
Revisiting the Nation-State: An Exploration of the Foundation of Citizenship and the Modern Polity

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There is much debate amongst scholars on the origins of what is a nation-state. Some claim that a nation-state was present as early as the fourteenth century in places such as France and England,¹ while others assert it did not exist until a rising tide of nationalism and revolutionary fervor that gripped Europe in the mid-nineteenth century.² For our purposes, the ambiguity over when nation-states developed does not matter nearly as much as what they represented. As the phrase implies, a nation-state is centered on the premise that a nation is an ethnic group with, among other things, a shared language and history. Any distinct cultural identity can be classified as a nation, and any sovereign government can be considered a state.³ Consequently, a nation can exist without a state, such as in the case of the Assyrian, Tibetan, or Kurdish people, and a state can exist without a nation, as was the case throughout most of human history. Today, every sovereign state is colloquially called a nation, so the two terms have become synonymous; however, in the grand scheme of history, this merger is an incredibly recent—and significant—development.

As notions of universal rights, self-determination, and sovereignty became mainstream in European discourse, the theory behind state legitimacy shifted from a firm belief in despotic Divine-Right theory,⁴ to a belief in self-determination along ethnic lines.⁵ In other words, the most legitimate states were those that derived their mandate from the people: the Germans ruling Germany, the Italians ruling Italy, and the French ruling France. Of course, the political reality was more complicated, as the European powers of the nineteenth and twentieth centuries did not

¹The deciding factor on when nation-states first arrived largely depends on how strict the definition is. If the only requirement for a Nation-State is the overlap of a distinct cultural identity and independent polity, then the Hundred Years War is a strong candidate for the mantle. “The casual consensus [is] that the Hundred Years War strengthened English identity and catalyzed the employment of the written English vernacular...” See: Duncan Hardy, “The Hundred Years War and the ‘Creation’ of National Identity and the Written English Vernacular: A Reassessment,” *Marginalia* 17 (2013): 20.

² Robert John Weston Evans and H. Pogge von Strandmann, *The Revolutions in Europe, 1848-1849: From Reform to Reaction* (Oxford University Press, 2002).

³ “The ideal of ‘nation-state’ is that the state incorporates people of a single ethnic stock and cultural traditions” See: “Nation-State,” Social and Human Sciences, UNESCO, accessed October 26, 2019, <http://www.unesco.org/new/en/social-and-human-sciences/themes/international-migration/glossary/nation-state>.

⁴ “The right of a sovereign to rule as set forth by the theory of government that holds that a monarch receives the right to rule directly from God and not from the people.” See: “Divine Right,” Merriam-Webster, accessed December 5, 2019, [https://www.merriam-webster.com/dictionary/divine right](https://www.merriam-webster.com/dictionary/divine%20right).

⁵ George Klosko and Richard Whatmore, “Enlightenment Political Philosophy,” in *The Oxford Handbook of the History of Political Philosophy* (Oxford University Press, 2011-05-26), <https://www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780199238804.001.0001/oxfordhb-9780199238804-e-18>.

readily extend these national rights to their colonial dominions, client states, women or minorities in their homeland, or even all adult men in their cultural heartland.⁶

At the same time, instances of ethnicity-motivated conflict became much more frequent.⁷ Minorities have historically been discriminated against; however, before the rise of nation-states, minorities never posed an ideological threat to the integrity of a nation. Previously, a sovereign—whether a monarch or an elected official—did not have to worry that the ethnocultural composition of their subjects would determine the legitimacy of their government. This tension between cultural identities became more prevalent as the world modernized until, by the twentieth century, a state with a significant minority population found itself vulnerable to delegitimization both at home and abroad. The results of this development can be seen in the collapse of the last vestiges of the French and British Empires after World War II, and more recently in the 2014 Russian annexation of Crimea under pretenses of protecting the peninsula’s Russian minority.

While the idea that a government derived its right to rule from its ethnic population was powerful and progressive for the 1700’s, it also laid a foundation of ethnocentrism that continues to scar our history and politics. A lot of the ethnic conflict seen in the past hundred years, such as the Armenian Genocide, Rwandan Genocide, and the ongoing Rohingya Genocide can be viewed—but not justified—as a nation-state’s response to claims of self-determination by ethnic groups. Thus, it can be argued that the philosophical basis of the nation-state’s trend toward ethnic conflict is a symptom of a broader drive towards the homogeneity required to maintain its integrity.

Jurisdiction and Responsibility

Outside of episodic genocidal tendencies, the nation-state, in its current manifestation, has another structural limitation: a restrictive notion of jurisdiction and responsibility.⁸ This limitation often goes hand-in-hand with ethnocentrism and is partially responsible for our inability to fight transnational issues such as climate change. As things stand, a nation-state is only responsible for maintaining the well-being of a very limited demographic, often at the

⁶ To see an example of this we can turn to the French Revolution. The first democratic constitution drafted during the Revolution, the Constitution of 1791, featured a system of tiered citizenship. Its framers were conscious of giving the people too much influence in governing the nation and so divided the French people into either active or passive citizens. The constitution restricted suffrage to active citizens (those who paid a certain amount in taxes), which meant that only two-thirds of adult men had the right to vote. See: Michael P. Fitzsimmons, *The Remaking of France: National Assembly and the Constitution of 1791* (Cambridge: Cambridge University Press, 2002).

⁷ “Since 1946, 64% of all civil wars have divided along ethnic lines... civil wars include many self-determination movements that, by definition, are ethnic in nature.” See: Elaine K Denny and Barbara F Walter, "Ethnicity and Civil War," *Journal of Peace Research* 51, no. 2 (2014): 199-212.

⁸ One of the more cynical perspectives on the jurisdiction and responsibility of a state is that of a “monopoly of violence” as articulated by Max Weber. For an introduction to the Weberian State as well as its successors, see: Tiina Randma-Liiv, "Neo-Weberian State," in *International Encyclopedia of Political Science*, edited by Bertrand BadieDirk Berg-Schlosser and Leonardo Morlino, 1682-1684 (Thousand Oaks, CA: SAGE Publications, Inc., 2011).

expense of the broader needs of the rest of humankind. The mandate of a nation-state only pertains to its citizens, and this citizenship is very restrictive. This means that the government of a nation is only incentivized to serve the interests of a small portion of people, corporations, and geographical territory, which inadvertently discourages transnational cooperation and encourages short-term national benefits at its expense.

For many, the current degree of jurisdiction and responsibility for a given state might seem like a natural and rational definition, but a historical analysis of the evolution of citizenship suggests otherwise. The classification of a citizen varied tremendously throughout history, with one recurring feature being a distinction between active and passive citizenship. Initially, the classification of a citizen was restricted to the landowning male elite of a geographical area. However, over time, economic, gender, religious, and ethnic barriers were transcended.⁹ With each expansion of this mandate came a sub-textual redefinition of what the nation-state was.

In most nations, the latest expansion came with universal suffrage, which, ironically, was far from universal. Currently, the most significant limitation of citizenship continues to be a birthright and territorial restriction. Outside ancestry, it is difficult to become a citizen of a nation-state even if they are born in, or reside within the nation's territorial borders. Even multi-ethnic nations such as the United States require prospective immigrants to demonstrate patriotic zeal and knowledge of its cultural heritage in order to be granted citizenship— demonstrating the importance of cultural assimilation in maintaining a nation-state's integrity.¹⁰

The justification for a geographic restriction to citizenship harkens back to the early modern era origins of the nation-state. In early modern Europe, the degree to which an individual could interact with the wider world was severely limited.¹¹ Most people would spend their entire lives in a constrained geographic area, with travel to foreign lands being virtually non-existent. This began to change with industrialization, at which point the geographic range that people could, and in many cases would have to traverse increased to encompass larger swathes of land; however, linguistic and cultural barriers nevertheless restricted the range of individual nations.

Presently, the forces of industrialization and the advent of the internet have eroded national boundaries. Most people still reside within their immediate geographic proximity, but they interact with people all around the world almost daily. The economies of entire nations are specializing into consumer, manufacturing, or agriculture economies, and there are more multinational corporations than nations. Relative to the physical world, there are very few

⁹ This process has unfolded at a gradual but different pace across the world, but for an overview of this process in the United States, see: Alexander Keyssar, *Right to Vote: The Contested History of Democracy in the United States* (New York: Perseus, 2008).

¹⁰ Examples of such questions can be found on the US Website of the Department of Homeland Security, see: “Study Materials for the Civics Test,” USCIS, accessed October 30, 2019, <https://www.uscis.gov/citizenship/learners/study-test/study-materials-civics-test>.

¹¹ For an overview of the conceptualization and transformation of the state during the early modern period see: Annabel S Brett, *Changes of State: Nature and the Limits of the City in Early Modern Natural Law* (Princeton, N.J: Princeton University Press, 2014).

borders on the internet, and as more of society transitions to the World Wide Web, the concept of a geographically-bound nation-state begins to sound archaic and obsolete.

To clarify, I am not suggesting that nation-states are nothing but a source of conflict and sorrow; to the contrary, I believe that nation-states have played an integral role in the development of liberal ideals. I am, however, suggesting that in the face of an increasingly interconnected world, nation-states need reform, especially regarding their restrictive definitions of citizenship. Another way to frame this question is by addressing a major point of contention in democratic theory: the problem of constituting the demos.

Constituting the Demos

Constituting the demos is just another term for evaluating different methods of creating an electorate. Specifically, the phrase asks whether it is at all possible for a democratic government to create its electorate democratically.¹² The process nation-states have historically used to determine their citizenry has been far from democratic. For example, the people that chose the geographic constraints and the prerequisites necessary to vote in France did so by decree. The Estates-General may have been more representative than an absolute monarchy, but it still left a majority of the population out of the decision making process.¹³ The 576 men who took the tennis court oath went on to establish the rules for their new democracy with no input from the masses outside Versailles.

A democratic mechanism can only take over once a government has already established its electorate but, by that stage, the outcomes of all decisions made by the democratic body have already been permanently altered by the initial decision to choose who gets a voice. If a nation-state decided to pass legislation concerning the right to own enslaved people but only allowed wealthy people to vote, many of whom happened to earn their fortunes through slavery, then the possibility of an outcome that favored slavery would be much more likely. The main concern raised by the demos question is that the initial creation of an electorate in a democracy is instrumental in determining its decisions and thus warrants scrutiny. This creates a philosophical conundrum. If a government's legitimacy comes from those it governs, but the creation of that demos is typically achieved in an undemocratic manner, then is it possible to have a genuinely democratic nation-state?

One response to this predicament is the “All Affected Interests Principle [AAIP],”¹⁴ which asserts that the only legitimate way to constitute a demos is by giving all individuals with a stake in a decision the right to vote in it. At face value, the theory appears simple but effective and yet, much like with many hypotheticals, the devil lies in the details—or lack thereof. AAIP

¹² Robert. E Goodin, “Enfranchising All Affected Interests, and Its Alternatives,” *Philosophy & Public Affairs*, 35 (2007): 40-68.

¹³ Michael P Fitzsimmons, *The Remaking of France: National Assembly and the Constitution of 1791* (Cambridge: Cambridge University Press, 2002).

¹⁴ *Ibid.*, 42.

leaves essential issues such as what a stake is whether different stakes warrant different voting rights, and how does one quantify someone's stake, open to interpretation. If we lived in a society free of all constraints, then according to the AAIP, the only legitimate democracy would be one that gave anyone, anywhere, anytime, the choice to vote on any matter. In other words, we would need an omnipresent electoral apparatus, and our demos would be all-inclusive.¹⁵

Whether for better or worse, we do not live in a world free of physical and temporal constraints so we must find a more practical solution to the problem of the demos. Since we cannot redraw political boundaries, we should start by asking whether the current formulation of the demos is sufficient for accurately enfranchising all affected interests. Today, nation-states constitute demos in various ways, but we will see that even the most liberal of these methods are too exclusive.

Most nation-states today have universal enfranchisement, which means that being a citizen gives one a voice in government, or at least it is supposed to. However, voter suppression and other methods of disenfranchisement are prevalent to varying degrees in all nation-states, and these methods directly undermine the rights of certain citizens—usually those of a minority identity—from having adequate representation in government.¹⁶

Another salient form of disenfranchisement has been incarceration. In many democracies around the world, citizens in prison are stripped of their right to participate in democratic decision-making processes.¹⁷ The United States provides many blatant examples of how incarceration can be used to target a minority population unfairly, such as when President Nixon used the war on drugs to disenfranchise the African American community.¹⁸ In 2018, the total incarcerated population in the United States numbered roughly 2.2 million, which would make it the fifth largest city in the United States. Of these individuals, 33 percent are African Americans

¹⁵ As democratic theorist Robert Goodin put it, only a “maximally extensive franchise, virtually (perhaps literally) ignoring boundaries both of space and of time, would be the only legitimate way of constituting the demos to this more defensible version of the ‘all possibly affected interests’ principle.” Goodin, “Enfranchising,” 55.

¹⁶ Voter suppression occurs in all modern democracies partially because none of our present democracies truly enfranchise all affected interests. For more examples see: Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: New Press, 2012); or see: Kay Schriener and Lisa A. Ochs, “Creating the disabled citizen: How Massachusetts disenfranchised people under guardianship,” *Ohio St. LJ* 62 (2001): 481.

¹⁷ “In Maine and Vermont, felons never lose their right to vote, even while they are incarcerated. In 14 states and the District of Columbia, felons lose their voting rights while incarcerated, and receive automatic restoration upon release. In 22 states, felons lose their voting rights during incarceration, and for some time after, typically while on parole or probation. Voting rights are automatically restored after this period. Former felons may also have to pay any outstanding fines, fees or restitution before their rights are restored as well. In 12 states felons lose their voting rights indefinitely for some crimes, or require a governor’s pardon in order for voting rights to be restored, or face an additional waiting period after completion of sentence (including parole and probation) before voting rights can be restored.” See: “Felon Voting Rights,” National Conference of State Legislatures, <http://www.ncsl.org/research/elections-and-campaigns/felon-voting-rights.aspx>.

¹⁸ The racial prejudice present throughout the United States’ war on drugs is a topic outside the scope of this thesis, but for an introduction see: Doris Marie Provine, *Unequal under law: Race in the war on drugs* (University of Chicago Press, 2008).

even though only 12 percent of its total population is African American.¹⁹ In addition to being politically disenfranchised, many inmates fall prey to recidivism.²⁰

Fortunately, the issue of mass incarceration and institutional racial prejudice has gained much public attention in recent years. As a result, the number of non-violent drug offenses and the skewed race ratio are both decreasing; however, this is just one example of a grievous oversight in the practical implementation of the AAIP, especially considering that some prison systems force inmates to work for private corporations in exchange for little to no pay.²¹ Many have equated the systematic abuse and exploitation in the US prison system to modern day slavery,²² and if we return to our earlier example of the problem with not allowing enslaved people a vote on issues regarding slavery, the parallels between the two, with regard to enfranchisement, become immediately apparent.²³

One could argue that a murderer should not be allowed to vote. One could argue that they have forfeited their rights as a consequence of breaking the social contract; however, it would seem harsh and undemocratic to extend this line of thinking to include political dissidents, draft-dodgers, or shoplifters.²⁴ These minor offenders have also broken the social contract; however, they have done so for non-violent reasons. If an underlying fear of giving incarcerated citizens a right to vote is that they will make murder legal, then consider that, in practicality, the number of murderers is infinitesimally small and unlikely to have any meaningful impact on such votes. However, the number of people incarcerated for more benign transgressions is far more significant. Not giving incarcerated populations a voice in government creates a perverse incentive model where governments can mistreat or ignore legitimate citizens with no consequence. This perverse principle can be extended to include all people not represented in a government that affects them, another example of which is undocumented migrants.

¹⁹ According to the 2018 United States Census data available at <https://www.census.gov/data.html>.

²⁰ Recidivism is rampant in federal prisons. This is primarily due to the socio-economic pressures caused by incarceration and the difficulty transitioning into private life, either while gaining and maintaining employment or finding social support programs. See: Cody Tuttle, "Snapping Back: Food Stamp Bans and Criminal Recidivism," *American Economic Journal: Economic Policy* 11, no. 2 (2019): 301–27.

²¹ David A. Love, and Vijay Das, "Slavery in the US Prison System," Al Jazeera, September 09, 2017, <https://www.aljazeera.com/indepth/opinion/2017/09/slavery-prison-system-170901082522072.html>.

²² An overview of the structural and racial dynamics perpetuating abuse in the US Prison System is out of the scope of this paper, but for a surface-level introduction see: Jaron Browne, "Rooted in Slavery: Prison Labor Exploitation," *Race, Poverty & the Environment* 14, no. 1 (2007): 42-44. Alternatively, see: "US Inmates Nationwide Strike to Protest 'Modern Slavery'," BBC, August 21, 2018, <https://www.bbc.com/news/world-us-canada-45261381>.

²³ Kevin Rashid Johnson, "Prison Labor Is Modern Slavery. I've Been Sent to Solitary for Speaking out" *The Guardian*, August 23, 2018. <https://www.theguardian.com/commentisfree/2018/aug/23/prisoner-speak-out-american-slave-labor-strike>.

²⁴ One approach to evaluating whether or not someone has broken the social contract is through John Stuart Mill's 'Harm Principle', which claims that individuals should not have their freedoms restricted unless they use that freedom to harm another member of society. There is continuous debate over how to interpret concepts such as harm; however, for an introduction see: Nils Holtug, "The Harm Principle." *Ethical Theory and Moral Practice* 5, no. 4 (2002): 357-389.

Suppressing the Subaltern

The Italian philosopher Antonio Gramsci used the term subaltern to describe “any ‘low rank’ person or group of people in a particular society suffering under hegemonic domination of a ruling elite class that denies them the basic rights of participation in the making of local history and culture as active individuals of the same nation.”²⁵ If someone wishes to suppress the subaltern, then by its very definition, the subaltern will not have a voice to protest. In theory, all democratic governments should aim to ensure that there is no subaltern in their society; however, this pluralistic ideal fundamentally conflicts with the ideology underpinning the nation-state.

Since the outbreak of the Syrian civil war in 2011, the issues of undocumented migrants, refugees, and immigration have come to dominate the global news cycle. Mass migration has, and continues to be one of the defining characteristics of the 2010s, and it is likely that (climate-related) refugee crises will only exacerbate in the coming decades.²⁶ The causes and magnitude of these major demographic shifts have varied tremendously, and so has the reaction of various governments. With a few notable exceptions, mass migration has been met with an increase in xenophobic attitudes.²⁷ It would be convenient to attribute these hostile reactions to the xenophobia cultivated within specific demographics, but to do so would ignore the influences of the nation-state as an insidious philosophical entity fostering ethnocentrism.²⁸

For a democratic state, a migrant crisis immediately raises problems, especially concerning our contemporary restrictive approach to constituting the demos. The United Nations has maintained a policy of non-refoulement: that no individual can be returned to a country where they face serious threats to their lives or freedom.²⁹ However, this has not stopped governments from abandoning their obligations by trivializing the plight of those seeking asylum or citing a mandate from their demos.

In the present international system, a state has an obligation to both the international community (treaties) and its citizenry (constitutions), but its citizenry has no obligation to the international community—and is thus free to ignore principles such as that of non-refoulement. By compartmentalizing the complex causal relationships of domestic politics and geopolitics into

²⁵ El Habib Louai, "Retracing the Concept of the Subaltern from Gramsci to Spivak: Historical Developments and New Applications," *African Journal of History and Culture* (AJHC) 4, no.1 (2012): 4-8.

²⁶ John Podesta, "The Climate Crisis, Migration, and Refugees," Brookings, September 4, 2019, <https://www.brookings.edu/research/the-climate-crisis-migration-and-refugees>.

²⁷ Jacob Poushter. "European Opinions of the Refugee Crisis in 5 Charts," Pew Research Center, September 16, 2016. <https://www.pewresearch.org/fact-tank/2016/09/16/european-opinions-of-the-refugee-crisis-in-5-charts>.

²⁸ In the case of nations such as Germany (reacting to the Syrian crisis) and Bangladesh (reacting to the Rohingya crisis), we can see how a government's reaction to mass migration is not necessarily anti-migrant; however, the aforementioned crises have led to a significant rise in xenophobic domestic political movements. See: Eric Maurice, "[Chemnitz Neo-Nazis Pose Questions for Germany](#)," EUObserver, August 30, 2018. For a more general overview see: Zachary Laub, "Hate Speech on Social Media: Global Comparisons," Council on Foreign Relations, April 11, 2019, <https://www.cfr.org/background/hate-speech-social-media-global-comparisons>.

²⁹ Heather A Leary, "The Nature of Global Commitments and Obligations: Limits on State Sovereignty in the Area of Asylum." *Indiana Journal of Global Legal Studies* 5, no. 1 (1997): 299.

discrete realms, insulated by the unbreakable sanctity of sovereignty, we have proliferated a brand of democracy that is structured to systematically suppress the subaltern.

Voter suppression, mass incarceration, and the abandonment of asylum seekers are just a handful of the forms of disenfranchisement present on a national level. If we attempt to evaluate the aforementioned scenarios using the AAIP framework, it would be tough to argue that the subaltern populations are not affected to a great degree by the actions of the state.

There are already numerous NGOs, charities, and foundations attempting to remedy these issues, but none have seen consistent success.³⁰ This is because, as previously stated, our current governance mechanisms have severe structural flaws that incentivize restricting the demos. In the United States, the two most significant advances in enfranchisement came with the abolition of slavery and women's suffrage, but constitutional amendments were needed to secure both advances.³¹ The nation-state is exclusionary by nature, so any attempt to fix problems of enfranchisement without also reforming the structural bedrock of the nation-state (such as its constitution) is misguided.

How then should we change the conceptualization of citizenship to enfranchise all affected interests? The examples we have discussed so far have a relatively straightforward solution: amend the constitution to adhere to non-refoulement, reform the voting process to make it more accessible, and give incarcerated citizens the right to vote. These three reforms would go a long way towards expanding the demos to account for all affected interests; however, even this reformed state could still leave billions of people unjustly disenfranchised.

In our economically integrated world, large groups of people are routinely disenfranchised across national borders. Powerful states such as the United States have a considerable impact on people all over the world. Some might instinctively flinch at this statement because of the inevitable conclusion it entails, but any earnest attempt to adopt an AAIP framework must explore this possibility. If a decision made by policymakers in Washington D.C., whether it be to subsidize a crop or declare war, has the potential to substantially alter the livelihood of people all around the world, then should they not have a right

³⁰ According to critics such as Stanley Katz, charities, NGO's, and foundations are being run with the goal of increasing funding rather than developing viable strategies. "I have seen this stress on addressing causes rather than symptoms before, in the thinking of the very earliest American foundation creators, Andrew Carnegie, and John D. Rockefeller. Indeed, I would claim (and in fact Barry Karl and I did so some three decades ago) that what is distinctive about the rich donors in America in the late nineteenth century is that they aimed their giving squarely at causes and not at symptoms; or, to put it another way, they practiced what we now call philanthropy rather than charity. That the great American philanthropists have always attempted to attend to underlying causes is what makes them philanthropists, even if they sometimes made conventional charitable grants-palliative giving-as well. So I am bemused to see the claim that foundations should aim at root causes is touted as a new claim." See: Stanley N. Katz, "What Does It Mean to Say That Philanthropy Is "Effective"? The Philanthropists' New Clothes," *Proceedings of the American Philosophical Society* 149, no. 2 (2005): 123-31.

³¹ The fifteenth amendment protects the voting rights of all racial minorities, stating that "[t]he right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude." Whereas the nineteenth amendment protects the right of women and non-binary people, stating that "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex."

to a voice in the decision-making process? For example, a decision by Congress to place tariffs on imports from non-American corporations operating in Mexico would, at the very least, affect four groups of people: American consumers, American corporations, Mexican workers, and Mexican corporations.

American consumers would be marginally affected by the decision, possibly facing price increases for certain goods as well as an indirect nudge towards purchasing products from American corporations in Mexico rather than American corporations based in the United States or Mexican corporations. American corporations would receive a substantial competitive advantage over their Mexican counterparts, while American corporations outside Mexico would receive an indirect incentive to move their operations there in order to potentially save on production costs. Mexican corporations would witness the opposite effects of American corporations, considering they would now be competing with more American corporations directly. Finally, Mexican workers at American corporations might receive a small pay increase or increased employment opportunities due to the increased profits of American corporations in Mexico, whereas Mexican workers in Mexican corporations may be more susceptible to layoffs.

In this scenario, it would not be unreasonable to assert that the United States Congress's decision has had an impact on citizens under the jurisdiction of a different government. Which of these four groups should be given the right to vote on such matters? In our present system, only two of the four are given a voice, but their Mexican counterparts are affected just as much.

Now consider the following: due to diplomatic pressure from the United States, the Mexican government is very lax on enforcing labor regulations in the factories used by American corporations. As a result, these factories have become notorious for hazardous work conditions and are riddled with child abuse. In this scenario, the United States government is also directly impacting the sovereignty of the Mexican government, which is indirectly impacting the lives of Mexican citizens. If the American government's actions cause even a single child to be hired by their corporations to work in abusive factories, then it would be absurd to claim that the affected person would not be included under the AAIP, and consequently deserve a say in whether the tariff—or diplomatic pressure—should be applied to begin with.

Why should the United States government ever have an obligation to do more than protect the interest of Americans? Does the worker not get a voice already by having the option to quit their job? If the choice is between destitution and abuse, then it is hardly a choice at all.³² These rationales may be an apt description of the status quo, but they cannot be justified using the AAIP. The AAIP suggests that the Mexican workers need to be enfranchised because the

³² One prominent example of the difficulty of distinguishing between coercion and choice is when looking at heavily stigmatized communities such as Sex Work. Individuals in harsh environments without accessible support systems often make choices that they would not have made if not under these unjust pressures. See: Larissa Sandy, "Just Choices: Representations of Choice and Coercion in Sex Work in Cambodia," *The Australian Journal of Anthropology*, 18 (2007): 194-206.

United States government has *de facto* influence over certain citizens in Mexico as well as (and sometimes more than) American citizens.

It would be irrational—and possibly unconstitutional—to disenfranchise a group based on the circumstances of their birth (such as disability, race, or sex) so why should the location of one's birth or one's parent's ethnicity—both of which generally determine citizenship—be treated differently? Scenarios such as the one described above happen every day in every corner of the world, yet because of the myth of sovereignty, no nation-state takes full accountability for the true extent of individuals affected by its policies. We must now ask whether or not the status quo can be reconciled with democratic principles of government.

Should the United States government have the right to exploit people from different nations without also enfranchising them? Only if one believes that citizenship changes the value of life, in which case we need only to look to the history of state formation to see just how arbitrary the determination of citizenship can be. Well then, why doesn't Mexico simply join the United States? On top of a plethora of political factors, it is because of the aforementioned ethnocentric character of nation-states. Minorities already face significant cultural stigmatization in many parts of the United States, and the suppression of the Mexican ethnic identity would likely accompany any annexation of Mexico.³³

Conclusion

To reiterate, I am not suggesting that borders are inherently arbitrary or need to be erased; I am arguing that, in our contemporary era, the same principles that led to the birth of modern democracy—a desire to enfranchise all affected interests—can, and should, be extended to all people affected by a government regardless of their citizenship status.³⁴ But what would happen to national sovereignty in such a system? How would the United States and Mexican government share the same jurisdictions?

Even during its heyday in the nineteenth century, the principle of national sovereignty was applied selectively and arbitrarily by the statesmen of various great powers. In today's interdependent world, sovereignty is even more of a myth. Furthermore, our tariff example has demonstrated that the Mexican and United States government already have somewhat

³³ Minority populations with a distinct cultural identity pose a tremendous threat to the integrity of any nation-state. There is an abundance of historical evidence supporting this conclusion, but a recent example can be seen in breakup of Pakistan during the 1971 Bangladeshi Liberation War. The West-Pakistani government systematically oppressed the Bengali ethnic group. Their language was banned, their lands were left undeveloped, their intelligentsia was arrested or assassinated, and eventually, the entire state (of East-Pakistan) was targeted in a campaign of ethnic cleansing. See: Gary Jonathan Bass, *The Blood Telegram: Nixon, Kissinger, and a Forgotten Genocide* (New York: Vintage Books, 2014).

³⁴ The seminal issue in many depictions of the United States independence movement was that of taxation without representation, or, of being a part of the British Empire without having a voice in the British Empire. Yet, citizens of Puerto Rico find themselves in a similar position with Washington. There are still millions of citizens around the world from various communities that are not represented by the power structures that make decisions concerning their community. See: Edgardo Melendez, *Puerto Rico's Statehood Movement* (New York: Greenwood Press, 1988).

overlapping jurisdictions. The only thing that would change is that matters that concern an overlapping jurisdiction would be formally recognized, interested parties would be enfranchised, and disputes would be resolved in a far more democratic manner.

Our restrictive, territorially confined notion of citizenship has had the additional adverse effect of fostering animosity, radicalization, and ultimately conflict. The present conceptualization of citizenship negatively influences public sympathy for “outsiders” or “foreigners”. Public perception of government actions towards non-citizens is judged on a completely different—and often far less critical—standard than actions towards citizens, and we must question whether such double standards are justified or not.

For example, a textile tariff enacted by the United States would have severe repercussions on the citizens of Bangladesh. The people in Bangladesh would suffer, but the political value of that suffering would be diminished because those people fall outside the American government's mandate. As mentioned previously, the rise of xenophobia as a response to the Syrian refugee crisis is also an example of this double standard.

Another, more alarming example would be the development of a major dam along the Meghalaya river in India, which would disrupt freshwater access for most Bangladeshis.³⁵ In an ideal world, the governments of Bangladesh and India would collaborate on such a project; however, it is entirely possible that India constructs the dam without giving any Bangladeshi citizens a say in the project—prioritizing the needs of its citizens at the expense of “others.” In such a scenario, we once again see how the actions of a particular state can have an enormous impact on the citizens of a separate state. Selfish behavior by a powerful nation-state has the potential to harm millions, even billions of people, while being viewed as just, as long as it benefits the citizens of the perpetrating state. It is time for us to begin seriously questioning this status quo.

³⁵ Access to fresh water is a critical resource for any nation, but control of a freshwater supply is not always feasible. A recent example of the consequences of irresponsible damming projects is the rapid loss of the Aral Sea due to Soviet irrigation projects. The Brahmaputra river is one of two major rivers flowing into the Bay of Bengal and provides a significant portion of Bangladesh's fresh water. The origin of the river is in the Tibetan plateau, and damming projects by either China or India could have disastrous consequences. See: PTI, "Bangladesh' very Concerned' over China Building Dams on the Brahmaputra," *Times of India*, May 31, 2018, <https://timesofindia.indiatimes.com/india/bangladesh-very-concerned-over-china-building-dams-on-brahmaputra/articleshow/64405521.cms>.