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Darshan Vigneswaran

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Territory, Migration and the Evolution of the International System

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Preface

The Queue Jumping Analogy

In August 2001, a fishing vessel carrying 438 asylum seekers began to emit distress signals while sailing in international waters in the straits between Indonesia and the Australian territory of Christmas Island. A Norwegian freighter, the *NV Tampa*, rescued the asylum seekers. The Australian navy assisted in the rescue, but the Australian government refused to permit the passengers now on board the *Tampa* to claim asylum on Australian soil. Instead, as part of Australia's 'Pacific Solution', they were sent to a detention centre on the island of Nauru to await a determination on their applications.

The Tampa crisis acquired an almost mythical status in Australian politics. The decision by the government to prevent the *Tampa* passengers from claiming asylum was popular across the Australian electorate. It helped to galvanize popular support behind the Howard government and garner its re-election for a third parliamentary term. During all the political, legal and diplomatic machinations surrounding the rescue of the Tampa, the affair also helped to launch a new term into the Australian political lexicon.

On 29 August, as the 'Tampa Affair' was still unfolding, the Australian government submitted the Border Protection Bill of 2001 to Parliament. The Bill would, amongst other things, retroactively empower the government to remove any foreign ships from its territory and deny the passengers of such ships the right to claim asylum in Australia. During their debate of the Bill, parliamentarians on both sides of the House began to refer to the asylum seekers on the Tampa as 'queue jumpers'. While the tenor and usage of the term varied, its precise meaning is perhaps best conveyed by the Liberal Party Member for Moreton, Gary Hardgrave, who used it to pillory his opponents' sense of fairness:

> But how can we exercise properly a care and concern for others if those who deserve our care and concern most of all are kept out while those who have the capacity to do something for themselves

> are pushing or buying their way in? How can we legitimately say that we are taking the worst set of problems and dealing with them? How can we honestly say that we are helping the most needy if we allow a system whereby money dictates that some jump ahead of the queue?

Members in parliamentary debates since, and in the broader immigration debate in Australian, have consistently used the term 'queue jumper' to denigrate the undeserving and disorderly claims for protection made by those asylum seekers who arrive in Australia by boat. Critics of the government have intensely scrutinized the 'queue jumping' analogy, telling us that it wrongfully imputes that (a) it is unlawful to arrive in Australia by boat; (b) there is a functioning queue of applicants, which asylum seekers can join in order to await due process of their claim; and (c) flight from persecution is an orderly bureaucratic process during which applicants are able to select the most effective and efficient means of entry. All analogies have their limitations, and this particular analogy appears to have more than its fair share.

However, the one thing that no one has ever doubted in all the discussion about 'queue jumpers' is the rhetorical power of the term. In part, this had to do with the term's ability to appeal to deeply Australian sensibilities surrounding fairness and due process. However, the true strength of the analogy seemed to lie in its ability to evoke a radically simple depiction of the refugee application process. While applicants who receive refugee status determinations by the Australian government often pass through a wide variety of transport routes, detention facilities, administrative centres and border posts, the queue jumping analogy implied that all applicants were effectively waiting in a long line at the Australian border in anticipation of a positive or negative result. In addition to its simplicity, the queue analogy had the distinct advantage of resonating with a concrete experience of space that many listeners had personally experienced: of standing in a line at a border post – or at the post office or supermarket checkout – waiting to be allowed past. In this respect, the term 'queue jumper' was more than an instrument of derision. It was a way of legitimating the authority of the state by conjuring up a deeply shared image of space in the audience's imagination. Partly for these reasons, the analogy has persisted in Australian immigration

debates. Indeed, the political parties who once opposed the idea, now use it routinely when they talk about asylum seeking, boat people and informal entries to Australia. Perhaps the greatest testimony to its power is that many of those who seek to support asylum seekers right to come to Australia by boat have adopted the 'queue jumper' term.

This book was originally conceived as an effort to think through the inherent power of the 'queue jumping' analogy and similar radical simplifications of space. My theoretical explorations in this book have been animated by the following question: are there other analogies that might resonate just as powerfully with the way we understand the world around us? Going further, if such analogies exist, might political actors use them – not to defend the status quo as the Australian government did in the case of the *Tampa*, but to fundamentally transform the way politics is organized and the way we control movement and structure political belonging?

In this book, I have scoured through the annals of European history in the search of some of these rhetorically powerful tools. Drawing on the work of political geographers, I call these tools 'mental maps', radically simplified, widely shared, understandings of space, which underlay the contours of our political communities and condition the way governments organize and control human movement and settlement. It has never been my intention to suggest that words or ideas alone create political institutions or determine political actions. As I attempt to show in this book, invoking the power that is latent in a mental map is not as simple as inventing a catchy phrase or describing an appealing image. Mental maps of this sort are the product of the complex interplay of a range of historical forces, and discerning their contours can be a difficult interpretative task. However, I believe that as we saw in the case of Australian parliamentarians in the wake of the *Tampa*, there is a latent power and potential in imagined cartographies, and it is vital that we better understand how they have shaped the world around us. The remainder of this book is designed to provide the reader with one way of moving towards this end.

1
Introduction

International migration is transforming political space. Since 1980, the number of international migrants has more than doubled, reaching an estimated 214 million in 2010. Enabled by revolutions in transport and communications and encouraged by global patterns of crisis, inequality and opportunity, more people are now on the move. These movements run against the grain of the state system. Migrants challenge sovereign borders, reshape political identities and make it difficult to sustain the idea of discrete national homelands. In these several ways, international migration calls into question state territoriality, a fundamental – perhaps *the* fundamental – principle of the international system.[1]

The impact of migration extends beyond sheer numbers. Migration issues – whether they take the form of the ongoing questioning of President Barrack Obama's birthplace, the ban on headscarves in French schools or the moral panic about trafficked sex workers during South Africa's 2010 World Cup Football – feed into an increasingly diverse range of contemporary political debates. As the migration agenda widens in scope, immigration and social welfare departments have struggled to develop adequate responses to the many facets and effects of increased human mobility. As a result, other realms of government have begun to play a role in migration management: 'mainstreaming' migration in government policies on security, environmental protection, disease management and economic development. As international migration patterns diversify further, we can expect the scope of the migration agenda to continue to expand.[2]

Given the growing importance of migration, it is rather sobering to reflect on the fact that our territorially structured international system seems inherently incapable of coping with human mobility. Many governments simply assume that their basic goal should be to protect their unitary jurisdictions against incursions of foreign nationals. While international principles regarding asylum, family reunification and remittances tackle some of the more glaring limitations of this system, territorial exclusion remains the core principle of national immigration policy and law. The main policy mechanisms of contemporary immigration policy are border controls, national identification systems, limitations on the right to work and, of course, deportations. These regulatory instruments are specifically designed to marginalize and exclude migrants, providing few lasting measures to incorporate and integrate – let alone promote and profit from – cross-border migration.

There is mounting evidence to suggest that this exclusionary system is becoming anachronistic. A growing number and a diverse range of migrant populations languish in various states of limbo, informality and danger because the current system of migration governance simply has no place for them to go. These include the several million people who now live illegally in the United States in defiance of immigration law; the thousands who have died in the Mediterranean and Aegean seas *en route* to a better life in Europe; the 2.5 million asylum seekers and refugees who seem permanently settled in 'temporary' camps across the developing world; and the growing population of people in prisons and detention centres, waiting to be deported home. It is increasingly difficult to see these various populations as evidence of mere 'inefficiencies' or 'gaps' in the international system. Contemporary migration appears, instead, to have exposed significant limitations in the basic structure and design of the modern territorial state.

While these problems inherent in the territorial state system seem increasingly evident, the task of imagining alternatives is far from straightforward. What would a new system look like? How would governments divide up space amongst themselves? Who would belong where? How else can migration be regulated, if at all?

At present, there is a rather vague sense that we may be witnessing momentous changes in the way states respond to these questions, both individually and collectively. Experiments in European

integration, the emergence of global cities as independent sources of power and the invention of the 'virtual' border may each herald major shifts in the way governments seek to control migration. However, we still lack a conceptual vocabulary with which to depict, describe and theorize this alternative order. A good example of this problem can be found in the literature that seeks to motivate for an end to the current way of doing things. Authors who write in favour of 'open borders' have usefully exposed the limitations in contemporary immigration controls, telling us why borders are ineffective, immoral and irrational.[3] Yet, they have also failed to explain what sort of regulatory system might replace a border control regime. How would we begin to re-channel the tremendous amount of political energy and material resources that successive generations have invested in keeping migrants out? Would the end of border controls signal an end for the nation state? If we removed borders, would new and perhaps more deeply problematic forms of social differentiation and distancing arise in their place? This gap in our understanding – the lack of an adequate sense of how an alternative order might be built – only helps to make the prospect of change seem more remote. In this respect, radical prophecies of territorial change have often been as dissatisfying as conservative defences of the territorial *status quo*; neither gives us the theoretical tools to discuss and debate the future of state territoriality and migration governance.

This inadequacy in the theoretical language that we use to describe state territoriality will not be easily or readily overcome. It is some 40 years since John Gerard Ruggie, the International Relations (IR) theorist most noted for his attempts to think through these questions of state territoriality and systems change, noted that we were 'beginning to develop an adequate conceptual vocabulary with which to describe [a new international order].'[4] However, by the turn of the twenty-first century many appeared to have despaired at the prospects for genuine breakthroughs. Political geographer Alexander Murphy then noted that 'there is an inertia to the spatial ontologies of traditional IR theory that lives on even among many who are explicitly critical of that theory.'[5]

In order to break these conceptual shackles, and develop new ways of thinking about systemic change, this book asks whether there are alternative forms of territoriality to the contemporary system of exclusion, and, if so, how do they work? Answers to this very

broad question can be found in the study of international history. As many theorists have told us, territorial exclusivity is deeply embedded in the basic institutions of the international system: sovereignty, nationhood and citizenship.[6] Territoriality is ingrained not only in the political landscape, but in the way we understand politics itself. Recognizing this fact, this book searches for answers in some unfamiliar places. I make important leaps across the *longue durée* of international history to periods and regions where political statesmen and scholars understood the relationship between migration, territory and governance in fundamentally different ways. I examine moments of transformation in international politics that closely mirror our contemporary predicament: scenarios where the underlying principles and logic of human mobility and sovereignty were unstable and in doubt. The book uses history, not to develop a new story of how we came to the present, but to discover what it was like to think about migration politics under fundamentally different conditions and constraints. How did the rulers of city-states and empires problematize migration, and what spatial strategies did they deploy to harness, manage or regulate the productive power of human mobility? Do the efforts of past rulers tell us anything about our current system of territorial controls and the various alternatives on offer? Can we begin to see whether fundamental shifts are already taking place?

When we begin to pay closer and more critical attention to the historical record, it becomes easier to conceptualize the potential for variation and change. The central lesson that I draw out from the historical excursions in this book is that if we want to understand how the current system of migration governance might change, we need to pay more attention to the concepts of 'space' and 'place'. For too long, IR scholars have tended to discuss territoriality as if it were merely a projection of the institution of sovereignty onto a map: a political artefact, but not a geopolitical tool. This study shows – to the contrary – that territoriality is an actively discussed and debated political *strategy*, which rulers and thinkers have deliberately and selectively designed to control specific places and the people who live within them. Moreover, at key moments in the past, states and international societies have reconsidered and reconstituted the political landscape, generating new answers to the fundamental questions of migration governance: Which institution should be

responsible for what jurisdiction? Who belongs to what community? And how can political institutions more effectively control migration and settlement patterns?

The book shows that territorial exclusion is but one of *four* territorial strategies that rulers have experimented with during the evolution of our international system. The three additional strategies that this book brings to the fore are centralization, expansion and integration. Each of these strategies has its own internal logic and design. Previous work has discussed the relative merits and limits of these alternatives to the sovereign state, particularly in the era of Westphalia, but has failed to discuss the crucial role that each strategy has played in the ongoing development of the contemporary state, its spatial contours and migration policies. Centralization, expansion and integration are not the failed experiments of the past, but 'immanent trajectories', which continue to shape how contemporary rulers respond to migration patterns and problems. By revealing and narrating this alternative history of state territoriality and migration, the book creates a very different image of the contemporary order: one that is open to the latent potential inherent in the multiple territorial projects that have brought us to where we are.

Of course, it is not sufficient to simply imagine possibilities. So, the book goes further, to develop ways of better understanding why political actors make decisions to use the various alternatives on offer. My central argument here is that political communities use historically constituted 'mental maps' to design their migration policies and develop strategies to control space. These maps are not like satellite images that reflect the earth's surface in all of its intricacy and detail, but more like workbook sketches: radical simplifications that divide the earth's surface into manageable portions and imbue different places with material values, social purposes and emotive resonances. Mental maps might identify differences between the city and the countryside or between an imperial metropole and its periphery and might help political actors understand how to interpret what movement between these different places means and how 'the state' ought to respond. I show that if we can better understand the maps which rulers and thinkers have used to make sense of their landscape then we can begin to understand why they may have adopted particular territorial strategies rather than others, and why they might have changed their strategy at specific moments in time.