

Questions on Foucault, migrations and borders:

Responses by **Nicholas De Genova**

- 1) Foucault has never dealt with the issue of migrations, with the exception of a couple of passages, and as William Walters points out in his essay *Foucault and frontiers. Notes on the birth of the humanitarian border*, he has not accounted for the function of borders making as a main political technology of contemporary governmentality. Indeed, in *Security, territory, population*, his analysis on the circulation of goods and people as a tenet of modern economy fades into the background to the extent that the focus clearly shifts to the production and the government of the national territory. Notwithstanding, our idea is that instead of investigating whether or not Foucault handled those issues, today we could put at work some conceptual tools of his analytical grid and, in a broader way, his genealogical approach, in order to grasp the political stakes of the government of people's movements and at once to unpack the mainstream narrative on migrations that is grounded on an array of categories, practices, techniques and discourses shaping what has been called the "migratory regime". Do you think that the Foucaultian grid of governmentality could be useful more than other Foucault's tools in this regard, or do you think that the turn to the question of government is rather quite problematic for a critical analysis concerning migrations governance? In fact, it should be considered that if on the one hand many critical migrations studies make use of Foucault's analysis on governmentality to bring to the fore the multiplicity of actors and powers involved in the so called management of migrations, on the other hand they somehow reproduce and to reinforce the very idea that people's movement is something to be governed, as an unquestionable instance, thus coming paradoxically to "drain" both the genealogical and the critical posture as two main Foucault's linchpins.

Foucault famously quips that, for him, "Marx doesn't exist": "I mean the sort of entity constructed around a proper name, signifying at once a certain individual, the totality of his writings, and an immense historical process deriving from him.... it's always possible to turn Marx into an author, localisable in terms of a unique discursive physiognomy.... people are perfectly entitled to 'academise' Marx. But that means misconceiving the kind of break he effected" (1976/1980:76). In exactly the same spirit, for me, Foucault does not exist. Foucault remarks that, had he discovered the Frankfurt School at too young an age, he might "have been seduced to the point of doing nothing else in life but the job of commenting on them" (1981/1991:119-20). The same danger exists for those who become too ensnared in a kind of exaltation of Foucault --

surrendering intellectual creativity for a lifetime of exegesis, reverence, and orthodoxy -- precisely in violation of the critical spirit of Foucault himself, and thus misconceiving the kind of rupture he introduced. The refreshing vitality and great importance of William Walters's discussion of "Foucault and Frontiers" is precisely his candid impatience with a pervasive shortcoming in much of the Foucauldian scholarship: the reluctance to engage with *the limits* of Foucault's thought (2011:143) and the veritable inadequacy of the extant Foucauldian "vocabulary of power" to map the newly reconfigured or emergent formations of power, particularly with respect to borders and regimes for the government of migratory mobility (139). In this manner, Walters rightly underscores Foucault's emphatic concern to devise analytical and methodological tools that others may deploy pragmatically and tactically -- indeed, as *weapons* -- however we may desire (142; see Foucault 1994:523).

In this regard, there is nothing inherently critical or uncritical about the application of any particular Foucauldian concept, such as governmentality. It is entirely a matter of *how* one uses the concept. The proposition that human mobility, or specifically the mobility of migrants, is an object to be governed can, indeed, be a very radical one -- precisely to the extent that it serves to *problematize* government and what Foucault called *raison d'État*. One plainly discerns this radicality in the very important closing remarks to the concluding lecture in *Security, Territory, Population*, where Foucault speaks of "counter-conducts ... that make it a principle to assert the coming of a time when ... the indefinite governmentality of the state will be brought to an end ... when civil society can free itself of the constraints and controls of the state." Such a "revolutionary eschatology," Foucault continues, involves demands whose meaning is that the basic needs of the population must supplant and subvert "the rules of obedience," and thus will take the form of an "absolute right to revolt, to insurrection ...to revolution itself." Here, Foucault is clear that this is no juridical sort of "right." Rather, it is achieved only through its exercise, as a practice of freedom. "Breaking all the bonds of obedience," he asserts, "the population will really have the right ... to break any bonds of obedience it has with the state" In effect, the hitherto governed population affirms that "my law ... the law of my very nature as population, the law of my basic needs, must replace" the law, rules, and rationality of the state, and the presumed truth that it possesses with regard to the population (2004/2007:356). Hence, the counter-conduct of the governed finally posits "the idea of a society transparent to itself and possessor of its own truth" and, by implication at least, contends that "the truth of society, the truth of the state, of *raison d'État*, is no longer to be possessed by the state itself ..." (357).

I think that we can very productively theorize "irregular" or "illegal" cross-border migratory mobility along these lines. Whether as "a" population, or numerous distinct populations, or a part of the "the" population, migrants may be understood to disregard, if not actively subvert, "the rules

of obedience” of which Foucault speaks by prioritizing of their own basic needs and requirements. This, of course, is not to romanticize migrants as a presumptive revolutionary subject, but rather to discern in migrant practices and struggles an instance of what Foucault’s contemporaries, the Situationists (Debord, Vaneigem), theorized as “the revolution of everyday life.” Indeed, when Foucault speaks of “a crisis of ‘government’,” he refers explicitly to “particular and diffuse forms of resistance, sometimes in revolt over questions that regard, as a matter of fact, daily life” (1981/1991:176). This may also be what Foucault had in mind when, quoting Victor Hugo, he depicted crime as “a *coup d’état* from below” (1974).

It is noteworthy, nonetheless, that we may detect a rather vexing equivocation in Foucault’s language here. He transposes “population” into “the nation,” and uses “(civil) society,” “population,” and “the nation” more or less interchangeably. Thus, there is a strong residue of methodological nationalism evident here, in the exact place where we might seek to fruitfully re-deploy for border studies Foucault’s conceptualization of the inseparability of “the history of the governmental *ratio*” and “the history of the counter-conducts opposed to it” (357). Alongside the famous “governmentalization of the state” (Foucault 1978/1991:104; cf. 2004/2007:110), therefore, we must inquire also into the historical specificities of *the nationalization of the population*. This question cannot be adequately examined unless we consider the related historical question of how the state itself has come to be so ubiquitously nationalized (Balibar 1991:90-92; see, however, Foucault 1997/2003:222-26). Hannah Arendt refers to this process, somewhat misleadingly, as “the conquest of the state by the nation” (1951/1968:230). Nevertheless, in Arendt’s account, nationalism becomes “the precious cement for binding together a centralized state and an atomized society” and substantiates a vital connection between individuals and the state, which would now be taken to embody the will of the nation (231). Here, I think, we have an important anticipation of some of Foucault’s key insights into the two “great technological core[s] around which the political procedures of the West transformed themselves”: on the one hand, the question of governmentality’s targeting of the population (bio-politics), in a complex inter-relation with discipline’s “discovery of the individual and the body amenable to dressage” (anatomo-politics), on the other (1976[2007:161]). In my reading, Foucault posits these analytically distinct configurations of power as being always and necessarily inextricably co-constituted, historically. Foucault refers to these “individualization techniques and ... totalization procedures” within the modern state as “a tricky combination,” unforeseen in human history (1982:782). Therefore, I am hesitant about the notion that the grid of governmentality should be deemed “more useful” than other analytical tools that we might borrow from Foucault -- at least, not in any exclusionary sense -- because I do not believe that governmentality is sufficient, for instance, without discipline -- especially in the context of border regimes that are so extravagantly individualizing and disciplinary

in their effects (De Genova 2002; 2010a).

To my knowledge, Foucault never formulates this question of “the pastoral power” of the modern state, which simultaneously invests both individuals and populations, in terms of the historical salience of nationalism. Notably, Foucault recognizes the idea of the nation as a disruptive principle that unsettles the statist organization of historical discourse (1997/2003:142-43; 217-28), such that “history is no longer the State talking about itself” but rather the nation “as the object of its own historical narrative” (142). And in this regard, Foucault also notes importantly the discrepancy between a discourse that confines the nation within the frontiers of the state versus another one in which the nation “does not stop at the frontiers” but instead exceeds them, and may even “move from one frontier to another” (142). I do not believe that there is, however, any systematic discussion connecting these insights to the questions of population that predominate in Foucault’s thinking about governmentality. Hence, in order to adapt Foucault’s insights into governmentality to the question of nation-state spaces and their borders, we must interrogate and revise the inherent analytical vagueness of the concept of population, the ambiguity of which can be quite productive while also lending itself nevertheless to lapses into a rather uncritical methodological nationalism. In this regard, I suspect that it would be very productive to more carefully pursue an investigation into the ways that Foucault could be read in conversation with another of his contemporaries, Henri Lefebvre, who in his landmark study *The Production of Space* writes: “Each new form of state ... introduces ... its own particular administrative classification of discourses about space ... and people in space” (1974[1991:281]).

2) In *The birth of biopolitics* Foucault accounts for the migrant as a human capital. Today such a reading is certainly confirmed insofar as we tackle the “high skilled migrations” all over the world. But at a closer analysis, we see that agencies like the International Organisation for Migration plainly aims at producing and presenting also the low skilled migrants as responsible subjects whose social and economic capital needs to be enhanced and channelled. However, assuming such a discourse ultimately means to legitimize the “delirium” of migrations policies: indeed, a quite substantial discrepancy is always at stake between the discursive regime of migration governance and the materiality both of administrative measures apt to block and filter migrants or to let them die into the sea, and of migrants' practices themselves which constantly exceed spaces and vocabulary of governmentality. Secondly, the point would be to make visible the huge different effects that the present government of human mobility give rise to, namely the different subjectivities that are produced by governmental technologies, so that the model of the human capital maybe cannot be addressed to all migrants: after all, the government of people's movements works through processes of “differential inclusion” and by tracing at the same time a quite clear-cut partition between people who can freely move and those who cannot.

The question of “human capital” has to be handled delicately. Foucault’s critique of the neoliberal theory of “human capital” interrogates the manner in which wage laborers are re-figured as “autonomous entrepreneurs with full responsibility for their own investment decisions ... the entrepreneurs of themselves” (Lemke 2001:199; cf. Foucault’s lecture of 14 March 1979, in Foucault 2004/2008:215-37). However, it is easy to misread Foucault here, because he is formulating a critical discourse that very perilously mimics the dominant neoliberal discourse that has by now become hegemonic. When Foucault proclaims that “labor comprises a capital” or that “the worker is a machine” (2004/2008:224) -- and of particular interest for us, “the migrant is an investor” (230) -- we have to bear in mind that Foucault is rhetorically implementing the neoliberal perspective that he is otherwise critiquing. He makes this explicit in the subsequent lecture (21 March 1979), with regard to crime and the role of law as a mechanism that connected penal practice with “the problem of economy” (249): “Anyway, this is how I would see things *were I to adopt a possible neo-liberal perspective* on this evolution” (250; emphasis added); “You can see that this is basically the same kind of shift of point of view as that carried out with regard to human capital and work.... The subject is considered only as *homo aeconomicus*.... It simply means that economic behavior is the grid of intelligibility.... It also means that the individual becomes

governmentalizable ... to the extent, and only to the extent, that he is *homo oeconomicus*.... But this does not mean that every individual, every subject is an economic man” (252-53). Instead, Foucault is discussing “an attempt to decipher traditionally non-economic social behavior in economic terms,” which “involves criticism of the governmentality actually exercised which is ... a market criticism, the cynicism of a market criticism opposed to the action of public authorities” (246), and “could be called an ‘economic positivism’” (247). Elsewhere, in an aside, Foucault likens this neoliberal perspective to “science fiction” which is nevertheless “a kind of problematic that is currently becoming pervasive” (227).

In short, in my reading, Foucault does *not* account for the migrant as “human capital.” From the standpoint of capital, as Marx demonstrated long ago, all labor is apprehensible as capital (and not only highly skilled or professional labor). Indeed, the neoliberal theory of “human capital” that so interests Foucault is posited, he contends, as a corrective to the abstraction of labor attributed to a shortcoming of classical economic theory, which left a “gap or vacuum in its theory” into which rushed “a whole philosophy, anthropology, and politics, of which Marx is precisely the representative” (221). The neoliberal perspective that Foucault dissects is precisely such a capitalist standpoint, nevertheless, imposing a narrowly economic grid of intelligibility on the figure of labor. What interests Foucault, it seems to me, is how this neoliberal grid might invest subjects, and how it incorporates labor into economic analysis not as an object but “as an active economic subject” (223).

Certainly, contemporary regimes for the government of migration have a pronounced stake in responsabilizing migrants as individuals (and this absolutely includes those migrants whose movement is illegalized), while also channeling and managing the larger configurations of the mobility of populations. And it is precisely apt here to recognize this as a process of what Mezzadra and Nielson call “differential inclusion” (2008; 2013), or of what I, referring more specifically to migrant “illegality,” have called “inclusion though illegalization” (2002) or “inclusion through exclusion” (De Genova 2008; 2008; 2010a; 2010b; 2012b; n.d.). These concepts direct our scrutiny precisely toward the incorporation of *labor*, which is at the center of what so intrigued Foucault in his examination of the neoliberal discourse of “human capital.” But we would be terribly misguided to confuse that narrowly economic grid of intelligibility with Foucault’s critical analysis of it.

Finally, the problem for border studies of a sort of rationalization and legitimization of the “delirium” or incoherence of the various schemes for the management and government of migration is one that often creeps into analyses framed in terms of governmentality. This one-sidedness misses a crucial implication of one of Foucault’s most important insights into “government”: 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). In this way, government is oriented to “a plurality of specific aims” rather than to any “common good” (95). Thus, the emphasis on tactics, as I read Foucault, in part refers us back precisely to “counter-conducts,” resistances, opposition -- and more generally, to what Foucault, following Marx, recognizes to be a plurality of distinct and localized powers (1976[2007:156]), which are essentially *productive* (157). In the context of borders, then, this tactical quality of government requires that we account for the subjectivity and autonomy of migration. Indeed, inasmuch as these larger questions of subjectivity and autonomy also implicate individuals as autonomous subjects, this is what Foucault found so intriguing about the neoliberal preoccupation with “human capital,” especially with respect to the migrant: “The mobility of a population and its *ability to make choices of mobility* ... enable the phenomena of migration to be brought back into economic analysis, not as pure and simple effects of economic mechanisms which extend beyond individuals and which, as it were, bind them to an immense machine which they do not control, but *as behavior* ...” (2004/2008:230; emphases added). Thus, the revised (neoliberal) figure of *homo oeconomicus*, for Foucault, is of interest primarily insofar as it operates as a grid of intelligibility that supplies “the surface of contact between the individual and the power exercised on him ... the principle of the regulation of power over the individual ... the interface of government and the individual” (252-53).

3) Foucault's analysis on resistances constitutes by far one of the most useful aspects of his toolbox for critical studies on migrations which look at migratory practices not as mere responses to economic push-pull factors but rather as movements which disrupt the ordinary political regime of discourses and practices. /In fact, as it's well known, according to Foucault no power relation can be done without resistance and this latter is not (only) a reaction or a subtraction to power's exercise, since governmental technology itself is constantly forced to rearrange its strategy face to practices, movements and bodies: "we must situate power relations within the struggles" Foucault stated in 1978 and not supposing that there is power on the one side and resistances on the other, so that power itself is nothing but "the snapshot of multiple struggles and continuous transformations". Along with that, a Foucaultian perspective on migrations enables us to shift the attention from claims to rights to the materiality of migrants' struggles and demands that very often do not address the sphere of laws and cannot be placed within claims to citizenship. Nevertheless, we should not overstate the autonomy of those practices, come to overlook the violence of bordering techniques and the extreme difficulty for migrants to gain a leeway from power's grasp, devising strategies of survival or, "strategies of existence". How do migrants' struggles could be articulated with other social struggles without overlooking their specificity? Or should we avoid to recodify them through traditional political language, in order not to loosen their political disruptive force? In our account, migrants' practices have the peculiarity to target very immediate and specific issues and at the same time to radically challenge the governmental paradigm of human mobility at large. That is to say, very specific movements and claims that, just starting from that specificity, somehow unsettle the partitioning between those who could move and those who cannot.

"Localizing problems is indispensable," Foucault explains, "for theoretical and political reasons. But that doesn't mean that they are not, however, general problems.... It is quite true that I localize problems, but I believe that this permits me to make others emerge from them that are very general" (1981/1991:152-53). Referring to his own activist engagements, furthermore, Foucault translates this intellectual or methodological protocol into one for practical engagement as well. Against the "indomitable discursivity, that was the life of the universities" (particularly in the period following the events of May 1968 in France), he explains that he sought to act in ways that "posed problems in concrete, precise, definite terms, within a determinate situation" (139). Embedded here, in Foucault's reflections on his own intellectual and political practice, are cues with which one can discern the usefulness of his approach for articulating migrants' struggles with other social struggles

without overlooking their specificity.

I have argued that the radical potential or disruptive force of some migrant struggles derives precisely from their affirmations of incorrigibility, and the refusal to codify themselves in the conventions of the political language of the state -- particularly, the discourses of "rights" and "citizenship" (De Genova 2009; 2010a; 2010c). In fact, migration and borders are areas of inquiry that, far from being merely marginal concerns, seem to me to be perfectly situated for pursuing an incisive critical scrutiny of such topics as state formation, sovereignty, citizenship, nationalism, racial formation, and so forth. Furthermore, the very specific targets of the diverse struggles of migrants do indeed challenge the broader paradigm for a government of human mobility at large, including on a transnational scale, but we could say that they have even wider generalizable ramifications -- because ultimately they pose the global problem of the relationship between the human species and the space of the planet (De Genova 2012a).

- 4) Many migrations studies reference to Agamben's paradigm of the camp stressing the role of sovereign power in governing migrations. And Agamben analysis has also been used in political activism on borders and migrations in the late Nineties to denounce and to engage against immigrants detention centres. A Foucaultian approach to migrations policies entails, we believe, a quite different gaze, which neither focuses on institutions or on decision instances, nor look at the migrant as subject reduced by power to bare life. However, governmentality studies tend to overemphasise the transnational dimension of power's exercise coming to blur the still relevant function of States in the government of frontiers and also in setting up what De Genova calls the "border spectacle". To what extent have you articulated in your work Agamben's and Foucault's thought in your work? And as far as political activism is concerned, do you think that nowadays a Foucaultian approach to migrations could suggest us some useful and new ways or strategies to engage with this issue?

To start, it is important to recognize that Agamben's thought is in fact one kind of Foucauldian analysis. As you know, of course, Agamben's whole analysis is premised upon key insights from Foucault about biopolitics. It seems a bit like a kind of academic sectarianism to counterpose the two in such a stark and strident manner, a little reminiscent of what Foucault depicts bitterly as "the fragmentation of Marxism into small bodies of doctrine that pronounced excommunication upon one another" (1981/1991:141). Of course, this is not to disregard or trivialize significant differences and discrepancies between the two.

One of the most important contributions of Agamben's work has been to recuperate a critical sense of the enduring salience of sovereignty, inviting more orthodox Foucauldeans to address precisely one of the more vexing aspects of Foucault's work -- the pervasive relegation of considerations of sovereign power to a pre-modern era, or the acknowledgment of a modern, democratized (post-monarchical) reconfiguration of sovereignty (Foucault 1997/2003:37) that remains "absolutely incompatible" (35) and "increasingly in conflict" with "disciplinary normalizations" (39). To his credit, Foucault contends that while struggling against disciplinary power, we need to refuse to seek refuge in "the famous old formal, bourgeois right" (39) which is in fact "the old right of sovereignty" (40); indeed, Foucault provocatively characterizes this quest as a seeking "for a nondisciplinary power" (39). Nonetheless, in much of Foucault's work, sovereign power tends to be associated with the archaic, or even atavistic, residues of a pre-modern power, the historical persistence of which merely served, in effect, to disguise a newer type of power: "the techniques of domination involved in discipline" (37). To be fair, Foucault locates sovereignty

alongside discipline as “the two things that constitute -- in an absolute sense -- the general mechanisms of power in our society” (39), but the polemical force of nearly all of his work tends to direct our critical scrutiny *away from* sovereignty, and it is a virtue of Agamben’s work to compel us to address anew the salience of sovereign power in its distinctly modern forms, which however well or clumsily, he situates always in relation to key Foucauldian insights about bio-power.

I have indeed sought to address these tensions between Foucault’s and Agamben’s analyses in my own work; indeed, I have been inclined to read Agamben through Marx and *against* Foucault (De Genova 2010a; see also 2012a). For present purposes, however, I’d prefer to read 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). As I have already alluded in a previous response, Foucault makes quite remarkably explicit in the Bahia lecture that it was indeed by “revisiting” Marx’s analysis in *Capital* (he says in Volume II, but I think that he must have been thinking in fact of Volume I) 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). Now, reading Foucault with Marx and against Agamben, we could say that Agamben tends to flatten or marginalize precisely this heterogeneity and plurality of localized powers, each with its own historical and geographical specificity, which Foucault suggests was first captured by Marx.

Nonetheless, in Agamben’s defence, I would argue that what he accomplishes is precisely what Foucault admired in the work of such thinkers as Nietzsche, Bataille, and Blanchot: the attempt “through experience to reach that point of life which lies as close as possible to the impossibility of living, which lies at the limit of the extreme ... to gather the maximum amount of intensity and impossibility at the same time ... ‘tearing’ the subject from itself in such a way that it is no longer the subject as such, or that it is completely ‘other’ than itself so that it may arrive at its annihilation, its dissociation” (Foucault 1981/1991:31). This is the real source of radicality in Foucault, and in my view, it perfectly captures what is so vital in Agamben’s conceptualization of bare life. As with Foucault’s remarks about his own books, “no matter how boring and erudite,” Agamben’s formulation of the problem of bare life and sovereign power “tears” us from ourselves, and precludes the possibility that we could ever go on being the same as before (Foucault 1981/1991:32). For, the condition of bare life itself is one to which, according to Agamben, virtually all of human existence has by now already been reduced (1996/2000:5). Furthermore, related to this “de-subjectifying” impulse, Agamben likewise calls into question “every attempt to

ground political communities on something like a ‘belonging,’ whether it be founded on popular, national, religious, or any other identity” (1995/1998:181).

These key contentions in Agamben ought to suffice to verify that it is in fact an all-too-commonplace mis-reading of his work to see his conception of bare life as merely a figure of exclusion *in extremis* -- and this is precisely the misguided approach that has been wrongly applied in many studies of migration, border enforcement, and migrant detention. I read the concept of bare life in relation to Marx’s conceptions of labor-power (De Genova 2010a) and species-being (De Genova 2012a). In light of this Marxian reading, we may indeed see a certain affinity, operating at different levels of analysis, between Agamben’s formulation of bare life and Foucault’s appreciation of discipline as precisely “a mechanism of power that made it possible to extract time and labor ... from bodies” (Foucault 1997/2003:35-36), involving an “anatomy-politics of the human body” that “centered on the body as a machine: its disciplining, the optimization of its capabilities, the extortion of its forces ...” (Foucault 1976/1978:139).

As you note, however, there is a certain tendency in governmentality approaches to borders and migration that disregards the enduring and protracted salience of “national” states and thus, of their exercises of sovereignty, including of course the “Agambenian” features of the sovereign decision on the state of exception and the paradigm of the camp. These are brute realities that a Foucauldean approach to borders and migrations disregards at the risk of relegating itself to political irrelevance and a pedantic kind of theoretical preciousness and obscurantism. As I suggested at the outset, therefore, it may be helpful to begin to re-envision Agamben’s insights as Foucauldean ones, and rather than uphold a false or, in any case, exaggerated dichotomy between the two, to begin to elaborate a more constructive creative synthesis between these approaches.

Finally, just as a brief note of clarification: my formulation of the Border Spectacle (De Genova 2002; 2005:242-49; 2012b; n.d.) -- whereby the extravagant theatrical performativity of border policing and immigration law enforcement perennially supplies a fetishized *scene* of “exclusion” that routinely conceals (but also selectively reveals) what I call the *obscene* of inclusion of migrants as (subordinate, illegalized) labor, while also systematically reifying migrant “illegality” as a fact of border transgression and thereby obfuscating the legal production of migrant “illegality” -- has been fundamentally elaborated through my reading of Guy Debord’s concept of the society of the spectacle (see De Genova 2011; 2012b; n.d.), rather than Foucault’s discussion of “the spectacle of the scaffold” in *Discipline and Punish* (1975/1979:32-69). Still, it is undeniable that Foucault’s discussion of “illegalities and delinquency” (257-92) has supplied an often unspoken conceptual framework for my own thinking about migrant “illegality,” and it is precisely the disciplinary dimensions of border policing and immigration law, with respect above all to the labor-power of migrants, that I think signal one of the most important potential Foucauldean

contributions to problematizing an over-emphasis on borders narrowly construed as sites for sovereign acts of decision and exception. In this regard, William Walters makes an absolutely incisive point when he reminds us that one finds at the heart of *Discipline and Punish* an extensive examination of “practices of partitionment, segmentation, division, enclosure; practices that will underpin the ordering and policing of ever more aspects of the life of populations from the nineteenth century onwards,” and thus, a remarkably original theorization of “what we might call the microphysics of bordering” (2011:158).

5) The question of the regimes of truth is particularly relevant for Foucault. And his genealogy of the modern subject underlines the different functions that truth has historically played in producing the subject itself. For instance, as far as modernity is concerned, Foucault points out that the subject is required to tell the truth upon himself/herself. Now, a focus on migrations through a postcolonial gaze brings to the fore that different regimes of truth coexist also within a given space, since it's not the same mechanism of "truth therapy" that is at stake in the case of citizens or "illegal" migrants. For instance, the effects of individualisation produced by the regime of truth mentioned by Foucault seem not to work in the case of migrations governance: quite to the contrary, no truth is required to "bogus" migrants and its very subjectivity and biography are finally unravelled. Thus, starting from this coexistence of different regime of truth in our present, in your account do also resistances to a specific regime of truth could come from the "outside", that is from subjects who, like "bogus" migrants, are not governed through the same regime of truth?

It is possible that I have not understood this question in precisely the way that it was posed, but I am not convinced that it is helpful to imagine the postcolonial condition as one that implies a coexistence of heterogeneous and, by implication, incompatible or incongruous "regimes of truth." Is the Foucauldian concept of a "regime of truth" meant here to stand in as a more sophisticated (or at least, more fashionable) surrogate or euphemism for the concept of "culture"? If this is the case, then I think it is the wrong way to think about postcoloniality. Because we cannot adequately conceive of the postcolonial without first appreciating the substantive gravity and impact of the colonial, which has always been fundamentally about deeply consequential inter-relations and unforeseen interconnections -- a profoundly unequal, hierarchical, exploitative relationality and interconnection, without a doubt, and one that sustains and enforces differences and distinctions, indeed manipulates them and perverts them into exaggerated monstrosities, but a regime indeed that encompasses and incorporates them nonetheless into a systemic sort of relationality. This is what we have inherited from a global socio-political order of European and Euro-American colonialism and white supremacy -- a world of differences and an economy of racialized distinctions that remains, all the same, one world (see De Genova 2010b). So my concern is that it may recapitulate some of the familiar ideological commonsense of this postcolonial world to fall into the trap of thinking about postcoloniality in terms of culturalist incommensurability, identitarian pluralism, and so forth. This is exactly what a "regime" of truth implies, as I understand it -- a kind of economy of meanings as well as techniques and procedures associated with the verification of "truths," operating within the purview of a series of strategies, tactics, and relations of force deployed for

governing the questions and regulating the propositions that may become apprehensible as “truths,” such that “knowledge” is constituted always through the effects of power that circulate within such a regime (see, for example, Foucault 1977/1980:112). But while this necessarily involves sorting and ranking a vast plenitude of differences and specificities, it is nonetheless a regime -- or an economy, if you like -- only insofar as this plurality and heterogeneity are encompassed within a larger singularity.

The other equivocal feature of the way that the question is posed is to transpose this question of difference onto the juridical and socio-political distinction between citizen and “illegal” migrant. But here, too, we are speaking in fact, in each instance (for each nation-state), of a single legal economy in which the invidious inequalities of citizenship produce precisely these distinctions and disjunctures within a larger system, a singular regime of truth that includes the regimes of both “legality” and “illegality,” extending from citizenship through all the varieties of migrant predicaments. Migrants, “illegal” as well as “legal,” are governed precisely through the same regime that lends citizenship its substantive and meaningful socio-political quality (see, for example, De Genova 2007; 2009; 2010a). So the truth of one and the truth of the other are co-constituted and mutually reinforcing. To posit the sort of discontinuity that I detect in the question seems to me to fall into a (re-)fetishization of surface appearances, for as I have written, “‘illegality’ ... both theoretically and practically, is a social relation that is fundamentally inseparable from citizenship” (De Genova 2002:422; cf. 2010a). A regime of truth for the citizen could only be meaningful to the extent that it also included -- indeed, to the extent that it were predicated upon -- the non-citizen. Likewise, for “national” identity and “foreign”-ness, “native”-ness and alienage, and so on.

Is there really no truth required of the allegedly “bogus” asylum-seeker or “illegal” migrant? To the contrary, the truths demanded of “illegal” or “irregular” migrants are located at the center of the wider processes sustaining the larger regime of citizenship and its borders. Inasmuch as the migrant is simultaneously answerable to numerous localized powers, the migrant is continuously subjected to (and subjected by) multiple modalities and technologies for the elicitation, extraction, and production of a differentiated spectrum of biographical or subjective “truths.” In this sense, yes, there are numerous regimes of truth that operate upon the predicament of migrants of all sorts, corresponding to the plurality of localized powers with which they are ensnared and engaged (not least their own productive power and creative capacity as labor; see De Genova 2010a). And yet, in this most crucial sense, the resistances of migrants *never* come from “outside” but rather are always immanent to these postcolonial, racialized, transnational, cross-border labor relations.

6) The late Foucault, both in the interview and in the Courses at the Collège de France, draws our attention to the technologies of the self and to the question of subjectivation that today is getting more and more at the core of many analysis concerning political movements and new forms of struggle. As far as migrants' strategies of resistance are concerned, this approach arises some problematic issues. First of all because most of the time “clandestine” migrants find strategy to temporarily dodge power's grasp by practices of desubjectivation, refusal and subtraction while no time and space seems to be left for practices which last in time and which could implicate both leeway and a space of visibility. Nevertheless, it could be argued that also forms of resistances like escapes or refusals and practices of desubjectivation at large, actually entail processes of subjectivation, that is transformations of one' own relationship to the others. According to you, what are limits and advantages of a political analysis on migrants' struggles framed in this way? Is there the risk to reinforce a current trend consisting in emphasizing migrants' subjectivity as the new revolutionary subject – according to many “leftist analysis” - or as the surface for power's grasp – since today power wants to account for singular and extraordinary migrants' histories?

This question seems to me to merely re-state the previous one. In fact, the ostensibly excluded “irregular,” “illegal,” “clandestine” migrant is never truly “outside” of anything. And every aspect of the migrants’ putative “invisibility” -- either imposed upon them by the migratory regime or adopted strategically by them in their efforts to dodge power’s grasp -- is really always a kind of public secret, a kind of hiding in plain sight (De Genova 2012b; n.d.). Thus, we can only conceive of this as a heterogeneous process of subjectivation that accompanies all the dramatic severities but also all the pure banalities of migrant everyday life. One need only consider the complex ways in which undocumented migrants go about acquiring a variety of more localized and particular types of documentation in order to facilitate their predicaments of “illegality,” acquiring not only many of the informal accoutrements of citizenship but also, sometimes, many of the formal ones as well, and mitigating their “illegal” status as merely a kind of disability or “handicap within a probationary continuum of citizenship” (Chauvin and Garcés-Mascreñas 2012). Here, it is instructive to recall Susan Coutin’s insightful discussion of migrant “illegality” in terms of a complex and heterogeneous habitation, simultaneously, of juridically mandated “spaces of nonexistence” alongside the lived practices that constitute their physical presence and their substantive social existence (Coutin 2000:27-47). Thus, on the one hand, the social space of “illegality” is an erasure of legal personhood – a space of forced invisibility, exclusion, subjugation, and repression that “materializes around [the undocumented] wherever they go” (p.30) in the form of real effects

ranging from hunger to unemployment (or more typically, severe exploitation and over-employment) to violence to death. On the other hand, they nevertheless inhabit a perfectly real and more or less entrenched social position and are incorporated into diverse social relations -- what I call the obscene of inclusion that always accompanies the spectacular scene of exclusion (De Genova 2012b; n.d.).

Do migrants represent a radical, oppositional (even revolutionary) subjectivity (labor against capital and the state), or do they represent a premier instance of the flexibility and tractability of neoliberal “human capital” (labor for capital)? Both possibilities exist and, moreover, both may be true, even simultaneously (De Genova 2009; 2010c). Such a simplistic dichotomy derives from the sorts of simplistic binarisms that can be fashioned only as purely abstract theoretical problems. As Foucault himself consistently maintained, however, the task of critical social and political analysis needs to be formulated in precise, specific, and grounded ways (1977/1980:126-31). “I’m not convinced that intellectuals -- starting from their bookish, academic, and erudite investigations -- can point to the essential problems of the society in which they live,” he elaborates, “On the contrary, one of the main opportunities for collaboration with ‘non-intellectuals’ is in listening to their problems, and in working with them to formulate these problems: what do the mentally ill say? What is life like in a psychiatric hospital?” (1981/1991:151). Indeed, what do migrants themselves say? What are the concrete circumstances and predicaments with which they struggle in everyday life? Here, the theoretical formulation of the problems ought to ensue closely from a material and practical engagement with the ethnography and history of migrants’ struggles.

7) The government of migration is grounded on a knowledge-based governance, where the instantiation of juridical partitions and categories – like the dividing between asylum seekers and economic migrants, or legal and illegal migrants – plays with a normative force. In this context, the question of whether and how to use existent categories is clearly at the front of critical migrations studies. Differently from Deleuze, in Foucault's account the question is not to invent new concepts as such, since every notion is rather part of a wider regime of concepts, or better of a regime of veridiction. Do you think that a critical gaze on migrations governmentality should seek to produce a counter-narrative on that issue or it's more a question of forcing and strategically working those normative partitions from within? To put differently, should we counter-act that discursive regime or the toughest challenge is rather to combine a critical discourse with effective political practices?

As suggested in my previous response, I am rather sympathetic to Foucault's inclination to strategically elaborate and tease out and force the terms of my critique from the extant regime of normative partitions and epistemological categories. Hence, I have insisted on the epistemological, theoretical, ethical, and political salience of de-naturalizing and de-fetishizing the hegemonic discourses and terminologies of "immigration" and migrant "illegality" by accounting for the historical specificities of their production as well as their embeddedness in ongoing struggles (De Genova 2002; 2005). Likewise, I have been deeply interested in the ways that migrants' struggles themselves intervene in the dominant discursive regime and play an active and protagonist role in both the recapitulation of hegemonic discourses as well as the reformulation of the terms and conditions of political struggle (De Genova 2009; 2010c)

8) Even though Foucault has never developed the issue of colonial spaces, his insistence on the plurality of histories and spaces, and his related critique to a linear historical and teleological model [*The scene of philosophy*, 1978] provide us, we believe, the analytical lens to undertake a history of our present(s) that accounts for the heterogeneity and differential dimension of the postcolonial European space. At the same time Foucault's analysis of racism [*Society must be defended*, 1976] frames the question of race in terms of political technology. Do you think that Foucault's spatial approach articulated his reflections on race and racism on the other hand could constitute an useful grid in order to rethink the relationships between migrations government and processes of racialisation in Europe, deconstructing the very European space as an unquestioned postulate?

Adopting the hypothesis of an inversion of Clausewitz's famous dictum, Foucault calls our attention to the paradox that "we are always writing the history of the same war, even when we are writing the history of peace and its institutions" (1997/2003:16). The politics of postcolonial racism -- and certainly, its institutionalization as an ordering of "peace" -- is surely apprehensible as such a continuation of colonial war. In this light, Foucault's reflections in "*Society Must be Defended*" on the historical themes of "invasion" and "conquest," and thus "race war," all take on an added salience. The limit in Foucault's discourse, however, derives from his constricting the critical problematization of the "national duality" thesis of nobiliary historical narratives to the presumptive scale of "the nation" -- exactly the scale at which this narrative is inverted by bourgeois historians and thus, the scale at which historical discourse is recomposed in the era and aftermath of the French Revolution (215-26). In order to adequately address postcolonial racism, however, we are compelled to contemplate a different duality -- a global duality, that between colonizer and colonized -- posited on a spatial scale that is transnational and supranational, and which subverts the possibility of sustaining the conceit of any monolithic and unitary European nationhood, just as it likewise upends the analogous illusion of a discrete and integral "Europe." Reflecting on the bourgeois inversion of historical discourse into a narrative of the nation's "totalizing completion" (228) that culminates with its realization in the universality of the State (236), Foucault closes the lecture of 10 March 1976 with some provocative suggestions about how, from the beginning of the nineteenth century, "history and philosophy began to ask the same question" and thus, "the dialectic was born" (237). Here, he is plainly referring to Hegel, but partaking of the familiar occlusion of the constitutive fact of colonialism that Susan Buck-Morss exposes in her fascinating work *Hegel, Haiti, and Universal History* (2009), Foucault does not depart from the self-referential "national" scale of this nationalist discourse, at precisely the juncture where universality was in fact being

posited philosophically in terms of a *global* history.

Certainly, Foucault acknowledges that “racism first develops with colonization,” indeed, “with colonizing genocide,” and links this to the a biopolitical form of warfare that is no longer “simply a matter of destroying a political adversary, but of destroying the enemy race” as a virtually “biological threat”(1997/2003:257). In this manner, Foucault makes the bold proposition that “once the State functions in the biopower mode, racism alone can justify the murderous function of the State” (256) and thus, “racism is inscribed as the basic mechanism of power, as it is exercised in modern States” (254). In all of this, 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” (258). Predictably, then, Nazism -- and “Nazism alone” (260) -- serves for Foucault as the “paroxysmal” example (259-60). This is indubitably an intriguing and persuasive reading of the history and effectivity of racism, but inasmuch as it confines its purview to the explication of genocidal impulses and exterminationist exercises, it is one-sided: it rather flagrantly disregards the *productivity* of racist power. As I have already suggested, the government of migration is inseparable from the disciplinary maximization of the the potentialities and capacities of migrants *as labor*. Thus, its specifically racist dimensions have to be theorized not merely in the sovereign inclinations of border regimes to perpetrate low-intensity warfare and “let die” (241), but also in the particular ways in which migrants are subjected to the severities of one or another border and immigration regime in order to capture, cultivate, and intensify their specific life-force (and labor-power) (De Genova 2010a; 2012a). Racism is an indispensable feature of this larger process of inclusion as labor subordination, much as it was in an analogous way inextricable from prior legacies of slavery.

I have already suggested a caution in a previous response to the dangers of misusing the notion of a plurality of histories and spaces when thinking about the postcolonial, and here, the historical fact as well as the metaphor of *war* should serve to reiterate my reservation. What indeed does war and conquest accomplish if not the creation of one space and one history from what may previously have been two? A postcolonial perspective is precisely the sort of analytical framework that requires us to dismantle the unquestioned and naturalized unity, integrity, and singularity of the European space as hermetically discrete and self-contained: as myriad migrations come sweeping through this European space, what do we encounter but the returns of Europe’s global (colonial) history? (De Genova 2010b).

References

Agamben, Giorgio

1995/1998 *Homo Sacer: Sovereign Power and Bare Life*. Stanford, CA: Stanford University Press.

1996/2000 *Means without End: Notes on Politics*. Minneapolis: University of Minnesota Press.

Arendt, Hannah

1951/1968 *The Origins of Totalitarianism*. New York: Harvest/Harcourt.

Balibar, Etienne

1991 "The Nation Form: History and Ideology." Pp. 86-106 in Etienne Balibar and Immanuel Wallerstein. *Race, Nation, Class: Ambiguous Identities*. New York: Verso.

Buck-Morss, Susan

2009 *Hegel, Haiti, and Universal History*. Pittsburgh, PA: University of Pittsburgh Press.

Chauvin, Sébastien and Blanca Garcés-Mascareñas

2012 "Beyond Informal Citizenship: Exploring the New Moral Economy of Migrant Illegality." *International Political Sociology* 6(3).

Coutin, Susan Bibler

2000 *Legalizing Moves: Salvadoran Immigrants' Struggle for U.S. Residency*. Ann Arbor, MI: University of Michigan Press.

De Genova, Nicholas

2002 "Migrant 'Illegality' and Deportability in Everyday Life." *Annual Review of Anthropology* 31: 419-47.

2005 *Working the Boundaries: Race, Space, and "Illegality" in Mexican Chicago*. Durham, NC: Duke University Press.

2007 "The Production of Culprits: From Deportability to Detainability in the Aftermath of 'Homeland Security'." *Citizenship Studies* 11(5): 421-48.

2008 "Inclusion through Exclusion: Explosion or Implosion?" *Amsterdam Law Forum* 1(1); Available at: <www.amsterdamlawforum.org>.

2009 "Conflicts of Mobility and the Mobility of Conflict: Rightlessness, Presence, Subjectivity,

Freedom.” *Subjectivity* 29: 445–466.

2010a “The Deportation Regime: Sovereignty, Space, and the Freedom of Movement.” Theoretical Overview (pp. 33-65) in Nicholas De Genova and Nathalie Peutz, eds. *The Deportation Regime: Sovereignty, Space, and the Freedom of Movement*. Durham, NC: Duke University Press.

2010b “Migration and Race in Europe: The Trans-Atlantic Metastases of a Post-Colonial Cancer.” *European Journal of Social Theory* 13(3): 405-19.

2010c “The Queer Politics of Migration: Reflections on ‘Illegality’ and Incurability.” *Studies in Social Justice* 4(2): 101-126.

2011 “Alien Powers: Deportable Labour and the Spectacle of Security.” Pp.91–115 in Vicki Squire, ed. *The Contested Politics of Mobility: Borderzones and Irregularity*. London and New York: Routledge.

2012a “Bare Life, Labor-Power, Mobility, and Global Space: Toward a Marxian Anthropology?” *CR: The New Centennial Review* 12(3).

2012b “Border, Scene and Obscene.” In Thomas Wilson and Hastings Donnan (eds.), *A Companion to Border Studies*. Oxford, UK and Malden, MA: Wiley-Blackwell (in press).

n.d. “Spectacles of Migrant ‘Illegality’: The Scene of Exclusion, the Obscene of Inclusion.” Under review with *Ethnic and Racial Studies*

Foucault, Michel

1974 “Michel Foucault on Attica: An Interview” (with John K. Simon). *Telos* 19: 154-61.

Reprinted in *Social Justice* 18(3) [1991]: 26-34.

1975/1979 *Discipline and Punish: The Birth of the Prison*. New York: Random House.

1975/1980 “Prison Talk.” Pp. 37-54 in Michel Foucault, *Power/Knowledge: Selected Interviews and Other Writings, 1972-1977*. (Colin Gordon, ed.). New York: Pantheon Books.

1976/1978 *The History of Sexuality: Volume 1: An Introduction*. New York: Vintage Books/Random House.

1976/1980 “Questions on Geography.” Pp. 63-77 in Michel Foucault, *Power/Knowledge: Selected Interviews and Other Writings, 1972-1977*. (Colin Gordon, ed.). New York: Pantheon Books.

1976[2007] “The Meshes of Power.” Pp. 153-62 in Jeremy W. Crampton and Stuart Elden, eds. *Space, Knowledge and Power: Foucault and Geography*. Aldershot, UK: Ashgate.

1977/1980 “Truth and Power.” Pp. 107-33 in Michel Foucault, *Power/Knowledge: Selected Interviews and Other Writings, 1972-1977*. (Colin Gordon, ed.). New York: Pantheon Books.

1978/1991 “Governmentality.” Pp. 87-104 in Graham Burchell, Colin Gordon, and Peter Miller, eds. *The Foucault Effect: Studies in Governmentality*. Chicago: University of Chicago Press.

1981/1991 *Remarks on Marx: Conversations with Duccio Trombadori*. Translated by R. James

Goldstein and James Cascaito. New York: Semiotext(e).

1994 "Prisons et asiles dans le mécanisme du pouvoir." Pp. 521-25 in *Dits et Ecrits, 1954-1988*, Volume II. Paris: Gallimard.

1997/2003 "*Society Must be Defended*": *Lectures at the Collège de France, 1975-1976*. New York: Picador.

2004/2007 *Security, Territory, Population: Lectures at the Collège de France, 1977-1978*. Basingstoke, UK: Palgrave Macmillan.

2004/2008 *The Birth of Biopolitics: Lectures at the Collège de France, 1978-1979*. Basingstoke, UK: Palgrave Macmillan.

Lefebvre, Henri

1974/1991 *The Production of Space*. Cambridge, MA: Blackwell Publishing.

Lemke, Thomas

2001 "'The Birth of Biopolitics': Michel Foucault's Lecture at the Collège de France on Neo-Liberal Governmentality." *Economy and Society* 30(2): 190-207.

Mezzadra, Sandro and Brett Neilson

2008 "Border as Method, or, the Multiplication of Labor." European Institute for Progressive Cultural Policies. Available at: <http://eipcp.net/transversal/0608/mezzadraneilson/en> (accessed 12 June 2012).

2013 *Border as Method, or, the Multiplication of Labor*. Durham, NC: Duke University Press, forthcoming.

Walters, William

2011 "Foucault and Frontiers: Notes on the Birth of the Humanitarian Border." Pp. 138-64 in Ulrich Bröckling, Susanne Krasmann and Thomas Lemke, eds. *Governmentality: Current Issues and Future Challenges*. New York: Routledge.