

Migration and the Making of Transnational Social Spaces

Harald Kleinschmidt*

Abstract

Migrants moving from one state to another blur borders. In doing so they become creators of transnational social spaces that do not overlap with state territories. Not surprisingly, state governments have responded negatively to the doings of migrants in attempts to formulate and implement migration restriction policies. However, migration restriction measures have often been no more than temporary deterrents, and the history of migration restriction has been the history of its eventual failure.

The paper seeks to establish the alternative perception of migrants as basically autonomous makers of a peculiar type of transnational social space whose most obvious representation is the region. If migration can be used as a definitional feature of the region it loses much of its awe-inspiring capacity and may even become manageable.

I. General remarks

The merits of the concept of transnational social spaces for the analysis of international relations rest in the lack of connection with territory and the resulting wide range of applicability. Transnational social spaces are spatial entities that personal actors have constructed or are in the process of constructing through the plethora of their daily activities and that are often at odds with the territories of sovereign states.¹ The boundaries of transnational social spaces are fuzzy, transient and have been erected, so to

* Professor, Doctoral Program in International Political Economy, Graduate School of Humanities and Social Sciences, University of Tsukuba. The text was delivered as a public address to the Australian Centre, University of Melbourne, on 11 June 2006.

¹ For recent discussions of the notion of transnational spaces see Hartmut Behr, 'Transnationale Politik und die Frage der Territorialität', in *Politik und Raum*, edited by Karl Schmitt (Baden-Baden, 2003), pp. 59-78. Lothar Brock and Mathias Albert, 'Entgrenzung der Staatenwelt', in *Zeitschrift für internationale Beziehungen* 2 (1995), pp. 259-85. *The Volume and Dynamics of International Migration and Transnational Social Spaces*, edited by Thomas Faist (Oxford, 2000). *Transnational Social Spaces. Agents, Networks and Institutions*, edited by Thomas Faist and Eyüp Özveren (Aldershot, 2004). L. E. Guarnizo, 'The Rise of Transnational Social Formations. Mexican and Dominican State Responses to Transnational Migration', in *Political Power and Social Theory* 12 (1998), pp. 45-94. Keiji Maegawa, 'Community beyond the Border. An Ethnological Study of Chuukese Migration in Micronesia', and Wolfgang Hein, 'International Migration and Regional Integration. The Case of Central America', both in *Migration, Regional Integration and Human Security*, edited by Harald Kleinschmidt (Aldershot, 2006), pp. 139-51, pp. 153-79. Ludger Pries, 'Transnationale soziale Räume', in *Zeitschrift für Soziologie* 25 (1996), pp. 456-72. Pries, 'Transnationale soziale Räume. Theoretisch-empirische

speak, from below. Transnational social spaces do not have to be shared by the entirety of the members of population groups residing within or moving through the territories of sovereign states. Neither do they necessarily form spatial bases for collective identities nor are they in need of an established hierarchy of legitimate institutions of public governance. They vary vastly in size and structure, from microregions straddling the international borders of sovereign states to the globe at large. In merging territories, flexibilising populations and limiting the powers and competences of institutions of governance, transnational social spaces are in opposition against all definitional elements of the sovereign state according to the conventions of European political theory. They can result from a wide variety of factors, cross-cultural exchange, trade, intergovernment relations at local levels, patterns of warfare and, last but not least, migration.

Foremost among the many difficulties that transnational social spaces offer to social scientists, is the challenge that these entities pose to some of the more fundamental assumptions on which social science work rests. Transnational social spaces do not support institutions that can generate data, thereby obfuscating if not straightforwardly obstructing social science analysis. They remain elusive phenomena, in a way like the footprints that migrants may leave behind. We know that they exist but we do not necessarily know who the people were that left them behind.

In view of these difficulties, I intend to select a specific set of activities that can result in transnational social spaces and a particular spatial unit that can represent them. The select set of activities shall be the doings of international migrants and the spatial unit shall be the region. I shall not focus on political issues of collective identity, although they are important for policy-making, and I shall exclude political decision-makers because they are usually not concerned with details of migration. Instead, I shall investigate the interdependence of migration and regional integration and shall argue that migration is the core definitional element of regional integration, provided that regions are understood, not primarily as institutions of governance, but essentially as grassroots transnational social spaces.² I shall proceed with this argument first by discussing the predicament of approaching international migration from the point of view of governments of sovereign states, second by reviewing some recent innovative social science

Skizze am Beispiel der Arbeitswanderungen Mexiko – USA', in *Perspektiven der Weltgesellschaft*, edited by Ulrich Beck (Frankfurt, 1998), pp. 55-86. *Migration and Transnational Social Spaces*, edited by Ludger Pries (Aldershot, 1999). *New Transnational Social Spaces. International Migration and Transnational Companies in the Early Twenty-First Century*, edited by Ludger Pries (London and New York, 2001) (Transnationalism. 1.)

² For a discussion of definitions of regionalism, regional integration and regional cooperation see Morton Boas, 'Regions and Regionalisation. A Theoretical View', in *Regionalism and Regional Integration in Africa* (Uppsala, 2001), pp. 27-39. *Globalism and the New Regionalism*, edited by Björn Hettne, Andra Inotai and Osvaldo Sunkel (Basingstoke and New York, 1998). Harald Kleinschmidt, 'A Preparatory for a New Regional Integration Theory', in *Varieties of Regional Integration*, edited by Mikiko Iwasaki (Munster and Hamburg, 1995), pp. 47-71 (Studies in the History of International Relations. 1.) Michael Niemann, *A Spatial Approach to Regionalism in the Global Economy* (Basingstoke and New York, 2000). Raimo Värynen, 'Regionalism Old and New', in *International Studies Review* 5 (2003), pp. 25-51.

approaches to migration, third by presenting some regional migration data, and finally by commenting critically on the migration policy of an existing regional institution.

II. Migration and the nation-state: An impossible correlation

Moderate constructivist that he is, political scientist Alexander Wendt admits the following five ‘properties of the state’: ‘(1) an institutional-legal order, (2) an organization claiming a monopoly on the legitimate use of organized violence, (3) an organization with sovereignty, (4) a society, and (5) territory’. The first ‘property’ he categorises as ‘the Marxist’s state-as-structure’, the second and third as ‘the Weberian’s state-as-actor’, the fourth as ‘the Pluralist’s state-as-society’ and the fifth as ‘common to all three’.³ Wendt claims heterogeneous origins for his definition, although it is not merely government-centric but also monolithic and drawn on the biologism informing nineteenth-century political theory.⁴ The definition was most persuasively argued in the *General Theory of the State (Allgemeine Staatslehre)* published by the Austrian publicist Georg Jellinek in 1900. Famously, Jellinek defined the state as the triad of unities of population (Wendt’s ‘property’ no 4), territory (Wendt’s ‘property’ no 5) and government (Wendt’s ‘properties’ no 1,2,3).⁵ In demanding that states can only exist when and as long as all three unities are existing, Jellinek provided for the juristically most refined expression of the nation-state paradigm, which, among other, Max Weber borrowed.⁶ Insisting that states should have one society and one territory and one ‘organization’ of government only, Wendt follows the nation-state paradigm but fails to recognise that this paradigm militates against any theory that can possibly bear the label of ‘pluralism’. It does not come as a surprise that, as a consequence of his focus on government, migration does not feature in Wendt’s book, which portrays societies as demarcated by the international borders of sovereign states and posits populations as groups of residents.

The residentialism at the bottom of Wendt’s definition of the state is characteristic for the social sciences at large, not merely those in line with the positivist legacy but also those embracing moderate forms of

³ Alexander Wendt, *Social Theory of International Politics* (Cambridge, 1999), p. 202.

⁴ On the biologism of nineteenth-century theories of the state and society see Ernst-Wolfgang Böckenförde and Gerhard Dohrn-van Rossum, ‘Organ, Organismus, Organisation, politischer Körper’, in *Geschichtliche Grundbegriffe*, edited by Otto Brunner, Werner Conze and Reinhart Koselleck, vol. 4 (Stuttgart, 1978), pp. 519-622. Helmut Coing, ‘Bemerkungen zur Verwendung des Organismusbegriffs in der Rechtswissenschaft des 19. Jahrhunderts in Deutschland’, in *Biologismus im 19. Jahrhundert*, edited by Gunter Mann (Stuttgart, 1973), pp. 147-57 (Studien zur Medizingeschichte des neunzehnten Jahrhunderts. 5.) James Weinstein, *The Corporate Ideal in the Liberal State. 1900 – 1918* (Boston, 1968).

⁵ Georg Jellinek, *Allgemeine Staatslehre*, 7th reprint of the third edn of 1913 (Bad Homburg, 1960), pp. 394-434 [first published (Berlin, 1900)].

⁶ Max Weber’s notion of the *Anstaltsstaat* recasts Jellinek’s juristic diction into the terminology of the social sciences. See Max Weber, *Wirtschaft und Gesellschaft*, Kap. I, § 17, fifth edn, 14th to 18th printing, edited by Johannes Winckelmann (Tübingen, 1980), p. 29.

revisionism. The core feature underlying much of the methodology of the social sciences thus conceived, including economics, is the belief in the fundamental significance of international borders of sovereign states. Prima facie, this belief is based on good reason. For about two centuries, institutions of the sovereign state have been the primary generators of social science data, most notably population data. State-controlled population statistics have provided what has been ranked as basic data seemingly required as reference for much social science analysis. However, ever since the early nineteenth century demographers have been painfully aware of the pitfalls of population statistics, which make it difficult for any government of a sovereign state to know exactly how many people reside at what places on the territory under its control.⁷

The reason, put briefly, is migration. Despite persistent government efforts to enforce registration legislation and control movements across international borders, no government has been able to present fully exact demographic data, censuses included.⁸ If migration jeopardises government control over the state population, it is not merely a nuisance for statisticians but a manifest danger for lawmakers, the

⁷ Thus already explained by Thomas Abercombe Welton, 'An Investigation of the Statistics of Migrations, Mortality, etc.', in Welton, *England's Recent Progress* (London, 1911), pp. 12-5. John Towne Danson and T. W. Welton, 'On the Population of Lancashire and Cheshire and Its Local Distribution during the Fifty Years 1801 – 1851', in *Transactions of the Historic Society of Lancashire and Cheshire* 9 (1857), pp. 195-212, 10 (1858), pp. 1-36, 11 (1859), pp. 31-70, 12 (1960), pp. 35-74. On the history of population statistics see Philippe Arbos, 'Migrations ouvrières en France au début du XIXe siècle', in *Revue de géographie alpine* 20 (1932), pp. 61-78. Roger Beteille, 'Les migrations saisonnières en France sous le Premier Empire', in *Revue d'histoire moderne et contemporaine* 17 (1970), pp. 424-41. Lucien Goron, 'Les migrations saisonnières dans les départements pyrénéens au début du XIXe siècle', in *Revue des Pyrénées* 4 (1933), pp. 230-73. Georges Mauco, *Les étrangers en France* (Paris, 1932). P. Aslett, et al, *Victorians on the Move. Research on the Census Enumerators' Books. 1851 – 1881* (Thornborough, 1984). Dudley E. Baines, 'The Use of Published Census Data in Migration Studies', in *Nineteenth Century Society. Essays in the Use of Quantitative Methods for the Study of Social Data*, edited by Edward Anthony Wrigley (Cambridge, 1972), pp. 311-35. Baines, 'Birthplace Statistics and the Analysis of Internal Migration', in *The Census and Social Structure. An Interpretative Guide to Nineteenth-Century Censuses for England and Wales*, edited by Richard Lawton (London, 1978), pp. 146-64. Norman Henry Carrier and J. R. Jeffery, *External Migration. A Study of the Available Statistics. 1815 – 1950* (London, 1953) (General Register Office. Studies on Medical and Population Subjects. 6.) Colin R. Chapman, *Pre-1841 Censuses & Population Listings in the British Isles*, fifth edn (Dursley, 2002) [first published (ibid., 1990)]. M. Drake, 'The Census. 1801 – 1891', in Wrigley (as above), pp. 7-46. *Methods of Compiling Emigration and Immigration Statistics*, edited by the International Labor Office (Geneva, 1922). James H. Jackson, 'Alltagsgeschichte, Social Science History and the Study of Migration in Nineteenth-Century Germany', in *Central European History* 23 (1991), pp. 242-63. J. T. Krause, 'The Changing Adequacy of English Registration', in *Population in History*, edited by David Victor Glass and David Edward Charles Eversley (London, 1965), pp. 379-93. C. Glenn Pearce and Dennis R. Mills, *Census Enumerators' Books. An Annotated Bibliography of Published Work Based Substantially on the Nineteenth-Century Census Enumerators' Books* (Milton Keynes, 1982). P. Redfern, 'Sources of Population Statistics. An International Perspective', in *OPCS Occasional Papers* 38 (1990), pp. 103-14. Herbert Austin Shannon, 'Migration and the Growth of London. 1841-1891', in *Economic History Review* 5 (1935), pp. 79-86. Dorothy Swaine Thomas, *Research Memorandum on Migration Differentials* (New York, 1938), pp. 5-7. For similar observations regarding recent migration data see Hania Zlotnik, 'The Concept of International Migration as Reflected in Data Collection Systems', in *International Migration Review* 21 (1987), pp. 925-45.

⁸ For a case study of political problems emerging from census data see Myer Jack Landa, *The Alien Problem and Its Remedy* (London, 1911). Bernard Gainer, *The Alien Invasion. The Origin of the Aliens Act of 1905* (London, 1972).

effectiveness of whose work may be reduced. From the early nineteenth century to the end of the twentieth century, attitudes to migration have therefore been predominantly negative, not only among social scientists but also among lawmakers and administrators. Whenever and wherever it has existed, migration policy has mainly been focused on keeping potential out-migrants at home and purportedly ‘unwanted’ in-migrants at bay. Despite their known imperfection, population statistics have nevertheless served political purposes. One has been the demonstration of political power.⁹ During the high phase of competition about control over the largest part of the surface of the world among European imperialist governments at the turn of the twentieth century, the British government enjoyed the unrivalled advantage of being able to direct most of its out-migrants to British colonies.¹⁰ It could thus boast of having the largest population in the most extensive empire under its control, with the implication that it could mobilise the largest and most formidable military force. By contrast, mass out-migration resulted in a net loss of population for Britain’s main rival, the German Empire, because most of the out-migrating Germans were seemingly disloyal ‘subjects’ seeking new homes overseas and drifting to areas under British control or with a then already mainly English speaking population. Angrily, the German imperial government strove to monetarise its population loss by assigning the fictitious value of 800 US\$ to every German émigré.¹¹ German statisticians and demographers did note that, at the same time, there was massive in-migration to the German Empire, specifically from Poland, the Balkans and Italy. But they hastened to add that the alleged monetary value of the in-migrants was inferior to the purported value of the lost German ‘subjects’.¹² A migration-sending state was frequently described as overpopulated and haunted by poverty and other social evils. By contrast, a migration-receiving state was often defined as an apparently open land, seemingly available for occupation by incoming migrants.¹³

In conjunction with these nineteenth-century theories of the state, residentialism induced social scientists

⁹ Thus explicitly Richard Böckh, *Der Deutschen Volkszahl und Sprachgebiet* (Berlin, 1869), pp. 7, 10-1 [reprint (Berlin, 1870)].

¹⁰ See Brinley Thomas, *Migration and Economic Growth* (Cambridge, 1954). Thomas, *Migration and Urban Development* (London, 1972). *Economics of International Migration*, edited by Brinley Thomas (Basingstoke, 1986), for British out-migration to the USA.

¹¹ C. Herzog, ‘Was fließt den Vereinigten Staaten durch die Einwanderung zu, und was verliert Deutschland durch die überseeische Auswanderung?’, in (*Schmollers*) *Jahrbuch für Gesetzgebung, Verwaltung und Volkswirtschaft* 9 (1885), p. 37. For the US side see Edward Young, *Special Report on Immigration* (Washington: GPO, 1872).

¹² Theodor Bödiker ‘Die Einwanderung und Auswanderung des Preußischen Staates’, in *Preußische Statistik*, 26 (1874), pp. I-IX. Fritz Josephy, *Die deutsche überseeische Auswanderung seit 1871 unter besonderer Berücksichtigung der Auswanderung nach den Vereinigten Staaten von Amerika* (Erlangen, 1912). Wilhelm Mönckmeier, *Die deutsche überseeische Auswanderung* (Jena, 1912).

¹³ On controversies on the assessment of the size of such land between migrants and administrators see Hartmut Bickelmann, ‘Auswanderungsvereine, Auswandererverkehr und Auswandererfürsorge in Deutschland 1815 – 1930’, in Bickelmann and Agnes Bretting, *Auswanderungsagenturen und Auswanderungsvereine in Deutschland im 19. und 20. Jahrhundert* (Stuttgart, 1991), pp. 91-141 (Von Deutschland nach Amerika. 4.) Agnes Bretting, ‘Organizing German Immigration’, in *America and the Germans*, vol. 1, edited by Frank Trommler and Joseph McVeigh (Philadelphia, 1985), pp. 25-38.

to study migration in the context of the state.¹⁴ As administrators and lawmakers viewed state populations as geno groups of residents, social scientists deemed migration to affect the making and enforcement of state policy.¹⁵ The capability of migration policy-making became classed as the hallmark of the state sovereignty. Institutions of the sovereign state became recognised as the sole legitimate agencies for regulating legal migration and preventing what was taken to be illegal migration. Ever since then, the willingness of governments of sovereign states to engage in international cooperation over principles of migration policy making has been limited. The residentialist perception of migration as a deviant pattern of behaviour has often induced administrators and lawmakers to resort to policies of closing doors in response to migration processes seeking to advance state security. The securitisation of migration policy boosted the claim that migration policy-making ought to be and remain under the control of institutions of the sovereign state even when and where regional integration processes have been ongoing.¹⁶

Admittedly, migrants are no longer being monetarised these days, even though underlying attitudes may have prevailed. While it is easy to understand that negative attitudes towards migration have prevailed, necessarily so within the nation-state paradigm, it is more difficult to judge why some globally operating international organisations and their commissioned groups and agencies have followed the paradigm as well. As late as in 2003, the international Commission on Human Security, working under UN auspices and mandated to develop a person-centred concept of security,¹⁷ set out to prove that '[m]assive population movements affect the security of receiving states, often compelling them to close their borders and forcibly prevent people from reaching safety and protection'.¹⁸ The Commission did so by pointing out dangers of 'terrorism', the 'trafficking in and smuggling of people, and the 'HIV/AIDS crisis'.¹⁹ Contextualising migration with crime and disease, the Commission sought to specify the danger of and reasons for migration. It spotted the danger in migration-receiving states alone and established the reason that the 'growing inequity between and within countries affects the displacement pattern'.²⁰ The term 'displacement' is revealing. Taken literally it categorises migrants as powerless and passive people being pushed and pulled around and deviating or having to deviate from the norm of residentialism. In other

¹⁴ For early studies see the work by 'cathedra socialists', among them Wilhelm Mönckmeier, *Die deutsche überseeische Auswanderung* (Jena, 1912). *Auswanderung und Auswanderungspolitik in Deutschland*, edited by Eugen von Philippovich (Leipzig, 1892) (Schriften des Vereins für Socialpolitik. 52.)

¹⁵ Robert von Mohl, 'Ueber Auswanderung', in *Zeitschrift für de gesamte Staatswissenschaft* 4 (1847), p. 322, thought that it was mandatory that 'redundant' people, among whom he classed the poor, should emigrate.

¹⁶ Especially within the EU. See Andrew Geddes, *Immigration and European Integration. Towards Fortress Europe?* (Manchester and New York, 2000). Verónica Tomei, *Europäisierung nationaler Migrationspolitik. Eine Studie zur Veränderung von Regieren in Europa* (Stuttgart, 2001).

¹⁷ Commission on Human Security, *Human Security Now* (New York: Commission on Human Security, 2003), pp. 2-4.

¹⁸ *Ibid.*, p. 42.

¹⁹ *Ibid.*, pp. 42-4.

²⁰ *Ibid.*, p. 44.

words, the Commission followed conventional nineteenth-century negative attitudes towards migration that rested on the assumption that residence is ‘normal’ and migration deviant resulting from the lack of willingness or capability to abide by the residentialist norm.

True, the Commission went beyond established state migration policy in demanding that ‘people must be able to enter another country’, if they want to make use of their human right to emigrate.²¹ It also lamented the ‘absence of an international migration arrangement’, recognised the human security of migrants as the paramount goal of orderly and predictable migration policy-making, and criticised the predominance of restrictive measures aimed at curtailing in-migration to the end of enhancing state security.²² However, the Commission retained the conventional position that the principles of migration regulation should be administratively imposed and that it should be the task of governments to ensure ‘orderly and predictable movements of people’.²³ In refusing to distinguish thoroughly between orderly and predictable migration and orderly and predictable migration policy, the Commission put on record its conviction that without proper management at the national and the global levels, migration is a deviant and disorderly pattern of behaviour. Thus despite its global outlook, the Commission employed a fully state-centric concept of migration. Consequently, it knew only two categories of migration, again drawing for them on nineteenth-century beliefs. These two categories were migration within a state and migration across international borders. The Commission correctly observed that ‘movements within borders are considerably larger than those across them’.²⁴ But that is what Ernest George Ravenstein had already known at the end of the nineteenth century.²⁵ Obviously, there is nothing wrong with restating common knowledge. But, in doing so, the Commission did bad service to its stated purpose of constituting the human individual as the core recipient of security, because it reaffirmed the crucial significance of border control for the security not of migrants but of the state. Thus the Commission completely overlooked the fact that, since the end of the nineteenth century, regions have emerged as a significant spatial entity within which migration has often taken place.²⁶ Even though the Commission

²¹ Ibid., p. 45. As enshrined in the Universal Declaration of Human Rights of 1948.

²² Ibid., p. 45.

²³ Ibid., p. 52.

²⁴ Ibid., p. 41.

²⁵ Ernest George Ravenstein, ‘Census of the British Isles 1871, Birthplaces and Migration’, in *Geographical Magazine* 3 (1876), pp. 173-7, 201-206. Ravenstein, ‘Laws of Migration. Counties and General’, in *Geographical Magazine* 3 (1876), pp. 229-33. Ravenstein, ‘Laws of Migration’, in *Journal of the Royal Statistical Society* 49 (1885), pp. 167-225, 52 (1889), pp. 214-301 [all reprinted in Ravenstein, *The Laws of Migration* (New York, 1987)]. For a twentieth-century variation of Ravenstein’s ‘Laws’ see Everett S. Lee, ‘Theory of Migration’, in *Migration*, edited by J. A. Jackson (Cambridge, 1969), pp. 282-97. Paul White and Robert I. Woods, ‘The Foundations of Migrations Study’, in *The Geographical Impact of Migration*, edited by Paul White and Robert I. Woods (London, 1980), pp. 1-7.

²⁶ For the regional dimension see the case studies of East Central Europe by Klaus Jürgen Bade, ‘German Emigration to the United States and Continental Immigration to Germany in the Late Nineteenth and Early Twentieth Centuries’, in *Central European History* 13 (1980), pp. 248-77 [reprint in *Migration in European History*, vol. 1, edited by Colin Holmes (Cheltenham and Brookfield, VT, 1996), pp. 134-63]. Bade, ‘Massenauswanderung und Arbeitsmarkt im deutschen Nordosten von 1880 bis zum Ersten Weltkrieg’, in

acknowledged the need for ‘developing ... regional norms for the movement of people’,²⁷ it ignored the regional dimension of migration because it declared sacrosanct the given international borders of sovereign states and thus failed to take into account the border-making and border-destroying effects of the doings of migrants defining their own transnational social spaces.

Moreover, migrants as recipients of human security have become the subject of the report by the Global Commission on International Migration, released in 2005.²⁸ This Commission called for the recognition of migrant remittance as a factor of development but overlooked that its call merely continued the conventional distinction between migration-receiving and migration-sending countries. It also defended the entitlement of governments of sovereign states to combat irregular migration and migration-related crime. It even supported the conservative demand for the ‘adaptation and integration’ of migrants at their destinations, regardless of migrant intentions. It finally proposed ‘greater consultation and cooperation between states at the regional level, and more effective dialogue and cooperation among governments and between international organizations at the global level’, but gave credit to governments of sovereign states as sole legitimate decision-makers on migration policy.²⁹ The report contains frequent references to concerns for migration-related crime³⁰ and the emergence of social unrest if large numbers of disintegrated in-migrants reside in a host country.³¹ The report is cast into the language of push-and-pull factors alleging economic migration motives.³² Yet the Commission showed no willingness to address questions of the political participation of migrants in their host states and did not consider regional institutions as actors in migration policy-making. Moreover, it failed to balance government interest in

Archiv für Sozialgeschichte 20 (1980), pp. 265-323. [reprinted in Bade, *Sozialhistorische Migrationsforschung* (Göttingen, 2004), pp. 89-158]. Bade, ‘Politik und Ökonomie der Ausländerbeschäftigung im preußischen Osten. 1885 – 1914’, in *Geschichte und Gesellschaft*. Sonderheft 6 (1980), pp. 273-99. Bade, ‘Transnationale Migration und Arbeitsmarkt im Kaiserreich’, in *Historische Arbeitsmarktforschung*, edited by Toni Pierenkemper and Richard Tilly (Göttingen, 1982), pp. 182-214 [reprinted in Bade, *Migrationsforschung*, pp. 185-214]. Bade, *Vom Auswandererland zum Einwanderungsland? Deutschland 1880 – 1980* (Berlin, 1983). Bade, ‘Von der Arbeiterstatistik zur Ausländerkontrolle. Die “Nachweisungen“ der preußischen Landräte über den “Zugang, Abgang und Bestand der ausländischen Arbeiter im preußischen Staat“. 1906 – 1914’, in *Archiv für Sozialgeschichte* 24 (1984), pp. 163-283. *Population, Labor and Migration in Nineteenth- and Twentieth-Century Germany*, edited by Klaus Jürgen Bade (Leamington Spa, 1987). Bade, ‘Sozialhistorische Migrationsforschung’, in *Bevölkerungsgeschichte im Vergleich*, edited by Ernst Hinrichs and Henk van Zon (Aurich, 1988), pp. 63-74. Bade, ‘Trends and Issues of Historical Migration Research in the Federal Republic of Germany’, in *Migration* 6 (1989), pp. 7-27. Bade’s papers were drawn on his Habilitationsschrift *Land oder Arbeit? Transnationale und interne Migration im deutschen Nordostenvor dem Ersten Weltkrieg*, typescript (University of Erlangen, 1979) [published as e-book (Osnabrück, 2005), www.imis.uni-osnabrueck.de/Bade-Habil.pdf].

²⁷ Commission, *Human Security* (note 17), p. 47, here again interutilising migration and migration policy.

²⁸ Global Commission on International Migration, *Migration in an Interconnected World. New Directions for Action* (New York: Global Commission on International Migration, 2005), p. 4.

²⁹ *Ibid.*, p. 4.

³⁰ *Ibid.*, pp. 11, 15, 32, 33, 39.

³¹ *Ibid.*, pp. 8, 33, 43, 44-9. The Commission went so far as to even apply conservative anti-migration rhetoric in demanding ‘language training’ as an instrument to accomplish the integration of migrants (p. 47).

³² *Ibid.*, pp. 5, 6, 9, 12.

security provision against migrant interest in the pursuit of livelihood strategies and rights related to personhood.³³ It thus operated within conventional perspectives on migration, advocated conventional, if not straightforwardly conservative agendas and amply put on record its readiness to support top-down decision-making with respect to migrant affairs.

The Global Commission on International Migration joined the international Commission on Human Security in positioning international migration at the interface of the decision-making of national and global institutions of governance. In addition, both commissions displayed some awareness of the regional dimension of the doings of migrants. They called for more intensive cooperation on migration-policy decision-making among governments of sovereign states at the regional level and praised the European Union for having eased internal migration.³⁴ The Global Commission on International Migration went a little further and mentioned in passing NAFTA, ECOWAS and SADC as regional integration schemes concerned with migration issues and even pleaded for placing migration issues ‘on the agenda of all regional bodies’.³⁵ But such pleas are cheap, unless they are supported by the request for the institutionalisation of migration-policy decision-making at regional levels, and unless they are substantiated by analyses of the bottom-up effects that migration can have on regional integration.

The close to complete lack of concern for the regional dimension of migration is not surprising given the dominance of Western social science paradigms in migration research and policy-making. For example, the pre-eminence of the US academic community in migration studies during much of the twentieth century has contributed to constituting long-distance inter-continental migration as the main focus of social-science research. Even though Mexican in-migration to the USA has attracted some scholarly attention,³⁶ the bulk of US migration research has had a global or at least trans-Oceanic perspective.³⁷

³³ See Eimi Watanabe, ‘International Migration. A Development Practitioner’s Perspective’, in *Migration, Regional Integration and Human Security*, edited by Harald Kleinschmidt (Aldershot, 2006), pp. 21-39.

³⁴ *Human Security* (note 17), p. 47. Global Commission (note 27), p. 71.

³⁵ Global Commission (note 28), p. 72.

³⁶ On Mexican-US migration see *Immigrants – and Immigrants. Perspectives on Mexican Labor Migration to the United States*, edited by Arthur F. Corwin (Westport, CT, 1978). Catherine Dauvergne, *Challenges to Sovereignty. Migration Laws for the 21st Century* (New York: UNHCR, 2003). Paul R. Ehrlich, Loy Bilderback and Anne H. Ehrlich, *The Golden Door. International Migration, Mexico and the United States* (New York, 1979). *Patterns of Undocumented Migration. Mexico and the United States*, edited by Richard C. Jones (Totowa, 1984). Yann Moulrier Boutang, Jean-Pierre Garson and Roxane Silberman, *Economie politique des migrations clandestines de main-d’oeuvre* (Paris, 1986). Gerald C. Neumann, *Strangers to the Constitution. Immigrants, Borders, and Fundamental Law* (Princeton, 1996). *Essays on Legal and Illegal Immigration*, edited by Suzan Pozo (Kalamazoo: W. E. Upjohn Institute for Employment Research, 1986). J. Edward Taylor, ‘Undocumented Mexico-US Migration and the Return to Households in Rural Mexico’, in *American Journal of Agricultural Economics* 69 (1987), pp. 616-38.

³⁷ For comprehensive historical studies see *Emigration from Europe. 1815 – 1914. Select Documents*, edited by Charlotte Erickson (London, 1976). Erickson, *Leaving England. Essays on British Emigration in the Nineteenth Century* (Ithaca and London, 1994). Hans-Jürgen Grabbe, *Vor der großen Flut. Die europäische Migration in die Vereinigten Staaten von Amerika* (Stuttgart, 2001) (USA-Studien. 10.) Dirk Hoerder, *Labor Migration in the Atlantic Economies* (Westport, CT, 1985). *Distant Magnets. Expectations and Reality in the*

One reason for the lack of concern of migration research for regional issues is manifest: Up until 1997, no regional institution or regional integration and cooperation scheme had a specific migration policy of its own.³⁸

Nevertheless, considering migration from the point of view nineteenth-century nation-state political theory has neither promoted the effectiveness of the implementation of policy nor advanced the understanding of migration processes. Germany is the case in point. Governments of some eighteenth-century German states used to conduct an active and often aggressive in-migration policy, seeking to attract non German-speaking in-migrants from elsewhere in Europe³⁹ or to dispatch German-speaking groups to military outposts in the Balkans.⁴⁰ In doing so they competed with the Russian government that, under Tsarina Catherine II., was the most active in-migration promoting European government of the time. The competition created a migration market in which success in the attraction of migrants counted as evidence of the legitimacy of government. For example, Mennonites who had migrated from the Netherlands into territories under Polish rule in the Vistula Delta moved on to Russia after the first partition of Poland in 1772, when they came under Prussian control. They did so because they feared that the Prussian government might waive the religious freedoms they had received from the previous Polish government and expected that the Russian government would grant them the same freedoms.⁴¹

Immigrant Experience, edited by Dirk Hoerder and Horst Rössler (New York, 1993). Hoerder, *People on the Move. Migration, Acculturation and Ethnic Interaction in Europe and North America* (Providence and Oxford, 1993) (German Historical Institute Washington DC. Annual Lecture Series. 6.) Hoerder, 'Changing Paradigms in Migration History. From "To America" to World-Wide Systems', in *Canadian Review of American Studies* 24 (1994), pp. 105-26. Peter Marchalck, *Deutsche Überseeauswanderung im 19. Jahrhundert. Ein Beitrag zur soziologischen Theorie der Bevölkerung* (Stuttgart, 1973) (Industrielle Welt. 14.) Leslie Page Moch and Gary D. Moch, *Moving Europeans. Migration in Western Europe since 1650* (Bloomington and Indianapolis, 1992).

³⁸ Migration was established as an issue for EU policy-making through the legal framework of the Amsterdam treaty of 1997. See Kay Hailbronner and Claus Thiery, 'Amsterdam – Vergemeinschaftung der Sachbereiche Freier Personenverkehr, Asylrecht und Einwanderung sowie Überführung des Schengen-Besitzstandes auf EU-Ebene', in *Europarecht* 5 (1998), pp. 583-615.

³⁹ Johann Heinrich Gottlob von Justi, *Grundsätze der Policeywissenschaft*, third edn (Göttingen, 1782), pp. 77-84 [reprint (Frankfurt, 1969)]. On Justi and the formulation of population policy in the eighteenth century see Otto Friedrich Bollnow, 'Die philosophischen Grundlagen der Staats- und Wirtschaftslehren bei Johann Heinrich Gottlob Justi', in *Finanz-Archiv*, N. F., vol. 8 (1941), pp. 381-402. Horst Dreitzel, 'Justis Beitrag zur Politisierung der deutschen Aufklärung', in *Aufklärung als Politisierung – Politisierung der Aufklärung*, edited by Horst E. Bödeker and Ulrich Herrmann (Hamburg, 1987), pp. 158-77. Ferdinand Frensdorff, *Über das Leben und die Schriften des Nationalökonomen Johann Heinrich Gottlob Justi* (Göttingen, 1903) [reprint (Glashütten, 1970)]. Harm Klüeting, *Die Lehre von der Macht der Staaten* (Berlin, 1986). Marcus Overt, *Die naturrechtliche 'politische Metaphysik' bei Johann Heinrich Gottlob von Justi (1717 – 1771)* (Frankfurt and Bern, 1992). Justus Remer, *Johann Heinrich Gottlob Justi, ein deutscher Volkswirt des 18. Jahrhunderts* (Stuttgart and Berlin, 1938).

⁴⁰ Emperor Leopold I, [Mandate on the settlement of Hungary, print, August 1689], Ulm, Donauschwäbisches Zentralmuseum. On imperial population policy respecting the Balkans see *Migration nach Ost- und Südosteuropa vom 18. bis zum Beginn des 19. Jahrhunderts*, edited by Mathias Beer and Dittmar Dahlhausen (Sigmaringen, 1999).

⁴¹ Tsarina Catherine II, [Manifesto to Promote Immigration to Russia, print, 25 July 1763], Stadtarchiv Ulm, A 3889, fol. 3r-4v. The file includes reports on the activities of recruitment officers in Russian service active in the city of Ulm. Heinz H. Becker, *Die Auswanderung aus Württemberg nach Südrußland 1816 – 1830*, Ph.D. thesis, typescript (University of Tübingen, 1962). David H. Epp, 'The Emergence of German Industry in the

This policy turned topsy-turvy in the course of the nineteenth century when German governments enforced racially biased restrictive admission procedures, often underpinned with Anti-Semitism, against in-migrants from Poland, the Balkans and southern Europe. In-migration policy became fused with nationality legislation designed to constitute a purportedly ‘racially pure’ state population (*Volk*) for the German Empire.⁴² Not surprisingly, German domestic law has never differentiated between nationality and citizenship. Blood-and-soil ideologies have fuelled the concoction of an exclusionist notion of nationality, defined in racial terms, and have constituted the false image of Germany as a non-migration state. The German *Volk* became portrayed as a geno group of residents to whom, in the medical language characteristic of German public migration discourse, migrants might do harm to the nation as viruses infect the human body.⁴³ Thus the ideological and linguistic foundations for the Holocaust were the radically nationalist political theory and the residentialist migration policy resulting from it at the turn of the twentieth century.

South Russian Colonies’, in *Mennonite Quarterly Review* 55 (1981), pp. 289-371. Jakob Stach, *Die deutschen Kolonien in Südrussland*, Part I (Prischib, c. 1904), pp. 5-9. Karl Stumpp, *Die Auswanderung aus Deutschland nach Rußland in den Jahren 1763 bis 1862* (Tübingen, 1972), pp. 14-5 [fourth edn (Stuttgart, 1985)]. Otto Wiegandt, ‘Ulm Stadt der Auswanderer’, in *Ulm und Oberschwaben* 31 (1941), pp. 102-104. On Mennonite migration see below, note 44.

⁴² On German nationality legislation see John Breuilly, ‘Sovereignty, Citizenship and Nationality. Reflections on the Case of Germany’, in *The Frontiers of Europe*, edited by Malcolm Anderson and Eberhart Bort (London, 1998), pp. 36-67. *Immigration and the Politics of Citizenship in Europe and America*, edited by William Rogers Brubaker (Lanham, MD, 1989). Brubaker, ‘Einwanderung und Nationalstaat in Frankreich und Deutschland’, in *Der Staat* 28 (1989), pp. 1-30. Brubaker, *Citizenship and Nationhood in France and Germany* (Cambridge, MA, and London, 1992). F. El-Tayeb, ‘“Blood is a very special juice”. Racialized Bodies and Citizenship in Twentieth-Century Germany’, in *Complicating Categories. Gender, Class, Race and Ethnicity*, edited by Eileen Boris and Angélique Janssens (Cambridge, 1999), pp. 149-69 (International Review of Social History. Supplement to vol. 44.) Dieter Gosewinkel, ‘Die Staatsangehörigkeit als Institution des Nationalstaats. Zur Entstehung des Reichs- und Staatsangehörigkeitsgesetzes von 1913’, in *Offene Staatlichkeit. Festschrift für Ernst-Wolfgang Böckenförde zum 65. Geburtstag*, edited by Rolf Grawert, Bernhard Schlink, Rainer Wahl and Joachim Wieland (Berlin, 1995), pp. 359-78. Gosewinkel, ‘Staatsbürgerschaft und Staatsangehörigkeit’, in *Geschichte und Gesellschaft* 21 (1995), pp. 533-56. Gosewinkel, ‘Untertanenschaft, Staatsbürgerschaft, Nationalität. Konzepte der Zugehörigkeit im Zeitalter des Nationalstaats’, in *Berliner Journal für Soziologie* 8 (1998), pp. 507-22. Gosewinkel, *Einbürgern und Ausschließen* (Göttingen, 2001) (Kritische Studien zur Geschichtswissenschaft. 150.) Gosewinkel, ‘Staatsangehörigkeit in Deutschland und Frankreich im 19. und 20. Jahrhundert’, in *Staatsbürgerschaft in Europa*, edited by Christoph Conrad and Jürgen Kocka (Hamburg, 2001), pp. 48-62. Diethard Krombach, *Erstabgrenzungen im Staatsangehörigkeitsrecht im 19. Jahrhundert und am Anfang des 20. Jahrhunderts*, LLD thesis, typescript (University of Bonn, 1967). Wolfgang Justin Mommsen, ‘Nationalität im Zeichen offensiver Weltpolitik. Das Reichs- und Staatsangehörigkeitsgesetz vom 22. Juni 1913’, in *Nation und Gesellschaft in Deutschland. Historische Essays [Hans-Ulrich Wehler zum 65. Geburtstag]*, edited by Manfred Hettling and Paul Nolte (Munich, 1996), pp. 128-41. Lora Wildenthal, ‘Race, Gender and Citizenship in the German Colonial Empire’, in *Tensions of Empire. Colonial Cultures in a Bourgeois World*, edited by Frederick Cooper and Ann Laura Stoler (Berkeley and Los Angeles, 1997), pp. 263-83. Wolfgang Wippermann, ‘Das Blutrecht der Blutsnation. Zur Ideologie- und Politgeschichte des *ius sanguinis* in Deutschland’, in *Blut oder Boden. Doppel-Pass, Staatsbürgerrecht und Nationsverständnis*, edited by Jochen Baumann, Andreas Dietl and Wolfgang Wippermann (Berlin, 1999), pp. 10-48. For a critical review of Brubaker’s arguments see Andreas Fahrmeir, *Citizens and Aliens. Foreigners and the Law in Britain and the German States. 1789 – 1870* (Oxford and New York, 2000).

⁴³ *Stenographische Berichte über die Verhandlungen des Reichstags*, 13. Legislaturperiode, 13. Sitzung (23 February 1912), S. 250, 259-261, 271.

Despite its morally indefensible implications, the image of Germany as a non in-migration state has prevailed beyond World War II and is still informing policy debate on migration. During this period, administrators and lawmakers have displayed substantial ingenuity in developing odd conceptual distinctions for in-migrants. The most notorious among them are the *Gastarbeiter* ('guest workers'), the *Asylsuchende* ('asylum-seekers') and the *Spätaussiedler* ('returning expatriates'), many of them descendants of eighteenth-century out-migrants to Russia.⁴⁴ These distinctions have existed for the sole purpose of decategorising in-migration through statistical manipulations, designed to keep the number of legally admitted in-migrants low. In-migrants mainly from Turkey or the Balkans were not admitted as resident aliens as they received the status of (temporary) 'guest workers' or asylum-seekers, whereas aliens in-migrating from the former Soviet Union were categorised as Germans even though most of them neither held German nationality nor had a decent knowledge of the German language. Nationality legislation has awarded legal validity to these racist distinctions thereby widening the gap between the administrative handling of migration and the self-perception of the migrants destined for Germany. Difficulties in law enforcement and an acrimonious domestic debate on migration policy have been among the results. Decision-making and legislation on migration policy took place in Germany without consultation with EU institutions.⁴⁵

⁴⁴ On the early nineteenth-century German migration to Russia see Roger P. Bartlett, *Human Capital. The Settlement of Foreigners in Russia. 1762 – 1804* (Cambridge, 1979). Detlef Brandes, 'A Success Story. The German Colonies in New Russia and Bessarabia, 1787 – 1914', in *Acta Slavonica Japonica* 9 (1991), pp. 32-46. Brandes, *Von den Zaren adoptiert. Die deutschen Kolonisten und die Balkansiedler in Neu- und Bessarabien. 1751 – 1914* (Munich, 1993) (Schriften des Bundesinstituts für ostdeutsche Kultur und Geschichte. 2.) Brandes, Margarete Busch and Kristina Pavlovi, *Bibliographie zur Geschichte und Kultur der Rußlanddeutschen, vol. 1: Von der Einwanderung bis 1917* (Munich, 1994). Andreas Gestrich, 'Pietistische Rußlandwanderung im 19. Jahrhundert. Die Walddorfer Harmonie', in *Historische Wanderungsbewegungen*, edited by Andreas Gestrich, Harald Kleinschmidt and Holger Sonnabend (Munster and Hamburg, 1991), pp. 109-25 (Stuttgarter Beiträge zur Historischen Migrationsforschung.1.) Gestrich, 'German Pietist and Mennonite Settlements in Russia in the 18th and early 19th Century', in *In Search of Peace and Prosperity. New Settlements in Eighteenth-Century Europe and America*, edited by Hartmut Lehmann, Hermann Wellenreuther and Renate Wilson (Philadelphia, 2000), pp. 77-98. Gestrich and Rainer Lächele, 'Herrnhuter und Mennoniten im russischen Reich', in *Über die trockene Grenze und über das offene Meer. Binneneuropäische und transatlantische Migrationen im 18. und frühen 19. Jahrhundert*, edited by Mathias Beer and Dittmar Dahlmann (Essen, 2004), pp. 167-87 (Migrationen in Geschichte und Gegenwart. 1.) Conrad Keller, *The German Colonies in South Russia. 1804 – 1904* (Saskatoon, 1968). Lawrence Klippenstein, 'The Mennonite Migration to Russia. 1786 – 1806', in *Mennonites in Russia. 1788 – 1988. Essays in Honour of Gerhard Lohrenz*, edited by John Friesen (Winnipeg, 1989), pp. 13-42. David G. Rempel, *The Mennonite Colonies in New Russia*, Ph.D. thesis, typescript (Stanford University, 1933). Günter Tiggesbäumker, 'Regular Rural Settlements in 19th-Century Transcaucasia as a Characteristic Feature of German Colonization', in *Villages, Fields and Frontiers. Studies in European Rural Settlement in the Medieval and Early Modern Periods*, edited by Brian K. Roberts and Robin Edgar Glasscock (Oxford, 1983), pp. 71-81 (British Archaeological Reports. International Series. 185.) Hermann Wellenreuther, 'Recent Research on Migration', in *In Search of Peace and Prosperity* (as above), pp. 265-306.

⁴⁵ The debate peaked in the government-sponsored immigration bill, which went into force on 1 January 2005 after the conservative opposition forced the government to revise its initial proposal in 2003. The law stipulates 'integration' as the sole admissible goal of migration policy and does so in line with conservative concerns for the maintenance of the homogeneity of the *Volk*. In conjunction with the revised nationality law of 2002, the immigration law sets a workable knowledge of the German language and acceptance of the 'liberal democratic basic system of norms and values' as conditions for the 'integration' of in-migrants. It even forces in-migrant recipients of German social welfare benefits to attend special courses in German language, culture

Historians and social scientists began to campaign against the false image of Germany as a non-immigrant state in the 1990s,⁴⁶ without showing willingness to liberate themselves from the legacy of nationalist conventions. The controversy between Yasemin Soysal and Christian Joppke is proof of evidence. In her well-known 1994 publication on the *Limits of Citizenship* Soysal argued for the necessity of accepting deterritorialised ‘personhood’ as the basis for the allocation of ‘citizenship’ in contradistinction to nationality. She rejected the legitimacy of attempts to ‘build nations’ through top-down administrative and legislative measure and, in lieu of these measures, requested a ‘postnational’ model of citizenship that ‘confers upon every person the right and duty of participation in the authority structures and public life of a polity, regardless of their historical or cultural ties to that community’.⁴⁷ She drew her request on the observation that the factual granting of partial political participation rights to the so-called ‘guest workers’ in some postwar European states was irreconcilable with the older nationalist theory of the state and the migration policies resulting there from. She concluded that the respect for personhood was recognisable and that its recognition was eroding the existing conventions of migration policy-making and the legitimacy of nationality legislation. In his response to Soysal, published in 1999, Joppke denounced her diagnosis as multiculturalist and flawed and used German evidence to support his conventionalism that ‘immigration does not render obsolete national citizenship’ (whatever that may be).⁴⁸ Against Soysal, Joppke insisted that, contrary to the USA, Germany was a ‘non-immigrant nation’, facing only late in the twentieth century what wrongly appeared to him as the new phenomenon of immigration. He went so far as to even adduce the partition of Germany as the core factor seeming to make it impossible for the German government to develop a morally defensible immigration policy. Unwilling to admit that the partition had been a response to German crimes against

and civics and thereby even overturns the nineteenth-century principle that the welfare state should be blind to nationality. For the German nationality act of 23 July 1999 see *Bundesgesetzblatt*, (1999), Part I, pp. 1618ff., and the *Gesetz zur Steuerung und Begrenzung der Zuwanderung und zur Regelung des Aufenthaltes und der Integration von Unionsbürgern und Ausländern*, 5 August 2004, in *Bundesgesetzblatt* (2004), Part I, Nr 41, pp. 195-2010, especially §§ 1, 12. The immigration bill had the effect of changing core clauses of the revised version of the nationality law. The revised version went into force on 1 January 2005. These positions were reiterated in the agreement by the coalition of the Christian Democratic Union and the Social Democratic Party on the formation of a coalition government on 11 November 2005. For a critical review see Hartmut Behr, ‘Kontinuität des nationalen Paradigmas oder politische Reform? Ein Jahr rot-grüne Zuwanderungspolitik – Eine kritische Zwischenbilanz’, in *Forschungsjournal Neue Soziale Bewegungen* 4 (1999), pp. 73-8.

⁴⁶ *Das Manifest der 60. Deutschland und die Einwanderung*, edited by Klaus Jürgen Bade (Munich, 1993).

⁴⁷ Yasemin Nuhoglu Soysal, *Limits of Citizenship* (Chicago and London, 1994), p. 3. Soysal, ‘Citizenship and Identity. Living in Diasporas in Post-War Europe’, in *Ethnic and Racial Studies* 23 (1999), pp. 1-15. Anthropologist Aihwa Ong has called attention to phenomenon of postnational citizenship but has focused on its consequences for governance. Her argument is that postnational citizenship is ‘flexible’ and supports the formation of autonomous zones of governance. See Aihwa Ong, *Flexible Citizenship* (Durham, 1999). Ong, ‘Splintering Cosmopolitanism. Asian Immigrants and Zones of Autonomy in the American West’, in *Sovereign Bodies. Citizens, Migrants, and States in the Postcolonial World*, edited by Thomas Blom Hansen and Finn Stepputat (Princeton and Oxford, 2005), pp. 257-260. The theory of nation-building had been advanced by Karl Wolfgang Deutsch, *Nationalism and Social Communication* (New York, 1953) [second edn (Cambridge, MA, 1969)].

⁴⁸ Christian Joppke, *Immigration and the Nation-State* (Oxford and New York, 1999), pp. 186-7.

humanity during World War II, Joppke resorted to apology, claiming, without proof of evidence, that in Germany, migrants were not allowed to participate in the opportunity structure of state and society and that the governing elites were oscillating between integrationism and more or less explicit xenophobia.⁴⁹ Either attitude, he concluded, was contrary to Soysal's diagnosis. But Joppke not only got the German evidence wrong but also Soysal's argument. Over more than two hundred years of German history have not supported the nationalist political argument that Germans were a 'non-immigration nation', in-migrants to Germany have participated in the opportunity structures offered by state and society,⁵⁰ and Soysal was far from endorsing demands for multiculturalism. Instead she demanded in universalistic terms that migrants should be given an equitable choice whether or not to want to integrate and that, in either case, they should be granted political participation rights drawn on citizenship. By contrast, Joppke posited integration through assimilation as the sole legitimate goal of migration policy and classed migrants' rejection of the request for integration as a lack of willingness to engage in political processes. In short, where Soysal took the bottom-up point of view of migrants, Joppke argued from the top-down point of view of governments of sovereign states.

The parochialism of German sociological and political science research on migration is evident from this debate.⁵¹ Given the difficult moral legacy of the Nazi period, the German case makes most dramatically clear the principal problems of looking at and dealing with migration from the point of view of the state and within the confines of nineteenth-century political theory. In demanding personhood to become the basis for the making and enforcement of migration policy, migrants are transnational actors who call into question the three fundamentals of nation-state political theory. Moving across international borders, they flexibilise the state population, thereby jeopardising its perceived unity; they blur international borders, thereby calling into question the unity of state territory; and through their daily activities they limit the executive capabilities of governments of sovereign states.

⁴⁹ Ibid., p. 187.

⁵⁰ On participation and the use of opportunity structures in Germany and the EU see Andreas Blätte, 'The Kurdish Movement. Ethnic Mobilization and Europeanization', in *Migration, Regional Integration and Human Security*, edited by Harald Kleinschmidt (Aldershot, 2006), pp. 181-202.

⁵¹ For similarly parochial statements see Kay Hailbronner, 'Citizenship and Nationhood in Germany', in *Immigration and the Politics of Citizenship in Europe and North America*, edited by William Rogers Brubaker (Lanham, New York and London, 1989), pp. 67-79. Hailbronner, David Martin and Hiroshi Motomura, *Immigration Control. The Search for Workable Policies in Germany and the United States* (Providence, RI, and Oxford, 1998). Michael Bommers, *Migration und nationaler Wohlfahrtsstaat* (Opladen, 1999). Taking a more internationalist position: Hartmut Behr, *Zuwanderungspolitik im Nationalstaat. Formen der Eigen- und Fremdbestimmung in den USA, der Bundesrepublik Deutschland und Frankreich* (Opladen, 1998). Behr, 'The Myth of the Nation and Legacies of Nationalism. Immigration Policies and the Creation of Identity in the European Union', in *International Political Economy* 16 (2005), pp. 1-17.

III. Migrants as actors in the social sciences

We all know – and the controversy between Soysal and Joppke has made again abundantly clear – that, due to migration, government-led integrationist national identification can hardly in the short term absorb the empirically existing multiplicity of collective identities. National identification thus enhances rather than diminishes the clash of cultures between residents and in-migrants as the perceived struggle between insiders against resident outsiders,⁵² forces upon in-migrants the choice of either becoming fully naturalised insiders or leaving,⁵³ widens the gap between what seems to constitute regular residential and what appears as the deviance of migrant patterns of behaviour from the point of view of administrators, lawmakers and social scientists,⁵⁴ and fuels the conflict between interests of persons and demands of collectives.⁵⁵ Rather than performing as mediators, social scientists have, in my view, too often taken the position of the state.

⁵² On the debate about exclusionism see Geoffrey Alderman, J. Leslie and V. Pollman *Governments, Ethnic Groups and Political Representation* (Aldershot, 1992). Veit Bader, 'Citizenship and Exclusion', in *Political Theory* 23 (1995), pp. 222-35. Philip Cole, *Philosophies of Exclusion* (Edinburgh, 2000). Thomas Faist, 'How to Define a Foreigner? The Symbolic Politics of Immigration in German Partisan Discourse. 1978 – 1992', in *The Politics of Immigration in Western Europe*, edited by Martin Baldwin-Edwards and Martin A. Schain (London, 1994), pp. 50-71. Faist, 'Transnationalization in International Migration. Implications for the Study of Citizenship and Culture', in *Ethnic and Racial Studies* 23 (2000), pp. 189-222. Herman R. van Gunsteren, 'Admission to Citizenship', in *Ethics* 98 (1998), pp. 731-42. José Itzigsohn, 'Immigration and the Boundaries of Citizenship', in *International Migration Review* 34 (2000), pp. 1126-54. Christian Joppke, 'How Immigration is Changing Citizenship', in *Ethnic and Racial Studies* 22 (1999), pp. 629-52. Maxim Silverman, *Deconstructing the Nation. Immigration, Racism and Citizenship in Modern France* (London and New York, 1992). For a review of immigration restriction policies see Gary P. Freeman, 'Can Liberal States Control Unwanted Migration?', in *Strategies for Immigration Control*, edited by Mark J. Miller (Thousand Oaks, London and New Delhi, 1994), pp. 17-30. James F. Hollifield, *Immigrants, Markets and States* (Cambridge, MA, 1992), pp. 214-32. Mark J. Miller, 'Towards Understanding State Capacity to Prevent Unwanted Migration. Employer Sanctions Enforcement in France, 1975 – 1990', in *The Politics of Immigration in Western Europe*, edited by Martin Baldwin-Edwards and Martin A. Schain (London, 1994), pp. 140-67. Christian Joppke, 'Why Liberal States Accept Unwanted Immigration', in *World Politics* 50 (1998), pp. 266-93. Myron Weiner, 'Ethics, National Sovereignty and the Control of Immigration', in *International Migration Review* 30 (1996), pp. 171-97.

⁵³ The choice is explicitly imposed upon in-migrants in the report by the Global Commission on International Migration, *Migration* (note 28), p. 48.

⁵⁴ For a classical case of residentialism in recent social science studies see the article by Julian L. Simon, 'The Economic Effects of Immigration', in *European Review* 1 (1993), pp. 109-110, who sets as the basis for his analysis 'an idealized farming "nation" composed of a hundred identical farmers' forming a community of residents. On migrationism and residentialism see William Y. Adams, Dennis P. Van Gerven and Richard S. Levy, 'The Retreat from Migrationism', in *Annual Review of Anthropology* 7 (1978), pp. 483-532. Josef Ehmer, 'Migration und Bevölkerung. Zur Kritik eines Erklärungsmodells', in *Historische Migrationsforschung*, edited by Dan Diner (Tel Aviv and Gerlingen, 1998), pp. 5-29 (Tel Aviver Jahrbuch für deutsche Geschichte. 27.) For striking parallels of migrationism in medieval and early modern Europe see Nicholas Howe, *Migration and Mythmaking in Anglo-Saxon England* (New Haven, 1989) [new edn (Notre Dame, IN, 2001)]. Harald Kleinschmidt, *People on the Move* (Greenwood, CT, 2003), pp. 27-31, 87-102, 165-70.

⁵⁵ Among other instances, legal battles over the choice of seemingly appropriate dress codes by teachers and pupils in schools in France and Germany since 2001 have displayed this conflict. The German constitutional court, revoking all previous decisions by lower courts, ruled on 24 September 2003 that the imposition of specific dress codes for schoolteachers through governments is unconstitutional.

First and foremost, this has been due to the dominant type of sources or 'data' that social scientists have preferred to use. As a consequence of their felt need of quantification, they have positioned the individual migrant behind the impenetrable veil of statistics. To put it bluntly: in the social sciences, the individual migrant as a personal actor hardly exists. The lack of concern for and interest in the individual migrant has entailed a number of problems. They begin with the simple questions who a migrant is and how long one remains a migrant. A seemingly easy solution is the straightforward application of the UN-sponsored administrative practice of counting everyone as a migrant who has relocated his or her residence across an international border for more than one year.⁵⁶ Whereas this pragmatic definition may have many merits for administrators, it retains the difficulty that, like many other migration-related concepts, it is imposed externally upon migrants. No one applying this definition of a migrant bothers to confirm whether the persons upon whom this definition is being imposed actually perceive themselves as migrants. There are serious doubts whether pragmatic concepts that may be useful for administrators are also good for social scientists who, after all, should be willing to understand and analyse rather than administer migration.

The relatively well-researched Mexican out-migration to the USA gives food for thought. Out of the 500,000 or so people⁵⁷ who enter the USA without proper documentation every year, there appear to be many who cross the heavily guarded Mexican-US border and do so, if not regularly, but at least repeatedly. Many of them are migrants according to the UN-sponsored definition, even though they seem to shuttle back and forth, pretty much at their own discretion and as if the border were not there at all.⁵⁸

⁵⁶ Global Commission on International Migration, *Migration* (note 28), p. VIII. For the social-science debate on migration definitions see Marianne Amar and Pierre Milza, *L'immigration en France au XXe siècle* (Paris, 1990). Jochen Blaschke, 'Internationale Migration. Ein Problemaufriss', in *Migration im neuen Europa*, edited by Manfred Knapp (Stuttgart, 1994), pp. 23-50. Andreas Bös, 'Weltweite Migration und Schließungstendenzen westlicher Industriegesellschaften', in *Gesellschaften im Umbruch. Verhandlungen des 27. Kongresses der Deutschen Gesellschaft für Soziologie in Halle an der Saale 1995*, edited by Lars Clausen (Frankfurt and New York, 1996), pp. 395-412. Joseph H. Carens, 'Migration and Morality. A Liberal Egalitarian Perspective', in *Free Movement. Ethical Issues in the Transnational Migration of People and of Money*, edited by Brian Barry and Robert E. Goodni (New York, 1992), pp. 25-47. Adrian Favell, *Philosophies of Integration. Immigration and the Idea of Citizenship in France and Britain* (Basingstoke and New York, 1998). Guy S. Goodwin-Gill, 'Immigration, Nationality and the Standards of International Law', in *Towards a Just Immigration Policy*, edited by Ann Dummett (London, 1986), pp. 3-32. Peter Marschalck, 'Aktuelle Probleme der Migrationsforschung', in *Landesgeschichte und Historische Demographie*, edited by Michael Matheus and Walter G. Rödel (Stuttgart, 2000), pp. 177-89. Michael C. May, *Anatomy of a Public Policy. The Reform of Contemporary American Immigration Law* (Westport, CT, and London, 1994). Mark J. Miller, 'Towards Understanding State Capacity to Prevent Unwanted Migration. Employer Sanctions Enforcement in France, 1975 - 1990', in *The Politics of Immigration in Western Europe*, edited by Martin Baldwin-Edwards and Martin A. Schain (London, 1994), pp. 140-67. Saskia Sassen, *Guests and Aliens* (New York, 1999). Aaron Segal, *An Atlas of International Migration* (London, Melbourne and Munich, 1993). Raphael-Emmanuel Verhaeren, *Partir? Une théorie économique des migrations internationales* (Grenoble, 1990). Myron Weiner, 'On International Migration and International Relations', in *Population and Development* 11 (1985), pp. 441-55. Hania Zlotnik, 'The Concept of International Migration as Reflected in Data Collection Systems', in *International Migration Review* 21 (1987), pp. 925-45.

⁵⁷ Global Commission on International Migration, *Migration* (note 28), p. 33.

⁵⁸ On Mexican-US migration see above, note 36.

To my knowledge, no survey has ever been done determining how many of these border-crossing people have the positive subjective consciousness of being in-migrants to the USA or remigrants to Mexico. Even though the current Mexican-US border has been in existence for more than 150 years, it remains a fact that the southwestern territories of the USA were wrought from Mexico by force and irredentist attitudes have flourished.⁵⁹ Beyond history and politics, the intensity of border-crossing activities has helped establish and maintain networks and personal ties that link people across the international border and create a transnational social space that appears in the minds of the border-crossers but not in administrative records. A regional transnational social space is in the making that straddles the Mexican-US international border. If economic disparities serve as additional incentives, no social scientist will be surprised to find that migration restriction measures have little long-term effect. Social scientists could do a better job if they tried to uncover the person behind the statistics and could thereby determine just how many of the border-crossers have the subjective consciousness of being migrants.

However, imposing the identity of migrants on border-crossers is not the only adverse effect of national identification. Equally significant is the allocation of the status of aliens or resident aliens to international migrants at their destinations. The merits of the distinction between insiders and outsiders for administrators are obvious. When registering persons, administrators have to follow identification documents that can only be issued by government agencies. Yet, already in 1908, sociologist Georg Simmel observed correctly that the alien is a person ‘who comes today and stays tomorrow’,⁶⁰ that is, someone who blurs the conceptual boundary between inside and outside. Because the alien is an inside outsider the entire debate among social theorists about inclusion vs exclusion misses the point as long as it fails to take into account the subjective consciousnesses of migrants.⁶¹ Migrants may wish to remain outsiders, they may wish to become insiders or may prefer to choose any in-between status. Social scientists should be able to determine who wants what. Once again, the assumption is far from obvious that all Mexican nationals crossing the US border without proper documentation regard themselves as

⁵⁹ On the US-Mexican War (1846 – 1848) see Steven R. Butler, *A Documentary History of the Mexican War* (Richardson, 1994). Thomas Christensen and Carol Christensen, *The U.S.-Mexican War* (San Francisco, 1998). Jenkins Garrett and Katherine Goodwin, *The Mexican-American War of 1846 – 1848. A Bibliography of the Libraries of the University of Texas at Arlington* (College Station, 1995). Robert W. Johannsen, *To the Hall of the Montezumas. The Mexican War in the American Imagination* (New York and Oxford, 1985).

⁶⁰ Georg Simmel, *Soziologie*, edited by Otthein Rammstedt (Frankfurt, 1992), p. 764 [first published (Leipzig, 1908)]. For studies see Nikos Papastergiadis, *The Turbulence of Migration. Globalization, Deterritorialization and Hybridity* (Cambridge, 2000), pp. 62-9. Margaret Mary Wood, *The Stranger. A Study in Social Relationships* (New York, 1934). *Zwischen Räumen. Studien zur sozialen Taxonomie des Fremden* (Munster, 1999) (Berliner Blätter. 19.)

⁶¹ Niklas Luhmann, ‘Inklusion und Exklusion’, in *Nationales Bewußtsein und kollektive Identität*, edited by Helmut Berding (Frankfurt, 1994), pp. 15-45. *Migration and European Integration. The Dynamics of Inclusion and Exclusion*, edited by Robert Miles and Dietrich Thränhardt (London, Madison and Teaneck, 1995). *Paths to Inclusion. The Integration of Migrants in the United States and Germany*, edited by Peter H. Schuck and Rainer Münz (New York and Oxford, 1998) (Migration and Refugees. 5.) For further literature on exclusionism see above, note 52.

aliens on US territory. But it is precisely this assumption on which administrative procedures rest that confer upon these border-crossers an alien status.

It is at border checkpoints and registration offices that administrators and lawmakers can implement their extensive skills in developing the full scale of categories for the assignment of resident or migrant statuses in contradistinction to the often-fuzzy subjective consciousnesses of migrants. Some of these categories are not mutually exclusive. Much to the dismay of administrators and lawmakers, for example, someone classed politically as an 'economic' migrant may appear at the international border of a state under the legal status of an 'asylum-seeker'. Or someone in-migrating legally on a student visa may in fact have already been employed illegally in a 3D [dirty, demanding, dangerous]-job.⁶² Social scientists may be better able to analyse migration processes if they check these administrative categories against the self-perceptions of migrants.

Moreover, migration statistics usually place all international migrants into one roof category that then usually gets subdivided according to the nationality or citizenship of the registered border-crossers. Again, the feasibility of this procedure for administrators is evident even if not all movements across international borders are actually controlled. But social scientists should be able to differentiate. A migrant legally crossing the German-Polish border in search for employment on the other side may nowadays move within the same region whose history goes back a long time before the establishment of the current border.⁶³ Is it helpful to place these border-crossers into the same class as people coming to Europe from other continents? Some statistics and studies differentiate between migration within the EU and migration to and from the EU and non-EU countries. But does this distinction matter for the people who cross the border into Switzerland and Liechtenstein from France, Italy, Austria and Germany? Distance may not matter for migrants choosing their destinations.⁶⁴ But what is true for intercontinental migration and its consequences may not necessarily have to be true for cross-border migration in a local area.

A further set of categories imposed upon migrants relates to motives. Social scientists have often concurred with administrators and lawmakers in making efforts to find out why people move. Specifying migration motives has dominated research initiated to the end of increasing the impact of migration

⁶² See Motoko Shuto, 'Labour Migration and Human Security in East and Southeast Asia', in *Migration, Regional Integration and Human Security*, edited by Harald Kleinschmidt (Aldershot, 2006), pp. 216-7.

⁶³ Kazu Takahashi, 'Cross-border Cooperation among Local Governments between Western and Eastern Europe', in *Roshia nishigawa shūhen ni okeru kannai gai chiiki kyōryoku no kenkyū* (Sapporo: Hokkaidō Daigaku Surabu Kenkyū Sentā, 1998), pp. 53-82. Takahashi, 'Migration and Cross-border Cooperation in Central and East European Countries', in *Migration, Regional Integration and Human Security*, edited by Harald Kleinschmidt (Aldershot, 2006), pp. 244-58.

⁶⁴ Leslie E. Bauzon, 'Migration and Geographical Distance', in *Migration, Regional Integration and Human Security*, edited by Harald Kleinschmidt (Aldershot, 2006), pp. 123-38.

legislation and the consistency of law enforcement. But much of that legislation has been effected under the goal of restricting migration. The time-honoured mid nineteenth-century physicalist push-and-pull model has continued to inform much research on migration motives⁶⁵ even though the salience of applying the model has been called into question since the 1980s.⁶⁶ The problem with this model is not that it rests on entirely wrong assumptions but that the push-and-pull factors it seeks to coordinate have usually been inferred from statistical data or temporal coincidence rather than proved.⁶⁷ Usually, income disparities or acute food shortages are seen as major push factors. However, for over 200 years only a few migrants have actually been asked about their migration motives before they started to move.

Indeed, it may be important for administrators not to pay too much attention to declarations by immigrants at border checkpoint or by would-be migrants at consular offices. But social scientists should take a broader view, particularly if they intend to be of service to administrators. First and foremost, the broader view demands an answer to the question whether migrants have a motive at all and, if they do, whether it is economic in kind. The suggestion that migrants have to have a motive follows from the residentialist belief that humans are by nature settled and that, by consequence, any apparent deviation from that norm requires explanations. But this belief is far from obvious. In the European context, migration was considered as a behaviour perfectly compatible with human nature down to the end of the eighteenth century. At the time, superfecundity theory supported the view that migration was divinely willed.⁶⁸ Governments did not take seriously the doings of the 10% or so permanent migrants among the resident population under their control, even though they were keenly aware of the fact that deserting soldiers and various kinds of criminals could find shelter among vagrants.⁶⁹ Residentialism began to

⁶⁵ For an early recording in the London *Times* of 1851 see *Historical Aspects of the Immigration Problem*, edited by Edith Abbott (Chicago, 1926), p. 126 [reprint (New York, 1969)].

⁶⁶ Anthony Fielding, 'Migration and Culture', in *Migration Processes and Patterns*, edited by Tony Champion Fielding, vol. 1 (London, 1992), pp. 201-14. Fielding, 'Migrations, Institutions and Politics. The Evolution of European Migration Policies', in *Mass Migrations in Europe. The Legacy and the Future*, edited by Russell King (London, 1993), pp. 40-62. Aristide R. Zolberg, 'International Migration in Political Perspective', in *Global Trends in Migration*, edited by Mary M. Kritz, Charles B. Keely and Silvano M. Tomasi (Staten Island, 1981), pp. 3-27.

⁶⁷ In an historical context especially by Bade (note 26).

⁶⁸ Johann Peter Süßmilch, *Die göttliche Ordnung in den Veränderungen des menschlichen Geschlechts*, third edn, vol. 1 (Berlin, 1765), p. 396 [reprint, edited by Jürgen Cromm (Göttingen, 1988)]. For a nineteenth-century criticism of the theory see Michael Thomas Sadler, *The Law of Population. A Treatise in Six Books. Disproof of the Superfecundity of Human Beings and Development of the Real Principle of Their Increase*, vol. 1 (London, 1830), p. 171.

⁶⁹ K. L. Ay, 'Unehrlichkeit, Vagantentum und Bettelwesen in der vorindustriellen Gesellschaft', in *Jahrbuch des Instituts für deutsche Geschichte* 8 (1979), pp. 13-38. A. L. Beier, 'Vagrants and the Social Order in Elizabethan England', in *Past and Present* 64 (1974), pp. 3-29. Beier, *Masterless Men. The Vagrancy Problem in England. 1560 – 1640* (London and New York, 1986). Martin Dinges, *Stadtarmut in Bordeaux. 1525 – 1675* (Bonn, 1988). Bronislaw Geremek, 'Criminalité, vagabondage, pauperisme. La marginalité à l'aube des temps modernes', in *Revue d'histoire moderne et contemporaine* 21 (1974), pp. 337-75. František Graus, 'Randgruppen der städtischen Gesellschaft im Spätmittelalter', in *Zeitschrift für historische Forschung* 8 (1981), pp. 385-437. *Randgruppen der spätmittelalterlichen Gesellschaft*, edited by Bernd-Ulrich Hergemöller (Warendorf, 1990). Hergemöller, "'Randgruppen" im späten Mittelalter. Konstruktion – Dekonstruktion –

inform government attitudes towards migration in Europe only at the beginning of the nineteenth century.⁷⁰ Saying that migration does not have to result from specifiable motives is not to suggest that there is something wrong with searching for migration motives. Yet the demand follows that migration researchers should ask the two questions of why people are moving and why other people are staying. It has long been known that the migration potential is higher than the actual migration rate.⁷¹ If that is so, some people have to have a motive to stay that is stronger than their motive to move. Put differently: migration takes place after persons have decided to rank their motives to move above their motives to stay. Studying migration decision-making⁷² at the level of the individual means to develop a focus on personhood and the pursuit of livelihood strategies.⁷³

To the extent that international migration results from specifiable motives and not merely from a diffuse intention to move, social scientists should allow migrants to categorise their motives by themselves rather than making them choose among administratively imposed categories. This, however, has hardly been done. First among the few studies investigating motives at the onset of a migration is Friedrich

Rekonstruktion', in *Die Aktualität des Mittelalters*, edited by Hans-Werner Goetz (Bochum, 2000), pp. 165-90. Eric John Hobsbawm, *Social Bandits and Primitive Rebels* (Cambridge, 1959). Robert Jütte, *Poverty and Deviance in Early Modern Europe* (Cambridge, 1994). Carsten Küther, *Menschen auf der Straße. Vagierende Unterschichten in Bayern, Franken und Schwaben in der zweiten Hälfte des 18. Jahrhunderts* (Göttingen, 1983). John Pound, *Poverty and Vagrancy in Tudor England* (London, 1971). Martin Rheinheimer, *Arme, Bettler und Vaganten. Überleben in der Not. 1450 – 1850* (Frankfurt, 2000). Bernd Roeck, *Außenseiter, Randgruppen, Minderheiten* (Göttingen, 1993). Ernst Schubert, *Fahrendes Volk im Mittelalter* (Bielefeld, 1995). Alexandre Vexliard, *Introduction à la sociologie du vagabondage* (Paris, 1956).

⁷⁰ Friedrich Christian Benedict Avé-Lallemant, *Das deutsche Gaunerthum*, 3 vols (Leipzig, 1858-1862) [newly edited in 2 vols (Munich and Berlin, 1914); reprint in 1 vol. (Wiesbaden, 1998), esp. vol. 1, p. 11]. Thomas McStay Adams, *Bureaucracy and Beggards. French Social Policy in the Age of the Enlightenment* (New York and Oxford, 1990). Olwen H. Hufton, *The Poor in Eighteenth-Century France* (Oxford, 1974). Edith Saurer, 'Zur Sozialgeschichte der Grenze', in Saurer, *Straße, Schmuggel, Lottospiel* (Göttingen, 1989), pp. 137-216. Elisabeth Schepers, 'Regieren durch Grenzsetzungen. Struktur und Grenzen des Bettelrechtes in Bayern im 16. und 17. Jahrhundert', in *Menschen und Grenzen in der Frühen Neuzeit*, edited by Wolfgang Schmale and Reinhard Stauber (Berlin, 1998), pp. 244-6. Ingeborg Titz-Matuszak, 'Mobilität der Armut', in *Plesse-Archiv* 24 (1988), pp. 9-338. Otto Ulbricht, 'Die Welt eines Bettlers um 1775', in *Historische Anthropologie* 2 (1994), pp. 379-98.

⁷¹ Kingsley Davis, 'The Migrations of Human Populations', in *Scientific American* 231 (1974), p. 96. Restated by Aristide R. Zolberg, 'Patterns of International Migration Policy A Diachronic Comparison', in *Minorities. Community and Identity*, edited by C. Fried (Berlin, Heidelberg, New York and Tokyo, 1983), p. 232.

⁷² The literature on migration decision-making literature usually takes the statistical approach. See Siegfried Berninghaus and Hans Günther Seifert-Vogt, *International Migration under Incomplete Information. A Microeconomic Approach* (Berlin, 1991). *Migration Decision Making. Multidisciplinary Approaches to Microlevel Studies in Developed and Developing Countries*, edited by Gordon F. De Jong and Robert W. Gardner (New York, 1981). J. Mincer, 'Family Migration Decision', in *Journal of Political Economy* 86 (1978), pp. 749-73. R. R. Sell and Gordon F. DeJong, 'Toward a Motivational Theory of Migration Decision Making', in *Journal of Population* 1 (1978), pp. 313-35.

⁷³ Among others see Peter Stalker, *Workers Without Frontiers. The Impact of Globalization on International Migrations* (Boulder, CO, and Geneva, 2000). Douglas S. Massey, Joaquin Arango, Hugo Graeme, Ali Kouaouci, Adela Pellegrino and J. Edward Taylor, 'Theories of International Migration', in *Population and Development Review* 19 (1993), pp. 431-466. Massey, 'The Social and Economic Origins of Immigration', in *Annals of the American Academy of Political and Social Science* 510 (1990), pp. 60-72. Massey, 'Social Structure, Household Strategies and the Cumulative Causation of Migration', in *Population Index* 56 (1990), pp. 3-26. Massey et al., *Worlds in Motion* (Oxford, 1998).

List's work on emigration from Württemberg in southwest Germany in 1816 and 1817.⁷⁴ Having heard of a movement for emigration in 1816, the King of Württemberg became worried why his 'subjects' were seeking to leave the state, and dispatched List as a then subordinate administrator to the area where most of the would-be out-migrants were believed to live. List was able to interview some would-be out-migrants and produced a survey that surprised the king no less than it should surprise social scientists of today.

The Württemberg economy was depressed at the time following the Napoleonic Wars, and statistics show an unequivocal temporal correlation in time between the movements of out-migration and a hunger crisis in the area. However, most of the out-migrants, whom List interviewed, explained to him that they intended to leave, not because of want of food or economic hardship but because of dissatisfaction with local authorities. They accused local office-holders of corruption, abuse of power and lack of competence.⁷⁵ In short, the most frequently stated migration motive was political in kind, even though the statistical inference suggests the predominance of economic migration motives. In addition, further archival research has revealed to desire to obtain the freedom of religious practice as a motive for out-migration, specifically among radical Protestants.⁷⁶ Therefore, migration historians who mainly rely on statistical sources for their work can hardly obtain insight into the full complexity of migration motives.⁷⁷ Württemberg may not have been unique. The conspicuous failure of the Assisted Passage program through which British local authorities tried to push impoverished people out of their counties early in the nineteenth century, points to the same lack of dominance of economic migration motives and thereby contradicts migration research orthodoxy.⁷⁸ Economic migration motives thus should be

⁷⁴ Friedrich List, 'Untert[hänigster] Bericht des RechnungsRaths List über die Vernehmlaßung des Auswanderer zu Heilbronn, Weinsberg und Neckarsulm, die Ursachen ihrer Auswanderung betreffend. 7. Mai 1817', in *Aufbruch nach Amerika*, edited by Günter Moltmann (Tübingen, 1979) [new edn (Stuttgart, 1989), pp. 97, 100, 126-7, 175-87].

⁷⁵ Ibid.

⁷⁶ Gestrich, 'Rußlandwanderung' (note 44), pp. 110-3.

⁷⁷ Among others see Wolfgang von Hippel, *Auswanderung aus Südwestdeutschland* (Stuttgart, 1984), p. 178, fig. 8 (Industrielle Welt. 36.), who believes that hunger drove people out of Württemberg.

⁷⁸ On the Assisted Passage programmes and their failure see Robin Haines, 'Shovelling out Paupers? Parish-Assisted Emigration from England to Australia. 1834 – 1847', in *Poor Australian Immigrants in the Nineteenth Century*, edited by Eric Richards (Canberra: Division of Historical Studies and Centre for Immigration and Multicultural Studies. Research School of Social Sciences. Australian National University, 1991), pp. 33-67 (Visible Immigrants. 2.) For criticisms of push- and pull-theories see Klaus Jürgen Bade, *Auswanderer – Wanderarbeiter – Gastarbeiter. Bevölkerung, Arbeitsmarkt und Wanderung in Deutschland seit der Mitte des 19. Jahrhunderts* (Ostfildern, 1984), pp. 57-8. *Europeans on the Move. Studies on European Migration. 1500 – 1800*, edited by Nicholas Canny (Oxford, 1994), pp. 263-83. Stephen Castles, 'The Australian Model of Immigration and Multiculturalism. Is it Applicable to Europe?', in *International Migration Review* 26 (1992), pp. 549-67. Georg Fertig, *Wanderungsmotivation und ländliche Gesellschaft im 18. Jahrhundert*. Ph. D. Thesis, typescript (Free University of Berlin, 1993) [printed (Osnabrück, 2000). Timothy W. Guinnane, *The Vanishing Irish. Households, Migration and the Rural Economy in Ireland. 1850 – 1914* (Princeton, 1997). Steve Hochstadt, 'The Socioeconomic Determinants of Increasing Mobility in Nineteenth-Century Germany', in *European Migrants*, edited by Dirk Hoerder and Leslie Page Moch (Evanston, 1996), pp. 144-5. James H. Jackson and Leslie Page Moch, 'Migration and the Social History of Modern

ascertained rather than inferred.

From the 1980s, 'new migration' has contributed to the obsolescence of many of the residentialist attitudes to migration, primarily among social scientists, while administrators and lawmakers have remained largely unaffected. Proponents of 'new migration' have emphasised the need for a transnational perspective, tracing the doings of migrants beyond borders. They have promoted the recognition of migrants as autonomous, well-informed and determined actors interconnecting spaces in pursuit of livelihood strategies.⁷⁹ Migration systems have emerged at regional levels blurring the conventional distinction between sending and receiving countries and constituting migration as an indefinite process rather than as a sequence of separate finite 'flows'.⁸⁰ Simultaneously with 'new migration', 'new security' thinking has reduced the military component in the notion of security and established the individual as the core recipient of security.⁸¹ International migration has evolved as the central issue of human security

Europe', in *Historical Methods* 22 (1989), pp. 27-8. Christoph Kleßmann, *Polnische Bergarbeiter im Ruhrgebiet. 1870 - 1945* (Göttingen, 1978), p. 24. Ewa Morawska, 'The Sociology and Historiography of Immigration', in *Immigration Reconsidered*, edited by Virginia Yans-McLaughlin (Oxford, 1990), pp. 192-3. Aristide R. Zolberg, 'International Migration in Political Perspective', in *Global Trends in Migration*, edited by Mary M. Kritz, Charles B. Keely and Silvano M. Tomasi (Staten Island, 1981), pp. 3-27.

⁷⁹ For details see Watanabe, 'Migration' (note 33).

⁸⁰ On 'New Migration' see Pieter Boeles, *Fair Immigration Proceedings in Europe* (The Hague, Boston and London, 1997). *Migration Theory. Talking across Disciplines*, edited by Caroline B. Bretell and James F. Hollifield (London and New York, 2000). Robin Cohen, *Global Diasporas* (London, 1997). *Theories of Migration*, edited by Robin Cohen (Cheltenham and Brookfields, VT, 1997). *Controlling Immigration. A Global Perspective*, edited by Wayne A. Cornelius, Philip L. Martin and James F. Hollifield (Stanford, 1994). *Immigration Research for a New Century*, edited by Nancy Foner, Ruben G. Rumbaut and Steven J. Gold (New York, 2000). *Population Migration and the Changing World Order*, edited by W. T. S. Gould and A. M. Finlay (Chichester and New York, 1994). *Le droit des étrangers. Statut, évolution européenne, droits économiques et sociaux*, edited by P. Jadoul and E. Mignon (Brussels, 1993). *Mass Migrations in Europe. The Legacy and the Future*, edited by Russell King (London, 1993). James Mittelman, 'Production and Migration', in *Global Transformation. Challenges to the State System*, edited by Yoshikazu Sakamoto (Tokyo, 1994), pp. 34-62. *Towards a Transnational Perspective on Migration. Race, Class, Ethnicity and Nationalism Reconsidered*, edited by Nina Glick Schiller, Linda Bausch and Cristine Blanc-Szanton (New York, 1992) (Annals of the New York Academy of Sciences. 645.) Muhammed Abu B. Siddique and Reginald Appleyard, 'International Migration into the 21st Century', in *International Migration into the 21st Century. Essays in Honour of Reginald Appleyard*, edited by Muhammed Abu B. Siddique (Cheltenham and Northampton, MA, 2001), pp. 1-13. Myron Weiner, *The Global Migration Crisis. Challenge to States and to Human Rights* (New York, 1995). Aristide R. Zolberg, 'The Next Waves. Migration Theory for a Changing World', in *International Migration Review* 23 (1989), pp. 403-30. On migration networks see James F. Fawcett, 'Networks, Linkages and Migration Systems', in *International Migration Review* 23 (1989), pp. 671-80. On migration systems see *International Migration Systems. A Global Approach*, edited by Mary M. Kritz, Lean Lim Lin and Hania Zlotnik (Oxford, 1992).

⁸¹ On 'New Security' see *Security Communities*, edited by Emanuel Adler and Michael Barnett (Cambridge, 1998). Muthiah Alagappa, *Asian Security Order* (Stanford, 2003). D. A. Baldwin, 'The Concept of Security', in *Review of International Studies* 23 (1997), pp. 5-26. Ken Booth, 'Security and Emancipation', in *Review of International Studies* 17 (1991), pp. 313-26. Booth, 'Security in Anarchy', in *International Affairs* 63 (1991), pp. 527-45. *Statecraft and Security*, edited by Ken Booth (Cambridge, 1998). Barry Buzan, 'Societal Security', in *Identity, Migration and the New Security Agenda in Europe*, edited by Ole Waever, Barry Buzan, M. Kelstrup and P. Lemaitre (London, 1993). Buzan, 'Rethinking Security After the Cold War', in *Cooperation and Conflict* 32 (1997), pp. 5-28. Buzan and Ole Waever, *Regions and Powers. The Structure of International Security* (Cambridge, 2003). Sören Jesse-Petersen, 'International Migration and Security. A Pragmatic Response', in *Migration and the New Europe*, edited by Kimberly A. Hamilton (Washington, DC: Center for Strategic and

at the national and the global level.⁸² Although neither ‘new migration’ nor ‘new security’ thinking have so far taken into consideration regions as the theatres of transnational actors, the recently finalised PIONEUR project has shown that some migrants act as bottom-up regional actors in the EU, if they are willing to interact with residents in their host groups and areas. The project also confirms that economic migration motives do not necessarily dominate decision-making processes but may rank second to family union and may be equal to the betterment of the quality of life.⁸³ If migrants, when crossing the international borders of states, are by definition transnational actors, they must have an impact on the making and transformation of transnational social spaces in the region within which they move most frequently.

IV. Some observations on the regional dimension of migration

National demographic statistics obfuscate the regional dimension of international migration. For one, the official statistics compiled by the German government do not indicate a definition of migration. Neither do they specify destinations for out-migrants nor indicate declared reasons for in-migration. Instead they merely state the nationality of in-migrants residing on German territory.⁸⁴ Nevertheless, some observations on the regional dimension of migration remain possible. The *British National Statistics* is explicit in admitting that migration data have been assembled on the basis of the UN-sponsored definition of migration⁸⁵ and reveal a generally increasing net in-migration during the decade from 1994 to 2003. The net demographic gain from in-migration to the UK was 223,000 people in 2004, up 72,000

International Studies, 1994), pp. 1-11. *The Culture of National Security*, edited by Peter Katzenstein (New York, 1996). Keith Krause and Michael C. Williams, ‘From Strategy to Security. Foundations of Critical Security Studies’, in *Critical Security Studies. Concepts and Cases*, edited by Keith Krause and Michael C. Williams (London and New York, 1997), pp. 33-61. Mark J. Miller, ‘International Migration and Global Security’, in *Redefining Security. Population Movements and National Security*, edited by Nana K. Poku and David T. Graham (Westport, CT, 1998), pp. 15-49. Nana K. Poku, Neil Renwick and John Glenn, ‘Human Security in a Globalising World’, in *Migration, Globalisation and Human Security*, edited by David T. Graham and Nana K. Poku (London and New York, 2000), pp. 9-22. Mahbub ul-Haq, ‘Global Governance for Human Security’, in *Worlds Apart. Human Security and Global Governance*, edited by Majid Tehranian (London and New York, 1999), pp. 79-94.

⁸² *International Migration and Security*, edited by Myron Weiner (Boulder, CO, 1993).

⁸³ Even the International Organization for Migration has limited itself to advocating closer cooperation among governments of sovereign states at the regional level. See *The Role of Regional Consultative Processes in Managing International Migration* (Geneva, 2001) (IOM Migration Research Series. 3.) On the PIONEUR project see Oscar Santacreu, Emiliana Baldoni and Mari-Carmen Albert, Migration Projects in an Integrating Europe. Paper given to the final conference at the University of Florence, 10 March 2006 [<http://www.innovations-report.de/html/berichte/gesellschaftswissenschaften/bericht-57213.html>; www.obets.ua.es/pioneer] (sites visited on 16 May 2006). The project reporters have emphasised their surprise about the finding that 2% of the EU population have migrated, which they regard as a deplorably low figure. But they overlook that the share of migrants to the total of the world population is only around 3%.

⁸⁴ Statistisches Bundesamt, *Statistisches Jahrbuch* (2003), p. 65.

⁸⁵ *British National Statistics. International Migration. Migrants Entering or Leaving the UK and England and Wales. 2003* (London, 2005), p. VI [<http://www.statistics.gov.uk>], site visited on 23 April 2006.

against the figure for 2003.⁸⁶ In that year, of the 512,600 people migrating to the UK, 105,800 were British citizens, 64,000 EU citizens other than British, 165,800 Commonwealth citizens and 196,900 others (including people from Hong Kong). Of the 361,500 out-migrants from the UK in 2003, 190,000 were British citizens, 49,900 EU citizens other than British, 58,000 Commonwealth citizens and 62,000 others.⁸⁷ The figures suggest the net out-migration of 85,000 British citizens against the net in-migration of 14,100 EU citizens other than British, 110,300 Commonwealth citizens and 134,900 others. As the category of EU citizens excludes people with British citizenship, the real number of migrants between the UK and the EU is higher than the stated figures, if the assumption holds true that British citizens also migrate to the rest of the EU and back. For all these figures the absolute numbers as well as the percentage rates increased gradually between 1994 and 2003.

The figures seem to suggest the predominance of migration within the Commonwealth. Thus Australia alone received 62,400 in-migrants from the UK in 2003, more than half of all migrants moving from the UK to Commonwealth states. The figure is less striking for migration from Australia to the UK; yet 40,500 migrants moved from Australia to the UK in 2003, second only to the figure of 44,000 in-migrants from Bangladesh, India and Sri Lanka together. These figures indicate a net in-migration gain of 17,800 people for Australia, who, it may be inferred, were most likely holders of British or Australian citizenship. However, the full range of migration patterns concerning the UK emerges only in view of the figures for migrants to and from non-Commonwealth states. Thus, in 2003, little less than one third of all in-migrants, namely 101,100 people came from the EU, second only to the combined figure for 'other' states (including Hong Kong).⁸⁸ Figures for out-migration from the UK confirm the predominance of migration between the UK and the EU, if Commonwealth countries are excluded. Of 230,000 people leaving the UK to non-Commonwealth countries in 2003, 121,700, that is more than 50%, went to the EU. Moreover, their numbers have increased dramatically since 1994, when 94,800 people came to the UK from the rest of the EU, while 75,600 took the opposite direction. Whereas there was net in-migration from the EU to the UK in 1994, there was net out-migration from the UK to the EU in 2003. By contrast, figures remained virtually unchanged for migration to and from the USA in the same period, hovering around 26,000 and 28,000 in either direction. Thus, recent migration statistics do not support the view that there is some 'special relationship' between the UK and the USA. Instead, they confirm that, beyond the established patterns within the Commonwealth, all statistical indicators show a dramatic increase in the frequency of migration between the UK and the rest of the EU in either direction.

Migration data from Germany confirm this scenario. While official government statistics are

⁸⁶ <http://www.statistics.gov.uk/cci/nugget.asp?id=260> [site visited on 23 April 2006].

⁸⁷ *British National Statistics* (note 85), Table 2.1, p. 4.

⁸⁸ Excluding Non-EU Europe, the USA, the rest of America outside the Commonwealth and the Middle East.

parsimonious, the report on migration that the German Federal Government issued annually until 2004 is more elaborate. The report for 2004 lists 520,256 in-migrants from Europe, of whom 98,175 people held German and 133,167 people held EU citizenship (other than German). 35,951 people were in-migrants from Africa, 134,217 from Asia, of whom 23,557 were counted as ‘Germans from Kazakhstan’. 51,546 people came from the Americas, of whom 25,895 were US citizens, while 3,846 were registered as in-migrants from Australia and Oceania. For the same year, the report records 434,878 out-migrants to Europe, among them 153,652 moving within the EU, 23,726 out-migrants to Africa, 45,623 to the Americas, 69,563 to Asia and 4,732 to Australia and Oceania.⁸⁹ The figures confirm net in-migration to Germany from all of Europe, Africa, America and Asia, while they show net out-migration to Australia and Oceania and the rest of the EU. The largest single group of in-migrants producing net in-migration gains in 2003 were Kazakh citizens claiming German descent as entitlement for migration to Germany, and Italian nationals (10,100 people made up the net in-migration gain). 67.7% of all in-migrants to Germany come from Europe, 17.5% from Asia, 7.2% from America, Australia and Oceania together, and 4.7% from Africa in 2003. 70% of all out-migrants moved to another European state, of whom 25% chose EU destinations. Yet the most revealing figures concern migration between Germany and Poland. The numbers of in-migrants from as well as out-migrants to Poland have been highest for any single state sending migrants to or receiving migrants from Germany during the entire decade from 1994 to 2003.⁹⁰ Even at the time of the Bosnian War, there were more in-migrants from Poland than from Bosnia-Herzegowina. Throughout the period, the data show that 90% of the in-migrants held Polish nationality, whereas no nationality specification is available for out-migrants. German-Polish migration makes up 14% of all migration between Germany and any other single state. Of all recipients of newly granted working permits in 2003, 11% were Polish nationals, almost doubling the share of 6% for Turkish nationals.

The figures support the assumption that most of the migrants coming from Poland to Germany are neither remigrants claiming German descent nor ‘asylum-seekers’ or refugees from third countries using Poland as a transit state. Instead, they must be ranked as the beneficiaries of the PHARE and INTERREG border cooperation schemes that were put into operation with EU funding in 1990 and 1991.⁹¹ Applications for funds channelled into these so-called Euroregion schemes were solicited from local government institutions seeking cooperation across international borders, specifically demarcation lines that were then the outside borders of the EU. Among others, local government institutions in the

⁸⁹ *Migrationsbericht*. Aktualisierte Ausgabe, edited by Bundesministerium des Innern, Sachverständigenrat für Zuwanderung und Integration and Bundesamt für Migration und Flüchtlinge (Berlin, 2004), pp. 10-1, fig. 2, 3, 16, 17, at pp. 16-7, 73-79.

⁹⁰ 88,132 people coming from Poland in 1994, among them 9,486 ‘Germans’, against 103,408 coming from Russia, including 69,965 ‘Germans’. *Ibid.*, p. 73.

⁹¹ Takahashi, ‘Migration’ (note 63), pp. 251-5.

Neisse/Nysa region, stretching into the Czech Republic, Germany and Poland, succeeded in attracting national government and EU support for their cross-border cooperation projects about the advancement of environmental protection and the establishment of a cross-border labour market. The Neisse/Nysa Euroregion has been an engine for the promotion of cross-border migration since the 1990s. Obviously, migration within this region does not account for all migration occurring between Germany and Poland. But the scheme displays the mutually enhancing interdependence of migration and regional integration at the grassroots level. The data suggest that migration is not merely a factor but a definitional element of bottom-up regional integration that is connected with livelihood strategies but unrelated to questions of high politics.

Euroregion cooperation schemes have been widely heralded as the foundation upon which the expansion of the EU could become possible in 2004. But they are not confined to the eastern border of the EU. Instead, there is not a single European state now that is not linked with another European state (this includes Iceland) through cross-border local government cooperation schemes. These schemes are particularly intense at the borders between Switzerland and its surrounding EU countries. The schemes chart the thinning out of border regimes as the core effect regional integration, regardless of the administrative framework of the EU. They result from bottom-up initiatives of local governments and facilitate migration irrespective of the general direction of state or EU migration policy.

Japanese migration data round off the picture. While most out-migrants holding Japanese citizenship have persistently moved to North America, destinations in the Asia Pacific have been chosen with increasing frequency.⁹² More striking are the figures for alien residents in Japan. Of a total of 1,851,758 registered legal in-migrants in 2003, 625,422 had Korean, 424,282 Chinese and 169,359 Filipino nationality. They represented 1,219,063 people or about two thirds of the total population of legal alien residents. To this figures should be added the numbers of people known by the government to have overstayed their visas by January 2003. The total of these foreigners known to have no proper documentation, was 220,552, of whom 49,874 were Koreans, 30,100 Filipinos and 29,676 Chinese, altogether 109,650 people or close to 50%. There is also a large number of undocumented in-migrants of whom no official records exist.⁹³

The figures display a regional migration pattern in the making. Whereas out-migration from Japan has

⁹² Out-migrants to North America: 118,541 in 1997, 124,280 in 2002, that is, 44% of the total number of out-migrants. Out-migrants to the Asia Pacific: 25,811 in 1997, 34,549 in 2002. The statistics are from <http://www.kisc.meiji.ac.jp>, based on data from the Ministry of Foreign Affairs (site visited on 23 April 2006).

⁹³ See the sociological and political science studies by Hiroshi Komai, *Migrant Worker in Japan* (London, 1995). Komai, *Foreign Migrants in Contemporary Japan* (Melbourne, 2001). Tomonori Taki, *Globalisation, Labour Migration and State Transformation in Japan*, Ph.D. thesis, typescript (Coventry: University of Warwick, 2003).

followed the conventional trans-Pacific venues, with the migration of Japanese nationals to the Western Pacific on the rise, in-migration data disclose East Asia as a region that migrants are creating through their movements. The persistently high in-migration from East Asia to Japan defies all nationalist rhetoric, of which eruptions are recorded every once in a while in the daily media. Not surprisingly, a new notion of East Asia has been advocated for about ten years under the label of ASEAN-PLUS-THREE, blurring the conventional European distinction between East and Southeast Asia. Far from being merely a political or economic scheme, ASEAN-PLUS-THREE is a region emerging from the daily activities of migrants. Not merely because not all of these activities are always and by necessity legal in kind and raise concerns for human security of migrants and residents, but also through the emerging infrastructure of diaspora worlds, migrants are creating a transnational social space in East Asia and force governments to concur. Admittedly, the indicators are far from robust. But they are so in consequence of the lack of information about the regional concerns and interests of migrants and the lack of comprehensive and compatible regional migration statistics.

V. The migration policies of regional institutions

Despite its significance for regional integration, migration features rarely on the agenda of regional institutions or regional cooperation schemes and, if it does, it displays the interests and concerns of administrators and lawmakers of the sovereign states that are joining in these regional institutions and schemes. For example, when the ASEAN Directors General of Immigration Departments and Heads of Consular Affairs Divisions of the Ministries of Foreign Affairs (DGICM) gathered for their ninth meeting at Siem Reap-Angkor, Cambodia, from 9 to 11 November 2005, they agreed upon a joint statement that summed up their agenda in ten points. Three of these points dealt exclusively or primarily with crime-related issues, one with the intensification of border control within ASEAN, whereas the remaining six points related to procedural matters such as designating the chairperson of the meeting and the holding of further gatherings and cooperation with other migration-regulating agencies. Merely one point contained a brief reference to the 'movement of tourists, business and professional persons in the region'.⁹⁴ The meeting thus approached international migration from the point of view of administrators and lawmakers. Although, for a decade or so. ASEAN governments have been acutely aware of migration as an issue of concern for the region and have variously attempted to regulate labour migration and prevent the trafficking of women, they have done so mostly through unilateral decision-making or by involving such global agencies as the UNDP.⁹⁵

⁹⁴ Joint Press Statement of the 9th Meeting of the ASEAN Directors General of Immigration Departments and Heads of Consular Affairs Divisions of the Ministries of Foreign Affairs, Siem Reap-Angkor, 9-11 November 2005 (<http://www.aseansec.org/17855.htm>), site visited on 1 May 2006.

⁹⁵ Shuto, 'Labour Migration' (note 62), pp. 212-8. On security-related cooperation in Southeast Asia under the

ASEAN is not alone in its state-centric approach to international migration. In the EU, migration policy has rightly been termed a ‘by-product of the elimination of border-control’ among some EU member states.⁹⁶ Administrators from these states took initiative to abandon border checkpoints in the early 1980s in order to boost domestic support for EU institutions. In 1985 an agreement to that effect was signed at Schengen, Luxembourg. Simultaneously, they have warned that the enhancement of the freedom of movement within some EU member states could only be granted if the external borders of the EU were to be controlled more rigorously. Implementing these administrative concerns through its own legislation, the EU has devised a system of concentric circles subjecting the entire world to various migration regimes. Circle one consists of the so-called Schengen states. Circle two comprises EU states whose governments have not enforced the Schengen Agreements together with states, which are candidates for accession to the EU. Turkey, North African states and CIS states make up circle three, considered as territories for transit to the EU. Circle four takes in the rest of the world, from where migration into the EU is to be closely monitored, restricted or even prevented.⁹⁷

Within the EU perspective, international migration beyond EU borders is to take place under strict state control, whenever its destinations fall into circles one and two. Migration restriction clauses are to be negotiated between the EU and governments of states in circle three. To implement migration restriction, the EU established two agencies in 1992, the Centre for Information, Reflection and Exchange on Asylum (Cirea) and the Centre for Information, Discussion and Exchange on the Crossing of Frontiers and Immigration (Cirefi). Both agencies have been designed to gather data on undocumented in-migration to the EU. The EU has thus advanced intergovernmental Europeanisation in decision-making on migration policy. On occasions, the European Commission has proposed legislation to be implemented in the member states. Some EU proposals have been more liberal than member state regulations and have, consequently, been scrapped by state legislators.⁹⁸

Nevertheless, the EU has conceived and formulated its migration policy to the end of enforcing a strict separation of insiders from outsiders. The system of concentric circles aims at constituting the EU as a super-state with a uniform population of its own, pitched against the outside world. The system thus applies the theory of the nineteenth-century nation-state to a regional institution. EU migration policy is a regressive and top-down instrument for the fabrication of a collective EU identity. Strong political

auspices of the UNDP see Jörn Dosch and Loiver Hensengerth, ‘Sub-regional Cooperation in Southeast Asia. The Mekong Basin’, in *European Journal of East Asian Studies* 4 (2005), pp. 263-86.

⁹⁶ Dietmar Herz, ‘European Immigration and Asylum Policy. Scope and Limits of Intergovernmental Europeanization’, in *Migration, Regional Integration and Human Security*, edited by Harald Kleinschmidt (Aldershot, 2006), p. 236.

⁹⁷ For a review of the Schengen Agreements and EU migration policy see Geddes, *Immigration* (note 13), fig. 1.

⁹⁸ Herz, ‘Immigration’ (note 96), p. 238.

opposition against demands for the recognition of diversity after 9/11 2001 together with controversies over the accession of Turkey and Muslim minority rights in EU member states, combined with the increasing pressure on in-migrants and naturalised EU citizens to ‘integrate’ display a strong religious and cultural bias inherent in decision-making on migration policy.⁹⁹ In trying to prevent migrants from creating transnational social spaces, the EU attempts to turn the clock back and to advance top-down regional integration without willingness to admit and accept migration. The topic of the making of migration policy at regional levels is wide and warrants a careful analysis of its own. Suffice it here to say that, as yet, there is no empirical case of a regional institution that has shown willingness to recognise the capacity of migrants to create transnational social spaces at regional levels.

VI. Conclusion

Much of decision-making on migration policy appears to continue following well-trodden paths at national, regional and global levels. Widely heralded and long-cherished negative administrative stereotypes about migrants are holding sway. While ‘new migration’ has begun to transform academic attitudes towards migration, raising respect for personhood taking into account the autonomous pursuit of livelihood strategies and stimulating respect for autonomous decision-making capacities of migrants have had no more than limited appeal to administrators, lawmakers and some social scientists. Competence to regulate migration has continued to constitute the hallmark of sovereignty, although professional globalists in the UN family have accepted migration as a global issue. The need for inter-government consultation on the making and enforcement of migration policy has been acknowledged, although within a reasoning that connotes migration mainly with deviant behaviour if not crime. Yet most legislative and executive institutions of sovereign states continue to make decisions on migration issues unilaterally, even within the EU. State and regional institutions mutually support each other in conceiving migration policy largely in terms of the enforcement of migration restriction and claim that, in doing so, they are acting for the purpose of providing security to the population under their control. Lawmakers, administrators and some social scientists operate within the legacy of the nineteenth-century European social and political theory of the nation-state. They have continued to do so even though the feasibility and legitimacy of nationalist attempts to ‘build nations’ through administrative and legislative measures has been contested.

However, anxieties, fuelled by frightening scenarios of scores of strange, angry and differently looking

⁹⁹ Behr, ‘Myth’ (note 51). Harald Kleinschmidt, ‘EU Migration Policy’, in *Area Studies* 22 (Tsukuba, 2004), pp. 1-23. Jens Magleby Sørensen, *The Exclusive European Citizenship. The Case for Refugees and Immigrants in the European Union* (Aldershot, 1996).

people *ante portas* have only focused public attention and significance on long-distance intercontinental migration despite the acknowledged fact that only a relatively small number of people move back and forth across continents. Moreover, these scenarios have helped boost disregard for the security of migrants and have therefore been of doubtful legitimacy. Typically, such scenarios have been voiced when increases in the efficiency of border control, concerns for the prevention of migration-related crime and demands for mandatory 'integration' programmes were becoming articulate. But these scenarios have represented international migration as a monstrosity that belongs to the realm of fiction. Many of the measures demanded and implemented have had an explicitly xenophobic touch and have therefore been counterproductive. The recent unilateral decision of the Dutch government to make the passing of a Dutch language test conditional for the issue of residence visas for in-migrants from non-EU states demonstrates that non-EU in-migrants are not welcome in that state. Further examples from recent times are galore.¹⁰⁰ It is not difficult to predict that such measures will result in an increase of the undocumented migration of people determined to move.

Yet there is a further consideration. The unwarranted focus on intercontinental migration, enshrined in much of conventional migration policy-making, has obfuscated not only the significance of migration within regions of various sizes and denominations; it has also prevented administrators, lawmakers and some social scientists from deepening their knowledge of the interconnectedness of migration with security issues and regional integration. At a time when a rapidly increasing number of lawmakers and administrators are busy advancing schemes for regional integration and cooperation virtually everywhere in the world, migration policy is unlikely to be implemented successfully as long as it continues to be classed as the property of sovereign states. If the doings of international migrants make the external borders of sovereign states threadbare and if they flexibilise state populations, they are grassroots creators of transnational social spaces at multifarious regional levels. In this context, it appears to be the genuine task of social scientists to provide for and promote insight into the mutually enforcing cross-effects of migration and regional integration. Without that insight, efforts to increase the human security of migrants as well as residents may be doomed to fail, if only for the theoretical argument that security is not divisible. If security can only be accomplished when it embraces migrants as well as residents, the conventional state-centric attitude to migration policy must be given up.

¹⁰⁰ The government of the Netherlands is reviewing its immigration policy under the goal of restricting immigration, with Prime Minister Balkenende advocating the introduction of immigration rules similar to those of Australia in April 2006 (<http://jurist.law.pitt.edu>) [site visited on 16 May 2006] and Immigration Minister Rita Verdonk defending the introduction of the language test with the argument that hopes for the 'integration' of in-migrants have allegedly been unrealistic. Even if Balkenende's government collapsed over its stance on migration policy in June 2006, there is no indication that the resulting political crisis in the Netherlands may entail a reversal of anti-immigration policy. In the USA, President George W. Bush has repeated his stance on migration already argued during the presidential election campaign in 2004, when he called for stricter law enforcement against undocumented migrants and more rigorous border control (<http://www.issues2000org>) [site visited on 16 May 2006].

