

**Migration in the Age of the Nation-State:
Migrants, Refugees and the National Order of Things**

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Abstract The paper attends to the historical and contemporary relationship between migration and the global inter-national order. It takes as its point of departure the argument that comprehensive analyses of migration must not only transcend the traditional subjects, objects and assumptions of international relation theory, but also interrogate and historicise that which conditions the possibility of the inter-national order, namely, the nation-state. As such, it attends to the emergence and consolidation of the inter-national order, to the role of migration in its production, and to the manner in which it continues to structure the field and practices of migration, and conditions the possibilities of migrant populations.

Key Words inter-national order, nation-state, migration, population transfer, Europe

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Thinking about migrants and refugees from an international perspective has usually entailed thinking about the technologies (the laws, statutes, and practices) that govern the crossing of internationally recognised territorial borders; thinking about trans- or inter-national legal frameworks and conventions that attempt to govern international population movements; identifying, mapping, and analyzing migratory routes, patterns, and types; and identifying and attending to the ways in which international migration has, in the words of Stephen Castles and Mark J. Miller, re-forged societies¹. In this last instance, what is attended to is the manner in which migrants and refugees transform the economic, political and socio-cultural complexion of immigrant-receiving societies; the economic, political, socio-cultural responses of these societies to the aforesaid changes; and the ways in which the identities of the migrants and refugees, and the complexions of immigrant-sending societies are likewise transformed and re-forged.

Taking issue with the methodological and ontological assumptions and frameworks that guide these studies, Castles and Miller level against them the fundamental criticism that they artificially rupture and compartmentalise the ‘migratory process’². In *The Age of Migration: International Population Movements in the Modern World*, a work that consciously attempts to reconsolidate and re-forge the field of migration studies, Castles and Miller argue that the aforementioned studies artificially bifurcate the migratory process by investigating the determinants, processes and patterns of migration separately from the ways in which migrants become incorporated into receiving societies. Arguing that the distinction is not only artificial, but also detrimental to a meaningful understanding of migration, Castles and Miller propose an intrinsically interdisciplinary migration studies that transcends the aforementioned divide and embraces the complex and multidimensional character of the migratory process.

Although Castles and Miller do not make this connection explicitly, their dissatisfaction with the state of migration studies might be interpreted as an implicit critique of its reproduction of what Ian Clark has called the ‘Great Divide’ of international relations³. An assumption of a divide, and more importantly, of a qualitative difference between the domestic and international, or the ‘inside’ and ‘outside’ grounds (either explicitly or implicitly) the discipline and theory of international relations. The divide, in fact, lies at the heart of international relations’ claim that it comprises a separate discipline with a distinct object of analysis⁴. As Clark himself notes, ‘unease with the Great Divide is by no means new’, pointing to Kant as the first among many who felt uncomfortable with its assumptions⁵. Whether or not Kant was the first to feel this discomfort is largely irrelevant to the arguments of this paper. What is of greater relevance is that the divide, the assumption on which it is based, and the limitations it poses for thinking about politics, ethics, economics, and indeed global affairs has been challenged from many angles and through many counter-discourses. Among them are the discourses of international political economy, hegemony and interdependence, critical security studies (including Foucauldian inspired analyses of international governance and governmentality), and the arguably more critical attempts to carve out a realm of international studies that eschews the traditional lineage and modes of analysis of international relations theory, and grounds itself on the insights of social and political thought and continental political philosophy⁶. In one of the more insightful and penetrating of the latter critiques, Walker has argued that international relations theory is, in fact, nothing more than an expression ‘of an historically specific character and location of political life’⁷.

When, like Castles and Miller, one is concerned with the migratory process, a fruitful discussion must indeed transcend the Great Divide of international relations, as migrants

themselves do. A fruitful discussion must also move beyond, and outside of the traditional objects and units of analysis of international relations, and its assumptions regarding (and simultaneous constructions of) the primary ‘subjects’ of the international realm. Perhaps most importantly, if one is interested in the constitutive and constituting aspects of the *movement of people* across borders, one cannot but find limiting the state-centric understanding of politics and subjectivity that inheres in international relations. If one is interested the movement of people, and in its social, economic and political causes and effects, the enclosure, spatialisation and institutionalisation of the political must likewise be inherently problematic.

A second, related criticism that can be leveled against a migration studies that unreflexively reproduces the categories of international relations theory is that it fails to interrogate and historicise the ‘stuff’ that contemporary international relations is made of, namely, the nation-state. In the exceedingly rich and comprehensive *Migration in European History*, Klaus Bade frames this history as follows: ‘From the French Revolution to the First World War, the idea of the nation developed from being a guiding light of national revolutionary movements to “Europe’s most powerful legitimizing concept”⁸; cross-border migration became inter-national migration⁹; ‘Imperial Darwinism moved international relations into the context of a ‘national’ struggle for existence or survival’; “nationalistic patterns in images of ‘self’ and ‘other’ became ethnically charged into ethnonationalistic perceptions”¹⁰; and by the close of the nineteenth and the beginning of the twentieth centuries, nation-states created a type of refugee persecuted not for something he or she had done or believed, but for something he or she was¹¹. Pointing to the same issue, namely, the importance of the emergence and consolidation of *nation-states* for the migratory process, Castles and Miller note that for nation-states, diverse groups of migrants and refugee present a particularly salient dilemma¹², as in a nationalised state

the integration into the legal structures of the state (through, among others, the formal acquisition of citizenship) depends on the assimilation into the national community. Becoming a citizen (or full, legal member of the state), in other words, is inherently tied to becoming a national.

The focus of this paper is this second strand of criticism, which is of course not entirely unrelated to the first. It is not unrelated because the lack of historicization and interrogation of the emergence of the nation form and the subsequent nationalization of the state is fundamentally related to the givenness of the Great Divide that separates homogenous and self-contained spaces of the nation (organised and institutionalised in the state) from the heterogeneous world of ‘others’. Yet, while sustained and substantial critical engagements with the ‘Great Divide’ abound, there is a marked lack of a systematic interrogation of the role of migration on the emergence, consolidation, and naturalization of the nation-state and the global inter-national order, and in turn, of the effects of this inter-national order on migration. While both Castles and Miller and Bade acknowledge the existence a relationship between the emergence of the *nation*-state and migration, they do not engage in its sustained analysis. What is more, while acknowledging that the emergence of the *nation*-state and the consolidation of the national order of things had a profound effect on migrants and refugees, they pay considerably less attention to the manner in which the national order of things has (and could have only) come into being through processes of migration.

The paper provides the beginnings and contours of what a more systematic analysis of the relationship between migration and the national order of things might entail. It is the argument of this paper that migration¹³ was one of the fundamental technologies through which the global national order of things was, and continues to be produced. The emergence of the *nation*-state and the consolidation and naturalization of the global inter-national order, in turn, have

fundamentally restructured and continue to delimit the manner in which migration is thought about, governed and practiced. The paper begins from the premise that it is not simply *the* nation form that has had a constitutive effect on contemporary migration, but that it is in fact the racialization and naturalization of the nation, or in other words, the emergence and coming into dominance of a particular kind of nation that ushers in a profound transformation in the manner in which migrants and refugees are constructed and governed. The paper first analyses the emergence and transformation of the nation form in Europe, and the subsequent consolidation of the national order of things. It attempts to show, second, how population movements, exchanges and shuffles – in short, migration – was at the centre of the technologies through which the national order of things was constructed. The paper ends with the argument that this global inter-national order continues to structure the migratory process, and delimit the field of possibilities available to migrant populations.

The Emergence and Consolidation of the *Nation-State* and the Inter-National Order

Traditional discourses of international relations often identify the Treaty of Westphalia (1648) as the birth of the modern nation-state order. While the Treaty can certainly be seen as a defining moment in the constitution of a new order in Europe, one based on the principles of territorial sovereignty and integrity, and one in which states attempted to establish themselves as the sole legitimate actors on the European stage, the modern inter-national order is far from the order established by the Peace of Westphalia. It is far from this order not just, or even primarily because of hegemony, internationalism, globalisation, and the myriad other reasons for which statehood and sovereignty are not absolute or equal, and interdependence and intervention are the

order of the day. The contemporary international order is distinct precisely because it is an *international* and not an inter-state order. The slippage between nation and state in much of the traditional discourse of international relations not only reifies and dehistoricises both the nation and the state, but also obfuscates the ways in which movement is distinctly conceptualised and governed in era of the nation-state and the national order of things.

It is crucial, therefore, to reproduce, albeit vastly abridged, a genealogy of the nation, to which some crucial instances in the history of migration can be juxtaposed to illustrate the effect of the consolidation of a *nation*-state order on migration. As has just been argued, the first emergence is in fact not the emergence of the nation-state, but at best, the emergence of the order of states, and the coming into being of the discourses of nation. That at this historical juncture the nation and state remain separate is crucial. In what is in effect a genealogy of the nation, Michel Foucault argues that in this first, seventeenth century emergence the discourse of nation emerges not from, or together with the state, but in fact, in opposition to it, as a counter-discourse of struggle that attempts to challenge the sovereignty of royal power (or state) by writing its counter-history¹⁴. In this counter-history, the sovereignty of the king is neither divinely inspired, nor does it stem from the sovereign's ancestry or heroism, as discourse of state would claim. It stems, in fact, from the injustices perpetrated by the sovereign against the 'nation'. It is the historical suffering and oppression of the nation that grounds and perpetuates the sovereignty of the state. The discourse of the nation, therefore, emerges here as a counter-discourse to the discourse of the state, and a counter-history to the history the sovereign constructs for itself.

At this emergence, the discourse of nation pits the nation against the state and makes state the nation's principal enemy. As the preeminent revolt of the nation against the state, the French

Revolution marks not only the culmination of this discourse, but also its (partial) resolution. The nation – whose discourse has been building it up as a subject of history and object of analysis for nearly a century – waged an open battle against the state, and won¹⁵. It is to the French Revolution that we can thus trace the nation’s second emergence, one during which the nation emerges as sovereign, or more precisely, as that which legitimates the existence and sovereignty of a state. Thus, in the period between by the turn of the nineteenth and twentieth centuries the state emerges as the *nation-state*, as a state legitimised by and thus responsible to the nation to which it belongs and gives expression. Attending precisely to this event, Hannah Arendt refers to it as the nation’s conquest of the state, during which the state’s inherited function, ‘the protection of all inhabitants in its territory’ is supplanted by the supposition that the state’s duty extends only its nationals¹⁶. Thus, ‘in the name of the will of the people the state was forced to recognise only ‘nationals’ as citizens, to grant full civil and political rights only to those who belonged to the national community’, and as such, was ‘partly transformed from an instrument of the law into an instrument of the nation’¹⁷.

Before attending to the nation’s third emergence – as a racialised entity – it is vital to pause briefly at Arendt’s discussion of the nation’s conquest of the state, as it is crucial for our understanding of the manner in which contemporary nation-states engage with non-citizen (and thus also simultaneously non-national) populations, be they documented or un-documented, temporary or permanent migrants, guest workers, asylum seekers or refugees. Arendt argues that the nation’s conquest of the state, exposed in the *Declaration of the Rights of Man and of the Citizen*, has a profound effect on the grounds on which rights are accorded and protected. As the title of the declaration itself implies, the rights of man are always already incorporated and accorded as the rights of citizens (of particular states). With the nation’s conquest of the state,

The same essential rights were at once claimed as the inalienable heritage of all human beings *and* as the specific heritage of specific nations, the same nation was at once declared to be subject to laws, which supposedly would flow from the Rights of Man, *and* sovereign, that is, bound by no universal law and acknowledging nothing superior to itself. The practical outcome of this contradiction was that from then on human rights were protected and enforced only as national rights and that the very institution of a state, whose supreme task was to protect and guarantee man his rights as man, as citizen and as national, lost its legal, rational appearance and could be interpreted by the romantics as the nebulous representative of a “national soul” which through the very fact of its existence was supposed to be beyond or above the law¹⁸.

The practical outcome of this contradiction, in other words, was that the *nation-state* became the only, and the supreme source and guarantor of what were supposedly inalienable human rights. Human rights, in this manner, became the prerogative of not just citizens but *national* citizens, as when the nation conquered the state it also necessarily conquered the institution of citizenship.

Many have since argued that with the development of international human rights law, the proliferation of regional and international human rights instruments, and the appearance of policies such as European Union citizenship, we have entered a post-national era¹⁹ in which the nation-state and national citizenship no longer reign supreme as fountains and guarantors of rights. While it is indeed possible to argue that the nation-state and national citizenship are being challenged as the source and guarantor of rights, it is crucial to not overstate the effectiveness of these counter-discourses. One needs only to look to the recent expulsions of Roma from France (and the thus far ineffective condemnations of the policy by the EU)²⁰, the sixty-year old refusal of the Lebanese state to fully comply with international human rights and refugee law in its treatment of Palestinian refugees²¹, or the banal yet no less telling violations of the *non-refoulement* principle to recognise that even if the sources of rights have multiplied the nation-state remains, despite significant and continuing struggle, their final guarantor.

The third emergence of the nation is perhaps more appropriately conceived as its naturalization, or the entrenchment of the nation as the most natural and desirable grounds of

belonging. As Bora Isyar²² argues, only through the nation's emergence as the most authentic and *natural* community was the nation's conquest of the state actually materially realised. For the nation to become naturalised, it needed to be grounded in and defined through something essential and non-transferable. As Étienne Balibar argues, neither language (which could be acquired), nor culture (which could be adopted) sufficed²³; only race, biologically defined, could naturalise the nation and thus construct it as the only legitimate basis for belonging, and the only natural form of community²⁴. The naturalization of the nation form, in other words, could only take place through its racialization²⁵, in turn made possible by the emergence and dominance in nineteenth and early twentieth century Europe of discourses that constructed race as the fundamental category into which the peoples of the world could and should be divided. Thus, it is in the context of the growing authority of biological and demographic sciences, and their essentialisation and legitimation of race that the meaning of nation is monopolised by the discourses of race. The *racialised national*, in turn, becomes the most authentic and natural ground of belonging, and the national order of things the most natural way of organising and governing humanity.

The Role of Migration in the Constitution of the Inter-National Order

It is this last emergence that continues to structure inter-*national* migration and the field of possibilities in which it migration takes places. Yet before discussing the manner in which it does so, it is also crucial to acknowledge the role that migration has played in the material constitution or actualization of this world order. As Arendt's narrative of the nation's conquest of the state itself implies, non-national state formations preceded the emergence and subsequent

entrenchment of the nation-state and the inter-national order. The national order of things, in fact, replaced the order of empires, the most multi-ethnic, multi-cultural and multi-religious of which, the Ottoman Empire, took its final breath on 29 October 1923 with the declaration of the Republic of Turkey. For the order of nation-states to emerge from an order of empires, nations had to be produced, and claims to statehood made and recognised. As the above section implies, the discursive production of racialised (i.e. natural, authentic) nations, and by extension, the naturalization of the national order of things (or the inter-national order) involved a series of struggles, the outcomes of which were never determined in advance, and the victors of which were never secure in their victories. The inherent contingency and insecurity of dominant discursive formations aside, they were effective only in so far as they materialised as empirical realities, as homogenous, unified nation-states within an inter-national order of things.

For such an order to actualise from the ashes of the order of empires, nations (and corresponding states) had to be forged from among populations who often did not think of themselves in national terms. As Bruce Clark poignantly, albeit rather romantically observes in relation to the population exchange that produced modern Greece and Turkey, ‘the children of the population exchange grew up in a world where cultural identities were rich, complex and ambivalent²⁶. They were forced to adapt to one where national affiliation was simpler and more strictly enforced, and there was a high price for questioning this simplicity²⁷. While an interrogation of the production of national consciousness is beyond the scope of this paper, the population exchange between Greece and Turkey and many similar exchanges and transfers are not, as it is through them that the national order of things was actually forged. Migration in the broadest sense of the term²⁸ was, in other words, a pivotal (and often violent) technology through which nation-state and the national order of things materialised.

On 30 January 1923, with the support, and in the presence of the nascent inter-national community the Government of the Grand National Assembly of Turkey and the Government of Greece signed the *Convention Concerning the Exchange of Greek and Turkish Populations*, which in conjunction with the *Treaty of Lausanne*, signed by the Turkish, Greek, British, Italian, and Japanese governments on 24 July 1923 established the legal framework of the most monumental of the population exchanges that defined the era of the consolidation of the nation-state and the national order of things. As a result, and in order to nationalise the polities of the fledgling Greek and Turkish states, some one and a half million Greeks were sent to Greece in exchange for approximately 400,000 Turks²⁹. Exempt from this forced population exchange were only the Greek residents of the Islands of Imbros and Tenedos and the city of Istanbul, and the Muslims of Western Thrace³⁰. The ambiguity regarding the subjects of the exchange aside, the forced migration of close to two million people constituted ‘the modern societies of Turkey and Greece’³¹. Commenting on the desirability of this mandatory population transfer, one of its architects, Fridtjof Nansen argued that, ‘persons of Greek race domiciled in Turkey will very probably desire to transfer to Greek territory... A great number of persons of Turkish race domiciled in Greece will very probably desire to transfer to Turkish territory’³². Many did not, and their forced ‘repatriation’³³ to ‘homelands’ many had never seen was both physically and symbolically violent.

This was neither the first nor the last among population transfers, exchanges, and displacements that functioned to homogenise the populations of various states. Among them: the numerous exchange, transfer and resettlement agreements of the Balkan Wars, which between 1912 and 1914 resulted in the ‘ethnic unmixing’ of nearly 900,000 people³⁴, including the mandatory Greek-Bulgarian population transfer on which subsequent ones were modeled; the

massacres and expulsions (since called a Genocide) of somewhere between one and one and a half million Armenians during, and in the aftermath of the First World War³⁵, an event irrevocably linked to the formation of the Turkish republic; the 1924-1945 policy of 'Italianisation', which attempted to compelled Slovene, Croat, German, Greek, Turkish and Jewish populations to 'Italianise' or leave Italian territory; the countless forced migrations³⁶, expulsions, transfers, deportations and annihilations of populations during the Second World War; the exchange of some 100,000 Romanians for 65,000 Bulgarians mandated by the 1940 Treaty of Craiova³⁷; the post-World War Two displacement of anywhere from 13.5 to 16.5 million Germans (and the death of at least 500,000) from across central and eastern Europe³⁸; and the transfer of Ukrainians from Poland to the Ukraine, and Poles from Ukraine to Poland between 1944 and 1947. During this period, more than two-thirds of the Ukrainian population of pre-war Poland was 'transferred' to what was at the time the Ukrainian Soviet Socialist Republic, part of the, 'final and general solution of the Ukrainian problem'³⁹.

Thus, in addition the millions that were transferred or exchanged during, and in the immediate aftermath of the First World War, some 20 million more people fled, were expelled, deported, transferred or exchanged in the aftermath of the World War Two⁴⁰. It does not seem much of stretch to interpret these population exchanges, transfers and expulsions as techniques, and migration as a technology through which a racialised, national order of things emerges, is consolidated, and continues to be reproduced. As Baron and Gatrell suggest, one should not consider population displacement, 'a pathology of modernity', but see it, rather, 'as integral to the development and constitution of modern Europe', a Europe where not only was the state conquered by the nation, and thus existed for, and was legitimised by it, but one where minorities emerged and were governed as national minorities⁴¹.

What is more, and what is crucial to the arguments being made in this paper, is that while officially sanctioned population transfers and exchanges might be a thing of the past, the technology of expulsion and population transfer continues to play a part in the ongoing production and reproduction of the nation-state order in Europe and elsewhere. One needs only to look to the ‘return’ of hundreds of thousands of Jews⁴² and the expulsion of anywhere between 600,000 and one million Palestinians⁴³ that produced the state of Israel; the movement of at least 12 million people across a newly established border between India and Pakistan (Zamindar 2007); the mass migrations that marked the break-up of the Soviet Union; the mass population transfers that characterised the 1991-1995 Yugoslav Wars, and buttressed a racialised national order once again emerging in the Balkans; and the systematic deportation of Albanian inhabitants of Serbia during the 1999 Kosovo War and related flight of most of the Serbian population into Serbia following the war to realise that forced migration still serves as a technology through which the global national order of things is produced and reproduced.

Effects of the Inter-National Order on Migration

Thus, migration in general and forced migration in particular (in the guises of population transfers, exchanges, deportations and expulsions) played, and continues to play a fundamental role in the production of the global inter-national order. At the same time, this global inter-national order, produced at least in part through the technology and processes of migration also affects migration, and structures and conditions the possibilities of migrant and asylum seeking populations. According to dominant discourse, migration constitutes a problem for the nation-state, challenging its ability to maintain its *national* character, whether racially or culturally

defined, for whether naturalised through race or culture⁴⁴ the nation-state can only accommodate a certain degree of difference, as its base, the nation, can only be stretched to a limited degree.

It is for this reason that, in an era of the nation-state, migration can be constructed as an existential threat, even by states whose national identity and nation-building myths incorporate migration. Even in such contexts, perceptions or constructions of the volume or characteristics (ethnic, cultural, religious, etc.) of migrant populations can make them appear as an existential threat to what is constituted (always violently) as a relatively homogenous and unified national (ethnic or cultural) majority. Thus, as Bonnie Honig skillfully argues, the ‘good immigrant’ in the myth of immigrant America, an agent of national re-enchantment who reassures the nation of its choice-worthiness, confirms the possibility of upward mobility, saves it from atomization and moral decay, and fundamentally legitimates it through explicit consent (i.e. naturalization), is quite easily transformed into a ‘bad immigrant’:

“Their” admirable hard work and boundless acquisition puts “us” out of jobs. “Their” good, reinvigorating communities also look like fragmentary ethnic enclaves. “Their” traditional family values threaten to overturn...gender equality. “Their” voluntarist embrace of America...works to reaffirm but also endangers “our” way of life. The foreigner who shores up and reinvigorates the regimes also unsettles it at the same time⁴⁵.

Since in an era of nation-states and the global inter-national order, ‘the presumed test of both a good and a bad foreigner is the measure of her contribution to the restoration of the nation rather than, say, to the nation’s transformation or attenuation, nationalist xenophilia tends to feed and (re)produce nationalist xenophobia as its partner’⁴⁶.

The historical transformations in migration engendered by the coming into dominance and naturalization of the nation-state and the national order of things are numerous; they cannot be enumerated, let alone adequately addressed within this short paper. It is possible, however, to point to a few moments that reveal the ways in which the emergence and naturalization of the global inter-national order have affected migration and conditioned the possibilities of migrant

and asylum seeking populations. Taken together, they also enable us to interpret the rise of anti-immigrant sentiments and increased regulations of movement as historically correlated with the emergence of the inter-national order of things that is consolidated in the nineteenth and early twentieth century, and its attendant and subsequent nation-building and -sustaining efforts.

As both John Torpey and Bade argue, movement (and hence migration) was relatively free and unregulated until the nineteenth century, when governments in Europe became increasingly interested in regulating movement and distinguishing between ‘citizens’ and ‘others’⁴⁷. Like the various technologies of forced migration alluded to in the previous section, the increased regulation of movement – through, among others, the proliferation of identification documents that ‘sharpened the line between national and alien’, and thus contributed to the ‘naturalization of nativism’⁴⁸ – not only coincided with the emergence of the national order of things, but were part and parcel of its production. Like the aforementioned technologies, increased regulation of movement was both constituted by and constitutive of the emerging international order, irrevocably and significantly transforming migration from cross-border to *international* migration⁴⁹.

The effects of the nationalization of the state (and the emergence of *inter-national* migration) are reflected in the emergence and solidification of the national economy – and its attendant national (native) labour force – in the nationalization of citizenship, and the perhaps most poignantly, in the emergence in the late nineteenth and early twentieth century of both the ‘refugee problem’ and a new kind of refugee population. As Bade suggests, the intensification and naturalization of the distinction between ‘own’ and ‘other’ had “serious consequences for interactions between native majorities and immigrant minorities”⁵⁰. As ‘categorization and classification according to national, nationalistic and ethnocultural criteria increased in the last

three decades of the nineteenth century', as 'Flemings' became 'Belgians' and 'Piedmontains' 'Italians', 'xenophobic defensiveness towards foreign labour migrants grew', and foreigners could more easily be accused not only of economic crimes such as the undercutting of wages, but also of bringing with them 'culturally foreign lifestyles and manners'⁵¹. By the interwar period migration had been irrevocably transformed, with effects of this transformation continuing to structure the field of possibilities for twenty first century migrants⁵². 'Protectionism and autarkic efforts became characteristic of the world economy, and the interventionist states became the norm'; control and regulation became the official watchwords of migration⁵³, and restrictive measures instituted as temporary, war-time efforts to control access to and departure from territories became permanent⁵⁴.

With respect to refugees, the number of political refugees in the nineteenth century as a whole remained negligible when compared to the new type of refugee that emerged along with the formation of the nation-state⁵⁵. The consolidation of the nation-state and the national order of things had a fundamental (and in fact constitutive) effect on the refugee population. Far into the nineteenth century, the granting of asylum and the provision of assistance to asylum seekers was based on the information about the respective foreigner, and not on his or her national affiliation; although national consciousness was already prominent in, for instance, early nineteenth century political philosophy or parliamentary debates in France, the granting of asylum was for some time to come, 'a matter of personal identification'⁵⁶. This was reflected, among others, in the kind of documentation available to and required of foreigners.

Although Bade does not attend to this explicitly, the transformations and struggles over the meaning and function of the *passéport* are actually revealing of the struggles being waged over the meaning of nation, identity, and the nascent national order of things⁵⁷. It is revealing

that as late as the middle of the nineteenth century the *passeport*, ‘had nothing to do with “national” identity, as it could be issued either by the country of origin or the host country’⁵⁸. Yet, as Torpey argues, the passport, along with other identificatory documents subsequently contributes not only to the constitution of the peoples of different countries ‘as mutually exclusive “nationals” who shared a common interest in the fate of their state – an interest that might put them at odds with the nationals of other states’⁵⁹, but also to the naturalization of these differences⁶⁰. It is in this manner that, ‘At the close of the nineteenth century and in the early twentieth, the age of nation-states [created] a type of refugee who was persecuted for something the persecutor viewed his or her as *being*’ rather than for something he or she had *done*, and the twentieth century appeared as the ‘century of refugees’⁶¹.

The effects of the naturalization of the inter-national order on migrants and refugees is not restricted to the nineteenth and twentieth centuries, nor to Europe for that matter. As in the case of the constitutive relationship between migration and the naturalization of the national order of things, instances that reveal the continuing effects of the inter-national order of things on migration abound. It is in this broader context of the racialization and naturalization of the nation, for instance, that we can locate the post-World War Two and post-colonial problematisation of migration to Europe, rather than locating it exclusively in the narrower context of transformations in the ‘ethnic’ and ‘cultural’ makeup of migrant and asylum seeking populations. While the latter is of course crucial, and plays a fundamental role in transformations of the ways in which migration is interpreted and governed, the racialization and naturalization of the nation and national identity play an equally important, albeit rarely acknowledged part in structuring the field of possibilities for migrants and asylum seekers. Thus, in order to understand the increasing restrictions on migration to Europe and the Americas, or to understand

the intensification of xenophobic and anti-immigrant sentiments in Europe, the Gulf, or Asia, one needs to look not only to post-World War Two and post-colonial shifts in the countries and regions of origin of migrant populations, but also to the manner in which discourses of racialised, naturalised nation affect the manner in which migrants are constructed and governed.

It is only by locating late twentieth and early twenty first century migration in this context that we can understand the ways in which it is governed, and the manner in which the global inter-national order contributes to structuring and limiting the possibilities available to contemporary migrants and asylum seekers. It is only in this context, for instance, that we can understand that at stake in the guestworker programmes that proliferated in twentieth century western Europe and North America was not only the economic flexibility that came with a temporary, non-citizen labour force⁶², but also notions of who ‘else’ could constitute a part of the national community, and how far it could be ‘stretched’. Thus, although it is generally argued that the oil crisis, and the consequent economic crises precipitated the termination of many of the guestworker programs of western Europe, Bade suggests that while the economic argument was certainly there, it was also often used to mask the racism and xenophobia that had been emerging alongside of it⁶³. As such, the termination of guestworker programs was at the same time an expedient (albeit unsuccessful)⁶⁴ attempt to divest oneself of what were already constituted as problematic populations. The national anxieties that greeted the subsequent, largely unexpected settlement of guestworkers and the continued concern that surrounds them⁶⁵ speak as much to apprehensions about the ‘culturally’ or ‘racially’ other, and to anxieties about nation and national identity.

That much later, and in places far removed from Western Europe, analogous anxieties and policies emerge speaks to the continued salience of the nation-state and the national order of

things, and to the relative insignificance of the processes of globalization in altering its landscape. While the oil crisis legitimated the terminations of most guestworker programs in Europe, it had the opposite effect on areas of the Middle East and North Africa (MENA). The wealth and development generated in part from increased oil revenue precipitated labour shortages that were also attended to through temporary guestworker programs. The dominant discursive construction of migration as something that is ‘not good for the nation-state and should only [serve as] a temporary expedient’⁶⁶ in both MENA and East Asia have resulted in incredibly restrictive and exploitative guestworker programs and a high levels of undocumented migration⁶⁷. The lack of family reunification and regularization programs that enabled the permanent settlement of many guestworkers in western Europe produces a structural vulnerability that is distinct, if not in kind then at least in intensity, from that encountered by guestworkers in Europe. Yet what is most important form the perspective of the arguments being made in this paper is that the discourses, practices and technologies through which migrant populations are governed and which structure and limit their possibilities are in all cases underpinned by the discourse that constructs the nation as a racialised, homogenous community, and the national order of things as the most natural and legitimate way of organizing and managing humanity⁶⁸.

Conclusion

The aim of this paper was to outline the beginnings and contours of what a more systematic analysis of the relationship between migration and the global inter-national order might look like. The paper argued that, although undertheorised by both migration and international relation

literature, a fundamental and co-constitutive relationship exists between migration and the global inter-national order. First, migration, in the broadest sense of the term, is one of the fundamental technologies through which the global national order of things was, and continues to be produced. The emergence of the *nation*-state and the consolidation and naturalization of the global inter-national order, in turn, have fundamentally restructured, and continue to delimit the manner in which migration is thought about, governed and practiced. Thus, not only does the global inter-national order have a constitutive effect on migration, but migration is also constitutive of the global inter-national order. It is only by attending to and historicizing this co-constitution, and bringing the nation back into the *inter-national* order that we can start to make sense of a crucial aspect of the contemporary migratory process.

¹ S. Castles and M.J. Miller, *The Age of Migration: International Population Movements in the Modern World* (New York: Palgrave Macmillan, 2009), p.1

² Ibid., 21

³ Ian Clark, *Globalization and International Relations Theory* (Oxford: Oxford University Press, 1999)

⁴ Ibid., 15

⁵ Ibid., 16

⁶ R.B.J. Walker, *Inside/Outside: International Relations as Political Theory* (Cambridge: Cambridge University Press, 1992); D. Bigo and R.B.J. Walker, "International, Political, Sociology," *International Political Sociology*, 1 (2007): 1-5

⁷ R.B.J. Walker, 5

⁸ K. Bade, *Migration in European History* (Oxford: Blackwell, 2003), p.129

⁹ Ibid., 130

¹⁰ Ibid., 148

¹¹ Ibid., 148

¹² Castles and Miller, 41

¹³ For the purposes of the arguments made in this paper, it is possible to include asylum seekers and refugees under the umbrella of migrants. A distinction will only be made when relevant to the argument.

¹⁴ M. Foucault, "Society Must be Defended": Lectures at Collège de France, 1975-1976 (New York: Picador, 2003)

¹⁵ Periods of restoration can, from this perspective, be interpreted as the dying gasps of an old world order, the final moments of a struggle about to be won decisively (at least for the time being) by the forces of nation.

¹⁶ H. Arendt, *The Origins of Totalitarianism* (New York: Harcourt Press, 1951), p.230

¹⁷ Ibid., 230

¹⁸ Ibid., 230-1

¹⁹ Y. Soysal, *Limits of Citizenship: Migrants and Postnational Membership in Europe* (Chicago: University of Chicago Press, 1994)

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- ²⁰ G. Hewitt, “The row over the Roma,” BBC: Gavin Hewitt’s Europe, 16 September 2010; O. Lungescu, “EU vice president sees red and attacks France on Roma,” BBC News Europe, 14 September 2010; V. Reding, “Statement on the latest development on the Roma situation,” European Commission Midday Briefing, 14 September 2010
- ²¹ S. al-Natour, “The Legal Status of Palestinians in Lebanon,” *Journal of Refugee Studies*, 10, no.3 (1997): 360-377; S. Haddad, *The Palestinian Impasse in Lebanon: The Politics of Refugee Integration* (Brighton: Sussex Academic Press, 2003)
- ²² B. Isyar, *Invention of the Turk: A Genealogy of the Nation* (Unpublished Ph.D. Thesis, Department of Sociology, York University, Canada, 2007)
- ²³ É. Balibar, “The Nation Form: History and Ideology,” in *Becoming National: A Reader*, ed. G. Eley and R.G. Suny (New York: Oxford University Press, 1991), p.143
- ²⁴ Ibid., 143
- ²⁵ A note of caution is necessary regarding the relationship between racialisation and racism. Racism is a technology made possible by and grounded in the process of racialisation, where racialisation is understood as a process through which societies, peoples and nations are defined in racial terms, and as such, their existence as a group is naturalised. Racism is thus a chapter in the history of racialisation. As such, the absence of explicit racism in a polity does not necessarily mean it is not a racialised one. See Foucault, *Society*, p.65
- ²⁶ B. Clark, *Twice a Stranger: How Mass Expulsion Forged Modern Greece and Turkey* (London: Granta, 2006)
- ²⁷ Ibid., 5
- ²⁸ ‘Migration in the broadest sense of the term’ is used to refer to the spectrum of voluntary to forced population movements, including: population exchanges, transfers, expulsions and relocations, and short- and long-term individual and collective flights related to conflict, policy or fear.
- ²⁹ R. Hirschon, “Consequences of the Lausanne Convention: An Overview,” in *Crossing the Aegean: An Appraisal of the 1923 Compulsory Population Exchange Between Greece and Turkey*, ed. R. Hirschon (New York: Berghahn Books, 2003), p.14
- ³⁰ R. Hirschon, “‘Unmixing Peoples’ in the Aegean Region,” in *Crossing the Aegean: An Appraisal of the 1923 Compulsory Population Exchange Between Greece and Turkey*, ed. R. Hirschon (New York: Berghahn Books, 2003), p.8
- ³¹ Clark, *Twice*, 13
- ³² Note by the Secretary-General respecting the Question of Exchange of Populations between Turkey and Greece and Report by Dr. Nansen, FO/286/806- E.13089.10524.44
- ³³ Dispatch from the British Embassy in Athens to the British Vice Consulate in Canea, 17 October 1922, FO/286/804-Doc. No: 72
- ³⁴ Bade, 178
- ³⁵ S. Totten, P.R. Bartrop and S. Jacobs, *Dictionary of Genocide* (Westport, Conn.: Greenwood Press, 2008)
- ³⁶ One of the fundamental premises of this paper is that voluntary and forced migration do not constitute two essential types of migration, but rather, form two ends of a continuum along which all migration can be located. Thus, while migration might not be legally mandated (as in the case of mandatory population exchanges), it might nevertheless be interpreted as forced (to various degrees) if, for instance, conditions on the ground are such that they compel certain groups to move.
- ³⁷ Office of the Geographer, Bureau of Intelligence and Research, Department of State, United States of America, International Boundary Study No. 47 – Hungary – Romania (Rumania) Boundary (1965)
- ³⁸ M. Frank, “The New Morality—Victor Gollancz, ‘Save Europe Now’ and the German Refugee Crisis, 1945-46,” *Twentieth Century British History*, 17, no.2 (2006): 230-256
- ³⁹ P. Gatrell, “Displacing and Re-placing Population in the Two World Wars: Armenia and Poland Compared,” *Contemporary European History*, 16, no.4 (2007): 522
- ⁴⁰ J. Schechtman, “Postwar Population Transfers in Europe: A Survey,” *The Review of Politics*, 15, no.2 (1953): 151-178
- ⁴¹ N. Baron and P. Gatrell, “Population Displacement, State-Building, and Social Identity in the Lands of the Former Russian Empire, 1917-1923,” *Kritika: Explorations in Russian and Eurasian History*, 4, no.1 (2003): 55
- ⁴² G. Shafir, *Land, Labor and the Origins of the Israeli-Palestinian Conflict, 1882-1914* (London: University of California Press, 1996)
- ⁴³ B. Morris, *The Birth of the Palestinian Refugee Problem, 1947-1949* (New York: Cambridge University Press, 2004)

⁴⁴ For an argument on the manner in which culture is being naturalised in ways analogous to race see R.L. Doty, Anti-Immigrantism in Western Democracies: Statecraft, Desire and the Politics of Exclusion (London: Routledge, 2003)

⁴⁵ B. Honig, Democracy and the Foreigner (Princeton, N.J.: Princeton University Press, 2003), p.76

⁴⁶ Ibid., 17

⁴⁷ J. Torpey, The Invention of the Passport: Surveillance, Citizenship and the State (Cambridge: Cambridge University Press, 2000); K. Bade, Migration in European History (Oxford: Blackwell, 2003)

⁴⁸ Torpey, 93

⁴⁹ Bade, 130

⁵⁰ Ibid., 155

⁵¹ Ibid., 156

⁵² For an interesting study of the relationship between autochthony and alienness in post-colonial South Africa, see J. Comaroff and J. Comaroff, "Naturung the Nation: Aliens, Apocalypse and the Post-Colonial State," *Hagar: International Social Science Review*, 1, no.1 (2000): 7-40

⁵³ Bade, 182

⁵⁴ Torpey, 116

⁵⁵ Bade, 147

⁵⁶ Ibid., 149. We must remain cautious here to recognise, as was argued in the previous section, that this emergence of national consciousness was much different from its subsequent emergence(s).

⁵⁷ Ibid., 150

⁵⁸ Ibid., 150

⁵⁹ Torpey, 108

⁶⁰ Ibid., 93

⁶¹ Bade, 147-8. (Italics added for emphasis)

⁶² See Bade, 217-275 and Castles and Miller. For an interesting take on the relationship between national identity, citizenship and Canadian Live-in Caregiver scheme see A. Bakan and D. Stasiulis, *Not One of the Family* (Toronto: University of Toronto Press, 1997)

⁶³ Bade, 231

⁶⁴ The number of migrants remained stable or increased (See Bade, 232)

⁶⁵ For an example of recent statements on the 'problem' see Angela Merkel's assessment of the German multiculturalism (BBC News Europe, "Merkel says German multicultural society has failed", 17 October 2010)

⁶⁶ Castles and Miller, 136

⁶⁷ Ibid., 125-80

⁶⁸ One of the fundamental assumptions of this discourse is that humanity constitutes a problem that needs to be attended to and managed.