Governing Global Migration

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To Sally, Ylva & Niklas

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While writing a dissertation is an extraordinarily lonely task, one does not go through with it unaccompanied. Here, I want to express my gratitude to all those who have provided help and support during the course of this work.

conversations significantly improved my understanding of current developments within the field of migration governance.

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Sara Kalm

Acronyms

CGG	Commission on Global Governance
CHS	Commission on Human Security
DESA	UN Department of Economic and Social Affairs
GATS	General Agreement on Trade in Services
GCIM	Global Commission on International Migration
GFMD	Global Forum on Migration and Development
HLD	High-Level Dialogue on Migration and Development
ICMC	International Catholic Migration Commission
ICPD	International Conference on Population and Development
ILO	International Labour Organization
IOM	International Organization for Migration
ITUC	International Trade Union Confederation
MRI	Migrants Rights International
MWC	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
OHCHR	Office of the High Commissioner for Human
UNFPA	UN Population Fund
UNHCR	UN High Commissioner for Refugees
WHO	World Health Organization
WTO	World Trade Organization

Introduction

> It is essential to understand migration as a normal fact of life for individuals, families, communities and states (Declaration of The Hague on the Future of Refugee and Migration Policy 2002: 5).
>
> The continuing movement of people across borders is an integral feature of a rapidly globalizing world (International Agenda for Migration Management 2004: 23).

How should one understand assertions such as the above, emphasising the normal and unavoidable character of international migration and human mobility? Empirically, a number of contemporary indicators indeed seem to corroborate it. Available data suggest that overall mobility is steadily rising: whereas in 1950 there were 25 million international passenger arrivals each year, this figure has now reached 800 million (World Tourism Organization 2007). Most travelling only occurs for a limited period of time, but the increased mobility also concerns longer-term migration. In UN statistics, an international migrant is a person who has lived outside his or her country of nationality for more than one year, and the number of international migrants thus defined is growing at an accelerated pace: from 75 million in 1960 through 155 million in 1990 to 191 million today (UN DESA 2005). Not only has migration increased in terms of total volume; the movement of people has also expanded geographically so that all states and regions in the world are now affected at some point of the migratory chain, as senders, receivers or transit areas. An important characteristic of contemporary migration is that the need or desire to migrate far exceeds available legal opportunities to do so. For instance, in 2006 more than 30,000 people attempted the risky sea journey from West Africa to the Canary Islands – more than six times as many as in the previous year (BBC 2006-12-28). On the whole, it is estimated that

between 2.5-4 million migrants cross international borders without proper authorization each year (GCIM 2005: 85) and there are at the moment between 30 and 40 million migrants in irregular status worldwide (IOM 2007). As far as numbers can be trusted, then, it does appear that the current period can indeed be described as an "age of migration" (Castles – Miller 2003).

But if one thinks a little longer about the implications that follow from the suggestion that movement and migration are now natural and permanent features of world affairs, a whole series of questions emerge. A central one is this: what would it mean for political theory and for the social sciences more generally if people could no longer be expected to be settled within their national boundaries? Most of social scientific concepts and theories rely on a grid of thought that poses *sedentariness* as a natural human condition. Hence, a large share of available tools and categories are explicitly or implicitly dependent on the idea that people, as a rule, are living settled lives within their national boundaries, assuming a clear identity between the people in question and the places and territories which they inhabit (Sheller – Urry 2006: 208; Malkki 1992). In contrast, international migration represents an activity which occurs *between* the categories that are the usual focus for political analysis: between delimited territories, between bounded membership communities – thus almost by definition constituting a deviation from the established order.

If migration was then suddenly to be taken as a normal rather than as an exceptional activity, it seems that some of these categories would come under great pressure. For one thing, it would appear to shake the concept of the state, or at least make it shiver a little, since one of its defining features – the permanent population[1] – could no longer be so readily assumed. Then, how could one conceive of democratic legitimacy if the people from whom this legitimacy supposedly emanates, are dispersed? And what would it imply for international relations if one of the constituent parts of the "physical base" (Buzan 1991) of the nations in question was no longer so firmly

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[1] Convention on Rights and Duties of States (art. 1); cf. Hollifield (2004: 887).

and physically in place? Would today's state of affairs, in which outsiders are not considered as having any legitimate claims to demand inclusion into a political community of which they are not part, in the end have to be opened up for interrogation?

This way, what appears as a seemingly mundane empirical observation on the normal and permanent character of migration, ultimately seems to have the capacity of opening up crucial questions concerning territorialized belonging and the boundaries of political community. Now, I dare assume, this was not the intention of the authors of the above quotations. They were taken from the final documents of two different policy initiatives, the Hague Process and the Berne Initiative, that both set out to shape common understandings on migration. In this, they are part of a currently emerging migration discourse at the global level. This is a truly novel development. Migration is often understood as constituting a "missing regime" in the international institutional framework (Ghosh 2007): the authority to decide on matters regarding entry and stay still lies almost exclusively with states, and they have, until recently, been very reluctant to even discuss the issue in global forums. While migration was thus largely absent from the global policy agenda for most part of the 1990s, it has now risen to its top. Since around the turn of the millennium, a vast number of agencies, institutions and organizations within and beyond the UN system now concern themselves with different aspects of migration, constituting the complicated pattern of actors and forums that are now referred to as the emerging "global governance" of migration (Newland 2005; Green – Thouez 2005; Matsas 2008; Channac 2007; Tanner 2006). In the process, there have been a number of attempts at a taking stock of the migration issue, listing its challenges and benefits and finding areas of common concern for North and South. As a result, migration is now for the first time being described as a global issue; as a subject that needs to be dealt with at least partly through global cooperation and dialogue. The quotations above, claiming that migration is now a permanent and normal phenomenon, have appeared in this ongoing process.

Rethinking migration politics

This dissertation project has arisen from a general curiosity as to how one can understand the global regulatory function of migration politics. The overall interest has therefore been oriented to how one can rethink migration politics from an externalist perspective. The majority of political science studies approach migration politics internally, understanding individual states' migration politics as the dependent variable which results from the interplay of a range of internal factors, considered independent variables. Power is then understood in terms of the relative weight and influence of different domestic actors (Zolberg 1999a; cf. Castles – Vasta 2004; Cornelius – Tsuda 2004; Martin 2004; Hammar 1999; Freeman 1995; Money 1997). But as migration occurs precisely at the border of the domestic and the international, it could also be situated in an external, or global, perspective. Then, migration politics appears as resulting mainly from the interaction of the capitalist economy on the one hand and the system of territorial states on the other (Sciortino 2000: 215). In this context, power is about the regulative role of migration politics within North-South relations. Taking this position, Aristide Zolberg writes that the restrictive migration politics of the richer countries of the globe "constitutes a sine qua non for maintaining the Westphalian international state system as well as the privileged position of the core states and their populations amid highly unequal conditions" (1999a [1277]; cf. Castles 2004a: 223; Harris 2002; Petras 1980; Piore 1979).

While not denying that migration politics plays a part in upholding global inequalities, I have been searching for alternative ways of exploring migration politics. Most accounts of migration politics seem to depart from the assumption that we already know what this particular political activity consists in (the regulation of entry and stay) as well as who the "protagonists" are (migrants on the one hand, state actors on the other). States and migrants are understood as existing separately from each other; states appear as pre-constituted actors who would have been there in the same way whether or not migrants turned up at their borders, while migrants, individually and collectively, appear

as existing independently of the states which they confront (cf. Joppke 1998b:5).

As I have seen it, a fruitful way of developing an alternative conceptualization of migration politics must begin by challenging these assumptions. A first step is to broaden the conceptualization of power in this context. A distinction can be drawn between "politics" and "the political", where the narrower "politics" refers to the field of activities ordinarily referred to as the political sphere, and which covers elections, political parties, parliaments, as well as international organizations, diplomacy and so on. "The political", in contrast, refers to politics in a broader meaning, to the "very social order which sets out a particular, historically specific account of what counts as politics and defines other areas of social life as *not* politics" (Edkins 1999: 2; cf. Mouffe 2000: 30-31). In this context, the notion of "the political" highlights that power in migration politics is about much more than the relative strength of actors; it is inherent in the very constitution of the sphere and the activities that we know as migration politics.

Following from this, I take power to be inherent in the way that migration is delimited and defined as a subject of politics, and in the way that states are constituted and empowered as the main actors for handling it. Poststructural international relations (IR) theory offers one way of approaching migration politics from a perspective which is at once externalist and employs a wider notion of power. Writers such as Ashley (1988; 1989), Walker (1993), Weber (1995) and Devetak (1995a; 1995b) have deconstructed the distinction between the domestic and the international, arguing that the state has no essence, but only exists as an effect of the discourses and practices that continually reproduce the dichotomy between inside and outside. In this vein, Nevzat Soguk (1999) argues that refugee discourse is a field in which the state is both challenged and reproduced. Refugees defy the territorial order by symbolizing the failure of states to protect and care for their own citizens. Yet at the same time, refugee discourses also contribute to reproducing a state-centric vision of the world, merely by figuring as its aberration; when we talk of refugees, argues Soguk, we simultaneously reify the normality of the state-citizen relation as the only proper model

for political being (cf. Nyers 1999)[2]. While Soguk is exclusively concerned with refugees, the same type of analysis could be applied to migration politics. From this perspective, one could thus approach migration politics as one site in which the distinction between the inside and the outside is reproduced. Hence, the global regulatory function of migration politics is here understood in terms of how it normalizes the contingent social organization of the state system.

The strength of the poststructural IR perspective is the link that it creates between migration politics and the reinforcement of the state system. Migration politics is often discussed in relation to more immediate political concerns, such as its effects of wages or its potentials for development; in contrast, this perspective presents migration politics as an ethically charged activity which is involved in the reproduction of a particular form of political community. But while thought-provoking, it does have its limitations. On the one hand, it fails to account for any other form of power in relation to migration politics. For instance, the possibilities of moving across borders are unequally distributed among different groups of people; sociologist Zygmunt Bauman has even dubbed in "the main stratifying factor" in our era (1998: 2). As migration politics is concerned with the selection of those that are allowed entry, it is a main factor in producing this stratification if approached at the aggregate (world) level – yet, this is a dimension of the power of migration politics which cannot be accounted for from this perspective. On the other hand, while providing a clear – although highly abstract – idea of how the state system is reproduced, its own presupposition (that this occurs through discourses that reproduce the inside/outside dichotomy) appears to limit its usefulness for empirical analysis. It seems that any empirical analysis which is undertaken only from this perspective is destined only to find evidence for the inside/outside distinction, not being able to capture much else.

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[2] These arguments will be further explored in chapter 4.

Governmentality

With the above-mentioned hesitations in mind, I have instead chosen to try to approach the general question of how to rethink migration politics mainly through an engagement with the perspective of governmentality. The term "governmentality" was coined by the later Foucault (1991a; 2004; 2007) and the perspective has since been developed by a range of scholars from different branches within the social sciences (Rose et al 2006; Dean 1999; Burchell et al 1991; Barry et al 1996; Dean – Hindess 1998; Lövgren – Johansson 2007). The concept governmentality is used in two different ways within the literature (Dean 1999: 16). In its broad sense, it offers a general understanding of the exercise of power which is focused on the relationship between power and knowledge; between government and thought (ibid: 19). The focus lies with discerning and interrogating "mentalities of government" – understood as relatively systematic ways of thinking of the practice of governing ourselves or others in a broad range of contexts (ibid: 211; cf. Raco – Imrie 2000: 2190; Walters – Haahr 2005: 5-6). As Sørensen and Torfing (2005: 115) explain, governmentality studies do not centre on who is governing, or whether a specific type of government is legitimate or efficient. Instead, the main objective is to "denaturalize" government by exposing its historical and contingent character, and showing how relations of power are implicated in its processes; attempting to understand how a given domain is constituted as governable and what mentalities that lies behind specific forms of government (ibid: 127; cf. Dean 1999: 29). While governmentality has affinities with more purely poststructural perspectives, such as the one mentioned above, it contrasts with them in being more empirical and historical in its orientation, being concerned with power in its local and technical manifestations (Larner – Walters 2004a: 3-4). It thereby offers a general approach that can be used for rethinking migration politics, which keeps the general outlook of poststructuralism, yet is more adept to empirical investigations.

As Dean (1999: 16) emphasises, the term governmentality also has a more specific meaning, then denoting a particular way of thinking about and exercising power that emerged in early modern Europe, and

which is distinguished by holding the *population* as its main target (Foucault 1991a: 102). While theorists within this tradition have interrogated into a wide variety of aspects of the constitution of the population as a target for modern governmental interventions, the formative role of national borders has attracted very little attention (Walters 2006: 188-189). When migration politics is approached from an externalist perspective, its role for regulating the border between national and global populations becomes apparent. I therefore suggest that a study of migration politics can add a dimension to the study of populations with which the governmentality perspective is concerned.

I take the neglect of borders to be indicative of a major weakness of the school: its until now almost complete neglect of the international sphere. However, there is now a small but growing number of authors that employ elements from governmentality theory to analyze various international concepts and processes (e.g. Walters – Haahr 2005; Larner – Walters 2004a; 2004b; Sending – Neumann 2006; Neumann – Sending 2007; Hindess 2000; Abrahamsen 2004; Bartelson 2006; Dillon – Reid 2000; Jabri 2006; 2007). It is to this line of investigation, which one can a bit hesitantly call "global governmentality" (Larner-Walters 2004a) to which this study wishes to contribute, through an exploration of migration politics.

Aims of the study

The overarching ambition of this endeavour has been to rethink migration politics from an externalist perspective. While most political science studies on the subject focus on its internal, domestic side, this study, in contrast, is concerned with exploring the global regulative function of migration politics. I have chosen to approach this task by advancing the Foucauldian governmentality perspective, which has so far been very sparsely used in the study of migration politics. In engaging with governmentality, I want to contribute to the school of "global governmentality" – the small but growing line of research that apply elements of this theoretical perspective for analysing various processes of global rule. More precisely, the main aim of this study is therefore to *rethink migration politics through an engagement with the governmentality perspective.*

Another ambition for this endeavour is to shed light on a specific development within the field of migration politics, namely that which is now sometimes referred to as the emerging global governance of migration, and which was mentioned briefly in the introductory section. Since migration has only very recently become a subject for discussions and involvement at the global level, there have so far been very few studies made on this topic. In this, it contrasts with the migration politics at the level of individual states and of the EU, which have been quite amply studied (Cornelius et al 2004; Geddes 2003; Guiraudon – Lahav 2007; Guiraudon – Joppke 2001; Schierup et al 2006).

The little that has been written on the global governance of migration is primarily actor-centred in character (Newland 2005; Green – Thouez 2005; Matsas 2008; Channac 2007; Tanner 2006). With a governmentality perspective, focus falls instead on how the domain of migration is being constituted as governable, and how the suggested goals and means of migration politics are enabled. Whereas studies of the global governance of migration tend to focus on relations between actors and the character of new forms of cooperation, a global governmentality study instead centres on how the area of migration and migration policy is described now that it, for the first time, is approached at the global level[3]. A secondary aim is then to *use the governmentality perspective to explore the emerging global description of migration and migration politics*. Thus, while the main objective is to advance the perspective of governmentality, I also wish to contribute to the understanding of this emerging empirical field. My specific input consists in moving from global governance to global governmentality. Thereby I am providing a different reading of ongoing developments, not making any generalizing claims or predictions.

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[3]Alternatively, one could have chosen to write of an emerging global "discourse" on migration politics (cf. Boucher 2008). As will be explained below, what I am doing is not strictly a discourse analysis; yet I make extensive use of the theorizations of Michel Foucault, who is strongly associated with (a particular form of) discourse analysis. Hence, in order to avoid confusion, I have chosen to use the term "description" instead.

In sum, I want to make two main contributions with this study. Firstly, I want to further the study of global governmentality, i.e. the orientation of research which uses governmentality for approaching a variety of global forms of rule. My contribution here consists in bringing elements from the governmentality perspective to bear on international migration politics, a field which has so far been relatively neglected by the school. Secondly, I want to draw attention to the global governance of migration, an empirical field which has so far been sparsely studied. The way I contribute to this field is by providing an alternative and non-actor centred reading, based on governmentality.

From the ambition to "engage" with governmentality follows that my relation to the school, and especially with its main inspirer Michel Foucault, is somewhat ambiguous, since I partly rely on it, partly try to further it, and partly criticise it. I rely on Foucault for the general metatheoretical outlook, and I also make use of concepts developed within this perspective in approaching migration politics. I attempt to further the governmentality perspective by using it in the context of migration politics, and more specifically in my selected empirical field. In so doing, I also complement the perspective's understanding of historical mentalities of government by adding insights from other theoretical strands (international relations, history of migration controls, critical geography and anthropology). Finally, I take a critical stance towards governmentality, in particular for its until now almost exclusive focus on processes occurring at the inside of states. As a whole, this study can be regarded as a critique against the governmentality perspective; yet simultaneously as an attempt at advancing it.

Studying the governmentality of migration politics

As has been pointed out above, governmentality is understood as simultaneously a general approach to politics *and* as a specific modern configuration of power and knowledge which Foucault identified in his teachings of the modern state. I take the double meaning of its central term as indicative of a certain vagueness which marks this theoretical perspective. Wendy Brown has noted that "the notion of

governmentality is both extremely theoretically fecund and woefully underspecified" (2003: n2). However, as she continues, "[p]erhaps it could not be the former without being the latter" (ibid). While offering important insights into modern forms of governing, the governmentality perspective suffers from a certain imprecision as concerns methodology and terminology. And as there literature on global governmentality is still very limited, there is no established way of conducting such a study, and as a researcher one therefore has to invent ways in which to apply the associated terms and concepts.

Here, I have chosen to tackle this difficulty by rethinking migration politics through an engagement with the governmentality perspective at three different levels of abstraction. At the first and most abstract level, I turn to the role of migration politics within the state system as such, the main aims being to highlight how the international is implicated in the constitution of the migration problem and to develop a systemic understanding of states' sovereign right to control immigration. I make use of Barry Hindess' (2000; 2002) conceptualization of the state system. Hindess criticises the governmentality school for its neglect of the international sphere, and furthers a way of understanding the state system as "a dispersed regime of governance covering the overall population of the states concerned" (2000: 1494). I expand on Hindess' thoughts by complementing it with literature from poststructural IR theory, critical geography and anthropology. From this perspective, the control over migration appears as a structural requirement which is connected to a specific understanding of political community and to an understanding of people as normally sedentary. The way this level (corresponding to chapter 4) relates to governmentality is mainly as a critique of its limitation to the national arena, but it also signifies an attempt at employing the notion of governmentality to the state system. The way this level relates to the global description of migration and migration politics is that it outlines the contours of a state system governmentality which will be used for contrast and comparison.

The second, somewhat less abstract level, places migration politics within the continuity of the governmental concern with

managing circulation, i.e. distinguishing between good and bad movements and maximizing the good while attempting to suppress the bad. In the field of migration politics, such concerns can be understood as involving how elements of the human population are to be "distributed", i.e. whose movement is deemed desirable/undesirable, whose movements should be stimulated and whose suppressed; who are to be given access to what territories and on what conditions. At this level (corresponding to chapter 5), I seek to historicize migration politics, using elements from Foucault's own genealogy of forms of power, as well as historical accounts of migration restrictions and border control. As the main aim is to develop an externalist perspective to migration politics, I approach the management of circulation at the aggregate (global) level, making use of critical sociology and geography on how the possibilities for movement are very unevenly distributed. This level of abstraction is related to the governmentality perspective in the sense that it seeks to further one of its concepts by applying it in the context of migration politics globally. It is also related to the global description of migration and migration politics in that it develops a background for analyzing it in terms of how the management of circulation is thought, when approached from a global perspective.

The third, and least abstract level turns most directly to the case at hand: the global description of migration and migration politics (this corresponds to chapter 6). In order to analyze the mentality of governing migration at this level, it makes use of the concept "political rationality" (Rose 1999; Rose – Miller 1992). In this context, the notion of rationality should not be taken to imply any absolute Reason. Instead, to Foucault, rationalities are manifold and relative, and embodied in systems of governmental practice (Foucault 1991b: 79).

A question that may arise in this context is how political rationalities relate to the more commonly used term "discourse", especially given the strong association of Foucault with the latter. Part of the answer is that they belong to two different phases of Foucault's work. Discourse is associated with his "archeological" period (Foucault 1972), whereas governmentality and its associated concepts belongs to

his "genealogical" period[4]. From this follows a change in focus – whereas the objective for Foucauldian discourse analyses is to map out the rules and internal organizations of discourses – perceived of as relatively autonomous systems of statements – governmentality analyses are more concerned with the link between power and knowledge and approach language as only one element through which reality is rendered governable (Rose et al 2006: 89). Compared to more poststructural versions of discourse theory (e.g. Laclau – Mouffe 1985), that do unite discourse to analyses of power and conflict, one might say that governmentality studies are somewhat less abstract, less linguistically oriented, and narrower in focus (cf. Walters and Haahr 2005: 5-7; Larner – Walters 2004a: 3).

So, the most concrete level is not a discourse analysis. Instead, it is a study of the mentality of governing migration that emerges within the global governance of migration. A difficulty that follows is that while a range of rather concrete methods have been developed for discourse analyses, this is not quite the case for governmentality analyses[5]. The way that I have chosen to handle this challenge at the most concrete level, is by employing the concept political rationality by way of operationalisation. As is further explained in chapter 3, tracing a political rationality involves being attentive to its epistemological, its idiomatic, and its moral dimensions (Rose 1999; Rose – Miller 1992). However, such a study runs the risk of ending up merely descriptive if not related to anything else (cf. Dean 2007: 50). Therefore, I will relate the political rationality that I trace the two other levels of abstraction. This means that when tracing the political rationality I will be especially attentive to the ways in which it continues and challenges the governmentality of the state system and the current practice of managing global circulation.

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[4] See Howarth (2000); Mills (2003); O'Farrell (2005) for discussions concerning this periodization.

[5] For overviews and comparisons between different discourse theoretical schools, and for introductions to the methods of discourse analysis, see Winther Jørgensen and Phillips (2000), Börjesson (2003), Howarth (2000); Torfing (1999), Neumann (2003); Esmark et al (2005).

As will be explained in chapter 6, the quite vague term "migration management" has become increasingly common in migration policy discourse, not only at the global but also at national and regional levels. Since the term mark the documents produced at the global level to a large extent, I have chosen to name the political rationality I trace from the global description of migration and migration politics "the political rationality of global migration management". However, the reader should note that global migration management is not an established term, but one that I have chosen for convenience.

General orientation and metatheoretical points of departure

As was pointed out above, governmentality studies largely aim at "denaturalizing" forms of government (Sørensen – Torfing 2005: 115). To Rose (1999: 20), "[i]t is a matter of introducing a kind of awkwardness into the fabric of one's experience, of interrupting the fluency of the narratives that encode that experience and making them stutter". Governmentality studies, he explains, aim at introducing a critical attitude to things that appear given, timeless or unquestionable (ibid). If one concentrates on the *purpose* of research, and relates it to Robert W. Cox's (1981) distinction between "problem-solving" and "critical" theory, governmentality studies hence falls squarely within the latter category. Just like its name implies, the first strand of theory aims at solving problems, and it does so within the parameters that are set by prevailing social relationships and institutions; rather than challenging the general pattern of these relationships and institutions, problem-solving theory wants to improve them by indicating effective ways of dealing with particular difficulties. This is not to say that such research does not criticise specific relations or institutions – in the case of migration politics, much problem-solving literature has criticised existing forms of global governance (or lack thereof) on the basis of economic, human rights or security concerns, and thereby suggested ways of improving the current institutional architecture[6].

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[6] See chapter 2, under the heading "The missing regime".

However, the criticism of critical theory is of a different kind. Rather than taking the existing social relations and institutions as point of departure, critical theory calls them into question – it "…is directed towards an appraisal of the very framework for action…which problem-solving theory accepts as its parameters" (Cox 1981: 129). To Cox, problem-solving theory risks to reify and legitimate the existing order, while critical theory opens it up for interrogation and hence for finding different alternatives (cf. Smith 2001: 235-237). An important goal is therefore precisely to "make strange" the field under study – to observe it in a different light than what is offered by dominating categories or distinctions, showing how relations and institutions of the current order are not natural or necessary but contingent (Alvesson – Deetz 2000: 185). Governmentality analyses share this larger purpose with other theoretical strands within the "critical" category; their objective is to "show how our taken-for-granted ways of doing things and how we think about and question them are not entirely self-evident or necessary" (Dean 1999: 21; 2007: 50; cf. Raffnsøe – Gudmand-Høyer 2005: 157).

Cox's distinction between problem-solving and critical theory provides a useful guide for locating governmentality theory according to its general theoretical purpose, and it serves well to contrast the ambition of this study with other "problem-solving" approaches to migration governance. However, the Gramsci-inspired brand of critical theory with which Cox is associated sits ill with governmentality if looked at from a slightly different angle. In Steve Smith's (1995: 26-30) categorization of social science theories, governmentality belongs to the "constitutive" group together with other post-positivist approaches, which holds that the social world does not exist independently of our theories about it, but is at least partly shaped by the concepts and representations that we have of it. However, post-positivists make up a heterogeneous group. The division between what Smith labels foundationalist and anti-foundationalist theory splits the constitutive group over epistemology. What is at stake is the possibility of finding some sort of neutral or objective procedure by which theories or hypotheses of the world can be tested or evaluated. The part of

constitutive theory that tends towards foundationalism holds that there is such a (minimal) ground for judging between truth claims. Anti-foundationalists on the other hand, reject – or are at least sceptical to – the possibility of judging truth claims since it is ultimately impossible to find any neutral position for so doing. To Foucault, knowledge and power imply one another, so that each power relation correlates with the constitution of a field of knowledge and all forms of knowledge conversely presuppose and shapes relations of power (Foucault 1979: 27). Hence, the existence of any neutral forms of knowledge is quite emphatically refused: "Truth", he said in a 1976 interview, "is a thing of this world… it induces regular effects of power. Each society has its regime of truth, its 'general politics' of truth" (Foucault 1980b: 131). Since power is inherent in all knowledge systems, the concept "truth" does not have any foundational referent but instead varies according to historical circumstances (Smith 1996: 30). The close connection between power and knowledge suggests that existing knowledge does not constitute a place from which to criticise power relations (Brass 2000: 307). Also, because there is no place outside of power relations where a pure, neutral and disinterested knowledge can develop, one cannot see the relation between power and knowledge as one of opposition: "there is not knowledge on one side and society on the other… but the basic forms of "power-knowledge"" (Foucault 1994ae: 17). Hence, governmentality can be located among what Smith (1995) calls anti-foundationalists, together with other perspectives influenced by postmodernism or poststructuralism.

One further point of clarification needs to be made here, and this is one which concerns the status of social categories. From a Foucauldian perspective, social categories are not essential, stable or necessary but instead are merely the *effects* of the exercises of power. There is hence not an external relation between government and its objects. A major implication for social science that follows is that research interest is turned away from the actions, capacities or interests of different actors, and away from finding out of how social phenomena such as the economy "really" work. Instead, focus is turned to how and through what means these actors and social phenomena get

constituted as such. One should here recall that Foucault conceptualized power as productive. To him, power does not only repress or prohibit, but it also has creative dimensions – power "doesn't only weigh on us as a force that says no, but… it traverses and produces things, it induces pleasure, forms knowledge, produces discourse" (Foucault 1980b: 119; cf. Kendall – Wickham 1999: 50)[7]. To one of his most renowned interpreters, Paul Veyne, Foucault's main contribution to social and political analysis lies precisely here; in the replacement of objects and subjects with *practices* as the main focus for analysis (Veyne 1997). Importantly, Veyne insists that "practices" here should be understood in the straightforward sense: Foucault did not aim to uncover a hidden deep structure of meaning but to reveal empirically how concrete changes in governmental thought and practice has actively shaped the constitution of objects and subjects[8]. In this vein, Nikolas Rose has characterised governmentality studies as "empirical but not realist" (1999: 19). This research focus has allowed Foucault and followers within this tradition to denaturalize and historicize social categories which have previously been assumed stable – such as citizens, individuals, or the state – and which for this school

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[7] It is in this sense that Foucault talks of power as "capillary" or "micro-physical" – it "reaches into the very grain of individuals, touches their bodies and inserts itself into their actions and attitudes, their discourses, learning processes and everyday lives" (1980d: 39). This could lead one to think that subjects are totally unfree, but Foucault emphasises that power is only exercised over subjects that are free and have the possibility of resistance (Foucault 1994ba: 342; Hartmann 2003).

[8] Foucault himself (1991b: 75) explained that he understood "practices" as "places where what is said and what is done, rules imposed and reasons given, the planned and the taken for granted meet and interconnect" and that he saw such practices as having up to a point their own logic, regularities and self-evidence which was independent of institutions, prescribed ideologies and pragmatic circumstances. See O'Farrell (2005: 71) for a discussion of how this notion of "practices" challenged the "theory/practice divide" and allowed Foucault to treat all social and cultural human activities (linguistic and otherwise) at the same level of order. However, in the broader governmentality literature, as well as in Foucault's own work, terms tend to overlap. I take "practices", the "exercise of power" and the activity of "government" to refer to roughly the same thing: the concrete dimensions of managing any aspect of human conduct. In the context of this study, I shall use the terms interchangeably.

appear are merely the "correlatives of corresponding practices" (Veyne 1997: 157; cf. Tietäväinen et al 2008: 64).

At the whole, this theoretical approach hence "invites us to consider the relation between individuals and the political order from the perspective of the different processes whereby the former are objectified as certain kinds of subject through the way that they are targeted by political power" (Burchell 1991: 119). The governed individuals, the governors, the behaviours or actor-orientations encouraged within a particular field of government – none of these are seen as essential, objective, necessary or natural. Instead, they are decentred and seen as secondary to governmental practices. As the larger purpose of this approach can be understood as "critical" rather than "problem-solving" in Cox's terms, the ambition is to denaturalize the parameters for migration governance rather than reifying them by taking them for granted. From the categorization of governmentality as anti-foundationalist follows that knowledge of migration cannot be regarded as neutral or absolute. The denial of essential categories forces the researcher to refrain from assuming that the objects and subjects of migration policy pre-exist the discussions over its government, and instead turn the research interest to how – through what practices or relations of power – these are constituted therein. When researching the governmentality of any given issue area, one must hence avoid to take the stated knowledge and its given categories at face value, and instead approach it in terms of the power relations it presupposes and forms. The knowledge on migration expressed in the global description of migration and migration politics should hence be seen as enabled and constrained by historical circumstance, as integral to the relations of power which shapes migration as an object of government.

Material, delimitations, outline of the study

Material
I use two different types of material. For developing an understanding of the governmentality of the state system and of the management of circulation, i.e. the two most abstract levels of analysis, I expand the

governmentality with insights from other academic traditions. These include poststructural international relations theory, critical geography, anthropology, sociology and the history of border controls.

Concerning the global description on migration and migration politics, collection of material has been complicated by the fact that in the field of migration, there is no central international organization or agency, nor is there any Code of Conduct or any other single document that reasonably can be thought to represent a common and generally accepted view on the subject. Therefore, in attempting to grasp the few general points of what I will call the "political rationality of global migration management", a wide range of sources and different sorts of material has been covered. The material that has been included in my reading is all written in the context of the efforts of trying to enhance international cooperation and dialogue on the subject of migration, and it addresses migration as a global concern. It includes texts from different independent initiatives (Berne Initiative, Hague Process), that seek to enhance shared norms and improve the handling of migration. It also includes background texts, reports, statements and summaries from the High-Level Dialogue on Migration and Development (HLD) and the Global Forum on Migration and Development (GFMD)[9]. While these are the only global forums in which discussions have been entirely dedicated to migration, the subject has been included as a sub-issue at international conferences (e.g. the International Conference on Population and Development 1994 and the World Conference against Racism 2001), and my reading has included declarations and programmes of actions from such conferences. The report of the single international commission that has focused exclusively on the subject of migration – the Global Commission on International Migration (GCIM) – is included, as are reports from other commissions which have covered migration as one of their subject (e.g. the World Commission on the Social Dimension of Globalization and the Commission on Human Security). I also include material from various international organizations – in particular from the International

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[9] The HLD and the GFMD will be introduced in chapter 2.

Labour Organization (ILO) and the International Organization of Migration (IOM). Civil society material has been used to a limited extent; apart from the mentioned Hague Process, I have covered summaries from civil society hearings in relation to the HLD and the GFMD, and comments made by individual organizations at these occasions. The main material and its sources will be further introduced in chapter 2.

During the course of my work, I have also had the opportunity to interview people involved in the mentioned organizations and commissions. Most of these interviews took place in Geneva in April 2006. These interview sources have provided the insiders' perspective on the ongoing developments and the prospects of international cooperation, and they are here used in chapter 2.

Delimitations and caveats

This study is concerned with a *specific instance of the politics of international migration.* This implies four important delimitations. First, it is not a study of migration or human movement as such, but of the *politics* surrounding it. It is hence not concerned with the lived experience of migrants themselves.

Secondly, this text is concerned with *international* migration only. Thus, the politics concerning the important share of migration that occurs within the boundaries of individual states – from city to city or from rural to industrialized areas – falls out of purview.

Thirdly, it is concerned with *migration* politics only. This excludes two main areas that are related but clearly separate in contemporary political practice. On the one hand, it disregards from other forms of movements. The newness of the ongoing developments at the global level is precisely that they are concerned with migration, conceived of as the *voluntary* movement of people across borders for an extended period of stay (mainly, but not exclusively, for purposes of labour). Hence, neither the forced movements of refugees and asylum seekers nor other forms of short-term mobility (business visitors, tourists, exchange students etc.) are the subject of the global governance of migration.

On the other hand, it excludes the area which Tomas Hammar (2006) has called "immigrant policy", i.e. the conditions and rights extended to newcomers by receiving states. In this study, migration politics is only understood in the sense of regulation of movement, of the conditions for entry and exit. Hence, it disregards from the policies of integration or exclusion, assimilation or multiculturalism that occur within separate states.

Fourthly, this study is concerned with a *specific* instance within the politics of international migration. Its empirical focus is the global description of migration and migration politics emerging from text documents produced with the aim of encouraging cooperation over this question at the global level. It could probably be argued that as migration politics is still very much dominated by individual states, the national level is the proper focus of analysis. But if one wants to scrutinize the problem formulation of migration from a global perspective, as a way of understanding the management of global population, then the chosen case is not only the "best" one, but actually the only one.

To this should be added one important caveat, which concerns the interpretation of the material presented here. From the use of the concept "political rationality" follows that the emphasis falls on commonalities rather than dissimilarities (cf. Rose 1999: 26-28). My ambition has not been to map out the different positions of various actors. Instead, I have let the concept political rationality guide me to grasp a few points from the global description of migration and migration politics on which there is a broad convergence, and which are of interest given the focus on the state system regime of governance and on circulation. What follows is that differences between the various actors, that from other points of view appear very important, are to a degree downplayed[10].

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[10] For instance, different actors seem to be concerned with migrants' rights to varying degrees, a fact which appears more important from the point of view of migrant activism than it does in this present reading. In any case, a study aiming at mapping different positions on this issue would probably need to turn to a different material than the documents studied here.

Outline of the study

This study falls into seven chapters. Chapter 1 presented the subject of analysis and introduced the theoretical points of departure.

Chapter 2, *The Global Governance of Migration*, is mainly a background chapter, which introduces the developments towards dialogue and cooperation at the global level. In mapping out the various actors (i.e. international organization, commissions, initiatives etc.) that are commonly understood to make up the current global governance on migration, the sources to the documents under study of the global description of migration and migration politics are also presented. This chapter stands a little aside of the rest of the study, and the reader who is already familiar with these developments does not need to read it.

Chapter 3, *Governmentality* presents the main tenets of the Foucauldian approach to government. It introduces the different forms of power, that were identified by Foucault in his genealogy of the modern state, and that will be used for approaching the question of circulation in chapter 5. It also discusses the main tools with which the case of the global description of migration and migration politics will be approached in chapter 6, most importantly the concept "political rationality".

Chapters 4, 5 and 6 develop ways of rethinking migration politics externally through an engagement with the governmentality perspective at falling levels of abstraction. Chapter 4, *Global Governmentality* centres on the role of migration politics within the state system, conceptualized as a dispersed regime of governance covering the human population. It is suggested that the sovereign right to control immigration is a structural requirement of this system, and as such is connected to a particular, modern, understanding of political community and to the conceptualization of people as normally resident within the borders of their respective states. This chapter criticises the governmentality school's heretofore limitation to domestic processes, but it also wants to rectify or amend it by approaching the state system as embodying a particular mentality of government. It also provides a background for analyzing the global description of migration and

migration politics by seeing it as continuous with and/or diverging from state system governmentality.

In chapter 5, *Circulation*, the migration politics is placed within the historical continuity of the governmental concern to regulate circulation; i.e. the quest to distinguish good from bad movement and finding measures to respectively enhance and suppress it. It thus employs a concept from the governmentality perspective but applies it in the new context of how global migration is governed. In the historical background, it makes use of the different forms of power that Foucault identified. This chapter also provides a background for analyzing the global description of migration and migration politics.

Chapter 6, *The Political Rationality of Global Migration Management,* contains the main empirical investigation, turning to the global description of migration and migration politics. In trying to grasp the mentality of governing global migration, it makes use of the concept "political rationality", in its epistemological, idiomatic and moral dimensions. It also relates these findings to the state system as a regime of governance and to circulation; attempting to uncover how this governmental rationality both continues and reconfigures the current management of the human population. Finally, the 7th chapter – *Conclusions* – sums up and discusses the main findings.

The Global Governance of Migration

> Just a few years ago, many people did not think it possible to discuss migration at the United Nations. Governments, they said, would not dare to bring into the international arena a topic on which their citizens are so sensitive. Yet here you are, and I sense that the mood is changing (United Nations 2006a).

In his address to the General Assembly at the High-Level Dialogue on Migration and Development in 2006, then UN Secretary-General Kofi Annan commended governments' changed attitude towards global-level discussions on migration. An area perceived of as closely related to state sovereignty, and moreover highly controversial – not only in the sense that host state citizens are "sensitive", but also because it has tended to pit the North against the South – migration was kept outside from international forums for most part of the first post-Cold War decade. This changed around the turn of the millennium. "Suddenly", comments Kathleen Newland, "migration was everywhere one looked, in the UN system and beyond" (2005: 1). Not only have state governments started to engage in global dialogue and developed new cooperative venues for the purpose. The past decade has also seen an increasing number of international organizations becoming involved in migration in its various aspects, a more conscious organization on part of non-governmental organizations in order to influence policy-making, and the emergence of independent policy initiatives with the ambition to address migration comprehensively.

It has become increasingly common among scholars to make sense of these recent developments by talking of an emerging global governance of migration (Green-Thouez 2005; Newland 2005; Matsas 2008; cf. Tanner 2006; Channac 2007). The aim of this chapter is to

offer an overview of these actors and cooperative venues that are usually denoted by the term global governance of migration. It hence contrasts with subsequent chapters, in which an alternative reading on the basis of governmentality theory will be elaborated. The role of this chapter within the study is threefold: first, since the developments at the global level are very recent and not widely known, it offers the necessary background information to this area of investigation. Second, it presents the sources of the material that is used in the following analysis – the main documents being written in italics. Third, by mapping out the different actors and arenas, it illustrates what may be thought of as the "standard story" of the global governance of migration, to which the alternative reading to be developed in subsequent chapters poses a contrast. Thereby, the potential contributions of the governmentality perspective – its benefits and weaknesses – will become clear for the reader.

This chapter is only concerned with "global governance" as it is used in the context of migration. It hence does not offer a general overview of how this concept is used in international relations theory[11]. The characterisation of the current state of cooperation, the selected actors and the developments depicted, largely follows those that are commonly described in this context (cf. Martin 2005; Green – Thouez 2005; Tanner 2006; Newland 2005). Additionally, it includes information provided by interviews conducted with people involved in the migration policy community in Geneva in 2006.

The chapter's first section introduces the ways in which global-level cooperation over migration has been addressed within scholarly literature. The second section covers the level of existing binding forms of cooperation in migration and related fields. The third section maps out the central actors: the international organizations, commissions and independent initiatives, and assesses the degree of civil society involvement. Finally, the fourth section concerns the emerging forums for interstate cooperation and dialogue.

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[11] For overviews, see Pattberg (2006); Sending – Neumann (2006).

The missing regime

Commentators often talk of migration as constituting a "missing regime"[12] (Ghosh 2007), a "lacuna" in the international institutional framework (Bhagwati 2003b). While states have developed international cooperative structures in a range of issue areas (such as international trade and finance, security, human rights or the environment) this has not been the case in migration (Koslowski 2004: 2; Tamas – Palme 2006: 4)[13]. States have so far been extremely unwilling to relinquish formal regulative authority to any supra-national body, and – until recently – even to discuss the issue in global forums. Instead, migration has been handled almost exclusively on a unilateral or bilateral basis[14]. A common explanation is that control over migration is the "last bastion" of state sovereignty; while pressures related to globalization have diminished sovereignty in the areas of economic policy, trade and military matters, retaining the control over migration is imperative in order to assert the continuing relevance of the state (cf. Dauvergne 2003: 3; Hirst – Thompson 1996).

This missing regime is widely deplored among scholars and within policy circles at the global level. The worldwide character of today's migratory movements, and the incapacity of individual states to handle them efficiently makes this an area appear in need of global involvement (Newland 2005: 3). Scholars have developed different proposals for amending the institutional structure. Economist Jagdish

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[12] Regimes are usually defined as "sets of implicit or explicit principles, norms, rules, and decision-making procedures around which actors' expectations converge in a given area of international relations" (Krasner 1982: 186).

[13] The refugee regime – which only concerns forced movements – is an exception. This will be introduced in the next section.

[14] It should be noted that international cooperation over migration is not new as such. Bilateral agreements have existed for a long time; the classic examples being the German *Gastarbeiter* (1960s) and the American *bracero* (1940s to 1960s) guestworker programmes (Miller 2000). But as concerns more comprehensive and multilateral forms of cooperation, states have so far been very reluctant. In the 1970s, Southern countries tried to instigate North-South cooperation in the UN over the brain drain problem (i.e. the loss of skilled citizens due to emigration) but this died out as a result of the unwillingness of Northern countries (Lohrmann 1997: 317; cf. Hollifield 2000b: 90).

Bhagwati has for a long time argued for the establishment of a World Migration Organization (WMO), functioning analogously the World Trade Organization (WTO). The WMO he envisions would provide a forum for states to negotiate progressive liberalizations of labour market regulations, which would bring substantial gains to the world economy (Bhagwati 1998; 2003a; 2003b)[15]. Others have proposed less formal forms of cooperation. For instance, Thomas Straubhaar (2000) suggests a "General Agreement on Movements of People" (GAMP), as the labour market complement to GATT for goods and GATS for services, while Koslowski (2004) instead argues for linking the issue of migration closer to security, by establishing a "General Agreement on Migration, Mobility and Security" (GAMMS)[16].

Expressing this felt lack of institutional structures, the UN Commission on Human Security writes that "The absence of an international migration arrangement – ordering and regulating the movement of people between countries through the adoption of agreed norms, principles and institutions – is remarkable, since it affects the security of people and of states" (CHS 2003: 45).

In the absence of such an arrangement, scholars have lately started to talk of an emerging global governance in this field. The term "global" can here be understood as denoting a level which differs from the national and the regional. The actors and the forums for discussions that are covered by this concept all operate at this level. But it can also be understood in another sense: in IR literature, the term "global" in the context of governance is usually taken to indicate the increased influence of non-state actors (Lipschutz 1996: 1; cf. McGrew 2008: 27;

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[15] Other scholars have argued for the establishment of a WMO for partly different reasons. To legal scholar Arthur Helton (2003), a WMO is needed because of the threats to human rights and ultimately to world order which the current lack of coordination generates. Mehmet Ugur (2007) argues that the principle of free movement should be embraced, for both economic and ethical reasons, and that a WMO is needed in order to minimize the risks of movements.

[16] Other suggestions include an "International Migration Framework Convention" (Overbeek 2000; 2002) or a "New International Regime for Orderly Movement of People" (Ghosh 2000a; 2000b). A more radical proposal is Jordan and Düvell's suggestion of a "global basic income" (2003: chap. 5). See also Veenkamp et al (2003).

Pattberg 2006: 10). However, the global governance of migration is one in which the state is still unquestionably the central actor[17]. The rest of this chapter is concerned with mapping out the actors and arenas that are usually covered by the term "global governance" of migration (cf. Green – Thouez 2005; Newland 2005).

Established forms of cooperation

While states have so far been very hesitant to enter into binding multilateral commitments in the area of voluntary migration, there are a few related areas where international cooperation is more robust.

One such area is the refugee regime. It is based on the definitions and obligations set out in the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol. In sum 147 states have acceded to one or both these instruments (UNHCR 2007a: 17), which also mandate states to cooperate with the UN High Commissioner for Refugees (UNHCR). The UNHCR thus has a key role in leading and coordinating operations of protection. International cooperation is here generally understood in terms of sharing responsibility for assisting and protecting refugees, and it often takes the forms of agreements over resettlements or financial support from richer to poorer countries (Martin 2005: 32). The refugee regime is limited in scope to forced movements such as refugees[18], asylum-seekers and internally displaced persons (IDPs), and it hence does not cover voluntary migration or other forms of cross-border movements (UNHCR 2007b)[19].

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[17] It has therefore been suggested that the governance of migration should be understood as "international" rather than "global" (Channac 2007; cf. Tanner 2006).

[18] In the Convention Relating to the Status of Refugees (often referred to as simply the Refugee Convention), a refugee is a person who "…owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion" is unable to enjoy protection of his or her country of nationality (art.1 § 2).

[19] On the refugee regime, see Soguk (1999); Rogers – Copeland (2006); Cronin (2003), Lippert (1999); Lui (2004); Barnett – Finnemore (2004, chap. 4).

Another associated area in which cooperation has developed quite quickly is the combat of trafficking and smuggling of migrants[20]. In the 1990s, policymakers in major Northern destination countries increasingly came to view trafficking and smuggling as security problems, related to uncontrollable borders. In the wake of the terrorist attacks in New York, London and Madrid, it was realized that terrorists could make use of the routes that transnational criminal organizations had established for the smuggling of migrants. This brought a qualitatively new dimension to the policy linkage between security and illegal entry. In 2000, the UN Convention against Transnational Organized Crime, and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children ("the Trafficking Protocol") and the Protocol against the Smuggling of Migrants by Land, Sea and Air ("the Smuggling Protocol") were adopted by the UN General Assembly. By early 2004, the Convention and both its Protocols had already entered into force after having reached the required number of ratifications. The parties to the Protocols make commitments to fight smuggling and trafficking, through joint efforts such as training, information exchange and strengthening of cooperation between border control agencies in various ways. The Smuggling Protocol also calls for a general strengthening of border control, it sets out rules for interdicting and boarding ships which are suspected of carrying illegal immigrants, it approves states' use of carrier sanctions and it commits state to cooperate in disseminating information to potential migrants in order to prevent that they fall victims to criminal groups. Both Protocols also specify that states need to fight "root causes" of smuggling and trafficking, such as poverty, underdevelopment and the lack of equal opportunity (Koslowski 2004: 11-12; Martin 2005: 30-32). The Trafficking and Smuggling Protocols currently have 116 and 108 parties, respectively.

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[20] The difference between smuggled and trafficked migrants is that those smuggled have willingly paid to be transported to a country where they expect better life prospects, trafficked people are victims of criminal groups. However, there are considerable overlaps – in particular when smuggled migrants end up in debt bondage or in exploitative or forced labour (Martin 2005: 25).

If cooperation in the field of refugees can be characterized as responsibility-sharing for protection, and the cooperation over smuggling and trafficking as state-to-state assistance in fighting transnational organized crime, then a third form of cooperation can be seen in the trade agreements negotiated in the World Trade Organization (WTO). The link between trade liberalization and the movement of people has been forged through the General Agreement on Trade in Services (GATS), where the "presence of natural persons" is one of the four ways (or "modes") through which services can be provided (Mode 4)[21] (Martin 2005: 33). Mode 4 was originally included in GATS during the Uruguay round of trade negotiations, as a result of pressures from developing countries wanting to open up for the movement of labour as a counterbalance to the movement of capital represented by Mode 3 ("commercial presence"/foreign investment). Within the framework of GATS Mode 4, states negotiate binding commitments to admit temporary movements of "service providers". The Agreement hence only covers the movement of persons whose presence is necessary in order to carry out trade in services – and not general access to labour markets. The Annex on Movement of Natural Persons makes explicit that states retain the right to regulate access to citizenship, residence and employment of a permanent character. Hence, when defining the affected cross-border movements as temporary movement of service providers, the point is precisely that negotiations do *not* concern migration[22].

[21] The other three "modes" of supplying services being Mode 1: "cross-border trade" (for instance, the supply of banking services via email or telecommunications); Mode 2: "consumption abroad" (for instance, tourism); and Mode 3: "commercial presence" (for instance, subsidiaries of foreign insurance companies or hotel chains) (WTO 2006).

[22] Elements of civil society have reacted strongly against this formulation because it reduces workers crossing borders to a question of service provision. Locating cross-border migration for the purpose of work within the trade regime is not only seen as generally dehumanizing and commodifying, but it also strips the individual of the rights that go with the status of "migrant worker" in the UN Migrant Workers' Convention (to be discussed below). Moreover, the temporariness of stay which is emphasised in GATS is considered as rendering (especially female) migrants particularly vulnerable to abuse and exploitation (Gencianos 2005; interview Gencianos, April 4 2006). See also the list of signatories (mostly trade unions and NGOs) to the statement formulated by

Nevertheless, in the present context negotiations over Mode 4 are important in that they represent a binding form of international cooperation in the field of non-forced movements – when states voluntarily commit to admit a certain number of workers or professionals, they forego the right to change these rules unilaterally, should for instance domestic economic or labour market conditions change. However, so far states have been much more unwilling to make commitments under Mode 4 than under any of the other modes. And of the few commitments that have been made, most concern the movement of highly-skilled professionals although there is nothing that technically would preclude commitments over low-skilled movements (interview Carzaniga, April 5 2006).

The lack of enthusiasm for Mode 4 can be seen against the background of states' general unwillingness to enter into binding multilateral commitments in the area of voluntary movements. As concerns the rights of migrant workers, there are two main ILO conventions and one UN convention – which all have very low ratification rates. The ILO Migration for Employment Convention of 1949 (no. 97) focuses on standards in recruitment of migrant workers, as well as on working conditions. The 1975 ILO Migrant Workers Convention (no. 143) deals with migrants in abusive conditions, as well as with equal opportunity and treatment (OHCHR 1995). The two ILO instruments have only been ratified by 42 and 18 states, respectively.

Low ratification rates have so far also been the fate of the UN International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (hereafter referred to as the "Migrant Workers Convention" [MWC]).

The objective of the MWC is to guarantee that the human rights of migrant workers are respected, not primarily by creating new rights but by specifying already existing rights for non-nationals. It establishes a broad range of civil, social and labour rights against both the host state and employers. Crucially, the MWC defines a migrant worker as "a person who is to be engaged, is engaged, or has been engaged in a

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the trade union federation Public Services International (Public Services International 2005).

remunerated activity in a State of which he or she is not a national" (art. 2 § 1) – which means that *both* regular and irregular (or "illegal") migrant workers are covered by the MWC. However, irregular migrants have fewer rights when it comes to family reunification, liberty of movement and the participation in public affairs. Also, the MWC does not require states to regularize irregular migrants; instead it explicitly acknowledges states' right to adopt the immigration policies they see fit, and it encourages them to fight clandestine movements (Bosniak 1991).

The MWC was adopted by the UN General Assembly in 1990, but it first became operational in 2003, when it got its required 20 ratifications. It is the newest of the seven core UN human rights instruments and while the others range between 144 (Convention against Torture) and 194 (Convention on the Rights of the Child) parties, the MWC has so far only been ratified by 37 states, not including any of the major destination countries. Several possible explanations for this low ratification rate have been offered[23]. One of them concerns the general economic and social transformations that have occurred since the Convention was first being thought of in the 1970s. In that decade Western states were still in need migrant labour, but when the Convention was adopted unemployment of nationals was an issue of concern in many destination countries. The end of the Cold War raised new concerns about immigration, and over the 1990s Europe's priority became the fight against illegal immigration and trafficking. As the Convention was drafted on basis of states' immigration experience in the 1970s, it might be that it is not straightforwardly applicable to what is understood as the main problems and challenges today (Pécoud – de Guchteneire 2004: 9-10). Moreover, although the MWC does not challenge states' right to decide in matters concerning territorial access, it may be that states still perceive it as threatening to sovereignty (interview Klein Solomon, April 10 2006). It also seems to be beyond doubt that the granting of rights to irregular migrant workers is still very controversial and one of the major reasons why destination countries so far have refrained from

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[23] See Pécoud – de Guchteneire (2004) for a fuller overview.

ratifying it (interview Karlsson, April 21 2006). Another suggestion is that migrant workers constitute the "least popular" among the vulnerable groups covered by human rights instruments, generally seen as less in need of protection than for instance women or children (interview Edelenbos, April 7 2006; Pécoud – de Guchteneire 2004: 8).

Organizations, initiatives, civil society

The "missing regime" in the area of international migration is manifest in the low ratification rates of international legal instruments. Moreover, there is no single central international agency for migration, in the sense that the UNHCR is for refugees or the WTO is for trade. Instead, there are a large number of organizations and agencies that are now concerned with international migration; a compendium from 2002 lists over 50 different organizations, ranging from UN agencies, formal regional and international organizations to informal regional and international processes (IOM 2002a; cf. IMP 2002). Most of these organizations are concerned with only one or a few aspects of migration, for instance labour migration (International Labour Organization) or the migration of health workers (World Health Organization). Comments Susan Martin: "Institutional responsibilities are spread across many organizations, none having a clear mandate to work with States to manage flows of people across borders" (2005: 37). Green and Thouez similarly characterises global migration governance as "at best, uncalculated in its organization" (2005: 2). Below, I will map out the more important international organizations, independent initiatives and civil society organizations[24].

The International Organization for Migration (IOM) was originally founded as the Intergovernmental Committee for European Migration in 1951, its purpose being to constitute an economic counter-agency to the humanitarian UNHCR in the context of handling the people uprooted as a result of the Second World War (Düvell 2003). Although it is formally outside of the UN system, the IOM plays an important role in international migration. It carries out migration-related services

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[24] For more comprehensive overviews, see Tanner (2006) and Newland (2005).

for its member states, and is thereby involved in issues ranging from border control and return of rejected asylum-seekers to labour recruitment and the arrangement of elections for absentee citizens (Newland 2005: 8). Importantly, it does not have a mandate to protect, as does the UNHCR (interviews Crisp, April 6 2006; Gencianos, April 4 2006)[25]. The growth of this organization over the past few years provides a telling illustration of the increased interest in, and concern over, migration. Whereas in 1998 it had 67 member states, this number reached 116 in 2005. Over the same period, the number of field locations increased from 119 to more than 280, projects rose from 686 to more than 1400, the staff increased from 1100 to 5000, and the budget increased from USD 218,7 million to over USD 1 billion (IOM 2005a).

Besides its operative role, the IOM has created the Migration Policy, Research and Communications Department, which is in charge of strategic policy analysis, research, publications and information. The IOM also promotes the term "migration management" in the context of migration policy and cooperation (cf. McKinley 2004). In order to foster common understandings on migration management, it publishes guidebooks, glossaries and other forms of training material (IOM 2004a; 2004b) in addition to its more general research. In keeping with the objective to foster cooperation, as set out in its constitution, the IOM launched the "International Dialogue on Migration" in 2001 to provide a forum for government representatives and other stakeholders to meet on a regular basis to explore issues of common concern.

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[25] Its constitution was revised in 1989 and specifies the following purposes and functions: a) to make arrangements for organized transfer of migrants to countries that offer opportunities for orderly migration; b) concern itself with the organized transfer of refugees, displaced persons and other individuals in need of international migration services, for whom arrangements may be made between the organization and the states concerned; c) to provide… migration services such as recruitment, selection, processing, advisory services and so on; d) to provide similar services, at the request of states or other international organizations, for voluntary return migration; e) to provide a forum for states and other organizations for the exchange of views and experiences, and the promotion of cooperation and coordination of international migration issues, including studies on such issues in order to develop practical solutions (IOM 1989: Chap. 1, art. 1).

The *International Labour Organization* (ILO) has the protection of the interests of migrant workers as one of its purposes, according to its constitution. But its two main Conventions in this area have, as discussed above, not been ratified by that many countries. The ILO has become increasingly active in migration issues in later years (Newland 2005: 9-10). Its international migration programme aims at protecting the rights of migrant workers as well as at improving the knowledge base of migration. The World Commission on the Social Dimension of Globalization was established as an independent body in 2002, chaired by Tarja Halonen and Benjamin Mkapa. Its goals was to identify policies to make globalization more inclusive and fair by fostering development, growth and "decent work", and it paid attention to labour migration during the course of its work. The Commission published its report *A Fair Globalization: Creating Opportunities for All* in 2004 (ILO 2004a). In the same year migration was the theme for the annual International Labour Conference, in preparation of which the report *Towards a Fair Deal for Migrant Workers in the Global Economy* had been prepared (ILO 2004b). At the Conference, the *Resolution Concerning a Fair Deal for Migrant Workers in a Global Economy* was adopted (ILO 2004c). Among other things, it stated that there was a need to elaborate a non-binding right-based multilateral framework. In 2005, the ILO adopted the *ILO Multilateral Framework on Labour Migration,* with the sub-heading: *Non-Binding Principles and Guidelines for a Rights-Based Approach to Labour Migration* (ILO 2006). It outlines a set of non-binding principles and guidelines to direct the formulation and implementation of labour migration policies, and can be understood as a "soft law" instrument[26] (interview Awad, April 10 2006).

The *Office of the High Commissioner for Human Rights* (OHCHR) is the main UN Human Rights agency. The mechanism that concern

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[26] If "hard law" refers to legally binding obligations that are precise and that delegate authority for interpreting and implementing the law to third parties acting under the constraint of rules, then soft law refers to legal arrangements that are weakened on one or more of these dimensions (obligation, precision and delegation) (Abbott – Snidal 2000; cf. Abbott et al 2000). It is often used for arrangements in which there are neither binding rules nor sanctions. Schäfer notes that while it thus scores low on obligation and delegation, it can nevertheless be quite precise (2006: 195).

migrants is the Special Rapporteur on the Human Rights on Migrants, who was appointed in 1999 "to examine ways and means to overcome the obstacles existing to the full and effective protection of the human rights of this vulnerable group, including obstacles and difficulties for the return of migrants who are non-documented or in an irregular situation" (Newland 2005: 12). The OHCHR also hosts the Committee on Migrant Workers – the treaty monitoring body that supervises the compliance to the UN Migrant Workers Convention.

The Population Division of *The Department of Economic and Social Affairs* (DESA) is the coordinating centre of UN agencies dealing with migration. Its engagement with migration follows from its responsibility for the follow-up to the Cairo Conference on Population and Development (ICPD) 1994. It also prepared the High-Level Dialogue on Migration and Development in 2006 (Newland 2005: 11)[27]. The *United Nations Population Fund* (UNFPA) also promotes the agenda of the ICPD by encouraging policy dialogue, supporting research and policy-oriented studies.

It has been suggested that the proliferation of international organizations has created coordination problems among actors with partly overlapping mandates, causing the governance of migration appear "fragmented and incomplete" (Matsas 2008: 3). Of late, however, there have been attempts at harmonizing the agencies through the *Global Migration Group* – an inter-agency mechanism that meets at regular intervals at the level of heads of agencies[28].

Besides formal international organizations, the last few years have also seen the emergence of independent initiatives that that have had the ambition to enhance consensus over migration and migration policy (Martin 2005: 34). The *Berne Initiative* was initiated by the Swiss government in 2001, and hosted by the IOM. It sought to develop "a

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[27] The Cairo Conference on Population and Development and the High-Level Dialogue on Migration and Development are further introduced in the next section.

[28] It was established by the UN Secretary-General in early 2006, and its membership consists of the mentioned organizations (IOM, ILO, OHCHR, DESA, UNHCR, UNFPA) along with UNCTAD (UN Conference on Trade and Development), UNDP (UN Development Programme), UNODC (UN Office on Drugs and Crime) and the World Bank (UN DESA 2006a).

common orientation to migration management, based on notions of cooperation, mutual understanding, partnership, comprehensiveness, balance and predictability" (Gnesa 2004: 9). To this end, the Berne Initiative brought together source, transit and destination countries in regional and global consultations. Importantly, this was a states-owned initiative, in which other stakeholders and interest groups did not have much say. Its main document, *International Agenda for Migration Management* was published in 2004 (IAMM 2004). The format "agenda" is meant to indicate that it is non-binding and practical in character (ibid: 18). It consists of 20 "common understandings" – assumptions and principles on which states agree – and a set of "effective practices" that draw on states' practical experience of migration. As Martin (2005: 36) explains, the Berne Initiative does not challenge international law, but its common understandings "go well beyond conventions to achieve consensus on a framework for international cooperation" (cf. Klein Solomon – Bartsch 2003).

Another independent initiative with consensus-building ambitions came from civil society. The *Hague Process* was established in 2000 by the Netherlands' chapter of the Society for International Development (SID), and it included more than 500 persons from governments and intergovernmental organizations, as well as academia, faith groups, the private and health sectors and NGOs (Martin 2005: 36-37). Although its membership not only included NGOs, it is largely perceived as an initiative emanating from civil society (cf. Thouez 2004: 4). The Hague Process encouraged a positive view and an international perspective on asylum and migration questions (UNFPA 2004c: 26). Its main document was the *Declaration of The Hague on the Future of Refugee and Migration Policy* (United Nations 2002b), which presented 21 principles with commentaries on migration management.

The general role of civil society in influencing migration policy has been characterised as rather limited. NGOs have traditionally been mainly concerned with offering operational assistance to vulnerable groups of migrants, but have recently increased advocacy efforts. However, states and international organizations have so far granted civil society representatives very restricted access to the formal forumss

in the field (Thouez 2004; Green – Thouez 2005: 3)[29]. There are now three main categories of NGOs that deal with migration[30]. The first is composed by the operational organizations that assist migrants, refugees and internally displaced persons, and that have a branch concerned with advocacy. The International Catholic Migration Commission (ICMC) is one of the main organizations involved with humanitarian assistance to vulnerable migrants, and it also does advocacy work on the human rights, counter-trafficking, racism and protection (interview Ketelers and Bingham, April 6 2006; Thouez 2004: 3). To the second category belong advocacy NGOs explicitly concerned with migration. Amnesty International and Human Rights Watch are both involved with refugees and forced migrants. The smaller Migrants Rights International (MRI) and December 18 are active in the field of migrants' human rights and take a central part in the campaign for ratification of the MWC. The third category contains the networks of NGOs that have been established in order to strengthen the voice of civil society. One example is the Hague Process described above, another is the International NGO Platform on the Migrant Workers Convention (IPMWC), a coalition of NGOs which was set up in 2005 with the purpose of promoting the MWC and facilitating its implementation and monitoring (December 18 2007).

Emerging forums of cooperation

The lack of a central organization and the unwillingness on part of states to enter into binding agreements can be seen as indicative of the "missing regime" in the field of international migration. However, the

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[29] At the occasions of the High-Level Dialogue (HLD) as well as the Global Forum on Migration and Development (GFMD) – to be introduced below – consultations with civil society organizations were organized separately from governmental discussions (cf. United Nations 2006k; GFMD 2008) something which has caused some irritation. In connection to the GFMD 2007, representatives of global trade unions delivered a statement in which they deplored the Forum's limited opportunities for engaging in dialogue with state governments (Council of Global Unions 2007).

[30] This categorization follows Thouez (2004: 4-5) and UNFPA (2004c: 42-43), but has been somewhat modified and updated.

past few years have seen the appearance of new forums for interstate cooperation and dialogue, to which we will now turn.

The first attempt at instigating international cooperation over migration was the Cairo International Conference on Population and Development (ICPD) in 1994[31]. Here, alongside issues of reproduction, health, urbanization and gender equality, migration was for the first time included on the agenda of a major international political forum. Chapter X of its *Programme of Action* (United Nations 1995a) recognized the positive developmental potentials of migration for both sending and receiving countries. It also sketched a comprehensive set of actions in the migration policy area, which included the opening up for temporary labour migration. In order to maximize the benefits of migration, it also advocated more dialogue and cooperation between countries of origin and countries of destination. While the Programme of Action was endorsed by 160 governments, it did not lead anywhere in practice, as far as cooperation over migration was concerned. Between 1994 and 2006, the only time that migration was discussed in an international forum was at the five-year follow-up of the ICPD. In a special session of the General Assembly, migration was discussed along with other population issues, resulting in the adoption of a range of "Key Actions" (United Nations 1999). The ICPD was followed by several General Assembly resolutions calling for the organization of a UN conference on migration and development, but this initiative did not materialize. Scholars have suggested that it was blocked by the major destination countries who feared North-South conflicts over access to their labour markets and territories (Ghosh 2005: 128; Newland 2005: 1). Another suggested reason is that that Northern governments at the time felt that the era of great conferences was over (interview Klein Solomon, April 10 2006).

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[31] This conference is often thought of a milestone in the development of population policies, since it turned away from the previous understanding of population as a macroeconomic variable for policy planning. Instead, the Cairo conference put emphasis on reproductive rights and individual choice as regards family planning, and the empowerment of women as essential for the attainment of developmental goals (UNFPA 2004b: 1-9). See Schultz (2005) for a critical reading of the "Cairo consensus"

Nevertheless, the importance of enhancing international cooperation has since been restated as several international conferences, among them the World Conference against Racism in Durban 2001 (United Nations 2001)[32], as well as by a number of commissions[33]. For instance, the ILO World Commission on the Social Dimension of Globalization underscores the need for increased dialogue between sending and receiving countries and urges countries to initiate the process towards a general framework on migration:

> The ultimate goal would be to create a multilateral framework for immigration laws and consular practices, to be negotiated by governments, that would govern cross-border movements of people. This would be similar to multilateral frameworks that already exist, or are currently under discussion, concerning the cross-border movement of goods, services, technology, investment and information (ILO 2004a: 99).

In 2002, then UN Secretary-General Kofi Annan included in his proposals to reform the United Nations the need to "take a more comprehensive look at the various dimensions of the migration issue" (United Nations 2002a: 10; cf. 2005b). After a working group under Assistant Secretary-General Michael Doyle had concluded that further analysis was needed, the independent Global Commission on International Migration (GCIM) was launched in 2003 on the Secretary-General's initiative by a number of governments[34]. The Commission contained representatives from governments as well as elements from civil society, and was co-chaired by Jan O. Karlsson and Mamphela

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[32] The World Summit for Social Development 1995 (United Nations 1995b) encouraged inter-state cooperation, the 4th World Conference on Women 1995 (United Nations 1995c) paid attention to the plight of women, and the World Conference on Human Rights 1993 (United Nations 1993) insisted on the ratification of the MWC.

[33] The Commission on Global Governance (CGG 1995), the Commission on Human Security (CHS 2003), the ILO World Commission on the Social Dimension of Globalization (ILO 2004a), and the Global Commission on International Migration (GCIM 2005).

[34] Switzerland and Sweden took the lead, and developed a draft of the Commission's mandate together with Brazil, Morocco and the Philippines. Later, the "core group of states" was expanded to include 34 governments.

Ramphele. Its mandate was to place international migration on the global agenda, to analyze gaps in current policy-making and examine linkages between migration and other issue areas, and lastly, to present recommendations on how the governance of migration should be strengthened. After several consultations with governments and other stakeholders and five regional hearings in different corners of the globe, the Commission presented its report *Migration in an Interconnected World: New directions for Action* in October 2005 (GCIM 2005). It consists of six principle for action and thirty-three recommendations on various issues related to international migration (cf. Martin – Martin 2006).

The High-Level Dialogue on Migration and Development

About the same time that the GCIM was appointed, the General Assembly decided to arrange a High-Level Dialogue (HLD) on Migration and Development in September 2006 (United Nations 2004). The purpose of the HLD was to provide member states with an opportunity to discuss at "ministerial level or highest level possible", the "multidimensional aspects of international migration and development in order to identify appropriate ways and means to maximize its development benefits and minimize its negative impacts" (United Nations 2006). The work of the GCIM and the preparations of the HLD then ran parallel courses as relatively separate processes – something which in itself is quite telling of the organizational overlaps that mark the governance of international migration (interview Crisp, April 6 2006).

A series of preparatory events were held around the world in anticipation of the HLD[35]. Perhaps most important was the 39th session of the Commission on Population and Development[36]. Its 39th

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[35] Among them the "Informal Interactive Hearings with NGOs, Civil Society and the Private Sector" in New York (United Nations 2006k), two different "Panel Discussions on International Migration and Development" in New York and Geneva, and the "International Symposium on International Migration and Development" in Turin.

[36] The Commission was established by the UN Economic and Social Council (ECOSOC), and it consists of representatives of 47 countries on a rotating basis. It is mandated to monitor the implementation of the ICPD Programme of Action and to provide the ECOSOC with related recommendations.

session in 2006 was devoted exclusively to migration and development, and it resulted in the *Resolution on Migration and Development* (United Nations 2006j).

A "Special Representative of the Secretary-General for Migration", Peter Sutherland, was appointed to make preparations for the HLD. This was carried out through hearings and consultations with government representatives and other stakeholders. The central document that was produced during the course of these preparations, and which was to provide the basis for discussions at the HLD, was the *International Migration and Development: Report of the Secretary General* (United Nations 2006i). One of the central recommendations in this report was for member governments to set up a consultative forum for continued multilateral discussions on the subject of migration and development. The general idea for the forum as explained in the report was to create an arena for structured discussions so as to enhance a "holistic" approach to the migration-development nexus. It was hoped that the forum would improve coherence in migration policy both at national and international levels, and that it would allow governments to develop a "common understanding" concerning the areas of migration policy-making that had the greatest potential for contributing to development (ibid: 11).

The main outcome of the HLD was that participants decided to establish such a forum for continued discussions. Deciding on the status and the organizational details on the Forum was however not without difficulties. In their overview of the discussions at the HLD, Martin et al (2007: 21) found that "by and large, countries share similar views on the challenges posed by and potential strategies to address international migration and development". The discussions revealed that countries generally were positive to encouraging more international cooperation and dialogue. But there were significant disagreements concerning the organizational forms for such cooperation, "such as whether the forum would be conducted within or outside of the UN, who should be involved, how much to build on existing (primarily regional) efforts, and whether and how to link the forum to other

migration-related entities and programmes" (ibid)[37]. The Secretary-General noted in his concluding address of the HLD that

> Clearly, there is no consensus on making international migration the subject of formal, norm-setting negotiations. There is little appetite for any norm-setting intergovernmental commission on migration. But, as I understand the thinking of the countries that back it, the Forum would be the opposite of that. It would be informal, voluntary, consultative. Above all, it would not make binding decisions (United Nations 2006a).

The Global Forum on Migration and Development

The objective of the Global Forum on Migration and Development (GFMD), as decided at the HLD, is to "make new policy ideas more widely known, add value to existing regional consultations, and encourage an integrated approach to migration and development at both the national and international levels" (United Nations News Centre 2006). As indicated by the Secretary-General's address quoted above, it is established as a voluntary, informal and state-led arena for policy-makers' to discuss, exchange information and express ideas concerning migration and development, and it is hence *not* intended to take binding decisions[38]. However, its precise organizational forms

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[37] According to Martin et al, the differences in position did not follow the North-South divide or any other existing fault line. Yet, they also note that the Group of 77 together with China tended to want to keep the Forum within the UN. Two major destination countries – USA and Australia – opposed any kind of forum, while most EU countries were in favour of establishing one. One group of states wanted to increase cooperation but to keep it informal and outside of the UN. Another one was noncommittal, expressing a general interest in continued dialogue but indicating no specific preference as to its forms (Martin et al 2007).

[38] See GFMD's webpage: http://www.gfmd-fmmd.org. It can be noted that the informal, voluntary and non-binding characteristics of the Forum reflect the Regional Consultative Processes (RCPs) – a form for cooperation that has developed at the regional level. The first RCP was the Intergovernmental Consultations on Asylum, Refugee and Migration Policies (IGC) which was the outcome of an informal meeting for government representatives hosted by the Swedish government in 1985. There are now RCPs in all major world regions. The RCPs can be understood as arenas for discussion, access to which is usually restricted to government representatives only. The discussions in the RCPs are informal in character, fostering a high degree of confidentiality. Governments participate on a voluntary basis and adopt consensus

were not formalized beforehand, but were defined throughout the preparatory process for the first meeting, with some gaps still remaining even after that occasion (Matsas 2008: 5-6)[39].

Its first meeting took place in Brussels in July 2007 and the second is planned to be held in Manila in October 2008. The GFMD stands formally outside the UN system, something which has caused reactions among civil society groups. At the time of the first meeting in 2007, the International Trade Union Confederation (ITUC), Migrants' Rights International and December 18 wrote an open letter to the now UN Secretary-General Ban Ki-Moon, where they pressed for the incorporation of global discussions on migration and development into the UN framework. One of the concerns was that present discussions in the Forum focussed excessively on the economic gains that could be made from migration, and less on the subject of migrants' human rights. The organizations felt that if global discussions on migration were re-incorporated into the UN system, this would ensure that UN human rights instruments would be integrated into the evolving global migration governance. Apart from the human rights dimension, the organizations also favoured the UN system since it provides arrangements for consultations with civil society and migrants'

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recommendations that are non-binding (Thouez – Channac 2005; 2006; Channac 2002; Klein Solomon 2005; von Koppenfels 2001; Hansen 2005; Düvell 2003).

[39] For an overview of GFMD's organization and governance challenges, see Matsas (2008). Matsas argues, among other things, that the relationship between the GFMD and the UN needs to be strengthened, in order not to create the impression that global issues generally are better handled outside of the UN. In his vision, a new governance structure for migration should be in the form of a triangular partnership between the UN, the GFMD and relevant international organizations. The UN's role would be that of a legitimizing body setting the long-term agenda and providing normative decisions. The GFMD would provide a more flexible arena outside the UN framework where states could discuss detailed approached, exchange best practices etc. The international organizations for their part, would help with implementation. Matsas sees in this arrangement a prototype for a new form of managing global issues: "Inspiring this triangular framework, the GFMD process could perhaps open a new path for global governance, which would be better adapted to the challenges of globalisation and, ultimately, to the needs and expectations of the world population in the 21st century" (2008: 13).

organizations (MRI–December 18–ITUC 2007; cf. Council of Global Unions 2007; Amnesty International 2007).

The "developmentalization" of migration?

As migration is now gradually becoming a subject for international dialogue, it is being framed as a development issue[40]. This issue linkage was established already at the Cairo Conference on population and development in 1994, and it has marked subsequent discussions at the global level: most importantly, the HLD was explicitly concerned with the migration-development nexus, as is the newly established Forum. This contrasts sharply with the "securitization of migration", that is, the tendency in many (especially Northern) countries to frame migration as well as asylum as security concerns – a tendency which was strengthened but not initiated by September 11 (Bigo 2006; Buzan et al 1998; Huysmans 2000; 2006; Gammeltoft Hansen 2006; Karyotis 2007; Ibrahim 2005). To one of my interviewees, this new framing might be indicative of a paradigm change towards viewing migration from a more positive and constructive side (interview Klein Solomon, April 10 2006). However, it seems most definitely premature to conclude that the securitization of migration is now being replaced by a "developmentalization" of migration. At the regional level, and at the level of individual states, the concerns about security are still highly prioritized. Moreover, security concerns have recently motivated the adoption of the two international Protocols on smuggling and trafficking. Instead, the issue linkage with development in global arenas might instead be explained by the fact that it offers a less controversial way of framing discussions and thus make them more acceptable – given that states as a rule do not want to cooperate over national

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[40] While the migration-development nexus has risen on the global agenda, it could be noted, however, that when UN member states developed the "Millennium Goals" in order to bring about development and progress for the world's poorest people, none of these goals, nor their specific targets, explicitly addressed migration. It has been suggested that this is because migration was considered too controversial and too politically divisive, or perhaps because it is impossible to set specific targets in this area (UNFPA 2005b: 3).

security matters. This means that there are some migration-related matters that governments are willing to discuss (such as development), and others that they are not and that are consequently off the agenda for international discussions (interview Koser, April 7 2006)[41]. Hence, while the material used for this study is largely marked by the policy-linkage between migration and development, this does not necessarily indicate that other framings of the migration issue are not operating at the same time.

Summing up

This chapter has offered an overview of what is now often referred to as the global governance of migration. Green and Thouez (2005: 3) have pointed out three characteristics of this nascent governance structure: it is unstructured in its organization and suffering from an unclear relationship with the UN; it is uncoordinated as it lacks a central organization and a broad range of actors are approaching the question simultaneously; and while it is often acknowledged that other actors have important roles to play, states still dominate migration policy at all levels. The above overview has shown that significant developments have occurred since the time of their writing; the Global Migration Group has been set up to improve coordination among international organizations, and the Global Forum on Migration and Development has been established to provide a recurrent forum for discussions among state governments. Nevertheless, the characteristics they identify still seem to be largely valid: First, the relationship between the GFMD and the UN is still not clear-cut. Now established outside of the UN, a range of states along with civil society actors press for incorporating it within the UN system. Second, while the Global Migration Group aims to enhance coordination, there is still no single

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[41] In his survey over what fields migration experts thought most suitable for international cooperation, Tanner (2006) found that emigration/development and to some extent labour migration were at the top. Comments Tanner: "Emigration and general migration matters are "safer" as they less directly impinge upon national sovereignty" (ibid: 142). In contrast, next to no one believed in cooperating over security.

international organization with overarching responsibility for migration issues. Third, as concerns different actors, it appears as though civil society has become more active in advocacy but states are still paramount.

Since the global governance of migration is still dominated by state actors, a question which usually arises in this context is whether or not states are likely to engage in deepened forms of cooperation. Tallberg (2006: 199) has noted that there is an overall trend in post-World War II international cooperation towards greater institutionalization – towards binding agreements, international bureaucratic structures, and delegation of power to supranational organs. As we have seen, migration seems to diverge from this tendency. This chapter has demonstrated that the level of states' commitments in the sphere of voluntary migration is so far very low. Among scholarly commentators, there is a wide agreement that chances are very slim that states will choose to engage in more binding forms of cooperation over migration any time soon are slim (Newland 2005; Hollifield 2000b; Martin 2005). This has also been confirmed in my interviews. For instance, one person involved in the Global Commission on International Migration said that the overall message that emerged from discussions within the Commission and from their regional hearings, was that states were *not* interested in the creation of any new UN agency, nor in any new international migration law (interview Crisp, April 6 2006). A general impression from my interviews is that there is a substantial resistance to top-down institutions and binding agreements in this area which states regard as central to state sovereignty. This resistance is especially, but not exclusively, pronounced among countries in the North (interviews Klein Solomon, April 10; Koser, April 7; Edelenbos, April 7; Carlander, May 31; November 23; Awad, April 10; Cholewinski, April 10 2006).

Yet at the same time, there is definitely something occurring in the field. Some scholars have emphasised that the specifics of the current period – such as the oncoming demographic crisis and labour market demands in the North – may spur interest among those countries to engage in cooperation and dialogue (Ghosh 2005; Taylor

2005). International activities have intensified as demonstrated by the HLD, the establishment of the GFMD, and the increased involvement by international organizations and initiatives. However, these developments show that the tendency is towards informal, voluntary, non-committing forums of cooperation, and to the adoption of non-binding principles and vague guidelines – of "soft law" instruments rather than binding international standards. Among my interviewees, some were convinced that as migratory movements were sure to continue, the topic would stay at the global agenda (interviews Ketelers, April 6; Carlander, May 31 2006). One suggested that migration, just like gender and the environment, would gradually be incorporated into all discussions on development, by virtue of being a cross-cutting issue which is difficult to address in isolation (interview Boncour, April 10 2006). One interpreted current developments towards intergovernmental dialogue[42] as an acknowledgement on part of states that migration is a transnational problem which cannot be handled unilaterally – hence, they need to come together occasionally and talk about it (interview Crisp, April 6 2006). Another characterised the current moment as one in which states have left the phase of denial and started to recognize existing problems and conflicts (interview Karlsson, April 21 2006). The general impression from these interviews is that ongoing developments may be interpreted as representing an evolution in global migration governance, although it is so far not very substantial.

The aim is now to move from a "governance" to developing a "governmentality" perspective. Sending and Neumann have criticised governance studies for failing to properly account for the processes of governing: "their ontology and concomitant analytical tools are not equipped to grasp the *content* of the processes of governance itself" (2006: 653). Hence, they argue, "new insights can be generated if we study the socio-political functions of governance in their own right and seek to identify their *rationality as governmental practices* (ibid: 652, ital. in

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[42] At the time of my interviews, preparations for the High-Level Dialogue were intense. The Forum existed as a suggestion, but no-one could know for sure whether states at the HLD would choose to establish it or not.

orig.). From now on, this study will no longer focus on institutional structures or the relative powers between different types of actors. When we return to the global governance of migration in chapter 6, it will be through a reading of the description of migration and migration politics that emerges from these different actors, from which I aim to detect what I will refer to as the "political rationality of global migration management".

Governmentality

The overall concern of this study is to explore the global regulative function of migration politics. It does so by rethinking migration politics through an engagement with the Foucauldian governmentality perspective at three different levels of abstraction that correspond to the following chapters. The current chapter introduces the governmentality perspective and specifies in what ways it will subsequently be used. Its metatheoretical assumptions were introduced in chapter 1, and will therefore not be further discussed here.

As Dean (1999: 16) has noted, the term "governmentality" is currently used in two different ways within the existing literature. In its broader sense, it outlines a general understanding of the exercise of power which is focused on the relationship between government and thought – "government" here being understood in the widest possible sense, denoting all efforts at guiding and directing any aspect of human behaviour. In its more specific sense, governmentality refers to a particular (modern) form of power which emerged in 18th century Europe and which takes the population as its main target (Foucault 1991: 102).

In the present study, governmentality is with some modification used in both senses. Governmentality in the broader sense provides a range of general considerations and conceptual tools for analyzing the global description of migration and migration politics. As will be explained below, it offers a few different concepts with which to approach the global governance of migration as an instance in which migration is being approached as a global issue, requiring global action ("problematization") and the material under investigation ("programmes"). It also provides a tool for analyzing this material in terms of the mentality of government that it expresses ("political

rationality"). The second and more specific sense of governmentality highlights how population rather than territory gradually became the centre of modern governmental thought and intervention. Much governmentality research has since been concerned with the correspondence between forms of government and the changing ways in which the government of population has subsequently been conceptualized. However, a weakness in this literature is that so far it has taken the nation state as an explicit or implicit frame of reference. Thereby, such studies have failed to take into account the ways in which forms of government correspond to conceptualizations and regulations of the *global* population (Hindess 2005). While this study retains the centrality of population from governmentality in the specific sense, it argues that it needs to be complemented in order to understand the global regulatory function of migration politics. This will mainly be dealt with in the two subsequent chapters, whereas the current one provides an introduction to the governmentality perspective.

This chapter is organized into three subsections. The first one provides a general introduction to the study of governmentality. The second offers an overview of the different forms of power that were identified by Foucault in his genealogy of the modern state. The third one presents the concepts that are being used in order to analyze that global description of migration and migration management which emerges with the developments towards global governance of migration.

Mentalities of government

Governmentality is a term which was introduced by Michel Foucault during his investigations into political power and the modern state in the 1970s (Foucault 1991a; 2003; 2004; 2007) [43]. It has since been

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[43] Foucault never published any major work on governmentality. Instead, he presented his thoughts on this subject in a series of lectures, most of which were given at the Collège de France between 1975 and 1979. For a long time, the only available material from this period were a small number of lectures (1991a; 1994bb) and a number of minor texts and interviews (see Foucault 1994a; 1994b; 1980, passim), which had the

developed by a range of scholars within various fields of the social sciences (Rose et al 2006).

In its broader sense, governmentality provides a general framework for political analysis, one that explores the "relation between government and thought" (Dean 1999: 19). Just as other theories and methods have their privileged objects or variables for study, for instance class struggles, institutional dynamics or rational-choice making individuals governmentality studies focus on "mentalities of government" (Walters – Haahr 2005: 5). Mentalities, or rationalities, of government (the terms are used interchangeably) can be understood as relatively systematic ways of thinking of the practice of governing ourselves or others in a broad range of contexts (Dean 1999: 211). Governmentality studies concern themselves with how authorities of different kinds have *thought* about governing; what they have wanted to happen, how they have defined and delimited the problems to be solved, what objectives they have set for themselves and what techniques they have developed and deemed suitable for these purposes (Rose 1999: 20; Raffnsøe – Gudmand-Høyer 2005: 163).

Governmentality is a composite term of "government" and "mentality". Let us begin by looking at the two in turn. First, the meaning of "government" in the Foucauldian sense is distinct from its common usage in political science. Political scientists often take government to refer to the highest authority in a state, thus equating government with a single centre of control – although this is one that may be divided between federal, state and local levels or between the executive, legislature and judiciary (Hindess 2006: 118). In Foucault's vocabulary, the term is much wider. He did not himself expand it but instead retrieved the meaning that it was invested with in the 16th century. Foucault recognized that even in those early modern times, the "form of governing that can be applied to the state as a whole" was

result that "Foucault's contribution to understanding the mechanisms of modern state power and modern political thought…remained largely unacknowledged, not only during his life but for more than a decade afterwards" (Valverde 2007: 162). Only recently have these lecture series in their totality started to become published and translated (Foucault 2003; 2004; 2007), spurring academic interest in governmentality studies and Foucault's theorization of the state.

given a special status in political thought (Foucault 1991a: 91), but demonstrated that in that era it was also used to refer to broader ways of directing human behaviour: one talked of the government of children, of souls and consciences, of a household, of a state, or of oneself (Foucault 1994ad: 81; 2007: 121-122)[44]. While Foucault in his lectures on governmentality was principally concerned with the political domain, a central point was that government not only referred to forms of political or economic subjection, but to all more or less conscious and calculated attempts at guiding and influencing actions and behaviours. Government in this wider sense is understood as "the conduct of conduct", emphasising that conduct is both a verb, as in trying to lead someone, and a noun which denotes ways of behaving (1994ba: 341; cf. 2007: 193).

Defining government as the "conduct of conduct" has at least two important implications. First, it widens the definition of power from one equated simply with domination. Government in this sense is not so much concerned with a form of exercise of power that acts directly or immediately upon others, for instance by the use of violence and coercion. Instead, it is concerned with the more indirect "management of possibilities", and with structuring the "possible field of actions of others" (Foucault 1994ba: 341). This does not mean that Foucault did not recognize the existence of forms of domination or oppression – those "that people ordinarily call 'power'" –only that he saw power as operating also in their absence. Government, therefore, includes not only those measures of influence that affect the behaviour of individuals directly and that are backed by force or law, but also those indirect and less visible techniques which act on the modes of self-regulation of individuals, techniques that are all the more important to study as it is often through them that forms of domination are established and maintained (Foucault 1994ac: 299)[45].

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[44]Hindess (2005: 391-392) notes that Aristotle similarly used "government" in this expanded sense. To Aristotle, government referred to the supreme authority in a state, but also to the activity of governing a wife, children, the household and slaves.

[45] See Lemke (2000: 5-6) for a fuller discussion on Foucault's understanding of power, government and domination.

A second implication of Foucault's wide conceptualization of government is that it highlights that power does not emanate from a single centre but is exercised in a long range of different relations and in interactions between different actors (Sørensen – Torfing 2005: 123). The "conduct of conduct" is not only practiced by state institutions but also by a range of other actors and associations, for instance religious organizations, employers, legal, medical and other types of professionals, voluntary associations, NGOs, the market, as well as by individuals themselves[46].

Second, the term "mentality" in this context denotes how our thinking of government is being immersed in existing knowledges, philosophies, beliefs and opinions. It thus highlights how the exercised of power depends on the deployment of knowledge (cf. Gottweiss 2003: 256). Mentalities are here understood not as individual convictions but as collective understandings that are relatively taken for granted (Dean 1999: 16). Importantly, the governmentality perspective is not primarily concerned with the more abstract dimensions of thought, which is the main interest for the study of the history of ideas. The focus on government also distinguishes it from the study of broader social or cultural "mentalities" as read off from media or popular discourse. Instead, its focus lies with thought in its more concrete dimensions, as embodied in authorities' actual attempts at reforming or reshaping a specific governmental field of practice (Walters – Haahr 2005: 7).

This is exemplified by Foucault's own work, which to a large extent draws on obscure and largely forgotten thinkers who have concerned themselves with the practical aspects of governing – for instance, of regulating sexuality or reforming imprisonment in the most

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[46]So, there are affinities between governmentality and the more common notion of "governance" which is also taken to denote forms of government that operate by formal and informal networks and by public/private partnerships in the absence of a controlling centre. Although in many respects different traditions, both of these literatures suggest that government cannot be properly grasped with a state-centric framework (Hindess 2005: 406). For comparisons between governance and governmentality, see Sending and Neumann (2006), Lemke (2007) and Crowley (2003).

minute details. Thus, in governmentality studies the main research interest is directed at the historically shifting ways in which authorities have formulated and answered questions like: How should we govern? What should we govern? Why do we need to govern? (Walters – Haahr 2005: 5).

Importantly, "authorities" does not necessarily translate into "state authorities", nor does it inevitably imply the possession of formally recognized authority. Instead, as government is exercised in all fields from childrearing or disciplining of one's own body to matters of state, the identity of the relevant authority varies according to context. In this study, the authorities in question are those representatives of international organizations, commissions, and independent initiatives that have engaged themselves in the global governance of migration, and that were introduced in the previous chapter.

The reason why governmentality has been selected as a theoretical perspective with which to approach migration politics lies precisely in its specific focus on governmental thought: how authorities involved in the practicalities of governing reflect on their activities with the objective of trying to improve and reform them. This allows for placing the current global description on migration and migration politics against the backdrop of previous concrete governmental thought on migration. Even more importantly, with this perspective this description appears important in and of itself: not only is it of recent date, hence displaying current governmental thought on migration. It are also noteworthy in representing the first time that governmental practitioners take a global approach to the issue of migration, debating existing questions and answers around migration from a global rather than the national or regional approach.

We have now seen that governmentality can be understood quite straightforwardly as the study of systematic thinking about the practice of government, when government is defined in the widest possible sense as the "conduct of conduct". We have also seen that such studies tend to focus on how authorities pose and answer questions concerning the object, the aims and the forms of government. Next, we will turn to

the different historical forms of power with which this perspective is associated.

Forms of power

In what has been referred to as its specific, or historical, sense, governmentality is one of several forms of power that Foucault identified in his work on the modern state. In this endeavour, he combined the view of power as micro-physical with the macro-political question of the state (Lemke 2007: 17, see also chapter 1). The central argument from this work is that the state has no inherent characteristics or propensities – that is, the state has no essence[47]. He thereby criticised other analyses of the state, for instance those that approached it as a juridico-political instance, as a calculating subject or an instrument of class rule (Jessop 2007: 37). To Foucault, it is instead the result of various and shifting relations of power that work on all levels of society. Therefore, one "must not assume that the sovereignty of the state, the form of the law, or the over-all unity of a domination are given at the outset; rather, these are only the terminal forms power takes…Power is everywhere, not because it embraces everything, but because it comes from everywhere" (Foucault 1998: 92-93). The state appears as lacking in unity, as "no more than a composite reality and a

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[47] Foucault's focus on power relations, practices and knowledge rather than subjects and objects as essential categories can be seen against the historical background. Foucault initially took part in the structuralist movement which reacted against the prevailing humanism in French postwar thinking. "Humanism" was an umbrella term for the different theoretical schools (phenomenology, existentialism, strands of Marxist and Catholic thinking) that all shared the assumption that a historically unchanging "human nature" determined people's actions and existence; and that all proposed that this nature could be gradually discovered either empirically or through introspection. Beginning in the 1950s, structuralism rejected this notion of a universal and conscious human nature as the origin of all meaning and action. Largely inspired by Saussure's structural linguistics, researchers in this tradition instead wanted to uncover what they saw as the stable and objective structures underlying culture and society without linking them back to a central human agency, consciousness or individual psyches. Originally sympathetic to this movement, Foucault later came to reject its formalism and ahistorical essentialism (O'Farrell 2005: 25-29; Esmark et al 2005: 19-23; 33-35).

mythicized abstraction, whose importance is a lot more limited than many of us think" (1991a: 103).

Foucault approached the evolvement of the modern state as resulting from transformations in practices of government (Gordon 1991: 4). In his genealogy of the state, he traces changing practices and mentalities of government and the institutions to which these were connected. In the process, he identifies and names a number of general forms of power, which can be seen as different historical configurations of the general power-knowledge nexus; as very general mentalities of government (O'Farrell 2005: 101)[48]. They can be understood as social regularities or arrangements, which do not determine what people do or what happens, but which make some social possibilities more likely than others. (Raffnsøe – Gudmand-Høyer 2005: 155-156). They are approached as "intentional but non-subjective" (Foucault 1998: 95), meaning that they shape and normalize certain behaviours and action-orientations without being reducible to the effects of decisions of any individual subject or group. When Foucault and others working in this tradition identify different forms of power, they try to uncover the systematicity which seems to have been prescriptive for specific governmental thought and practices. Hence, they observe how new imperatives for action emerge, but do not claim that people necessarily acted according to these (Raffnsøe – Gudmand-Høyer 2005: 163).

The following offers a brief overview, paying specific attention to the central forms of power identified by Foucault in his genealogy of the modern state: sovereignty, discipline, governmentality and liberalism[49]. The first is related to the medieval state concerned with

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[48] This is one example of terminological difficulties and overlaps within this literature. Another concept used in this context is "dispositif": a "heterogeneous ensemble consisting of discourses, institutions, architectural forms, regulatory decisions, laws, administrative measures, scientific statements, philosophical, moral and philanthropic propositions" (Foucault 1980c: 194; Raffnsøe – Gudmand-Høyer 2005; Deleuze 1992). While O'Farrell describes them as different "configurations of [the] general nexus of power-knowledge" (2005: 101), she also notes that Foucault seldom uses this hyphenated term. Following Larner and Walters (2004a: 3) and Walters – Haahr (2005: 9) I have chosen to refer to them simply as different "forms of power".
[49] For fuller descriptions, see Foucault (1991a; 2003; 2004; 2007); Dean (1999); Valverde (2007). For a useful table comparing the different forms, see Oels (2005).

control over territory and wealth. The emergence of the second is linked to the rise of the administrative state in the 15th and 16th centuries, and is associated with the training and regulation of individual bodies in different institutional contexts. Governmentality, thirdly, is concerned with controlling the mass of population by ways of guiding people's behaviour in mostly indirect manners in order to attain a broad variety of goals. It came into fruition in the 19th century but dates back to the late 16th (Jessop 2007: 38). Liberal and liberal neoliberal forms of power gradually developed from governmentality (Foucault 2004; Gordon 1991; Lemke 2001).

One may perhaps wonder in what ways it is relevant to provide an outline of historical developments internal to states in a study which is concerned with the current government of migration. The answer is threefold. First, these historical transformations and the relationship between these different forms of power are central to governmentality theory, to which this study is quite heavily indebted. The distinction between governmentality as a general approach to government and as a specific historical form thereof – although analytically and pedagogically useful – is something of a construction. The different concepts and analytical tools that are being used in this study have not been developed outside of this reading of history but as an integral part of it, hence they should not be presented in isolation. Second, the different forms of power are not only of historical interest. Although Foucault emphasises that the governmental state has acquired pre-eminence over its predecessors, he does not consider the previous forms of power as outdated or completely replaced by this form of power. Instead, he talks of a "triangle" sovereignty-discipline-government (1991a: 102). Scholars working within this tradition often seek to trace out how these forms of power interrelate in different fields of government (cf. Dillon 1995; cf. Raffnsøe – Gudmand-Høyer 2005: 159)[50]. Third, the overview

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[50] Two well-known examples are Agamben (1998) and Hardt – Negri (2001). Although in very different ways, they both tackle the relation between the forms of power described by Foucault as sovereign power and biopower. However, in doing so, they re-theorize these concepts quite radically, ending up far from Foucault and the governmentality school. For discussions on the relation between these and the

presented here provides a background for subsequent chapters. The developments depicted by Foucault centre around the increasingly central role of population as the target for modern forms of power, which are at once both individualizing and totalizing (1994bb: 311; 1991a: 102). In following chapters, we will partly diverge from and partly further Foucault's account of modern power.

Pastoral power and the city-citizenship game

In order to understand the developments between different forms of power, it is useful to begin with the pre-modern ones, referred to by Foucault as pastoral power and the city-citizenship game. This is because Foucault saw in the development towards modern societies a gradual convergence of "pastoral power" with the "city-citizenship game". The result was a secular political pastorate, potentially "demonic", and at once both individualizing and totalizing (Foucault 1994bb: 311). Pastoral power is modelled on the relation between the god-shepherd and his flock. Foucault notes that this metaphor for government was common in ancient Judaic texts, and that it was later taken over and infused with partially new meanings within Christianity. Characteristic of this relation is that the shepherd wields power over a flock of individuals rather than over land, and that his duty is to tend to the needs of the flock – to care for it, both in whole and in detail. Pastoral power is tied up with notions of the living individual with needs, with obedience and a sense of duty, and with the relation between the collective and the individual (Foucault 1994bb: 301-303). It is a power which has its purpose for those over whom it is exercised, and not for some kind of superior unit – like the city, state, territory or sovereignty (Foucault 2007: 129). This idea of government was not taken up in ancient Greece; in Plato's *The Statesman*, the shepherd metaphor was explicitly discarded as a model for the duties of the politician. In what Foucault refers to as the "city-citizenship game" the objective of the politician was to form and assure the city's unity. The

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Foucauldian version of biopower and sovereignty, see Ojakangas (2005) and Rabinow – Rose (2006).

relation between the one and the many was framed in the image of the city and its citizens (seen as legal subjects) – not in the image of the pastor concerned with fostering the lives of individuals (Foucault 1994bb: 307; cf. 2007: 144-147).

In the city-citizenship game the individual is understood as a "*citizen* who exercises *freedom and rights* within the *legal and political structure* of the political community on the basis of *equality* with other citizens". Pastoral power, on the other hand, conceives of the individual as a "*living being* whose welfare is to be cared for as an individual and as a part of a population, as one who must be integrated within complex forms of *social solidarity*" (Dean 1999: 82, ital. in orig.). Moreover, the polis is a community which is not only formed by free and equal citizens but also by systematic exclusions from the rights of citizenship, whereas pastoral rule may potentially be extended to include all humankind. To Dean, a fundamental problem for welfare states is that they seek to combine the rights of a limited community of citizens with the universality implied in Christian almsgiving, thus fusing together these two very different forms of motivations (ibid). The tension is perhaps most conspicuous when it comes to irregular immigrants, who usually enjoy very limited social rights, such as schooling and health care, as a result of the lack of legal status that defines them. In countries with highly developed welfare systems, the presence of irregular immigrants thus poses a serious dilemma: while the level of social benefits is such that it is usually thought impossible to extend it beyond the limited community of citizens, the denial of these rights may appear hypocritical if social solidarity is considered an important value.

The Foucauldian understanding of the development of modern societies can thus be understood in terms of a gradual coupling between these pre-modern forms of power. The "governmentalization of the state" (Foucault 1991a: 103) takes place as a result of governmental practices associated with care and welfare getting generalized within a framework of sovereign power.

Sovereign power

When tracing the development towards the governmental state, Foucault turns to the anti-Machiavellian literature produced between the middle of the 16th century and the end of the 18th. This literature displays a definitive shift from the earlier thinking of government, understood as "sovereign power". Sovereign power was, in Foucault's understanding, essentially concerned with the preservation of the principality and with the submission to the sovereign. As the prince was considered to be in a position of externality to his principality, the link between the two was not seen as natural or essential but fragile and continuously under threat. The knowledge associated with this exercise of power concerned the identification of threats, and with developing the skills to preserve and strengthen the sovereign's status. Hence, treatises on government in this era were formulated in terms of "advice to the prince", as epitomized by Machiavelli's *The Prince* (1532). Moreover, sovereign power was essentially exercised over territory: it was concerned with land and wealth much more than with the people, who were in a sense only variables to the land in question, and whose bond to the sovereign was formulated in terms of obedience (Foucault 1991a; 90-95; 2003: 36). Another characteristic of sovereignty was that the final goal of power was, in a sense, internal to itself. The common good was essentially understood as obedience to the law (the sovereign's and/or God's) meaning that the finality of sovereignty was circular: the end of sovereignty was the exercise of sovereignty (Foucault 1991a: 94-95). Furthermore, the instrument utilized to reach its aim (obedience to the law) was the law itself – sovereignty and law were inseparable (Foucault 1991a: 95).

Disciplinary power

In contrast to these characteristics of sovereign power, the anti-Machiavellian literature was presented as treatises on the "art of government". Guillaume de La Perrière wrote in his *Miroir Politique* (1567) that "government is the right disposition of things, arranged so as to lead to a convenient end". This quote signals a transformation in thinking concerning both the target and the end of power. Government

was now understood not only as exercised over territory but concerned with "things" – perceived as the complex of men and their surroundings, including for instance wealth, climate and customs. This means that government now has a plurality of ends: it becomes the task of government, for instance, to produce wealth, to provide for the subsistence of the population, allowing it to reproduce and so on. Government must also be concerned with the arrangement of things, it has to be dispositional (Foucault 1991a: 93-95). The dispositional ambition was often thought of in terms of managed circulation: "[t]he art of government concerns the proper distribution of all its objects (households, persons, things) and the fostering of circulation between them" (Dean 1999: 93-94; cf. Foucault 2007: 325-326; Valverde 2007: 170). In chapter 5, we will return to the notion of circulation, which Foucault understood as a generic governmental concern for modern forms of government, locating migration politics within the historically shifting practices of managing circulation.

The art of government first took the form of the "reason of state", according to which the state had its own intrinsic rationality which could not be derived from divine law or the principles of prudence and wisdom. Accordingly, the art of government had to be founded not on transcendental rules or philosophical ideals but on this specific reality of the state – it had to be rational: "The art of government is rational if reflection causes it to observe the nature of what is governed – here, the *state*" (Foucault 1994bb: 315). When the state was now seen as a sort of "natural object", this government required a new form of knowledge: the precise and concrete knowledge of the state itself and its strengths. This era saw the rise of sciences such as *Polizeiwissenschaft,*[51] statistics, political arithmethic, mercantilism and political economy (ibid). But in "reason of state", the art of

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[51] Foucault dedicated substantial parts of his lecture series to this 18th century German "science of police" (Foucault 2007; 1994bb: 317-325). The meaning of "police" is here more closely related to "policy" than to the current usage of the term "police". The objective of police was to maintain order, and to ensure the prosperity of the community. It did so by striving to regulate every domain of society, paying little respect to "private spheres" but instead extending regulations to the minute details of the lives of individuals (see also Dean 1999: 90-93).

government was still merged with sovereignty, as the essential objective was still to augment the might of the sovereign and the instruments used were laws and regulations imposed from above (Foucault 1991a: 98; cf. Dean 1999: 93-95).

In doing so, these new sciences and techniques increasingly come to centre their effort on the new object of "population" which now emerges as the fundamental element of power. However, population is not yet seen primarily in biological or autonomous terms but mainly in terms of numbers, and as a productive force in the strict sense: since the population is the labour power of agriculture and manufacture, it is the basis of the richness of the state. The relationship between population and wealth now became a privileged object of governmental reason. Both mercantilism and political arithmetic were based on the notion that the population was the wealth of the nation. The ambition to increase it was paramount, but so were the goals to regulate it: to train, arrange and distribute it to where individuals were most useful. Within the framework of the administrative state of the 15th and 16th centuries, a whole new set of what Foucault referred to as *disciplinary* regulations and techniques were developed. These included the enclosure of people into institutionalized spaces, mass organization of activities, surveillance, and the establishment of norms (Foucault 2003: 34-40; 2007: 68-69).

Governmental power

The transformation from discipline to governmental power was connected with a change in the conceptualization of the population.

> …the population is not just the sum of people who lives in a territory… it is a variable that depends on a number of factors. Not all of these factors are natural (the tax system, activity of circulation, distribution of profits), but the dependence can be rationally analyzed so that the population appears "naturally" dependent on a number of factors that are artificially alterable… The population is not conceived as a collection of legal subjects, nor as a mass of human arms intended for labour, it is analyzed as a set of elements that is connected with the general system of living beings (the "human race" as opposed to "humankind"), and as an object for interventions (laws, attitudes, campaigns) (Foucault 1994aa: 70).

The population no longer appears as a collection of legal subjects, subjects who must obey the will of the sovereign through laws and regulations. It appears as an entity with its own laws and regularities: its scarcities, its rates of deaths and diseases, and its economic effects. There is simultaneously a transformation in the notion of the economy. Whereas older versions of political economy had been modelled on the management of a household, it is now concerned with the complex relations between population, territory and wealth. The economy is now understood as a semi-autonomous, largely self-regulating sphere in which one should only carefully intervene. Importantly, whereas earlier forms of knowledge had presupposed an identity between state and society, the modern version of political economy now separates the two and makes the latter an object of intervention (Foucault 1991a: 98-101). The idea of a separate sphere of society presupposes that the objects of government are "specified in such a way that the regulations they need are, in a sense, self-indicated and limited to the end of securing the conditions for an optimal, but natural and self-regulating function" (Burchell 1991: 127).

An important implication of this reading is the dissolution of the distinction between state and society[52]; between political and non-political domains. Whereas the traditional liberal conceptualization poses society as a more or less natural sphere where free individuals engage in interaction and exchange, society is here seen as resulting from "a peculiar technique of power that proceeds by autonomization of individual subjects as well as of society as a whole" (Bartelson 2001: 177)[53].

The end of government now becomes to protect and maximise the processes which are already inherent in the population and the economy. In contrast to discipline, which had the ambition to regulate

[52] Foucault and other scholars in this tradition write of "civil society" in this context. I have chosen to use the term "society" throughout, in order to avoid mix-up with NGOs etc., that are now often described by the term civil society. See Sending-Neumann (2006) on how this change in conceptualization of civil society implies a change in governmental rationality whereby civil society is now seen as not merely an inactive target but an active government agent).

[53] This will be returned to in somewhat greater detail in chapter 5.

every aspect of social life, it now becomes vital to allow for a certain amount of *laissez-faire,* to permit some free play for the desires of individuals in order to maximise the general interest (Foucault 2007: 45). Government now comes to use a whole range of techniques concerned with guiding and fostering the economic, demographic and social processes that are found within the population as a whole – not only including armies, police forces etc, but extending to health, education and welfare systems (Foucault 2007: 72-75). The "governmentalization of the state" amounts to the different processes whereby the state grows increasingly concerned with regulating populations (rather than territories) and the economic, social, biological and sociological processes that constitute them (Foucault 1991a: 104). While this entails a widening of the notion of "care" it is simultaneously a dangerous form of power. The transformation into a state of population put the health and biological life of the nation at centre stage, but is was also an era of aggressive nationalism and colonialism, and one in which the science of eugenics developed into an art of heredity and human breeding.

Liberal power

Over time, governmental power merges into liberal and neoliberal forms of power (Gordon 1991). Liberalism is in this theoretical tradition not seen as an ideology concerned with the liberty of individuals as an end in itself. Instead, it is seen as a practical governmental activity which is distinguished by the promotion of certain kinds of free activity and the cultivation among the governed of suitable habits of self-regulation. It is also characterised by its insistence on the limitations on government – relegating government to a specific sphere which is distinct to both the economic sphere and the sphere of civil society. Increasingly, government takes place "at a distance" by mobilizing and steering the free action of individuals rather than trying to suppress it, by relying on other authorities than that of the state itself, and by stimulating appropriate forms of self-regulation (Rose 1999: 49). The market is referred to as an exemplary form of how free interaction plays an important part in liberal political thought,

demonstrating how activities of numerous individuals are regulated in the absence of a single controlling centre, and serving as a model for liberalism's governmental uses of freedom in a variety of spheres. Governmentality scholars have tended to analyze such things as the use of market or auditing regimes, and the different forms of promotion of individual choice, empowerment and self-entrepreneurship in spheres which have previously been subject to more direct regulation (e.g., Dean 1999; Rose 1999; Cruikshank 1999; Brown 2003).

The main points in Foucault's genealogy of the state have now been outlined. We have seen that changes in governmental techniques and objectives have occurred simultaneously with transformations in knowledge. We have also seen how the population rises to a central governmental concern – providing both the ends and the means for government – and how the understanding of this entity has altered over time, in conjunction with transformations in the understandings of the economy.

As has already been suggested, this perspective holds that concerns over mobility – or "circulation" – have been a central feature of governmental thought since the modern art of government developed. Chapter 5 develops a way of addressing migration politics as continuous with former practices of managing circulation. Hence, in that chapter these various forms of power will be returned to in that more specific sense.

Approaching the global description of migration and migration politics

As has already been mentioned, governmentality also denotes a general approach to government. In the broader sense of the term, governmentality offers a range of concepts with which to analyse any attempt at governing human conduct. In this section, I present the concepts that are relevant for approaching the mentality of governing migration from the global description of migration and migration politics.

Problematization

Foucault explained that he meant to study "not behaviour or ideas, nor societies and their "ideologies", but the *problematizations* through which being offers itself to be, necessarily, thought – and the *practices* on the basis of which these problematizations are formed" (Foucault 1992: 11). This study takes the evolving global governance of migration as an instance of "problematization" in the Foucauldian sense.

> Problematization doesn't mean the representation of a pre-existing object, nor the creation through discourse of an object that doesn't exist. It's the set of discursive or nondiscursive practices that makes something enter into the play of true and false, and constitutes it as an object for thought (whether under the form of moral reflection, scientific knowledge, political analysis, etc.) (Foucault 1996b: 456-457).

There is a certain doubleness to the notion of problematization in Foucauldian terminology, as it suggests both rupture and normalization. In the first sense, a problematization signifies the moment when a field of government is called into question by its practitioners. It thus contrasts with what is referred to as a "regime of practices" in the given area. The term denotes a taken-for-granted way of doing things, of organizing a particular aspect of governing human behaviour. There are regimes of practices operating in many areas of social life: for instance, there are regimes of practices concerned with punishing, with relieving poverty, with curing diseases, with controlling borders and so on. These regimes are often connected with institutions, so that, for instance, we talk of a "criminal justice system" and the "prison" as the most important institutional expressions for the regime of practices concerned with punishment. But it is not the institutions themselves that are at the heart of regimes of practices. Foucault explained that his main target of analysis was not institutions, theories or ideology but "practices", and that his aim was to grasp the conditions which make specific practices acceptable at a given point in time. Hence, his research on the prison was not a history of that institution, but a history

of the "practice of imprisonment" – of which the prison is only one element (Foucault 1991b: 75; cf. 2007: 116)[54].

Regimes of practices are linked to various kinds of knowledges and expertise (such as criminology, social work and medicine) that define the object of practice (the criminal, the poor, the sick), develop appropriate ways of dealing with them, and outline goals and objectives. As Dean emphasises, regimes of practices correspond to the more or less stable, ongoing and usually unquestioned way of "doing things", including routinized behaviours in given contexts (Dean 1999: 21-22).

Problematization is the instance when this stable state of affairs is interrupted. Governmentality studies often begin by identifying such a moment, in which the ongoing ways of governing some aspect of our own conduct or that of others is called into question in thought (Dean 1999: 27). "Thought" should here be understood in the specific, Foucauldian sense of the word, as that which allows one to take a step back from the existing and often unquestioned ways of acting and reacting and make that action itself into an object of analysis. "Thought is freedom in relation to what one does, the motion by which one detaches oneself from it, establishes it as an object, and reflects on it as a problem" (Foucault 1996a: 421). In problematizations, sets of practices that have earlier been accepted without question hence suddenly appear problematic, raise debates and call for new reactions and reorientations (Foucault 2001: 74). A problematization may concern both the behaviour and goals of "governors" (such as politicians, parents, professions or corporations) and the conduct of "the governed" (for example, citizens, children, clients or consumers)

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[54] In this vein, William Walters has studied the history of the practice of forcibly removing individuals, which allowed him to link modern-day deportation with earlier forms of expulsion. He traces how this practice has transformed from eliminating dangerous or unwanted elements of the population, often by replacing them within the borders of the nation or empire, through the early 20th century population transfers which aimed to create ethnically homogenous nations, to current deportation which is a practice occurring between states and exclusively concerns the removal of aliens (Walters 2002).

(Dean – Hindess 1998: 8). They occur in specific social or institutional locales, and can consequently be assigned a particular time and place (Dean 1999: 27).

I take the developments towards global governance of migration as indicating an instance of "problematization" in this sense of the term. Admittedly, it could not be argued that the day-to-day practices of migration politics have not previously been questioned and debated, or that new approaches for handling immigration and emigration are not continuously evolving. But what is "new" or at least specific about current developments is the ambition to understand migration as a global concern – as a problem in need of globally coordinated solutions. Inherent in all calls for cooperation and coordination is the contention that the current ways of handling migration is insufficient, inefficient or in some other sense found wanting. Hence, the work that is done by organizations and initiatives with the objective of enhancing cooperation and of developing and strengthening common norms on the subject can be seen as a moment when authorities are reconsidering migration as well as the aims and means of migration politics – and thereby shaping it as a global issue.

An instance of problematization occurs when a given regime of practices is faced by a number of difficulties which make ongoing activities lose their familiarity and appear uncertain. These difficulties are often related to economic and social processes, but from this perspective, such processes – appearing in a sense externally to thought – only have the role of instigation. Sometimes these processes are present for a long time before a governmental practice gets problematized in thought. Moreover, there is no necessary relationship between these processes and the forms that problematization eventually takes. That is, you cannot determine what kind of solution will follow from a concrete set of difficulties: problematization cannot be reduced to simply an *effect* of the historical context. In that sense, problematization is always "a kind of creation" (Foucault 2001: 172-173). In the case at hand, there are a few immediate social and economic processes that one can think of as going some way towards explaining the impetus for insisting on cooperation at the international

level. The expected demographic crisis in many countries in the developed North which may increase the demand for labour migration, the realization of the high dependence on remittances in an increasing number of countries in the South, and the high and increasing levels of irregular forms of migration are three such examples. The point from the perspective of problematization is not that such processes are not important; only that one cannot determine in what ways questions related to migration will be solved solely on the basis of the difficulties stemming from these processes. Problematization

> …responds to these difficulties, but by doing something quite other than expressing them or manifesting them: in connection with them it develops the conditions in which possible responses can be given; it defines the elements that will constitute what the different solutions will attempt to respond to. This development of a given into a question, this transformation of a group of obstacles and difficulties into problems to which the diverse solutions will attempt to produce a response, this is what constitutes the point of problematization and the specific work of thought (Foucault 1996a: 421).

Hence, a moment of problematization occurs as a result of difficulties facing a particular practice. But problematization also signals a moment of normalization, as it turns these difficulties into specific problems to which solutions can be designed. In so doing, problematization "conforms to the objectives which it presupposes" (Foucault 1996a: 418); it absorbs, and in a sense neutralizes, these difficulties by conceptualizing them as problems within the ontological and epistemological realm of the practice itself. Nevzat Soguk explains that "Problematization…then, is a normalization – the conceptualization of difficulties as amenable and manageable problems (as in problem-solving theory) within a posited framework of practice" (1999: 50). Hence, while problematization denotes an instance in which certain governmental difficulties cause the practices governing a given issue to be opened up for questioning, it is also an instance in which this issue gets re-accommodated as manageable within the existing framework of categories and techniques. Although problematization does have a creative moment, one should not therefore overstate the extent to which it represents an instant in which a genuinely "new" way of

approaching a problem is articulated. While international organizations, initiatives and commissions shape migration as a global issue, but they do not invent it as such – the way that migration is being understood and its government conceptualized are enabled and constrained by the ways that problem of migrations have previously been understood and handled.

<div align="center">Programmes</div>

The concept of "programmes" or "programmatic texts" offers an understanding of the material under analysis, that is, the various documents concerning the government of migration that are produced at the global level.

Scholars have studied discursive constructions of migration and its various subcategories such as refugees and illegal immigrants in a variety of locales, and by making use of different kinds of material: for instance, popular media, parliamentary debates and political speeches (see, for instance, Hier-Greenberg 2002; Hellström 2006; Brune 2004; Van Dijk 1993; Klitgaard Holm 2006; Petersson 2006).

But, as we have seen at the beginning of this chapter, governmentality studies are characterised by their focus on the concrete dimensions of thought, as when authorities want to reshape or improve a particular practice. This narrower focus directs attention to a specific sort of material which is often overlooked in studies that seek to account for broader cultural or popular discourses. In the second volume of the *History of Sexuality*, Foucault explained that his main material consisted not in theoretical or doctrinal sources but in prescriptive and practical texts that were themselves part of a larger governmental practice. Concretely, this led him to focus on those more "modest" texts – speeches, treatises, dialogues etc – that had been written with the purpose of offering rules, opinions and advice on how to behave properly (1992: 12-13). While this specific example concerned the government of the self in the area of sexual conduct, it indicates the interest within governmentality studies in precisely these practical and often quite unpretentious documents (cf. Valverde 2007: 163). With a general term, these documents are referred to as

"programmes" and include prescriptive texts that are written with the intent of reforming some aspect of a given regime of practices. Programmes can be thought of as "sets of calculated, reasoned prescriptions in terms of which institutions are meant to be reorganized, spaces arranged, behaviours regulated" (Foucault 1991b: 80). Hence they always express an idea about how something should be governed, what society should be like or how people ought to behave. What Rose et al (2006: 95) refer to as the "grey" sciences of economics, accounting and management, along with other theories from social science, provide an important "intellectual machinery" for government in that they provide "procedures for rendering the world thinkable, taming its intractable reality by subjecting it to the disciplined analyses of thought" (Rose – Miller 1992: 182; cf. Gottweiss 1998: 28-29). Programmatic texts therefore often constitute a link between this theoretical knowledge on the one hand, and practical concerns or immediate goals on the other.

To historical governmentality studies, even failed or never implemented programmes are of interest, since the focus lies not primarily on what "actually happened" (O'Farrell 2005: 77). This is because "a programme is always something more than a formulation of wishes and intentions. Every programme also either articulates or presupposes a *knowledge* of the field of reality upon which it is to intervene and/or which it is calculated to bring into being. The common axiom of programmes is that an effective power is and must be a power which *knows* the objects upon which it is exercised". Moreover, "…the condition that programmatic knowledge must satisfy is that it renders reality in the form of an object which is *programmable*" (Gordon 1980: 248, ital. in orig.). Thus, programmatic texts or models are all sources that express a will to reform a particular practice, that build upon a specific knowledge of that which is to be governed, and that are practical in the sense that the proposed reforms are posed as possible to carry out in practice. Within any institution, or any wider regime of practices, there are incessant streams of such proposals, most of which are fairly modest in character: they can for instance be policy papers, official publications, legal and academic texts, or technical

representations in the forms of charts, tables, graphs, numbers or reports. These sources are not just seen as the "dull ephemera of bureaucracy" but as tools with which some aspects of the world appear as visible, calculable and amenable to government (Walters – Haahr 2005: 5-7).

However, some programmatic texts are highly sophisticated. The one that Foucault is most famously associated with is no doubt the *Panopticon*, a prison reform proposal originally formulated by Jeremy Bentham in the 1790s. It described a ring-shaped building with a central tower with cells distributed around it, in a way which allowed the observer in the tower to see into the cells, while those in the cells could not see into the central tower. The idea was that the prisoners in time would change their behaviour to act as if they were being watched all the time. The Panopticon was thus a self-regulating mechanism, in which those governed came to incorporate a norm of behaviour without the need of force or physical violence; over time, the surveillance would be interiorized by prisoners to the point where they became their own overseers (Foucault 1980a). Although never implemented in its entirety within the prison system, aspects of the Panopticon model came to be adopted as a general form for social regulation in the early 19th century, for instance in the contexts of overseeing schools or factories. To Foucault, it provided a model of how modern societies worked, and other scholars have since detected panopticism operating in a wide range of social spaces such as schools, shopping malls and airports (O'Farrell 2005: 104; Ritzer 2007: 222-224)[55].

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[55] In contrast to *Panopticon* which indicates that surveillance is continuous and generalized, Didier Bigo (2006) introduces the term *Ban-opticon* to argue that current social surveillance targets only a feared and unwelcome minority, such as irregular migrants and suspected terrorists. Bigo takes the old German term *Ban* to signify "what is excluded from sovereignty on high as exception to the rule and what is excluded from below as discrimination, rejection, repulsion, and banishment" (ibid: 152, n31). With Ban-opticon, the author describes how a general sense of insecurity at the transnational level is connected to a network of different practices. It connects a variety of discourses (on threats, immigration, the "enemy within"), with institutions (public agencies, international organizations), architectural structures (detention centres, waiting zones, video camera surveillance), laws (or terrorism, organized crime,

We have previously seen that academic attention has so far mainly concerned the question of whether states will choose to engage in more binding forms of cooperation in the future. From a governmentality perspective, research interest is instead directed to the ways that migration is thought of and expressed in the various documents that argue the case for cooperation – here conceived of as programmatic texts. They as they are all written with the aim to ameliorate the current government of migration, and they are united not only by their discontent with how migration is presently being handled but also in that they all find at least a part of the solution in increased cooperation and dialogue. Moreover, they articulate a specific knowledge of the phenomenon of migration, and they express their proposals on improvement in a way which assumes that this phenomenon is governable. When we perceive the document approaching migration and migration politics from a global perspective as programmes – expressive of a specific knowledge concerning the nature of the objects to be governed as well as of the fitting forms for governing – they are of interest regardless of whether the wishes for intensified cooperation are realized in practice.

Political rationalities

As was explained at the beginning of this chapter, "mentalities of government" are the main objects of analysis in governmentality studies. Mentalities of government denote the more or less systematic ways of thinking about and reflecting on the activity of government – understood in the wide sense as any attempt at guiding or steering some aspect of one's own conduct or that of others. So far, however, we have not said anything about how one should go about studying such mentalities. Here, the notion of "political rationality" is introduced for that purpose.

Rose and Miller argue that government has two separate but interdependent dimensions: political rationalities and governmental

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immigration) and administrative measures (regulation of irregular migrants, transnational agreements on deportation etc.).

technologies. *Governmental technologies* represent the practical, operative side of government: it covers the various means, calculations, techniques, apparatuses and procedures through which governmental thought is effected and deployed (1992: 183; cf. Dean 1999: 31). Since "[t]hought becomes governmental to the extent that it becomes technical" (Rose 1999: 51), such technologies are indispensable for the practical activity of government. However, this study deals with how the government of migration is being thought or conceptualized in the programmatic texts that are produced at the global level – that is, it is only concerned with the *political rationality* of governing migration.

If government is approached as a practical activity, then a rationality[56] of government refers to

> …a way or system of thinking about the nature of the practice of government (who can govern; what governing is; what or who is governed), capable of making some form of that activity thinkable and practicable both to its practitioners and to those upon whom it was practiced (Gordon 1991: 3).

Explicitly or implicitly, programmatic texts always refer to such rationalities In fact they depend on the prior existence of such systematic thinking of government for their emergence (Foucault 1991b: 80). The notion of "rationality" should not be misinterpreted as indicating an absolute Reason against which different practices can be measured and evaluated. Instead, to Foucault, rationalities are manifold and relative, continually inscribing themselves in systems of governmental practices (1991b: 79)[57]. The main objective, therefore, is not to determine whether a given practice conforms to rationalities, but

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[56] Most scholars within this tradition simply use the term "rationality" (cf. Flyvbjerg 1991: 121-135). I will use "political rationality" in my analysis in chapter 6, since I use Rose and Rose and Miller's specific definition. However, it refers to essentially the same thing.

[57] As an example, he turns to penal practices, and denies the view that imprisonment represents a rational progress from older forms of punishment: "The ceremony of public torture isn't in itself more irrational than imprisonment in a cell; but it's irrational in terms of a type of penal practice which involves new ways of envisaging the effects to be produced by the penalty imposed, new ways of calculating its utility, justifying it, graduating it…" (Foucault 1991b: 79).

to "discover which kind of rationality they are using" (Foucault 1994bb: 299). Hence, "rationality" does not refer to a transcendental reason but to historical practices and the knowledge that is part of those practices. A rationality, Lemke explains, is therefore "not pure, neutral knowledge which simply "represents" the governed reality. It is not an exterior instance, but an element of government itself which helps to create a discursive field in which exercising power is "rational"". So, when you analyze a mentality of government, the main focus is not to see whether it presents an adequate representation of society, but to see how it functions in producing new knowledge, inventing new concepts and notions that contribute to the government of a concrete domain of intervention (Lemke 2000: 8).

Rose and Miller describe political rationalities as "the changing discursive fields within which the exercise of power is conceptualized, the moral justifications for particular ways of exercising power by diverse authorities, notions of the appropriate forms, objects and limits of politics, and conceptions of the proper distributions of such tasks among secular, spiritual, military and familial sectors" (1992: 175). Rose has since pointed out that a political rationality can be understood as a "broader discourse", distinguished by a shared vocabulary, the existence of generally accepted facts, and agreement on central problems to be solved (Rose 1999: 28). It is not necessarily uniform, in the sense that everybody agrees on each aspect of how something or someone should be governed. However, it is sufficiently consistent so that differing ethical principles can communicate with each other, and so political rationalities are characterized by a certain regularity (Rose 1999: 26-28). This means that when tracing out a rationality, one engages in a certain level of generalization: one tries to find the general points of convergence rather than mapping out different positions.

In the case at hand, this means that the study will concentrate on some points on which there is broad agreement, hence focussing on similarities rather than dissimilarities. Thus, one invariably opens up for at least two forms of critique. First, this general approach largely overlooks more detailed suggestions. The programmatic texts that constitute the material for this study are often quite practically oriented,

offering a range of concrete recommendations on everything from precise institutional arrangements for dialogue to the portability of migrants' pension funds – and such specific measures fall out of the purview of this study. Second, and more importantly, a focus on the broad rationality of governing migration tends to downplay internal differences that exist at a less general level between the various sources. No doubt, an alternative study, concerned with tracing out the diverging positions on, say, migrants' rights or migration and development, would be of great value and empirical interest. However, this study is concerned with the broader characteristics of the mentality of governing migration globally, and its focus hence lies at a higher level of abstraction.

Then, what should one look for when tracing the political rationality of global migration management? Rose and Miller (1992: 178-179) specify that there are three dimensions of rationalities. First, political rationalities have an *epistemological* character as they are always articulated on the basis of some form of knowledge of the nature of the objects, spaces, or persons that are to be governed. Conceptualizations of such entities as the economy, society and population have changed considerably over time in close relation to the transformations in the rationalities that seek to govern them. In particular, political rationalities always embody an understanding of the people who are to be governed. With the notion of productive power, we have already seen that Foucault and governmentality studies generally approach subjectivities as the effects of power rather than the originators or holders of power. Another way of formulating this idea is that each rationality of government has its correlate in a specific form of individual and/or collective identity (cf. Bartelson 2001: 174). People are governed, for instance, as members of a flock to be led, as legal subjects with rights, as children to be educated, as a resource to be exploited, or as elements of a population to be managed (Veyne 1997). Although government does not determine them, it fosters and facilitates the formation of certain identities by either presupposing them or trying to bring them about. One can think, for instance, of the differing subjectivities and corresponding differing capabilities, duties

and rights presupposed by such notions as "economic man", "the active citizen", or "the poor" (cf. Dean 1999: 32).

The second dimension of political rationalities that Rose and Miller (1992) mention but not particularly specify is that they are expressed in a specific *idiom*. Language is here not seen as merely reflecting an underlying reality, nor as "mere rhetoric" aimed to delude. Instead, it is considered an intellectual apparatus through which reality is made conceivable and amenable to governmental interventions. The idiomatic dimension thus indicates that rationalities are made thinkable through the medium of language (ibid: 179).

Thirdly, political rationalities have what Rose and Miller call a *moral* form. This does not necessarily mean that they are normative in the usual sense of the term, but that they are concerned with the appropriate duties of authorities (if, when and how to intervene) and the distribution of tasks between different types of authorities (religious, political, pedagogic etc). They are also moral in that they are concerned with the goals or ideals which government should strive to attain (freedom, justice, equality, active citizens, economic efficiency, growth, an entrepreneurial government etc). Furthermore, all political rationalities have a utopian element – a vision of a kind of person, society, organization or world that it wants to realize – even if this is sometimes merely presupposed rather than explicitly spelled out in documents (Rose and Miller 1992: 178-179; cf. Dean 1999: 33).

In chapter 6, I will use these three dimensions for analyzing the political rationality of the global description of migration and migration management which emerges with the global governance. As it is very much marked by its use of management language, I have chosen to call it the political rationality of global migration management.

Summing up

This chapter has provided an introduction to the governmentality perspective and specified in what ways it will be used in the rest of this study.

From governmentality as a general approach to government, a few different concepts have been presented that will guide the

approach to the global description of migration and migration politics in chapter 6. I argue that one can understand the efforts to reformulate migration as an international issue in terms of "problematization" – as an instance when ongoing ways of governing migration encounter difficulties and are opened up for questioning. Such a situation threatens to reveal the contingency of a given issue; however new questions and answers are usually sought and formulated in a way which accommodates the difficulties within established frameworks for handling it. Furthermore, I argue that the documents that are produced by actors at the global level and that constitute this study's empirical material can be approached as "programmes", i.e. texts that are written with the objective of reforming a particular governmental practice. To this end, programmes express a particular knowledge of the reality which is to be governed in a way which presents this reality as amenable to intervention. Programmes are also characterised as depicting a discrepancy between this reality and the reality the proposed reform intends to bring about. In order to analyze the mentality for governing migration, I propose to explore the global description of migration by tracing out its "political rationality". A political rationality can be understood as a broader discourse which may be heterogeneous but which nevertheless displays a regularity in commonly accepted facts and agreements on central problems. Such rationalities can be analyzed in terms of the knowledge of the object they set out to govern (the epistemological dimension), of the language in which it is expressed (the idiomatic dimension), and in terms of its stated means and goals (the moral dimension).

In the more specific sense, governmentality highlights how the population in its manifold dimensions has taken centre stage for modern exercises of power. While the sovereign form of power is mainly exercised over territory and only conceives of subjects in legal terms, discipline and governmental forms of power are primarily exercised over populations: discipline approaches populations as individuals which can and should be regularized and disciplined in order to bring about the greatest benefits for the state, whereas government addresses population as a biological entity with inherent

laws that must be allowed a certain amount of freedom in order for benefits to accrue. Liberal power for its part is concerned with the organization of freedoms and with the limitations of government. These forms of power will be returned to chapter 5, where migration politics is related to the general governmental problem of managing circulation.

The Foucauldian genealogy of different forms of power is however limited by its almost exclusive focus on the national level. Since this study is concerned with the global regulative function of migration politics, a first step is to develop a way in which to conceptualize its role within the management of global populations. This will be the subject of the following chapter.

Global Governmentality

> What does it mean to govern a ship? It means clearly to take charge of the sailors, but also of the boat and its cargo; to take care of a ship means also to reckon with winds, rocks and storms; and it consists in that activity of establishing a relation between the sailors who are to be taken care of and the ship which is to be taken care of, and the cargo which is to be brought safely to port, and all those eventualities like winds, rocks, storms and so on; this is what characterizes the government of a ship (Foucault 1991a: 93-94).

This metaphor illustrates the core features of Foucault's thoughts on government. It shows how government is conceived as a largely technical or practical activity, concerned with guiding and "caring" for the complex composed of men and things – including natural phenomena. Yet, at the same time, it betrays a significant shortcoming. What is missing from the picture is that the government of the ship is linked to the government of the seas through international law and customs. It leaves out the commercial, diplomatic and military relations between one's own ship and other vessels, and it does not take into account how government is conditioned by the international order which delimits spaces, marking off territorial waters, fishing zones etc. Indeed, Foucault's ship of state does appear as a "lonely vessel on the open seas" (Dean – Henman 2004: 491).

As Walker (1993) has convincingly shown, the inside/outside division of the modern state system has been accompanied by an intellectual division of labour, separating the study of relations inside states from the study of relations between them. Foucault, along with most scholars working on governmentality, falls decidedly within the former category, as the closed nation state remains the implicit or explicit frame of reference (Lemke 2007: 4). The simultaneously enabling and constraining governmental structures associated with "the

international", embodied in for instance international law, the state system, the north-south or east-west divides, are awarded very little attention by Foucault and by governmentality studies generally. Perhaps a bit ironically, then, while governmentality research has radically challenged the delimitations of academic disciplines – analyzing them as constitutive to modern forms of power – through the "strange omission" of the international it has nevertheless ended up respecting the division between domestic and international fields of study (Larner – Walters 2004a: 5).

As we saw in chapter 3, Foucault argued that governmentality takes population as its main target. Moreover, he insisted that this is a form of power which operates largely through indirect measures constituting subjects and objects and governing people's behaviour "at a distance" (Rose 1999: 49). Hence, he argued, power functions in places, through means and with effects that are usually neglected in political analysis. It is in this context that he famously wrote that political thought needed to "cut off the head of the king" (Foucault 1998: 88) – it had to free itself from its sovereign (or "juridico-political") framework in order to comprehend the workings of modern power.

The limitations of the Foucauldian account of governmentality becomes apparent when one turns to migration politics. At this point, and merely by taking the state prerogative to decide in matters of entry and stay into account, we can already amend the Foucauldian analysis of modern power in two important respects. First, it highlights a way of exercising power which is far removed from the indirect "management of possibilities" (cf. Foucault 1994ba: 341) that Foucault and governmentality scholars put forward as typical of modern forms of rule. State control over entry and stay instead represents a direct and decisionist form of power, which operates through inclusion and exclusion (Salter 2006: 169-170). Second, it demonstrates how the governmental form of power with which Foucault was concerned, not only results from the development of modern forms of knowledges and techniques for governing at a distance, but also depends on the previous forceful delimitations of territories and populations (Dean

2007: 42). The populations that Foucault was concerned with were already territorialized within states. The sovereign form of power which delimits these territories and thus constitutes the conditions for governmental forms of power to emerge, is therefore absent from his analysis. Although Foucault emphasised that the different forms of power that he identified did not historically replace but instead continued alongside one another, it is difficult not to detect a certain shift in emphasis between them so that governmentality or its liberal variants is seen as the dominant form of power today. But if we take the international sphere into account, the interrelation between the different forms becomes more conspicuous: "It becomes exceptionally difficult to elide the relation between sovereignty and governmentality, as Foucault tended to do, when the "populations" at issue are global rather than local. The complex relation that has always obtained between governmental and sovereign power becomes freshly posed as a consequence" (Dillon – Reid 2000: [136]). Hence, "Governmentality… seems to need its kings as much as the kings and princes need governmentality" (Dillon 1995: 328).

This study aims to rethink migration politics through an engagement with the governmentality perspective, in order to explore the global regulatory function of migration politics. This chapter provides the most abstract level in which this is done. By expanding the thinking of Barry Hindess (2000; 2002) it develops a way of understanding the state system from a governmentality perspective; as involved in the management of the larger human population. The main ambition is to locate the role of the fundamental principle of migration government – states' sovereign right to control inflow – within the state system thus conceived.

The chapter proceeds in six sections. First, it will be argued that governmental thought is now often global in character, and that the global description of migration and migration politics can be seen as an example thereof. Second, I will discuss the right of states to control movement as a fundamental principle regulating migration politics. Thereafter, this principle will be related to the government of the overall human population. The third section introduces Hindess's

thoughts on the governmentality of the state system. The fourth and fifth sections elaborate on these ideas by exploring the conceptualization of political community with which the state system governmentality is associated, as well as its assumption about human sedentariness. Finally, the sixth section concerns how this regime of governance can be understood as being both challenged and reproduced by migration

Global governmental thought

We have seen above that governmentality studies have so far typically engaged with relations occurring on the inside of states. However, more recently some scholars have begun to apply elements from governmentality theory to the diverse subfields of international studies[58]. The impetus for this (partial) re-orientation within governmentality studies has been the rise and popularization of

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[58] Walters and Haahr (2005) have studied the genealogy of European integration, tracing out the discursive means through which "Europe" has become formed as a calculable and administrable domain. The concept of globalization itself has been assessed as a political rationality, providing a justification for certain actions and interventions while simultaneously suggesting that there is no alternative to the free-market logic (Joseph 2006; Larner - Walters 2004b). In a similar manner, the practices and theories related to neoliberalism – long a central focus in governmentality studies – has been approached in the various senses that it applies at the international level (Cooper 2004; Larner – Le Heron 2004; Hindess 2004). Salter (2001) uses insights from governmentality to scrutinize the use of demography in international relations. Attempts at governing the development of Southern countries through international organizations have been subject to some scrutiny from this perspective (Duffield 2005). Zanotti (2005) has analysed the UN promotion of "good governance" in the context of development as an expression of a liberal rationality of government extended to postcolonial societies. Governmentality has also been used to partly criticise and partly improve the notion of global governance (Douglas 1999; Dillon – Reid 2000). Merlingen (2003) has engaged with International Governmental Organizations (IGOs), while others have particularly focused on the role of Non-Governmental Organizations (NGOs). Global governance is often understood as characterised by the increased importance of non-state actors, of which the NGO is often put forward as among the most significant ones. Scholars using insights from governmentality question the distinction that is thus being drawn between state and non-state actors at the global level, which ties up with the Foucauldian dissolution of the state/society distinction (Sending – Neumann 2006; Noxolo 2006; Bartelson 2006).

concepts such as "globalization", "governance", and "global civil society". Such notions indicate that governmental thought now often takes the globe as its point of reference. In this vein, Bartelson interprets the move of the concept of civil society to the global level as indicating a major shift in the art of government:

> …the transition from the domestic to the global sphere represents a wholesale transformation of the art of government – *that of its eventual globalization*. This implies that the art of government now for the first time hypothetically can be exercised on a planetary scale, *and that questions of governance now can be formulated (and answered) as if the world were one polity lacking a common government* (Bartelson 2006: 373, ital. in orig.).

As has been pointed out in chapter 2, the discussions and the activities surrounding migration at the global level are of recent date. Migration, it is often argued in this context, is now global in character, and so are its associated problems, dangers and benefits. Therefore, the argument continues, it needs to be met with global responses – as Straubhaar has put it, "*global games need global rules*" (2000: 111, ital. in orig.). What unites the work of international commissions, initiatives, organizations, as well as the inter-state discussions in international forums is that they approach the problems and possibilities from a global perspective rather than from the point of view of the interests of a particular state. Hence, my case constitutes but one example of what is suggested by the above quotation; that governmental thought is nowadays often global in character. I will therefore approach the political rationality of global migration management at the international level as providing a cluster of answers on how to govern migration effectively when both the object of government (migration) and the potential scope of government can be thought of as global.

The sovereign right to control movement

In chapter 2, we saw that there is no international regime of comparative arrangement for international cooperation in the field of migration. The absence of such an arrangement makes the field of migration appear largely "ungoverned". The Commission on Global

Governance, for instance, uses migration to exemplify how the lack of common rules in a given area results in states acting in an overwhelmingly unilateral manner, with potentially detrimental consequences as strong states try to control the system (CGG 1995: 150).

An oft-stated barrier to the development of such an arrangement is lack of commonly accepted views on the subject. As Susan Martin (2005: 37-38) explains:

> [w]hile there has been progress in setting out common understandings, there continue to be fundamental disagreements among States as to causes and consequences of international migration and the extent to which it is in the interest of States to liberalize or restrict flows of migrants. This situation contrasts sharply with the general consensus that governs movement of goods, capital and services – that it is in the ultimate interest of all States to lessen barriers to the movement of these factors" This lack of consensus is understood as hampering the development towards an international regime in the area.

The absence of common norms is a major reason why many scholars have little faith in the deepening of international cooperation, at least in the short run (cf. Hollifield 2000b; Koslowski 2004). It is also this lack which many of the commissions, organizations and initiatives under study aim to rectify, by promoting consensus and shared understandings.

However, norms on migration are not created out of thin air. Instead, the possibilities for thinking on migration and its governance are already restricted when the work on developing common norms begins. We saw in the preceding chapter that present international-level activities can be interpreted as an indication that migration is presently being "problematized" – meaning that the practices surrounding the government of migration are currently being reconsidered, as the existing ways of handling it are for different reasons found deficient and in need of improvement. But while problematization represents an interruption of ongoing practices which may reveal the contingency of how an issue is constituted, it is also an instance when new difficulties are normalized and re-accomodated within the established framework

of categories and techniques for managing the issue in question. Dillon and Reid describe this state of affairs in the following way:

> Reproblematization of problems is constrained by the institutional and ideological investments surrounding accepted "problems", and by the sheer difficulty of challenging the inescapable ontological and epistemological assumptions that go into their very formation (Dillon – Reid 2000: [134]).

Thus current possibilities for rethinking migration and its governance are not infinite in practice, since they are limited by institutionalizations of previous governmental thought.

So, we can begin to modify the argument that the field of migration is marked by an absence of common norms. Salter has argued, in contrast, that there exists in fact a broad normative consensus within what he refers to as the global mobility regime: The Universal Declaration of Human Rights endows every individual with the right to a nationality, the right to leave his or her country of nationality and the right to return to it. While this means that there exists a broad agreement that each citizen has "a right to exit their "home", a right to return "home", and a right to become a refugee, at which point other sovereigns have an obligation to permit admission" it is even more noteworthy in what it excludes: a general right to enter a country other than one's own (2006: 175)[59]. At its most fundamental level, therefore, the mobility regime is marked by a normative consensus concerning the lack of a significant right of entry and the attendant state prerogative to regulate admission (ibid: 174). To put it a bit bluntly; apart from the exceptions concerning duties towards refugees and returning citizens, a receiving state is at liberty to pick and choose immigrants according to whatever selection criteria it wishes, and to allow them entry on the conditions that it sees fit. The right to control entry and stay is now an uncontested principle of international law (Hollifield 2000a: 141)[60]. It is usually understood as a central aspect

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[59] Chapter 5 discusses individuals' right of exit/entry in more depth. This chapter instead concentrates on the right of states to control entry.

[60] Here, I want to emphasise that it is uncontested in international political and legal practice. In political and legal theory, however, the legitimacy of this principle has been

of state sovereignty, which established the right to self-determination and to protection from interference in internal affairs. To Martin et al, it is "an issue that almost defines sovereignty" (2007: 8).

It could be noted, however, that migration law is of relatively recent origin – only emerging in the early 20th century when the world was completely divided by borders, and the system of passports and visas was set up to regulate the right of travellers to cross them. Observes legal scholar Catherine Dauvergne: "What this means is that nation states and the system of international law and sovereignty that developed along with them … got along for a good three centuries without migration law". Nevertheless, migration law from its beginning has been very much associated with sovereignty, the control over entry appearing as "somehow intrinsic to what it is to be a nation, to 'stateness' and to the core of membership and national identity" (Dauvergne 2003: 2). To historical sociologist John Torpey, the control over movement is as central to modern statehood as the control over violence. He tells the story of the modern state as one in which the state gradually expropriated control over movement from individuals, churches and other private entities. While Weber famously defined the state as an agency claiming the monopoly on the legitimate use of violence, Torpey argues that the claim to the "the monopoly on the legitimate means of movement" has been as essential to the modern state (Torpey 2000).

We can thus see that the claim that migration politics lacks internationally accepted norms is not strictly accurate. As one scholar has observed, "debates over immigration generally start with the premise that every state has the right to control the admission of foreigners" (Leitner 1995: 261). This holds true for the global discussions on migration as well. The right of states to decide in matters regarding entry and stay, deriving from the principle of state sovereignty, constitutes an undisputed norm in migration governance.

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thoroughly questioned (see, eg. Carens 1987; Juss 2004; Moses 2006; Hayter 2004; Jordan – Düvell 2003). State control over immigration has also increasingly become the target of political activism, for instance by the No One is Illegal and No Border networks.

Although it is so normalized that it is not always spelled out explicitly, this sovereign prerogative constitutes a baseline for governmental thought on migration, and hence limits the ways it can be problematized.

The rest of this chapter will attempt to develop an understanding of how this principle can be understood from a perspective of state system governmentality. For the purpose of exploring the global regulatory function of migration politics through an engagement with the governmentality perspective, it appears vital to see how this fundamental principle for migration politics is tied up with the governmental thought which takes global populations into account.

State system governmentality

The state system provides a sovereign framework within which the governmental forms of power studied by Foucault has developed. But according to Barry Hindess, the state system is more than that. In a series of articles he wants to extend the analysis of governmentality by arguing that the state system in itself represents an aspect of the modern art of government (Hindess 2000; 2002; 2004a; 2004b; 2005; 2006). In the following, I will review and extend Hindess' argument in order to place migration control within this larger management of the global population embodied in the state system.

The modern system of states emerges with the efforts to end religious conflicts in 17th century Europe, most importantly with the 1648 Treaty of Westphalia which ended the Thirty Years' War. Populations that had previously been subject to overlapping authorities were now assigned to single rulers – rulers who were acknowledged as sovereign by having exclusive and ultimate authority over the territory and populations within their realm. To Hindess, one of the most crucial features of this multifaceted transformation is that it indicates the emergence of a more complex political reason. While classic political thought had seen the state as "the highest of all" forms of community – as formulated by Aristotle – there are now contexts in which the state system is considered the "highest of all". Surely, post-Westphalian modern political reason is in many respects concerned with governing

states, as Foucault and the governmentality school have suggested. But it is equally – and simultaneously – concerned with governing the conduct of sovereign states within the state system. Hence, argues Hindess, if we understand government in its broadest sense as structuring "the possible field of action of others" (Foucault 1994ba: 341), then the modern system of states could also be seen as a regime of government, one that operates likes civil society and the market: with no controlling centre (Hindess 2004a: 27; 2005: 407; cf. Dean 2007: 52).

Hindess characterises the state system as "a dispersed regime of governance covering the overall population of the states concerned" (2000: 1494). As a governance regime, its operation proceeds in two steps. First, it partitions humanity into separate subpopulations, each of which is made up of the citizens of discrete states. Second, it allocates to each state the right and the responsibility to manage its internal affairs, one crucial component of which is the regulation of entry and exit (Hindess 2002: 130). Thus, Hindess' analysis differs from those theories that see states as constituted internally, whether as the outgrowth of naturally occurring differences in culture or ways of life, or through real or imagined contracts between its members. Instead, he sees them, at least in part, as artefacts of the state system regime of government operating above the level of the states themselves (2000: 1494).

When the state system is approached as a regime of government, the institution of *citizenship* appears as an important tool in the management of international population. Most commonly, argues Hindess, citizenship is understood from an internal, domestic perspective. Then, it denotes the relation of rights and duties between an individual and his or her state. Approached from this angle, the history of citizenship appears developmental, progressively incorporating new layers of the population, and its attendant rights expanding over time from civil to political and social rights (cf. Marshall 1950). But citizenship has an external side as well[61]. From this

[61] Engin Isin has also noted the external dimension of citizenship, although in a different manner than how it is used here. He suggests that citizenship gets formed

perspective, Hindess argues that citizenship constitutes a vital instrument for managing the aggregate human population covered by the state system (Hindess 2000). It is citizenship which assigns the members of different subpopulations to their respective states, thereby performing a divisive function (Hindess 2004b: 309). He writes: "In a world of politically independent and competing territorial states, citizenship plays a fundamental role in rendering governable a global population of thousands of millions by dividing it into the smaller subpopulations of particular states" (2000: 1487).

This view of citizenship emphasises the fact that states hold particular people within their grasp, while excluding others. But it also gives this fact a systemic character, as it is seen as involved in the larger international management of populations. When regarded from an external perspective, the most important aspect of citizenship is thus not the way it establishes a relation of rights and duties between an individual and his or her state but instead how it functions as a marker of identification, informing authorities about the belonging or non-belonging of particular individuals, a function which is particularly important at the border.

> Modern "nation-states" and the international system in which they are embedded have grown increasingly committed to and reliant upon their ability to make strict demarcations between mutually distinct bodies of citizens… The need to sort out "who is who" and, perhaps more significantly, "what is what" becomes especially acute when states wish to regulate movements across borders (Torpey 1997: 7).

Over time, a range of governmental technologies has been developed for the purpose of telling those who belong apart from those who do not. Apart from registration systems, censuses and the like, a crucial development occurred with the invention of identification papers in the

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through the establishment of relations of difference between the citizen and those who are disqualified – the vagrant, the slave and so on. Hence, Isin claims, the history of citizenship can be understood as a history of exclusions of the immanent others (i.e. the "stranger within") (Isin 2002). However, Isin does not take into account the exclusion of distant others (i.e. non-members who are not territorially present), nor does he engage with the systemic character of citizenship.

late 19th century. Through what Noiriel refers to as the "revolution in identity", the juridical tie between state and citizen was made tangible, and it allowed state authorities to distinguish between peoples for administrative purposes (1996: xix). Of particular importance in the context of international mobility was the development of the modern passport system, which was only fully established and universalized in the aftermath of World War I (Salter 2003). Along with the evolution of elaborate bureaucracies, passports and other forms of identification documents were crucial for states to monopolize successfully the legitimate means of movement (Torpey 2000; 1997). This perspective highlights the fact that an important aspect of identities is the ways in which they are codified and institutionalized. This is a perspective which is often absent from cultural or subjectivist accounts of identity. As Noiriel puts it: "it is often overlooked that legal registration, identification documents, and laws are what, in the final analysis, determine the "identity" of immigrants" (1996: 45). From Hindess' perspective, the need to develop such techniques can be seen as following from the systemic function of citizenship within the management of global population.

Bringing the state system into the analysis implies an important corrective to the conceptualization of population in Foucauldian theorizing. As we have seen, Foucault argued that the modern art of government was characterised by pursuing ends and adopting means to these ends that were "in some sense immanent to the population itself" (Foucault 1991a: 100). But now we can see that modern governmental thought is simultaneously characterised by its concerns with managing the aggregate population encompassed by the state system.

This analysis of the state system as a regime of governance also brings a new twist to the study of colonialism and postcolonialism. Most studies of European imperialism focus on the subordination of peripheral population to their imperial rulers. Hindess' analysis suggests that an important point which is usually not granted as much attention, is that imperialism extended the remit of the state system to cover the greater part of humanity. Moreover, the insertion of peripheral peoples into the state system structure of government is a consequence which

has endured after independence. As the state system operates at the global level, the population that it encompasses is largely coterminous with the whole of humanity (Hindess 2004a; 2002).

What does Hindess' analysis imply for an understanding of global regulative function of migration politics? One contribution is that it conceptualizes the regulation of migration from a systemic point of view, allowing us to understand its function within the larger modern management of international population. The regulation of movement, which is usually conceptualized as an integral feature of states' territorial sovereignty and right to self-determination, appears here instead as a *systemic* requirement, since a system of governance that partitions humanity into territorially based subpopulations requires the regulation of movement between territories. The regulation of movement is therefore one of the main dimensions of governing the human population. However, there are two other contributions that Hindess' analysis makes to the understanding of the mentality of governing migration, which will be expanded in the following sections. One is that it presents a systemic understanding of the discrimination of foreigners, linking this to a particular account of ethics which bases exclusion on territorial terms and which prioritizes members over non-members. Another is that it connects the systemic understanding of political community with the regulation of movement to a conceptualization of people as normally and naturally sedentary. In the next sections, we will look at these two aspects in order to deepen the understanding of the state system governmentality.

Territorialized political community

Hindess suggests that "Perhaps the most disturbing effect of … the division of humanity into populations of particular states, is that each state is expected to look after its own citizens and to be correspondingly less concerned about the condition of those who appear to belong elsewhere" (2002: 130). This section expands on the prioritization of citizens over non-citizens which seems to be inherent in the governmentality of the state system, primarily through a reading of R.B.J Walker's understanding of how the principle of state

sovereignty corresponds to a particular understanding of political community.

Christina Boswell has found that discussions on migration are marked by an ethical "liberal dilemma". This results from the fact that the liberal-universal principles to which modern democracies adhere are in conflict with nationalist privileging of the rights and demands of the members of a particular community, which is equally part of the heritage of the modern state. Grounded in the moral equality of individuals, liberalism would seem to point towards unrestricted movement and free association (cf. Carens 1987; 1992). But the exercise of liberal freedoms is in practice largely subordinated to what Boswell calls a nationalist ethics. Whether in the form of welfare protectionism or in the form of ethnonationalist claims to preserving cultural identity, the nationalist ethics demands closure and prioritizes the interests of the citizens of bounded communities over non-citizens (Boswell 2006; cf. Moses 2006).

Questions regarding the boundaries of political community were for a long time overlooked in normative political theory (Benhabib 2004:1; Bader 2005: 331). In later years, however, political theorists have started to engage with the question of whether and to what extent current state practices of immigration control, exclusion from citizenship and discrimination of non-members can be defended, especially when taking matters of migration and global justice into account. At the core of the debate is the dilemma of how to strike a balance between the seemingly irreconcilable values that Boswell identifies and that are at the heart of the tensions in liberal-democratic states: the individual freedoms that liberalism cherishes, and the need for bounded membership that democracy seems to require[62]. This normative debate has so far been largely framed as a discussion between cosmopolitan and communitarian positions, the former emphasising individual freedoms and hence tending toward openness, the latter stressing the right to self-determination for a delimited people

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[62] On the tension between the conflicting logics of liberalism and democracy, see Mouffe (2000).

and hence tending towards closure[63]. What matters here are not the precise details of this debate, nor the mapping out of the infinitely more nuanced position that it contains. Instead, it suffices to note two things: first, that this debate draws attention to the tension between universality and particularity; and second, that in political practice it is the latter which usually takes priority over the former. What Boswell (2006: 669) refers to as the nationalist ethics that prioritizes citizens over non-citizens as a rule overruns concerns with liberal or universal freedoms, as the regulation of migration in its many dimensions amply illustrates.

The work of R.B.J Walker helps to understand this prioritization of citizens over non-citizens when approached from an external perspective. Walker is primarily concerned with exploring the function of the principle of state sovereignty through a deconstructive reading of international relations theory, which he considers "interesting less for the substantive explanations they offer about political conditions in the modern world than as expressions of the limits of the contemporary political imagination" (1993: 5). He therefore approaches IR theory as indicative of more general forms of thinking that go beyond the academic sphere.

The principle of state sovereignty is to Walker far more than a legal principle., In fact, it is the main expression of the limit to political imagination:

> It embodies a specific historical account of ethical possibility in the form of an answer to questions about the nature and location of political community. Specifically, the principle of state sovereignty offers both a spatial and a temporal resolution to questions about what political community can be, given the priority of citizenship and

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[63] For an overview of the different positions, see Barry – Goodin (1992); Nardin (1992). Walzer (1983) is the foremost proponent of the communitarian position, whereas Carens (1987; 1992) is the most well-known representative of the cosmopolitan position (cf. Bader 1995; 2005; Cohen 2005; Cole 2000). See also Benhabib (2004); Rawls (1999), Pogge (2006); Teitelbaum (2006); Goodin (1992); Shachar – Hirschl (2007); Brown (1992; 2000); Parker – Brasset (2005); Weiner (1996); Dummett (2001); O'Neill (1994) for different perspectives on the ethics of borders, immigration and citizenship.

particularity over all universalist claims to a common human identity (1993: 62).

To Walker, the principle of state sovereignty offers a solution to the more timeless problem about political community. It provides "a very powerful, even elegant answer to the deeply provocative question as to how political life is possible at all" (1993: 64). It does so by solving the relation between universality and particularity in a specific, horizontal way. In medieval Europe, he explains, the relation between universality and particularity had been resolved hierarchically, in a vertical manner, resulting in "an understanding of the world as a continuum from low to high, from the many to the few, from God's creatures to God, from the temporal to the eternal" (Walker, quoted in Hansen 1997: 321). By contrast, in early modernity the will was to free political community from hierarchical subordination, while still preserving the possibility of reconciling particularity with (a reworked form of) universality (Walker 1993: 62). The "solution" was the principle of sovereignty, which can be seen as "first and foremost, a *spatial* resolution of the relation between universality and particularity" (1993: 78, ital. added).

We can thus see that Walker locates the emergence of the principle of sovereignty to a definitive time and place, as a response to the concerns of the particular era of early modernity. Yet, he argues, its particular resolution of the universality/particularity problem continues to shape our thinking of political community. He therefore understands the principle of sovereignty as a continuous political practice: "[s]overeignty works, it constitutes, it produces effects" (Walker 2002: 13). Then, in what ways does it mark thinking of political community? Or, to use Walker's own language, how does it articulate the relation between universality and particularity?

The principle of sovereignty establishes firm spatial demarcations between the inside and the outside, thereby constituting two different versions of modern political space: the space within sovereign states, and the space between them. The universality/particularity problem is thus first of all solved with the shaping of a universal state system in which the particular states can exist in the first place (Walker 1995b: 320). Then, in a second step, the

inside of these particular states is understood as the location where universal values can be realized. It is only within the secure and orderly domestic spaces that political community is made possible, and that the values of reason and rationality, of freedom, democracy, equality and justice can be pursued and progressively actualized (Walker 1990: 165). Beyond the borders of particular states, however, other rules apply. The space between states is characterised precisely by the absence of community. Lacking central authority as well as common norms, the international appears as an arena of anarchy and raw power struggles. Hence, while the centred domestic inside allows for political community and the progressive realization of universal values, the international outside allows only for "relations" – the recurrent interactions between state units and the constant threat of war (Walker 1993: 63). In Walker's reading, the principle of sovereignty suggests that universal values can only be realized within particular spaces, that "Politics, real politics… can occur only as long as we are prepared – or able – to live in boxes" (Walker 1995b: 307).

Walker understands the concept of citizenship as being part of the same modernist resolution between universality and particularity. Mirroring how sovereignty articulates a specific relation between inside and outside, citizenship expresses a specific relation between a particular people and humanity in general. And just as sovereignty designates states as equals within the state system, citizenship designates individuals as equals within the borders of a particular state. Its main pattern of inclusion and exclusion is therefore of a spatial character: it is not defined through a hierarchical differentiation from others (as pre-modern or feudal statuses were defined against others above or below), instead, citizenship offers inclusion on the basis of the spatial exclusion of others. It mirrors sovereignty in articulating an aspiration to realize universal values within particulars: "[i]t expresses a hope for universality *in* the particular, for the realization of humanity *in* the citizen… for the regulative principle of the universal moral law at work in each individual/state" (Walker 1999a: 183). In this way, most fundamental political values, such as freedom, equality and democracy, depend on the concept of citizenship as the primary account of political

identity (Walker 2002: 20). But while citizenship thus articulates an aspiration to universal humanity, it simultaneously expresses an attachment to a particular community. Moreover, it gives priority to the latter over the former (ibid). Within the dichotomous universe shaped by the principle of sovereignty, we are thus "citizens first and humans second" and, if in conflict, the particularistic claims about citizenship or national interest must take priority over universalist claims about human rights or humanity in general (Walker – Mendlovitz 1990: 5)[64].

The tension between universality and particularity can be observed in the field of human rights. The title of the French 1789 "Declaration of the Rights of Man and of the Citizen" in itself seems to illustrate how the universal rights of man as such blend into the rights that accrue to man as member of a particular community – as citizen. Hannah Arendt has famously commented on this early period in the history of human rights that "…man had hardly appeared as a completely emancipated, completely isolated being who carried his dignity within himself without reference to some larger encompassing order, when he disappeared again into a member of a people" (1976: 293)[65]. The prioritization of particularity over universality can also be observed in the UN Declaration of Human Rights. Although described as universal in scope, it allocates the responsibility for realising these

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[64]Importantly, to Walker the "choice" between cosmopolitan and communitarian positions is in a sense a false one. The cosmopolitan affirmation of universal values and rights cannot fundamentally challenge the system of sovereign states, since it is itself a part thereof. "The core issue cannot be posed as a simple choice between citizenship and humanity, between the necessities and tragedies of statist power politics and the potentials of some more ethical, more rational, more communicatively competent humanity. *That* choice is the one that is *produced* by the account of a politics of modern sovereign states in a states-system" (1999b: 153, ital. in orig.).

[65] Arendt explains that the extent to which the rights of man became associated with the rights of a particular community (to self-determination, popular sovereignty etc) became evident with the appearance of large numbers of migrants, of stateless people and refugees in the post-World War I era, and with the neglect of other states to take on responsibility for them. Arendt comments: "The Rights of Man…had been defined as "inalienable" because they were supposed to be independent of all governments; but it turned out that the moment human beings lacked their own government and had to fall back upon their minimum rights, no authority was left to protect them and no institution was willing to guarantee them" (ibid: 293; cf. Kristeva 1997: 106).

universal human rights to the state of nationality of the individuals in question, leaving other states with very limited responsibilities (Hindess 2002: 130).

From this reading of Walker, the prioritization of citizens over non-citizens appears as resulting from how the principles of sovereignty and citizenship solve the relation between universality and particularity. Although Walker does not write of "governmentality", I argue that it is possible to read his account as a description of the mentality embodied in the state system regime of governance, outlined by Hindess. As such, it helps us to understand the ethical dimension of migration politics. Whether restrictive or generous, migration policy is usually discussed in terms of the more practical goals one hopes it will fulfil, concerns, for instance, revolving around how to design policy to fill needed and empty labour market positions, or how to make it contribute most effectively to development in Southern countries. What the above account suggests, however, is that the regulation of migration is more than that: it can be understood as related to a specific understanding of political community, a dimension which is seldom explicit in migration policy discussions. So, current governmental thought on how to handle migration is limited by a prior resolution which prioritizes territorially defined insiders/citizens over the claims of all others, actual and potential migrants among them[66].

It also helps us see what may be at stake in the global description of migration and migration politics. To Walker, the legitimacy of the state has so far largely depended on its ability to solve the contradictions between universality and particularity, between citizenship and humanity, within its borders (1999a: 195; cf. Benhabib 2004: 19). But in an era when global flows appear to defy the notion that state borders can keep the global and the local apart, this ability seems to be in trouble. Is it possible that large scale migrations may point towards the need for a renewed understanding of the relation

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[66] This is not to say that states are at full liberty to treat migrants any way they want. The subject of human rights of migrants has gained some ground recently. As mentioned in chapter 2, the Migrant Workers Convention became operational in 2003, and in 1999 a "Special Rapporteur on the Human Rights of Migrants" was appointed.

between universality and particularity? In this chapter's final section on statecraft, I will show how migration can be thought of as both a challenge to and a reinforcement of the state-centric conceptualization of the world.

Sedentariness

So far, we have seen it has been argued that the state system can be seen as a regime of government operating at the level above individual states and covering the totality of the human population. State regulation of movement hence appears as a systemic requirement, connected to a mentality of government which prioritizes the particular over the universal in asserting that the only proper locus for political community is within the realm of territorialized states. In this section, I argue that another dimension of this mentality is the conceptualization of people as sedentary, i.e. as normally and naturally living settled lives within their respective states[67]. The flip side of this view is that international migration appears as deviant. In order to understand this line of thinking, which constructs a bond between people and place, I will make use of theories from critical geography and anthropology.

Hindess writes that an important consequence of the system of states is that residence in a state will appear as the norm while cross-border migration appears as an aberration. The partitioning of populations is associated with an assumption that resident individuals are normally citizens who share a distinct culture or way of life. Hence, in spite of reality, the movement across borders comes to appear as an exceptional activity[68].

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[67] This section is partly based on my earlier writing on the subject (Kalm 2008). The publisher's permission to reuse elements of the text is gratefully acknowledged.

[68] Importantly, we are here talking about sedentariness at the national level. It is not all sorts of mobility that is constructed as deviant. On the contrary, mobility within the borders of a nation has been constructed as a human right both in the UN Declaration of Human Rights and in constitutional documents of countries such as Canada, Japan, Germany, Ghana and Mexico. In some instances, it has been seen as having positive consequences for national unification: in the United States the movement within borders has been "historically seen as a method of breaking down state provincialism, and facilitating the creation of true federal union" (Judge Harlan in *United States v. Guest*

> The assumption here is that, even if they move around within it, people will normally be settled in the society to which they belong… In fact, the historical record suggests a different story; namely, that large-scale population movement is as normal a feature of the human condition as is long-term territorial settlement… Nevertheless, the system of territorial states and the techniques of population management developed within it have turned the movement of people around the world into an exceptional activity, something that can and should be regulated by the states whose borders they threaten to cross (Hindess 2000: 1494).

According to geographer Doreen Massey, there are presently two major rival understandings of international space, or two major "geopolitical imaginations" (Massey 1999). The suggestion is that these competing understandings exist in tension and legitimize radically different sorts of action. The first one corresponds to the globalist imagination of unfettered movement and the diminishing importance of borders. In academic discourse, such notions were widely disseminated in the 1990s. For instance, Kenichi Ohmae (1990) brought forward the notion of an emerging "borderless world", Richard Rosecrance (1999) celebrated what he calls "the emancipation from land" in the era of the "virtual state" and Richard O'Brien (1992) argued that we were approaching the "End of Geography" as the forces of economic integration and technological innovations render distances as well as geopolitical borders irrelevant. A recurring theme in these narratives of globalization was the increased *mobility* of people, capital, and information, often conceptualized as "flows", across these ever more redundant state borders. But although the globalist imagination often seems to have acquired the status of a metanarrative of our times, its depiction of reality is highly selective (Larner – Walters 2004b; Agnew 2003).

The globalist visions are challenged by the existence of a different geopolitical imagination. This one corresponds to Hindess thinking by understanding people as normally sedentary, and it is this

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1966, quoted in Cresswell 2006: 750). In short, it is movement across borders which has traditionally been seen as deviant and sometimes even pathological, although history tells us of the normality also of long-distance and cross-border movement

which will be explored in the rest of this section. In this vision, space is considered divided, ruptured, and consisting of discrete components – of places. Places, in turn, are thought of as firmly bounded, fixed and unchanging locations with their own internally generated authentic identity (Massey 1999, p. 29; Dwyer – Jones III, 2000). Furthermore, this "essentialist" understanding of space[69] (Brun 2001) is accompanied by an essentialist understanding of culture as separate and discrete entities corresponding to particular places (Olwig – Hastrup 1997). In this geopolitical imagination, there is supposedly a strong relationship between people and places, so that everyone has a "natural" home in the world[70]. Within philosophy, Heidegger is probably the one who most forcefully argues that dwelling – in the sense of residing and being content in a place – is the way in which people should inhabit the earth. To him, dwelling relates to a bounded space of settlement as well as to being brought to peace. In Old German, he tells us, dwelling is also etymologically related to being and thus denotes the fundamental

[69] It should be noted that the essentialist conception of place and culture has long been questioned within various academic disciplines (Olwig – Hastrup 1997). Massey (1994), for instance understands space as the simultaneous coexistence of social interrelations at all spatial scales, from the most local to the most global level. Place is then a particular articulation of those relations, formed out of interrelations present in the locality as well as those stretching beyond the location itself. As Brun (2001) has observed, with this theoretical understanding, it makes no sense of talking about migrants and refugees as "uprooted" or "out of place". This de-naturalizing of the link between place and people also means that no one has a natural right to any place. However, it is the continuing strength of this imagination – linking people and places – in popular and academic discourse that interests me here.

[70] The essentialist notion of belonging and place is not necessarily uniform in terms of its representations. There is a tendency within Western discourse to regard other cultures and peoples as *more* place-bound than one's own (Olwig and Hastrup, 1997). In Western discourse, non-Western cultures are often associated with nature, their members seen as closely adapted to their particular environment, whereas Westerners in contrast are usually understood as more mobile in terms of culture. Sibley (1995) argues that the association with nature is a general feature of the classification of others by dominant groups: when the relationship between "us" and "them" is implicitly formulated as a relationship between "culture" and "nature" this betrays the dominants' view of the relationship as asymmetrical. Not only colonized people and African slaves have been subject to this association, but also women, Romani people and various "native" groups.

condition for mortal men on earth: "*[I]ch bin, du bist* mean: I dwell, you dwell. The way in which you are and I am, the manner in which we humans *are* on the earth, is… dwelling" (1971: [143]).

Nationalism has been a major vehicle for articulating this relation between people and place. It has been expressed in a variety of ways, ranging from "innocent" homeland nostalgia to the more extreme versions connected with aggressive rhetoric of race, blood and soil. According to Deudney, however, this "here-feeling" component of nationalism, which associates a group with a particular place, has been much less studied and problematized than the "we-feeling" component based on language, religion and history (Deudney 1997: 130). Edmund Burke's speech for Parliament in 1794 indicates how physical space has been found central for identity, and the ease with which this grounds political claims:

> Next to the love of parents for their children, the strongest instinct, both natural and moral, that exists in man, is the love of his country: an instinct, indeed, which extends even to the brute creation. All creatures love their offspring; next to that they love their homes: they have a fondness for the place where they have been bred, for the habitations [they] have dwelt in, for the stalls in which they have been fed, the pastures they have browsed in, and the wilds in which they have been roamed. We all know that the natal soil has a sweetness in it beyond the harmony of verse. This instinct, I say, that binds all creatures to their country, never becomes inert in us, nor ever suffers us to want a memory of it (quoted in Deudney 1997: 132).

This specific geopolitical imagination which binds people to places works in two directions. Since it normalizes the construction of localities as belonging to the people who "have roots" in that place, it legitimizes the right of states to control the movement across their borders. While the territory of the receiving state is understood as belonging to its citizens, this imagination simultaneously constructs others – asylum-seekers, migrants, citizens of other states – as belonging somewhere else. The conception of space as divided is thus connected with belonging – of belonging to a particular place and having that place belonging to oneself (Massey 1999).

It appears as a peculiarity of history that this imagination, establishing a "natural" connection between people, territory and political organization, took hold under a period when millions of people were involved in Euro-American and intra-European migration, as well as the slave trade, in an era "when the facts so massively spoke of the mobility of people, the mutability of boundaries, the mongrelarity of nations and the spectacular artificiality of the state" (Dillon 1999: 109). Taking account of the massive amount of people who for generations have had to move or flee, or who have been forcibly moved because of the slave trade or colonization, the somewhat nostalgic idea of having a home-place where one belongs is certainly not based on universal experience (Massey 1994: 166)[71]. Neither is sedentariness necessarily a more "natural" way of living than is mobility. Among anthropologists and migration scholars, it is now widely recognized that migration has been a permanent feature of human history (Castles – Miller 2003). However, the organization of the world into separate bounded state-components testifies to the fundamental idea of the normality of human sedentariness. In this vein, Joppke has written of modern territorial states that "[s]edentariness, not mobility, is their constitutive principle" (1998b: 6). This is also reflected in the attitude of migration authorities in many countries, who have tended to regard migration as aberrant and passing phenomena (Castles 2004a).

This imagination is not only expressed in nationalism or popular discourse. Sheller and Urry (2006) note that the social sciences traditionally rely on sedentarist thought, which normalizes stability,

[71] For an analysis of how the modern concept of "home" was formed in 19th century German and Scandinavian discourse, see Kaye (2003). Kaye notes that the concept does not have an equivalent in Romance or Slavic languages, nor Greek. Walters has coined the term "domopolitics" to describe the strength of a certain configuration of home, land and security in current discourses of migration. In Latin, *domus* means home or house whereas *domo* can be translated to tame or domesticate. It combines the "warm words" of community, trust and citizenship with the danger words of a chaotic outside: illegal immigrants, traffickers, terrorists etc. Hence, in domopolitics, the homeland is posited as a place which is under threat from dangers coming from outside and which particularly takes the form of mobilities. These dangers have to be secured or tamed in order to preserve the sanctity of the home (Walters 2004).

identities, meaning and place, and treats movement, change and placelessness as abnormal (Sheller – Urry 2006: 214). Liisa Malkki (1992) similarly writes of a "sedentary metaphysics" that is deeply ingrained in both popular imagination and scholarly thinking. The world of nations is conceived as discretely partitioned slices of territory, as exemplified by the multicoloured school atlas, which conveys the presumption that no nation can at the same time be another nation. There is thus a taken-for-granted character about the way that identities are territorialized, so that "the national order of things often passes as the natural order of things" (Malkki 1992: 26; cf. Rajaram 2004: 205). The naturalizing link between people and place is often conceived in botanical metaphors, such as "Motherland" and "having roots", suggesting that the nation or culture in question is a grand genealogical tree which is rooted in a specific soil that nourishes it. Herder spoke of the nation as being "as natural a plant as a family, only with more branches" (quoted in Deudney 1997: 132). By implication, it is not possible to be part of more than one such tree or plant. But this way of thinking is naturalized beyond romantic nationalist circles. To Malkki, the sedentarist thinking is so taken for granted that it is nearly invisible: "…sinking 'peoples' and 'cultures' into 'national soils', and the 'family of nations' into 'Mother Earth'" (1992: 31).

Forced and voluntary movements

> It may be assumed that, unless he seeks adventure or just wishes to see the world, a person would not normally abandon his home and country without some compelling reason (UNHCR 1992: chap. 1, art. 39).

As Kristeva has noted, migration law is closely related to the reigning philosophical understandings of foreigners (1997: 112). The condition of emergence of "international migration" is the organization of the system of sovereign states, which corresponds to the governmentality of the state system. Here, we will focus on another crucial distinction which is drawn in international law, namely the one between forced and voluntary movements. This distinction creates the different figures of the refugee and the migrant. Hence, volition is key to the categorization

of different forms of movements: the movement of the refugee is considered involuntary and determined by "push" factors, while the migrant's movement is considered voluntary and determined by "pull" factors. Hayden argues that the distinction between voluntary and involuntary movement has mutated into other ones: involuntary movements are understood as political while voluntary movements are considered economic. What distinguishes refugees from other categories of movers is that the involuntariness of their movement awakes feelings of pity and empathy (2006: 474-478). If recognized as a refugee under the definition in the 1951 Geneva Convention[72], a person has the right to work, to travel freely, and – most importantly – states are obliged under the "non-refoulement" clause not to return refugees to states where they may face persecution. Hence, to be recognized as a refugee is to take on something of a privileged status, as refugees are entitled to a host of protections and rights that distinguish them from other migrants (Gibney 2006: 140)[73]. Other migrants, whose movements are not considered forced under the above-mentioned definition are not awarded any specific protections, neither do they – as a rule – give rise to any feelings of empathy. It should be noted that the refugee definition of the Geneva Convention does not count reasons of poverty and hunger as involuntary. Comments Hayden: "It seems easier for us to empathize with victims of physical and possible psychological violence than economic" (2006: 480). The distinction between involuntary and voluntary movements shapes the refugee as an object of international protection, while the migrant moves at the will of the state. As we have seen, a state can legitimately refuse to allow him or her entry.

The understanding of people as sedentary sheds some further light on the different categorizations of international movement.

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[72] For this definition, see chapter 2.

[73] The fact that states often fall short of fulfilling their obligations towards refugees is a different story, which is beside the discussion here (see, for instance, Joppke 1997). Gibney (2006) and Schuster (2005) highlight the different contemporary measures taken by states to prevent the arrival of asylum-seekers so as to avoid their obligations to those recognized as refugees.

According to Malkki, the metaphysical character of sedentarist thought appears in that the rooting of people is often not only seen as normal but as a spiritual need. This, according to Malkki (1992) is what makes the plight of refugees so deplorable in conventional discourse. Defined by his or her movement being forced, the "refugee" does not only signify the failure of the state to protect its citizens, but the predicament of the refugee also signals the loss of "homeland", the pathological condition of having been forcefully "uprooted" or "displaced"[74]. Therefore, the preferred solution to the refugee situation is now usually found in repatriation, either voluntary or involuntary (Hayden 2006: 474; Brun 2001: 18; Duffield 2008: 155). As has been noted by Soguk (1999) and Nyers (2006a), the depiction of the refugee as having been uprooted against his or her will causes feelings of empathy, but simultaneously denies the refugee any form of agency. Migrants on the other hand, are constructed precisely on the grounds that their movement is (supposedly) *voluntary*. Malkki (1992) notes that "transplantation" rather than "uprootedness" is used to describe voluntary migrants.

> It suggests, for example, the colonial and postcolonial, usually privileged, category of "expatriates" who pick up their roots in an orderly manner from the "mother country," the originative culture-bed, and set about their "acclimatization" in the "foreign environment" or on "foreign soil" – again, in an orderly manner (Malkki 1992: 31).

Far from all migrants classified as voluntary belong to the privileged class that Malkki depicts, and policy-makers in this area are certainly aware of this. However, the notion that the movement of migrants has occurred by choice rather than force has important consequences. The depiction of refugees as victims in need of protection may deprive

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[74] The idea of placeboundedness as a human need is so widespread that it even appears in an academic text which explicitly sets out to discuss the "social construction of territory": "In order to create a presence of ourselves, we need to create a meaningful place where we exist... Boundaries construct a continuity of social interaction… Territory offers a sense of roots and belonging for all individuals. Consequently, the loss of homeland is often a very dramatic experience. Although people may be able to cut emotional ties to their homeland, memories of lost territories with familiar and sacred places may last well over generations" (Forsberg 2003: 13-14).

these individuals of agency, but it nevertheless indicates the responsibilities that the international community has to this group. To voluntary migrants on the other hand, there are no such responsibilities. Hence, while the refugee is constructed in humanitarian terms, the voluntary migrant is reduced to an economic agent to whom the receiving state has no special responsibilities. When it comes to migrants, the receiving state is at liberty to apply whatever selection criteria it sees fit, opening the possibility for economic-utilitarian calculus regarding the composition of migrants, in order to avoid "suboptimal selection" and the like (cf. Holzmann – Münz 2004: 12).

It is not my intention here to enter into any debate on whether human beings need or do not need a sense of belonging to a territory for their psychological well-being, and much less to dispute that the loss of homeland is a deep tragedy to many people. The points I would want to raise are, first, that while settled life and identification with territory may be constant features of human existence, so is migration and nomadism. Second, the idea (or the "imagination", in Massey's terms) of people as normally and naturally placebound is so widely disseminated that it appears as common-sense knowledge. Third, this knowledge of a bond between people and place has profound political consequences. Not only does it sometimes appear in territorial disputes and claims to national self-government, but it also has implications for how human migration is governed. There are two main dimensions to this. On the one hand, it naturalizes the exercise of border control. Because if people are considered as naturally belonging to different places, it justifies the territorial organization of human community that the state system represents, and it legitimizes the control over movement across borders. On the other hand, this imagination also contributes to shaping the different categories of migrants, especially through reinforcing the distinction between forced and voluntary movements. Here, the forced migrant (i.e. the refugee) is constructed as a victim of deprivation who suffers spiritually and psychologically from the loss of a homeland. As a victim, the refugee's agency is downplayed, while at the same time his or her victimhood imposes the international community with a humanitarian or pastoral duty to protect. Voluntary

migrants, on the other hand, are constructed as autonomous subjects who have made an active choice to leave their homeland. Hence, no special protection needs be extended to this group, who can easily be constructed as mere economic subjects, to be allowed or denied entry at the will of the receiving state.

So far, we have seen that the state system can be thought of as a regime of governance, which works by dividing humanity into the sub-populations of different states by the institution of citizenship and then assigning to each state the right and the responsibility to manage its internal affairs. This means that the sovereignty of individual states with the attendant right to control entry is at least to an extent systemically determined. If we follow Walker, this system results from a specifically modern mentality of government. This is one that solves the relation between universality and particularity spatially, locating the only possibility for political community within the borders of sovereign states, and prioritizing particular citizenries over claims to humanity as such. We have also seen that the international management of populations under the state system also has the effect that national sedentariness appears as the norm while cross-border migration appears as exceptional.

Crafting the state

The fundamental principle of migration politics, the sovereign right to control movement, thus appears to be intimately tied up with the modern state system regime of governance. Then, in what ways do migration affect this particular form of governing the larger human population? Next, we will turn to poststructural IR theory[75] in order to see how migration can be seen as at once challenging and reproducing it.

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[75] Poststructural international relations theory offers such an account. I have already mentioned this theoretical orientation in chapter 1, explaining that I found it not to be enough in itself. But I think it could be useful in this context, for understanding one aspect of state system governmentality.

In chapter 1, I argued that this theoretical perspective would not be enough in itself. However, it is useful for understanding precisely migrants' role for challenging and reproducing the state system. It shares with governmentality the conviction that the state has no essence but instead must be understood as the effect of constitutive practices. But, in contrast to governmentality, the practices that poststructural IR is concerned with are those that work from the outside in, the boundary-drawing practices which continually establish the state by distinguishing the domestic from the international[76] (Devetak 1995a: 28).

> The opposition between inside and outside, sovereignty and anarchy, state and system, implies a prior boundary. It is boundaries which separate inside from outside, thereby constituting their opposition. Neither the inside nor the outside, sovereignty or anarchy, is fixed and permanently delimited, as the domain ascribed to each is not given in advance of the political inscription of boundaries. In short, political space is never simply 'present', but only takes effect after boundaries have inscribed and demarcated different domains (Devetak 1995a: 30).

These practices are referred to by poststructural IR scholars as *statecraft*. In traditional understandings, statecraft refers to the actions undertaken by a state in the international arena in order to achieve certain objectives, be they political, economic, military or otherwise. When thus talking about a state as an actor, capable of rational decisions, it appears as an already constituted entity. Poststructural IR uses the term in a different manner. As Biersteker and Weber (1996: 5) have suggested, statecraft may be less about the relations between different state units, and more about the construction and reconstruction of the units themselves. The different components of the state – importantly among them territory, population and authority – are not just there, but constantly produced and redefined through the practices of statecraft (ibid 1996: 13).

The important question then shifts from what the state "is" or "does" to determining by which practices the "effect" of the state is produced. Hence the focus is on state*craft* – in poststructural theory all

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[76] See Bartelson (2001: 149-181) for a comparison between these two schools.

identities get performatively constituted through practice (Doty 1997). Statecraft, in this sense, illustrates that the state is a "work in progress" (Kuah 2003: 10). It is something which is always in the process of being constituted through practices of differentiation but which never achieves the final moment of completion (Devetak 1995b: 197)[77]. The concept implies that "the state does not exist apart from statecraft, that it is only through statecraft that the state comes into existence, for it is only through statecraft that space is divided" (Devetak 1995a: 31). It takes place through various measures and across different locales[78]. It is important to emphasize that statecraft in this sense should not be understood as something strategically pursued by state authorities. Instead, as Doty (2003: 12) points out, statecraft is performed by way of statist discourse at all levels of society – from the corridors of government to schoolyards.

Statecraft is thus a notion which encompasses the fact that sovereignty tends to limit our thinking about alternatives. The state system idea of a world divided into different nation states seems to work as a "prison of the mind", which both frames our understanding of empirical phenomena and tends to delimit our imagination concerning different political possibilities[79]. While the structures of

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[77] This theorization of the state must be understood in the context of poststructural theorization of identities in general. In poststructural theory all identities are contingent, relational and crucially dependent on the affirmation of difference for their existence. Hence, no identity exists in and of itself but is always contingent and dependent on some sort of exclusion, which follows from boundary-drawing practices. Moreover, no identity can ever be fully fixed, since it will always bear traces of that which has been excluded for threatening the coherence of the identity. Therefore, in order to appear as a bounded presence, the boundary-drawing which establishes the identity as an opposite to what is excluded, can never be completed but must be continually reproduced by practice. In the case of the state, the boundary-drawing practices in question are those that keep reproducing the dichotomy between inside and outside (cf. Devetak; 1995b; Hall 1996; Edkins 1999; Martin 2002).

[78] For instance, Campbell (1998b) reads foreign policy as one site in which the identity of the state gets negotiated, while Weber (1995) looks at intervention practices as a way of "writing" the state.

[79] Several terms have been developed to describe the enormous influence of the state system on our way of conceptualizing the world, including within the social sciences. Beck argues that the social sciences are marked by what he refers to as "methodological

thought pertaining to the state system are socially and historically constructed, they are also actively shaping our political understandings; they "predetermine and organize our whole representation of the world, and therefore the world itself" (Sayad 2004: 278; cf. Murphy 1996: 103). "The state is within us as much as we are within it", suggests Walker (1995a: 23), thus emphasising how the state system shapes not only our perception of the world, but also ourselves as knowing subjects.

The conceptualization of the state in terms of statecraft suggests that the presence of the sovereign state depends on continuous practices, which amounts to the assertion that it could, at least in principle, as well decay as continue reproducing itself. Indeed, practices of statecraft seem to find themselves in an ongoing struggle against the forces that work toward their dissolution. For instance, current developments toward globalization, interdependence and transnationalism seem to present statecraft with great problems – for how can the "normality" of the state and the state system as a necessary frame for human affairs be furthered when some of its traditional assumptions do no longer seem to correspond with reality?

The terms "reterritorialization" and "deterritorialization" might be helpful to the understanding of this dynamic. The former term is associated with the logic of sovereignty, of the naturalization of the state by statecraft, and its function is defined by processes of boundary-making. The latter is associated with border-transgression and ambiguity. The first is related to the desire for identity, order and unity, the latter to flows and difference (cf. Devetak 1995b: 198; Doty 2003: 10-14). Practices of statecraft belong to the former, in that they seek to inscribe boundaries amidst competing forces that tend towards the

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nationalism". Characteristic for this outlook is the tendency to equate society with nation-state societies, to take states as the cornerstones for analysis, and to assume humanity to be naturally divided into a number of nations which on the inside are organized into nation states and on the outside are clearly distinguished from other such nation states, with which they engage in competition (2007: 287). Similarly, Agnew (1994) has criticised IR theory for being caught in the "territorial trap", assuming first, that states are fixed units of sovereign space, second, that the domestic and international are clearly separated, and third, that states are containers of societies.

dissolution of borders. In this way, statecraft can be thought of as striving towards the establishment of order, and the erasure of ambiguity and uncertainty (Doty 2003: 75). Ashley thus defines statecraft as "the knowledgeable practice by which, amid ceaseless transversal struggles, "domestic societies of sovereign men" are differentiated in space and time" (1989: 301). What is the role of migrants in this? To Bauman, the stranger, who is neither friend nor enemy and therefore challenges dualistic conceptions, embodies the ambiguity that the modern quest for order is so eager to erase (1991: 4; cf. Doty 2003: 26). Below, we will see how migrants can be thought of as simultaneously challenging and supporting the reproduction of the state system norm.

Statecraft and migrants

Migrants are often thought of as embodying the deterritorialization inherent in globalization and interconnectedness, and many migration policy scholars have drawn attention to how migratory movements challenge state regulatory capacity and seem to defy any control attempts. Hollifield (2000a: 155) has referred to this argument as the "globalization thesis". The first part of this argument is that migration is structurally embedded in the interconnected economies and societies in most countries, which makes it more or less impossible to stop. Economic, social and demographic disparities, along with transnational economic and social ties significantly reduce state capacity to control immigration. Differences in wage levels and employment opportunities spur continual migration from poorer to richer countries regardless of the measures taken by receiving states. Especially, the continual demand for low-skilled flexible labour in "3D sectors" (Dirty, Difficult and Dangerous) of Northern labour markets, coupled by the refusal of natives to take on these jobs, make migration a tempting option for many people in the South (Stalker 2000; 2001). Usually, this argument is related to Marxist and dual labour market theories, which explain migration with reference to the need of capitalism for a reserve army of exploitable labour to overcome periodic crises in the process of accumulation (Piore 1979).

The second part the globalization thesis concerns the development of transnational social ties which facilitate the inflow of newcomers and which seem to be able to overcome every regulatory attempt (Portes – Rumbaut 1996; Massey et al 1998). As Castles (2004b: 860) put it, "Migratory movements, once started, become self-sustaining social processes". Countries have become connected via migrant networks that span the globe and enhance further migration. Moreover, a global migration industry has been developed by transnational labour brokers and migrant smugglers, which further facilitates travelling arrangements and access to foreign labour markets (Kyle – Koslowski 2001; Jordan – Düvell 2002).

While it is disputed how much control states have actually lost, particularly since the notion of "loss" suggests an earlier era of full control which has probably never existed (Zolberg 1989; Joppke 1998a; Geddes 2003), most migration policy scholars find the influence of the above-mentioned factors hard to dispute[80]. Although assessments of the degree may be slightly different, there seems to be a general consensus that the extent, the forms, and the organization of migratory movements pose significant challenges to the capacity of states to control their borders.

However, this is an empirical argument about the level of control. As such, and no matter how correct it may be, it does not necessarily have any bearing on the practices of statecraft – conceived as engaged in the continual reproduction of the state system norm through boundary-drawing practices. Nyers has argued that even radical challenges can still be captured by the logic and practices of state sovereignty, what he refers to as "sovereignty's retakings" (2003: 1087). We will now turn to the specific challenges and opportunities that migration imply for statecraft.

Migration challenging statecraft

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[80] See Hollifield (2000a), Sciortino (2000) and Cornelius et al (2004) for overviews of this debate.

> Immigration is undeniably a subversive factor to the extent that it reveals in broad daylight the hidden truth and the deepest foundations of the social and political order we describe as national. Thinking about immigration basically means interrogating the state, interrogating its foundation and interrogating the internal mechanisms of its structuration and workings. Using immigration to interrogate the state in this way means, in the final analysis, 'denaturalizing'… what we take to be natural… (Sayad 2004: 280).

To Sayad, the "secret virtue" of immigration is that it reveals the truth about the state: that it needs the differentiation between nationals and non-nationals in order to reproduce itself. Since migrants are defined by their movement between political spaces, they also defy the state system's "territorial imperative" which separates the global from the national (Soguk – Whitehall 1999: 682). By definition an aberration to the nation-state order of sedentary existence, migration seems to pose a challenge for practices of statecraft. It exposes the limits of the "model" on which the system of sovereign states is built, and in which people are supposedly sedentary and divided into self-contained territorial entities that also have the exclusive claim to their loyalty. Migrants can hence be thought of as having a function that goes beyond the individual crossing of borders: their movement is deterritorializing in that it defies the norm which locates and fixes people's identity within the spatial boundaries of the nation-state.

Doty writes about migration that it is "characterized by its ability to impinge upon and pose a threat to the identity of nation-states and to highlight the inability of states once and for all to lay claim to a fixed domestic presence that they represent and upon which their claim to sovereignty ultimately rests" (1996: 177). As a consequence they disrupt our state-centric conceptualizations and understandings of the character and location of political community (Devetak 1995b: 199-200; cf. Honig 2003). The destabilizing effects of migration may be especially obvious in the case of refugees, because, having been forced to leave their countries, they embody the ultimate failure of the state to provide a sufficiently secure home for its people. Dillon (1999: 101) argues that the violent event of having been forcibly displaced calls into question the whole idea of a settled sovereign life of the political community. In

Dillon's view, the figure of the refugee reveals the fundamental, unsettled character of human existence itself[81].

Migration can thus be seen as a deterritorializing force with the capacity to disrupt state-centric conceptualizations. However, its role is ambiguous. To some degree, at least, discourses on migrants can instead be supportive of the practices that reproduce the state system norm. To see why this is so, we must return to the principle of sovereignty and the way it ties up with the notion of the people.

Migration supporting statecraft

The state, it is usually assumed, receives its various powers from the principle of sovereignty. As we have seen, it is by reference to sovereignty that the right to control inflow is defended. Poststructural IR scholars have observed that sovereignty itself requires a foundation, a referent upon which to base the authority of the state. This referent of sovereignty has varied over time: while God and the monarch are the most important historical examples, with democracy it is the "people" that perform this function instead. Appearing in the struggles of the eighteenth century, and taking practical form in the nineteenth, sovereignty has come to be understood as the mode whereby a citizenry represents itself and submits itself to the authority of the state as long as the state is acting as a manifestation of the will of its citizenry (Weber 1995: 7-8). As Soguk (1999: 38) emphasises, the legitimacy of the modern state rests upon the idea that it is "nothing but representation". Its claims to the legitimate means of violence and of movement, its actions in the global arena, its administration of

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[81] Several commentators have seen the presence of migrants and refugees as a potential impetus for rethinking modernist categories pertaining to the state system. Agamben, for instance, writes that: "At least until the process of the dissolution of the nation-state and its sovereignty has come to an end, the refugee is the sole category in which it is possible today to perceive the forms and limits of a political community to come. Indeed, it may be that if we want to be equal to the absolutely novel tasks that face us, we will have to abandon without misgivings the basic concepts in which we have represented political subjects up to now (man and citizen with their rights, but also the sovereign people, the worker, etc.) and to reconstruct our political philosophy beginning with this unique figure" (Agamben 1994, cf. Dillon 1995).

resources and all its other prerogatives are dependent on the idea of a people that the state is considered to represent and from which its foundational authority derives. This people, this "self", is posited as having an a priori existence, as a self-generating entity with a clearly distinct identity that pre-exists any action taken in its name. The state then appears as an agent of representation, its bounded citizenry presumed to be already in place (Doty 1996: 179).

What poststructural theorists deny is that such a people exists in and of itself[82]: as Chantal Mouffe puts it, "[t]he moment of rule is indissociable from the very struggle about the definition of the people, about the constitution of its identity" (2000: 56). The people only exists as an effect of ongoing differentiating practices and their institutionalization (Ashley 1989; cf. Edkins 1999: 6-7). The historical and present exclusions of different groups on state territory from full citizenship, the transgression of boundaries, legal or illegal by refugees and migrants, the complex stratification of legal status and thereby to varying degrees of exclusion of different categories of immigrants, the resulting long-term residence of people whose rights to participate in politics and whose access to social resources is far below that of citizens, and the suspicious attitudes towards and ensuing weak protection of those whose citizenship is understood as "accidental" – these examples all illustrate the fact that the border between the inside and the outside are unclear and continuously fought over (Pettman 1996: 268; Finlayson 2002)[83].

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[82] On a somewhat similar note, political theorists have noted that there is a gap within democratic theory: the boundaries of democracy cannot themselves be democratically legitimized. They are instead the arbitrary outcome of historical circumstances which democratic theory cannot account for, meaning that the constitution of the people cannot be justified from within democratic theory (Näsström 2003; cf. Brown 2000). "There is a conceptual gap in the legal construction of the constitutional state, a gap that is tempting to fill with a naturalistic conception of the people. One cannot explain in purely normative terms how the universe of those who come together to regulate their common life by means of positive law should be composed. From a normative point of view, the social boundaries of an association of free and equal associates under law are perfectly contingent" (Habermas quoted in Benhabib 2004: 17).

[83] See Bosniak (2006) for a discussion on differentiated legal status and its implication for citizenship. See Nyers (2006b) on how American citizenship is being re-shaped in

The central problem for statecraft is to Soguk one of "how to inscribe, stabilize, and render effective a certain figure of the citizen that the modern state would represent and on the basis of which the modern state would claim to effect its sovereignty, its powers, and indeed its right to rule over a territorial inside – the domestic community of citizens" (1999: 39; cf. Ashley 1989: 302). The foundation for state authority is thus far from natural or self-evident. Instead it is a major task for statecraft to continually *produce* the body of citizens-subjects that it represents. It must be continuously engaged in "the production of the foundational subject on whom the state's ontology – its very reason for being – rests" (ibid: 39-40).

Nationalism is perhaps the most obvious example of a means by which a people has been produced through the constant differentiation from others. But the central point here is that to constitute the people as a specific entity, belonging to a specific state, a contrast to others must always be posed. Discussions and practices related to migration may have this potential, even when the nationalist undertone is very weak or non-existent, as is the case in the material under analysis here. For even when nationalist or racist arguments are absent, discussions on migration always assume the pre-existence of bounded citizenries. This is because in relation to the "citizen"[84] – the figure which embodies the model relationship between state and people, and also the figure on whom the authority of the state presumably rests – the "immigrant", or the "foreigner" or the "refugee" appears as the aberrant other. Hence, the notion of the "foreigner" ("immigrant", "refugee" etc.) enables the constitution and normalization of the "citizen" model. And, in consequence, if it was not for the existence of a stable citizenry, the state's claim to legitimate authority would be very

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the discourse on "accidental citizenship", a pejorative term for those who acquired citizenship through birth on US territory but who were born to non-citizen parents.

[84] Here, I am referring to citizenship only in formal terms, as the relationship of rights and duties between a citizen and its state. Surely, there are countless instances of formal inclusion paralleled by informal exclusion, based on perceived ethnic otherness or differently. But my main concern here is the reproduction of the state and the state system, and central to this is the continual relevance of (at least) this formal relation.

difficult to sustain, at least in an era when state legitimacy is based on the idea of popular sovereignty.

So to insist on the existence of foreigners is to insist on the existence of citizens. And to insist on the existence of citizens, of a people, is to insist on the legitimacy of a state as a central authority guiding human affairs. In this way, the differentiation between citizens and foreigners provides one example of the boundary-drawing practices of statecraft, one which might carry extra weight given the centrality of citizens for the legitimization of state authority: "The most central of [practices of statecraft] is the claim that the sovereign state is an agent of representation, authored by and representing the territorially bound community of citizens, presumed already to be in place" (Soguk 1999: 38). Statecraft is hence simultaneously producing those who belong to a citizenry and those who do not (Doty 2003: 28). This production takes place "silently", in speaking and acting as if the bounded and stable community of citizens already was already in place. The existence of a stable citizenry must appear as natural and unproblematic if the state is to secure its legitimacy by the claim to represent the will of a people already in place (Soguk 1999: 40; Doty 1996: 175-176; Weber 1995: 27; Ashley 1988: 256).

In an apparent – but not always recognised – way, categories such as immigrants, emigrants and refugees are constituted by the "overcoding empire" of the state system (Doty 2003: 14). If it were not for the prior partitioning of the world into the particular spaces and subpopulations of different states, none of these categories would make any sense. The state system thus creates migrants, and then sets out to handle them. As we have seen, these categories can also be understood as vital for the reproduction of this system, since they make up (different forms of) aberrations to the "normal" citizen status. Discussions on migration also posit the state system as the realm through which these aberrant categories should somehow be solved or managed:

> …migrants figure in questions of politics through a 'problem-solving' vocabulary that situates migrants as problems and the state as the central problem-solver. Through a language that reverts to the state as the locus of life, this framing of the issue centres the discussion on

migrants around the citizen/nation/state constellation as though the hierarchy of identities this constellation represents is both an inevitable and a desirable hierarchy of life (Soguk – Whitehall 1999: 679).

We have now seen that the function of migrants is ambiguous for "statecraft", i.e. the boundary-drawing practices which reproduce the state through differentiation from the international outside. On the one hand, migrants are deterritorializing – the presence of migrants seems to belie the naturalness of how the state system regime of governance divides people and places, thus exposing the contingency of this particular organization of humanity. On the other, migrants can be thought of as a resource for the reterritorialization associated with statecraft, as having the potential to reproduce this system simply by constituting its aberration. As we have seen before, governmental thought is always limited by previous problematizations which establish the categories and procedures through which new challenges are neutralized. Poststructural IR shows how migration can be seen as working towards this end, contributing to reproducing the normality of the state system.

Summing up

This chapter has provided the most abstract level at which migration politics is being rethought through an engagement with the governmentality perspective, with the ambition to explore its global regulative function.

It has been argued that the governmentality perspective is limited by its almost exclusive focus at developments occurring at the inside of states. In particular, it has been criticised for failing to take into account how the modern art of government is not only concerned with national but also with global populations.

The chapter has been wanting to contribute to correcting this omission. Specifically, it has intended to locate the fundamental principle for migration politics – states' sovereign right to control migration – within a Foucauldian understanding of the state system. This theorization, advanced by Hindess, approaches the state system as

a regime of governance which operates with no controlling centre, and which includes the total global population within its remit. This regime functions, first, by dividing the greater human population into territorialized subpopulations of sovereign states and, second, by allocating to these states the right and responsibility for managing their own internal affairs, including the control over movement across their borders. This means the sovereign prerogative to control movement can be seen as a structural requirement from this dispersed regime of governance.

This chapter has expanded on this conceptualization of the state system as a regime of government in two ways. First, it has been argued that it embodies a particular modern understanding of political community as only realizable within the borders of territorial states. Second, it has been suggested that it relies on an understanding of people as sedentary, i.e. normally leading settled lives within their respective states. Additionally, it has been suggested that migrants can be both challenging for, and contributing to the reproduction of this particular way of governing the larger human population. When we turn to the political rationality of global migration management in chapter 6, we will see in what ways it furthers or challenges this regime of governance.

Circulation

Migration politics does not only involve raising barriers to entry for those whose movement one wants to stop It also entails the active promotion and stimulation of the movements one sets out to encourage. States at the receiving end of the migration process continuously develop not only new technologies for securing their borders, but also new programmes to attract wanted professionals, students or others whose movements are somehow deemed productive or for any other reason wanted. Sending states, on the other hand, develop other means and methods in order to encourage the emigration of certain parts of their citizenries, while retaining others and trying to attract back yet some. Each state makes its own decisions regarding entry and stay, and, in the case of sending states, whose outward movement it wants to encourage. But if seen at the aggregate global level, the result of these decisions is the emergence of a structure of highly differentiated mobility rights, whereby different groups of people enjoy highly unequal access to movement.

In the ambition to rethink migration politics through an engagement with governmentality, this chapter does so at a less abstract level than the former. It assesses the dimension of how movements are respectively encouraged and discouraged by employing the term *circulation,* taken from writings on governmentality. To Foucault, the question of how to manage circulation has been a central governmental concern for modern arts of government. The aim of this chapter is therefore to place migration politics within the historical continuity of the government of circulation. The chapter proceeds in three steps. First, in provides a short introduction to the concept of circulation. Second, it offers a overview of how circulation of people has been governed, relating a few historical examples to the forms of power

which Foucault identified, and which were introduced in chapter three. Third, it turns to the stratified mobility rights which follow from contemporary forms of managing the circulation of people, exploring both the forms it takes and how one can conceptualize it from a governmentality perspective. A general argument of this chapter is that the practices of managing circulation are now to large extent of global or transnational character, something which the emerging global governance of migration can be thought to exemplify.

Managing circulation

Sheller and Urry argue that the social sciences are currently being transformed by a "mobility turn", and suggest that we might even be witnessing the emergence of a "'new mobilities paradigm": in disciplines such as sociology, anthropology, geography and cultural studies, research interest is now directed at new forms of transport, travel and long-distance communication with a view to exploring the transformed patterns of social relations. The alteration in research that Sheller and Urry detect is, they argue, brought about by a series of social transformations which have put concerns over mobility at the top of the agenda.

> Issues of movement, of too little movement or too much, or of the wrong sort or at the wrong time, are central to many lives and to many organizations. From SARS to train crashes, from airport controversies to SMS… from congestion charging to global terrorism, from obesity caused by 'fast food' to oil wars in the Middle East, issues of mobility are centre stage (Sheller – Urry 2006: 208).

According to this view, concerns with mobility are of recent origin since they are – at least to a large extent – caused by certain late-modern social and technological developments such as those mentioned. Thereby, current-day political concerns over movement appear as new, connected with the various processes related to globalization.

In contrast, the Foucauldian perspective holds that concerns over mobility – or *circulation* – have been a central feature of govern-

mental thought since the modern "art of government" developed in the late 16th century. Circulation should here be understood in a most general and generic sense, covering not only the mobility of humans, but also of goods, money, diseases and so on (cf. Dillon – Lobo-Guerrero 2008: 279). Given that the perceived troubles and hopes associated with mobility have intensified in later decades, this perspective calls for viewing current concerns over flows as continuous with earlier thought on circulation.

As we saw in chapter 3, when the art of government was first developed, one of its distinguishing features was its "dispositional" character, its concern with the arrangement of "things" so as to bring about certain desired goals. Since then, the concern with "organizing circulation, eliminating its dangerous elements, making a division between good and bad circulation, and maximizing the good circulation by diminishing the bad" (Foucault 2007: 18) has been a central modern governmental concern, although its forms have changed with transformations in knowledge. In a context of globalization, the notion of "circulation" offers a way of thinking of the governmental problems and possibilities posed by all kinds of flows and interdependencies (Aradau – Blanke 2008: 2).

In an era characterized by mobility and interconnectedness, the "classic policy dilemma" of how to govern circulation has acquired a new urgency (Dillon 2005: 3). Aspects of the larger problem of circulation are now at least partly addressed and governed at the global level. While this is perhaps most clearly seen in the trade regime, it has so far not been the case with the transborder movement of people. It is the overall suggestion of this chapter that what is referred to as the global governance of migration can be read as signifying that the governmental concern over the circulation of people is now becoming globalized.

In what follows, we will look at how circulation has been thought and organized within different forms of power, paying particular attention to the cross-border movement of people as one sub-issue to the larger concern with circulation. Therefore, this chapter

follows the tendency of the governmentality perspective to denaturalize current concerns by historicising them

Disciplinary power and circulation

Mercantilism and political arithmetic

When the modern art of government first took hold, it did so in a context of reason of state. To Dean (1999: 93-95), sciences such as mercantilism, political arithmetic, early statistics, *Polizeiwissenschaft* and cameralism were all part of this early modern episteme of government. As such they had three common characteristics: 1) the management of the state was still modelled on the patriarchal image of the household, and the relations between sovereign and subject were thought of in terms of service and obligation; 2) the population is elevated to a position as prime governmental concern, but it is linked to the household conceptualization of government – it is not yet assessed in terms of biopolitical concerns over species life but in terms of numbers of people and the stock of labour that constitutes the wealth and greatness of the nation. To increase its numbers was a paramount concern in an era in which people were thought of as "the wealth of the nation", and so were the different sorts of disciplinary training and regulations to encourage productivity. Foucault explains that the human body now becomes "the bearer of new variables… as between the more or less utilizable, more or less amenable to profitable investment, those with… more or less capacity for being usefully trained" (1994bc: 95-96); 3) a major concern for government was the distribution ("disposition") of the objects of government (people, things and wealth) and the management of circulation between them (cf. Valverde 2007: 170). The concern with circulation involved taking care of the material conditions for movement, for instance by developing roads and ensure that canals and rivers were navigable. But it also involved the regulation of circulation itself: to develop suitable forms of constraints and facilitations to foster orderly and efficient forms of movement of goods or people within and beyond national borders (Foucault 2007: 325-326). What was at issue in this period was the

merging of the ordering idea of sovereignty with the modern idea of circulation; the "superimposition of the state of sovereignty, the territorial state, and the commercial state… fastening them together and mutually reinforcing them" (ibid: 15).

As concerns the government of cross-border circulation in the early modern period, we can note a few different things. First, efforts at state-building led to a concern with homogenizing populations so as to promote the identification among subjects with the interests of their rulers. The main instrument here was religion, and the period saw major expulsions of religious minorities from various European states: Jews were driven out of England and France, and, later, the same fate befell both Jews and Arabs living in Spain. In the aftermath of the Thirty Years' War, a number of forced movements of religious minorities occurred, the last one being the Protestants who fled France when Louis XIV revoked the Edict of Nantes (1685), which had until then granted them a measure of toleration (Zolberg 2006: 114).

Secondly, especially with the rise of mercantilist thought, the population was now considered a scarce economic and military asset. Consequently, there were considerable efforts at limiting exit and confine valued subject to the inside of the states (Zolberg 2006: 112). It should be noted here that while restrictions on exit are now considered a violation of human rights, most if not all European states have historically practised it. Exit restrictions were as legitimate as entry restrictions in the early understandings of international law, when "most states clung to the idea that a subject was bound to his sovereign from birth, which conferred upon the former… a status that could not be renounced" (Hendrickson 1992: 223). The bond between sovereign and subject was seen as both exclusive and permanent [85]. William

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[85] It is from this time that the long-prevailing attitude to dual nationality as suspect is rooted. Individuals with dual nationalities were long considered both a threat to the inside of the polity – as their assumed loyalty made them unreliable in times of international conflict – and as a source of tension in international relations when two states lay claim to the same individual. Accordingly, a number of provisions were made in international law in order to prevent or counteract the causes of dual nationality. Even well into the 1960s, there was a widely held opinion on the threats and general undesirability of dual or multiple nationality. In the preamble to The Hague Convention

Blackstone, an 18th century English jurist, expressed the Common Law view on the individual's obligation to the sovereign as representing "a debt of gratitude which cannot be forfeited, cancelled or altered by any change of time, place or circumstance" (Adler – Rubinstein 2000: 13). The legitimacy of exit regulations for the purpose of maximizing state power was confirmed by Emmerich de Vattel, who wrote in his *Law of Nations* (1758) that the state had to impose wise regulations in order to ensure that there was a "*sufficient number of able workmen* in every necessary or useful profession" (book 1, chap. 6, para. 73; cf. Hendrickson 1992: 226)[86]. The way that the "migration policy" of mercantile Europe was used to augment state power did not only take the form of exit restrictions; for the same reason, inward migration of foreign skilled craftsmen was encouraged even when borders were closed to the import of foreign goods (Moses 2006: 44).

Third, a contemporary concern was to populate and provide labour for the colonies. "Empire", said Napoleon's foreign minister de Talleyrand in 1797, is "the art of putting men in their place" (Pagden 2001: 10). Consequently, and while there was very little by the way of international migration between European states, there were substantial movements within the different empires – large parts of which were forced. The most famous (or infamous) example of this was slavery: around 7.5 million African slaves were transported to work plantations in the New World. But at the same time, 2-3 million Europeans were also relocated to the New World colonies; most of whom were under some form of involuntary servitude (Zolberg 2006: 112). It was hence common to forcibly relocate parts of national populations in order not

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(1930) it was stated that "it is in the general interest of the international community to secure that all its members should recognize that every person should have a nationality and should have *one* nationality" (Adler – Rubenstein 2000: 13-16, ital. added). Over later decades, however, the practice of allowing dual or multiple nationalities has become increasingly common (Spiro 2000). To one observer, "what appears unprecedented in the contemporary period is the *legitimate prevalence* of dual nationality, and in many source countries, the government's *active* promotion of dual nationality and dual cultural nationalism" (Fitzgerald 2006: 114-115).

[86] However, Vattel recognized the right to emigrate in some circumstances. See Whelan (1981) for a discussion on the history and implications of the right to leave.

only to provide labour but also to rid the colonial centres of unwanted elements. Some were convicted of crimes, others were kidnapped, yet others chose to exchange several years of labour for the hope of land and independence thereafter (Linebaugh – Rediker 2000: 58). In England, forced emigration was also found to be a "solution" to the social problem of vagrancy: as part of complex social and economic transformations associated with early capitalism, big landowners expropriated lands from smallholders and evicted rural tenants so that by the end of the 16th century there were twelve times as many propertyless people as a hundred years earlier. As a result, dispossessed and uprooted poor people without land or employment took to the roads and clustered in urban centres (ibid: 15-17). These vagrants were deemed dangerous since their lack of waged work implied a lack of integration into any recognized social network (Castel 2000: 523-524). To Bauman, vagrants embodied the threat to order which modernity has never managed to bear: their "masterless" condition, their unpredictable movements and lack of settled domicile made them appear "out of frame" (1996: 28). Authorities tried to legislate vagrancy out of existence: those who were found guilty were sentenced to harsh corporal punishment, and/or were transported to the colonies to work at plantations, which a contemporary referred to as the "prison without walls" (Linebaugh – Rediker 2000: 17-20)[87].

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[87] See Linebaugh – Rediker (2000) for a detailed history of forcible population movements in the context of the transatlantic economy within the early forms of capitalism. Their book describes several schemes for the exportation of the unwanted. Francis Bacon, for instance, in 1622 designated the following groups as "monstrous multitudes" or "swarms" who deserved destruction: Native Americans, the "Canaanites" (dispossessed English and Irish), pirates, "land rovers" (petty thieves from what was later to be called the underclass), assassins, Amazons (armed, rebellious women) and Anabaptists (a Christians group, forerunner of the Amish). These were all described as dangerous groups who should either be "cut off from the face of the earth" or forcefully removed to work in the colonies (2000: 36-40; 61-65). The idea of ridding Great Britain of unwanted elements seems to have been an enduring one: in 1832, T.R. Edmonds suggested that Britain send over "paupers" to the colonies, thus relieving the domestic tax payers from the burden of supporting them. This would also have the positive outcome that the paupers who remain in the mother country would have better chances of finding employment (Tobin 2004: 91-92).

The management of circulation in these days had an important class aspect. 17th century England saw the rise of the science of political arithmetic, from which modern demography was later to develop. Its main concern was to calculate the financial worth of the population; like their contemporaries, political arithmeticians assessed the population in terms of a natural resource to be deployed to maximize state power. To this end, the originator of political arithmetic, William Petty (1623-1687), began to categorize people according to the character of their labour and their place within production. This was a methodological innovation with far-reaching consequences as it broke with traditional systems of classification based on religion or local affiliation and made way for thinking of people in terms of economic identities (Poovey 1998: 131-136). Another consequence of valuing people in monetary rather than religious or ethical terms was that, at least in theory, they became "portable" (Sussman 2004: 96-104). To Petty, labour was the "father… of wealth, as the lands are the mother". And since lands were widespread and dispersed in the context of colonial expansion, labour had to be mobile (Linebaugh – Rediker 2000: 147). Hence, Petty and his contemporaries calculated the utility of moving people/units of labour about, both with regard to populating the colonies, but also to solve the problems of "surplus" populations (vagrants, prisoners etc.) at home. The aim was to redistribute people to where they most effectively contributed to national wealth, thus achieving what Sussman calls "biospatial rationalism" (2004: 109). In this context, the distinction between mobile and immobile, portable and non-portable, elements of the population was one way of distinguishing between dominated and dominant groups. Portability distinguished peripheral from central populations, but it also marked out the poor and disenfranchised within the latter. Hence, "groups were rendered subaltern not simply because of where they came from, but also in terms of their relation to that place; not just because of their place of origin, but because of their vulnerability to being displaced from it" (Sussman 2004: 117-118).

There seems to have always been a certain ambiguity to the meaning of movement, which relates to the key notion of volition, but

also to whether one can return to a secure place of residence. There is a tradition in Western thinking which associates movement and travel with the acquirement of knowledge and the broadening of one's horizons. The Greeks of antiquity proudly described themselves as "extreme travellers", and in their mythology the Cyclopes represented barbarism partly because they did not know how to navigate and had never left their home island (Pagden 2001: 13). In Enlightenment thinking, travelling was often seen as an ideal, as contributing to education and moral refinement (Jonsson 1995: 45). To Rousseau, travelling was a requirement for the ability to think universally: since the ever resident people knew nothing of the surrounding world, he argued, they could not grasp the general concept "man" and could not even properly know themselves. Therefore, they were "barbarians" compared to the moral superiority of the traveller (Rousseau 1966: 32-33). But the kind of travel associated with the acquirement of knowledge occurs purposefully, of one's free will, and with the understanding that one has a home to go back to (Bauman 1996: 29-30). What we have seen above does not concern this kind of travellers. Instead, in the schemes for circulation that Petty and his peers designed, the people singled out for movement were rendered subaltern precisely because they were not to move as independent agents, but were to be forcibly uprooted and moved about to suit the interests of the state. As we will see below, today the access to movement is associated with dominating groups while the denial of movement marks out the subaltern.

Governmental power and circulation

In the era of mercantilism and political arithmetic, the population was seen as "a productive force, in the strict sense of the term" (Foucault 2007: 69). It is assessed, on the one hand, as the basis for state wealth, and, on the other, as something which must be regulated by a range of disciplinary techniques which ensures its proper distribution, prevents idleness and so on. Hence, the population is still seen as a collection of subjects pertaining to the sovereign, subjects upon whom laws and regulations can be imposed from above. As we have seen, it was

possible to imagine these subjects as portable, to be moved around and placed where they would be most industrious. As Dean notes, the existence of a private sphere in which government should not intervene was "literally unthinkable" within this episteme of government (1999: 95).

From the 18th century, in contrast, the population comes to take on another meaning. It is now seen as a natural phenomenon, as "a set of processes to be managed at the level and on the basis of what is natural in these processes" (Foucault 2007: 70). As such, it calls for new forms of knowledge. Demographers begin to observe and measure its inherent processes: its birth rates, mortality rates, its rate of reproduction and longevity, and the way that it interacts with other variables, such as wealth, laws and climate (Foucault 2003: 243)[88]. One also starts doing risk analyses by mapping out the population's "aleatory" elements: the incidence of criminality, of contagious diseases and so on. Through a range of techniques which Foucault first refers to as "biopolitical" (2003: 243), then "apparatuses of security" (2007: 6), then again as "governmental" (Foucault 2007 *passim*; cf. Valverde 2007: 163), government turns its attention to the population as a living being. Rather than devising schemes for quite brutally moving people about and confining bodies to different spaces, the techniques that develop seek to nurture and enhance the biological life of the population and protect it from dangerous contingencies by acting on its own processes in much less intrusive ways: for instance through natalist policies, policies of public hygiene and various forms of social insurance.

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[88] While this is not explicitly mentioned by Foucault, it can be added that migration similarly (although later) came to be studied as a demographic phenomenon whose regularities could be detected, and whose dependence on other variables could be known. In the 1880s, German-English geographer Ravenstein formulated a series of general statements, or "laws", on migration, on the basis of his observations in the UK. He explained that the demand for labour in the industrial and commercial centres was the prime cause of migration, and that his laws therefore merely map out "the mode in which the deficiency of hands in one part of the country is supplied from other parts where population is redundant" (1885: 198) Ravenstein failed to take into account the effect of borders, and thus assumed that the same objective and natural "laws" operated across borders as within them. As Zolberg argues, this omission has marked large parts of migration studies ever since (1989: 405).

What matters here are two things: first, when the population is seen as a natural phenomenon rather than just a collection of sovereign subjects, there emerges a limit to what government should properly do. Its natural and spontaneous "desires" must now be stimulated and given some free play in order to produce the collective interest of the population as a whole.

> Desire is the pursuit of the individual's interest. In his desire the individual may well be deceived regarding his personal interest, but there is something which does not deceive, which is that the spontaneous, or at any rate both spontaneous and regulated play of desire will in fact allow the production of an interest, of something favourable for the population (Foucault 2007: 73).

One can note the (surely deliberate) similarity to Adam Smith's metaphor of the "invisible hand", which denotes how the pursuit of self-interest of individuals in a free market will maximize collective wealth. Indeed, the new forms for governing were "generally well-disposed towards laissez-faire" (Dillon – Lobo-Guerrero 2008: 280). The understanding of the population as a natural phenomenon is paralleled by the new understanding of the economy as a "quasi-natural" phenomenon which must be respected by government. Both these re-configurations of knowledge suggest that there are spheres external to government, that there are processes which government should leave alone or only interfere with with utmost care (Dean 1999: 114-115). Thus, they make way for liberal concerns about the risks of "governing too much", concerns that would have been unthinkable in the disciplinary/reason of state episteme of government (Foucault 1994ab).

The second thing to note is the attendant transformation in the government of circulation. If discipline was concerned with the distribution of bodies across space in order to enhance productivity and performance, then these new techniques were concerned with planning the milieu – i.e. affecting the population as a biological phenomenon bound to its material (natural and man-made) surroundings. Hence, the concern is no longer the "proper distribution of things" but the steering or guiding of processes – social, economic and biological

(Dean 1999: 95-96). Foucault uses an early 20th century project for urban planning in Nantes as an example. The envisioned project had four different aims: to enhance public hygiene by opening up streets and dense, disease-ridden areas; to enable trade within the town; to connect the town's streets to exterior roads to facilitate trade with the outside; and, finally, to enhance surveillance, which had become an important problem since the dismantling of town walls had exposed the town to constant threat from the influx of beggars, vagrants, criminals and so on. Hence, rather than just distribute the various objects of government, the concern was now one of organizing and "securing" circulation, "of maximizing the positive elements, for which one provides the best possible circulation, and of minimizing what is risky and inconvenient, like theft and disease, while knowing that they will never be completely suppressed" (Foucault 2007: 18-19). In planning the milieu, therefore, one does not strive towards achieving a static and perfect condition. Instead, this is a future-oriented form of government, one that plans ahead, taking into account the probabilities for certain events to occur without nurturing the hope that dangerous contingencies will be completely eradicated. It also takes into account that the various elements within the milieu need to be regulated according to the multiple functions they serve; for instance, the street in the above example enables both trade and the influx of criminals. Hence, the dilemma of striking a proper balance between too much and too little regulation becomes an important concern for a government attempting to secure the various forms of circulation (ibid: 19-20).

The general problem of governing circulation seems to have two main parts. On the one hand, one must make a distinction between wanted and unwanted movements. That is, one must decide what forms of movement are to be let free or even stimulated, and what forms of movement are to be suppressed. This part concerns the "mentality" of governing circulation. On the other hand, one must find "technologies" of government[89]; regulatory techniques to carry out this distinction in practice, i.e. to secure the streams by separating and

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[89] These terms are discussed in chapter 3.

halting unwanted movements while avoiding stopping the movements that are found productive and desirable. This study is mainly concerned with the former. This focus comes naturally from a delimitation of sources to textual material. However, in order to provide the reader with some orientation as concerns the practical and technical aspect of governing circulation, we will first – briefly – turn to what contemporary scholars have said about current practices of border control.

A current governmental concern: securing the border

As has already been pointed out at length, Foucault and other governmentality scholars have so far tended to confine their studies to the inside of the state. Hence, the processes of governing or securing circulation that Foucault describes took place within the space of a previously delimited state territory. But, today it seems that the concerns with securing and maximizing circulation, enhancing positive movements by halting negative ones, largely takes place at and across borders.

Peter Andreas (2003) argues that the operation of state borders has undergone important transformations. Their traditional military and economic functions have declined, yet, to Andreas, this is not to be taken as indicating a general process of border dissolution. Sharply rising border enforcement budgets[90], stricter visa regimes, the development of new and sophisticated technologies for surveillance and new forgery-resistant travel documents, and the extension of control mechanisms beyond points of entry instead speak of the strengthening of the border in later years (cf. Thomas 2005; Pickering – Weber 2006; Nevins 2002). But border controls are now less about military defence or the imposition of barriers to trade (such as quotas or tariffs) and more about the policing of "the clandestine side of globalization" (ibid: 84), a function which has largely been overlooked in IR studies. Detecting and stopping the inflow of such actors as

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[90] The 25 richest countries spend about 25-30 billion dollars per year on border enforcement measures (Pécoud – de Guchteneire 2005: 4).

terrorists, migrant smugglers, drug traffickers, merchants in illegal forms of trade and unauthorized migrants is now rising to a primary concern for borders. Yet, most part of cross-border movement is legitimate and valued: each day 1.3 million people, 340,000 vehicles and 58,000 shipments arrive in the US. Hence, the challenge is to design border control techniques which simultaneously facilitate legitimate movement and detect the unwanted clandestine transnational actors. The "smart border" agreement between the US. and Canada is one example of how this problem has been addressed in practice: it combines high-technological devices to scrutinize border crosses with measures to facilitate movement for "low-risk" travellers (for instance by guaranteeing short waiting time for business commuters) (cf. Salter 2004). In the immigration control field there has been a simultaneous development towards moving controls from the border to the inside of the state (identification checks, workplace inspections) and to the outside – so-called "remote control measures" that aim to prevent departure near the point of origin (visa requirements, carrier sanctions, establishment of "buffer zones" beyond national borders) (Guiraudon – Lahav 2000; Guiraudon 2001; Lahav 2006; Zolberg 1999b: 73-76; Brochmann 1999; Agnew 2003: 21). Andreas concludes that

> …the tightening of border controls against [clandestine transnational actors] has taken place in an era of globalization and regional economic integration defined by a loosening of controls over legitimate cross-border exchange. Border control strategists have therefore been creating new and technologically innovative filters at and beyond points of entry to try to separate out "undesirable" from "desirable" border crossings. Balancing the twin border goals of facilitation and enforcement will continue to be one of the most bureaucratically, technologically, and politically challenging tasks facing governments in the twenty-first century (2003: 107-108).

The way Andreas describes the dilemma facing border control echoes Foucault's description of the general problem of governing circulation: how to allow for and maximize the "good" circulation while simultaneously barring the "bad". To Andreas, his observations represent the latest transformation in territoriality and the function of borders. Whereas borders traditionally have had important functions in

the economic and military fields, they are now oriented more towards filtering border-crossers and detecting clandestine actors.

But if we focus less on the actual border and more on the *practices* that he describes, it might instead be tempting to view them as the latest development in the history of the government of circulation. From this perspective, the important transformation is not the change in the border per se but rather that the practices of governing circulation are now occurring at and across the border. Hence, it is the *practices of governing circulation* that have been reconfigured, not the border. Not only do they now operate across borders. There has also been a change in emphasis regarding their purpose: they do not only serve the biopolitical purpose of enhancing population but have now also incorporated the classic function of securing sovereign territory, precisely be securing circulation.

I have now discussed some contemporary governmental technologies for managing cross-border movement, suggesting that these may be understood as the continuation of earlier forms of governing circulation within national territories. In the context of globalization, an increasingly important concern for government is now "to secure the changing and manifold processes of global circulation as such" (Dillon – Lobo-Guerrero 2008: 284). We will now move from the practical dimension of enforcing regulations to the dimension of how one distinguishes between good and bad movements in our current era, i.e. we will move from "technologies" to "rationalities" of the government of cross-border circulation of migrants. This study approaches the contemporary discussions on migration at the global level as the latest generation of such a rationality, which takes as its most important aim to mark out desired and undesired forms of movement. As such, it is also notable for approaching the circulation of people from a global perspective, hence performing this distinguishing exercise with the global population as point of reference.

Liberalism and circulation

In discussing the management of the circulation of migrants under modern liberalism, I proceed in three steps. First, I will show how the

principle of "freedom of movement" is conceptualized, and the somewhat paradoxical ways in which it is instituted today at the international level. Second, I provide a historical sketch of the period in the late 19th century during which the freedom of movement was thought in a way which differs significantly from today. Both of these sections are useful for understanding the conditions for contemporary government of migration. Thirdly, I will account for the Foucauldian understanding of liberalism as a mode of governing, particularly emphasising its implications for circulation.

The freedom of movement

The principle of freedom of movement has a long history. While its roots are sometimes traced back as far as the Magna Carta[91], most commentators map its modern genealogy through key documents from the French and American revolutions as well as the philosophy and legal reflections of Hobbes and Blackstone, along with the classical jurists such as Grotius, de Vitoria and Pufendorf (Nafziger 1983; Juss 2004).

Although freedom of movement might not sound very grandiose, it is often considered a basic human right, sometimes even "the first and most fundamental of man's liberties" (Cranston 1970: 31). The reason is that it constitutes a precondition for the exercise of other rights: if denied freedom of movement, a person may be politically repressed, prevented to practise his or her religion, barred from enjoying the right of marriage and family life, or blocked from a job or an education which could enhance his or her quality of life. "Thus, while free movement may seem on the surface to be a fairly minor and obvious human right, it actually is one of the most basic human rights" (HREA 2007), recognizing "the ageless quest of individuals for a better life elsewhere" (Nafziger 1983: 846).

There are two main dimensions to the freedom of movement: the right to leave and the right to arrive (Nett 1971: 218-219). These

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[91] The Magna Carta (1215) allowed merchants to leave without specific permission, and was thus the first exception to the rule that subjects were not allowed to leave the kingdom without authorization from the sovereign (Salter 2003: 13)

correspond to the distinction between the right to exit and the right to entry. The right to leave one's place of residence is meant to protect the individual from political and religious repression, while the right to arrive in a different place allows the individual to seek better opportunities as concerns employment, education and so forth. At the national level, both the right to leave and to arrive are now recognized human rights. Article 13 of the Universal Declaration of Human Rights begins by stating: "Everyone has the right to freedom of movement and residence within the borders of each State". Across borders, however, the two part ways. The same article continues: "Everyone has the right to leave any country, including his own, and to return to his country". Hence, the individual, nowadays, is granted the freedom to leave/exit, but there is no right to enter a country of which one is not a national, the main exceptions being the right to return to one's country, and the right of refugees to seek asylum.

The two components of the freedom of movement, as instituted at the international level, are therefore not symmetrical. In the case of exit, the individual's freedom of movement is privileged over the state (Whelan 1981), whereas in the second case the state is privileged over the individual. Juss (2004: 293) emphasises that the incomplete right of movement is anomalous in human rights terms, since other individual rights of dignity and personhood are posited as fully-fledged human rights. The lack of a right to enter is also anomalous because of the magnitude of the phenomenon of world-wide migration. This anomaly consists in the "lack of legal rights, in relation to an activity so largely participated in by so many people" (ibid).

In political theory, this imbalance has been the subject of heated discussions. Dowty (1987: 14) defends it in the following way: "The right to leave does not imply the corresponding right to enter a particular country …The two issues are not symmetrical: departure ends an individual's claim against a society, while entry sets such a claim in motion". Admitting an individual into a polity clearly implies a lot more than it does to allow a person to leave. On the other hand one can argue that the right to leave is meaningless as long as one cannot enter another country.

> Logically, it is an absurdity to assert a right of emigration without a complementary right of immigration unless there exist in fact… a number of states which permit free entry. At present, no such state exists, and the right of emigration is not, and cannot be in these circumstances, a general human right exercisable in practice (Dummett 1992: 173).

One way of challenging the asymmetry is therefore by claiming that the right to leave amounts to nothing if one is not allowed entry. Another way would be to argue that the individual is entitled not only to the negative rights (freedom from persecution) but also to positive rights (freedom to seek employment or in other ways improving one's life). To Hayden, the current definition of refugees and the distinction that is drawn between refugees and migrants, testify to the way that negative freedoms are still privileged over positive ones, and that the freedom from persecution and state interference are considered more valuable goals than economic equality: "Economic rights", she writes, "are not typically considered human rights" (2006: 283).

The liberal era and after

Whatever one may think of it normatively, the "liberal asymmetry" resulting from the co-existing principles of free exit and non-free entry nowadays constitutes a cornerstone for the management of circulation of people across borders (Cole 2006). As we saw in the section on the mercantile period, freedom of exit has not always been the norm. But neither has state restrictions on entry always been considered as legitimate and natural as they are today. In this section, we will turn to the period from the mid 19th until the early 20th century, when reigning international norms in contrast were dedicated to the principle of free movement of entry as well as exit (Moses 2006: 47).

In connection with the major social transformations associated with the industrial and democratic revolutions, a pattern of large-scale European emigration of free individuals emerged (Zolberg 2006: 115). Transport costs decreased, which allowed for long-distance migration even for the relatively poor. By the end of the 19th century, emigration was further fuelled by a global economic downturn and a series of failed harvests (Moses 2006: 46-47). More than 50 million Europeans

emigrated to the New World between 1820 and 1913, three fifths of whom went to the United States, the rest to Canada, South America, southern Africa and Australia (Hatton – Williamson 2003: 6)[92].

These people were able to migrate because of the very few restrictions on movement at the time. Immigration to the US., for instance, was unregulated until the 1880s, when racially motivated restrictions on immigration were directed at the Chinese and other Asians (Castles – Miller 2003: 57). If for the moment one disregards such exceptions, as well as the contradictions and hypocrisy that surely existed in practice, one may note that the overriding attitude towards movement in this era was a liberal one. And as shown by the mass emigration of the European poor, this liberal regime was not only reserved for the privileged. In a tone which sounds very unfamiliar today, the International Emigration Conference declared in 1889: "We affirm the right of the individual to the fundamental liberty accorded to him by every civilized nation to come and go and dispose of his person and his destinies as he pleases" (quoted in Harris 1995: 6). In Europe, too, restrictions of movement were being dismantled. In 1914, just before more drastic barriers to movement were to be implemented, the German student of the passport system Werner Bertelsmann concluded that

> Because in recent times the position of foreigners has grown much different from before… most modern states have, with but a few exceptions, abolished their passport laws or at least neutralized them through non-enforcement… [Foreigners] are no longer viewed by states with suspicion and mistrust but rather, in recognition of the tremendous value that can be derived from trade and exchange,

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[92] This historiography is guilty of a certain Eurocentrism. McKeown (2004) has shown that Asia was also an important immigration area in the era of transatlantic migration. This is usually ignored in the standard narrative of international migration, which tends to focus on the transatlantic movements. A comparison shows that the numbers of migrants are comparable: between 1846 and 1940, about 48-52 million people left India and South China for Southeast Asia, the Indian Ocean Rim and the South Pacific, and another 46-51 million people left Northeast Asia and Russia for Manchuria, Siberia, Central Asia and Japan. In McKeown's view, the simultaneous rise in migration world-wide indicates that non-Europeans were very much involved in the integration of the world economy in a context largely unaffected by Europe.

> welcomed with open arms and, for this reason, hindrances are removed
> from their path to the greatest extent possible (quoted in Torpey 2000:
> 111).

The period from the late 19th until the early 20th century is perhaps better known for the expansion of world trade and capital markets. As we have seen here, this "first era of globalization" (McDonald – Sweeney 2007), much in contrast to the current one, did not only involve the dismantling of barriers to trade and capital movements, but also to the movement of people[93].

The outbreak of World War I emphatically ended the liberal regime of movement of both people and trade. In its aftermath the modern international passport regime became a permanent technology within the government of world circulation of people. However, the international community was initially very reluctant to formalize the passport regime. The League of Nations' International Conference on Passports, Customs Formalities and Through Tickets in 1920 declared that

> Being of the opinion…that the legitimate concern of every
> Government for the safeguarding of its security and rights, prohibits,
> for the time being, the total abolition of restrictions and that complete
> return to pre-war conditions which the Conference hopes,
> nevertheless, to see gradually re-established in the near future…
> (quoted in Salter 2003: 78-79).

Control of immigration before the liberal epoch had occurred in response to wars and political turmoil, and was therefore often designed to be temporary (Moses 2006: 45-46). The quote above expresses the hope of delegates that the restrictions put in place around World War I would similarly prove to be of a passing character, and

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[93] Zolberg notes, however, that the freedom of entry exercised under this period was subject to implicit restrictions: "if during this period freedom of exit came to be established as a sine qua non of liberal regimes, this was not the case with respect to freedom of entry; even where laissez-faire was practiced in fact, receiving states insisted on their theoretical right to regulate admission and, hence, to restrict it" (2006: 115). The condition of possibility for this liberal attitude therefore seems to have been the possibility of restricting it. Nevertheless, in this period, allowing freedom of movement was an ideal in a way which is very different from today.

that the freedom-of-movement regime would be restored once the time was right. This wish to do away with passports and border control was repeated in the context of League meetings until the early 1930s (Salter 2003: 79)[94]. However, the "right time" to return to the pre-War arrangement never came; instead the restrictive control over immigration became an increasingly integrated and normalized feature within the international community. To Salter, "[t]he modern mobility regime takes its lead from the liberal desire for travel and trade, as well as the postwar scepticism displayed toward foreigners, spies and the fifth column" (2003: 77). In the aftermath of World War I, there were two competing norms, one emphasising national security and the other the ethics of freedom of movement. The former came to triumph over the latter as state control was chosen above the individual's freedom of movement (ibid: 79-81).

The movement of people across borders concerns not only the relationship between individual liberties and claims for state control. Migration can also be viewed in terms of labour, thus constituting one of the major factors of production. From the perspective of economic theory, Moses observes that liberalism and migration controls became "comfortable albeit unlikely bedfellows" (2006: 50). Late 19th-century political economy built on a certain contradiction which has continued to mark economic study into the following century. Liberal trade theory rested on the assumption of international factor immobility (capital and

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[94] In 1920, J M Keynes nostalgically recalled the liberal era of free trade and movement from the point of view of British bourgeoisie: "What an extraordinary episode in the economic progress of man that age was which came to an end in August 1914! …The inhabitant of London could order by telephone, sipping his morning tea in bed, the various products of the whole earth, in such quantity as he might see fit, and reasonably expect their delivery upon his doorstep; he could at the same moment and by the same means adventure his wealth in the natural resources and the new enterprises of any quarter of the world… He could secure forthwith, if he wished it, cheap and comfortable means of transit to any country or climate without passport or other formality, could despatch his servant to the neighbouring office of a bank for such supply of the precious metals as might seem convenient, and could then proceed abroad to foreign quarters, without knowledge of their religion, language, or custom, bearing coined wealth upon his person, and would consider himself greatly aggrieved and much surprised at the least interference" (1920: 9-10).

labour), assuming that whereas commodities should move freely, capital and labour were only free within the borders of separate countries. To Moses, this has not only had a range of serious economic and political consequences, but has also resulted in a series of paradoxes being integrated into liberal ideology. After the liberal period of the late 19th century, and especially after World War II, there has been a regime shift to more stringent controls on immigration. The postwar years have been marked by the efforts on the part of the international community to move towards liberalization in the economic field, dismantling barriers to trade and capital flows. But the deregulation of the markets for trade and capital has not been accompanied by deregulations of the global labour markets. Economist Jagdish Bhagwati has commented that the control of the movement of labour is "the most compelling exception to liberalism in the operation of the global economy" (quoted in Andreas 2000: 2). While capital and trade are allowed to move freely, labour is still largely nationalized. An exception is the EU where the right of freedom of movement has been part of the efforts at creating a single market (Geddes 2003: 129-130). But the realization of internal freedom of movement has been paralleled by a gradual strengthening of external borders (Lavenex 2001; Andreas 2000).

This imbalance or asymmetry between capital and labour has become an argument for scholars leaning towards the left, who tend to see the barriers to the movement of labour as furthering the exploitation of labour by capital. For instance, Doreen Massey calls this asymmetry in mobility between capital and labour; "[o]ne of the most notable, yet least noticed characteristics of the inequality within the current type of globalization (1999: 37)".

Also, as part of the efforts to enhance trade and capital flows, the international community has established various cooperative regimes, while this has not been the case of migrant labour. Writes Moses: "Unlike trade in goods, services and investment, there would come to be no postwar International Code of Conduct in regard to the nature and scope of migration restrictions; migration restrictions were considered to be solely matters of national sovereignty (2006: 53). The current development towards discussing migration in global forums is

the closest thing to multilateral cooperation in the field, yet, as we saw in chapter 2, the form of cooperation is so far largely of a non-committing nature.

Liberal governmentality and circulation

> Communities constitute the cement that integrates the members of concrete communities into values of trust, reciprocity and solidarity, bounded by rights and obligations of members toward each other. Rights and duties delimit the boundaries of communities, which may rest on diverse mechanisms such as kinship lineage, shared knowledge and values, belief in common institutions or religious beliefs. The boundaries of the market are quite different in that dispersed competition is ideally driven by the interest of human agents in the purposive acquisition of individual goods, without much or indeed any consideration of, or control over, what impact the pursuit of acquisitive purposes may have on others or on other peoples' future selves. The principle of state consists of hierarchical control, carrying binding decisions in political communities... Whereas communities are characterised by various notions of boundaries of 'us' distinct from 'others', and markets exist without geographical borders, states… are defined both by clear territorial borders and boundaries set by their function to implement authoritatively binding decisions by the force of power and legitimacy (Faist 2007: 23).

The quotation above presents the main characteristics of what Faist sees as the "master mechanisms of the social order": the state, the community, and the market (ibid). We can note a couple of different things. First, these three mechanisms are differently extended in space: whereas the state is delimited by territorial borders, communities integrate its members by distinguishing them from others through an us/them logic; and markets are uninhibited by borders. Second, in fulfilling different functions, the three mechanisms seem to be inhabited by different kinds of subjects. The state exercises its power over juridical subjects, i.e. the members of a political community, communities tie together individuals as social subjects through cultural characteristics and values of loyalty, identity etc., while markets are peopled by autonomous economic subjects who act from self-interest, as they should. To Faist, while these three mechanisms exist in tension, they are also dependent on each other for their respective function

(ibid). They are therefore understood as making up a form of social totality, although one which is not free from internal contradictions.

Crucially, in the quote above, these three mechanisms are presented as objective and naturally existing entities. From a governmentality perspective, however, they would instead be approached as correlates of liberal or proto-liberal practices of government. I will now bring up a few points from the governmentality theorization of liberalism that are relevant for the understanding of the freedom of movement[95]. These are, first, the conceptualization of freedom, second, the understanding of the economic subject as inherently mobile, and third, the role of "society" (or "community") for liberal government, in the sense that it provides a geographical rooting for the economic subject (cf. Noxolo 2006: 12-22). What emerges does not contradict the quotation above, but it makes the three mechanisms appear in a different light.

First, a few general words on this approach to liberalism might be called for. Governmentality theory sees liberalism as a particular way of posing problems rather than as a philosophy which is based on the rule of law and the need to protect the rights and liberties of individuals against intrusions from governments. As such, it is characterised by the call for limitations of government. Within the reason of state episteme of government, and particularly in the *Polizeiwissenschaft* there was no such concern. Instead, the objective was to regulate and order as many spheres of human activity as possible. For liberalism, in contrast, there is a constant suspicion that one may be governing "too much" (Foucault 1994ab: 74). It recognizes in particular two different limits to governments. First, it affirms that governed reality is made up of processes that are largely autonomous. Therefore, processes related to the economy, to the population and to society are conceived as realities outside of the political sphere, and – moreover – as processes which political authority must respect and refrain from intervening excessively in. Second, the understanding of subjects as autonomous individuals with rights and interests also calls for limitations of government. Dean

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[95] See Foucault 2004; Dean 1999; Rose 1999; Lemke 2001 for fuller overviews

notes that liberalism here makes use of the sovereign subject, the subject of right, and applies it across a series of different spheres (1999: 50).

While liberalism is often understood as a philosophy that calls for the limitation of government on the basis of a prior commitment to individual rights and freedoms, governmentality theory instead sees these individual liberties as necessary for the ends of government. Foucault explains that the liberal art of government "needs" these individual liberties for the operation of the autonomous processes (economy, population, society) which are both external to government and vital for its ends. Hence, the freedom to buy and sell on a free market, and the freedom to own property are necessary for the liberal art of government. However, it is not a question of removing all constraints, instead it is necessary to define the limits of these freedoms. Liberal government is therefore concerned with producing and organizing freedoms, rather than guaranteeing freedom as an abstract principle (Foucault 2004: 65; Dean 1999: 50). The flip side of the necessity of defining the limits of freedom is the constant concern with security. One needs to make sure, for instance, that the freedom of the economic processes does not put the workers at risk, while at the same time the freedom of workers does not endanger production (hence, the developments of the welfare state and social security can be seen as part of the securing of liberal freedoms). This is not so much a question of protecting the free subjects that make up political community from external dangers. Instead, in the process of producing the freedoms which these subjects enjoy, as a necessary condition one needs to protect and insure them from the risks that arise in the same process. Hence, to Foucault, this art of government is continuously concerned with arbitrating the limits between freedom and security. Moreover, and as a result, the exercise of liberal freedoms is conditioned on the development and deployment of advanced systems for overseeing the exercise of freedoms (Foucault 2004: 65-68). In this context, and by reference to the freedom of circulation, Dillon and Lobo-Guerrero suggest that "freedom is nothing else but the correlative of the deployment of apparatuses of security" (2008: 282).

Circulation internal to a state can be seen as useful for the operation of, for instance, the labour market. The freedom to circulate internationally, in contrast, is constrained by national security imperatives.

The second point I want to make here concerns the conceptualization of liberalism's economic subject as at least potentially mobile. In examining the figure of the homo oeconomicus, which has been central for neoliberal forms of governing in both Europe and the United States, Foucault notes three characteristics. First, this homo oeconomicus is susceptible to changes in the environment, he is a subject whose behaviour one can affect and manipulate in desired directions as he is understood as rationally and systematically responding to modifications in the milieu[96] (2004: 274). Second, neoliberalism envisions the subject as capable of being his own entrepreneur, investing in human capital both for economic gain and for other forms of satisfaction (ibid: 232). Third, as an aspect of human capital investment, Foucault explicitly mentions migration (ibid: 236). Moving presents the individual with a cost (of moving, of adapting to the new environment, etc.) before making any gains, thus the migrating individual is understood as making a sort of investment, taking into account both the costs and expected gains. Hence, the neoliberal subject is one who responds rationally to transformations of the environment, and one who is capable of migrating as part of his investment in human capital – the possibility to choose whether or not to migrate is a crucial part of the function of homo oeconomicus.

The third point I want to mention here is the relation between the economic subject and society. To Foucault, liberal government is marked by the uneasy relationship between its two constitutive subjectivities: on the one hand, homo oeconomicus, and, on the other, the juridical subject. The first is the subject of interest, while the second

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[96] In this sense, explains Foucault, the neoliberal version differs from the homo oeconomicus of 18th century economic theory. In those earlier days, the homo oeconomicus was the subject of laissez-faire, the subject who follows his interests and by doing so spontaneously produces the greatest benefits for the collective – hence this was a subject one "should not touch" (2004: 274).

is the subject of rights, who voluntarily enters into the imagined or assumed social contract. In the 17th and 18th centuries, the relation between the two was the topic of extensive discussions in political and legal theory. The two are irreducible to each other and follow very different logics. The juridical subject departs from the conception of natural rights. When signing the social contract he also accepts renouncing parts of these rights, thus splitting himself into two. The juridical subject thus, in a sense, accepts negativity. The subject of interest, on the other hand, is never asked to renounce his interests, as the idea of the invisible hand posits an egotistical mechanism whereby the interest of each will spontaneously correspond to the interest of the collective (2004: 277-279). Now, and with the new conceptualization of the economy as a domain which must be shielded from excessive government interference, new problems arise for government. How does one exercise the art of government in a sovereign space which is populated by economic subjects that are irreducible to juridical subjects? How does one keep the unity of government so as to avoid splitting it into an economic part and a juridical one? This is where the notion of society emerges (2004: 295-298). Foucault does not see society as a pre-political reality, "naturally" existing outside the state and the political sphere. Instead it forms part of a liberal technology of government (2004: 301). The idea of a society allows a form of government to extend to the whole population, it provides a unity to atomistic individuals – hence the bond between homo oeconomicus and society is indissoluble. They differ in two respects. First, the unity of society is provided by non-egotistic forms of interests: sympathy, sentiment, compassion, as well as the repugnance of others (compare the quote from Faist above). Society has traditionally been regarded as having a civilising function on its member individuals (Bartelson 2006). Importantly, this function has been understood as having a spatial quality. The second difference is that while homo oeconomicus is potentially unrestrictedly *mobile* (he will pursue profit wherever it can be made), society is *rooted,* i.e. tied to a specific locality by means of community loyalty (Noxolo 2006: 19). While commercial bonds between economic subjects can be created across the globe, the bond

between members of civil society is particular, "communitarian", based on the exclusion of others. The tension within governmentality between the mobility of the economic subject and the rootedness of the civil society framework within which he must be managed, is resolved with reference to the "multiple spatiality" provided by the Westphalian states system. "The mobility of homo economicus can therefore be seen as being governed and optimised within a networked multiple spatiality – through a locally-rooted civil society at the intra-national level, and through a locally-rooted society of states at the international level" (Noxolo 2006: 20).

From the Foucauldian understanding of liberalism as an art of government follows that the three different societal "master mechanisms" that Thomas Faist identified and described in the opening quotation, are not natural entities. Instead, the idea that the market and community are defined as outside the state results from a particular mentality of government rather than from their status as pre-political facts.

Then, what does this Foucauldian reading of liberalism tell us as regards the management of circulation? I would like to highlight two things. First, it demonstrates that the freedom to move is produced in relation to considerations of security. We have already seen that state concerns about national security and sovereignty override the individual's freedom to enter but not to exit. But the liberty/security problem complex also offers an understanding of how the differing possibilities to exercise freedom of movement are being produced in relation to security. Thereby, it encourages us to be attentive to the ways that the documents under study associate some migratory movements with danger. The second thing to note has to do with the relation of the (economic) individual to society. In Foucault's reading, the taming, civilizing function of society corresponds to national territory. In chapter 4, it was suggested that the state system is connected to an understanding of people as normally nationally sedentary. Now, we can observe a different dimension of this. There is an unbreakable bond between the individual and society. Society tames the individual, and limits the risks connected with his mobility and acts

of self-interest, and it does so within a particular space which corresponds to the area allotted by the state system governance of the human population. Hence one may conclude that the spatial dimension of the liberal conceptualization of the bond between individual and community partakes in making migration appear to be an "exceptional" activity.

Then, what will happen to the rationality of governing migration if society is no longer considered unquestionably rooted in national soil? Observations of the existence of diaspora networks and the forming of transnational bonds between members of the same society/community living in different national territories, speak of the dissolution of the bond between society and national territory. This has already been noticed in much empirical research. What matters here, however, is not the empirical question of to what extent society is still connected with territory. Instead, it is the extent to which this empirical reality has entered into governmental thought, i.e. whether or not the international rationality of governing migration takes the existence of such transnational communities into account. The suggestion here is that if the existence of transnational networks is acknowledged and recognized, this poses an important challenge for the government of migration within the state system regime of governance. For if it is society that is understood to bind the individual to a particular territory, making movement between territories appear exceptional, then the acknowledgement of the transnational reach of communities would seem to bring with it the re-conceptualization of migration, circulation and transnational existence of individuals as a normal phenomenon.

Stratified mobility

How, then, is the cross-border circulation of people managed today? Who enjoys freedom of movement, and who does not? Whose movement is understood as best managed by allowing freedom of choice and/or the operation of market forces, and whose is subjected to regulations? I want to suggest that the management of circulation can be seen as one important aspect of the global regulative function of migration politics. While individual states make decisions as regards

entry and stay, at the aggregate – or global – level appears a complex pattern whereby different groups of people are allowed differing access to spaces. In chapter 6, we will turn to the global description of migration and migration politics which gives us an opportunity to study how circulation of people is thought when authorities for the first time approach it as a matter of global concern. But in order to understand the ways in which this specific political rationality follows and diverges from recent trends in governing migration, this section provides an important background. Here, we will turn to how scholars within geography and sociology have understood the government of circulation within our current wave of globalization. Next, we will see how one can conceptualize contemporary global circulation from a governmentality perspective.

Scholars from geography and sociology tend to frame this question in terms of access to *mobility*. Although transborder mobility has increased sharply over later decades, as indicated by – for instance – increased numbers of business visits, visiting students, travel, tourism and so on, this increase has not been universal but heavily stratified. Modifying the claim that we see a general compression of time and space (Harvey 1989), Doreen Massey claims that we must be attentive to the social differentiation in the experience of ongoing developments – that we must take into account the "power-geometries of time-space" (Massey 1999). If our era is, to some degree at least, marked by transnational flows and connections, we must be attentive to new dimensions of social inequality that may exceed the usual state-centric frame of reference. What some sociologists have been suggesting recently is that access to mobility is becoming an increasingly important such stratifying dimension, alongside (and interacting with) class, gender and race (Bauman 1998; cf. Weiss 2005; Blomley 1994). In Bauman's words: "[m]obility and its absence designate the new, late-modern or postmodern polarization of social conditions. The top of the new hierarchy is exterritorial; its lower ranges are marked by varying degrees of space constraints" (Bauman 1998: 86). Hence, "the freedom to move, perpetually a scarce and unequally distributed commodity, fast becomes the main stratifying factor of our late-modern or postmodern

times" (ibid: 2). To Bauman, then, mobility rights, or the actual opportunities to exercise the freedom to move, is becoming a main form of social stratification. Balibar similarly argues that for a "rich person from a rich country", the passport "increasingly signifies not just mere national belonging, protection and a right of citizenship, but a surplus of rights – in particular a world right to circulate unhindered" (2002: 83). To Benedict Anderson, passports are now "less and less attestations of citizenship, let alone of loyalty to a protective nation-state, than of claims of participation in labour markets" (1994: 323).

Whereas some forms of movement of people are encouraged, others are subject to heavy restrictions. At the most general, there are "two worlds of movement" (Salter 2003: 2) where citizens of the rich world can move with much fewer restrictions than citizens of the South[97]. There are certainly important divisions within this very broad categorization. One has to do with class. Among the already privileged (in mobility terms) citizens of the North, some move with far greater ease than do others. Among those who are sometimes referred to as "international jet-setters" (Massey 1994: 149) or "club-class migrants" (Brah et al 1997: 6) are businessmen and high-level professionals who are employed within the "core" sectors of the world economy, along with other groups from Western elites, such as journalists and academics (Massey 1994: 149f). Apart from Western elites, highly-skilled citizens of the South, who possess skills that are in demand in the global labour market, also have a strong position on the mobility dimension. Countering the general trend towards more restrictive labour migration policies in the rich countries since the 1970s, this sort of migration has increased over the last decade, so that countries now often find themselves competing for highly-skilled labour (Migration Policy Institute 2007). For these groups, barriers to movement are torn down in a similar way as those for investments and trade. For instance, and as we have seen, the liberalization of movement that has been

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[97] While the average OECD citizen faces visa restrictions in travel to approximately 93 foreign countries, the average non-OECD citizen needs a visa to travel to approximately 156 countries (Neumayer 2005: 12).

negotiated under Mode 4 of WTO's GATS treaty almost exclusively concern highly-skilled workers.

Scholars who thus approach mobility in terms of social differentiation usually point out that those who find themselves at the lowest level are the low-skilled citizens of Southern countries[98]. These people face the most restrictions to movement, something which has led Nigel Harris to conclude that "the underlying principle of this approach is that the world of migration is only for the professional and highly skilled, a privilege for the elite. Those counted as unskilled are to be tied, like serfs, to the soil of their homeland" (2002: 41). While barriers to the movement of trade and capital have been progressively dismantled, this has not been the case for labour

We have seen that within the mercantile period, the mobility of people was seen as a mark of the subaltern and dispossessed. In contrast, we see that now it is the *lack* of mobility which is understood as defining the subaltern. A crucial difference is, of course, that the mobile underclass of the political arithmeticians was conceived of as *portable* – it was their potential portability rather than their chosen mobility which designed them as subaltern. The condition on which mobility may be understood as a mark of the privileged – as the above scholars do – is that it is now impossible to imagine schemes for forcefully distributing people.

Insured and non-insured populations

From the above, we have learnt that mobility is an important stratifying dimension, as some groups have better opportunities to exercise their legitimate freedom of movement than others. We have also seen that access to mobility is distributed according to class but also, and perhaps even more importantly, according to nationality. As a rule of thumb, citizens of the global South are much more barred from movement than are citizens of the North. We may therefore add a third distinction

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[98] A more extreme version of this argument is the apartheid analogy. Using the term "global apartheid", a range of scholars have suggested that the South African apartheid system can be seen as a microcosm of today's migration restrictions (Dalby 1999; Richmond 1994; Alexander 1996; Tesfahuney 2001; Booker – Minter 2001).

according to which migrants are constituted as objects of government. We have previously seen that migrants as a category for intervention are constituted, first, by the arrangement of sovereign states and, second, by the distinction drawn in international law between voluntary and involuntary forms of movement. Robyn Lui (2004: 117) has argued, writing about the government of refugees, that "[w]e cannot ignore the far-reaching consequences of conceptualizing a world divided into different stages of development". When the refugee regime was universalized so as to include non-Europeans, the responses to refugee situations also shifted: "[w]hereas European refugees were governed as political subjects, African refugees were governed as subjects of underdevelopment" (ibid). Now, this does not exactly translate to migrants, since that category is constituted as one which does *not* have political reasons for its movement. However, as Southern citizens are allowed less international mobility than Northern citizens, the categorization developed/ underdeveloped still seems to be crucial for governing migrants. We will now look at how one governmentality scholar has conceptualized this distinction.

Mark Duffield (2005; 2008) offers one way of understanding the lack of circulation accorded people from the South, which takes matters of development and security into account. As we have seen in chapter 4, the state system regime of governance was universalized with decolonization. For the first time, previously colonised populations now existed as citizens within their own borders. To Duffield, decolonization is also the moment when "development was re-configured as an inter-state relation of governance; it moved from the colonial bureaucracy into the institutions of external expertise now lined up to help and support the newly discovered underdeveloped state" (2008: 148). Just like liberalism, argues Duffield, the governmental project of development also takes life as its referent object. But the life that appears as the object of developmental interference is a life which is seen as incomplete and deficient. Therefore, the form of development is that of a moral trusteeship which seeks to make this life complete. Hence, Duffield does not approach development as the result of measures taken to reduce voice

or enhance empowerment. Instead he sees these various measures as a "way of governing through these same acts of education, betterment and empowerment" (ibid: 146).

One major, enduring consequence of the reconfiguration of development which took place with decolonization, was that it divided humanity into developed and underdeveloped, or, as Duffield has it, into insured and non-insured life. *Insured* life is sustained from the dangers posed by capitalist existence through forms of risk-reducing social protection (or apparatuses of security, as Foucault would have put it). It is protected by public welfare bureaucracies, benefit entitlements and safety nets of various kinds, regarding housing, health, employment protection and so forth. As such benefits are not available, or available to a very limited extent, for underdeveloped life, such life is, in contrast, *non-insured*. A common ground for development discourse is therefore that these populations, apart from some very basic provisions (main roads, basic medical facilities, rudimentary shelter), are self-reliant as concerns economic, social and welfare needs. However, as the recurrent rediscovery of the problem of poverty makes clear, there is a clear awareness that this life is in reality *not* self-reliant. At the same time, the non-insured tend to be inventive when it comes to finding ways of obtaining self-reliance, one of these ways being the tendency to move, whether or not one is allowed to do so.

In this context, argues Duffield, the *containment* of the circulation of the non-insured arises as a key concern for government. Containment refers to "those various interventions and technologies that seek to restrict or manage the circulation of the incomplete and hence potentially threatening life, or return it from whence it came" (2008: 146). Hence, to Duffield, restrictive visa and immigration policies, together with the various technologies that aim to filter and deter migration, arise from the need to contain the circulation of the non-insured. This need has been formulated in different ways: to achieve community cohesion, to manage the finite resources of the welfare state, or to tackle the concern for terrorism. To Duffield, however, the restrictions on movement from the South, which have grown increasingly stringent over the last few decades, ultimately serve

to secure the "insured life": "What is at stake… is the West's ability to contain and manage international poverty while maintaining the ability of mass society to live and consume beyond its needs" (ibid: 162).

One might not be convinced that the *only* reason for containing migration from the South is that which Duffield mentions. However, it seems beyond doubt that the poverty of the non-insured makes their movement seem threatening to the North, as when likened by metaphors of impending "floods" or "tsunamis" threatening to overflow us (Herman 2006: 192). I find the distinction between developed and underdeveloped, or insured and uninsured life, useful for grasping a general tendency within the government of migration when understood from an international perspective: that citizens of the South are allowed less access to mobility than are citizens of the North, and that their mobility is subject to other forms of regulations. Hence, one of the ways in which migrants are constructed as objects of government is through the distinction between insured and uninsured life. In chapter 6, however, when turning to the political rationality of global migration management, we will see that this is now perceived in a different and more positive way than what emerges from Duffield's argument of containment.

Summing up

In comparison with the former chapter, this one has attempted to rethink migration politics through an engagement with governmentality at a somewhat less abstract level. More specifically, it has proposed to analyze the regulation of movement as an aspect of the more general governmental concern with managing circulation. In presenting the concept of circulation, it has provided a few historical examples corresponding to the different forms of power identified by Foucault, and that were identified in chapter 2.

The use of the concept circulation allows us to place the current global description of migration and migration politics in a historical continuity. While the concern with managing (economic, human, cultural) flows is often taken as specific for the current era of globalization, the governmentality perspective instead sees them as

embodying the latest generation in the generic dilemma of governing circulation, i.e. the concern with how to maximize "good" forms of movement while minimizing the "bad". And as circulation is now global or transnational in character, so the measures to govern it must operate across borders as well. The field of international trade offers perhaps the clearest example: there are on the one hand numerous regional trade agreements aiming at economic integration, and on the other far-reaching forms of near-global cooperation through negotiations in the WTO. As we have already learned, there has not so far appeared any binding or institutionalized form of governing migration at the global level. However, the developments towards global governance of migration point in that direction.

In the next chapter, we will turn to the global description of migration and migration politics, in order to trace the political rationality of global migration management. This chapter has identified a few different aspects which deserve attention when we analyze how this rationality involves the management of circulation. First, one must be attentive to the general way in which migration is to be regulated: whether it is to be let free, left to market forces and individual desires, or whether the state is to have a strong regulatory role. Second, one must study how the distinction between good and bad movement is drawn. We have seen that the freedom of movement is managed by the simultaneous concerns of security. We have also seen that migrants are shaped as objects of government not only through the state system and the distinction between voluntary and involuntary movements, but also through the distinction between developed and underdeveloped – or insured and uninsured life. As the critical scholars surveyed here argue that the movements that are suppressed today are mostly those of low-skilled citizens of the South, one should be attentive to whether this holds true when migration is approached globally. Finally, one should pay attention to the way that the geographical location of society is understood. According to Foucault, liberalism as a form of governing assumes that the individual is "tamed" and given a spatial rooting by his membership in a particular and geographically bounded society. It has been argued here that this conceptualization resonates with the state

system governance of the world population. Now, to what extent does the political rationality of global migration management challenge this view of the placeboundedness of society, recognizing the existence of transnational networks and communities, and what does that imply for the government of circulation of migrants?

The Political Rationality of Global Migration Management

In the quest for rethinking migration politics through engaging with the governmentality perspective, in order to explore its global regulative function, we have now come to the least abstract level. This chapter turns to the global description of migration and migration politics, which emerges within the context of the global governance of migration.

This specific instance of migration politics is distinguished by its global scope. As we have seen, migration has just recently begun to rise on the global agenda. States have started to discuss this issue in international forums, and a wide range of international organizations, commissions and initiatives have of late become involved with migration in its various aspects. What emerges is a description of migration and migration politics which approaches and thus shapes migration as a global issue. As explained in chapter 4, this study approaches these developments as an example of how governmental thought has gone global. For the first time, questions of governing migration are now posed and answered with the world as point of reference. Hence, the object of study here is a to trace out a global political rationality of governing migration, as discerned from the description of migration politics in the programmatic texts produced at the global level. As migration politics is here largely formulated in terms of "migration management" I will call the political rationality which I detect the political rationality of global migration management.

We saw in chapter 3 that a political rationality has three different dimensions (Rose – Miller 1992; Rose 1999). These dimensions lend structure to this chapter. The first part covers the "epistemological"

dimension, understood as the knowledge of migration that marks the international rationality of governing migration. Specifically, it discusses the perception of migration as a normal and (potentially) positive phenomenon. The second part concerns the "idiomatic" dimension; the language through which reality becomes conceivable and amenable for governmental interventions. Here, it is the tendency to frame migration policy in "management" terms which is discussed. The third – and longest – part of this chapter concerns the "moral" dimension, i.e. the appropriate forms of intervention, the distribution of tasks between different authorities, the envisioned goals and the utopian element that can be detected. This section demonstrates and exemplifies how this political rationality seeks to find ways of making migration a "win-win" enterprise for everyone concerned, it demonstrates that the overriding goal is one of establishing orderly movements, and it reveals the utopian element in the "right to remain" at home – the erasure of the need to migrate.

It should be noted that when tracing out the political rationality of global migration management, I am merely offering one reading of the programmatic texts at hand. A reading, moreover, which merely focuses on a few general points that are of interest given the two previous chapters. At a somewhat less general level, there are important differences – especially regarding the relative weight that different actors give to migrants' human rights – that largely fall besides the study here.

The epistemological dimension

Political rationalities have an epistemological dimension as they are always expressive of a certain knowledge of the character of the objects or people that are to be governed. From a governmentality perspective, such knowledge is not seen as neutral and absolute, but as inextricably tied up with relations of power. In this case, it is global migration which is the object to be governed. In this section, we will therefore look at how the phenomenon of migration is understood in the programmatic texts under study.

It should be noted that migration is already "shaped" before discussions at the global level begin. Migrants become objects of government through two different "tactics of subjectification" that are always assumed in discussions on migration politics (cf. Lui 2004: 117): first, the state system organization of sovereign states with their respective citizenries; second, the distinction drawn between forced and voluntary movement.

People are mobile

It was argued in chapter 4 that the state system can be seen as a regime of governance which works by dividing the larger human population into sub-populations of different states, and by allocating to each state the right and the responsibility to manage its internal affairs. From this perspective, both the regulation of movement and the prioritization of citizens over non-citizens are systemic in character, as they are seen as at least in part resulting from this dispersed regime of government. The institution of citizenship here appears as a crucial and divisive governmental instrument which allocates individuals to different states (Hindess 2000; 2002; 2005). In this understanding of the governmental function of the state system, people are also understood as *normally* residing in their respective countries of citizenship. In a world divided up by states, national sedentariness appears as the norm whereas cross-border migration appears as exceptional.

Against this background, the single most striking aspect of the way that migration is conceptualized in the programmatic texts is that it is now seen as a *permanent* feature of world affairs. Most of the programmatic texts examined which emanate from the international organizations and initiatives concerned with international migration, feature an introductory paragraph insisting on the normalcy or permanence of human movement. The *Declaration of The Hague* reads: "It is essential to understand migration as a normal fact of life for individuals, families, communities and states" (United Nations 2002b: 5). "Migration is inherent to human nature" said the President of the General Assembly at the opening of the HLD, continuing: "It has

become a major aspect of modern societies in the face of globalizations" (United Nations 2006g).

Sometimes the historical constancy of human movement is invoked in order to emphasize its permanent character. These very first lines of the UNFPA's *State of World Population 2006* are a case in point: "Since the very dawn of humanity, people have migrated. Exoduses and migratory flows have always been an integral part, as well as a major determinant, of human history" (UNFPA 2006: 5). Similarly, the UNFPA's review of the progress ten years after the ICPD explains that "Since the beginning of time, people have moved to improve economic conditions for themselves and their families" (UNFPA 2004c: 9). In the report which was prepared for the discussion on migrant workers at the International Labour Conference 2004, one can read a similar understanding of migration as an integral part of human history:

> Since human beings first emerged from the African continent many thousands of years ago, every part of the world has been subject to overlapping waves of immigration. It has thus been a central part of human history – shaping and reshaping societies, cultures and economies. The twenty-first century is no exception. The millions of migrants who circulate around Asia or Africa, or who travel from developing to developed countries today, are just the latest bearers of an age-old tradition (ILO 2004b: 17).

Migration and globalization

The most common formulation of the normality of migration results from its interlinkages with various aspects of globalization. The understanding of migration as permanent reflects the realization – or perhaps resignation – that migration is an unavoidable reality in a world of ever more intense transborder interconnectedness. Globalization does not diminish migration but enhances it. The *Durban Declaration*, adopted at the World Conference against Racism 2001, reads: "We recognize that interregional and intra-regional migration has increased as a result of globalization, in particular from South to North" (United Nations 2001: para. 12). Similarly, the first of the Berne Initiative's "Common Understandings" states that "[t]he continuing movement of people across borders is an integral feature of a rapidly globalized

world" (IAMM 2004: 23). The increased mobility is evident both in the privileged movement of multinational corporations' employee transfers, tourism and exchange students, but also in large-scale international migration between South and North and between different countries in the South. Several documents point out that while migration is a historical constant, it is one that has been intensified by processes related to globalization (ILO 2004c: para. 2; United Nations 2002b: 9). The Report of the Secretary-General for the HLD begins by stating that

> Throughout human history, migration has been a courageous expression of the individual's will to overcome adversity and to live a better life. Today, globalization, together with advances in communications and transportation, has greatly increased the number of people who have the desire and the capacity to move to other places (United Nations 2006i: 5).

A press release before the convening of the Global Forum asserts that the Forum approaches migration as "[a] natural phenomenon of human history, driving and being driven today by globalization" (ICMC 2007). Then, how is migration connected with and even made normal because of globalization?

> The flow of migrants over borders may be attributed to various differences between countries – demographic or economic – and to a lack of employment, decent work and human security. Differences are growing and conditions are often worsening; this promises more migration in the future (ILO 2004b: 12).

In short, the way that migration is linked to globalization is often understood as a combination of three elements: first, the persistent and in some cases even increasing de facto disparities between rich and poor countries, second, the increased awareness of these disparities, and third, the availability of means to overcome them. These disparities are largely conceived in economic terms (United Nations 2002b: 13; ILO 2006; Verhofstadt 2007). Many countries in the South suffer from large-scale unemployment or underemployment, aggravated by demographic imbalances tending towards large young populations. The Global Commission on International Migration links developmental

disparities to the integration of the global economy, which in several countries has brought about a transformation of traditional forms of production and livelihoods, notably by "uprooting" people from agriculture. Apart from economic disparities, the Commission considers differences as regards democracy and the freedoms to exercise rights as important impetuses for people's tendency to move (GCIM 2005: 12-14)[99]. In sum, the notion of disparities brings to light the different life opportunities to which populations in the South and the North are born. Persistent or widening disparities, coupled with the availability of jobs and hence the possibilities of attaining a better livelihood in richer countries, are seen as important causes for people's choice to migrate (ILO 2004c: 3).

The migratory consequences of these disparities are reinforced by other factors attributed to globalization, which make people aware of existing inequalities, and provide them with means to overcome them. (cf. UNFPA 2004c: 12). The World Commission on the Social Dimension of Globalization, for instance, understands the fact that international migration has increased despite a tightening of border controls in industrialized countries, as

> …clearly linked to increasing globalization. Declining costs of transportation and the advent of cheap mass travel have greatly reduced one important barrier to movement. The ICT revolution and the universal reach of the media have meant a vast diffusion of awareness of differences in living standards between rich and poor countries that has added to the allure of migration. New market institutions have emerged which facilitate the process, in the shape of intermediaries and agents (ILO 2004a: 96).

In this context, migration appears as "one of the central dimensions of globalization" (UN DESA 2004: v). What we see now represents the recognition that "migration has a life of its own" (IOM 2003: 52) – it is both produced by globalization and made unstoppable by processes

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[99] The GCIM has been called a "post-Washington Consensus document" (Escobar Latapí 2006: 22), partly because it points out that pressure from international financial institutions have brought about greater disparities and hence migration. Not all documents go as far as the GCIM in this respect, yet the existence of North-South disparities are generally acknowledged.

related to it. Migration is considered a "fundamental feature of today's world system" which therefore requires global approaches (United Nations 2006i: 10). Since the factors that enhance migration are unlikely to be reversed, migration is generally thought to continue and probably even increase in the future (UN DESA 2004: v). The summary of the HLD stated that its participants "affirmed that international migration was a growing phenomenon, both in scope and in complexity, affecting virtually all countries in the world" (United Nations 2006f; cf. United Nations 2006h; UN DESA 2004: v; GCIM 2005: 12; IAMM 2004: 15).

A first thing to note is that the understanding of people as mobile articulates a renewed knowledge of the link between migration and other aspects of globalization. We have previously seen that capital and traded goods have been allowed greater mobility under globalization whereas labour has not. While many of the critical authors cited in chapter 5 believe this to be unfair, this discrepancy has a certain logic from the point of view of economic theory. In the period of the Washington Consensus, trade theory suggested free trade would lead to factor price equalization. That is, the incorporation of poor countries into the global market for trade would increase growth and eventually offset the need for migration among their populations (Faist 2007: 25-26; Nayyar 2002: 157). As a case in point, when NAFTA was negotiated as a free trade agreement, excluding provisions for the movement of labour, it was hailed by the presidents of both the US and Mexico as a way to reduce irregular migration. Mexican president Salinas argued that the US would *either* get Mexican tomatoes *or* irregular Mexican migrants who would pick tomatoes on US soil. In the end, however, Mexican-US migration increased rather than decreased (Castles – Miller 2003: 113) [100].

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[100] Approximately half of the budget of the US Immigration and Naturalization Service (INS) in recent years has been spent on preventing irregular immigration. This figure has grown from USD 250 million in 1980 to USD 5 billion in 2000. In the same period, the estimated number of irregular immigrants rose from 3 million to 9 million, in spite of a number of regularization programs (IOM 2005b: 353).

Now, in contrast, it is recognized that the integration of the world economy and the liberalization of trade and investment flows tend to increase migration, at least in the short to medium term (cf. Stalker 2000). Moreover, it is recognized that economic development may actually spur migration, since it provides more people with the means and the resources to migrate (UNFPA 2004c: 28). What we see now, therefore, represents the recognition that migration is "a natural part of global economic integration" (Massey – Taylor 2004: 387) resulting from the interplay of complex forces operating more or less independently of states. As migration scholar Stephen Castles (2004a: 223) puts it, "[g]lobalization has the inherent contradiction of producing both a North-South gap and the technological and cultural means of overcoming this gap".

A second thing to note is how this knowledge of migration as normal and inevitable differs from the norm of national sedentariness with which the state system regime of governance is associated. As concerns the empirical observations – that migration has been around for as long as humanity, that it is connected with other forces of global integration, and that societal and familial networks are now often of a transnational character – they are not in themselves extraordinary: they constitute mainstream knowledge in migration theory. But they are remarkable in that they are acknowledged and expressed by authorities at the global level. The recognition that people are mobile seems to call for new ways of governing migration, now that it is no longer considered exceptional. But that recognition that migration is a normal rather than an exceptional activity also seems to pose a challenge to the state system regime of governance, with its territorial divisions of insiders from outsiders, with its assumption that residents are normally citizens, and, consequently, with its notion of the territorial character of political community. As we saw in chapter 4, the modern day conceptualization of political community is one which assumes that we "live in boxes" (cf. Walker 1995b: 307). The acknowledgement by authorities that life in boxes is now not necessarily the norm, can thus be seen as a deterritorializing statement with the potential radical effect of destabilising the existing understanding of political community.

The benefits of migration

Chapter 2 explained that the international discussions on migration differ from those in many other contexts, by not framing migration as a security threat but instead as a development issue. With this follows a generally positive view of migration. However, it is also seen as accompanied by a variety of problems. In the summit outcomes from the 2005 follow-up to the UN Millennium summit, it was stated that

> We acknowledge the important nexus between international migration and development and the need to deal with the challenges and opportunities that migration presents to countries or origin, destination and transit. We recognize that international migration brings benefits as well as challenges to the global community" (United Nations 2005a: para. 61).

Apart from positing migration as a normal or permanent feature of world affairs, the programmatic texts on global migration are also characterised by their generally optimistic view of migration. A recurrent theme in the global discussions and in documents produced by global agencies and initiatives is that migration has great potential to contribute positively to world development. The Resolution of the Commission on Population and Development "*[a]cknowledges* the important contribution made by migrants and migration to development in countries of origin and destination" (United Nations 2006j: para 2, ital. in orig.; cf. United Nations 1995c: para 154). In her closing statement to the GFMD 2007, chair Regine De Clercq concluded that the discussions in the Forum had been marked by a general recognition of migration "as an opportunity, not a threat" (De Clercq 2007). The second principle for action of the GCIM argues that the contribution of migrants to both sending and receiving countries should be recognized and reinforced and that migration must be included in strategies for growth at all levels (GCIM 2005: 23). Similarly, the preamble of the Hague Declaration states that "[w]e believe that migration is a normal phenomenon which can contribute positively to economic and social development, cultural richness and diversity" (United Nations 2002b: 4; cf. ILO 2004a: 96; ILO 2004c: para. 4). To the extent that the perception of migrants as socially

disruptive and threatening to the welfare and security of receiving states have dominated the immigration policies of affluent countries in the post-Cold War era, this emphasis on the contributions of migrants stand out in the documents.

The International Conference on Population and Development in 1994 set the tone. In the field of migration, the conference is considered a milestone in that it understood migration as a potentially positive force for both sending and receiving countries. Before, the link between migration and development had tended to be perceived as overwhelmingly negative, i.e. migration was seen as resulting from (a lack of) development. In contrast, in the Programme of Action, the potential contributions of migration to development were emphasised (United Nations 1995a: chap. X), and this optimistic tone seems to have marked the debates on migration and development ever since. Ten years after the Cairo Conference, the UNFPA published a report on the progress made since the conference. Here, it is argued that "the debate on migration and development reflects a radical change in perceptions of migration, a change that was signalled in the ICPD [Programme of Action], namely that migration is no longer seen merely as a failure of development, but rather as an integral aspect of the global development process" (UNFPA 2004c: 28; cf. UNFPA 2005a). According to Faist (2007: 26), policy makers now tend to think of migrants as potentially beneficial as "collective agents of change".

The positive aspects of migration for sending countries concern its potential for development, as it is believed that labour migration can have the effect of reducing poverty and inequality (IOM 2004a, Vol. II, Sect. 2.3: 11). Probably the most important theme concerns *remittances,* i.e. the money that migrants send home. The volume of remittances has expanded in later years, and world net inflow of remittances to developing countries in 2005 was estimated to around 167 billion US dollars, which is approximately twice the world total of overseas development assistance (World Bank 2006)[101]. This makes remittances

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[101] The level of remittances has increased by 73% since 2001 (World Bank 2006: 87). The World Bank also cautions that given measurement uncertainties, especially

the second largest source of external funding for developing countries, next to Foreign Direct Investment (GCIM 2005: 26). Remittances are most often used for consumption, but they also encourage investment in human capital through education, and they can be turned into savings and investments (UN DESA 2004: xi). Other potential gains from migration include the *improvement of skills* of nationals of sending countries, and the transfer of knowledge, skills and technology when the migrant returns (United Nations 1995a: para. 10.5; IAMM 2004: 58-61). *Diaspora networks* are also thought of as important for development since they often invest resources in the home country for development-related purposes (GCIM 2005: 30; cf. IAMM 2004: 59; United Nations 2006e). For example, around 70% of FDI flows to China come from overseas Chinese communities (UN DESA 2004: xiii). The positive view of emigrants and diasporas is distinguishing of this political rationality. As noted by Rodriguez (2002) in the case of the Philippines, the economic contribution of emigrants have resulted in emigrants being seen and treated like "national heroes" rather than potential traitors as they sometimes were before (cf. Chander 2006: 62)[102].

To developing countries, then, the outwards migration of their citizens is understood as offering a great deal of tangible developmental potential. To the migrants themselves, the movement offers great potential for improving livelihood for themselves and their families. The Commission on Human Security emphasises that migration is a way for individuals to attain human security, since it offers them opportunities for improvement of life as well as escape from wars and human rights abuses. Although human security may be at risk for those who migrate, the Commission holds that for many people "migration is vital to protect and attain human security" (CHS 2003: 41).

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regarding the unknown sums flowing through unrecorded informal channels, the true number might be as much as 50% higher (ibid: 85).

[102] However, diasporas figure simultaneously in security discourses. Byman et al (2001), for instance, consider diasporas as threatening to international stability since, they claim, they frequently support insurgencies in their homelands.

> The importance of migration for protecting human security should be recognized, in particular for people fleeing serious human rights violations, persecution and violent conflict. Also, migration should be seen as a process that empowers people and creates new opportunities for people and states alike (CHS 2003: 47).

For receiving states, the benefits of migration mainly involve its potential for addressing labour market scarcities and offsetting demographic imbalances. The need for migration is visible in the promotion of immigration of highly skilled and professionals in several destination countries. Following a general trend since the early 1990s, developed countries are already competing over attracting highly skilled migrants. This has constituted an important although unequal relaxation of migration policy, which reversed the earlier European ban on primary migration, and tilted the US policy which had earlier had family reunification as the foremost reason for immigration (UNFPA 2004a: 103; cf. Bhatnagar 2004; Harris 2007: 38). But importantly, the need for migration is not just limited to the highly skilled. Population ageing as well as increased job expectations among the natives are producing shortages also in low-skilled fields such as agriculture, construction and domestic services (UN DESA 2004: 79). When it comes to ageing, declining birth rates in many industrialized countries (notably Western Europe and Japan) make their populations smaller and older. This is understood as posing grave problems for productivity as well as for keeping up pensions and social security systems, problems which may have to be solved at least partly by immigration (CHS 2003: 44). Apart from ageing, another reason which points to the need for migration is that there are certain kinds of low-skilled jobs that the native populations in developed countries refuse to take – hence migrant labour complements rather than substitutes domestic labour. These jobs, to a large extent, are already occupied by irregular migrants (IAMM 2004: 40-41; GCIM 2005: 36).

The dangers of migration

As we have seen in chapter 5, the management of circulation is essentially concerned with distinguishing "good" from "bad" forms of

mobility. Also, freedom of movement is being produced in relation to the perception of security. The political rationality of global migration management has an optimistic tone and is marked by the issue-linkage with development rather than with national security. However, migration is perceived as associated with certain forms of danger. While the benefits of migration are acknowledged, its possible problematic consequences are also emphasized. For instance, while emigration might bring about development benefits for sending countries, a threat which is often recognized is that of brain drain, i.e. the loss of skilled and needed professionals to labour markets in the North. Brain drain has the effect of depriving the sending country both of its investment in human capital and of the future contributions of the individual in question, including tax revenues (UN DESA 2004: xi). Most alarming, perhaps, is the draining of health sector professionals from countries in the South who are often recruited to OECD countries where the pay is higher and where they are offered better opportunities. For instance, 37% of doctors from South Africa, and 29% from Ghana are currently working in OECD countries. The difficulties are aggravated when it concerns those regions worse plagued by AIDS and other epidemics (WHO 2006: 100).

Another problem identified in these documents, perhaps the greatest of the problems, concerns irregular migration. "[I]rregular migrants are persons who do not fulfil the requirements of destination to enter, stay or exercise an economic activity" (para. 10.15). Irregular migration hence defy the prerogative of states to control entry and are therefore seen as challenges to their sovereignty. According to the GCIM, irregular migration might also undermine public confidence in the integrity of migration and asylum policies, thereby spurring xenophobic sentiments (2005: 34). Also, irregular migration is understood as dangerous to the migrants themselves, as it exposes them to various hazards, such as exploitation by smugglers and employers. According to the OHCHR (1995), "[m]igrant workers face the gravest risks to their human rights and fundamental freedoms when they are recruited, transported and employed in defiance of the law"

(cf. ILO 2004b: 60-62; IAMM 2004: 41; United Nations 2001: para. 50; 2002b: 11; 2006j: 7).

The general consensus at the moment, both in theory and in policy discussions, is that migration is seen as fuelling development by financial remittances and human capital, but also of social remittances. There is now a strong belief that the circulation of labour fosters development through remittances and social networks (Faist 2007: 22-26). Hence, in the global rationality of governing migration, migration is not only known to be permanent but also to be at least potentially positive. As concerns circulation, it is evident that it is not only the migration of the highly skilled that is appreciated. In contrast to the arguments made by the critical geographers and migration scholars (reviewed in chapter 5), migration is *not* only seen as a privilege for the rich, wealthy and highly skilled. When becoming a subject for international discussions, the movement of low-skilled people is also understood as potentially positive.

The idiomatic dimension

According to Rose (1999) and Rose – Miller (1992), political rationalities have an idiomatic dimension. Language is here not seen as a neutral medium, but as the vehicle through which reality becomes conceivable and amenable for governmental interventions.

The rationality of governing migration is largely framed in "management" language (cf. Schuster 2005: 17). This indicates a change away from the emphasis on control which has marked especially rich-world approaches to migration since the 1970s. In that era, migration was turned, from having been seen as a solution to postwar labour market demands, into a problem, increasingly associated with illegality, insecurity, abuse of welfare systems and a range of other social ills. With the end of the Cold War, the negative or fearful view of migration was reinforced by the expected inflow of large numbers of migrants from the former Soviet Union, from which migration had previously been hampered by the practice of exit restrictions. Consequently, the barriers to entry were raised as countries of destination pursued ever

more restrictive policies, aiming at control in the sense of limiting inflows (Andreas – Snyder 2000).

Now, however, migration is often understood as something which should be "managed" rather than controlled. Among international actors, it is most consistently used in the texts produced by the International Organization for Migration (IOM), for instance in its three-volume course manual on the subject, *Essentials of Migration Management* (IOM 2004a). The IOM also included it in the slogan it had until recently: "Managing Migration for the Benefit of All". But the term has also found its way into UN publications and a range of other organizations and initiatives. The final document of the Berne Initiative, for instance, is called *International Agenda for Migration Management* (IAMM 2004).

Within migration policy circles, the term migration management has an even wider diffusion than the initiatives and organizations which are concerned with the global level and which are the subject of this study. The term has to some extent replaced the emphasis on control at the national as well as at the European Union level (Salt 2005). The UK has now adopted a policy on immigration and asylum which is explicitly formulated in terms of migration management (UK Home Office 2002; Jordan-Düvell 2002: 47). The term is also found in Council of Europe and European Commission texts and discussions on labour migration and migration and development (COE 2001; European Commission 2004; 2005). Moreover, it is increasingly used within academia, where conferences and large research projects are now conducted under this heading (cf. Martin et al 2006). Migration management has become the "nearly dominating paradigm" in migration policy discourse over the last few years, providing the language in which solutions to the perceived problems of migration are being formulated at all levels (Georgi 2004: 7). Evidently, the phenomenon of migration is now understood as something which should be *managed* rather than controlled, or let free, or monitored or whatever else might be the principle for its handling.

In comparison to the emphasis on control, "migration management" discussions at all levels as a rule signal a more positive

view on migration, emphasising not only its problematic character but also its potential contributions. To some authors, therefore, the term indicates a softer, more realistic and constructive approach than does the previously dominant notion of "migration control" that has long dominated migration policy discourse in the West (Taylor 2005). Migration management generally connotes a more positive image of migration, which is often of an economic character[103]. Meanwhile, others suggest that it amounts to little less than national interest-driven control policies imbued with a new rhetoric (Piper 2006).

It should be noted that "migration management" is not a coherent set of principles, nor a uniform program of action. Instead the term is used in a variety of contexts in relation to migration. Within the policy community one talks, for instance, of the management of labour migration, of border management, or of the management of entry. In each subfield, debates revolve around how and by what means to "best", or "most efficiently" manage migration. As Georgi (2004) has pointed out, it is characteristic of migration management debates that they understand migration as a largely *technical* problem – one which can be solved or addressed through a variety of means and by developing a comprehensive and integrated approach. There is often a quest for more knowledge, for gathering data, for educating migration policy experts and the like. Moreover, there is usually a clear belief in the potential of (an improved) migration policy to bring about certain desired goals. The reduction of migration to a technical problem depoliticises it, promoting a consensual rather than a conflicting perspective on the issue (Channac 2007: 14). This approach permeates discussions on migration management at all levels. When it is the

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[103] For instance, in the UK, the adoption of a migration management strategy has signified a wholesale redefinition of economic migration. In 1998, economic migrants were still looked upon as "bogus asylum seekers"; "…economic migrants will exploit whatever route offers the best chance of entering or remaining within the UK. That might mean use of fraudulent documentation, entering into a sham marriage or, particularly in recent years, abuse of the asylum process" (UK Home Office 1998, para. 1.7). By contrast, in 2000 Home Office minister Barbara Roche said in a speech that "…evidence shows that economically driven migration can bring substantial overall benefits both for growth and the economy" (quoted in Jordan – Düvell 2002: 47).

subject of international discussions, the calls for increased cooperation often stem from precisely this concern with improving and rationalizing policy.

The moral dimension

The moral dimension of political rationalities concerns the goals or ideals which government should strive to attain, the appropriate duties of authorities (if, when and how to intervene) and the distribution of tasks between different types of authorities. Furthermore, all political rationalities have a utopian element – a vision of a kind of person, society, organization or world that it wants to realize (Rose and Miller 1992: 178-179; cf. Dean 1999: 33).

Optimization

Modern forms of government that are perceived as legitimate typically involve rational problem solving and rely on technical or scientific arguments (Gottweiss 1998: 28-29). We will now turn to how migration appears as a problem requiring rational problem solving.

The conceptualization of migration as normal and permanent instead of exceptional has consequences both for the goals and the forms of migration policy. If the permanence of migration suggests that we *cannot* control, the recognition of the contribution of migration suggests that we *should not,* at least not in the sense of absolute prevention. Staying within the control paradigm, striving to restrict migration as far as possible, would in such a situation not only be unrealistic but also economically unsound. In one interpretation, "control" signifies that the state can determine whether or not individuals will arrive at its borders, whereas "management" rather implies that the state acknowledges that there is a situation with which it must deal…" (Van Selm quoted in Taylor 2005). In the first instance, then, management becomes a question of quite unpretentiously *handling* a situation which one has given up the hope of preventing.

We have seen that programmatic texts express a will to reform the existing regime of practices. Hence, they put their desired forms of

government in contrast to prevalent ones. "Migration management" is often presented in contrast to existing policies of control. At the European Forum convened on the occasion of the 10-year follow-up to the ICPD, and attended by representatives of a range of international and regional organizations as well as NGOs, the closing statement read that "[t]here is a contradiction between social and economic reality and policies of control". It recognized that while migration is becoming more of a necessity both in economic and demographic terms, "some present-day migration policies, largely based on control and repression, are inefficient in managing migration in a positive way" (UNFPA 2005a). Regine De Clerq in her final conclusions for the Global Forum, compared migration control to earlier-day trade barriers:

> Now we wonder why in the previous century so much money was spent on customs control, and why we took so many years to break the trade walls. Could it be that 20 years from now we might wonder why we were spending so much resources on controlling immigration – often with so little success? (De Clercq 2007: 6).

Here, the comparison with trade restrictions suggests that lowering barriers to movement would be beneficial for all. At the same time, the impossibility of effectively controlling movements is straightforwardly admitted. To De Clerq, this stems from the push and pull of a globalizing labour market which does not follow state borders: "[i]f you draw a line in the sand, the wind will sweep it away in a matter of hours. If you build a fence through a globalizing labour market, will it withstand the pull and push forces on both sides?" (De Clercq 2007: 7).

When existing harsh control policies are thus being criticized, what is at issue is, most importantly, the ambition to stop inflows. The global programmatic texts instead emphasize the value of providing channels for movement. The ILO Multilateral Framework for instance states that "[e]xpanding avenues for regular labour migration should be considered, taking into account labour market needs and demographic trends" (ILO 2006: principle 5). To the Berne Initiative, it is a "common understanding" that "[p]roviding adequate and regular channels for migration is an essential element of a comprehensive

approach to migration management" (IAMM 2004: 24). Again, according to the Berne Initiative (IAMM 2004: 34): "[d]ebates regarding whether to have immigration or not are being replaced by debates on how to manage migration to maximize the positive effects that migration – skilled and unskilled, temporary and permanent – can have"[104].

Another way in which management is contrasted with current-day control policies concerns the public image of migration. The Berne Initiative emphasises that it is imperative to focus on the potential contribution of managed migration "rather than be seen by the community as a threat to public security" (IAMM 2004: 20). Managing the attitudes of presumably fearful and/or xenophobic host states citizens is seen as imperative for achieving rational and beneficial forms of movement (cf. Boucher 2008).

The overall goal of migration policy here is thus not prevention but may be formulated as one of *optimization*: to maximize the positive contributions while at the same time minimizing the negative consequences of migration – which is conceived of as essentially unstoppable (cf. IOM 2003: 52; GCIM 2005: 23; United Nations 1999: para. 24c). At the High-Level Dialogue, according to the summary of one of the roundtables, "[t]here was general agreement that the importance of international migration will increase in the future and that it was therefore crucial for the international community and for Member States to focus on maximizing its benefits while minimizing the risks associated with it" (United Nations 2006c).

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[104] In the UN Department of Social and Economic Affairs' publication *World Population Policies 2005*, a trend away from restrictive policies is detected. While in 1996, 40% of the countries under study wanted to lower migration, this number was down to 22% in 2005. And among the 78 countries that in 1996 stated that they wanted to lower immigration, no more than 31 still pursued this goal in 2005. This trend is visible in both developing and developed regions, although it is most pronounced in the latter. In the publication, this is interpreted as resulting from, among other things, "the growing recognition on the part of Governments for the need to better manage migration, rather than limit it" (UN DESA 2006b: 27; cf. United Nations 2006b: 29; cf. Spencer 2003: 2-3).

Then, *for whom* migration is to be optimized? The answer in these documents is that it is possible to manage migration in such a way as to achieve beneficial outcomes for everyone concerned. The term "win-win" is often used to indicate that migration need not be a zero-sum game; instead it can be turned into something from which everyone gains. "I am convinced that win-win outcomes are possible, if we approach this issue rationally, creatively, compassionately and cooperatively" said then UN Secretary-General at the launch of the GCIM (United Nations 2003). The slogan of the IOM, "[m]anaging migration for the benefit of all" also connotes the general idea of a win-win situation when it comes to governing international migration (cf. IOM 2004a: Vol. I, Sect. 1.7: 21. The opening up for legal channels for migration is often thought to be positive for countries of origin, for host countries, and for the migrant him/herself.

> Economic migration can… yield significant benefits to origin and destination countries and of course to migrants themselves. For destination countries, labour migration rejuvenates the workforce and expands the human capital resource base, thus enhancing productivity and prosperity. For countries of origin, labour migration relieves labour market pressures (unemployment and underemployment) while generating remittances, transfers of skills, knowledge, FDI and creating other positive feedback effects. For migrants, the ability to seek economic employment abroad constitutes an opportunity to improve economic standing, enhance skill levels, and it provides a means for migrants to support family members in their home countries. Furthermore, labour mobility through regular channels also may reduce irregular migration, migrant trafficking and smuggling (UNFPA 2004c: 51).

The preparatory report for the HLD claims that stakeholders increasingly have come to agree on this: "There is an emerging consensus that countries can cooperate to create triple wins, for migrants, and for the societies that receive them". (United Nations 2006j: 5; cf. IAMM 2004: 15; 58; United Nations 1995a: para. 10.1).

But the key word here is *management*. The ambition is not to refrain from interference and open up for completely free movement. Migration is not understood as self-regulating, as something which works for the benefit of all if it is just left alone (like the invisible hand).

Instead, it has to be consciously managed in order for the benefits to materialize. "The *challenge* for States is to maximize the positive effects while minimizing the negative implications of migration for States, societies and the migrants themselves" (IAMM 2004: 15; ital. added). The ILO also emphasises that it cannot be left alone; instead it must be made to work for everyone's benefit. Moreover, governments must also "manage" the opinion of home citizenries in order to communicate its benefits: ""Migration must be, and be seen to be, a "win-win" proposition for all" (ILO 2004b: 135)". So, the management of circulation of migrants is here understood as requiring a high degree of state involvement.

Migration has to be managed in order to achieve the potential benefits mentioned (make up for demographic imbalances, fulfil labour market shortages, attain economic development, and so on) while avoiding its possible negative or disruptive effects (brain drain, unemployment, human rights abuses, xenophobia and other social tensions etc.). Thus, management refers to the fact that steering and interference in migration is required in order to reach the goal of maximization. Because if not managed, migration can have alarming consequences for both states and migrants, as emphasized by the Director-General of the IOM, Brunson McKinley (2004: 3):

> If properly managed, migration can be beneficial for all states and societies. If left unmanaged, it can lead to the exploitation of individual migrants, particularly through human trafficking and migrant smuggling, and be a source of social tension, insecurity and bad relations between nations. Effective management is required to maximize the positive effects of migration and minimize potentially negative consequences.

When then UN Secretary-General Kofi Annan pointed out migration as one of the priorities for global action in his report on UN reform, he described the challenge in a similar way. While potentially beneficial, migration to him also "…involves many complex challenges. It can contribute simultaneously to unemployment in one region or sector and to labour shortages and "brain drains" in another. If not carefully managed, it can also provoke acute social and political tensions"

(United Nations 2005b: para. 71). Thus, migration management has both stick and carrot qualities. It becomes imperative in order to avoid the potential dangers of mobile populations. But if correctly adopted and enforced, migration management also holds great promise for everybody involved. To a large extent, then, it is a question of capitalizing on something which already exists. People move whether or not states allow it, and the challenge is to make the most of it. Ban Ki-Moon said, in his plenary speech at the Global Forum, that

> For decades, the toil of solitary migrants has helped lift entire families and communities out of poverty. Their earnings have built houses, provided health care, equipped schools, and planted the seeds of businesses. They have woven together the world by transmitting ideas and knowledge from country to country. Yet only recently have we begun to understand not only how much international migration impacts development, but how smart public policy can magnify this effect (Ki-Moon 2007).

How and by whom should migration be governed?

If the goal is to maximize the benefits of migration and the necessary "tool" or policy approach is described as "migration management", then what does this entail concretely? According to the IOM's *Glossary on Migration* (IOM 2004b), the term is used to "encompass numerous governmental functions and a national system of orderly and humane management for cross-border migration, particularly managing the entry and presence of foreigners within the borders of the State and the protection of refugees and others in need of protection". In general terms, migration management refers to a comprehensive approach to migration policy. For one thing, one has to take into account the linkages between migration and other policy areas. Migration cannot be dealt with in isolation, but an integrated approach must be taken so that migration policy is complemented by measures in other areas. The Berne Initiative states that migration is linked to, for instance, economic, social, labour, trade, health, cultural and security domains

(IAMM 2004: 29-30; cf. United Nations 2006j: para. 3)[105]. This stresses the need for strengthened capacity and more coordinated policies at the national level. Migration-related issues are often addressed by a country's ministries of labour, internal affairs as well as social affairs. With poor or no coordination between them, the result may be policy incoherence. Therefore, enhancing national coordination between various governmental agencies is vital for effective migration management (cf. UNFPA 2004c: 89).

The comprehensive approach also concerns the scope of migration policy. Migration policy no longer concerns border control only, but should span all stages of the migratory process, from the causes of migration and its means and routes to the regulation of entry, settlement, integration and return (ILO 2006: 12; cf. Tamas 2003: 37). Importantly, the various forms of movements have to be approached together to avoid unintended consequences. The programmatic texts therefore contain sections on a wide variety of fields. The recommendations of the GCIM, the Berne Initiative or the Hague Process, for instance, concern everything from addressing root causes, the regulation of labour migration and the prevention of irregular movements, to policies of integration as well as return. Addressing such a wide variety of issues, the general goal of optimizing the positive effects of migration is necessarily broken down into a number of sub-goals and recommendations within different fields of policy.

Finally, migration management is comprehensive in that it calls for cooperation among a larger range of actors. In international law, states have the sovereign right to decide whom to admit into its territory, with very few restrictions. A first thing to be noted is that this is thoroughly respected in the documents at hand. "It is the right of every State to decide who can enter and stay in its territory and under what conditions" (United Nations 1995a: para. 10.15; cf. IAMM 2004: 23; United Nations 2001: para. 47; ILO 2004c: para. 10; ILO 2006). So, although migration is presented in a positive light, there is no question

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[105] The IOM has formalized its view on migration management in the "Four-Box Chart", explaining that its main areas of concern are migration and development; facilitating migration; regulating migration; and forced migration (McKinley 2004).

of letting it free. States still have an unquestioned right to decide as regards inflows.

However, the complexities of contemporary migration call for increased cooperation with various actors – for example IGOs, NGOs and the private sector – at national, regional as well as global levels. The inclusion of an extended range of actors into the policy-making and policy-implementing stages is often thought of as enhancing the possibility of reaching the different goals associated with migration (IAMM 2004: 16, 28).

There are also invariably calls for increased inter-state cooperation on migration. The transnational character of migratory movements, the endeavour of broadening migration policy to cover all stages in the migratory process, along with the general efforts to achieve orderly migration makes cooperation between states appear necessary in order to realize the positive potential of migration. "[g]iven the internationalization of migration, national migration strategies developed in isolation are unlikely to result in effective migration management. Thus, a *sine qua non* for migration management is inter-State cooperation" (IOM 2002b: 3). Enhancing international cooperation, particularly in the form of multilateralism, is a corner-stone in the recommendations by the GCIM, the Berne Initiative, the Hague Process, the IOM, the ILO and others. According to the Berne Initiative, it is a "common understanding" that "[a]ll States share a common interest in strengthening cooperation on international migration in order to maximize benefits" (IAMM 2004: 23). UNFPA (2004c: 18) also claims that "there is mounting consensus that strengthening international co-ordination and cooperation is necessary, if not essential, to ensuring that the benefits of migration are maximized" (cf. United Nations 1995a: para. 10.2: b). Importantly, interstate dialogue and cooperation is often thought of as a way of not only maximizing economic and developmental benefits but also of enhancing the protection of human rights and fighting irregular movements (cf. United Nations 1995a: para. 10b; United Nations 2001: para 182-184; United Nations 2006d; ILO 2004a: 95-99; ILO 2004b: para. 18).

The limits of migration management

Chapter 2 argued that all problematizations rely on previous problematizations which delimit the range of possible answers. That is, political thinking in a specific problem area tends to occur within a certain range of alternatives, the borders of which are seldom or never transgressed. We have also seen that all migration discussions start with the assumption of a pre-existing system of sovereign states. Within this system, different individuals are "tied" to different states with the bond of citizenship, and states have an undisputed right to control inflow across their borders. This is never challenged in the programmatic texts emanating from the international level. What has changed is the conceptualization of people as mobile, their movements being tied up in processes inherent in the integration of the global economy. If sovereignty can be said to constitute one "limit" on how the migration problem can be understood and handled, then the global economy provides another. The documents all make certain assumptions concerning the global economy, which form the basis for how the optimization of human movement can be thought. As Boucher (2008) has noted, there is a general tendency in the global discourse on migration policy to take the neoliberal global capitalist system for granted, never mentioning it as part of many of the problems related to migration. Writes Boucher: "[n]ot only are capitalists and the global capitalist system not part of the problem, the solution involved more capitalism in the form of neoliberal policies to deregulate states' control over the free mobility of migrant labour" (2008: 1464).

No matter how inventive the suggestions and recommendations are, they all seem to occur within the space that is mapped out by the assertion of migrants as essentially sovereign subjects – belonging to different states – on the one hand, and the demands of the global economy in its current manifestation on the other.

Furthermore, the right of states to control migration is delimited by international norms and regulations concerning human rights (see Aleinikoff 2002). The different texts all urge states to ratify and observe existing human rights conventions (cf. United Nations 2006d). However, many refrain from recommending the ratification of the

MWC which is often considered as very controversial. Given all the emphasis that is given to the potential economic contributions of migration, it is tempting to see the human rights regime as operating mainly as a "constraint" under which the optimization exercises take place. *As long as* human rights are taken into proper consideration, migration is a phenomenon that can be utilized, steered and tinkered with in order to maximize its positive contributions to sending and receiving societies[106].

A suggestion: temporary migration programmes

One example of how migration management is often articulated in the forms of rational optimization exercises, characterised by having the "end points" of sovereignty and the global economy, I will now turn to the recommendation to open up for temporary labour migration. Boucher (2008) has noted that this is the clearest proposal within the global discourse on migration politics. I will here concentrate on how it is presented by the GCIM (cf. Martin – Martin 2006; The Economist 2005).

The GCIM argues that the world as a whole would gain considerably from what they call a "well regulated liberalization" of the global labour market (2005: 17). It would promote world growth by achieving a better match between the supply and demand for labour, it would satisfy employers' need for labour, it would help developed countries to meet their demographic challenges and it would enhance development in sending countries, particularly through remittances. Furthermore, since irregular migration is often a response to an existing demand for workers, providing regular opportunities is hoped to contribute to decreasing irregular movement (GCIM 2005: 37; cf. Harris 2005: 13), and – even if it does not – it could help reinstating public confidence in the ability of states to admit migrants on the basis

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[106] It should be noted that different sources emphasise the human rights of migrants to different extents. Apart from civil society organizations, the ILO is perhaps the organization which most consistently argues that migration governance needs to be "rights-based". However, all the different sources cited here emphasise that human rights must be respected.

of labour market needs (GCIM 2005: 37). The reason that GCIM recommends the elaboration and introduction of *temporary* labour migration programmes rather than permanent ones is that these are thought to be more acceptable to receiving states that are often reluctant to increase migration (2005: 16). Also, developing countries gain more from temporary emigration since it allows them to capitalize on the experience and skills that migrants bring with them upon return. Furthermore, temporary movement tends to result in a higher level of remittances since migrants tend to send home less money with the passing of time (cf. Bhatnagar: 2004).

Here, the GCIM has wide support from economists, who argue that liberalizing the temporary movement of workers would allow for the exploitation of differences in factor endowments, which would lead to huge increases in world growth (Rodrik 2002). Winters et al (2003) have estimated that an increase in temporary labour immigration equivalent to 3% the skilled and unskilled workforces of developed countries would generate an increase in world welfare by USD 156 billion annually, shared fairly equally between the developed and developing world.

The starting point is that there is a coincidence in the demand for cheap and flexible labour in developed countries, and an abundant supply of Third-World workers willing to take these jobs. The competitiveness of the global economy has caused economic restructuring in both the developed and the developing world. In the developed countries, this has created a need for "a flexible labour force", that "is prepared to work for low wages and under difficult conditions". This is the kind of jobs that native populations of receiving countries are not prepared to take: "Migrants from developing countries are currently helping to fill that gap at the lower end of the labour market, and seem likely to do so for the foreseeable future" (2005: 6). All in all, there are now pressures on both public and private employers to "minimize costs and to maximize the use of cheap and flexible labour – precisely the kind of labour that migrants, whether they have moved in a regular or irregular manner, are able to provide" (2005: 13). In many countries, we now have a "de facto liberalization of

the global labour market" (2005: 16) where the demand for this specific kind of labour is met by irregular migrants (cf. ILO 2004b: 12; IAMM 2004: 40-41). It therefore makes sense to introduce instead regularized temporary programmes not only to control the inflow but also to provide migrants with secure legal status. Hence, the GCIM proposes that "[s]tates and the private sector should consider the option of introducing carefully designed temporary migration programmes as a means of addressing the economic needs of both countries of origin and destination" (2005: 16).

For all its rationality, it is still remarkable that the GCIM recommends a measure which if implemented on a large scale would signify the constant presence of Third World workers carrying out the toughest, dirtiest and worst-paid menial tasks of developed countries, the jobs that the natives refuse to do, while moreover living in a rights situation which is still limited in important ways[107]. It is also remarkable in that it constitutes a certain incoherence within this political rationality. The GCIM – just like all other actors in the global governance of migration – emphasises the need to integrate immigrants into host societies, which is incompatible with the simultaneous argument for temporary migration programmes, which build on non-integration (cf. ILO 2006: 16-18).

The conditions on which this suggestion might be feasible are to be found precisely in the "limits" provided by the global economy and state sovereignty. First, the needs and requirements of the global economy are assessed somewhat uncritically: the downward pressure on wages and conditions resulting from increased competitiveness, and the resulting demand for cheap and flexible labour is presented in a neutral manner. Although it is underlined that migrants should be treated in the same way as nationals as regards wages, working hours and entitlements (GCIM 2005: 18), the whole point is to enable companies

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[107] The temporary status still limits the rights situation for this group of workers, concerning for instance labour market mobility, family reunification and political rights, and the ruled-out possibility of gaining a permanent status. Walzer (1983: 52), has famously compared countries with guest-worker systems to families with "live-in servants".

to hire cheap flexible labour which the native population of host states are not willing to provide – which implies that costs for this labour will not be allowed to rise above a certain limit. Implicit in the suggestion is therefore a justification of the low returns to a certain form of low-skilled labour. As Stalker (2000: 137) reminds us, this is not a necessary consequence of globalization. Governments and companies could instead choose to improve wages and working conditions in order to make the jobs more attractive to native workers, something which seems unlikely at the moment. Moreover, the coinciding supply of willing, "flexible" Third-World workers could also be critically discussed within the context of economic globalization and North-South relations[108].

The second condition is inherent in the principle of state sovereignty, according to which a state is primarily responsible for its own citizens. It is the responsibility as well as the duty of the state to privilege the safety and general well-being of its citizenry over any claims of foreign nationals (given, of course, the observation of human rights commitments). Above, it was mentioned how the understanding of migration as "normal" potentially challenges this principle. In the guest worker suggestion, we can see how it is reworked: people might be perceived of as mobile, but their *belonging* to separate states is never questioned. The guest worker system is predicated on the idea that it is possible to separate labour from the politically belonging human being that embodies it. The only way that living under limited rights can be seen as just or even thinkable in the context of liberal democratic states is through this belonging-somewhere-else. Processes of globalization – such as improved transport and transborder cultural flows, as well as the development of new and less exclusivist forms of political membership (dual citizenship, denizenship) – might already have changed patterns of belonging so that migrants do not develop firm ties with the receiving society in the same way as before, but instead tend to

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[108] In a comment to the report, the migrant network MIREDES (2005) deplored the lack of recognition that this migration from developing countries to a large degree can be explained by the imposition of neoliberal policies and free trade agreements, in no small measure imposed by the countries of destination.

retain social, political and economic links to their homelands (IAMM 2004: 15; cf. Castles-Miller 2003: 29). The proposed guest-worker systems represent a way to capitalize on these "new" forms of belonging. The value of this cheap and flexible labour for the receiving state stems precisely from its belonging someplace else, and preserving this belonging is of value also to the sending state which stands to gain from remittances and the return of the now better qualified migrant. Thus, we can see how this notion of belonging is used in an instrumental manner to satisfy the interests of both sending and receiving states.

This does not only concern the kind of low-skilled migration that is discussed here but it also visible in the suggestions concerning the highly skilled. As we have seen above, the loss of highly skilled is considered a serious danger for sending countries. Now, the emphasis is on encouraging circular or return forms of migration also of the highly skilled (United Nations 2006c; ILO 2004c: para. 9.; ILO 2006: 18). The notion of "brain circulation" (GCIM 2005: 31; IAMM 2004: 58) or "skills circulation" (ILO 2004a: 97) is put forward as a way of making this migration benefit both sending and receiving countries. A governmental problem associated with emigration, particularly of the highly skilled is how to preserve the bond between the emigrant and his or her home country. In later years, many sending countries face incentive structures when it comes to migration which put them in a troublesome position in relation to their own citizens. The enormous potential for earning foreign currency through remittances provides these countries with incentives to encourage their citizens/manpower to emigrate. However, they also face the risk of brain drain as needed and well-educated people also choose to leave. Also, when people stay on too long in the host country, they tend to remit less to their country of origin; second generations generally remit much less (GCIM 2005: 29). What is at issue, then, is the preservation of the state-citizen bond in a context where citizenship has been separated from its traditional grounding, i.e. residence in the territory of a particular state. To put it a bit bluntly, in order to secure the inflow of money, to attract back the highly skilled thus tackling the risk of brain drain, sending states have to

tend to and cultivate the relations with their "absent citizens" (Barry 2006: 36). Chander (2006) calls the means through which this is achieved "bonding strategies" and classifies them as political, economic and cultural. They include, for instance, various sorts of tax incentives for returning emigrants, possibilities for voting from afar, special representation of the diaspora in parliaments, programs for diaspora youth to return and get to know their country, official proclamations and celebrations of migrants as "heroes", institutionalizations of "migrants' day" etc. (cf. Barry 2006; Rodriguez 2002). The programmatic texts emanating from the global level are marked by this concern, as governments are encouraged to provide incentives to make sure that migrants return. Examples include facilitating return (IAMM 2004: 60), establishing reintegration programs, increasing employment opportunities (United Nations 2006c), accepting dual citizenship and providing tax incentives (ILO 2004a: 97) and facilitating portable pensions and social security entitlements (GCIM 2005: 18).

All in all, it seems that it is particularly the belonging of Southern citizens which is to be reinforced and encouraged. This can be seen as an act of reterritorialization, of insisting on the importance of retaining sovereign power over subjects.

In sum, the political rationality of global migration management seeks to invent rational policy measures to deal with an acknowledged transnational phenomenon, in a way that satisfies the requirements of the global economy yet works in the interest of both sending and receiving countries. Moreover, this optimization exercise takes place under the further "constraint" constituted by the human rights regime. The difficulty of this undertaking is underlined by the tension between the two end points which mark the outer limits of the possible alternative actions; between a political arrangement understood as national and an economy understood as global.

Manageable but beyond control?

The notion of programmatic texts suggests that proposed suggestions must be formulated in a way to make them possible to carry out in practice. Here, however, we will consider how the political rationality of

global migration management seems to be less certain when it comes to the possibilities for taking control over human movements.

Closely linked to the goal of optimization is the aim of ensuring that it is *orderly*. It is "orderly" migration, or sometimes "orderly and promptly managed" migration (IOM 2004a, Vol. I, Intro.: 3) that has the potential of bringing about the positive effects for states and individuals. "Orderly" in this sense equalizes movements authorized by states and movements that comply with laws and regulations in all their different stages (cf. IOM 2004b). In effect, this translates into the goal of eliminating all forms of irregular migration.

The notion of migration management suggests that although migration might not be possible to control in the sense of turning it on and off at the borders as one pleases, it can still be guided, channelled or affected in certain ways. In the words of the former EU Justice and Home Affairs Commissioner Antonio Vitorino, "[m]igration is a fact that one can manage and influence with the right instruments, but not prevent as such" (quoted in Gammeltoft Hansen 2006)[109]. Migration management is often understood as a middle way between repressive control measures and free movement (cf. Martin et al 2006: xiii). Acknowledging the permanent and (potentially) positive character of migration, the aim can no longer be to prevent it but to steer and guide it so as to optimize it: maximizing its positive effects and at the same

[109] Here it can be noted how the metaphor of flowing water is used within migration management. Water is perhaps the most common metaphor for migration today. At times it is used in a fearful way, as when migration is depicted as a "tsunami" that threatens to "flood" us (Herman 2006: 192). But when the term is used by migration management practitioners – those who are concerned with controlling the streams – it appears in a more technical sense. For instance, Jonas Widgren, the former Director General of the European migration policy think tank ICMPD (International Centre for Migration Policy Development), describes himself as a *plumber* who mends leakages in some places, opens up for flows in others, attempting to create positive flows (Fleischer 2003). In a different but related manner, Benita Ferrero-Waldner, European Commissioner for External Relations and Neighbourhood Policy, compares migration management to *river management* in order to explain the need for interstate cooperation: "…picture a river and you can easily see why the different countries along its banks, upstream and downstream need to work together to protect their common interests. Similarly an efficient migration policy can only be developed by the countries of origin, transit and destination working together" (European Commission 2006).

time avoiding its negative consequences (cf. Massey - Taylor 2004; Ghosh 2000a; Salt 2000: 11). There is a clearly stated belief in the potential capacity of migration policy to bring about the desired goals, which gives the notion of migration management its "technocratic ring" (cf. Crisp 2003: 14). Surely, the flaws and inadequacies of current policy and implementation measures are acknowledged. Improving the handling of migration is the whole point. But there is great confidence that i*f* the knowledge about migration is increased by the collection and dissemination of timely and accurate data, *if* migration officials get more professional training, *if* national administrative capacity is enhanced by increased resources and expertise, and *if* inter-state cooperation is promoted… *then*, migration policy can be used as an effective tool with which to "capitalize on the opportunities" presented by the constant of human movement. Hence, migration management proposals always carry with them a quest for new knowledge: on the effects of migration on development, on future labour market demands, on practical knowhow demonstrated in training of various kinds etc.

The faith in the capacity of migration policy thus indicates that migration is something which can (and should) in fact be brought under control (cf. Schuster 2005: 17). This may seem a bit paradoxical, as the conceptualization of migration as permanent and normal implies an acknowledgement that migration is now beyond the control of states. If management is put forward as a realistic alternative to control *because* control is no longer possible (yet management itself seems to equal control) then what does management really mean, and how are we to understand the relation between the terms?

A dictionary throws some light on the issue by exposing the multiple meanings of the terms[110]. One way of understanding the apparent contradiction is that control is given up only in the sense of "preventing" or "restraining" and not in the sense of "exercising authoritative or dominating influence over". This latter meaning coincides with the connotations of management as precisely "exerting

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[110] The meanings of the terms are from The American Heritage Dictionary of the English Language, 4th Ed. (2006).

control over" and "making submissive to one's authority". Apart from "handling" (which is possibly the most common association to the term) management is thus actually synonymous with control. If this interpretation is correct, then the rhetorical change from control to management is to be understood as follows: migration can no longer be prevented but it can still be under the effective authority of states. If the recommended management measures are adopted, then there is a good chance that the unruly and disorderly phenomenon of migration can indeed become if not restrained then at least disciplined, orderly, subjected again to the authority of the state. An Verlinden suggests that the term management

> …basically implies the assumption of migration as a 'problematic' though unavoidable phenomenon, that can be remedied through a regulative system that channels migration flows in a rational way… Although the management approach pleads for more legal migration channels, the emphasis still is on 'controlling' population movements… (Verlinden 2006: 75).

But if human movements today are such that they cannot actually be prevented, then what makes them likely to be "manageable"? Taming the chaotic and irregular human movements and making them orderly, as we have seen, is a prerequisite for subsequent management strategies. But the efforts that would be required are certainly tremendous, and it would seem that anything short of a serious redistribution of world wealth, along with reformed political systems and administrative cultures in a majority of the world's poor countries, would have poor chances of succeeding. Achieving orderly movement is to achieve authorized movements – and this does not only mean that terrorists and trafficking operations are effectively prevented, whereas the movements of tourists, students and business travellers are facilitated. It would imply a world where only those migrate who are selected for movement because of labour market demands, plus those who travel under the auspices of the human rights regime (refugees and some family reunification migrants, basically). In a way, this could be seen as reimposing a state system regime of governance in a context

which belies at least some of its basic features (i.e. people are no longer sedentary, societies are no longer national).

One could thus ask if the achievement of purely orderly movement really is feasible. Even if channels for regular migration are opened to a greater degree than at present, and even if some efforts were made to increase well-being in the states of origin, would we not still be in the same situation as regards the difficulties in controlling migration? It would seem as if the same reasons that make migration unpreventable today would make it unmanageable even if a greater degree of openness were to be introduced into the system. World disparities would still be there, and the inventiveness of the various migrant-exporting schemes and the smuggling industry to circumvent governmental restrictions would hardly fade just because the restrictions took on a somewhat different character. Perhaps the most important question concerns whether there is anything in this world of orderly migration that would increase people's sense of loyalty towards its regulations. Just like any regulatory system ultimately depends on the voluntary compliance of the majority, is not the long-term survival of the actual power of states to control movement conditioned by whether or not people at large respect this authority? And the volume of irregular migration suggests that this is not the case[111].

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[111] A small number of empirical studies have explored how irregular migrants themselves perceive their breach of immigration law. Kyle and Siracusa (2005) found that the prevailing attitude among the interviewed Ecuadorians in Spain was *not* to regard their illegal status as a crime. In their view, their illegality was defensible on the basis of both current and historical injustices. For instance, many found it hypocritical to talk about globalization and not take the rights of migrants into account. They further perceived Ecuador as a predatory state in which the crimes of the elite had exploited and ruined the economy. Migration thus becomes a necessary survival strategy for many, a risk-taking operation which does not only favour the individual migrants and their families but also the sending state dependent on remittances and the destination state dependent on their labour. As far as Spain was concerned, many felt it justified to re-conquer the former colonial power. To these people, then, migration rules was clearly not anything that deserved their respect. Franck Düvell's review (2006: 212-214) shows that irregular migrants overwhelmingly find their breach of law justified, their arguments tending to fall into one of two main categories. Some base their arguments on the fact that businesses move freely across the world. Wanting to be given the same opportunities, this category describes themselves along the lines of the

Taking all this together, there seem to be formidable hindrances to the effective management of migration and the achievement of the desired orderliness. So, what are we to make of the contradiction in the claim that although migration cannot be prevented and brought down to zero, it can still be managed and influenced? I can think of two ways of assessing this issue. *Either*, the belief is that we are actually capable of developing the tools with which to make migration truly orderly. This would imply that we are capable of developing all the administrative tools, the technical means for surveillance, the police capacities, and the cooperative structures to make migration orderly. And if this enormously efficient system is attainable, then we should also be able to prevent migration completely if we wanted to. Believing so strongly in the system yet saying that migration is unpreventable amounts to arguing that we can prevent, but we had better choose not to (because of the economic and humanitarian considerations). *Or*, one knows that migration is not only unavoidable but that even more modestly managing it, in the sense of achieving orderly movement, is also, ultimately, a vain enterprise. In that case, the explicit belief in the capacity of the state to attain orderly movement may be interpreted as trying to keep up the appearances that the state system is (or could be) in control although it really is not.

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neoliberal idea of the free, autonomous, economic actor. They see themselves as entrepreneurial individuals who embody the freedom of movement of the labour factor of production. Others, however, tend to describe themselves as collective actors, motivating their movement with social justice arguments. In their opinion, migratory movements are required for the transnational distribution of resources. Zhang and Chin have interviewed Chinese smugglers (2002), finding that the smugglers tended to consider themselves businessmen, making an honest living by helping family and friends to reach their desired destinations. Some even argued that they worked in the service of a larger society as they helped alleviating China's problems of overpopulation and unemployment. The authors conclude: "The fact that neither the migrants nor the smugglers consider transnational human smuggling a crime and that they would rather view it as a "good deed" might help explain why so many otherwise law-abiding people, including businesspeople and community leaders, are affiliated with the human trade" (Zhang – Chin 2002: 19-20) [111].

To GCIM, a major problem with irregular migration is that it might undermine public confidence in the integrity of a state's migration and asylum policies (2005: 34). The recommendation to increase opportunities for regular migration is importantly linked to this concern over public perceptions. The Commission admits that there are no evidence that such measures would decrease the number of irregular migrants, "[however], regular migration programmes could reinforce public confidence in the ability of states to admit migrants into their territory on the basis of labour market needs" (ibid: 37).

The political rationality of global migration management could thus perhaps be read as a reterritorializing quest for order and control in an area of human activity which has developed far beyond the effective regulation of states, and – importantly – which is now recognized to have done so.

The ultimate goal

We have now seen that migration management is concerned with the rationalization of migratory movements so that maximum benefits are attained while negative consequences are avoided. Linked to this is the goal of asserting that migration is orderly. In this section, we will look at a third goal, which is often presented as a more long-term one. Here, I approach it as constituting the "utopian" element of this rationality.

The *Hague Declaration* states that "one of the international community's major goals for the future should be to make the right and the option to remain in one's own country viable for all…" (United Nations 2002b: 4). The point here is to ensure "that no person is ever forced to migrate simply to survive" (ibid: 13). We have previously seen that migration is shaped not only by the arrangement of the world population into separate sovereign states but also through the distinction between forced and voluntary movements. Migration is by definition perceived of as voluntary in contrast to refugee movements. The emphasis on the goal being to make staying at home a viable option for all, can be understood as revealing a certain anxiety concerning this voluntariness, a consciousness that migration might not in reality be as voluntary as it is supposed to be.

While the Hague Process poses this as a goal which the international community as a whole should strive for, sending states have a special responsibility here:

> Of crucial importance is the responsibility of the countries of origin to address the root causes of forced displacement and migration flows, whether these relate to respect for human rights standards, economic reform or the creation of jobs. The intention is that none of their people need to migrate in order to survive (United Nations 2002b: 9).

Hence, the right of every person to remain in his or her country of origin here appears as an ultimate goal. This points to the limit for "using" migration as a tool for development. Recently, in connection with the Global Forum on Migration and Development, some civil society actors cautioned against the turn that the debates on migration and development had taken. In the report from the civil society day, the day before the state-attended Forum, it was emphasised that development should not only be understood in terms of economic growth. Instead, it should include non-economic factors such as the respect for human rights, social cohesion and democracy. Rather than putting the economic growth of states at the centre of attention, these organizations argue that the well-being of individual migrants and their families should be at the core of the discourse (Report of the Civil Society Day of the Global Forum on Migration and Development 2007: 7). In this vein, governments are urged to "both recognize the right of workers to migrate and the rights of workers *not* to have to migrate" (ibid: 10, ital. added).

In its contribution to the Forum, Amnesty International argues that the debate on migration and development must be reframed. To Amnesty, the debate has become excessively concerned with the economic aspect and growth potentials of the link between migration and development. It "has taken a cost-benefit approach to the issue of migration, placing at the forefront the economic imperatives of states, often at the expense of the human rights of migrants". To Amnesty, development should be understood as a process enlarging people's choices with the human person as its central subject of concern. Migrants should not be seen as simply agents of development, but their

individual human rights should be the focus of attention. Amnesty is thus very critical of the perceived commodification of migrant labour and argues that "[a] development agenda that intends to offer genuine development benefits cannot allow human beings to be treated as commodities or units of labour". This way, Amnesty urges countries of origin to abstain from utilizing the export of migrant workers as a tool for development:

> Countries of origin should… refrain from policies and practices that seek to "export" migrants en masse in order to generate remittance flows or profit from fees paid to state-sponsored recruitment agents, without ensuring adequate protection of their human rights. Sustainable development in countries of origin should *inter alia* be premised on job creation and economic opportunities in the home country, not on compelling people to migrate abroad. AI urges countries of origin to make all efforts to provide food security, adequate housing and decent work for their population in a non-discriminatory manner, so that they are not forced to migrate as a survival strategy to escape extreme poverty and associated violations of their rights (Amnesty International 2007).

We might here see the grains of an alternative rationality on how global migration should be governed, one that resists the perceived reduction of migrants to units of labour to be utilized in the service of the development of states, and instead puts the rights of individual migrants and their families at the focus of concern. Here, it is imperative to resist idealizing the export of workers as a tool for development, and instead focus on transforming conditions at the point of origin.

However, this might in a sense be a question of emphasis rather than an entirely different view on the goals of migration politics. The general aim of ensuring that nobody migrates out of necessity is one that appears in many other documents and is often connected with the goal of fighting "root causes". The state-endorsed Programme of Action of the ICPD states that: "The long-term manageability of international migration hinges on making the option to remain in one's country a viable option for all people" (United Nations 1995a: para. 10.1). A necessary means to this end is to fight the root causes of migration through pursuing developmental strategies. Developmental

strategies should aim at achieving economic growth with equity, and the text even holds that the aim should be "achieving a better economic balance between developed and developing countries and countries with economies in transition" (para. 10.3). But policies should also be adopted and measures pursued to reduce internal and international conflicts and improve governance: "…to respect the rule of law, promote good governance, strengthen democracy and promote human rights" (ibid). In the resolution on migration and development which was adopted at the 39th session of the Commission on Population and Development, governments are invited

> …to seek to make the option of remaining in one's State viable for all people, in particular through efforts to achieve sustainable development, leading to a better economic balance between developed and developing countries (United Nations 2006j: para. 10).

The report of the Secretary-General, which was prepared for the High-Level Dialogue on Migration and Development, states that "[a] major principle of migration policy is that everyone should have the option of staying and prospering in her or his own country…" (United Nations 2006i: 17). According to the summary of round table 1 at the High-Level Dialogue on Migration and Development – concerned with the effects of international migration on economic and social development – the participants in that discussion made the same point. They agreed on "the importance of creating desirable living and working conditions in countries of origin, so that migration was truly a choice, not a necessity" (United Nations 2006c; cf. United Nations 2006f).

The first Principle for Action in the report of the Global Commission on International Migration reads:

> Women, men and children should be able to realize their potential, meet their needs, exercise their human rights and fulfil their aspirations in their country of origin, and hence migrate out of choice rather than necessity. Those women and men who migrate and enter the global labour market should be able to do so in a safe and authorized manner, and because they and their skills are valued and needed by the states and societies that receive them (GCIM 2005: 4).

To this end, the Commission recommends a range of actions to be taken by sending countries, centred around good governance and the creation of jobs and more generally around improving conditions so that people do not have to leave in order to survive (cf. UNFPA 2006: 2-3).

Summing up

This chapter has presented the political rationality of global migration management, as traced from the description of migration and migration politics emerging in the context of global governance of migration. It has provided the most concrete level at which migration politics have been rethought from an engagement with the governmentality perspective.

A political rationality has an epistemological, an idiomatic and a moral dimension. The *epistemological* dimension articulates the knowledge on which subsequent recommendations are based. We have seen that migration is now thought of as a permanent feature of world affairs, intensified by various variables connected with globalization – among them the transnational character of societal and familial bonds. Moreover, it is here understood as a largely positive phenomenon, which has the potential to contribute to the development of both sending and receiving states.

The *idiomatic* dimension concerns the language in which the rationality is framed. Here, it has been observed that global governmental thought on migration is articulated in "management" language, which suggest rational problem solving and which seems to neutralize and depoliticise the issue.

The *moral* dimension of rationalities has to do with the envisioned appropriate forms of intervention, the distribution of tasks between different authorities, and the goals of government. It has been shown that the state is still the unquestioned central authority, although the need to involve other actors in policy-making is emphasised. In particular, the desirability of enhancing international cooperation and dialogue is frequently pointed out. Since migration is now seen as a positive as well as an unavoidable phenomenon, the political rationality

of migration management does not set out to curb it. Instead, it is argued that the avenues for legal immigration must be expanded. This, however, does not mean that one wants states to relinquish control. The term management instead seems to indicate the need for government involvement in order to take control over unruly forms of movement. A general goal seems to be to optimize migration, i.e. to engage in rational policy making in order to maximize its potentially positive effects while minimizing its associated risks and dangers. Another, related goal is to put an end to unauthorized migration. The moral dimension of rationalities also includes a utopian element: a vision of a kind of person, society, or world that it wants to realize. Here, I have identified the utopian element in the more long-term ambitions to ensure that nobody migrates because of need, i.e. guaranteeing that voluntary migration truly is voluntary.

In what ways does the political rationality of global migration management relate to the concern of circulation and to the state system regime of government, as identified in the two previous chapters? As regards circulation, the emergence of global forums in this area seems to indicate that the management of circulation of migrants is now understood as appropriately handled at the global level, at least to some extent. Moreover, an important transformation is that the movement of low skilled citizens from the South is now understood as potentially positive, capable to contribute to the home countries through remittances, and to host countries through the filling of certain labour market demands. Therefore, containing the circulation of "non-insured" populations of which Duffield writes (chapter 5) does no longer seem to be an imperative goal. A general trend is towards circulatory, i.e. temporary, migration of both high skilled and low skilled migrants. One can note that the main governmental concerns revolve around migrants from the South: the movement of Northern people hardly even appears in these discussions. The main difficulty instead seems to be how to guide and steer the movement of Southern migrants so as to ensure win-win outcomes; a major concern in this respect is for Southern states to avoid "losing" its emigrant citizens, which would result in the loss of remittances and human capital.

The understanding of migration as permanent and normal, rather than exceptional, and of societies as to an important extent trans-national, seems to call for a new approach at managing circulation in which people are governed as potentially mobile subjects. But the acknowledged mobility also seems to challenge the state system regime of government. In chapter 4, it was argued that the governmentality of the state system is associated with an understanding of people as normally sedentary. The recognition of the permanent character of migration and of the transnationalization of societies seems to defy this particular form of governing the aggregate world population. Yet, there is nothing in the global description that indicate a change in the territorialized forms of belonging and citizenship with which the state system governmentality is associated. In contrast, it could be argued that this form of belonging enables the optimization exercises of migration management, as exemplified in the working out of temporary migration programmes. While the recognition of migration as permanent can be seen as a potentially radical challenge to the state system regime of government, it is neutralized within existing forms of belonging and citizenship. Asserting that people are mobile, while not opening up the question of membership, seems however to indicate a modest transformation within the state system regime of government, as the link between people and place is recognized to be weakened.

Conclusions

The overriding concern of this study has been to explore the global regulative function of migration politics. To this end, it has had two specific purposes. First, I have attempted to rethink migration politics through an engagement with Foucauldian governmentality theory. Secondly, I have done so specifically in relation to the global description of migration and migration politics which emerges within the currently evolving global governance of migration. Thereby, I have intended to make two contributions. On the one hand, I have wanted to contribute to the small but growing school of "global governmentality", i.e. the research orientation which makes use of governmentality theory in global contexts. On the other, I have wanted to contribute to the study of the global governance of migration, my specific input consisting in providing an alternative reading which is based on governmentality. This chapter sums up the main findings and evaluates the results of this endeavour.

The concept of governmentality is used in two different ways within the literature, both of which have partly been drawn upon in this study. In its broader sense, it offers a general understanding of the exercise of power which is focused on the relationship between power and knowledge; between government and thought. In its more specific sense, it denotes a particular, modern, way of thinking about and exercising power that emerged in early modern Europe, and which is distinguished by having the population as its main target. In this meaning of the term, it can be compared to other forms of power; Foucault explained it to be distinct from sovereign power, continuous with disciplinary power and preceding liberal forms of power. From governmentality in the broader sense, I have made use of some concepts and tools for approaching the specific case at hand. Crucially,

the concept "political rationality" has been used for approaching the emerging global description of migration and migration politics. From governmentality in the more specific sense, I have been inspired to studying migration politics in terms of how it regulates populations.

The governmentality perspective has so far almost exclusively been used for studying processes at the national level. The populations in focus for governmentality studies are implicitly or explicitly national ones, territorialized within state boundaries. While migration is a population phenomenon, it is one which by definition transgresses these boundaries. A main ambition for this study has hence been to develop ways of applying governmentality externally, to understand the regulative function of migration politics as involved in the government of global, rather than national populations. As part of this effort, I have complemented governmentality with insights from other academic traditions, namely poststructural international relations theory, critical geography, anthropology and sociology and to some extent historical accounts of border control.

I have tackled the challenge of applying governmentality at the global level by approaching migration politics at three different levels of abstraction, corresponding to chapters 4-6. The most abstract level has reoriented migration politics to its role within the state system regime of governance. As Hindess (2000; 2002) has argued, the state system itself represents particular way of managing the totality of the human population. It embodies a complex mentality of government, which Foucault did not take into account. It functions, first, by dividing the greater human population into subpopulations of sovereign states and, second, by allocating to these states the right and responsibility for managing their own internal affairs, including the control over movement across their borders. From this perspective, the sovereign prerogative to control movement appears as a structural requirement from this dispersed regime of governance which aims at the totality of world population. Expanding on Hindess' thoughts I have suggested that this particular way of managing the global population corresponds to a certain understanding of political community, and to a conceptualization of people as normally sedentary. Cross-border

migration, thereby, appears as an exceptional and passing phenomenon. Moreover, it was argued that migration can both pose a challenge to the state system regime of governance, and contribute to reinforce and stabilize it.

At the second, somewhat less abstract level, I have proposed that migration politics can be re-thought as an example of the more general problem of managing circulation. Migration politics is fundamentally about the regulation of movement; about deciding whose movement is to be encouraged and whose is to be suppressed. The concern with regulating transborder mobilities of different kinds is often understood as characteristic of globalization, but the Foucauldian concept of circulation puts these in a historical continuity. To Foucault, the concern over circulation has been a generic problem for modern government, and one that has shifted with the reconfigurations of power and knowledge. With a few historical examples, I have illustrated the shifting ways that the management of circulation of migrants has been thought in relation to the different forms of modern power that Foucault discerned (discipline, governmentality, liberalism). Further, I have attempted to characterise the contemporary ways of managing the circulation of migrants by turning to its effects in terms of access to mobility. While decisions on migration are taken by individual states, at the aggregate or global level, a pattern of highly unequal access to cross-border movement between different groups of people can be discerned. It is sometimes nowadays argued that the access to mobility is a major dimension of global social stratification, one in which Northern citizens and the highly qualified are privileged, while the movement of Southern citizens and the less qualified is contained.

The least abstract level has been directly concerned with the global governance of migration. I have suggested that the current attempts at approaching migration at the global level can be read as an instance of problematization, i.e. as a moment when ongoing ways of governing are opened up for questioning, but wherein new answers and solutions tend to be accommodated and neutralized within established frameworks. The documents on migration emanating from global actors have been approached as programmes, i.e. texts that are written

with the objective of reforming a particular governmental practice, and that express a particular knowledge of the reality which is to be governed in a way which presents this reality as amenable to intervention. The main aim has been to approach the global description of migration and migration politics, which emerges from these programmes, as a political rationality – as a broader discourse which may be heterogeneous but which nevertheless displays regularities by way of commonly accepted facts and agreements on central problems. In tracing what I have chosen to call the "political rationality of global migration management", I have specifically paid attention to how it both furthers and reshapes the state system regime of government as well as the current practices of managing circulation.

The political rationality of global migration management has been analyzed in its epistemological, idiomatic, and moral dimensions. The *epistemological* dimension of rationalities has to do with the conception of the nature of the objects that are to be governed. The greatest shift here is that the phenomenon of migration is nowadays seen as a permanent and normal rather than as an exceptional phenomenon. Furthermore, the societies and communities to which individual migrants belong are no longer seen as necessarily local, but as dispersed over the globe through already established migrant networks. It has also been found that migration is increasingly seen as an at least potentially positive phenomenon, with great potential for contributing to the development of sending and host countries. Importantly, the positive attitude towards migration extends to the movement of the low skilled and citizens of the North, implying that the stratification of mobility rights might be under transformation.

Idiomatically, we have seen that migration politics at the global level is discussed in terms of "migration management". The management tone is positive, indicating the belief in the multiple possible gains to be made. It also tends to promote a view of migration as a technical problem, one which can be addressed through rational policy making. The term tends to depoliticise migration, promoting a consensual rather than a conflicting perspective on the issue.

The *moral* dimension of rationalities concerns the goals or ideals which government should strive to attain, the appropriate duties of authorities (if, when and how to intervene), and the distribution of tasks between different types of authorities. Since migration is increasingly seen as both permanent and potentially positive, a general goal is that of optimizing migration, i.e. maximizing its beneficial effects while minimizing its associated dangers. To this effect, a number of proposals are launched – for instance the encouragement of brain circulation and the elaboration of temporary labour migration programs. Another overriding goal is to achieve orderly movement, i.e. to erase unauthorized migration. "Migration management" does not call for relinquishing control, but instead signals that while migration cannot be prevented, it can and should be steered and guided in the right direction. The main authority to decide over issues of migration is still understood as appropriately residing with individual states, although both interstate cooperation and cooperation with non-state actors are considered desirable. Political rationalities also have a utopian element – i.e. a vision of the kind of persons, society, organization or world that it wants to realize. In this case, an oft-mentioned ideal is a state of affairs in which no-one is being forced to migrate, in which everyone can choose to stay in their country of origin and all existing migration occurs out of free choice. While the issue of migration is defined by its perceived voluntary character (as opposed to refugee movements), this ideal betrays the realization amongst authorities that large parts of actual movements are in fact not occurring voluntarily.

If one were to formulate the findings more generally, one might say that global migration management appears as a political rationality of government at a moment when the sedentariness of the world's population can no longer be taken for granted, and when societies are acknowledged to be – to a significant degree – transnational in character rather than rooted within the borders of separate states. Whereas these two transformations in governmental thought would seem to challenge the state system governance of the human population, these are effectively neutralized in the political rationality of global migration management. While recognizing that people nowadays

have to be governed as mobile subjects, it recommends a series of actions (among which increased international cooperation is a major one) in order to take control over the phenomenon of migration. The normality of population movements does not lead it to question the current forms of territorially-based memberships as systems for inclusion and exclusion. Instead, it promotes a range of new and rational measures to manage the phenomenon, hence "capturing" it within states system categorizations. One could therefore perhaps, with Soguk (1999) and others, suggest that it might not be migration which is the main object of government here, but perhaps the states system norm.

In what follows, I will discuss in inverted order how this study has met its ambitions. First, in which ways has it made a contribution to the study of the global governance of migration? As explained in chapter 2, migration has only recently started to rise on the global policy agenda. The turn of the millennium marked the beginning of an increased involvement of international organizations and initiatives, and in the last couple of years state governments have begun to address the issue in global forums for cooperation. Since states are still the main actors in this governance structure, a main question in this literature concerns whether or not governments will choose to enter into deepened forms of international cooperation. The general consensus is that this is unlikely, at least in the short run. States are still very unwilling to enter into binding forms of agreements or establishing any new international organizations. What can be observed is the preference for cooperative forms that are non-committing, voluntary and informal in character. Such is the nature, for instance, of the newly initiated Global Forum on Migration and Development.

The little that has so far been written on what is referred to as the global governance of migration is primarily actor-centred in character. In this study, I have instead wanted to provide an alternative reading, based on governmentality, of the developments at hand. This means that focus has been moved away from the question of whether cooperation will develop and what forms it will take. Instead, the main interest has been directed at how the phenomenon of migration and the

goals of means of migration policy are described now that it is for the first time approached at the global level. Thereby, this non-actor centred perspective focuses less on the possible interests of different actors, and more on the rationalities and technologies which seek to make migration governable. A general ambition of governmentality studies is to "denaturalize" forms of government. It is therefore helpful for questioning the seemingly technical and rational policy discourse at the global level. Here, I have attempted to reach the goal of denaturalization by relocating migration politics within, on the one hand, the state system regime of governance and, on the other, the historical continuity of the practice of managing circulation.

A limitation that follows with my highly generalized use of the concept "political rationality" is that different positions within the global governance of migration are insufficiently accounted for. In particular, it seems to me that the different actors within this governance structure emphasise the human rights of migrants to varying degrees. An alternative study would have focused more on these differences, tracing out what might be multiple rationalities on governing migration. However, such a study would probably need to take other forms of material into account. In the documents that have formed the main material for this study, all sources emphasise the importance of safeguarding the human rights of migrants.

A weakness with the governmentality perspective is that its anti-essentialism precludes the finding of a stable ground from which one can direct a form of constructive criticism. It cannot properly account for economic inequalities, nor can it address the possible democratic problems of the evolving global governance of migration. As explained in chapter 1, governmentality is critical rather than problem-solving in orientation, and as such carries with it the benefits and limitations associated with such perspectives. It is appropriate for exposing the contingent and historical character of forms of government, and for showing how relations of power are implicated in the formation of social identities. However, it is not apt to make policy recommend-dations of any sort.

Second, how has this study contributed to the study of global governmentality? This question is less straightforward to answer than one may think. Global governmentality is not an established school, nor a consistent research program. The studies that are associated with this heading therefore do not make up a coherent whole to which one can add one's contribution. Instead, global governmentality studies, at least so far, are merely distinguished by the common ambition to use elements of Foucauldian governmentality theory for studying different forms of global rule. As explained in chapter 4, such studies have been written on very different topics, among them globalization, development, NGOs, and the UN promotion of good governance. Therefore, my contribution to this line of research consists in having applied the same kind of analysis to a different empirical field of study. While Walters (2004) and Bigo (2006) have studied migration discourse from this perspective, they have done so from a national (UK) and a regional (EU) perspective, respectively. Here, I have instead attempted to approach migration politics from an externalist perspective, attempting to advance an understanding of how it operates in the regulation of the global population at large.

If one were to mention a tendency of governmentality studies in general and global governmentality studies in particular, it would be their focus on liberal or neoliberal forms of rule. Such studies are often geared towards analysing the power relations that are associated with "governing at a distance", with the non-intrusive forms of rule associated with the promotion of certain kinds of freedom and the cultivation among the governed of suitable habits of self-regulation. In contrast, the study of migration politics shows that there are areas in which government is much more intrusive and direct. While a major governmental problem for sending counties – how to preserve the bond with its emigrant citizens – takes softer and more indirect forms, receiving countries are at liberty to pick and choose among potential immigrants as they see fit. Their decisional power seems, to some extent at least, to belie the Foucauldian characterisation of modern forms of power as concerned with the indirect management of possibilities. One way of comprehending this within the parameters of

the governmentality perspective would be to take it as an indication that different forms of power – sovereign, disciplinary, governmental and liberal – have not replaced one another but continue to exist in parallel. In this study, I have instead, with Hindess, conceptualized this form of power in migration politics as resulting from the way that the state system operates as a governance structure concerned with regulating the larger human population. The benefit of this conceptualization, at least to my mind, is the thought-provoking effects of the now prevalent recognition that migration and mobility are normal and not exceptional features of world affairs. If one accepts my suggestion that the state system regime of government is bound up with a conceptualization of people as sedentary, this seemingly minor empirical observation seems to have potentially extensive consequences for the way that the state system divides and governs the larger human population.

An interesting avenue for further research on migration politics would be to explore the Foucauldian notion of resistance in this context. While Foucault was very much preoccupied with theorizing resistance and its relation to different forms of power, this is a dimension which is largely missing from governmentality studies – the present one included. Governmentality studies tend to focus on rationalities and technologies of government, from which follows a bias toward official, or elite, discourses. Thereby, the researcher risks focusing excessively on different modes of domination while being unable to capture various forms of resistance or insubordination (Gordon 1980: 255; cf. O'Farrell 2005: 55). Governmentality studies do tend to acknowledge that governmental practices and programmes are never completely translated into reality in accordance with initial expectations; hence, failure is often considered a frequent companion to government. But the problem is that when one conceives of the imperfect translation from program to reality only in terms of failure, one adopts the point of view of the authority in regarding it from above (O'Malley 1998: 157).

Migration politics is an area which is often characterised as marked by a high degree of policy failure. Adopted policies often fail to

meet their stated goals, and sometimes even have the directly opposite result than what was intended (Castles 2004a). As we have seen in the global description of migration and migration politics, a major concern is to make migration orderly – that is, to erase the existing unauthorized forms of migration. Global migration management therefore seems to occur after the fact, when law-defying movements have already been established. A question which would be interesting to explore is thus whether unauthorized forms of movements could be seen and theorized as a form of resistance.

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