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10

Debordering the World of States: Toward a Multi-Level System in Europe and a Multi-Polity System in North America? Insights from Border Regions

Joachim K. Blatter

Introduction: Debordering the World of States – Toward New Kinds of Polities?

The Westphalian system – as a conceptual template – "refers to the organization of the world into territorially exclusive, sovereign nation-states, each with an internal monopoly of legitimate violence" (Caporaso 1996: 34). Even though such an idealized model has never been completely realized in practice, it continues to dominate our thinking about polities and institutional change at the turn of the millennium. This might also be a result of the fact that the most far-reaching transformations beyond the Westphalian system have occurred in Europe. But since the process of European integration is becoming embedded in a wider discourse on globalization and regionalization, we are witnessing a new flurry of conceptual approaches for capturing the institutional transformations beyond the Westphalian system.

The discourse on European integration has been centered on two questions: first, does the EU still represent an inter-governmental regime dominated by the executives of the nation states or has it evolved beyond such a state-centered system? The debate has been framed in terms of "state-centric versus multi-level governance" (Marks et al. 1996) and is still heated. The second question, closely related, does not concentrate on the "nature of the beast" (Risse-Kappen 1996), but tries instead to disentangle the driving forces of European integration: can the process of integration be explained by the rational strategies and grand compromises of national political leaders, or must we employ functionalistic explanations with their emphasis on functional necessities, sectoralism, gradualism and "spill-overs" between different political fields? Both ways of framing the debate have limited our thinking about institutional transformation beyond the Westphalian system. What all of these debates have in common, however, is that they envision the "deterritorialization" and "unbundling" of politics (Elkins 1995). The modern Westphalian system is characterized by the fact that internally there exists a clear hierarchy of political authority/loyalty, with the nation-state taking center stage. Identities and political tasks/

responsibilities are "bundled" on a territorial basis. This means that other identities are subordinate to national identity. Furthermore, the territorial state is – ideally – an "all-purpose" organization. Political boundaries are congruent; that is, all specific functional jurisdictions occupy the same territory. With unbundling, however, the path is made clear for "territorial communities" to be supplemented by "non-territorial communities." What is missing, however, is a convincing classification of types of non-territorial communities (for attempts to provide these, see Agnew 1999: 504–7 and Ferguson and Mansbach 1996: 391–2; see also the editors' introduction to this volume for more extended discussion).

Overall, thinking on polities beyond Westphalia has been strongly influenced by the example of European integration, which has led to a focus on "multi-level governance" – a concept which is still inclined to the notion of "territoriality." Recently, this narrowness has been overcome by scholars from very different schools. Whereas public-choice scholars are challenging the assumption of the primacy of territorially based communities from an individualistic perspective, historical institutionalists are making clear that territorial contingency is just one possible way to establish political identity and authority. From the governance literature the concept of "policy networks" has been brought into the study of international relations (IR) (Risse-Kappen 1996). Furthermore, the aspects of the identity of, loyalty to, and legitimacy of polities are moving into the foreground (e.g., Laffan 1996), complementing the instrumental governance debate. The next step has to be the development of a variety of clearly defined polity concepts and the exploration of which kinds of polities are actually emerging. This article is an attempt to contribute to such an endeavor. By doing so, it transcends various disciplinary boundaries. The theoretical concepts are drawn not from the IR literature, but rather from political and organizational theory, and the empirical examples focus on subnational regions in the borderlands of nation-states and not on supranational levels of integration.

This paper proceeds as follows: first, I argue that insights from border regions are useful contributions to the debate on "debordering the world of states." Next, the notion of "political institution-building" is introduced for comparing and analyzing transformations of political structures. On the basis of such an understanding, I develop a classification of political institutions for cross-border cooperation by using various insights of "neo-institutionalism." I use four ideal types of cross-border political institutions – that is, commissions, connections, coalitions, and consociations – as my heuristic devices.

Equipped with these conceptual tools, I analyze the institution-building processes in four border regions. Two regions in Europe and two in North America, one on each continent with high material (socioeconomic and environmental) interdependencies and one on each continent with low interdependencies, make up my table of cases. Furthermore, on each continent one cross-border region (CBR) has been chosen with strong asymmetries between the political systems of the involved nation-states (France–Germany–Switzerland; USA–Mexico) and one with rather low asymmetries (Germany–Switzerland–Austria; USA–Canada). Despite these differences between border regions on the same continent, it turned out that the major differences in cross-border institution-building exists between the two continents. Based on these case studies, a speculative hypothesis is developed: the European path of debordering the world of states is indeed fairly accurately described as a "multi-level system" – since the

emerging CBRs are developing into another "soft" but "comprehensive" institutional layer within the European multi-level-polity – while neither on the US–Mexican nor on the US–Canadian border is such an encompassing, territorially defined cross-border regional polity developing. Here, non-territorial institutions (utilitarian exchange networks at the southern border, and ideological coalitions at the northern border) complement the institutions of the nation-state(s), which remain(s) the single, almost uncontested territorial polity concept on this continent.[1] These non-territorial political institutions do not challenge the nation-state polity directly since they are not the same kind of polities. However, they provide examples of new kinds of polities that call into question traditional conceptions of polity systems.

Border Regions as Transformational Laboratories and Representations of Emergent Polity Concepts

Searching for emerging polities "beyond Westphalia" in the borderlands, in subnational CBRs, might seem inappropriate, since the most important developments which challenge the nation-state have certainly occurred on the supranational, continental, and global levels. Nevertheless, looking at the borderlands, the "front lines" of territorially demarcated modern states, provides numerous opportunities to discover alternative political forms. The various paths of cross-border political cooperation and integration in European and North American borderlands reveal a broader range of political orders "beyond Westphalia" than just the European Union (possibly complemented by NAFTA). This finding certainly does not diminish major insights gained by studying supranational integration processes, but may contribute to the development of a more comprehensive conceptual framework for the analysis of future political orders. Finally, the comparison on which this paper is based has shown so far a close connection between institution-building processes on the supranational level ("macro-integration") and the process of "micro-integration" in the borderlands (Blatter 2000). This suggests that the two developments are part of a broader development in the nature of political orders on both continents.

Two additional arguments can be offered to justify the study of institution-building in borderlands. First, seen as peripheral parts of the state territory, border regions are normally not the forerunners in the processes of "glocalization." Indeed, as Saskia Sassen (1996) has pointed out, it is "global cities" that are the most important places to become globally linked and disembedded from their national environment. Nevertheless, other proponents of the "rise of the regional state," like Kenichi Ohmae (1993), take CBRs as examples for a future characterized by the declining importance of the nation-state and the increasing relevance of "regions" that are being shaped by intensive socioeconomic interdependencies. Furthermore, many border regions are no longer at the "periphery"; quite often they are witnessing economic prosperity above the national average. At least in North America and in western Europe – and after the fall of the Iron Curtain, in central and eastern Europe as well – border regions are changing (or at least complementing) their character from "front lines" of sovereign states to socioeconomic "contact zones" for neighboring societies (Ratti 1993). Second, these regions were especially "bounded worlds" during the heyday of the sovereign state. If the postulated

transformations "beyond Westphalia" are really taking place, we expect to encounter dramatic changes, since both elements of "glocalization" join forces in the borderlands: transnational integration and domestic decentralization/regionalization are challenging the dominance of national administrations in governing CBRs.

Regional Cross-Border Cooperation as Political Institution-Building

Since neo-institutionalism is comprehensive enough to capture a wide range of forms of cooperation and to provide an explanation of these forms, it provides *prima facie* a solid foundation for an analysis of cross-border cooperation. In this context the analytical distinction between instrumental and symbolic or identity-providing institutions becomes crucial. For example, Göhler (1996) developed an institutional theory based on the work of anthropologist Arnold Gehlen, who distinguished two fundamental dimensions of political institutions: the instrumental and the ideational.

The *instrumental* dimension sees institutions as mechanisms of control. Such a conceptualization starts with the assumption that there is a material interdependence between social actors and that institutions are created to serve specific purposes. Göhler calls the second dimension of political institutions the *symbolic* dimension and cites Gehlen, who described "ritual" as symbolic activity without a specific purpose (*zweckfrei*), but effecting mutual obligations among the members of a group. In other words, political institutions based on symbolic actions influence the identities of political actors. Therefore, I call institutions which are primarily based on symbols "identity-providing institutions." Such a conceptualization assumes that the identities and preferences of individuals are not exogenously defined, but endogenously influenced by institutionalized interaction. The "interaction orientation" is not individualistic but relativistic: actors discriminate between those who belong to the group, as here solidarity (or even altruism) prevails, and those who do not belong to the group, since competition (or even hostility) is here the dominant "interaction orientation" (Scharpf 1997: 84–9).

Table 10.1 sums up the differences between instrumental and identity-providing institutions. Whereas the instrumental perspective is based on an objective-materialist

Table 10.1 Differences between "instrumental" and "identity-providing" institutions

	Instrumental	*Identity-providing*
General function	Serving specific purposes: problem solving, control, enhancing utility (welfare)	Sense making: orientation, belonging, identity
Specific function	Reduction of uncertainty	Reduction of ambiguity
Motivation for institution-building	Material interdependencies: positive/negative external effects; synergies	Idealistic ties: mutual affection and shared values
Formation of actor's identities and preferences	Exogenous	Endogenous
Interaction orientation	Objectivistic/individualistic	Relative/comparative
Crucial element for collective action	Rules for interaction, (especially) for decision making	Strength of ties, (especially) mobilizing effect of symbols

worldview and tends toward functional and rational conceptions of human behavior, the identification view is based on a subjective-idealist ontology and has affinities to constructivist approaches in the social sciences.

Formal (Tightly Coupled) and Informal (Loosely Coupled) Institutions

There is a growing paradigm shift in the social sciences from concern with formal organizations (hierarchies) toward informal, interorganizational networks (heterarchies). Renate Mayntz (1993), describing this transformation as the latest step in a dialectical process of modernization, distinguishes forms of governance on the basis of their "structural coupling." Markets are characterized by no structural coupling, hierarchies by tight coupling, and networks by loose coupling. First, formal organizations (hierarchies) have replaced pre-modern "quasi-groups," and now hierarchies are being supplanted by heterarchies.

In their presentation of the *basic forms of social coordination*, Mayntz and Scharpf (1995) distinguish forms of *structural coupling* according to the degree of individual autonomy on the one hand, and the capacity for collective action on the other. The two variables correlate negatively, although there exists a continuum between the extremes. Mayntz and Scharpf furthermore introduce *modes of interaction* in order to determine the intensity of structural coupling (1995: 61, 62). Scharpf (1997: 46, 47) examines four modes of interaction: unilateral action, negotiated agreement, majority vote, and hierarchical direction. Four different *institutional settings* are characterized by these modes of interaction and are called: anarchic field, network, association, and organization. The relationship between the mode of interaction and institutional setting is not, however, a function of a single mode of interaction. Rather, institutional settings are characterized by their capacity to support different modes of interaction. While "organizations" are able to support all four modes of interaction, a self-organizing network can only support the reaching of agreement by negotiations and is open for unilateral activities. It can support neither the exercise of hierarchical authority nor decisions taken by majority vote.

Other authors, particularly those applying network analysis to structural patterns and to the transformation from hierarchies to networks, utilize a different set of criteria for classifying these institutional forms. For example, Kenis and Schneider (1991: 25) develop a concept of networks different from the classical definition of *formal hierarchies* provided by Herbert Simon. Simon (1962: 477) held "that hierarchies have the property of near-decomposability. Intra-component linkages are generally stronger than inter-component linkages." Networks are dominant in those cases where "near-decomposability" is lacking. This means that horizontal links to actors outside the unit are present to such an extent that they cannot be ignored. These horizontal links supplement/ignore the vertical links to the upper layer of the organization. The top level of the organization – in hierarchical organizations the only legitimate point for outside contacts – is bypassed. Defining *structural coupling* in terms of patterns of interaction means that *tight coupling* is primarily *rigid coupling*, because the links between actors are defined by formal lines of contact and not by the intensity of the links.

It is exactly the intensity of interdependencies/interactions which other authors place at the center of their analyses. Williamson (1991: 278, 279) points to the duration, frequency, and consequentiality of interdependencies when he differentiates between the adaptive advantages of *hierarchies* and *markets*. Hierarchies are favorable if there is a long-term interdependent relation and if the need for coordination increases in frequency and consequentiality. This suggests that political institutions with a high interaction intensity will perform tasks in many or in all policy fields, as has been the case (at least ideally) with the nation-state and the (European) city. Both political institutions "bundle" tasks and responsibilities in (almost) all policy fields on the basis of a congruent territorial space with clear-cut geographical boundaries. During the last few decades, however, we have witnessed a process of "unbundling" on various levels. On the metropolitan level, the city is not being transformed into a larger "metro-city" as envisioned in the 1960s and 1970s. Instead, many single-purpose governmental units are spreading throughout the region. Based on the concept of "variable geometry," this trend is leading to a "fragmented regionalism" (Bollens 1997). On the national level we also find an increasing relevance of "policy networks" in specific policy sectors, in contrast to earlier comprehensive policy approaches (Marin and Mayntz 1991). Similarly, in the international realm, states are increasingly enmeshed in a web of international institutions described as "dynamic sectoral legal regimes" (Gehring 1990).

The common features of these "new" forms of governance are: they focus on a specific function, policy issue or policy field; in comparison to the state or the city, they are less formalized; and finally, they include private as well as public actors. The boundary between the public and the private sector is becoming blurred at the same time as the territorial boundaries between traditional political units are being transcended (Kenis & Schneider 1991).

Until now, our indicators for distinguishing between tightly coupled and loosely coupled institutions have been drawn from the governance literature, which basically employs an instrumental view of political institutions. However, as I have argued above, political institutions have a further dimension: they shape identities. By analogy to the differentiation of tightly and loosely coupled institutions in the instrumental dimension, we can distinguish institutions that influence identities comprehensively on the basis of a territorial definition of community from those that activate identities in a non-comprehensive, more specific way. The former rely heavily on affective and emotional ties that are created and sustained by symbols and foster belief in a "natural community" (see table 10.2). The most important

Table 10.2 Differences between formal (tightly coupled) and informal (loosely coupled) institutions

	Formal institution, tight coupling	*Informal institution, loose coupling*
"Frontier" mode of interaction	Hierarchical order or majority vote	Negotiated agreement or unilateral action
Pattern of interaction	Vertical links	Horizontal links
Intensity/frequency of interaction	High (all/many tasks)	Low (one/few tasks)
Institutional loci	Territorial	Functional
Forms of idealistic ties	Affective-holistic (nationalism, regionalism)	Value-specific (ideology, e.g., liberalism)

community of this kind during the last few centuries has been the nation (in the modern, non-ethnic sense in which nationhood and citizenship are defined, e.g., in France). The latter institutions are not as holistic in their approach to shaping identities, but provide orientation in various policy disputes. As in Sabatier's conception of "advocacy coalitions" (1993), the members of such an institution share a certain "belief system." The core of such a "belief system" comprises fundamental normative and ontological axioms. Belonging to such a coalition reduces ambiguity for the individual in a world of paradoxes and competing values.

Ideal Types of Cross-Border Political Institutions

As a next step I combine the two analytical dimensions and distinguish four ideal types of cross-border political institutions (see figure 10.1).

Commissions

Following Swanson, the first ideal type of cross-border cooperation is labeled *commission*. Swanson (1978) compiled a comprehensive overview of the contacts between US American states and Canadian provinces, and distinguished commissions from committees. The former are formally created by an international treaty which clearly defines their specified tasks, competencies, and geographic scope. They are characterized by a scientific, technical, or judicial approach in order to "depoliticize" cross-border issues and disputes (Swanson 1978: 145, 146).

Such institutions are set up as formal instruments of the nation-states to solve problematic cross-border interdependencies. This means that the interests of the parties are aggregated along vertical lines, with national governments representing these interests in international negotiations. Indicators for such institutions are national delegations and voting procedures. The members of a commission are

	Formal/ tightly coupled	Informal/ loosely coupled
Instrumental/ control	COMMISSIONS Correct knowledge/rules; Experts: engineers, lawyers	CONNECTIONS Useful knowledge/resources; Broker:planners/developers
Identificational/ orientation	CONSOCIATIONS Emotional symbols; Integrators: leading regional politicians	COALITIONS Values, ideologies; Mobilizers: party and interest group representatives

Figure 10.1 Ideal types of cross-border political institutions

appointed by national governments, and the delegations are typically organized by the national foreign ministry. Ideally, a commission can be used for all or at least for a broad range of issues in the border area.

Commissions are set up by international treaty; goals, tasks, competencies, and territorial scope are regulated in detail. They use decision mechanisms based not on unanimity – typically, a neutral arbitrator fulfills this role. If a strong element of hierarchy is not included, other mechanisms for finding joint solutions are created that follow the logic of deduction. Leading members of commissions are typically engineers or lawyers, experts whose interest it is to deduce the "best possible," "necessary," or "appropriate" measures and projects on the basis of scientific-technical knowledge or the principles of international law. Finally, commissions quite often become corporate actors, since they are assigned financial resources and personnel. These organizational capacities are employed for fact finding and monitoring.

Connections

Connections, like commissions, are instruments created to serve specific purposes. But they do not attempt to solve the problems of collective action by deducing the "correct" solution with the assistance of scientific-technical or judicial expertise. Instead, connections help to overcome obstacles preventing the exploitation of positive externalities and synergies. In this case, information does not indicate the "objective necessity" for coordinated action, it rather reduces transaction costs (e.g., for finding exchange partners and calculating the benefits and costs of a joint project). Resources are used not for controlling and monitoring, but for transforming joint activities into positive-sum games. Typical actors, therefore, are not technical or legal experts, but instead "brokers," such as planners and developers. Trust and informal norms and rules develop in the course of ongoing exchange relationships. This means that only a few people can be involved in such an exchange network and that connections typically concentrate their activities in a specific policy field. Connections are focused on specific tasks and projects; therefore, their geographical space is determined by functional considerations and not by clear-cut territorial lines of demarcation.

According to the practical, bottom-up approach of including all actors with relevant resources, subnational administrative units and private actors are incorporated into connections on an equal basis. This means that horizontal linkages between various actors dominate. Connections are informal and loosely coupled institutions – they have no or only a weak legal basis and few internal regulations and procedures. There is no explicit mechanism of decision making or it is based on consent (unanimity).

Coalitions

In contrast to Keohane and Nye's concept of transgovernmental *coalitions* (1974), my definition does not put primary emphasis on the resources of the allies in a

coalition and their desire to join forces in battles with other actors. Instead, I want to follow Sabatier's *advocacy coalition* approach, wherein political actors choose coalition partners not on the basis of material interdependencies or by calculating the most profitable interaction, but on the basis of idealistic affinity. A shared belief system is the glue that holds together the allies within a coalition; they share an ideological orientation. Typical actors within coalitions are representatives of political parties and interest groups.

Based on such premises, choosing sides and building institutions are seen to result from normative-cognitive affinities. We can expect that political actors will build coalitions even for projects in which the cross-border situation is not a positive-sum game. Thus solidarity with the partners on the other side of the border can lead political actors to activities where they bear the costs and the partner takes the profits. Nevertheless, actors within cross-border coalitions behave strategically – what counts is the common results against ideological rivals.

Apart from this basic difference, coalitions have many commonalties with connections: they are dominated by horizontal linkages between various partners (public and private actors). The focus for institutionalizing their interaction is not territorial, but a common idea (ideology, belief system). There are no or only minor rules and regulations for interactions, and the organizational capacity of the joint institution is only minimal.

Consociation

The fourth ideal type of cross-border institution combines idealistic interdependencies with strong formalization (a tight coupling). In accordance with Duchacek (1984: 9; 1986: 103), we will call this form of cross-border collaboration *consociation*.

A consociation influences individual behavior by symbolizing polity ideas which shape identities and preferences. Typical symbols are flags, logos, maps, and names for the common region. In contrast to coalitions, consociations "formalize" their identity-facilitating ties by creating and presenting such symbols. This formalization aims at mobilizing public and private actors for cross-border activities. Therefore, rather than technocrats, leading regional politicians are the major actors in cross-border consociations. The common identity of the members of such institutions is based on a territorial demarcation – the ideology of a consociation is a sort of cross-border regionalism.

The pattern of interaction is characterized by predominantly vertical lines of interaction, since the various interests become aggregated and are represented in the cross-border interaction by the political leaders of the subregions (e.g., governors or mayors). Nevertheless, the pattern of interaction is not as strongly dominated by vertical lines of interaction, since the hierarchical aggregation takes place not on a national basis, but on a subnational one. This is one major difference from commissions; moreover, compared to coalitions, the most important actors within consociations are "territorial representatives," politicians as delegates of a territorially defined constituency. Since this usually means that consociations are concerned with a broad range of policies, they are not limited to concrete projects or focused on specific goals (values).

Not only is the pattern of interaction less hierarchical than in commissions, but also the mode of interaction differs. Whereas commissions employ a sort of hierarchical order, consociations ideally use the rule of majority vote for decision making. A consociation is not based on an international treaty but is instead created by a highly visible symbolic event. Both can overlap, of course, but what matters primarily for consociations is not detailed prescriptions of the rights and duties of the parties, but the public visibility and signaling function of the founding procedure (and the following meetings). Financial and personnel resources are invested in the production and distribution of identity-facilitating symbols and not in investigation and monitoring, as is the case with commissions.

Political Institution-Building in European and North American Border Regions

The following section presents some results of a comparative study of cross-border institution-building in four border regions throughout the twentieth century (Blatter 2000).[2] Two of these are located in western Europe. One is the Upper Rhine Valley with the neighboring states of France, Germany, and Switzerland. This CBR is characterized by strong socioeconomic interdependencies and the fact that quite different political systems are involved. A second CBR is the Lake Constance region, where the federal states of Germany, Switzerland, and Austria share a border. Here, we find very low socioeconomic interdependencies. The other two border regions are located on the West coast of North America. One region will be referred to as "The Californias," a cross-border interaction space on the US–Mexican border centered on the San Diego–Tijuana agglomeration. This border region features strong socioeconomic interdependencies, but very distinct political systems. The other region is called "Cascadia" and includes various initiatives across the US–Canadian border in the Pacific Northwest – centered on the Cascadia corridor from Vancouver to Seattle and Portland. As in the Lake Constance region, the situation in Cascadia is characterized by low socioeconomic interdependencies, but it has comparatively similar political systems. After briefly describing the institutional profiles of the four border regions in words and symbols, we concentrate on the differences between the European and the North American institutions.

Institutional Profiles of Four Border Regions

In all border regions we have found a variety of cross-border institutions, each of which can be classified according to the typology for cross-border institutions developed above. Limited space makes it necessary to present summarized results for the four border regions. The following description refers to the situation in the mid-1990s.

(1) In the *Upper Rhine Valley* there is a broad variety of active cross-border institutions. There are inter-governmental commissions (e.g., Oberrhein-Ausbaukommission[3]), coalitions (e.g., Badisch-Elsässische Bürgerinitiativen[4]), connections (Begleitausschüsse für die EU-INTERREG programme[5]), and consociations (e.g., Regiorat[6], Oberrheinkonferenz[7]). How strongly this CBR has been institutionalized is expressed by the creation of a cross-border parliament (Oberrheinrat) whose members are elected indirectly. All these institutions operate with very divergent logics of interaction and possess quite typical features of the institutional ideal types defined above. Nevertheless, in comparison to other border regions, a regulatory and rather centralized element still dominates the overall cross-border cooperation. The national governments have created a detailed framework for cross-border cooperation on a subnational level with an international treaty ("Karlsruher Übereinkommen") signed in 1998, and in addition, in all cross-border institutions we find relatively differentiated, explicit rules and regulations.

The output and impact of the various cross-border institutions are also quite impressive and comprehensive. They include the joint construction and management of hydroelectric plants, the cleaning up of the Rhine river, the facilitation of socioeconomic exchanges in a highly integrated region, the creation of an integrated public-transport system, and the foundation of a variety of joint institutes (like the Centre Européen de Management in Colmar and the Institute for Regional Cooperation and European Administration in Kehl). Cooperation has also gone beyond projects with direct impact fostering mutual identification. This feature became apparent when a common economic regional development strategy was developed and German regional leaders strongly opposed any national/local retaliation when firms moved from the German side of the border to the French side to take advantage of high French subsidies. They argued both on the basis of self-interest ("Better they go to Alsace than to Poland") and on that of a common identity ("If we take the common CBR seriously, we cannot object to such a move") (translations from Blatter 2000: 255).

(2) The *Lake Constance region* also has a broad variety of cross-border institutions, but here the variation is not as broad and the overall characteristics have a different focal point. In the Lake Constance area there are also Commissions (e.g., Internationale Gewässerschutzkommission Bodensee[8]), Coalitions (e.g., Umweltrat Bodensee[9], Arbeitsgemeinschaft Wasserwerke Bodensee–Rhein[10]), and connections (Begleitausschüsse für die EU-INTERREG programme), but all of these institutions show strong elements of consociations in their actual performance. The strongest indicators for such a consociational core of cross-border cooperation are the comprehensive *Leitbilder* (development programs) produced in 1982 by the joint Raumplanungskommission (land-use planning commission) and 1995 by the Internationale Bodenseekonferenz, the cross-border institution of the government leaders from the *Länder* and cantons around the lake. These comprehensive development programs proved early on to be extraordinarily powerful symbols for a common identity within the CBR.

Regional cross-border cooperation at Lake Constance has led to one of the first and certainly most successful water conservation regimes in the world. In

addition, it has resulted in the production of joint infrastructure even when a pressing need was not existent.[11] The politicians around the lake not only set up a highly attractive cross-border train service and financed a new ferry, they also induced stronger economic integration by providing information and platforms like the "Electronic Mall Bodensee."

(3) The cross-border cooperation among *The Californias* is based almost entirely on an instrumental logic. Formal commissions like the International Boundary and Water Commission (IBWC) are complemented by informal connections like the San Diego–Tijuana Binational Planning & Coordinating Committee. The twin institution Border Environmental Cooperation Commission/North American Development Bank (BECC/NAD-Bank), which has been created by side-agreements to NAFTA, is also a mixture of commission and connection. The task of this twin institution is to improve the environmental infrastructure in the border region. Relevant coalitions could not be established due basically to the weakness of the Mexican civil society. Attempts to create consociations failed; these institutions adapted to the situation and were transformed into connections. The San Diego Dialogue, for example, had to abandon its initial goals of instituting a regulatory border authority and creating a common identity in the cross-border metropolis and has shifted its center of activity toward the production and distribution of information for the business community.

Due to national legislation, but also to the many informal connections in a region "where North meets South" (Herzog 1990), there has been a phenomenal economic boom in the border zone. Thousands of *maquiladoras*, or twin-plants,[12] have been created despite the fact that efforts to construct joint infrastructure have been hampered by distrust and anxiety. After decades of negotiation, a joint sewage-treatment plant has been built under the auspices of the IBWC.

(4) *Cascadia* also lacks a comprehensive set of cross-border institutions. Only to a very limited extent have coalitions like the Pacific Northwest Economic Region (PNWER),[13] the Cascadia Project,[14] the British Columbia–Washington State Environmental Cooperation council, and the Sounds and Straits Alliance[15] developed into connections and consociations as was originally envisioned. Nation-state-dominated commissions have been ignored in recent times (e.g., the International Joint Commission (IJC)) or show serious malfunctions (e.g., the International Pacific Salmon Fisheries Commission).

The influence of transnational coalitions has been especially obvious in the joint struggle of environmentalists against the timber-harvesting practices in the forests of British Columbia. Environmentalists have joined forces in other conservation efforts as well (Levesque 2001). But the free traders have also been able to help each other in domestic policy struggles. For example, on both sides they were able to block a proposed border-crossing fee. But neither of these coalitions has been successful when it comes to conflicts with material cross-border interdependencies. Neither the environmentalists nor the free traders have been able to overcome the national cleavages in the field of

salmon fishery. Instead, the conflict over salmons turned into a "fishery war" and interrupted all attempts to build a common CBR.

In line with the importance we ascribe to symbols in this study, the differences between the four regions is presented in a visualized form (Figure 10.2). The four institutional profiles are not only defined by their location within the matrix of institutional ideal types, they are also highlighted by symbols which represent these profiles.[16] The almost comprehensively institutionalized cross-border Upper Rhine region is shown as a square (the center still lies slightly within the upper-left field). Cross-border cooperation in the Lake Constance region, characterized by harmony and a common identity, is represented by a circle. The political cooperation in the San Diego–Tijuana region (The Californias), with its clear focus on instrumental institutions, is typified by a semi-permeable rectangle; and for the antagonistic coalitions in Cascadia the form of a wedge has been chosen.

The analysis of cross-border institution-building processes can be further disaggregated. First, I focus on the aspects of unbundling and de-territorialization. Second, I take a closer look on the "functional" ties which bind political actors in non-territorial "spaces of flows" – the two North American CBRs provide quite contrasting examples.

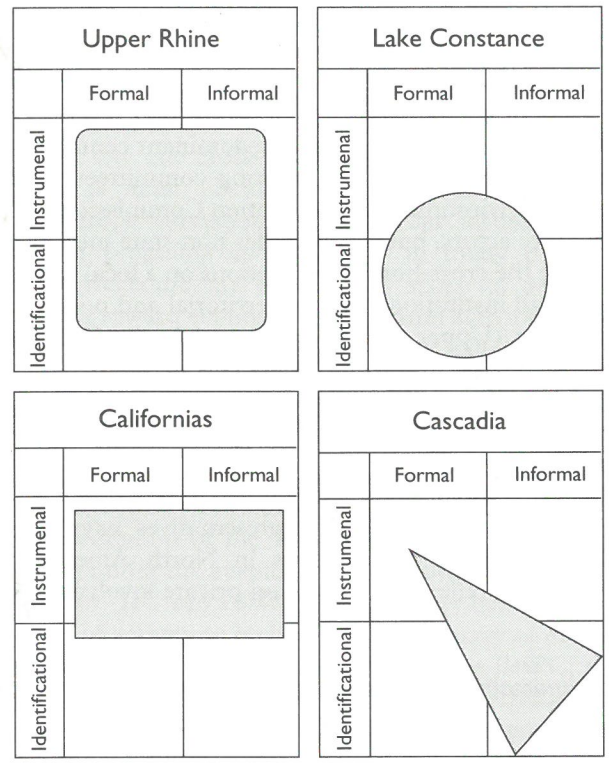

Figure 10.2 Dominant characteristics of the institutions of cross-border cooperation in the four border regions

Deterritorialization? Differences between Europe and North America

To what extend does cross-border political collaboration contribute to a development called unbundling and deterritorialization (Elkins 1995)? My discussion below focuses on (1) the logics of representation, (2) the territorial demarcation, (3) the scope of goals and tasks, and (4) the *leitmotivs* guiding cross-border institution-building,[17] in order to tackle this question.

Divergent logics of representation

For a discussion of the deterritorialization thesis, the question of primary interest with regard to the logics of representation is this: are the members of the institutions territorial representatives (e.g., government leaders, parliamentarians, mayors) or non-territorial representatives (e.g., representatives of interest groups, scholars)?

There are clear differences between European and North American cross-border cooperation in this respect: whereas in Europe the most important institutions (Oberrheinkonferenz, Bodenseekonferenz) are purely inter-governmental and complemented by institutionalized meetings of parliamentarians, North American institutions are much more open for direct involvement by private actors: the Commission of the Californias does not consist of parliamentarians, but it does include a broad array of appointed representatives; the PNWER has both a public and a private council and had to switch its predominant center of activity from the former to the latter. In contrast to the steering committees of the INTERREG programs, the Border Environmental Cooperation Commission not only cooperates intensively with private actors, but also includes non-state members on its board of directors. Comparing the cross-border associations on a local level, we get the same picture. Although in all institutions we find territorial and non-territorial representatives, in the Regiorat (Upper Rhine Valley) and in the Bodenseerat politicians clearly dominate. In contrast to this, the politicians in the San Diego Dialogue and the Cascadia Project reduced their activity significantly after an initial euphoric start, and these institutions rely much more on activists from the academic and business spheres.

We can conclude that in Europe cross-border cooperation is still dominated by territorial representatives (but national representatives have been replaced and supplemented by regional ones), whereas in North America institutionalized cross-border cooperation relies much more on private involvement.

Territorial demarcation: clear-cut geographical definitions and congruence versus fuzziness and overlaps

With respect to this indicator, the strongest differences appear between the European and the North American border regions as well. Whereas all European institutions have defined their geographic scope of activity, this is not the case with some North American institutions (e.g., San Diego Dialogue, Cascadia Project). Furthermore, in Europe the various institutions within a CBR share a common geographical definition of the border region (except for the INTERREG programs, which were introduced "top-down" by the EU), and the geographic spaces reclaimed by more local initiatives add up to the geographic spaces of the wider regional institutions (at least in the Upper Rhine Valley). In contrast, in the North American border regions we find geographical overlaps and no congruence between the various institutions. For example, the Mexican state of Baja California Sur is a member of the smaller Commission of the Californias, but not a member of the more encompassing Border Governors Conference (BGC). In Cascadia, the various institutions do not resemble each other geographically as is the case in Europe, in that the sum of the smaller units is equal to the larger unit, but they follow the logic of "concentric circles": the smallest institutions (in terms of geographical scope) focus on Mainstreet Cascadia (the metropolitan corridor of Vancouver, Seattle, and Portland), the Pacific Northwest Economic Partnership includes British Columbia and Washington State, whereas the PNWER embraces Alaska, British Columbia, Alberta, the Yukon Territory, Washington, Oregon, Montana and Idaho.

Universal versus specific goals and tasks

Another indicator which points to differences between European and North American ways of cross-border institution-building is the breadth of goals and tasks ascribed to any one cross-border institution (intersectoral integration). Here, the variance is most obvious when we examine developments over time. Whereas in Europe subnational cross-border institutions have developed almost encompassing programs and activities in many policy fields (e.g., in the 1990s the Bodenseekonferenz widened its scope of activities from mainly water-oriented policies toward economic and cultural activities), the corresponding institutions in North America (BGC, San Diego Dialogue, PNWER, Cascadia Project), which all started with similar broad aspirations, had actually to narrow their activities to offering basic services for economic development and business contacts.

The nation-states in Europe created commissions for their border regions with encompassing tasks and responsibilities (in terms of policy fields) in the 1970s (following a recommendation of the First Meeting of the Ministries responsible for Regional Planning under the auspices of the Council of Europe). The commissions in North America (IJC and IBWC), on the other hand, have only marginally expanded their fields of activity to include a broader array of environmental problems (the IJC has been much more open to this than the IBWC; this is one reason why a new institution has been created here: the BECC/NADBank); in these border regions no single institution has been created which can potentially address issues in all policy fields. Lastly, the same picture emerges if one looks at the policy scope of the INTERREG programs in comparison to those of BECC/NADBank. The former has been steadily expanded to include almost all possible policy fields and

all kinds of projects, whereas the latter is restricted to environmental and health infrastructure.

Visions and leitmotivs: European spaces of place and North American spaces of flows

Last but not least, we find quite different visions and *leitmotivs* in the discourses on cross-border institution-building in Europe and North America. In the regions of west-central Europe, cross-border institution-building is guided by concepts based on territorial identities and encompassing, multi-functional polities. Following Castells we call this a logic of *spaces of place* (Castells 1996). In North America, cross-border institution-building follows much more the logic of *spaces of flows*, which means that non-territorial interdependencies and identities are primary *leitmotivs* for creating cross-border institutions. Here, these institutions are much narrower in focus and more fluid in respect to space and time.

The different logics of spaces of place and spaces of flows can be shown in the concepts and activities of environmentalists. In the Lake Constance region environmentalists evaluate a broad array of policies of the riparian municipalities. Based on this evaluation an "environmental capital city of the Lake Constance region" is chosen every year. Here, a holistic, intersectoral approach is combined with a territorial definition of the relevant space. This pattern differs quite remarkably from the bioregional concepts found in North America. Bioregions are demarcated according to specific natural flows like watersheds or the migratory routes of salmon or other wildlife. Examples of institution-building based on such a concept include the Georgia Basin Initiative, launched by the government of British Columbia, and the Georgia Basin–Puget Sound Task Force, created under the auspices of the British Columbia–Washington State Environmental Cooperation Council. The relevance of such a perspective is suggested by further cases. The environmental organization Northwest Environment Watch demarcated the boundaries of the Pacific Northwest on a watershed basis (Northwest Environment Watch 1994), and the Internet magazine *Cascadia Times* defines its area of concern in terms of the migratory space of salmon.

Those differences can not only be traced by comparing the concepts of environmentalists, but show up in a similar way if we look at the discourses of business groups and developers. Whereas in Europe developers describe their CBRs as *a place in the center of Europe*, North Americans talk about *ports of entry*, *corridors*, and *gateways*.

The limited sectoralized approach which accompanies the notion of spaces of flows contrasts sharply with the encompassing holistic approach based on spaces of place. The following quotation is typical for the thinking of the believers in cross-border cooperation in North America:

> Cascadia is neither a place nor a feeling. It is a rite of passage, a sign of maturity. To see this braver, newer world, a British Columbian would look not on a map, not in his shrivened or competitive heart, but in his bank account – economic man's most sacred place. (*British Columbia Business*, September 1992: 37)

Quite contrasting are the following statements from the conferences where the BODENSEERAT (Council of Lake Constance) was founded:

> Professor Timmermann has shown the interdependencies between the economic, political and socio-cultural spheres. In the long run it is impossible to adjust only one sphere to Europe. (Thomas Onken; Member of the Swiss Upper House (Ständerat); in Maus et al. 1990: 181; my translation).

> The Lake Constance region [should] develop into a common unit of the Alemans within Europe, that is taking part in creating Europe from the bottom up. We have found that there are already a multiplicity of cross-border institutions, attesting to the proclaimed Spirit of Lake Constance. [. . .] What is missing is a focal point, the *bundling* into a common voice, into a common organization. (Robert Maus, chief executive of the country of Konstanz and member of parliament in Baden-Württemberg; initiator of the Council of Lake Constance; in Maus et al. 1990: 187; my translation).

In sum, the proposed trends toward unbundling and deterritorialization are rather limited – basically to North America. In Europe, the cross-border institution certainly has an element of unbundling, since another layer of political decision making and identity formation is created, but this layer is again territorially defined and quite comprehensive in respect of policy goals and tasks and institutional variety. The North American border regions, in contrast, show much stronger elements of unbundling and deterritorialization. The territorial dimension of politics is weak because of the strong influence of private actors and because the institutions do not have clear-cut territorial demarcations. Furthermore, we can discover elements of unbundling, because only very limited tasks and goals are institutionalized at the cross-border level. Finally, the *leitmotivs* of the advocates of cross-border cooperation point toward a logic of "spaces of flows" as the guiding idea behind processes of micro-integration on this continent.

Beyond Unspecified "Functions" and "Spaces of Flows"

The empirical case studies make it quite obvious that we have to overcome unspecified notions like "from territory toward function" and to look more closely at the specific ties and links which are crucial for defining the new polities based on the logic of spaces of flows. The two North American border regions represent quite different alternatives to the "territorial imperative" as a basis for creating social cohesion and for building political institutions:

- socioeconomic exchanges and ecological interdependencies (*material flows*), or
- shared visions, beliefs, and ideologies (*flows of ideas*).

The Californias (the San Diego–Tijuana region) is a primary example of a polity that is highly integrated in a very selective way (only by many public–private networks for economic development) and shows a high degree of material flows. Nevertheless, all attempts to widen this selective path of micro-integration into a more comprehensive political region (including identity-facilitating institutions)

failed. Neither on the US nor on the Mexican side has the idea of a common identity of this cross-border metropolis gained enough support to overcome long-standing negative attitudes. Therefore, cooperation can only emerge in those cases in which the enormous material profits gained by synergetic exchanges can overcome all barriers. Nevertheless, this selective form of integration has tremendous outputs and impacts.[18] It serves as one of the most dynamic economic development poles for North America, and the "exchanges" within the connections are significantly altering the involved nation-states. The impact on the Mexican side is already quite revolutionary: the capitalist spirit and the money which accompanied the *maquiladora* boom in the borderlands led to the growth of a middle class, which in turn proved to be the basis for the rise of the opposition party PAN. PAN started its successful contest with the oldest ruling party in the world, the PRI, at the end of the 1980s in the border cities (e.g., Tijuana), then won governorships in several border states (the first was Baja California). In the year 2000, finally, the election of PAN candidate Vincente Fox as president of Mexico represented the peak of revolutionary transformations in this nation-state. The USA, however, also faces tremendous challenges caused by the flows of people across the US–Mexican border (this flow is supported and sustained by the cross-border connections). It took a long time, but in the 1990s the *cultural browning* of the American southwest (Fernandez 1989: 30) was followed by elements of *political browning*. The Mexamericans can no longer be ignored by political parties and candidates and play an increasingly powerful political role in the border states. This has led to some talk (in the east) about a Mexican *reconquista* (*Atlantic Monthly*, November 1996: 68). In sum, the US–Mexican border *Connection* neither has a common identity, nor has it turned into a formal political institution, but it is already a structure with extraordinary political consequences.

In sharp contrast, the CBR called Cascadia has until now been integrated almost exclusively by shared ideas. Here, visions of the "rise of the region state" (Ohmae 1993) have found intellectual harbingers and have taken root in the political process on both sides. Two antagonistic worldviews with distinct ontological bases have been developed and publicly expressed in a radical and single-minded way which is probably unique. The *free traders* propose a borderless society in order to adapt to the globalized economy (Bluechel 1991); the *bioregionalists* advocate local communities which adapt to their natural environments (Mazza 1995). Both visionary coalitions are united in downplaying the modern, sovereign nation-state and have been able to mobilize people and resources on both sides of the border to further their goals in domestic policy processes. Furthermore, this CBR with its visionary ideas is a fertile ground for new social/political actors and concepts which are moving the world into a postmodern era. Cascadia has seen not only the most sophisticated elaborations of "bioregional governance" (Mazza 1995), but also the founding of Greenpeace in Vancouver. Washington State-based Boeing Aircraft and Microsoft are not only two of the most important global companies, their products are major facilitators of the process of globalization. Last but not least, it seems no accident that the most successful mystery series on TV, *The X-files*, which is a permanent attack on the modern belief in instrumental rationality and state control, is produced in Vancouver (with American investment). Nowhere are the fundamental ideas of the two cross-border coalitions, the free traders and the bioregionalists, more clearly and radically articulated than in the Pacific northwest. And – making Cascadia a politically relevant "space of flows" – these ideas refer to flows (free trade, natural flows) that are specified in the CBR in the northwest (by maps, concepts, governmental programs, thinktanks, and political institutions) but also have wider implications beyond the CBR, since the anti-modernist ideas produced in the Pacific northwest have been spread around the world (by actors and products like Greenpeace, Microsoft, and *The X-Files*). These coalitions have not been able, though, to overcome territorial identities and loyalties in policy disputes which are characterized by high material interdependencies (e.g., in the case of the salmon fishery).

In sum, both CBRs in North America are quite limited polities in respect of the scope of their social and political functions. Both are only able to invent and implement "developmental policies" (positive-sum games), whereas both are unable to fulfill (re)distributive tasks. Nevertheless, once again the logic of functional differentiation and specialization seems to work: the functional specialization of the polities has led to "high performance" in their specific fields, which seems to outweigh the total failure with respect to cross-border cooperation in fields with (re)distributive effects. The dynamic which is provided by such specialized polities might make them a viable alternative to the comprehensive polities we are witnessing in Europe.

Conclusion: Divergent Paths into a Debordered World – A Multi-Level System in Europe and a Multi-Polity System in North America?

In the four border regions in Europe and North America there is indeed a trend toward "debordering the world of states." The institutionalized links between subnational actors (governmental and non-governmental) and the official inclusion of subnational actors in cross-border institutions are undermining the exclusive gatekeeper role which national executives held during most of the twentieth century.

Territory is no longer the only imaginable basis for creating and defining primary political communities and institutions. Nevertheless, it would be too easy to "write off" the nation-state or the territorial basis of politics in general. In Europe, the process of regional cross-border institution-building shows the quite typical modern features of institutions with a rather clear-cut geographic basis and multi-sectoral goals and tasks. The European system of "multi-level governance" is being complemented by another – rather weak but comprehensive[19] – layer of institutions of governance and identity formation.

In contrast, in North America regional cross-border cooperation follows much more the logic of spaces of flows – but the new, quite "fluid" institutions in respect of geographic space and time are not strong enough to play a significant role in policy conflicts with distributive consequences across the national border. In these cases the "old" territorial identities and loyalties prevail. Therefore, here "debordering the world of states" means complementing the single territorial polity (nation-state) with non-territorial polities (transnational socioeconomic exchange networks or transnational ideological coalitions) which are relevant only in specific

policy dimensions but have a significant mobilizing capacity. Such a system of "multi-polity governance" does not question the Westphalian system of sovereign states directly, since the states are not challenged by similar territorial units (same kind of polities), but presents a much more radical path of system change.

The hypothesis that we are witnessing divergent paths of polity change in Europe and North America might be challenged by the observation that the current state of affairs in the border regions in North America resembles the situation in western Europe at the end of the 1960s and the beginning of the 1970s when the first limited cross-border linkages emerged. A functionalist would assume that North America will catch up and that soon we will see the development of a full-blown, territorially based polity in North America on the continental and the borderlands levels. Those who ascribe a fundamental relevance to "ideas" would insist on the divergence of the emerging polity systems beyond Westphalia.

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NOTES

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1 The separatist movements in Quebec do not undermine this hypothesis, since such movements do not challenge the concept of sovereign nation-states. All that these separatists want is their own independent nation-state, neither a multi-level system nor a multi-polity system.
2 The hundreds of sources and references cannot be presented in this article – only the most important references are included.
3 The Oberrhein-Ausbaukommission was created in 1969 by the French and German governments in order to build and regulate joint power plants on the Rhine river.
4 The Badisch-Elsässische Bürgerinitiativen is the umbrella organization of environmental NGOs from the German border region of Baden and the French border region of Alsace.
5 The Commission of the European Community in 1990 launched a Community Initiative INTERREG to promote cross-border collaboration. The border regions are obligated to formulate a joint development program and must create steering committees for these programs. These committees comprise administrative representatives from the European Commission and the national and regional governments.
6 The Regiorat is a public–private organization established by the Swiss, French, and German "regio-associations" with a broad political agenda, but territorially limited to the southern part of the Upper Rhine Valley (the region around Basle).
7 The Oberrheinkonferenz is the successor of the Swiss–German–French intergovernmental commission for border affairs which was created in 1975. Nowadays, it is dominated by the regional executives and includes representatives of the larger municipalities. The national governments have been retreating into the role of observers.
8 The International Commission for Water Conservation, established in 1960.
9 The Umweltrat Bodensee is the umbrella organization of the environmental NGOs located around the lake.
10 The Arbeitsgemeinschaft Wasserwerke Bodensee–Rhein is an international lobbying organization of waterworks around Lake Constance and along the upper Rhine valley.
11 The search of cross-border institutions for highly visible signs which symbolize the common cross-border regional identity can be seen as a major factor in explaining the success in regulating and protecting the water quality of the second largest lake in western Europe.
12 The term "twin-plant" signifies that the labor-intensive plants on the Mexican side are usually complemented by a headquarters unit on the American side of the border.
13 PNWER is an organization set up by parliamentarians and business groups from the Canadian provinces of Alberta and British Columbia and the US states of Washington, Oregon, Idaho, Montana, and Alaska. It was able to officially integrate the governments of these provinces and states as members of this organization; nevertheless, after the government from British Columbia withdrew its support, PNWER had to turn to the private sector as its primary supporter and to focus its attention on promoting free trade.
14 The Cascadia Project is a public–private initiative set up by academics and politicians focusing on "the Four T's" – transportation, trade, tourism and technology – throughout the corridor from Vancouver to Seattle and Portland (Schell and Hamer 1995: 154).
15 The Sounds and Straits Alliance is a coalition of environmental NGOs (Alper 1996).
16 To obtain these profiles, each cross-border institution was located in this matrix. A line was then drawn around these individual institutions and the result slightly modified to obtain the symbolic forms presented above. This rule of aggregation is a compromise between quantitative and qualitative approaches.
17 These elements refine the two dimensions used to distinguish formal and informal political institutions (see table 10.2).
18 Such a narrow institutionalization of the CBR with the predominance of utility-maximizing connections prevents the border region from confronting the economic boom's negative side effects (environmental degradation). Thus intervention by nation-states becomes necessary again, but the border regime's financial and regulatory environmental regime is narrowly limited and institutionally separated from the border connections.
19 "Comprehensive" means that all four types of cross-border institutions do exist in these regions and that the institutions of the executive and the private groups are being complemented by some kind of "representative assembly" like the Oberrheinrat or the Bodenseerat.

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State/Space

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Edited by

Neil Brenner, Bob Jessop,
Martin Jones, and Gordon MacLeod

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This book provides no more than a first cut into a large, multidisciplinary, and rapidly growing research field. It makes no claim to provide a comprehensive survey of recent work on state space. Many difficult, even painful, editorial decisions were required in order to meet some very strict length requirements imposed by the publisher. We do hope, however, that this volume will provide readers with a broad overview of this exciting new field of theory and research. We also anticipate, in future work, the further development of our own research agenda on the production and transformation of state space under modern capitalism.

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