A Postcolonial Perspective on Immigration Regimes and International Order

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**What do Western immigration regimes tell us about the contemporary international world order?
A postcolonial perspective**

On the 20th January 2012, the UK government published a report it had undertaken into the number of "foreign-born" people claiming working-age benefits from the state (BBC, 2012). The significance of the report's findings were unclear, seemingly pointing to the fact that migrants were actually more likely to be in work, and thus not claiming benefits, than UK nationals. However, this did not stop the UK's press from reporting the research along what Roxanne Lynn Doty would describe as "anti-immigrantist" lines (2003), for example calling it a "scandal" that *any* migrants should be able to claim the benefits which should be reserved for UK nationals (The Sun, 2012), and failing to report the fact that half of the migrants claiming benefits had become UK citizens since entering the country. What is even more interesting than the reporting of the research is the decision by the UK's government to begin recording the nationality of benefit claimants in the first place, a move which made this research possible. In this decision is the implicit suggestion that when it comes to the advantages offered by the UK's welfare state, *citizenship* is less relevant than *nationality*. This example of a Western response to immigration is not a surprising or unique one, but it does offer a way into the heart of the issues which immigration opens up for International Relations (IR); statehood, security, sovereignty, national identity, and the relationships between these (Soguk, 1999, p. 208).

Immigration is not a subject with which IR has traditionally engaged. This is because the primary focus of conventional IR has been on states, and relations of conflict or peace between these states, leading to the dominance within the discipline of the "Great Powers" and questions of balance of power (Persaud, 2002, p. 59-61). This vision of the contemporary world order as consisting of neatly divided sovereign territories, each presiding over an identifiable and unambiguous "people", has meant that there has been an assumption that "internal" or "domestic" affairs of a state are characterised by order, in contrast to the external disorder. As a result, anything happening below the level of the state, such as migration, is largely assumed in IR to be of no consequence to relations between states (Ibid, p. 60). This paper aims to disrupt this neat division of internal and external relations, and offer a much more complex view of the contemporary world order.

Transnational migration, the movement of human populations between states, is growing and has been changing in nature since the Second World War (Soguk, 1999, p. 207; Doty, 2003, p. 3). Until the 1960s, 80 per cent of immigrants to the United States (US), Canada and Australia originated from other industrialised countries, but by the end of the 1980s, 82 per cent of migrants were from "developing" countries (Doty, 2003, p. 3). This shift is mirrored in the migration patterns to other areas of the global North, such as the European Union (EU) (Ibid, p. 3). With a significant number people of migrating from former colonies to former colonial metropoles, there is a sense of symmetry with previous movements of people in the opposite direction during the colonial period (Persaud, 2002, p. 56).

However, as I will be demonstrating in this paper, this apparent reverse trend is not the only connection between the colonial period and contemporary immigration regimes. In the analysis that follows, I will be drawing on examples of responses to immigration in the US and Europe to illustrate the way that racialised hierarchies have been constructed

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and employed in Western immigration regimes. I will first be exploring the way that immigration illuminates the fragile relationship between state and nation, and the role of "race" in this relationship. I will then go on to examine the colonial echoes in the racialised biopolitics which underlies the management of different "categories" of people at the borders. Subsequently, I will be considering a poststructuralist perspective on immigration, and highlighting the blind spots in this account. I will be arguing that the postcolonial perspective is not only more representative, but also offers greater possibility for understanding how resistance could lead to change. This essay thus has two broad aims: firstly to demonstrate the tensions which immigration opens up in the study of IR as an academic field and in the assumptions about the world order on which the discipline largely operates, and secondly to demonstrate the strength of the postcolonial perspective, over other perspectives, for studying international relations. I will be concluding that a postcolonial examination of immigration not only enriches our understanding of contemporary Western regimes by contextualising them in a history of relations between the global North and global South, but also illuminates the way that there is space for resistance and agency against immigration regimes.

I will first clarify some of the terminology I will be using in this paper. The term "postcolonial" is a contested one. In particular, the "post" has been criticised for its implied suggestion that a new era of "post-coloniality" has followed decolonisation. This is negated by countries such as Australia and Canada where the colonisers have never "left", and by the persistence of "colonial" power relations despite formal decolonisation (Frankenberg and Mani, 1993, p. 291-293). There has also been the suggestion that the "post" softens the term into an apolitical one, detracting from the urgency of postcolonialism as a political problem. Further critiques argue that the use of the term "postcolonial" divides time, locations and phenomena into pre-colonial, colonial and post-colonial, when the reality is much more fluid, hybrid and complex (McClintock, 1992, pp. 86-88). As a result of these objections, some theorists prefer to drop the "post" and use the terms "colonial" and "coloniality" to refer to that which has survived decolonisation, while others have used "imperial" in the same way (McEwan, 2001, p. 94). In spite of these criticisms, in this paper I will be using the terms postcolonial, postcoloniality and postcolonialism to refer to the legacies of colonialism which continue to shape international relations today, and particularly relations between the global North and the global South. Nevertheless, I use the term with some trepidation, conscious of the problems inscribed in the term.

A second term which I would like to briefly define is "immigration regime". While the term "regime" might suggest a focus on actions of the state, I will be using the phrase in a broad sense, to include the actions of non-state actors. This is based upon an enlarged vision of the power of the state, which draws on Antonio Gramsci's neo-Marxist theory that "State = political society + civil society" (2005, p. 32). Gramsci sees the state as being protected by a combination of consent – the interlacing of its interests into civil society through "cultural hegemony" – and coercion (Ibid, p. 32). Thus, in my analysis of immigration regimes, I will be including the ways that non-state actors support and consolidate what Gramsci would call the state's "hegemonic project".

The first example is the US immigration regime, and will be drawing on two studies: Doty's examination of the US-Mexico border (2001) and Randolph B. Persuad's history of American responses to immigration (2002). Persaud's article highlights a number of recent violent attacks by American citizens on immigrants and ethnic minorities in the US. He also goes on to outline various laws which have been introduced to discourage immigrants from having children (Ibid, p. 78) Persaud suggests that both the attacks and the reproductive policies express a deep resentment against the presence in the US of anyone not identified as truly "American", according to racial markers (Ibid, pp. 69-71). Persaud situates these incidents in a history of the securitisation of immigration in public discourse and policy, which he traces back to the nineteenth century. This securitisation emphasises the threat posed to the American way of life and to America's moral integrity by certain types of immigrants (Ibid, p.68). The moral depravity of these immigrants has been historically identified in racialised terms, which are neither fixed nor limited to biological markers such as skin colour (Ibid, pp. 62-63). Rather, Persaud argues that language has been more consistently used as a determinant to subject certain immigrants to racial discrimination, including white lower class Europeans in the early twentieth century (Ibid, pp. 64, 72).

In Doty's study of the US-Mexico border, she argues that the illegal immigration of Central Americans into the US provokes acts of "statecraft" from officials, and what she calls "statecraft from below" from vigilante citizens (2001, pp. 525-528). These acts range from billboards which proclaim "IT'S AN INVASION OF DRUGS AND ILLEGALS – CALL YOUR CONGRESSMAN", to rounding up illegal immigrants at gunpoint, to official policies which tighten

security along urban stretches of the border, channelling crossings into desert areas and leading to fivefold increases in migrant deaths annually (Ibid, pp. 523-533). Doty argues that these responses do not reflect migration's real ability to threaten the US, rather they demonstrate the symbolic resource that the migrants present to state actors and citizenry, to reaffirm patriotism in ever more aggressive ways (Ibid, p. 529). Furthermore, these acts of statecraft disguise the *material* resource which these illegal economic migrants represent (Ibid, p. 531).

When analysed together from a postcolonial perspective a number of characteristics may be drawn from Doty and Persaud's studies of US immigration. Firstly, the American responses to immigration outlined rely on a process of "Othering", a concept first referred to by Edward Said, where the self is strengthened by comparison with a constructed "Other" (Said, 1995, p. 4). By constructing the racialised immigrant as a threat to what is held up as "American", and diffusing this construction through civil society, the figure of "the immigrant" bolsters the American national identity as a homogenous and shared good. This paradoxical position which migrants occupy in relation to the state is further elaborated on by Nevzat Soguk (1999). Soguk argues that while, on the one hand, migrants undermine the state system by transgressing borders, bringing the "anarchy" which should remain outside*into the state*, on the other hand, they may be employed by the state in practices and projects which reinforce the state's primacy and authority (1996, p. 293-294). Immigrants thus represent an opportunity, more than a threat, to statehood.

One question which emerges out of this analysis is why is it necessary for the state and civil society to respond with such aggressive acts of defence? Both Persaud and Doty reflect on this in their work, and I believe the conclusions they reach may be further enriched by reference to the work of Siba Grovogui (2001), and Tarak Barkawi and Mark Laffey (2002), on the subject of statehood and sovereignty. In a chapter responding to Robert Jackson's theory of "Quasi-states" (1990), Grovogui de-naturalises "the state" and the concept of sovereignty, and presents it as a European construct (2001, pp. 29-32). Grovogui argues that far from being the obvious and universal organisation of communities in an international system, sovereign states are the product of a historic process where sovereigns have sought to impose their will and exert their power over others (Ibid, p. 33). The fit between the sovereign and the nation is far from self-evident, and thus is not easily replicated in other contexts following decolonisation (Ibid, pp. 34-35). To this Barkawi and Laffey add that the Westphalian sovereign state model is an "elegant myth" which has *never* had resonance with reality, even in Europe (2002, p. 112). In the light of this deconstruction of the concept of state sovereignty the relationship between "the state" and the nation over which it exercises authority loosens and appears to be much more precarious.

Similar conclusions are reached by both Doty in her later work (2003) and Persaud (2002). Persaud historicises the nation-state relationship, and the American "national identity" itself, and introduces the concept of "civilizational sovereignty" to explain the management of the borders of the US and the violent acts against immigrants (Ibid, p. 68). Civilizational sovereignty refers to the desire to exclude unwanted cultural influences and thus secure a particular American national identity based on "Englishness" (Ibid, p. 71). In her expanded study of immigration regimes, Doty deconstructs "the state", and reduces this concept from the conventional notion of a "thing", simply to "desire" (2003, p. 2-3) For Doty, "the state" is nothing more than the expression of sovereign power's desire to produce and reproduce its legitimacy over a community of people which, due to migration, is more fluid and heterogeneous than ever before (Ibid, p. 2). The way that this materialises in *racialised* immigration regimes demonstrates both a desperate attempt to keep out anyone who represents "disorder", and a conscious forgetting of the US's colonial history, excluding indigenous North Americans from the vision of the authentic American.

Analysis of immigration regimes in the US from a postcolonial perspective thus unravels the concept of "the state" as a material entity, deconstructs "the nation" as a homogenous and stable community, and problematises the supposedly "natural" connection between state and nation, upon which sovereign legitimacy is based. Immigration paradoxically both reveals the precarious position of the state, and provides a symbolic resource which the state may capitalize on. However, as I will be arguing below, the precarious relation between state and nation offers the potential for marginal peoples, including immigrants, to intervene in the process of the production and reproduction of the nation, and thus resist the narratives told by the state. Firstly, however, I turn to the second example of immigration regimes in Europe.

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In *The Global Political Economy of Sex* Anna Agathangelou addresses the flow of female migrant workers from South Asia and Eastern Europe into Cyprus, Greece and Turkey (2004, p. 41). Whereas migrant workers have historically been male, women now comprise almost fifty percent of the world's economic migrants (Ibid, p. 5). The female migrant workers who are "imported" to the Mediterranean are on the most part involved in either domestic work or sex work, depending on their ethnicity (Ibid, p. 7). Agathangelou uses the concept of "desire industries" to describe the racial hierarchies which dictate which women are desired for which types of work (Ibid, p. 10). While migrants from Eastern Europe are usually employed in sex work, South Asian migrant women are typically domestic workers in Mediterranean households (Ibid, p. 65).

Elspeth Guild's analysis of immigration regimes examines Europe from a different perspective, looking at the impact that the Schengen Agreement has had on immigration to the EU (2009). The Schengen Agreement creates "invisible" borders between all members of the EU, apart from the UK and Ireland, allowing people to move freely within this area whether they are citizens of the EU or not (Ibid, p. 178). However, in order to ensure security within the Schengen area, the checks on the "external" borders, where people first enter the EU, have been "thickened" and migration policies have been homogenised for all Schengen states (Ibid, p. 179). Guild highlights the way that racial hierarchies inform the categorisation of people from outside the EU into those who have to apply for a visa before travelling, and those who do not (Ibid, pp. 183-184). While citizens of North America, Australia, Japan, much of South America and some of the more wealthy South-East Asian countries do no need a visa to enter the EU, the "blacklist" of countries, whose citizens must apply for one, include almost all of Africa, the Middle East, except for Israel, most of Asia, and the Indian sub-continent (Ibid, p. 184). Furthermore, among those who must apply for a visa, there is a clear racial bias in who is more likely to be granted one and who is more likely to be rejected. Guild gives the example of applications to the French authorities in 2006; while over thirty per cent of applications from Abidjan in the Ivory Coast were rejected, only ten per cent of applications from Beijing in China were turned down (Ibid, p. 184).

Although the work of Agathangelou and Guild is very different in subject matter and approach, there are important common threads in each. Both authors direct us towards the ways in which racial hierarchies are employed in Europe in the practice of dividing immigrants into groups. This categorisation of space according to race has echoes of Frantz Fanon's description of the *geography* of colonial occupation. While contemporary immigration regimes are not analogous with the colonial era, there is something to be gained in examining the continuities between the two, and identifying what has survived decolonisation.

In one chapter of *Wretched of the Earth,* Fanon describes the way that colonial occupation divides the world into two; two opposite zones occupied by native and settler (1963, pp. 38-39). While the colonisers are free to move around their spacious town, the world of the colonised is severed into compartments by police check-points and military barracks, impeding their movement even further (Ibid, p. 38). Achille Mbembe builds on Fanon's reflections in his discussion of the biopolitics of occupation, arguing that the extreme expressions of sovereign power over the body which emerged during colonialism – the production of boundaries, hierarchies, enclaves, and zones, through "splintering" and surveillance – are not extraordinary but rather are the manifestation of the true nature of sovereign power (2003, p. 26). Fanon and Mbembe's work may be employed in relation to immigration regimes in identifying the racial hierarchies which inform sovereign power's division of people into categories, the attempts to manage the space which each category may occupy, and the type of work which each category may be employed in, as dictated by the "desire industries". The privilege experienced by certain categories of person, defined by their passport but often also by racial markers, such as religion and skin colour, means that they are able to move unhindered throughout much of the world, including the EU, while the movement of others may be impeded even before they have left their home country, by the rejection of a visa application. A postcolonial perspective on immigration regimes in Europe therefore returns us to the importance of racial hierarchies, and to the realisation that immigration regimes are about the expression of sovereign power over racialised *bodies.*

The implications of this postcolonial perspective for re-examining contemporary world order regards borders, and a debate over the changing nature of borders which has been widely contested in recent years. Borders represent the outer limits of a state's sovereign power, they define and divide territory, distinguish between inside and outside, between domestic and international politics, and are the line without which *transnational* migration does not exist (Vaughan-Williams, 2009, pp. 2-3). However, borders are more than just the "fixtures and fittings" of the international

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world order, and should be seen as political structures in themselves (Williams, 2003 quoted in Vaughan-Williams, 2009, p. 4). In discussion of globalisation, many accounts have argued that a process of "deterritorialisation" is taking place due to the increased significance of markets, multi-national corporations and supra-national institutions, whereby borders are becoming less important, and states are less able to exert control over their borders (Vaughan-Williams, 2009, p. 5). In another competing discourse, national economies are seen as being strengthened by globalisation, new security threats have increased the value placed on borders as "frontiers", and the modern state has retained its position as the primary entity in international relations (Ibid, p. 5). According to this narrative, despite new challenges, borders are, if anything "thickening"; becoming stronger and more important than ever before.

My analysis of Western immigration regimes hopes to interject into this debate by contributing a third, alternative perspective; that borders are changing, but in different ways for different bodies. For some they are thickening, for others they are vanishing. According to racialised markers, which vary with each immigration regime but include ethnicity, religion, wealth, gender, and language, the privilege of easy movement across borders is endowed upon some and withheld from others. For certain bodies the world is more open today than ever before, for others the movement through borders is becoming more difficult to negotiate. Certain borders are completely closed off for some bodies, or, as in the case of those illegally crossing the US-Mexico border, may be attempted but only with the risk of loss of life. In terms of the international world order, this means that the world looks very different according to the position of the viewer within racial hierarchies, on which international relations so often operate.

The way that immigration regimes are exercised so profoundly over the body has meant that immigration has been a popular topic within poststructuralist literature, with a focus on biopolitics. While poststructuralism and postcolonialism share much synergy over issues such as identity, difference and "othering", and a joint objection to grand narratives (Krishna, 1999, p. xxix), there are some important ways in which the two theories diverge when it comes to immigration.

The concept of biopolitics originated in Michel Foucault's theory of disciplinary power. In *Discipline and Punish,* Foucault argued that the power of the sovereign has evolved over time; whereas it was once expressed by an individual sovereign figure in top-down acts of repression, the power of the modern sovereign state is now expressed in productive ways (Foucault, 1991, p. 221). Institutions such as prisons and schools exercise disciplinary power with the aim of producing efficient subjects (Ibid, p. 221). Foucault developed and extended the concept of disciplinary power into *biopower,* which encapsulates the state's ability to regulate and normalise populations outside of institutions (Neal, 2009, p. 164). Politics have thus transformed into *biopolitics* (Vaughan-Williams, 2009, p. 22). The notion of biopolitics was built upon by Georgio Agamben, who suggested that biopolitics has *always* been within the nature of sovereign power (1998, p. 6). According to Agamben, the ultimate expression of sovereign power is the state's ability to choose who lives and who dies, an exercise which produces "bare life" – an expendable form of life (Vaughan-Williams, 2009, p. 23). Those who are identified as "bare life" are paradoxically at the mercy of the state, without being under the state's protection. However, whereas bare life once existed at the margins of political life, Agamben argued that the whole of the modern state is now subsumed into this realm. We are all now living in a "zone of indistinction", where the division between private and political life has blurred and disappeared, and what should be "exceptional" expressions of sovereign power are now the norm (Ibid, pp. 23-25).

While Agamben identifies the concentration camp as the perfect example of the zone of indistinction materialised (1998, pp. 119-122), others have applied his theory to Western immigration regimes. Jenny Edkins and Veronique Pin-Fat, for example, use Agamben's theory of biopolitics to discuss the ill-treatment of asylum seekers in the UK, and the practice of lip-sewing among groups of asylum seekers in protest against this (2005). In an extended study, Nick Vaughan-Williams uses Agamben's theory of biopolitics to examine Western immigration regimes, including asylum seeker detention centres in the UK and Australia (2009, p. 114). Vaughan-William's argument is that borders are in flux; they are changing in nature and in location, and are now "worn" upon the bodies of subjects of the state, rather than fixed to particular geographical positions (Ibid, pp. 6-9). In other words, whereas the limits of sovereign power were once to be found at territorial boundaries, sovereign power now begins and ends with our bodies (Ibid, p. 9).

While the poststructuralist perspective does give insight into the important ways that immigration regimes involve and

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impact upon bodies, and the intrusive nature of modern state-craft and sovereignty, it also has a number of "blind-spots". Firstly, considering the emphasis on the politics of the body, there is extraordinarily little said about the specific ways that immigration regimes are enacted differently upon different bodies, according to the way they are categorised according to race, but also according to gender, age, and class. The significance of racial hierarchies is not illuminated without a postcolonial perspective, which not only sees race as of primary importance in IR, but contextualises contemporary immigration regimes in a history of relations between the global North and the global South. This brings me on to my second criticism, that despite a focus on the modern state, poststructuralist perspectives fail to acknowledge the colonial context in which the modern European state consolidated its legitimacy as the accepted form of political community (Grovogui, 2001, p. 34). This meant that the spreading of an orderly state system to the "rest" of the globe featured as a justification for colonialism, and has continued to legitimise, or at least excuse, colonialism to some IR theorists (Barkawi and Laffey, 1999, p. 404). Finally, the poststructuralist perspective, and particularly Agamben's contribution, is totalising in nature and thus leaves little space for agency or resistance against sovereign power, and thus against Western immigration regimes.

It is this criticism which I would like to build upon now, with reference to the Homi Bhabha, whose work bridges the poststructuralist and postcolonial categories. In this final section I will be arguing that a postcolonial perspective on Western immigration regimes deconstructs the state, and thus opens up the possibility of intervening into the nation-state relationship.

In his reflection on the nation, Bhabha historicises and de-naturalises nation-hood (1990, pp. 295-297). Rather than a fixed relationship between "the nation" and "the people", on which the legitimacy of the state is presumed to rest, Bhabha argues that both "the people" and "national identity" are products of a continuous and repetitious discourse and process of signification (Ibid, p. 297). Bhabha describes the nation as "liminal", "vacillating", "ambivalent" and "metaphorical" (Ibid, p. 293-300). The precarious relationship which Bhabha envisages between nation and people affords a vital role to "Other" people in the affirmation and reaffirmation of national identity. Far from the nation being an "autonomous, sovereign form of political rationality", Bhabha argues that the "us and them" distinction provided by the existence of an "Other" is necessary to form the perimeters of what is "us" and to enable the state to assert its sovereignty over all that is not "them" (Ibid, p. 293). Furthermore, according to Bhabha, the narrative of the nation is not just produced by the state, but by a plurality of actors in both political and non-political realms (Ibid, p. 305). This offers marginal peoples an important role in subverting and interrupting the conventional narrative of nation through imperfect repetition of the national narrative, gradually introducing changes and incorporating cultural difference (Ibid, pp. 304-307).

In terms of Western immigration regimes, Bhabha's analysis of the "narration of nation" demonstrates how a postcolonial understanding of difference and otherness is central to understanding the precarious connections between nation-hood, states, sovereignty, and territoriality. Without a postcolonial perspective, immigration regimes which act along the lines of racial hierarchies in order to protect a certain vision of national identity and integrity remain a mystery. Yet, as Bhabha's analysis shows, understanding the forces at work behind these immigration regimes does not mean accepting them as they are, rather the postcolonial perspective offers space for resistance, where immigrants and citizens can realise their agency in the subversion of the national narrative. In her aforementioned study of the US-Mexico border, Doty observes what she calls acts of "anti-statecraft" (2001, pp. 526-527). These acts of resistance to the process of "statecraft", which has much synergy with Bhabha's vision of the nation in narration, include the provision of water stations on the US border for illegal immigrants who have just crossed the desert, groups who actively campaign for the rights of "illegals", and colleges which offer fees to "undocumented aliens" enabling the children of immigrant workers to get an education (Ibid, p. 530). Doty's study demonstrates that state-craft, or the narration of nation, does not occur without confrontation of forces working in the opposite direction, resisting in small but meaningful ways the racial hierarchies which fuel state-craft.

To conclude, I have sought to demonstrate the way that immigration and Western responses to immigration problematize various concepts within IR which are often taken as the building blocks of analysis of the international world order, rather than the objects of analysis themselves. This has included nation-hood, states, sovereignty, borders, and security, and the complex relationships between them. In doing so I have also sought to demonstrate the strength of the postcolonial perspective, over the poststructuralist perspective in particular, for studying IR, by

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demonstrating the blind-spots of the latter theory. Emerging from this analysis has been the realisation of the importance of racial hierarchies in Western contemporary immigration regimes. These racial hierarchies are employed in the securitisation of the American national identity, which must be protected against the threat posed by immigrants, as demonstrated by the first case study. Racial hierarchies are also explicitly used in Europe, in the categorisation of visa applicants, and the assignment of particular ethnicities of women to particular types of employment, in ways which echo colonial categorisations, as demonstrated in the second case study. However, the postcolonial perspective also offers a more optimistic vision of the future of immigration in the modern Western state, by suggesting ways in which the relationship between nation and state may be interrupted, creating space for the voices of marginal peoples in narrating the nation. The postcolonial perspective, thus, illuminates in both directions; allowing us to understand the legacies of the past, but also providing the tools to forge a different future.

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