

Citizenship's shadow

Obscene inclusion, abject belonging, or the regularities of migrant 'irregularity'

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We are accustomed to shining a bright light on citizenship. Every bright light, however, casts a shadow. Likewise, it is customary to celebrate 'inclusion' and 'belonging' as positive social and political goods, attributed the aura of democratic and egalitarian virtues. This chapter inquires into the shadowy side of citizenship, where there is a kind of inclusion that is politically and legally subordinate but no less real or consequential, and forms of belonging that are debased and abject but nonetheless substantial. This is the darker side of citizenship where the 'irregularity' of 'illegal' migrants is a quite regular and predictable feature.

Bordered identities

Human mobility, in and of itself, does not constitute 'migration'. Rather, it is the construal of that mobility specifically as an act of border-crossing that literally makes the difference that distinguishes migration as such. In other words, the construction of human mobility as 'migration' only happens by means of one or another technique of bordering. In short, *if there were no borders, there would be no migrants – only mobility* (De Genova 2013c). A 'migrant' identity is literally triggered, or activated, through the enactment of a border across which an act of 'migration' is said to take place. As in the well-known Chicano slogan, it is not that the people in motion cross a border so much as it is the border that crosses them, and thereby constitutes them as 'migrants' (Acuña 1996: 109; cf. Mezzadra and Neilson 2012: 197). The border must be enacted somehow or another upon the more humble fact of human mobility, and hence, upon the body and identity of the newly anointed 'migrant'.

Borders make migrants

The elemental and elementary freedom of movement of human life, as such, necessarily posits a relation between the human species and the space of the planet, as a whole (De Genova 2010a, 2012a). There are indeed no natural

borders, and even the most formidable frontiers of physical geography have historically served in fact only as enticements to the ingenuity of human communities seeking to traverse or circumvent them. From this standpoint – the standpoint of the human freedom of movement – territorially defined ‘national’ states and their borders, which impose partitions and striations upon this global space, remain enduringly and irreducibly problematic (De Genova 2002: 421; cf. Harris 1995: 85). The presupposition of a quasi-natural self-evidence or inevitability to the existence of ‘nations’ and (nation-)states – and therefore the uncritical conception of social and political space as though nation-state borders are an objective and, by implication, immutable fact of life – has been the hallmark of what is known in the social and political sciences as methodological nationalism (Wimmer and Glick Schiller 2003). Hence, it is methodological nationalism (or more precisely, statism) that rationalizes this whole phenomenon of borders-making-migrants. Consequently, we must also acknowledge that methodological nationalism inevitably supplies a kind of defining horizon for migration studies as such. After all, migration scholarship (however critical) is implicated in a continuous (re-)production of ‘migrants’ as a distinct (and reified) category of human mobility (or, mobile humanity). In other words, by upholding and reaffirming these very categories – ‘migration’, ‘migrants’ – scholarship in migration studies reinscribes the very borders that make people on the move into migrants, and by re-confirming the salience and durability of (nation-)state borders, thereby re-stabilizes the presumed fixity and seeming permanence of a world carved up into territorially defined (‘national’) states. Thus, the persistent reification of migrants and migration – even in critical migration studies – contributes to (re-)fetishizing and (re-)naturalizing the epistemological stability attributed to the (‘national’) state as a modular fixture of geopolitical space.

The juridical status and social condition that we conventionally designate ‘migrant’ (or ‘immigrant’) in fact signifies what is always a rather variegated and heterogeneous spectrum of legal distinctions and social inequalities and differences: there are many types of migrants, and it is precisely the work of immigration regimes and citizenship law to hierarchically sort and rank them. Indeed, an ‘illegal’ status at the scale of a nation-state’s immigration law may often come to be accompanied by numerous other types of both informal and formal incorporation at other spatial scales and within other jurisdictions (see, for example, Chauvin and Garcés-Mascareñas 2012; cf. Nyers 2008; Varsanyi 2006). Nevertheless, it is the bordered definition of state territoriality that constitutes particular forms and expressions of human mobility as ‘migration’, and classifies specific kinds of people who move as ‘migrants’. To reiterate: borders make migrants. To put it somewhat differently, it is instructive to comprehend the category ‘migrant’ (or ‘immigrant’) as perhaps the premier instance of what we might call a *bordered identity*.

If this is true, however, then it is imperative to recognize that citizenship, too, is fundamentally a category of bordered identity. In this regard, William

Walters has characterized the deportation of non-citizens as precisely a 'technology of citizenship' ([2002] 2010: 97). Similarly, Bridget Anderson, Matthew Gibney, and Emanuela Paoletti discuss the deportation of 'foreigners' as 'a membership-defining act' dedicated to asserting the value and significance of citizenship, and reinforcing the distinction between citizens and non-citizens in terms of the citizenry's '(unconditional) right to residence in the state' (2013: 2). Thus, what is ultimately the defining condition of migrants' non-citizenship – their deportability, their susceptibility to deportation (De Genova 2002, 2010a) – turns out likewise to be a decisive and defining predicate, in the negative, of citizenship itself.

This working definition of citizenship nevertheless implies a liberal leap of faith that seems to disregard the fullest (illiberal) extent of acts of sovereignty within the toolkit of liberal statecraft that have variously served to constitute and regulate citizenship. We need only be reminded of various historical examples of statutes for the denaturalization (and exclusion) of 'undesirable' (or 'enemy') citizens, ranging from the disqualification of women from their birthright citizenship for marrying 'alien' men (Bredbenner 1998) through to the mass deportation of European Jews – and communists, queers, Gypsies, and so on – to Nazi prison labour camps, and finally, to their extermination (Agamben [1995]1998: 126–135, 166–80). Hannah Arendt ([1951]1968: 267–302) famously discusses this conundrum in terms of the perplexities of human rights. In Arendt's account, the abandonment and abjection of stateless and therefore rightless refugees is finally only apprehensible when juxtaposed to the rightfulness of citizens, such that 'the abstract nakedness of being human and nothing but human' (297) is exposed as providing no durable basis for rights of any kind. Inasmuch as the stateless refugees whom Arendt was contemplating were commonly no more than de-naturalized and expelled (former) citizens, however, this same conundrum may be equally compellingly analysed in terms of the aporias of citizenship itself (De Genova 2010a, esp. pp. 51–55; see also De Genova 2013a).¹ Even the non-deportability of citizens must therefore be seen as merely a historically contingent (and thus, tenuous) attribute of citizenship.

Indeed, the deportability of non-citizens as well as the presumed non-deportability of citizens have to be seen in a continuum with 'detainability' (De Genova 2007), and the freedom of movement would necessarily have to be apprehensible, simultaneously, in opposition not only to deportation and other forms of forced movement but also coercive immobilization and the full range of diverse forms of captivity and confinement (De Genova 2010a: 55). The defining U.S. immigration legislation of the Cold War era, the (McCarran–Walter) Immigration and Nationality Act of 1952, for instance, notoriously provided for not only the exclusion or deportation of non-citizen alleged communists as a matter of 'internal security' but also even the denaturalization of naturalized-citizen 'subversives': their citizenship was deemed to be reversible, retractable. Furthermore, the metaphysics of the so-called War on

Terror have reanimated a logic of ‘security’ – now, rather more globalist in scope – with regard to a variety of putative ‘enemies’ who may be located anywhere on the face of the earth, distinguished above all by their transnational mobility. Thus, contemporary securitarianism’s ‘enemies’ may be found inside or outside a state’s borders, and may be ‘foreigners’ or ‘home-grown’ citizens – elusive secret agents, simply waiting to be detonated, hereafter refigured as moving targets scheduled for liquidation by executive order (De Genova 2007, 2011b). Yet, long before the official ‘state of emergency’ of the War on Terror, certain categories of criminal-citizens were already being refashioned in various ways – and not exclusively in the United States – as the ‘non-person’ targets for a new ‘enemy penology’ (Krasmann 2007). Thus, we must always bear in mind that citizens have always been and continue to be among those designated as the ‘enemies of the state’. Nevertheless, the substantive meanings of citizenship have indeed come to be fundamentally configured through notions of belonging to a larger polity – a polity of the sort that is decisively constituted through its relationship to the borders of a juridico-political space. It is precisely this spatial affiliation, after all, that contributes to presumptively treating citizens’ bordered belonging as a ‘natural’ predictor of political allegiance. Thus, it seems indisputable that *if there were no borders, there would be no citizens*.

Bordering: the obscene work of inclusionary ‘exclusion’

Much like the alienage of migrants, citizenship can never be completely disarticulated from its configuration as a juridical status; however much some may seek to invoke citizenship as a more diffuse metaphor for broader conceptions of belonging, it necessarily and inextricably entails a socio-political relation to the state (cf. De Genova 2002: 422). Furthermore, citizenship and alienage alike signify socio-political and juridical identities that are intrinsically spatialized, configured always in relation to the space of a territorially defined state, as delineated by its borders. The standard and pervasive conceit of liberal political theory and practice is that citizenship is therefore best apprehensible as a kind of membership within a (bounded) polity that secures various liberties, rights, entitlements, and prerogatives to those who are (legitimately) located ‘on the inside’, juridically inscribed within its legal and political order. Thus, citizenship is customarily equated with a notion of socio-political inclusion. Likewise, the alienage of migrants and other ‘foreigners’ is understood to situate them (at least figuratively) to various extents ‘on the outside’, and they become synonymous with the notion of greater or lesser degrees of socio-political exclusion. The always beleaguered stability and ‘security’ of such distinctions, and the always unstable division between the putative ‘inside’ and ‘outside’ that borders are purported to ensure, predictably get deployed to underwrite and authorize a rationality of statecraft, law-making, and law enforcement that is precisely *securitarian* (De Genova 2007, 2011a, 2011b).

Liberal political theorists overwhelmingly concur that there can be no prospect for democracy or justice without borders (Friese 2010). What happens, however, when the very 'national' scale of citizenship is inadequate to provide redress for the claims to rights, representation, recognition, retribution, or redistribution that may arise from the predicaments of people whose exploitation, oppression, disenfranchisement, or dispossession have been perpetrated, at least in part, on a transnational scale? Nancy Fraser has recently reflected upon the theme of 'social exclusion' and what she calls the (geographical or spatial) 'scales of justice' (2010). When questions of justice are posited in terms of a presupposed spatial scale that corresponds to the modern territorial (nation-)state, Fraser contends, 'the effect, however unwitting, is to ratify an answer that goes by default', for which 'the scale of justice' is, so to speak, distinctly Westphalian (366–67). What is most vexing about such methodologically nationalist approaches to the question of justice, however, is that they render the very concept, for instance, of 'the social exclusion of the global poor' (whose grievances may need to be configured transnationally) to be effectively oxymoronic, and mis-frames their conditions of 'social exclusion' in a manner that can only become legible as an 'internal' and 'domestic' concern within the bounded space of a territorially defined state. (Here, we can add that the nation-state in question is frequently a postcolonial one as well. Thus, methodological nationalism in the analysis of these contexts serves to obscure the protracted global legacies of centuries of colonialism.) Thus, through this sort of mis-framing of first-order injustices, Fraser continues, 'by presupposing that the Westphalian frame is the only legitimate framing of questions of justice, we commit a special kind of meta-injustice', inasmuch as we 'foreclose by definition ... the very possibility of transborder social exclusion'. This 'meta-political injustice' arises in addition to the ordinary injustices that more fittingly correspond to a pre-given bounded polity – as a result of the very act of dividing political space into bounded polities (367). In this respect, an uncritical posture with respect to methodological nationalism may perpetrate a super-added injustice by systematically rendering certain forms of transnational or cross-border injustice analytically unrecognizable. The 'social exclusion' of 'the global poor', Fraser contends, cannot be adequately framed in terms of the sorts of in/justice that refer exclusively to political participation and legal recourse within a national state, and would be rather better apprehensible on a transnational scale.

In an ever increasing proliferation of examples, the very questions of in/justice are literally unanswerable to the extent that they remain radically circumscribed and degraded to a socio-spatial and geo-political scale that routinely falls back on citizenship in a bounded polity as its definitive standard of evaluation. Notably, Fraser eventually deconstructs her own working lexicon by displacing the notion of the 'social exclusion' of 'the global poor' in favour of a more frank acknowledgment of active processes of exploitation and deprivation, proposing the alternate concept of a 'transnational precariat' as a

term that she considers to have ‘the virtue of encompassing varying degrees and forms of inclusion/exclusion’ (2010: 369–370). Much of my previous work has similarly been dedicated to problematizing any simplistic binary of ‘inclusion’ and ‘exclusion’, in part through the elaboration of the concepts of ‘inclusion through illegalization’ (De Genova 2002: 439; 2004: 173; 2005: 234) and ‘inclusion through exclusion’ (De Genova 2008, 2010a, 2010b, 2012b, 2013b).² Once we permit for a more dialectical process in which the ‘inclusion’ and ‘exclusion’ of migrants may be understood to be simultaneous and mutually constitutive, it also becomes possible to discern that borders themselves are not inert, fixed, or coherent ‘things’. Rather, borders are socio-political *relations*. What is at stake in these relations, which are indeed relations of *struggle*, is the rendering of borders into seemingly fixed and stable thing-like realities with a semblance of objectivity, durability, and intrinsic power. Thus, the agonistic coherence and ostensible fixity of borders – their thing-like qualities – only emerge as the *effect* of active processes of objectification and fetishization. That is to say, borders are in fact the always-contingent determinations of indeterminate relations of struggle. The struggles at and around borders are struggles over the open-ended process of continuously objectifying borders (the process of making borders into objects, or objective facts), and thereby lending them the fetishized quality of unquestionable realities with a power unto themselves.

Borders today seem to have become inextricable from migration, even perhaps predominantly concerned with and oriented to migration. As William Walters incisively notes, ‘the border has become a privileged signifier: it operates as a sort of meta-concept that condenses a whole set of negative meanings, including illegal immigration.... At the same time, the border holds out the promise of a solution to these hazards’ (2008: 174–75). Thus, borders are made to appear paradoxically to be both the problem and the solution. In contrast, historically, borders notably served to define the boundaries between the spatial jurisdictions of states, whether ‘national’ or imperial, in ways that were principally and eminently military (or at least potentially so) (Balibar 2004; Mezzadra, in Bojadžijev and Saint-Saëns 2006: 21; cf. De Genova 2010a: 51–52). The distinction between a guarded and protected ‘domestic’ space for ‘us’, on the one hand, and the ‘enemy’ beyond the borders, on the other, has been transposed into an analogous but significantly different distinction. Now, borders often serve primarily to distinguish between a comparably ‘domestic’ space for ‘us’ (citizens), which presumptively ought to be one of natal entitlement and nativist protection, and the ‘foreigners’ (non-citizens) who may be deemed to properly belong elsewhere, beyond the borders, but who nevertheless routinely violate these very borders and assert their presence *within* the space defined by those boundaries (De Genova 2010a; cf. De Genova 2009, 2010c).

Borders, then, are most salient inasmuch as they are perceived to be always-already violated, and thus, perpetually inadequate or dysfunctional, if

not frankly corrupted. And this is true in spite of ever-increasing border securitization; indeed, the securitization of borders only intensifies the perception that they are in fact always insecure, supplying the premier site for staging the perpetual demand for more securitization (De Genova 2011b, 2012b, 2013b). No number of borderzone apprehensions or deportations could ever be sufficient to sustain the semblance of 'security', but rather only the seeming verification of a thankless and relentless task, a job that can never be completed. Despite the ideological construction and affirmation of borders as the form of a kind of enclosure, ostensibly dedicated to exclusion, therefore, they are operative primarily as equivocal sites or amorphous zones of permeability, perforation, transgression, and thereby, encounter and exchange.

In spite of the appearance of inadequacy or dysfunction, however, borders serve quite effectively and predictably as filters for the unequal exchange of various forms of value (Kearney 2004; cf. Heyman 2004). The *filtering* character of borders is especially visible in those instances where the intensified enforcement of border crossings of easiest passage relegates illegalized migrant mobilities into zones of more severe hardship and potentially lethal passage (Andersson 2012, 2013; Bredeloup 2012; Dunn 2009; Lecadet 2013; Nevins [2002]2010; Stephen 2008). In a de facto process of artificial selection, these deadly obstacle courses serve to sort out the most able-bodied, disproportionately favouring the younger, stronger, and healthier among prospective (labour) migrants. The militarization and ostensible fortification of borders, furthermore, prove to be much more reliable for enacting a strategy of *capture* than to function as mere technologies of exclusion. Once migrants have successfully navigated their ways across such borders, the onerous risks and costs of departing and later attempting to cross yet again become inordinately prohibitive (Durand and Massey 2004: 12; Massey 2005: 1, 9).

Although they provide a context for exchange, therefore, borders are enduringly *productive*. Borders, in this sense, may be considered to be a kind of means of production – for the production of space, or indeed, the production of difference in space, the production of spatial difference (see, generally, Lefebvre [1974] 1991). As enactments in and upon space, like any means of production, borders must themselves be produced and continuously re-produced. Yet, they are generative of larger spaces, differentiated through the relations that borders organize and regiment, facilitate or obstruct. Nonetheless, the differences that borders appear to naturalize – between 'us' and 'them', between 'here' and 'there' – are in fact generated precisely by the incapacity of borders to sustain and enforce any rigid and reliable separations. Thus, we may say that borders are deployed strategically but always operate tactically, intervening within fields of force that are constituted by a wider variety of contending energies and projects than could ever be encompassed only by state powers and their techniques of bordering.³ Here, I have in mind above all the autonomy and subjectivity of migration as a recalcitrant and obstreperous force that precedes and exceeds any border authority's capacities

for comprehensive regimentation and control.⁴ Indeed, if it is true that were there no borders, there would be no migrants, it may likewise be increasingly the case, nonetheless, that *if there were no migrants, there would be no borders*. Serhat Karakayali and Enrica Rigo, for instance, argue persuasively that the externalized and increasingly virtual borders of ‘Europe’ are literally *activated* by migrant mobilities: ‘virtual borders do not exist *unless they are crossed*’ (2010: 126; emphasis in original). The ubiquity of ‘migrant’ mobilities comes first; the ubiquity of borders and the diverse panoply of new techniques and technologies of border policing and immigration enforcement come always as a response, a reaction formation. As Vassilis Tsianos and Serhat Karakayali contend, ‘The question is not who is the winner of this game, it is rather: who initiates the changes of its rules?’ (2010: 377). Indeed, ‘migration regimes produce the transformation of mobility into politics’ (378).

The more extravagant that border policing becomes, the more in fact it participates in what I have called the Border Spectacle – persistently and repetitively implicating the materiality of border enforcement practices in the symbolic and ideological production of a brightly lit *scene* of ‘exclusion’ that is always in reality inseparable from an *obscene* fact of subordinate inclusion that transpires in its shadows (De Genova 2012b, 2013; cf. De Genova 2002, 2005: 242–49). Migration studies, critical or otherwise, have long been challenged not to become ensnared in this spectacle by contributing to the fetishized reification of migrant ‘illegality’ as an ostensibly self-evident ‘natural’ fact (De Genova 2002). Particularly in the denunciatory mode of many putative critiques of border militarization and aggressively restrictive immigration policies, migration studies frequently risks becoming an unwitting accomplice to the spectacular task of broadcasting the one-dimensional falsehood of border enforcement as the perfect enactment of ever more seamless and hermetically sealed ‘exclusionary’ barriers. Thus, in our efforts, either as scholars or activists, to denounce the extremities and severities of plainly cruel modes of exclusion, we risk forfeiting the critical responsibility to also detect how *regulatory regimes produce regularities*. Indeed, we risk failing to see that migrant ‘irregularity’ is itself a very regular and predictable feature of the routine and systematic functioning of border and immigration enforcement regimes, and thus, we risk an unwitting complicity with the supreme monologue of the Border Spectacle itself, by recapitulating its dominant theme of ‘exclusion’ (De Genova 2011a).

Here, it is important to underscore that the illegalization or irregularization of migrant labour that is always a kind of subordinate incorporation may be best depicted as *obscene* precisely because it is not merely concealed, but also selectively revealed. What constitutes the obscene is not that it remains hidden but rather that it gets exposed. Thus, the spectacle of border policing stages the regulatory regime of immigration enforcement as always besieged by the inexorable ‘invasion’ or ‘inundation’ of ‘illegal’ migrants, and in this manner routinely serves to verify precisely the regularity of ‘irregular’

migrants' obscene inclusion and the sheer banality of their abject presence within the space of the state (De Genova 2013b).

The biopolitics of borders

If we genuinely confront the regularities of migrant 'irregularity' – much as this requires contemplating the dynamics of a kind of 'inclusion' that is largely obscene and a kind of 'belonging' that is principally abject – then it may be helpful to formulate our question – about regulatory regimes and the regularities they produce – in Foucauldean terms as a problem of biopolitics. Rather than the sort of power that was customarily enacted as 'a right of seizure' – in which the sovereign appropriates wealth as a tax or tribute and thus takes things, money, time, and ultimately may take life itself (Foucault [1976]1978: 136) – bio-power emerges ('without question an indispensable element in the development of capitalism' [140–141]) as 'a power bent on generating forces, making them grow, and ordering them, rather than one dedicated to impeding them, making them submit, or destroying them'. Bio-power thus works to 'incite, reinforce, control, monitor, optimize, and organize the forces under it' (136). Moreover, it 'exerts a positive influence on life ... endeavors to administer ... and multiply it, subjecting it to precise controls and comprehensive regulations' (137), a 'calculated management' (140). Hence, the point about bio-power for Foucault is quite emphatically that it is *regulatory* (139, 144). And migration is explicitly included in Foucault's inventory of these new (nineteenth-century) 'techniques for achieving ... the control of populations, marking the beginning of an era of bio-power' (140). Such a power is exercised above all through 'corrective mechanisms' that 'distribut[e] the living in the domain of value and utility'; it has 'to qualify, measure, appraise, and hierarchize, rather than display itself in its murderous splendor' (144).

The regularities and normalizations of bio-power, nevertheless, are always coupled with the accompanying extremities. Foucault's well-known suggestion of a modern form of power that invests life itself and responds to a general injunction to cultivate life, to '*make live*', as he puts it, is always accompanied by the concomitant prerogative to '*let die*' ([1997]2003: 241; cf. [1976]1978: 136–138). That is to say, this bio-power notably includes the sorts of disregard, abandonment, and retreat of power that then relegate some forms of life to extreme precarity and exposure to death. Notably, confronting the problem of a kind of state power that must preserve and foster life but still guards its capacity to take life – to kill – Foucault makes the bold proposition that 'racism alone can justify the murderous function of the State' ([1997] 2003: 256). This distinctly biopolitical sovereignty tends to identify its enemies as whole populations, indiscriminately aggregating the members of entire distinct categories of (sub-)humankind – races, or (other) nations – which could be targeted for extermination on the precise basis of being designated a threat to the life of the nation, or even a kind of pollutant degrading the life

of the species as such.⁵ To the extent that Foucault confines his analysis of racism to the explication of genocidal impulses and exterminationist exercises, however, it is one-sided: it rather flagrantly disregards the *productivity* of racist power, and the regulatory character of racism as a biopolitical force that adjusts ‘the accumulation of men to the accumulation of capital’, investing and valorizing different kinds of bodies, and subjecting them to a ‘distributive management’ of their forces ([1976]1978: 141).⁶

The government of migration is inseparable from the disciplinary maximization of the potentialities and capacities of migrants as *labour*. Following Foucault, *discipline* is precisely ‘a mechanism of power that made it possible to extract time and labor ... from bodies’ ([1997]2003: 35–36).⁷ This specifically disciplinary dimension is exercised, moreover, on individuals and their bodies, and refers to a modality of power that is aligned with individualization ([1976]1978: 139; cf. [1975]1979: 192–193). However, border regimes simultaneously may be understood to differentiate ‘populations’, as such. Here, we may be reminded of the quasi-military dimensions of bordering as a kind of partitioning, not only of space but also people – or presumably discrete ‘national’ (or racialized) ‘populations’ – in space. Thus, the specifically racist dimensions of border regimes have to be theorized not merely with regard to their sovereign inclinations to perpetrate low-intensity warfare and ‘let die’ ([1997]2003: 241), but also in the particular ways in which whole migratory (population) movements are subjected to the severities of one or another border and immigration regime precisely in order to capture, cultivate, and intensify the specific life-force (and labour-power) of those who migrate (De Genova 2010a, 2012a). Racism is an indispensable feature of this larger process of migrants’ inclusion as labour subordination, much as it was, for instance, inextricable in an analogous way from prior socio-political orders of slavery.

The systemic and intrinsic racism of the regulatory regimes that produce the extremities of cruelty and violence in the management of borders must be seen to also operate (in a still more fundamental manner) in the maintenance of the hierarchically ordered regularities and normalizations that come with the biopolitical mandate of borders to administer and optimize the life-force of migrant border crossers as labour-power. As a corollary to Foucault’s discussion of biopolitics, Achille Mbembe (2003) has proposed the notion of *necropolitics*. With recourse to this concept, Mbembe (following the lead of Giorgio Agamben) seeks to supplement Foucault’s discussion of biopower by reaffirming the central significance of sovereignty, and thereby, the exercise of a power of life and death, particularly through various manifestations of warfare. Mbembe refers emphatically to those exercises of ‘sovereignty whose central project is ... the material destruction of human bodies and populations’ (2003: 14). Importantly, Mbembe’s discussion thus refers us back to slavery and colonial rule, more generally. ‘In the context of the plantation’, Mbembe argues, ‘the slave condition results from a triple loss: loss of a “home”, loss of rights over his or her body, and loss of political status. This triple loss is identical with

absolute domination, natal alienation, and social death.' Hence, Mbembe declares, 'the humanity of the slave appears as the perfect figure of a shadow' (2003: 21). Thus, we are reminded that the necropolitical racial terror of slavery literally inscribed certain categories of human life as utterly expendable and exposed them to every conceivable sort of humiliation, torture, and violent death. However, Mbembe's corrective tends to reinscribe Foucault's error. For, contemplating the outright necropolitical mandate for deadly violence and routine brutality at stake in slavery or colonialism, we cannot help but also be reminded of the veritable economy of this system of racist power – its injunction to ruthlessly optimize the forces of life as labour, in short, its bio-politics.⁸

If the Black slave was perfectly figured as the shadow of human personhood, the genuine and substantive humanity of actual enslaved African and African American people – their productive powers and creative capacities – were a vital, foundational, and motive force at the veritable centre of modern 'civilization'. The necropolitical terror of racist sovereignty was inextricable from a bio-political regime of forced labour. Notably, Mbembe realigns much of what distinguishes bio-power, for Foucault, as quintessential characteristics of sovereignty itself. Referring to the ultimate power over life and, indeed, the power to brutally eradicate life, Mbembe clarifies: 'sovereignty means the capacity to define who matters and who does not, who is disposable and who is not' (2003: 27). Along these lines, he depicts 'the enactment of differential rights to differing categories of people for different purposes within the same space' as 'in brief, the exercise of sovereignty' (26). However, by linking this sort of distributive and differentialist ordering of life to its more murderous prerogatives and its most destructive potentialities, Mbembe's emphatic linkage between the necropolitical excesses of warfare and mass killing with the fundamentally productive regime of slave labour effectively (again) compels us to see the double character of racism as simultaneously necropolitical and biopolitical. If, as Foucault contends ([1997]2003: 254), racism is a premier matrix of the sovereign power of modern state formations, then it cannot be so as a purely necropolitical exercise in expelling and eliminating those 'enemy' populations deemed to be a quasi-existential threat. Racism is also central to and constitutive of the regulatory regime of bio-power's hierarchical distributive management of the forces of life itself. Furthermore, as Mbembe notes, this same sovereignty entails an inherently 'twofold process of self-institution and self-limitation (fixing one's own limits for oneself)' (2003: 13). In short, mediating the limits between its necropolitical and biopolitical imperatives, sovereign power is always quintessentially engaged in acts of border-making, border-guarding, and border preservation.

In the shadows of a bordered world

If borders are productive of differences in material and practical ways – in short, if borders produce differentiations – then it is crucial to note that they

not only involve a *physics* (through the mobilization of various practices and technologies of bordering) but also sustain a definite *metaphysics* – one that is centrally implicated in the particularization of the political (a global relation), according to the universalization, modularization, and normalization of the nation-state form as the standard mode of territoriality of a nationalist world order. Simply put, borders constantly reinforce the image of a world composed of ‘nations’ and ‘national’ states, to which all territory must consistently and exclusively correspond. At the level of each particular border and each particular ‘national’ state, this metaphysics never ceases to re-animate the familiar but unrelenting zombie of methodological nationalism. Yet this metaphysics of borders also plays a role on an effectively global scale. At the global level, this metaphysics is what is at stake in Étienne Balibar’s reference to the ‘world-configuring’ function of borders ([1993]2002: 79; cf. 2010: 316).⁹ Indeed, we may be reminded here of Arendt’s memorable account of what she depicted (following World War II) as ‘the new global political situation’ characterized by ‘a completely organized humanity’ ([1951]1968: 297) resembling a ‘barbed-wire labyrinth’ (292; cf. De Genova 2013a). Borders, as we have come to know them, do not only distinguish the official outer limits of nation-state territory and institute the division between one nation-state space and another, but also sub-divide the planet as a whole. In so doing, borders also subdivide humanity as a whole (De Genova 2010a).

In the shadows of this labyrinthine world of borders, as we have seen, are the multifarious bordered socio-political identities of the globe’s denizens – citizens, refugees, and migrants alike. Borders cross everyone, including those who never cross borders. Nevertheless, it is fair to say – adapting Mbembe’s formulation – that the humanity of the ‘illegal’ migrant assumes the perfect figure of citizenship’s shadow, absolutely excluded juridically but permanently ensnared within the machinations of the regime of citizenship (De Genova 2010a, 2012a). Extremities and regularities emerge together as the complex effects of regulatory border regimes that sustain the differential (indeed, racist) management of citizenship and immigration. In citizenship’s shadow, then, we may discern the perfectly predictable and routine processes of the obscene inclusion that always haunts the spectacular scene of ‘exclusion’, and the rather regular production of the abject belonging of ‘irregular’ or ‘illegal’ migrants. And yet, the multifarious continuities between migrants and so many whose citizenship is itself more or less abject remind us that citizenship itself has the elusive and evanescent qualities of a shadow (Anderson 2013). In this regard, we would do well to critically part company with the hegemonic liberal consensus around citizenship, which Linda Bosniak has described so tellingly: ‘Virtually everyone in the debates treats citizenship as embodying the highest normative value. The term rings unmistakably with the promise of personal engagement, community well-being, and democratic fulfillment’ (2000: 450–51). If there were no borders, however, there would indeed be neither citizens nor migrants. Hence, we are challenged to more rigorously

and consistently conceive anew the relation between the human species and the space of the planet, as a whole (De Genova 2012a). As with sex, in Foucault's *History of Sexuality* ([1976]1978: 159), therefore, so also for citizenship: we need to consider the possibility that one day, perhaps under a different relationship among human conviviality, mobility, and the space of the planet, people will no longer quite understand how the ruses of citizenship, and the power that sustains its organization, were able to subject us to that austere tyranny of citizenship, so that we became dedicated to the endless task of exacting our political truth from a shadow.

Notes

- 1 In an effort to retrieve the concept of citizenship from its conflation with nationality, Engin Isin and Bryan Turner (2007: 11–12) point to Arendt's discussion of 'the conquest of the state by the nation', whereby the rise of the discourse on minorities articulated

in plain language what until then had been only implied in the working system of nation-states, namely, that only nationals could be citizens, only people of the same national origin could enjoy the protection of legal institutions, that persons of different nationality needed some law of exception until or unless they were completely assimilated and divorced from their origin.

(Arendt [1951]1968: 275)

Assessing such efforts to formulate conceptions of post-national citizenship, however, Linda Bosniak astutely observes:

notwithstanding the empirical style of most exponents of citizenship's denationalization, the postnational citizenship claim cannot be read merely in descriptive terms. It must, instead, be regarded at least as much as a normative claim about citizenship's future shape and direction as a characterization of the current state of the world. For the concept of citizenship is not merely a label but also a signal: to describe a set of social practices in the language of citizenship serves to legitimize them and grant them recognition as politically consequential, while to refuse them the designation is to deny them that recognition. I therefore address the denationalization claim as an aspirational claim, a claim of desire rather than fact.

(2000: 452–53)

- 2 Similarly, Sandro Mezzadra has developed the parallel concept of 'differential inclusion' (2006, 2011; cf. Mezzadra and Neilson 2008, 2012, 2013). With regard to undocumented migrants, Martina Cvajner and Giuseppe Sciortino add a noteworthy twist to this concept by characterizing it bluntly but persuasively as 'inclusion at a higher price':

As a matter of fact, many migrants acquire significant resources through market channels: ... higher rent ... lower salary or more flexible schedules ... fake documents or fiscal numbers for a fee.... Markets evaluate migrants as economic opportunities: if their irregular status deters some providers, it induces others to exploit the differential chances for economic gain.

(2010: 400)

- 3 In this regard, Michel Foucault discusses the difference between warfare as strategy in contradistinction with the disciplinary tactics of the military:

It is strategy that makes it possible to understand warfare [or, alternately, borders] as a way of conducting politics between states; it is tactics that makes it possible to understand the army as a principle for maintaining the absence of warfare within civil society. The classical age saw the birth of the great political and military strategy by which nations confronted each other's economic and demographic forces; but it also saw the birth of meticulous military and political tactics by which the control of bodies and individual forces was exercised within states.

([1975]1979: 168)

- Likewise, one of Foucault's most important insights into what he calls 'governmentality' is that its end is the employment of tactics, and 'even of using laws themselves as tactics – to arrange things in such a way that ... such and such ends may be achieved' ([1978]1991: 95).
- 4 For contributions to the elaboration of the critical concept of the 'autonomy of migration', see Mezzadra 2001, 2004, 2006, 2011; Mezzadra, in Bojadžijev and Saint-Saëns 2006; Mezzadra and Neilson 2003; Moulier-Boutang 1998, 2001; Moulier-Boutang and Garson 1984; Moulier-Boutang and Grelet 2001 cf. Bojadžijev and Karakayali 2010; De Genova 2009, 2010b; Karakayali and Rigo 2010; Mitropoulos 2006; Nyers 2003; Papadopoulos, Stephenson, and Tsianos 2008; Papastergiadis 2000, 2005, 2010; Rigo 2011; Tsianos and Karakayali 2010; Walters 2008.
- 5 Foucault has in mind what he deems 'a new racism modeled on war' that 'justifies the death-function in the economy of biopower', and in this regard, 'is bound up with the technique of power ... with the workings of a State that is obliged to use race, the elimination of races and the purification of the race, to exercise its sovereign power' ([1997]2003: 258). Predictably, Nazism – and 'Nazism alone' (260) – serves for Foucault as the 'paroxysmal' example (259–260).
- 6 It is as if, confronting racism, Foucault disregards his own injunction to 'cease once and for all to describe the effects of power in [purely] negative terms', such as 'exclusion'. Foucault famously proclaims: 'In fact, power produces; it produces reality ... and rituals of truth' ([1975]1979: 194). It is remarkable, in this light, that Foucault seems to so one-sidedly relegate racist power to a strictly repressive, exclusionary, and finally exterminationist (genocidal) role.
- 7 Here, I am reading Foucault with Marx. As Foucault himself declares: 'It is impossible at the present time to write history without using a whole range of concepts directly or indirectly linked to Marx's thought and situating oneself within a horizon of thought which has been defined and described by Marx' ([1975]1980: 53). Foucault makes quite remarkably explicit in the Bahia lecture that it was indeed by 'revisiting' Marx's analysis in *Capital* that he (Foucault) would 'try to see how it is possible to do a history of powers in the West' ([1976]2007: 158)), and attributes to Marx 'the fundamental elements of an analysis' concerned with 'not just the representation of power, but of the real functioning of power ... power in its positive mechanisms' (156).
- 8 Elsewhere, Mbembe considers the pertinence of Foucault's conception of bio-power's racist supplement for theorizing South Africa's apartheid state, noting that regime's central problem of 'knowing how to coordinate and control a group of living human beings constituted as a population and how to relate these non-legal subjects to the universe of labor extraction and the production of surplus' (2001: 9–10).

Nonetheless, he goes on to argue for a fundamental equivalence between 'the apartheid structure' and what he designates 'the war structure' (10) in other African contexts, thereby again emphasizing the sovereign capacity for an outright destruction of (certain categories of) life – its 'necropolitics', in other words – rather than the productivity of racism for the more strictly biopolitical imperative to foster and preserve life and maximize its forces.

- 9 This is similarly suggested by Barry Hindess in his discussion of (bordered) citizenship as a technology for the international management of populations (2000; cf. 2005), or by William Walters in his discussion of deportation as a governmental technology for the international police of aliens ([2002]2010).

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