simple: We not only need to, but are also obligated, to work to develop institutional arrangements that protect basic human rights and improve upon existing ones in order to ensure that other individuals enjoy the benefits of rights protection, regardless of whether or not we have a direct link to or any interaction with these other persons.

In a review of this nature, it is not possible to give adequate coverage to Buchanan’s thesis and to systematically deal with the arguments set out. Buchanan starts with the belief that in international law “there is a need for self-conscious, systematic moral reasoning” in order to derive “prescriptive principles that will provide substantial guidance” for international law to deal with the crucial issues it faces (p. 15). He rejects the belief that international law cannot or should not deal with moral prescriptions. He then builds his central theoretical concept, what he terms the “Natural Duty of Justice,” whereby all individuals have “a limited moral obligation to help ensure that all persons have access to institutions that protect their basic rights” (p. 27). It is based on Kantian ideas that every individual should be treated with equal worth and respect. The book goes on to demonstrate and justify why international law should direct itself to this simple but extremely multifaceted and contested idea. Buchanan avoids any sort of absolutism; he does reject aspects of traditional international law that fail to live up to the foundations of his moral theory, but in doing so, he deftly navigates through the system of law to give respect, where