



The Shifting Border

Date May 22, 2025

Main Arguments

- The legal construct of the border does not align with the actual “territorial border.” Borders are mobile, operating extraterritorially (e.g., in airports, at sea) and interterritorial (e.g., “constitution-free zones” inside states).
-

Why is this important?

- The text shows that sovereign power today is no longer confined to a state’s geography. Instead, states are pushing their borders outward and inward. The consequence of this is that then they are using legal mechanisms to extend control without extending responsibility.
 - We live in a globalized world in which a common liberal understanding of borders is that people and goods are moving freely and faster than before. Therefore, borders are less relevant today than they were in the past. Shachar mentions that borders are not disappearing, they are transforming.
-

Questions

- How does Shachar's concept of the "shifting border" challenge the traditional relationship between law, territory, and sovereignty?
- How might we balance state sovereignty with universal human rights in a world of de-territorialized migration control?
- Can we think of any contemporary examples which reflect Shachar's claim?