AMBIGUOUS CITIZENSHIP IN AN AGE OF GLOBAL MIGRATION

AOILEANN NÍ MHURCHÚ

Ambiguous Citizenship in an Age of Global Migration

Line.
A trace.
Understanding a space.
Our relationship,
Mapping.
Putting ourselves into context,
By which we measure ourselves,
Time.
Repeating.
Process. Material. Marks.

Priya Chohan[1]

Citizenship . . . is a more confounding concept than most who employ
the word usually recognize.

Linda Bosniak[2]

[1] © Priya Chohan, untitled and undated poem.
[2] Linda Bosniak, *The Citizen and the Alien: Dilemmas of Contemporary Membership* (Princeton, NJ: Princeton University Press, 2006), p. 1.

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Parts of this book have appeared elsewhere at earlier stages in the project and I would like to acknowledge these publications as follows:

- Elements of Chapter 2 which outline existing analysis of the 2004 Irish Citizenship Referendum along with elements of Chapter 1 which consider an alternative way of approaching the politics of citizenship were published as 'Thinking Citizenship and Its Constitutive Subject: Interrogating the 2004 Irish Citizenship Referendum Debate', *Citizenship Studies* 15(2), 2011, pp. 161–80.
- Part of the discussion in Chapter 3 along with my argument in Chapter 6 regarding two diverging approaches to dealing with the crisis of sovereignty were published as 'Citizenship as Absolute Space, Citizenship as Contingent Trace', *Alternatives: Global, Local, Political* 35(4), 2010, pp. 373–401.
- Finally, parts of Chapter 4 which consider examples of less-than state sovereign experiences of citizenship in Ireland are based on the article 'Beyond a "Realistic" New Cosmopolitan Ideal in the Irish Context: A Non-Sovereign Politics of Solidarity', *Translocations: Migration and Social Change* 6(2), 2010.

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Abbreviations

AkiDwA	Akina Dada wa Africa: The Migrant Women's Network
CADIC	Coalition against the Deportation of Irish Children
CCS	critical citizenship studies
CRA	Children's Rights Alliance
DJELR	Department of Justice, Equality and Law Reform
ECJ	European Court of Justice
EEA	European Economic Area
EU	European Union
FF	Fianna Fáil
ICCL	Irish Council for Civil Liberties
IHRC	Irish Human Rights Commission
NCCRI	National Consultative Committee on Racism and Interculturalism
PD	Progressive Democrats
SF	Sinn Féin
TD	Teachta Dála
UK	United Kingdom
UNICEF	United Nations International Children's Emergency Fund
USA	United States of America

Translations

akidwa*:* sisterhood (Swahili)

Bunreacht na hÉireann: Constitution of Ireland (1937)

céad míle fáilte*:* welcome (literally 'a hundred thousand welcomes')

Dáil/Dáil Éireann: Assembly/Assembly of Ireland (lower house, Irish parliament)

Fianna Fáil: Soldiers of Ireland (Irish parliamentary party)

Fine Gael: Tribe of the Irish (Irish parliamentary party)

Oireachtas: Parliament

Seanad/Seanad Éireann: Senate/Senate of Ireland (upper house, Irish parliament)

Sinn Féin: We Ourselves (Irish parliamentary party)

Tánaiste: Deputy Prime Minister

Taoiseach: Prime Minister

Teachta Dála (TD): Member of Parliament

Introduction

In migration contexts, citizenship marks a distinction between members and outsiders based on their different relations to particular states.

Rainer Bauböck[1]

Citizenship is cast as the state's revenge [in] the functioning of the migration law–citizenship law dichotomy ... Citizenship law ... becomes a site to observe a sharp illustration of globalization's paradoxical nature: both inclusions and exclusions are multiplied here.

Catherine Dauvergne[2]

The relationship between citizenship and migration is usually seen in terms of sharp distinctions between insiders and outsiders. As Bauböck and Dauvergne show, statist perspectives continue to dominate when thinking and talking about citizenship, even in a recognised postmodern world. This book is an empirically informed theoretical critique of the assumption underpinning such scholarship; namely that we must continue to understand the politics of citizenship in terms of sovereign presenting subjects who can always be defined vis-à-vis their relationship with the state – as included or excluded from it. It seeks instead to highlight the challenges which migration poses to the notion that we can continue to think about subjectivity unproblematically in terms of such a statist (and therefore a modern) framework. This book asks whether the emphasis on mobility and fluidity which migration assumes – which is now a more general feature of a globalised world – does not undermine precisely this idea of a sovereign and autonomous subject which is connected to, but

ultimately separate from, political community. Can we really continue to make sense of political subjectivity in terms of the sovereign state and the idea of continuing (if blurred) distinctions between inclusion and exclusion, particularism and universalism, inside and outside? Or, is it not precisely this dualistic framework which needs to be rethought?

Citizenship is understood here as a category which is linked to, but cannot be reduced to, an idealised inclusive status. It is explored instead as a category which is inseparable from questions about 'foreignness', 'strangerhood' and 'otherness' and from experiences through which people participate as members of a political community despite not always being recognised as full members of that community. This is to refuse the dominant story of citizenship: told about a group of people whose identity as citizens is articulated at the same time as another group is defined as strangers, outsiders and Others – lacking properties deemed necessary for citizenship. Instead of conceptualising citizenship as a fully equal and democratic concept which some people inhabit and others fail to inhabit, I explore how it can be understood as a story about *contestation* between understandings of citizenship and non-citizenship which are lived out in people's everyday lives. I specifically explore how such processes of contestation are part of the lives of intergenerational migrants and thus how they embody the ongoing ways in which people engage in be(com)ing political subjects. This alternative story of citizenship is explored by engaging throughout the book with the more dominant story of citizenship, rather than dismissing it, so as to understand what is involved in thinking about citizenship in this alternative manner.

The starting point for this book is the understanding that we live in an age in which migration is widespread and therefore that identity is increasingly fragmented, overlapping and complex. I use this starting point, to problematise the continued reliance in existing citizenship scholarship on the notion of the modern sovereign individual subject as the lowest unit of analysis, who is understood in terms of their continued ability to hold rights against the state. The book turns away from this understanding in favour of a more ambiguous one regarding the in-between, frag-

mented and trace-like nature of political identity and belonging, which I demonstrate cannot be reduced to the question of sovereign presence – that is, to the question of inclusion or exclusion via (either beyond or through) the state. The book's overall focus is the following question: 'How can we understand and address the limitations of how political subjectivity is conceptualised in dominant citizenship scholarship?'

Dominant citizenship scholarship is interrogated through the work of Étienne Balibar, Engin Isin and R. B. J. Walker. The work of these theorists can be linked to the emergent field of critical citizenship studies (CCS), which focuses on the need to think about citizenship beyond presence and instead as process. Presence is linked to an understanding regarding status, resolution and sovereign essence. Process, however, is linked to the idea of rupture and difference. Using the work of Balibar, Isin and Walker, state sovereignty is explored in this book as a practice which implicates a particularly modern way of knowing and being. My key argument is that continuing to theorise citizenship vis-à-vis the state prioritises a metaphysics of presence; it does so by reinforcing an assumption about political life and the possibility for citizenship which corresponds with a specific conception of space as independent of its physical content and of time as linear and progressive.

This book explores what a citizenship framework based on a metaphysics of process rather than one of presence would look like. It does so by drawing on the work of Julia Kristeva. It argues that a framework based on the metaphysics of process would allow us to consider how becoming citizen[3] might be based upon disruptions and discontinuities, figuring in indeterminate times and spaces, and not simply conceptualised as extended in time across the absolute space of modern subjectivity. Unlike a metaphysics of presence, which reifies the conception of absolute space, I argue that a framework based on a metaphysics of process would allow us to think about citizenship as trace.

Inquiry into the question of belonging and political identity in citizenship scholarship is normally presented as revolving around an opposition between critical and non-critical approaches to citizenship. This book is directed, however, at highlighting the

reliance which certain critical approaches continue to have on modern subjectivity through appeals to sovereignty.[4] It emphasises the need to distinguish between two (broadly defined) types of possible critical attitudes to theorising the politics of citizenship: one which works within a modern conception of what political subjectivity can be, and another which sets out specifically to problematise modern conceptions of time and space within which we have come to *assume* that political subjectivity must be located.

<p style="text-align:center">*</p>

Dominant citizenship scholarship defines the politics of citizenship as a clash between particularistic statist ('restrictive') and universal post-statist ('liberal') models of citizenship.[5] Such an approach informs how we should think and talk about citizenship. I am calling this 'the Citizenship Debate'.[6] This scholarship specifically highlights how migration has long been posed as a problem within the context of national borders; fears are expressed about the difficulty for national societies to absorb large quantities of migrants if they are also to maintain a meaningful concept of citizenship which provides for economic, political and social cohesion. Current citizenship scholarship conceptualises this particularistic perspective as that which appeals to an exclusive concept of citizenship by relying on the primacy of the nation-state as the rightful (and only realistic) basis for political community. It argues that this particularistic exclusive model of political membership is increasingly being challenged by a universal model linked to a more inclusive post-national or trans-national understanding of political identity and belonging.

What this book calls into question, however, is the very idea that the latter universal inclusivist model does indeed challenge the former particular exclusivist model. I argue that in the universal inclusivist perspective citizenship continues to be defined in terms of state sovereignty. I do not deny that the universal inclusivist model presents concerted efforts to interrogate separately the notions of 'individuality' and 'the state'. What I point to, however, is that these concepts continue to be taken as analytical categories in their own right by this wider citizenship scholarship.

There is an ideal of subjectivity which continues to underpin this universal model: an ideal of subjectivity as autonomous and sovereign in the last instance. I use the word 'ideal' here to emphasise that as well as an attempt to capture how citizenship does work, there is also a normative assumption regarding how citizenship *must* work. Subjectivity continues to be conceptualised as connected to, but ultimately separate from, political community and from others within the political community. Current citizenship scholarship explores how migration challenges where boundaries should be drawn in political life – via the state or beyond the state. It fails, however, I argue, to move beyond the basic idea that the framework itself for politics and political subjectivity should be defined in the first place in terms of the statist framework of boundaries between inclusion and exclusion, inside and outside, 'us' and 'them', which need to be resolved.

The emphasis on a clash between particular exclusivist ('restrictive') and universal inclusivist ('liberal') models of citizenship has been particularly pronounced in recent decades in the context of proposed changes to birthright citizenship provisions, also known as *jus soli* provisions. In the past three decades there have been many such legislative changes – for example, in Australia (1986), India (1987), South Africa (1995), New Zealand (2006) and several European states (including the UK (1981), Belgium (1992), France (1993 and 1998), Germany (2000) and the Republic of Ireland (2004)). There have also been ongoing calls in countries such as the USA for similar changes.[7]

I focus on European legislative changes and experiences in this book. While I concur with many others that there is a need to develop an analytical framework capable of grasping the specificity and complexity of global migrations, I have chosen to locate this book, and more specifically, to locate my exploration of the Citizenship Debate in the context of European legislative changes and experiences for several important reasons. We are witnessing a change in how difference (Otherness) is being articulated in the context of citizenship – albeit to an understanding that was implied in the very beginning of the theoretical and practical work which produced the unity of European space. Traditionally the distinction between citizen and subject has been located at the

borders of Europe and the wider Western world. Subjecthood has been placed outside – in the colonies – and contrasted with the internal homogeneity of the 'universal citizen'. As Enrica Rigo explains, 'Difference resided outside borders, be they the nation's or the community's boundaries, or those extended over an ideal *cosmopolis*.'[8]

Today, it is increasingly understood that the positioning and functioning of borders are no longer located at the margins but have been 'dragged into the heart of Europe because they follow the biographies of those individuals whose mobility is limited'.[9] As Walter Mignolo notes, 'Yesterday . . . difference was out there, away from the centre. Today it is all over, in the peripheries of the centre and in the centres of the periphery.'[10] Put simply, there is fragmentation of political subjectivity within 'the centre' itself which challenges the wider framework of centre/periphery, metropolis/colony, citizen/subject which we have come to rely on in trying to think about the nature of 'global' migration.

This book is part of a wider project, to consider how Europe is being constructed as 'a *heterogeneous space*' producing a 'movement of *selective and differential inclusion* of migrants'.[11] This is a selective and differential inclusion of migrants (a complex overlapping hierarchy of belonging) rather than simply the exclusion of migrants. Informed by the contemporary politics of mobility, the result is a plurality of statuses and experiences which are linked to a variety of hierarchies along ethnic and racial lines.[12] This book is set within a growing awareness therefore regarding the production of different forms of citizenship – 'irregular citizen',[13] 'illegal citizen',[14] 'undocumented citizen',[15] 'alien citizen'[16] – rather than simply the ongoing differentiation of citizens from non-citizens. As Linda Bosniak has highlighted in her work, citizenship is complicated precisely because there is a proliferation in the (often contradictory) *forms* of citizenship, given the important role which it plays in defining 'our' own identities as well as the treatment of 'foreigners'.[17] The result is not experiences of being included or excluded from the state; but rather experiences of being caught somewhere between inclusion and exclusion, citizenship and migration. It is this that I am calling 'ambiguous citizenship'.

The question of different forms of political belonging – often referred to as 'substantive' versus 'formal' citizenship – has previously been considered in citizenship scholarship. However, traditionally these discussions have been focused at the level of what Rogers Brubaker refers to as the 'internal politics of belonging'.[18] The internal politics of belonging – 'the politics of citizenship *in* the nation-state' – has been distinguished from the external politics of belonging – 'the politics of belonging *to* the nation-state'.[19] Although there have been attempts to explore how the internal and the external politics of belonging are already (or can be further) interconnected, citizenship continues to be conceived as a national bounded project – 'a nationally situated and nationally framed project'[20] – and thus the division between citizen (inside) and non-citizen (outside) is taken as an often problematic but nonetheless necessary starting point.

The approach taken in this book aims to rethink how global migrations are changing; they are less usefully understood in terms of the exclusion of the non-communitarian foreigner who comes from outside the centre, and better understood in terms of generating exclusions from within the centre(s), via the development of various different types of citizen. What this book seeks to draw attention to is how the Citizenship Debate reinforces a global system of rule which maintains the existing hierarchies of belonging, albeit inadvertently. It draws the 'outside' – the refugee, the second-generation migrant, the asylum seeker, the economic migrant – into the European political sphere, but in such a way that they are also simultaneously expelled because they are considered less than full citizens by continuing to be defined as the Other in need of inclusion.

The approach of focusing on European legislative changes in this book does not preclude the necessity of engaging in critical debates on migration outside the context of migration to Europe and its ex-settler colonies and considering other histories and experiences of migration, including migration which can be termed 'South-South'. However, re-evaluating the role of migration in Europe – by questioning and rethinking the presumption that difference and subjecthood continue to be associated with residing outside its borders – is also an important process in

enabling us to 'decentre our critical gaze'.[21] It allows us to begin to think about the 'global' in the context of a proliferation of borders everywhere, rather than in terms of neat clear lines drawn under colonialism at the edges of Europe and/or at the edges of the territory of its member states distinguishing inside and outside, centre and periphery, citizen and non-citizen, marginalised and non-marginalised.

While selecting a focus is necessary in any project, the corollary is that all projects must remain aware of their limitations. This study therefore remains self-consciously partial and invites further scrutiny from a range of different critical perspectives on the question of understanding and addressing the limitations of how citizenship is conceptualised.

It is important to note that my argument is not that everyone now lives in an eternal postmodern present dominated by fragmentation, dislocation and process; nor that those who do, do so in the same way. Rather I explore the particular implications in these experiences for certain people's lives, mainly intergenerational migrants but also first-generation migrants. Furthermore, this should not be taken to mean that ambiguity is limited to such groups, who are understood as 'the diasporic and the hybrid'.[22] Coherent presence is impossible for any group in its entirety. By highlighting the precarious boundaries between 'citizen' and 'migrant' here, it should be recognised that 'citizenship' has never been, nor will ever be, a fully bounded and coherent category which opposes itself to 'non-citizenship'. Rather 'citizen' and 'migrant' are categories which constantly challenge and undermine each other, as scholars such as Cynthia Weber as well as Judith Butler and Gayatri Spivak have demonstrated very recently.[23] It is for this reason that exploring the relationship between citizenship and migration helps us to understand the category of 'citizenship' better.

Ambiguity should furthermore not be associated with liberation and freedom from the terrain on which the apparatuses of domination and exploitation operate. Some type of resistance is implicit in the idea of ambiguity on the basis that the 'place' assigned to migrants is always in question; but this resistance is by no means guaranteed or set out in advance. The terrain of ambig-

uous political subjectivity is not limited to any particular type of resistance but instead implies many different possible forms – those which are reaffirming of more dominant sovereign power relations, as well as those which undermine and challenge them; they may be yet unthinkable as well as thinkable.[24] Although I highlight the failure of sovereign power to absorb all legitimating power in respect of political subjectivity, it is outside the scope of this book to define the exact nature of new configurations of power in the making or already at play – including those that are currently reconfiguring 'statehood' itself. Rather I focus on the question itself of ambiguity vis-à-vis citizenship and explore how we might understand experiences of ambiguity better. Only with such an understanding can we ask questions in specific contexts as to what constitutes 'innovative practices of resistance and struggle',[25] or new state sovereign power formations.[26]

The 2004 Irish Citizenship Referendum and Citizenship as Trace

This book looks at scholarship surrounding two key European legislative changes to birthright citizenship – in Britain in 1981 and France in 1993 – as well as a more recent legislative change in one particular European country: the 2004 Irish Citizenship Referendum.[27] It uses analysis of the 2004 Irish Citizenship Referendum as a lens through which to explore and illuminate the limitations of wider citizenship scholarship in more detail.

The 2004 Irish Citizenship Referendum has been chosen for a number of reasons. In the first instance, it resulted in the most recent and significant change to legislation in the area of birthright citizenship in Europe and follows similar changes made in countries such as India, South Africa and Australia. It has thus become a focus for many discussions about changes to and attempts to rethink citizenship.[28] It also intersects with 'simmering academic debate' in countries such as the USA, Canada and the Dominican Republic about the need or not to repeal existing constitutional provisions for automatic birthright citizenship.[29]

In the second instance the existing analysis of this referendum

very clearly reflects the dominant acceptance within wider citizenship literature about how the politics of citizenship should be posed: in terms of a clash between particular exclusivist and universal inclusivist models of citizenship. It thus provides a focus for exploring the wider global system of rule which defines options for the politics of citizenship in binary statist terms. Thirdly, the 2004 Irish Citizenship Referendum raises an issue which has been an ongoing topic of discussion globally. This is the question of how the rights of children born to migrants to have their parents live with them in their country of birth conflict with wider national immigration regulations in cases where these migrant parents have irregular status.[30] This question was raised again in 2011 at a European level through the Zambrano case (discussed below). Focusing on the 2004 Irish Citizenship Referendum thus provides us with a contemporary context in which to consider key issues surrounding citizenship and its relationship to migration which have been raised in the past and which continue to be important today in discussions about citizenship and how it should be regulated.

The 2004 Irish Citizenship Referendum

The 2004 Irish Citizenship Referendum abolished automatic entitlement to birthright citizenship, which had been in place since the foundation of the Irish state. Automatic entitlement to birthright citizenship had been inserted in 1998 as Article 2 into Bunreacht na hÉireann (the Constitution of Ireland, 1937). Prior to this it was provided for in statute or in the founding Free State Constitution.[31] Article 2 declared that it was both the entitlement and birthright of 'every person born in the island of Ireland . . . to be part of the Irish Nation and to be citizens of Ireland'.[32] The amendment put forward in the 2004 referendum proposed, however, to limit birthright citizenship to a person who 'at the time of his or her birth [. . .has] at least one parent who is an Irish citizen or entitled to be an Irish citizen'. This amendment was proposed by the Irish government. They argued that it was necessary to prevent migrants circumventing the immigration process by applying for residency solely on the basis of being

the parents of an Irish citizen child. The government argued that many migrant parents were doing this after their asylum claims had been rejected. Despite significant objections, the government's proposal to restrict birthright citizenship to the children of existing Irish citizens was passed via referendum on 11 June 2004 by a four-to-one majority.[33]

Existing analysis of the 2004 Irish Citizenship Referendum explores the issue from a variety of perspectives: namely, cosmopolitanism, gender, race, class and human rights. That said, all the existing analysis emphasises the need to understand this issue first and foremost in terms of the role of the modern territorial state, and the question of whether it accurately controls or unfairly limits migration. As in citizenship scholarship more widely, the politics of citizenship is defined here as a clash between particular statist and universal post-statist (or trans-statist) perspectives on political community.[34]

Many of the issues raised in the 2004 Irish Citizenship Referendum have come to the fore in a recent 2011 ruling in the ECJ known as the Zambrano case.[35] The Zambrano case once again places a spotlight on the rights of citizen children born to migrant parents; in particular, the question of whether these rights can come into conflict with national immigration laws. The Zambrano ruling involved a couple of Colombian nationality who had applied for asylum in Belgium. Their application was rejected. However, while awaiting a decision on their application, Mrs Zambrano gave birth to two children, who acquired Belgian citizenship. Mr and Mrs Zambrano attempted subsequently to apply for residency as the parents of Belgian citizens. Although this application was also initially rejected, Mr and Mrs Zambrano challenged the rejection and their case subsequently came before the ECJ. The ECJ eventually ruled that EU law precluded national measures which might have the effect of depriving citizens of the union of 'the genuine enjoyment of the substance of the rights conferred by virtue of [their] status as citizens of the union'.[36] According to the court, the refusal to grant residency and a work permit to the parents of Belgian (and therefore European) citizen children amounted to such deprivation. The court, as such, ruled that the Belgian authorities must grant Mr and Mrs Zambrano

a residency permit given that they were the parents of Belgian citizen children.

This book does not attempt to provide a new solution to the Zambrano case and say how it should be understood. What it does attempt to do is to consider how the Zambrano case and similar cases in the future might be approached from a different starting point to the current emphasis on particularism and universalism, inclusion and exclusion vis-à-vis the state. This book emphasises that subjectivity theorised in terms (always) of an ability to resist against and/or transcend the boundaries of the state reinforces a particular assumption about what and where political life (citizen-subjectivity) can be; this is an understanding which is associated with a neutralised, yet nonetheless persistent, dualism of us/them, inclusion/exclusion, marginalisation/non-marginalisation.

The subjectivity of citizen children born to migrant parents is an example of the complex ambiguous subjectivity which is denied a place in the politics of citizenship as currently theorised in cases such as the 2004 Irish Citizenship Referendum and potentially the Zambrano ruling. This is because such children are neither 'included in' or 'excluded from' the state as individuals, but in between both positions. The experiences of such children at the centre of these disputes therefore challenge the absolute spatial and linear temporal understanding of moving from outside the state as migrant, towards the inside of the state and becoming citizen. These children born to migrants experience citizenship in disjunctive spaces and at particular, mostly inconsistent moments, rather than as individuals who either are or are not included in the state and eventually become full citizens of the (pre-existing) political community.

I consider how such experiences of political subjectivity undergone by these children share similarities with their parents' experiences. These are increasingly understood in CCS literature as linked to ambiguity ('irregular'[37]) given that they too get caught between inclusion and exclusion, between belonging and non-belonging as they are often neither strictly legal nor illegal but move between these positions. However, I also emphasise that the experiences of these children need to be differentiated from those of their parents in terms of how this ambiguity is experienced.

I challenge in this book the idea that we need to conceptualise citizen-subjectivity as always figuring in temporal progression within coexisting spaces – moving from exclusion to inclusion, from outside to inside – as is emphasised at present in existing inclusivist citizenship scholarship. I argue that we need to consider how citizenship can be experienced beyond the exclusive realm of sovereign dualistic space and instead in terms of trace.

Citizenship as Trace

A trace is a mark. It is defined by its incompleteness, its partial nature. We talk about traces which are left behind by people, objects, history, events. Trace is always therefore less than; it always refers to something else and is incomplete in itself. I argue that conceptualising citizenship as trace allows us to consider political identity and belonging beyond the idea of a coherent 'who', a sovereign individual. It provides us with a way of thinking about citizenship other than through endless discussions about who is or who is not abusing citizenship, who is or who is not entitled to citizenship or who is and is not resisting citizenship, which currently dominate the Citizenship Debate.

Theorising citizenship as trace permits us instead to concentrate on the increasingly momentary fragments of self through which citizenship can operate beyond the idea of a sovereign presenting subject that is included or excluded from the state. Theorising citizenship as trace allows us to imagine how political identity and belonging can be similar to but also fall short of the understanding of modern political subjectivity defined in terms of coherent dualistic spaces associated predominantly with a bounded exclusionary 'migrant' space or inclusionary 'citizen' space. Instead it emphasises how citizenship can be experienced in terms of overlapping, fragmented and incomplete experiences which combine elements of both inclusion and exclusion, belonging and not belonging, past and present – in more and less permanent ways – without being reducible to either.

This book interrogates existing citizenship scholarship in order to arrive at the notion of citizenship as trace by drawing on and, most importantly, drawing out the implications of

the work of Étienne Balibar, Engin Isin and R. B. J. Walker.[38] The work of these theorists in their own separate ways has been integral to contributing to a new emergent field of critical citizenship studies; however, such work has not yet necessarily been considered together. This emergent field is one which emphasises the need to think about how citizenship can be experienced beyond status, resolution and sovereign presence linked to dualisms, and instead in terms such as 'irregularity',[39] 'contestation',[40] 'disruption'[41] and 'encounter'.[42] In this book I draw out the implications of the arguments made by Balibar, Isin and Walker and consider how their ideas can complement each other. I discuss how these ideas can in turn be linked to and understood in the context of a more general challenge against a state-orientated focus, associated with the (loosely defined) field of poststructuralism. I engage at length with Balibar's, Isin's and Walker's work – including by contextualising it within the wider field of poststructuralism – in order to highlight the limitations of the existing dominant citizenship literature.

What I argue in this book is that the work of Balibar, Isin and Walker presents a very different approach for theorising political possibility to that of the 'particular statist versus universal post-statist' focus presented in dominant citizenship analysis. Their work points to the constructed nature of how citizenship and citizenship-subjectivity have come to be understood in terms of an opposition between statist and post-statist forms of community which needs to be resolved, rather than taking this opposition for granted as the way we must understand citizenship. This work historicises the assumption that political subjectivity has to be defined vis-à-vis its relationship with the sub-, supra- or transnational state in this manner.

I draw on Julia Kristeva to consider how to conceptualise subjectivity beyond a modern sovereign-bounded understanding. Her work complicates the clean lines which have been imposed by modernity between inclusion and exclusion, inside and outside, identity and difference. It does so by developing a notion of subjectivity which is ruptured in itself; this is a subject which is constructed by virtue of exile, separation and foreignness as that which is always already within the subject, as opposed to that

which it is defined against. I argue that Kristeva's work provides an alternative basis for exploring citizenship by conceptualising a different way of thinking about human Being. This is an understanding of being human which is no longer based on a metaphysics of presence vis-à-vis the state – as inside or outside, included or excluded – but is instead based on an ontology of plurality and hybridity.[43] This allows for a different conception of time and space for how the politics of citizenship could be articulated.

One of the major contributions of this book therefore is that it provides a way of recognising the significance of, yet rethinking, the truth that citizen-subjects hold rights against the modern bounded territorial (sub-, supra- or super-) state. It does so by re-engaging with the way in which we have been told the 'self' must be conceptualised; it challenges the idea that this must be conceptualised in terms of absolute spatial and linear temporal boundaries between inside and outside, inclusion and exclusion, past and present. It emphasises instead the alternative ways in which political subjectivity is being experienced and how its possibilities can be reimagined in order to take such experiences into account.

Dominant citizenship scholarship has in recent times moved towards ever more 'nuanced, variegated and dynamic perspectives' on the question of determining who is included in the concept of 'the people', and accordingly who is excluded.[44] This literature no longer focuses on the question of inclusion versus exclusion, but instead on a more sophisticated understanding of 'the symbiotic processes of inclusion and exclusion, which form the kernel of citizenship as a concept and a practice'.[45] It considers how restrictive measures directed towards certain people, namely migrants, work within liberal citizenship models. Yet, this more nuanced emphasis remains dictated by the sovereign dualistic parameters of inclusion and exclusion. This citizenship literature explores an ever-increasing range of people who are excluded from citizenship: this includes refugees, asylum seekers, the stateless, aliens, migrant women, migrant children and the descendants of migrants.[46] Nonetheless, it continues to focus on the notion of a coherent subject who *can* be included and excluded from citizenship.

Such citizenship scholarship can be contrasted with a growing

body of literature which points to the fragmented and disjunctive nature of politics linked to the increasing fluidity of borders.[47] Deriving its inspiration from the latter, what this book does is to put the included/excluded modern bounded territorial framework itself under scrutiny. Rather than taking for granted that such a modern sovereign framework needs to be adopted as a necessary starting point, this book explores the way in which some groups often experience citizenship in spatially fragmented and temporally inconsistent ways. It argues that these are not experiences of being citizen which require redrawing the boundaries of political community and identity more inclusively. Rather, they are experiences which challenge the idea that citizenship must be conceptualised in terms of territorial spaces intersected by coherent boundary lines – between 'us' and 'them', inside and outside, past and present, particular and universal – in the first place.

The line of inquiry pursued in this book acknowledges and aims to build upon the new emergent field of CCS, which emphases the need to think about how citizenship-subjectivity can be experienced beyond sovereign status. It considers citizenship-subjectivity from a perspective currently under-addressed within the CCS literature however: intergenerational migration. Thus far the CCS literature has focused, with a few notable exceptions,[48] mostly on how first-generation irregular migrants undermine the existing statist spatio-temporal political discourse on citizenship by acting as political subjects in ways which challenge the statist monopoly on understandings of who can and who cannot be considered part of the political community. This includes migrants who have crossed borders illegally, have over-stayed visas, have fled conflict and disaster or are seeking asylum from political persecution.

As demonstrated, for example, in Anne McNevin's recent book, this literature explores how first-generation migrants 'whose ongoing presence is not officially sanctioned by the state in which they reside' nonetheless play a role in shaping the society from which they are excluded; they seek and obtain political rights in places they do not belong.[49] The CCS literature emphasises how irregular migrants complicate ('contest') the boundaries of the community in which they reside and the territorial bounded framework of citizenship more generally, given the way in which

they constantly vacillate between the categories of 'us' and 'them', insider and outsider – inhabiting both and neither.

This book emphasises, as such, the need to widen the focus from first-generation migrants if we want to understand citizenship in an age of global migration. It explores the question of intergenerational migration experiences of political subjectivity associated with rupture, difference and process. This focus on intergenerational migration allows us to consider a wider variety of ways in which citizenship can be understood beyond status and presence. What this book seeks to demonstrate is that it is not only irregular migrants but also their children who undermine the traditional boundaries of citizenship and the parameters of political belonging by mobilising alternative forms of subjectivity – neither citizen nor non-citizen, neither fully nationals nor fully non-nationals. It explores how they too reside in what Sandro Mezzadra refers to as the 'elusive borderzone' between inclusion and exclusion, between inside and outside.[50] As Mezzadra notes, exploring these latter experiences which are linked to more 'regular' migrants is useful to ensure that we continue to challenge the dichotomy between regularity and irregularity inherent in the historical discourse of citizenship.[51]

Theorising less-than sovereign political identity as 'trace', as I do in this book, further contributes to the existing CCS literature by providing a much-needed alternative metaphorical starting point for thinking about such experiences of citizenship. Trace is a metaphorical starting point which emphasises discontinuity, process and fragmentation linked to the importance of tension and lines; it thus presents an alternative way of thinking about citizenship (as has been increasingly called for[52]) to the determinative dominant logic of the dualistic space of inclusion/exclusion, particularism/universalism, which emphasises ideas of essence, regularity and consistency.

Outline of the Book

Discussions surrounding legislative changes generate mountains of analysis and reportage as well as forests of texts. As such, the

source material consulted for the purposes of this book is wide and varied. It includes parliamentary debates; government publications and information documents; government party speeches and press releases; European legal ruling reports; civil society organisation reports and statements; media coverage; and finally extensive academic analysis.

The book is divided into six chapters. Chapter 1 provides a new framework for thinking about current citizenship scholarship. It argues that such scholarship does not present an infinite array of possibilities (a series of debates) for how citizenship can be conceptualised. Rather it presents a spectrum of *limited* possible interpretive choices (what I'm calling 'the Citizenship Debate') which is defined by a certain 'reality' of what it means to be a political subject in terms of sovereignty and autonomy. Chapter 2 considers how the Citizenship Debate can be explored in more detail at a national level through the 2004 Irish Citizenship Referendum.

Chapter 3 turns specifically to focus on the universal (post-statist/trans-statist) model which has dominated critical approaches to citizenship in the Citizenship Debate. This chapter outlines how exactly this model tries to but ultimately fails to rethink citizenship anew. I look at how it widens the scope of existing sovereign territorial dualisms but without thinking about time and space beyond sovereign dualistic politics; that is, beyond linear progressive time and absolute space.

Chapter 4 contextualises the work of Balibar, Isin and Walker within the broader theoretical field of poststructuralism to consider how we might challenge an ontology of presence based in sovereign politics.[53] I subsequently outline in this chapter how Julia Kristeva's work provides an alternative understanding of political subjectivity as called for here, based on an ontology of process.

Chapter 5 reflects on a Kristevan conception of maternal time in order to discuss how we might conceptualise the question of political identity and belonging beyond sovereign national dualistic time and space. National time is progressive (teleological): it has a clear start, middle and end point, which is normally used to distinguish the self from (an) Other temporally and spatially – for example, to distinguish the migrant who has arrived in the

country recently from a citizen whose ancestors were born there in the past. This chapter considers how maternal time undermines the ability to base the idea of 'I' in a particular moment in time (the present) which can be distinguished from a similar moment (in the future or the past) and thereby reaffirm the idea of an 'Other' which is distinct from the 'self'. Kristeva's notion of maternal time is used here to destabilise, rather than to replace, the prominence of national time and to explore how we can think about alternative temporal possibilities more generally. The experiences of migrant youth are recast in this chapter through the possibility that the political subject itself is fragmented in terms of many different types of contingent space and fragmented temporality, rather than located only in dualistic space and linear progressive temporality without limits.

Chapter 6 explores the implications of challenging the Citizenship Debate in this manner and of opening up the question of political subjectivity beyond temporality contained within absolute space to that of fractious process-oriented space-time. The notion of 'trace' is introduced in this chapter to conceptualise the shift which is made here: away from thinking about citizenship in terms of inclusion and exclusion and therefore in terms of absolute space, and towards thinking about citizenship as that which is also based upon disruptions and discontinuities, figuring in indeterminate and incalculable times and spaces outside modern subjectivity and its emphasis on located presence.

The conclusion of this book shows the importance of recognising that migration not only challenges the various ways in which citizen-subjects are included and excluded from the imagined political community: as partial, full or denizens. Migration also challenges the idea of the sovereign autonomous subject who *can* be included or excluded from political community as the only way in which being citizen can be imagined or experienced. Through the notion of trace we can imagine citizenship as a form of subjectivity which can also manifest as a cluster of time-space coordinates which are constantly changing within and across what is normally conceptualised as the absolute space and horizontal time of sovereign political community. It allows us to consider how experiences of citizenship are also defined through

boundary lines, creating and re-creating fragmented and overlapping combinations of us/them, inside/outside, inclusion/exclusion, nationality/humanity which defy calculation and easy categorisation. As such, this book contributes not only to our understanding of dominant citizenship scholarship and the manner in which subjectivity is conceptualised here; the impact of migration on conceptions of belonging and how this tests the limits of political identity; and the politics of critical approaches to citizenship; but finally to broader theoretical attempts to recognise how political subjectivity is experienced outside a statist political discourse.[54]

This concern with the question of what it is to be a citizen in the context of globalisation is a timely one. It is commonly accepted that we now live in a world in which discussions about belonging and the nature of political community are dictated by understandings of cultural diversity rather than cultural homogeneity.[55] This book recognises the importance of such questions. However, it considers what a mistake it would be to assume nonetheless that the *only* possible ground for a different politics of citizenship is that which continues to be based on sovereign autonomous subjectivity in the last instance. Instead it points out how this serves to ignore citizenship experienced through ambiguous, less coherent subjectivity which cannot be tied to a located presence – one either 'inside' or 'outside' the state, in terms of particularism or universalism. Whereas many theorists argue that belonging must be based on understanding how subjects hold rights always in opposition to (that is, as connected to, but ultimately separate from) political community, what is emphasised in this book is the importance of recognising the evolution of subjectivity beyond this existing spatio-temporal ideal of modernity. This is vital if we are, as Judith Butler notes, to 'take into account the full ambivalence of the conditions of its operation'.[56]

As Vicki Squire points out, a refusal to engage in an analytical framework that automatically supposes the logic of an inside/outside binary in relation to the question of citizenship is not to ignore moments when this type of logic does come into play. It is rather to avoid 'automatically presum[ing] such a logic to be manifest' and instead to allow for the possibility that marginality can be conceived of via processes of differentiation which are 'irregu-

lar, abnormal, strange' as well as sovereign and autonomous.[57] Sovereignty may be a necessary strategy under certain conditions; but to pursue sovereignty to the exclusion of other strategies is 'both insufficient and potentially dangerous' as it limits our political horizons.[58] It prevents us from seeing how experiences of political subjectivity could be and are already being experienced other than (only) through the dualistic time and space of modern territorial sovereignty.

Thinking about political subjectivity in terms of the strategy offered in this book is intended to provide an alternative starting point for thinking about the politics of citizenship to the existing dominant one: this is a dominant starting point which tries to replace notions of 'excluded immigrant' and 'included citizen' with other coherent and self-contained understandings such as 'host' and 'newcomer' or 'old citizen' and 'new citizen'. Instead, this book subjects the discourses and practices of state sovereignty to scrutiny. In doing so, it moves away from the question of what 'makes sense', as to rethink citizenship without the modern subject is precisely not to make sense in the normal way. It is rather to think contemporary politics in terms of how we might 'exceed the discursive space made available by an apparent binary but in effect mutually constitutive choice between state/nation/republic and some half-remembered, half-forgotten cosmopolis'.[59]

Sara Salih argues that 'making the ordinary world seem strange (rather than unintelligible) constitutes a move towards a more capacious understanding of otherness'.[60] Our task, she explains, is not to emancipate ourselves from existing understandings of who we are but rather to 'replay and recite them in order to reveal the[ir] instabilit[ies]'.[61] The argument made in this book should not therefore be taken to imply that we can move beyond the state, nor beyond a modern conception of subjectivity linked to sovereignty and autonomy. Indeed this book does not set up a new dichotomy between modern and postmodern subjectivity. To do so would simply be to reproduce the clear divisions of modernity anew. Rather, it seeks to emphasise how modernity (state sovereignty) and postmodernity (challenges to state sovereignty) are mutually constitutive categories involved in the process of dissolving each other. As Isabelle Stengers notes, modernity is

not one thing; it refers instead to a web of conflicting definitions.[62] Therefore we can never escape 'modern territory' as this is constantly redefining itself.[63] The imminent critique presented in this book needs to be understood as such as 'an ingredient of the assemblage' which helps to reconfigure the assemblage, 'not as critically dismembering the assemblage itself'.[64]

This book takes seriously Michel Foucault's observation that 'the political, ethical, social, philosophical problem of our days is not to try to liberate the individual from the state and from the state's institutions, but to liberate us both . . . from the type of individualisation which is linked to the state.'[65] What is proposed in this book is the refusal of a certain kind of subjectivity which has monopolised our understanding of ourselves – as beings which exist in terms of our relationship with the state – as the only kind possible. It explores what a less-than state sovereign spatio-temporal understanding of subjectivity would look like (which is based on process). In doing so I do not deny that this type of alternative subjectivity works in conjunction with a state sovereign spatio-temporal understanding of subjectivity. There is no suggestion in this book that the former replaces (either now or in the future) the latter. What I do emphasise is instead our need to consider how ordinary concepts such as foreignness do not only confirm existing assumptions regarding sovereign marginalisation. Rather, they can be repeated and replayed to reveal instabilities in existing understandings about where 'the margins' are located, how they are negotiated, and what they imply.

Notes

1. Bauböck, 'Introduction', p. 15.
2. Dauvergne, 'Citizenship with a Vengeance', p. 506.
3. 'Citizen' is written here and elsewhere in this book without an article – either 'a' or 'the' – to allow for the possibility that it need not necessarily be a sovereign autonomous entity.
4. See for example Closs Stephens, *The Persistence of Nationalism*. Closs Stephens similarly challenges this broader critical/less-than-

critical opposition, emphasising instead limitations within existing critical approaches.

5. Bauböck, *Migration and Citizenship*; Cohen, *Migration and Its Enemies*; Goldberg, *The Racial State*; Honohan, *The Theory and Politics of Ius Soli*; Howard, *The Politics of Citizenship in Europe*; Hutchings and Dannreuther, *Cosmopolitan Citizenship*; Joppke, *Citizenship and Immigration*; Kabeer, *Inclusive Citizenship*; Lister and Pia, *Citizenship in Contemporary Europe*; Mohanty and Tandon, *Participatory Citizenship*; Sawyer and Blitz, *Statelessness in the European Union*; Yuval-Davis and Werbner, *Women, Citizenship and Difference*.

6. I do so following R. B. J. Walker's use of the term in Walker, 'Citizenship after the Modern Subject'.

7. J. M. Mancini and Graham Finlay note ten amendments introduced in the US Congress between 1993 and 2005 which proposed to introduce conditionalities to the existing automatic constitutional birthright citizenship entitlement enshrined in the Fourteenth Amendment of the US Constitution (Mancini and Finlay, '"Citizenship Matters"', pp. 578–9; see also Huang, 'Anchor Babies, Over-breeders, and the Population Bomb', p. 400). Rachel Rosenbloom argues that such efforts are not restricted to the contemporary period but go back as far as the early eighteenth century (Rosenbloom, 'Policing the Borders of Birthright Citizenship').

8. Rigo, 'Citizenship at Europe's Borders', p. 18.

9. Ibid.

10. Mignolo, *Local Histories/Global Designs*.

11. Mezzadra, 'Citizen and Subject', p. 39, original emphasis; see also Balibar, 'Europe as Borderland'.

12. Ngai, *Impossible Subjects*; Raissiguier, *Reinventing the Republic*.

13. Nyers, 'Forms of Irregular Citizenship'.

14. Rigo, 'Citizens despite Borders'.

15. McNevin, 'Undocumented Citizens?'.

16. Bosniak, 'The Citizenship of Aliens'.

17. Bosniak, *The Citizen and the Alien*.

18. Brubaker, 'Migration, Membership, and the Modern Nation-State'.

19. Ibid., p. 64, original emphasis.

20. Bosniak, 'The Citizenship of Aliens', p. 32.

21. Mezzadra, 'The Gaze of Autonomy', p. 122.

22. Lee, 'Passing as Korean-American', p. 283.

23. See for example Butler and Spivak, *Who Sings the Nation State?*; Weber, '"I Am an American"'.

24. See for example McNevin, 'Ambivalence and Citizenship'.
25. Mezzadra, 'The Gaze of Autonomy', p. 128.
26. For example, I do not deny that statehood itself is increasingly working through ambiguous and fragmented forms of power. However, I would point out that we need further understanding of the complex processes and workings of ambiguity in order to understand the way in which such processes work at the level of citizenship.
27. 'The Republic of Ireland' and 'Ireland' will be used interchangeably throughout this book to denote the 26-county Irish state. 'The island of Ireland', on the other hand, refers to the 26-county Irish state along with the six counties of Northern Ireland, the latter forming part of the UK. References to 'the Irish government' should be understood as referring to the government of the 26-county Republic of Ireland.
28. See for example Bhabha, 'The "Mere Fortuity of Birth"?'; Luibhéid, *Pregnant on Arrival*; Smith, 'The Irish Citizenship Referendum (2004)'.
29. Culliton-Gonzalez, 'Born in the Americas', p. 24 ; Lacey, 'Dominican crackdown leaves children of Haitian immigrants in legal limbo'; Mas, 'Canadian citizenship rules face broad reform in 2014'.
30. Rosenbloom, 'Policing the Borders of Birthright Citizenship'; Schuck and Smith, *Citizenship without Consent*.
31. Saorstát Éireann (The Irish Free State) was founded in 1922. From 1922 until 1937 automatic entitlement to birthright citizenship on the island of Ireland was enshrined constitutionally. In 1937 the Irish Free State was abolished and a new Constitution (Bunreacht na hÉireann) was passed. From 1937 until 1998 automatic entitlement to birthright citizenship was enshrined in statute until it was enshrined once again constitutionally in Article 2 of Bunreacht na hÉireann under the Good Friday Agreement.
32. *Bunreacht na hÉireann*.
33. The following are the exact figures for the referendum: Electorate: 3,041,688; turnout: 1,823,695 (59.59%); spoilt votes: 20,219; valid poll: 1,803,215; yes vote: 1,427, 520 (79.17%); no vote: 375, 695 (20.83%) (McVeigh, 'United in Whiteness?', p. 272).
34. Brandi, 'Unveiling the Ideological Construction of the 2004 Irish Citizenship Referendum'; Fanning and Mutwarasibo, 'Nationals/Non-nationals'; Lentin, 'From Racial State to Racist State'; Lentin and McVeigh, *After Optimism?*; Mancini and Finlay, '"Citizenship Matters"'.

35. *Gerardo Ruiz Zambrano* v. *Office national de l'emploi* (C/34/09), 2011.
36. Coulter, 'Non-EU parents of citizens entitled to residency'.
37. Squire, *The Contested Politics of Mobility*, 2011.
38. Balibar, *Politics and the Other Scene*, pp. 75–87; Balibar, *We, the People of Europe?*; Isin, *Being Political*; Isin, 'Theorizing Acts of Citizenship'; Walker, 'Citizenship after the Modern Subject'; Walker, *Inside/Outside*; Walker, 'Polis, Cosmopolis, Politics'.
39. Squire, *The Contested Politics of Mobility*.
40. McNevin, *Contesting Citizenship*.
41. Isin and Neilson, *Acts of Citizenship*.
42. Closs Stephens, 'Citizenship without Community'; Shapiro, 'National Times and Other Times'; Shapiro, *The Time of the City*.
43. Kristeva, *Julia Kristeva, Interviews*; Kristeva, *The Kristeva Reader*; Kristeva, *Nations without Nationalism*; Kristeva, *Strangers to Ourselves*; Kristeva, 'Women's Time'.
44. Howard, *The Politics of Citizenship in Europe*, p. 149.
45. Lister, *Citizenship*, p. 44.
46. Bauböck, *Migration and Citizenship*; Lister, *Citizenship*; Dobrowolsky and Lister, 'Social Exclusion and Changes to Citizenship'; Sawyer and Blitz, *Statelessness in the European Union*, p. 117.
47. Balibar, 'The Borders of Europe'; Ong, 'Graduated Sovereignty'; Weber, *'I Am an American'*; Westwood and Phizacklea, *Transnationalism and the Politics of Belonging*.
48. For example Nyers, 'The Accidental Citizen'; Nyers, 'Forms of Irregular Citizenship'.
49. McNevin, *Contesting Citizenship*, p. 1.
50. Mezzadra, 'The Gaze of Autonomy', p. 130; see also Balibar, *Politics and the Other Scene*, pp. 75–86; Balibar, 'Topology'.
51. Mezzadra, 'The Gaze of Autonomy', p. 124.
52. Anderson et al., 'Editorial: Why No Borders?'; Closs Stephens and Squire, 'Politics through a Web'.
53. Key texts within this field to which their work is linked include Ashley and Walker, 'Reading Dissidence/Writing the Discipline'; Cruikshank, *The Will to Empower*; Doty, 'The Double-writing of Statecraft'; Edkins, *Poststructuralism and International Relations*; Edkins et al., *Sovereignty and Subjectivity*.
54. Walker and Mendlovitz, *Contending Sovereignties*, 1990.
55. Castles and Davidson, *Citizenship and Migration*; Gray, 'The Irish Diaspora'; Yuval-Davis et al., *The Situated Politics of Belonging*.

56. Butler, *The Psychic Life of Power*, p. 15.
57. Squire, 'On Marginality'.
58. Shaw, 'Feminist Futures', p. 229.
59. Walker, 'Citizenship after the Modern Subject', p. 198.
60. Salih, 'Introduction to "Changing the Subject"', p. 326.
61. Ibid.
62. Strengers, 'Experimenting with Refrains'. On these conflictual definitions see for example Latour, *We Have Never Been Modern*; Muecke, *Ancient and Modern*.
63. Strengers, 'Experimenting with Refrains', p. 44.
64. Ibid.
65. Foucault, 'Afterword: The Subject and Power', p. 216.

1 Exploring the Citizenship Debate: The Sovereign Citizen-Subject

Citizenship will continue to name a political practice that is plausibly monopolized by the modern state ... [Yet it] also names a site at which our constitutive account of what we are supposed to be will become less plausible, and where the highly problematic character of what we think politics is and where it occurs will become increasingly pronounced ... There is no point in pushing at these limits ... without also pushing at the account of modern subjectivity which has been produced by, and is productive of, those limits.

R .B. J. Walker[1]

Being political means being implicated in strategies and technologies of citizenship as otherness.

Engin Isin[2]

The 'people' cannot be taken as an already established notion: rather it consists of an act of permanent creation and recreation.

Étienne Balibar[3]

At present, dominant trends in citizenship scholarship frame the question of citizenship in terms of two opposing perspectives: one particularistic (exclusive), one universalistic (inclusive). The politics of citizenship is posited here as a trade-off between these diverging models. This first chapter argues that a new growing body of citizenship literature – explored here through the work of Étienne Balibar, Engin Isin and R. B. J. Walker – provides an alternative focus. It does so by challenging this dualistic framework as the necessary basis for discussions about citizenship. As the above quotations indicate, in their work Balibar, Isin and

Walker emphasise the link *between* politics and subjectivity; in particular, how the latter takes its meaning from the former. It does not take for granted that subjects engage *in* statist politics, as sovereign autonomous beings.

This chapter argues that existing citizenship scholarship needs to be seen as one overarching debate which presents a spectrum of possible, yet limited, interpretive choices which are defined by a particular reality of what it means to 'be' a citizen (a political subject) in terms of sovereignty and autonomy, rather than a series of competing debates. The first part of the chapter explores the dominant intellectual and theoretical explanations for the two main theoretical models which have dominated citizenship scholarship. The second section considers how this dominant dualistic framework is challenged by the work of Balibar, Isin and Walker. I argue that their work destabilises the inevitability of the Citizenship Debate. I explore how the work of Balibar, Isin and Walker urges us to think about conceptions of subjectivity outside sovereignty and autonomy; I subsequently consider what the implications are of this alternative starting point for approaching the politics of citizenship.

The Citizenship Debate: Two Theoretical Models

This section outlines the two main theoretical models in citizenship scholarship which together form the understanding of the basis of current jurisprudence. The point in outlining these models is not to engage in yet another discussion regarding whether an exclusive (bounded) model or an inclusive (universal) model of citizenship is better, more desirable or more realistic and what their minute intricacies are. Rather, as will become clear, the two main models are outlined in this chapter to provide a basis for exploring (and unpacking) in subsequent chapters, the manner in which both, as articulated, leave unquestioned a modern concept of subjectivity which sits at the heart of the Citizenship Debate.

The Particular Exclusivist Model

The particular exclusivist model of citizenship relies on the under-standing that citizenship and the questions of morality and politics which it entails can only be realised within clearly defined boundaries; it presumes that citizenship loses its meaning when detached from territoriality, shared nationality and sovereignty. David Miller is a champion of the exclusivist citizenship model. He points out that 'all our experience of citizenship . . . has so far been of bounded citizenship: initially citizenship within the walls of the city state, later citizenship within the cultural limits of the nation-state'.[4] Tracing the idea back to Rousseau and his 'small-is-necessary perspective on citizenship', David Miller equates the bounded citizenship model at its best with the republican under-standing of citizenship as an active ideal. Here a specific political community is constructed around a bounded unit, understood as a finite single entity which is defined on the basis of shared char-acteristics and active participation in the community.[5]

The notion of citizenship as an active ideal is something which has gained favour and been promoted as a way of dealing with the question of community cohesion in recent decades. For example, according to FORUM, a Dutch institute for multicultural affairs, 'an open, democratic society is a dynamic society created by and for active citizens that do not close themselves off from the rest of society or lock themselves up in closed communities'.[6] Echoed elsewhere, what is stressed is the need to understand 'active citizenship' in terms of the 'values of solidarity and participa-tion, rather than isolation and withdrawal';[7] it links belonging to 'direct democratic participation and responsibility'.[8] Such an emphasis on the notion of citizenship as an active ideal can be seen as a response to growing fears about the lack of connection which certain people have to their country of birth. It is com-monly understood that changes in citizenship policy have been linked to such concerns – within Europe, most notably in the UK in 1981 and in France in 1993.[9]

It is often argued in existing citizenship scholarship, for example, that in 1981 the British government successfully amended legisla-tion surrounding the allocation of citizenship by appealing to such

bounded active citizenship arguments. Previously citizenship had been allocated unconditionally at birth (unconditional *jus soli*) in the UK. However, in 1981 a new provision was introduced which stipulated that only those children whose parents were already British citizens or who had the right to remain in Britain without restriction (a legal condition referred to as 'settled') could become citizens at birth.[10] This measure was justified as needing to ensure that those who became citizens at birth did so by design – because their parents had connections to the country – rather than by an accident of birth. According to the Home Secretary at the time,

> the present arrangements lead to significant numbers of people acquiring the right of abode here although they have no real ties with this country ... Some people would like to have our citizenship only or mainly because of the advantages that it confers if they go to live and work abroad.[11]

Those in favour of the proposal argued that not everyone who happened to be born in the UK wanted to become a British citizen and they should not be forced to do so. They maintained that the proposal was necessary to create 'a more meaningful citizenship for those who have close links with the United Kingdom'.[12]

A decade later in 1993 the French government amended the existing automatic entitlement to French citizenship at the age of majority (simple *jus soli*) by appealing similarly to the particularistic exclusive model of citizenship. Simple *jus soli* had previously been allocated in France automatically at the age of majority or at any time from birth if a declaration was taken by the parents of the child in question. Both options were abolished in 1993 and replaced with the need for such children to express their willingness (*manifester leur volonté*) between the ages of sixteen and twenty-one to be French.[13] This amendment was introduced amid fears that citizenship was being accorded to people who were neither aware of it nor (necessarily) wanted it, given that it was being automatically granted to the children of migrants, and such people only had the right of refusal for one year.

What was argued was that certain people were becoming French without knowing or wanting to (*français sans le savoir et sans le*

vouloir).[14] Such people were 'increasingly seen as a problematic "unassimilated" population'.[15] As Randall Hansen and Jobst Koehler explain, it was believed that easy access to citizenship engendered immigration problems. It provided a way to circumvent the existing immigration controls: certain individuals could enter France illegally and, if they had children, who became citizens, could no longer be expelled, although they remained unable to work due to their illegal status.[16] It was argued that many people were only becoming French for strategic reasons, to avoid expulsion for themselves and their families. The 1993 proposal was justified by the French government on the basis that it would help put in place 'the proper foundations for nationality, and the rights and obligations associated with it'.[17]

Miller argues that it is the combination of the demanding and rewarding natures of republican citizenship that necessitates its exclusive focus in this manner: 'to give citizenship rights freely to all-comers is to risk undermining the conditions of mutual trust and assurance that make responsible citizenship possible'.[18] Creating trust and loyalty within a community is paramount, Miller insists, if 'genuine citizenship' is to be achieved. He contrasts this with mere relations between people. Whereas once trust and loyalty were achieved through affiliation with the city-state, Miller argues that today they are achieved through nationality – a concept which is understood in civic and cultural as opposed to ethnic terms. Nationality, Miller argues, consists of real differences between people, and these differences 'can consist in shared values, shared tastes or sensibilities'.[19] Yet he goes on to acknowledge that these shared values, tastes or sensibilities can evolve and change. He insists that the place where the line is drawn around members of a particular community in terms of nationality will be specific 'to a particular nationality at a particular time' and therefore always open to debate. Nationality should not be seen as a barrier to difference in this respect as it is not 'an all-embracing identity'.[20] From a bounded citizenship perspective such an approach permits immigrants and ethnic minorities to retain attachment to other cultural groups provided 'only that [they] take on the essential elements of national character'.[21] The emphasis here is on preserving cultural identity within limits of

nationality ('strong bonds')[22] because a shared national identity is seen as necessary for motivating citizens to work together in the name of justice and their common future.

Those who defend a bounded model of citizenship, according to Miller, do not deny that individuals and political communities have obligations to outsiders, such as international obligations of justice. They merely emphasise that the best (and often only) way to discharge these obligations successfully is through strong national practices of citizenship as opposed to creating or strengthening weak trans-national practices of citizenship.[23]

The Universal Inclusivist Model

Below is an outline of the general argument which is made under a universal inclusivist model of citizenship regarding the limitations of the particular exclusivist model described above. Two options are offered within the inclusivist citizenship literature – one post-national and one trans-national – for how a more inclusive society might be realised. Will Kymlicka refers to these as competing ideas regarding whether liberal sovereign statehood needs to be 'transcended' or 'tamed' respectively.[24] What I draw attention to, however, are the limitations of both forms, and therefore the limitations of the inclusivist model more generally. The inclusivist model does challenge the assumption taken for granted in the exclusivist model of citizenship regarding a clearly defined 'domestic' versus 'international' distinction. However, it continues to take for granted the other 'substantial assumption of traditional citizenship discourse', which is the existence of the modern autonomous subject.[25]

The migrant/citizen divide

Traditionally, citizenship theory, following Marshall, has tended to concentrate on the processes of inclusion/exclusion within the boundaries drawn and regulated by nation-states. This has proved only a partial picture . . . It is . . . necessary to incorporate the perspective of those moving, or attempting to move, between nation-states and of non-citizen residents.[26]

The main argument made by theorists promoting the universal inclusivist citizenship model is that a bounded model of citizenship and its emphasis on the need for active participation in society ignores how many 'foreign residents remain in most countries deprived of the core rights of political participation'.[27] What is argued by inclusivist citizenship scholarship is that the exclusivist model ignores the inegalitarian nature of how political community (and participation in political community) is constructed *within* modern states; this undermines its claims to democracy.

The growing gap between the rights of citizens on one hand, and the rights of immigrants on the other, is pointed to. Immigrants are understood here as those both with some formal citizenship status (denizens) and those without formal citizenship status (temporary residents, refugees and asylum seekers). Emphasis is laid on ongoing restrictions on the rights of immigrants to vote, to draw on social welfare, to travel freely and to move between jobs, which produces an underclass and contributes to an ethnic division of labour. This prevents a large section of the population from ever becoming active participants in the societies that they live.

The inclusivist citizenship scholarship essentially sets out to highlight the very unequal way in which individuals and groups of individuals are positioned in relation to the state; it insists that these positions cannot be easily reconfigured through debate as argued by proponents of bounded citizenship. Instead, the inclusivist citizenship literature has sought to highlight how the liberal sovereign state acts as a barrier to the realisation of citizenship for certain sections of society which are most vulnerable; this includes many different types of people whose status is less than secure because they are temporary residents or undocumented migrants – the latter, Brad Blitz and Caroline Sawyer argue, being 'de facto stateless'.[28] These people are not given the opportunity to become active members of the national political communities in question.

One of the main problems, according to the inclusivist citizenship literature, is that citizenship is increasingly difficult to acquire at birth. Citizenship continues to be allocated widely on the basis of descent (*jus sanguine*) and not widely enough on the basis of birthplace (*jus soli*); this in turn is believed to hinder the

children of migrants becoming citizens of the communities in which they are born and grow up in. *Jus soli* is almost universally associated with a more inclusive policy of citizenship, which is seen as necessary to integrate immigrant populations into the societies in which they live.[29] Even though the allocation of citizenship on the basis of *jus soli* is a trend which has increased in recent decades, what is argued is that its availability has been increasingly reduced to 'weak' conditional forms; it is increasingly dependent, for example, on a series of issues identified with integration, such as parental residence.[30]

An example of such weak legislation that is often pointed to is the provision in the 1981 British Nationality Act (discussed in the previous section) which made citizenship at birth conditional on having a British citizen parent or a parent who was settled in Britain. This has been critiqued for undermining the integration of 'new immigrants', which had a long history in the UK prior to this point.[31] It is argued that 'the partial loss of *jus soli* entailed a fundamental change to the definition of being British', narrowing it down from 'including everyone born in a vast empire at the end of the nineteenth century to excluding even some people born in the territory of the UK itself'.[32]

Unlike the inclusive system which preceded it 'where the British-born children of immigrants could be as British as anyone',[33] what has been argued is that the 1981 amendment to *jus soli* specifically discriminated against immigration among certain types of people without ancestral connection to the territory of the UK, namely 'black immigration'.[34] The 1981 amendment is associated with having institutionalised a very narrow understanding of 'Britishness' as 'an over-exclusive identity based on "blood and culture"'.[35]

Another frequently cited example of weak legislation is the provision in the 1993 'Pasqua law', which amended simple *jus soli* in France, making it dependent on a declaration by the child in question at the age of majority, also discussed in the previous section. This has similarly been criticised as 'restrict[ing] access to French nationality'.[36] As in the British case in 1981, the 1993 amendment in France was seen as part of a broader immigration control agenda which 'was racist and/or anti-republican' on the

basis that it disproportionately affected certain populations; most notably the children of north African migrants.[37]

Such an inclusivist citizenship scholarship reflects upon and reinforces the understanding that certain exclusive aspects of citizenship are incompatible with the broader theory of democracy. The problem, Rainer Bauböck argues, is that the bounded exclusivist model of citizenship starts from a false assumption 'that liberal democracies have already achieved full political inclusion and equality'.[38] It is too focused on the question of social equality, economic opportunities, political participation and cultural liberties among existing citizens, ignoring the unequal relations between citizens and non-citizens.

As Floya Anthias and Nira Yuval-Davis discuss in their book *Women-Nation-State*, what has occurred is a movement away from focusing on how the state acts upon individuals to attempting to understand how 'the state itself forms the political project'.[39] In doing so, the inclusivist literature deconstructs the notion of the 'citizen' as a universalising status; it considers instead how certain types of migrant and their offspring are constructed as 'unassimilated' or 'lacking sufficient connections', which distinguishes them from the 'citizen' and prevents them from (ever) being recognised as such. However, what this inclusivist literature does not do is to move beyond a sovereign statist understanding of subjectivity; it continues to understand citizenship in terms of the relationship between individuals, or groups of individuals, and the state, as I will shortly discuss in more detail.

Under the inclusivist model two main options of how a more inclusive society might be realised are put forward: a post-national option and a trans-national option. Both options try to 'go beyond a narrow state-centred approach' by imagining how political communities and systems of rights of personhood (humanity) emerge at levels above and below the state.[40] The post-national citizenship option focuses on the need to transcend the nation-state framework in order to allow for the inclusion of migrants and their offspring in a wider global community of citizens. It does so by emphasising the nation-state's inherently exclusive (often referred to as racial) nature. Emphasis is placed on the failure of the nation-state model to adequately manage the tension between

inclusion and exclusion, humanity and citizenship; instead the nation-state is seen as having sacrificed universalism to particularism.[41] The view here, as articulated by Seyla Benhabib, is that this tension between universalism and particularism can never be overcome but that it can be managed or resolved much better beyond the nation-state than it has been managed through it.[42] Among such work, there is, however, disagreement as to what a wider global community of citizens would look like. For example, there is much disagreement as to whether the EU is a successful example of such a wider global community of citizens.[43]

The second option, trans-national citizenship, takes a middle ground position, and argues that migrants and their children can be included in a community of citizens by working through aspects of the nation-state framework – for example, its commitment to ethical universalism. What is needed is to recognise and mitigate consciously the injustices of liberal nationhood.[44] From this perspective the idea that universal cosmopolitan norms can be separated from liberal nationhood is questioned. Will Kymlicka, for example, challenges the idea that universal cosmopolitan norms and liberal nationhood are inherently in tension. Instead he argues that 'one conception of the nature and function of cosmopolitan norms is precisely to promote (a tamed form of) liberal nationhood, and that this conception is conceptually coherent, politically feasible, and morally progressive'.[45]

In summary, both options offered under the universal citizenship model continue to conceive of citizenship in terms of the relationship between individuals or groups of individuals and the state. Where they differ from each other is in terms of what they see as the role of the state. The post-national model argues that the nation-state cannot deal with such changes and emphasises the need to focus on how particularism and universalism can be resolved in a global rather than a national community. In contrast to this, the trans-national model explores how the state can deal with such changes and emphasises how particularism and universalism can be resolved in a trans-national community.

Sovereign foundations

The inclusivist citizenship model undermines the assumption (taken for granted in the bounded citizenship model) that morality and politics can be reconciled only within the strict boundaries maintained by the nation-state. What has not been challenged, however, is the understanding that citizenship is defined in terms of the relations *between* individuals (or groups of individuals) and the sub-/supra-/super-state, and therefore in terms of sovereignty and autonomy. The inclusivist literature identifies the question of citizenship as a different kind of resolution between being part of a particular community and being part of humanity to that proposed under bounded citizenship. However, it reaffirms in the last instance the modern assumption that 'politics' must be some type of trade-off between these two options. Citizenship continues to be defined in terms of a resolution of particularism and universalism, inside and outside, located in the image of the individual. The emphasis continues to remain on how political community can be traced back to the modern sovereign territorial state, as that which needs to be either transcended or tamed. Different roles are emphasised for the state in the post-national and in the transnational models, but from both perspectives the state remains the ordering principle.

To further explain: within this literature, the importance of 'the state' in defining citizenship has been challenged; the question of citizenship has been explored from sub (local) and supra (global) level perspectives in addition to being explored from the national level.[46] Enormous importance has also been placed on deconstructing the notion itself of 'individuality' and the associated idea of an 'active citizen' as referring to gender- or ethnic-neutral, bounded and unattached subjects who willingly engage in the social contract.[47] This notwithstanding, there remains an understanding within this literature that the state, or a sub-category thereof, and the deconstructed individual are still analytical categories in their own right. Nira Yuval-Davis and Pnina Werbner perhaps best capture this in their introduction to *Women, Citizenship and Difference*. Here they consider the importance of conceptualising citizenship as an expansion from the notion of 'the right to carry a passport', and therefore as always and only

related to the nation-state, to that of 'membership in all kinds of polities from local to global in which people participate in multi-layered ways'.[48] At the same time they insist, however, on the necessity of continuing to maintain an understanding of the difference between the realms of cultural and economic, as against 'political', inclusion and exclusion in relation to this membership; the latter, unlike the former, is always, we are told, determined by the boundaries of the sub-national, national or supra-national state.[49] Elsewhere, Benhabib similarly insists on the importance of linking political agency and cosmopolitan norms always first and foremost to 'statal, interstatal and transstatal levels' through public institutions.[50]

What this indicates is that the emphasis on sub-national (local) and supra-national (global) perspectives of citizenship on one hand and the deconstructed notion of individuality on the other does not preclude an understanding of the interconnected but ultimately autonomous relationship between the statist realm, where politics is understood to be taking place, and people's interaction in the statist realm. It is this that undermines any attempts to explore questions regarding 'the deterritorialisation of citizenship practices and identities' within the literature despite ongoing attempts to do precisely that.[51] Although attempts are made to think about citizenship beyond the state, the spatial characteristics of the state continue to dictate how the post-statist or trans-statist realm is understood in such literature; it continues to be understood in terms of a new post-statist or trans-statist but still *bounded* community (that can be separated from other cultural and economic realms) and in terms of a bounded individual who engages in that community.

The key point here is that the post- and trans-statist realms themselves continue to be conceptualised as something which people can be included in and excluded from to varying degrees. The emphasis remains on the question of how individuals and groups of individuals 'gain access' to such trans-/post-national political communities, and they are therefore conceptualised as already separate from these realms to some extent.[52] Despite moving away from understanding citizenship as something which is exclusively 'bestowed by the state',[53] and towards an under-

standing of citizenship as something which is constructed in terms of other realms – including 'levels of governance above or below those of independent states or that cut across international borders'[54] – there remains an emphasis in this literature on the need to always focus in the last instance on how citizenship (and hence the citizen-subject) is defined in terms of inclusion and exclusion and the need for its resolution. What is retained, as such, is a modern sovereign statist bounded territorial understanding of Being (political possibility).

Challenging the Citizenship Debate

I will now consider how this inclusivist citizenship scholarship has been challenged by theorists who engage critically with the question itself of 'being political'. Drawing on the work of Étienne Balibar, Engin Isin and R. B. J. Walker I consider how they do not deny the significance, but question the truth (timelessness) of the relationship between citizenship and the modern territorial state and the assumption that citizenship can always be reducible to the need to resolve, for better or worse, the tension between particularism/universalism, inclusion/exclusion, belonging/non-belonging. Instead of continuing to take this statist framework as a necessary starting point in order to consider how individuals can be better included in political community, this work instead forces us to recognise that a dominant understanding of citizenship has become tied to the concept of the individual citizen-subject. It compels us to revisit the presumption that political subjectivity must be theorised via a framework through which a subjective self is understood as sometimes included in or sometimes excluded from the natural world of states and societies. What this work indicates, I argue, is that another way of thinking about citizenship is possible, even if extremely difficult to imagine. It points to an alternative possible starting point for conceptualising the politics of citizenship beyond how the citizen is defined vis-à-vis the state.

Interrogating the Dualistic Statist Framework of the Citizenship Debate

Inclusivist citizenship scholarship focuses on the need for a resolution of the tension between particularism and universalism in new and innovative ways in an attempt to move beyond a state-centred monopoly on citizenship. Étienne Balibar emphasises, however, the need to consider how this focus, linked to the idea of commonality, is itself integral to modern sovereign statist citizenship.[55] As Angharad Closs Stephens notes, the desire to resolve the tension between particularity and universality – and thereby 'gather particularities in unity'[56] – has not been displaced by inclusivist focused citizenship literature; it has merely *shifted* in such work. It has shifted from appeals to a common nationality towards appeals to a common humanity, and/or towards a middle ground between these two options.[57]

What this shift ignores is how appeals to humanity continue to reproduce the idea that people share something in common, such as is expressed in a nation conceptualised as a territorialised entity with (not unproblematic but nonetheless) calculable boundaries demarcating inside from outside. Such an appeal by inclusivist citizenship scholarship emphasises the idea of the trajectory of identities across different territories and histories which eventually come together as coherent political communities, thus positing once again multiplicity, difference and conflict 'outside', separate from general interest and sharing 'inside'.[58]

Such an observation does not ignore the manner in which inclusivist citizenship scholarship presents the relationship between identity and difference, inclusion and exclusion in a highly sophisticated and fluid manner by focusing on the idea of a broad human subject rather than a narrow national subject. However, it draws attention to how such an approach continues to focus on the need to *resolve* the tension between citizenship in terms of sovereignty and autonomy given that the focus is that of how individual humans can be included in, rather than excluded from, political community. Inclusivist citizenship analysis thus remains trapped in the modern sovereign territorial opposition *between* an inside and an outside dictated by the state. As Balibar notes,

> The potential identity between 'men' and 'citizens', between the conditions for recognition as a human being and the conditions for civic participation, opens a universal right to politics for humans, but it also implies that foreigners, outside the polis, have no defense *as humans* unless they are represented by a sovereign state of equivalent power.[59]

The point is that attempts in inclusivist citizenship literature to move beyond the state which continue to take the state as their starting point can be shown to fail to move beyond a modern statist spatio-temporal framework. Attempts to resolve the tension between citizenship (inside) and humanity (outside), between exclusive identity and universal citizenship, do not deal with the sovereign statist contradiction between exclusive identity and universal citizenship but remain trapped in it and by it.

The contradiction between exclusive identity and universal citizenship is tending towards exacerbation as opposed to attenuation in a globalised world. Therefore, rather than focusing on the need for resolution, Balibar argues that what is needed is to embrace the autonomies that are at the very base of the notion of citizenship itself. What is necessary is to precisely 'put into question the overly simple (but also firmly established by institutional ideologies) representations that support the idea that every community . . . is defined, *in fact*, by the opposition between an "inside" and an "outside"'.[60] For Balibar, taking for granted the opposition between inside and outside and its need for a resolution ignores the manner in which the notions of interiority and exteriority themselves are 'undergoing a veritable earthquake' in the current age of migration with its intensity of movement across borders and multiple affiliations, undermining traditional categories of 'insiders' and 'outsiders'.[61] This is resulting in a much more complex and richer sense of what it means to belong within a diverse society, beyond the question of how individuals are included in or excluded from political community. Balibar's work clearly highlights, therefore, the failure of the existing starting point of a dualistic framework in helping to understand contemporary practices of citizenship.

From a different perspective Engin Isin can also be seen to highlight the danger of theorising citizenship primarily through

an emphasis on resolution and the gathering of particularities in unity. He has similarly challenged the necessity of taking a statist framework – which posits multiplicity, difference and conflict 'outside' and separate from general interest and sharing 'inside' – for granted. Instead of focusing on how the politics of citizenship can be understood in terms of the need for some type of resolution of otherness in this manner, what Isin has emphasised in his work is the need to explore how citizenship is constituted *through* otherness. He has argued that 'citizenship and otherness are . . . really not two different conditions but two aspects of the ontological condition that makes politics possible.'[62]

What Isin has done is to emphasise in detail the manner in which citizenship has been constituted through difference by way of its constitutive Other: strangers, outsiders, migrants, the marginalised. He draws an important distinction in his work between a logic of exclusion and a logic of alterity. A logic of exclusion emphasises exterior difference whereas a logic of alterity emphasises 'immanent difference'.[63] A logic of exclusion assumes that categories of strangers and outsiders such as immigrants, marginalised and refugees pre-exist citizenship and subsequently become excluded once citizenship is defined. Such a logic, I argue, can be associated with the inclusivist focused citizenship literature which acknowledges the importance of difference and contingency for understanding citizenship but which nonetheless presupposes substance in the 'non-citizen' or 'less-than citizen' as that which can be distinguished from the citizen. By contrast, a logic of immanent difference starts from the understanding that citizenship (identity) and its alterity (difference) *cannot* be separated, thus allowing for the possibility of considering less-than sovereign centric forms of citizenship and political community.[64]

Isin's and Balibar's work emphasises the need for a new approach to understanding citizenship; it stresses the possibility of a move away from having to locate the politics of citizenship in a bounded space such as 'the individual' which is defined by identity rather than difference. It points instead towards a politics of citizenship which is enacted through moments of tension *between* identity and difference: 'points of contact where the inside and outside encounter, confront, destabilise and contest each other'.[65]

Instead of conceptualising citizenship in terms of how individuals become included in political community, we can begin to reflect upon the need to separate the question of citizenship from pre-existing status and therefore from 'individuality'. This enables us to engage with the new ways in which political identity and belonging work – the 'practices of making citizens'[66] – in an age of global migration.

At present the inclusivist citizenship–migration analysis tells the story of experiences of 'nationals' versus those of 'migrants', and emphasises the possibility of a journey by both groups towards a more progressive, universal politics and broadened political community, albeit with possible moments of regression along the way. In contrast, what the work of Balibar and Isin points to is the need to consider possible experiences of being citizen in the current age which are *defined* in terms of breaks, change, disruption, unpredictability and upheaval. Their work emphasises the need to consider how we might theorise forms of political community and identity which are based on multiple fragments and linkages rather than singular coherency and consistent dualisms.

It is precisely this which this book sets out to do in the subsequent chapters. The remainder of this chapter, however, historicises the current modern statist bounded territorial understanding of politics; it discusses how it has become (but need not remain) wedded to the notion of lines of distinction between particularism and universalism, inclusion and exclusion, 'us' and 'them', which we are told must be resolved via the notion of the individual subject. I turn here to the work of R. B. J. Walker, which has been integral to drawing out the assumptions of the sovereign spatio-temporal conditions of modernity. I discuss why such a move is necessary, pointing out that the 1981 UK and 1993 French legislative changes as well as recent cases like the Zambrano case involve ambiguous subjects such as the children of migrant parents. These are not people who have been included or excluded from the state but rather people who are caught in a less-than modern space somewhere between inclusion and exclusion, citizenship and migration.

Theorising Modern Subjectivity

In his work, R. B. J. Walker focuses on how we can begin to conceptualise the current modern territorial understanding of subjectivity as a specific understanding rather than the only necessary way we can think about political subjectivity.[67] He does so by pointing to its historical nature, namely to how it can be traced back to the collapse of the authority structures of Christendom and the Roman Empire when there was a shift in the framing of the problem of sovereignty. This was a shift in claims about what and where political life could be. As Liam O'Dowd notes, this shift was not a definitive break with previous understandings about what and where politics could be. Rather it signified a change in emphasis in dominant understandings of how politics could and should be conceptualised.[68]

Walker points to how politics was based in medieval Europe on a fragmented system of rule. As Joseph Camilleri discusses, this was a system of 'overlapping loyalties and allegiances, geographically interwoven jurisdictions and enclaves' (for example, city-states, principalities, trading cities, small kingdoms and ecclesiastical estates).[69] Only subsequently, with the collapse of Christendom and the secularisation of life in general, did politics come to be organised around a more centralised system of rule via monarchies (through the employment of civil servants, the collection of taxes and dispensation of justice and the hiring of armies of mercenary troops), which resulted in an eventual (relatively) clear-cut distinction between the domestic and external spheres of organisation.

The major difference here, as identified by Walker, and as further discussed in detail by Jens Bartelson in *A Genealogy of Sovereignty*, is the manner in which political entities were conceptualised in medieval society not as fully individuated units but as part (instances) of a pre-existent universal – not as self-contained (autonomous) parts which could come together with other such parts outside to make up a more universal whole, but as parts *of* a universal (transcendental) whole which had been fragmented from within. 'Although territorially segmented, the constituent units of the cosmopolitan order did not manifest the charac-

teristics of possessiveness and exclusiveness associated with the modern concept of sovereignty. They saw themselves as munici- pal embodiments of a universal whole.'[70]

To 'distinguish what was *within* states and what was *between* states was not fully possible, either in theory, or in practice'.[71] Rather, the notion of 'an outside' as that which could be clearly differentiated from 'an inside' in space and time is something which came about in the shift from medieval hierarchies to modern claims to state sovereignty.[72] Bartelson refers to the process which took place here as that of 'inventing outsides':

> The state was no longer derived from the divinely ordained harmony of the universal whole; it was no longer explained as a partial whole which was derived from, and preserved by, the existence of the greater: *it was simply explained by itself*.[73]

At some point between Machiavelli and Hobbes, 'the political and communal creatures envisaged in Aristotelian traditions' gave way to an 'unstable modern insistence on a world of free and equal subjects'.[74] This was the moment at which people, no longer predominantly political or communal as they had been under the- ological authority, became divisible from 'politics' and from each other. It was the moment when people became recognised for the first time as 'individuals', as the authority of God was replaced by the authority of 'Man'.[75]

In 'Citizenship after the Modern Subject', Walker specifically explores how, as a result of the redrawing of lines in early-modern Europe, our understanding of citizenship shifted at this point: from being based in a theologically legitimising feudal status, defined predominantly in terms of the status of others above and below (hierarchical exclusion), to being predominantly based in a self-legitimising status, defined in terms of membership of a territorial community (horizontal exclusion). Most importantly, in the shift from medieval hierarchies to modern autonomies a particular understanding of political subjectivity – as the citizen- subject who is 'at once multiple, specific, individual, and (at least potentially) universal, human, rational' – also became crucial to our understanding of how our political options should continue

to be resolved.[76] This is not to deny that state systems have existed in various guises throughout history. Rather it is to draw attention to the fact that the modern claim to state sovereignty, which is based on the '*decisive* demarcation between insides and outsides, between self and other, identity and difference, community and anarchy that is constitutive of our modern understanding of political space', needs to be understood as a specific historical achievement which is constitutive of modern subjectivity and our conception of the possibilities of what it is to be a 'citizen'.[77]

What is drawn to our attention here are the modern assumptions associated with the past and present of what we call politics. Despite their historical nature, Walker argues that the problem is we now take for granted such assumptions; we now take it for granted that there had thus always been '[t]he lines that are drawn through early-modern Europe . . . designated to guarantee separation: of a (subjective) self from the (objective, natural) world'.[78] Despite recognition of the contingent nature of such lines, they continue to be taken as a necessary (if insufficient) starting point. There have, of course, been concerted resistances to this dominant framing. These resistances are evident in the inclusivist citizenship analysis looked at in this chapter and will be explored in more detail in the following chapters when looking at the 2004 Irish Citizenship Referendum analysis. However, they ultimately attest to the difficulty of engaging in discussions about citizenship on any other terms than through the understanding that it *is* possible to distinguish in some final respect the inside from the outside, the particular from the universal.

The problem is that most of the alternatives offered – whether they emphasise post-nationalism, or merely promote greater inclusion via challenges to statist conceptions of political community through trans-nationalism – are themselves already assumed in the prior formulation of the problem, as one of particularism and exclusion defined according to the state as an analytical category in its own right. This is demonstrated in different ways by Balibar, Isin and Walker in their work. These authors help us to consider how the state has become both the problem and the solution regarding questions about the possibilities for political

life. This framing in turn makes the question of citizenship itself, when referred back to these statist terms, a 'crucial but irresolvable problem'.[79] As Nick Vaughan-Williams points out, this is because it is the state which defines the boundaries of exclusion, which are *then* used to (re)define who needs to be 'included' in the state. In the search for greater hospitality (inclusion) what is ignored is how 'it is precisely the state that produces the foreigner, immigrant, exiled, deported or state-less person in need of greater levels of universal hospitality in the first place'.[80]

The implication of Walker's work coupled with that of Balibar and Isin is that we need to separate out understandings of what political life (identity and belonging) is supposed to be from understandings of how the modern territorial state has become inherent in the natural resolution of this question. Our understanding of 'citizenship' needs to be reconceived in relation to not only where we draw the boundaries of the state or those of the individual, but also to how we take for granted the sovereign autonomous 'we' which supposedly exists separate from the boundaries of the state in the first place.

The challenge posed by intergenerational migration

There is a relatively unproblematic retention in existing inclusivist citizenship accounts of a claim to the original dualism of modern subjectivity: between 'citizen' (as a particular identity defined in terms of the state) and 'Man' (as a universal identity defined in terms of humanity). The gap between 'citizen' and 'human' (as migrant) is narrowed but the dualism itself is retained despite the challenges presented to it, most notably by the presence of the citizen child born to migrant parents. This is to point out that the people who have been the focus of legislative changes in the context of *jus soli* in the past – for example in Britain in 1981 and in France in 1993 – have had their citizenship suspended temporarily and retrospectively by being linked to various new conditions, as opposed to being removed per se. For example, their citizenship became dependent on a declaration of intent (in France) or on their parents' residential status (in the UK). Such children are born as always already *potential* citizens. In France they are merely required to declare this at some point before

their sixteenth birthday; in the UK the British state awards recognition to their residence in the country in their formative (first ten) years. Such people are not full citizens but neither are they merely migrants (humans), as the following statement from the UK Immigration Directorates' instructions demonstrates: 'Such children do not have the right of abode and are subject to immigration control. They are not here unlawfully, however, and are *not required* to apply for leave to remain.'[81]

These people present a challenge to the dualism of modern subjectivity therefore as they are *caught between* being defined in terms of the state (as citizens) and being defined in terms of humanity (as migrants), rather than being defined as one or the other. Such a situation is further made ambiguous by the fact that citizenship is not simply a legal category but is also about ('employed to describe'[82]) engagement in a political community. These children will grow up in France or the UK immersed in and contributing to 'French' or 'British' culture through school, work and leisure activities. Trying to identify them as 'migrants' *or* 'citizens', as included or excluded in such cases, is inherently (and increasingly) difficult.

Turning to the Zambrano case, we are similarly forced to note that the two children in question in this case are those whose rights of citizenship were *reasserted*, as opposed to instigated, by the ECJ's decision to grant them and their parents leave to remain in Belgium as a family. The children would have retained their Belgian citizenship regardless of whether their parents were deported or not. However, the ECJ could have undermined their citizenship – as well as that of other people in a similar situation – and the rights associated with this if it had decided that the Belgian authorities did not need to provide their parents with work permits and could instead deport them. My argument is that these children do not exist separate from the boundaries of the existing (Belgian or European) political community as either citizens or humans, but in the *tension* between citizenship (inclusion) and migration (exclusion). These citizen children of migrants are in the unusual position of having been in danger of deportation and of the loss of certain rights, but not necessarily so. They are people who are, in several important legal

and socio-cultural ways, part (as some type of member) of the political community – without being included as full citizens – *as well as* not part of it in other ways – without being fully excluded either.

The challenge which children born to migrant parents in these cases form, therefore, is 'a conceptual, empirical and physical breach in the relationship between "human" and "citizens"', between past and present, because both possibilities are deferred here, if only temporarily and intermittently.[83] Yet this is ignored in existing inclusivist-focused citizenship analysis, which does not focus on the children themselves but instead presumes that a traditional understanding of a marginalised and exclusionary status – normally linked to the migrant parents of such children – applies necessarily to the children too.

This is not to imply that the inclusivist citizenship literature simply presents migrants and their offspring as a homogenous group. It notes that we need to challenge the assumption that 'immigrants and their descendants' are a homogenous group which can simply be distinguished from 'natives'.[84] Much emphasis is placed, for example, on the manner in which the policies of a particular country will determine the experiences of each group of migrants and their offspring differently. In other words, what is emphasised is that nationality matters and we need to distinguish 'between immigrants of different origin'.[85] Similarly, much is made of the need to distinguish between young immigrant offspring and their non-immigrant counterparts in society.[86] The differences among migrant groups are normally explored, however, in terms of traditional dualistic categories such as inclusion/exclusion and past/present, and via an emphasis on the continuities between the experiences of migrants with those of their children; these are then contrasted against experiences of other migrants and their offspring of different nationality. The experiences of migrants and their descendants outside such dualistic categories are rarely considered; similarly, the experiences of migrants *in contrast to* those of their offspring are very rarely differentiated. The descendants or offspring of immigrants instead are mostly referred to in the same breath as migrants themselves: for example as 'young adult immigrants (and descendants)'.[87]

What is rarely explored is how the experiences of migrant off-spring cannot simply be equated with a traditional emphasis on exclusion and marginalisation on one hand, or with inclusion on the other.

The existing focus in the inclusivist citizenship literature on exclusionary or inclusionary status makes sense only if we take the state as the essence of politics. It only makes sense according to existing understandings of where we assume political subjectivity lies: in spaces of 'exclusion' reducible to particularity and state citizenship, or in spaces of 'inclusion' reducible to universality and humanity. However, if we do not take a modern bounded territorial framework as our starting point, then we can begin to consider how citizen children born to migrant parents such as those in the UK in 1981, in France in 1993 and in the Zambrano case occupy a less coherent position in between inclusion and exclusion, and in between being citizen and being human (non-citizen). The final section of this chapter considers this move in more detail by reflecting upon what it involves.

Problematising Modern Subjectivity

Thinking about a specifically modern account of subjectivity which is tied to our understanding of what politics is and must be shifts the focus in debates on citizenship to the question of *how* subjectivity can be conceptualised. Whereas in the existing inclusivist scholarship there is an emphasis on coherent particular/universal statist categories of subject which need to be resolved, such as marginalised/unmarginalised, citizen/human, it is the coherency of these dualistic subjectivities which is put under scrutiny in the work of Balibar, Isin and Walker. I use the word 'coherency' here to capture the dependency on 'the lines of analysis that we rely on "to make sense" of our established political categories'.[88] The alternative proposed is not 'incoherency', therefore, but rather, to use a term from Judith Butler, that of 'making strange' the lines which we have come to take so much for granted, which tell us how universality and diversity *must* be related.[89]

As opposed to starting with a framework wherein lines are always already drawn between a (subjective) self and an (objec-

tive) world of states, as is done in existing inclusivist citizenship scholarship, the work of Balibar, Isin and Walker intimates at a different framework which starts from *questioning* how understandings of Being have been required in the last instance to be articulated in terms of a coherent unified entity, a located presence, which can be pointed to as 'included' or 'excluded'. As Jenny Edkins and Véronique Pin-Fat discuss in detail elsewhere, we need to rethink how we have come to presume that modern politics is the only possible political reality.[90] We need to consider instead how a particular symbolic or social order is facilitated through an inscription of sovereign subjectivity which defines 'reality' in terms of a sovereign political order, and a sovereign autonomous subject. What the work of Walker, Balibar and Isin essentially calls for is a historicising of the basis by which the question of Being has been posed specifically in terms of, and by way of, a particular framing of political subjectivity (citizenship) via sovereignty (the statist project).

To respond to this call is to take a new starting point for citizenship analysis. It is to start specifically with interruptions into the assumption that the modern state is the primary site of legitimate sovereign authority, in an attempt to open up new domains of meaning. The interruption I am focusing on in this book is the challenge which citizen children born to migrant parents pose to the citizen/human, included/excluded dualism of modern subjectivity. I am asking how such an interruption *fails to be* subsumed into the dominant statist understanding of political community, rather than continuing to focus on how such an interruption succeeds in eventually being subsumed into the dominant statist understanding of political community by trying to redraw the boundaries of this political community more inclusively. I am exploring how these interruptions present a new order of citizenship which cannot necessarily be resolved vis-à-vis its relationship with the state. I am asking how we can conceptualise political horizons which take account of the multiple and overlapping encounters which result from uneven combinations and ambiguous margins, rather than only continuing to focus on political horizons which try to neutralise and resolve these.

As we have seen, the Citizenship Debate takes an inclusive/

exclusive framework as its natural starting point for questions about citizenship. Positing the politics of citizenship according to this framework therefore merely reinforces the statist monopoly on understandings of political community in the final instance. It does so by (re)affirming the binary nature of the issue: people are either outside the state because they are marginalised, or inside because they are not. It then defines the solution – when certain people are found to be outside the state – as the need to widen the scope of the statist project to prevent further such marginalisations, thus reaffirming the state as the legitimate sovereign authority.

This results in the closing down of any political possibility which is not defined in terms of a subjectivity divided into permutations of identity (inside) versus difference (outside). It is, as Vivienne Jabri points out elsewhere, 'a politics which results in the exclusion of that which defies easy categorisation'.[91] There is no room for ambiguous in-between spaces because any challenge to the statist monopoly on understandings of political community which is opened up, for example, by the unusual position which the citizen child of 'non-nationals' occupies is immediately closed down by trying to make sense of it according to existing political categorisations: in this case, a more traditional understanding of migration associated with marginality and non-citizenship. Yet possibilities are opened up by this ambiguous positioning through the challenge which it poses to existing understandings regarding the boundaries of political authority. To respond to these possibilities we need to refuse to merely fit this ambiguity back into the dominant statist framework which clearly delineates between 'us' and 'them', the 'included' and the 'excluded', the 'marginalised' and 'unmarginalised'.

Edkins and Pin-Fat identify an important difference in recent attempts to retheorise the political through the notion of 'subjectivity' which is instructive here in considering what is at stake in the type of work employed in this book. This is the difference between attempts which have been made to simply question the notion of the subject as the authentic source of action of meaning, and those which have been made to *reconceptualise* the subject by thinking of it in a new displaced or decentred position. In the

latter attempts, the emphasis is on a subject without *any* fixed, essential or permanent identity. Here, the subject is left 'not only fragmented but irretrievably split' and it calls the very idea of sovereignty and its linearities (the self versus the other, inside versus outside, past versus present) into question.[92] The result is an emphasis on the possibility of a less-than modern politics, based upon the ambiguity of subjectivity understood as an accumulation of encounters and synthesis which precisely cannot be defined in terms of particular groupings or levels of inclusion and exclusion in an overarching sovereign sub-/supra-/super-statist project.

Conclusion

This chapter has considered, using European legislative changes as a focus, how dominant citizenship scholarship posits the politics of citizenship via an emphasis on inclusion and exclusion in the statist project. Despite a differing of opinion regarding the degree of inclusiveness or exclusiveness of any particular proposal, the lowest unit of analysis under this Citizenship Debate always remains the individual, who is understood in terms of their ability to hold rights *against* the state. In contrast to this singular focus, this chapter has considered how moves could be made to explore the precariousness of subjectivities outside established understandings of where the boundaries of citizenship normally lie with regard to the state.

This has been done by exploring the work of theorists who emphasise the necessity of challenging the assumption that citizenship can or should always be reducible to the need to resolve, for better or worse, the tension between inside and outside, particularism and universalism. What I have argued is that this alternative type of analysis in the work of Étienne Balibar, Engin Isin and R. B. J. Walker, interrupts existing citizenship analysis by contesting the assumption that subjectivity *has* to be defined vis-à-vis its relationship with the state; it allows us to explore and ultimately *rethink* the assumptions regarding autonomy and sovereignty which the existing citizenship analysis takes and (re) produces.

Chapter 2 looks in more detail at how the Citizenship Debate has played out at a national level in discussions surrounding the 2004 Irish Citizenship Referendum. This is a case which raised similar ongoing questions about the rights of children born to migrant parents in the context of wider immigration system requirements as were raised in Britain in 1981, in France in 1993, and most recently in the Zambrano ruling.

Notes

1. Walker, 'Citizenship after the Modern Subject', p. 198.
2. Isin, *Being Political*, p. 275.
3. Balibar, 'The "Impossible" Community of the Citizens', p. 453.
4. Miller, 'Bounded Citizenship', p. 69; see also Miller, *Citizenship and National Identity*.
5. Miller, 'Bounded Citizenship', p. 69
6. FORUM Institute for Multicultural Affairs, *Binding Citizenship*, p. 1; see also Bron, *Citizenship and Social Integration in the Netherlands*, p. 1.
7. House of Commons Library, 'The Voluntary Sector and Big Society'.
8 See, for example, DSCFA, *Supporting Voluntary Activity*, p. 14.
9. Hansen and Koehler, 'Issue Definition, Political Discourse and the Politics of Nationality Reform in France and Germany', p. 631; Joppke, *Immigration and the Nation-state*.
10. Dummett, 'United Kingdom'.
11. Quoted in Joppke, *Immigration and the Nation-state*, p. 110.
12. Home Office, *British Nationality Law*, p. 4.
13. Weil, 'Access to Citizenship', 2001.
14. Bertossi and Hajjat, *Country Report: France*; Hansen and Koehler, 'Issue Definition, Political Discourse and the Politics of Nationality Reform in France and Germany', p. 631.
15. Bertossi and Hajjat, *Country Report: France*, 2012, p. 9.
16. Brubaker, *Citizenship and Nationhood in France and Germany*, p. 143; Hansen and Koehler, 'Issue Definition, Political Discourse and the Politics of Nationality Reform in France and Germany'.
17. Hansen and Koehler, 'Issue Definition, Political Discourse and the Politics of Nationality Reform in France and Germany', p. 633.
18. Miller, *Citizenship and National Identity*, pp. 88–9.

19. Ibid., p. 30.
20. Ibid., p. 34.
21. Ibid., p. 30.
22. Walzer, *Thick and Thin*.
23. Ibid., p. 82.
24. Kymlicka, 'Liberal Nationalism and Cosmopolitan Justice'.
25. Hutchings, 'Political Theory and Cosmopolitan Citizenship', p. 2.
26. Lister, *Citizenship*, p. 43.
27. Bauböck et al., 'Migrants' Citizenship', p. 68.
28. Sawyer and Blitz, *Statelessness in the European Union*, p. 309.
29. Honohan, *Ius Soli Citizenship*, p. 4.
30. Bauböck and Honohan, *Access to Citizenship*; Honohan, *The Theory and Politics of* Ius Soli, p. 5.
31. Joppke, *Immigration and the Nation-state*, p. 113.
32. Sawyer and Wray, *Country Report: United Kingdom*, 2012, pp. 3, 1. This makes reference to the fact that prior to 1948 all persons born in the territory of the British Empire could access citizenship equally, purely by residing in the territory of the United Kingdom, because all subjects of the British Empire were equal in allegiance to the monarch (see Weil, 'Access to Citizenship').
33. Sawyer and Wray, *Country Report: United Kingdom*, p. 6.
34. Joppke, *Immigration and the Nation-state*.
35. Ibid., p. 223.
36. Bertossi and Hajjat, *Country Report: France*, p. 11.
37. Hansen and Koehler, 'Issue Definition, Political Discourse and the Politics of Nationality Reform in France and Germany', p. 631.
38. Bauböck, 'Citizenship and Migration', p. 16.
39. Anthias and Yuval-Davis, 'Introduction', p. 6.
40. Lister and Pia, *Citizenship in Contemporary Europe*, p. 58.
41. See for example Dobrowolsky and Lister, 'Social Exclusion and Changes to Citizenship'.
42. Benhabib, *Another Cosmopolitanism*, 2006.
43. Scholars who are more optimistic about the potential for the EU to provide the basis of a successful global community of citizens include Benhabib (*Another Cosmopolitanism*) and Yasmin Soysal (*Limits of Citizenship*). Scholars who are more critical of this idea include Sawyer and Blitz (*Statelessness in the European Union*) and Yuval-Davis and her colleagues (*The Situated Politics of Belonging*).
44. Joppke, *Citizenship and Immigration*; Kymlicka, *Multicultural Odysseys*; Linklater, *Critical Theory and World Politics*.
45. Kymlicka, 'Liberal Nationalism and Cosmopolitan Justice', p. 133.

46. See in particular Kabeer, *Inclusive Citizenship*; Yuval-Davis et al., *The Situated Politics of Belonging*.
47. See for example Goldberg, *The Racial State*; Lister, *Citizenship in Contemporary Europe*.
48. Yuval-Davis and Werbner, 'Introduction: Women and the New Discourse of Citizenship', p. 2; Marshall, 'Part I: Citizenship and Social Class'.
49. Yuval-Davis and Werbner, 'Introduction: Women and the New Discourse', p. 2.
50. Benhabib, *Another Cosmopolitanism*, p. 169.
51. Lister and Pia, *Citizenship in Contemporary Europe*, p. 58.
52. Sawyer and Blitz, *Statelessness in the European Union*. Soysal conveys a similar meaning by emphasising the need for 'incorporation' into trans-/post-national political communities (Soysal, *Limits of Citizenship*).
53. Gaventa, 'Foreword', p. xii.
54. Bauböck, 'Towards a Political Theory of Migrant Transnationalism'.
55. Balibar, *We the People of Europe?*, p. 66.
56. Ibid., p. 67.
57. Closs Stephens, 'Citizenship without Community'.
58. Balibar, *We the People of Europe?*
59. Ibid., p. 59.
60. Ibid., p. 65, original emphasis.
61. Ibid., p. 5.
62. Isin, *Being Political*, p. x.
63. Ibid., pp. 3–5.
64. Ibid., p. 4.
65. Ibid., p. 3; Isin, 'Citizenship in Flux'; Isin and Nielsen, *Acts of Citizenship*.
66. Isin, 'Theorizing Acts of Citizenship', p. 17.
67. Walker, 'Both Globalization and Sovereignty'; Walker, 'Citizenship after the Modern Subject'; Walker, 'Polis, Cosmopolis, Politics'.
68. O'Dowd, 'From a "Borderless World" to a "World of Borders"'.
69. Camilleri, 'Rethinking Sovereignty in a Shrinking, Fragmented World', p. 13. Camilleri points out that 'by the end of the fifteenth century, Europe comprised some five hundred more or less independent political units' (ibid., p. 14).
70. Ibid., p. 13.
71. Bartelson, *A Genealogy of Sovereignty*, p. 88.
72. For a detailed discussion regarding the various stages of the shift from the Middle Ages to the classical age and finally to the modern

age through which 'outsides' were invented, see Bartelson, *A Genealogy of Sovereignty*.

73. Gierke, *Natural Law and the Theory of Society*, p. 40, quoted in Bartelson, *A Genealogy of Sovereignty*, p. 90 (emphasis added by Bartelson).
74. Walker, 'Polis, Cosmopolis, Politics', p. 269.
75. Ibid., p. 275.
76. Walker, 'Citizenship after the Modern Subject', p. 196.
77. Walker, *Inside/Outside*, p. 174, emphasis added.
78. Walker, 'Polis, Cosmopolis, Politics', p. 179; Walker, *Inside/Outside*.
79. Walker, 'Citizenship after the Modern Subject', p. 173.
80. Vaughan-Williams, 'Beyond a Cosmopolitan Ideal', p. 115.
81. Home Office, 'Children Born in the United Kingdom Who Are Not British Citizens', p. 1, original emphasis.
82. Bosniak, *The Citizen and the Alien*, p. 129.
83. Nyers, 'Emergency or Emerging Identities?', p. 22.
84. Ferry et al., 'France', p. 181.
85. Martiniello, 'Political Participation, Mobilisation and Representation of Immigrants and Their Offspring in Europe'.
86. Fangen and Mohn, 'Introduction: Turning Adult, Becoming Nationalized'.
87. Ibid., p. 7.
88. Walker, 'Citizenship after the Modern Subject', p. 198.
89. Butler argues that a 'making strange' approach can be contrasted with the approach taken by 'those who believe that we have a certain responsibility to write [and think] not only in an accessible way, but within the terms of already accepted grammar'. She goes on to explain, 'It's not that I'm in favour of difficulty for difficulty's sake; it's that I think there is a lot in ordinary language and in received grammar that constrains our thinking – indeed, about what a person is, what a subject is, what gender is, what sexuality is, what politics can be' (Butler, 'Changing the Subject').
90. Edkins and Pin-Fat, 'The Subject of the Political'.
91. Jabri, 'Book Review', 2001, p. 172.
92. Edkins and Pin-Fat, 'The Subject of the Political', p. 1.

2 A Lens: The 2004 Irish Citizenship Referendum

On 10 March 2004 the Irish government announced its plans to hold a referendum on the right to citizenship on the island of Ireland. The Twenty-Seventh Amendment of the Constitution Bill 2004 was initiated in Dáil Éireann less than a month later, on 8 April 2004. This proposed that a referendum should be held to decide whether the following additional wording should be inserted into Article 9 of Bunreacht na hÉireann:

> **Article 9.2.1** Notwithstanding any other provision of this Constitution, a person born in the island of Ireland, which includes its islands and seas, who does not have, at the time of his or her birth, at least one parent who is an Irish citizen or entitled to be an Irish citizen is not entitled to Irish citizenship or nationality, unless otherwise provided for by law.

> **Article 9.2.2** This section shall not apply to persons born before the date of the enactment of this section.

This was intended to replace the existing constitutional clause (Article 2) governing citizenship, which stated at that time that that it was both the entitlement and birthright of 'every person born in the island of Ireland . . . to be part of the Irish Nation and to be citizens of Ireland.'[1] Once passed by both houses of the Oireachtas, the government, which at that time was a coalition made up of Fianna Fáil (FF) and the Progressive Democrats (PD), announced that the proposal would be put to the people of Ireland in a referendum to be held in conjunction with European and local elections on 11 June that same year. A huge debate

ensued over the meaning of Irish citizenship, belonging and the place of migrants in the Irish political community.

This chapter looks at discussions surrounding the 2004 Irish Citizenship Referendum in order to consider the Citizenship Debate in more detail. The 2004 Irish Citizenship Referendum has been described as 'the most significant event in the politics of immigration in the Republic of Ireland'.[2] I consider how discussions about citizenship were narrowly focused around a series of options which can be linked back to state sovereign political imagination: a particularist appeal to state sovereignty and a universalist appeal to post-state and trans-state sovereignty. Drawing subsequently in this chapter on the work of cutting-edge theorists within the field of critical citizenship studies such as Ayelet Shachar and Sandro Mezzadra, I consider the importance and possibility of recognising and confronting how both the problem *and* the solution to citizenship have come to be located in a modern sovereign statist dualistic framework.[3]

The Particular Exclusivist Model: An Appeal to Sovereign Statehood

The argument in favour of inserting a qualification into Article 9 of the Irish Constitution was articulated in several key documents issued by the Department of Justice, Equality and Law Reform in March and April of 2004.[4] These highlight the Irish government's belief in its sovereign duty to regulate entry into, as well as residence within, the state, but specifically identify two main factors impeding this. In a piece written by the Minister for Justice, Equality and Law Reform (henceforth 'the Minister for Justice') these factors are identified as first, the 'apparently strong legal claim on the part of non-national parents of a child born [in Ireland] to remain in the State, based on the *Fajujonu* case'; and second, the entitlement, inserted in 1998 under Article 2 of the Constitution, of all those born in Ireland to become Irish citizens.[5] I outline both of these issues in detail below.

The government argued that the Fajujonu ruling had largely been dealt with through the Supreme Court in 2003 in the Lobe and Osayande case. However, the Minister for Justice put forward that automatic entitlement to birthright citizenship in Ireland

– which elsewhere the government argued was 'unique in the European Union, and unusual world-wide'[6] – could only be dealt with through a referendum.[7]

The Fajujonu ruling

The first issue which the government identified in 2004 as impeding its ability to regulate entry into and residence within Ireland was the 1990 Fajujonu ruling. The 1990 Fajujonu case referred to a Supreme Court ruling involving two migrants (one of Moroccan nationality and one of Nigerian nationality) who were the parents of Irish citizen children and who successfully sought for the right to remain in Ireland on this basis.[8] Prior to Fajujonu there had been several cases in the 1980s involving migrant males seeking to remain in Ireland on the basis of having Irish citizen children, yet these had all failed.[9] Under Fajujonu, however, the Supreme Court found that the length of time which the parents had been living in Ireland was considerable (nine years) as was the extent to which the family were integrated into Irish society as a result of this. The Supreme Court therefore ruled that the parents did have a strong case to remain in Ireland to provide 'company, care and parentage' to their citizen child within the state on the basis of a child's entitlement to company and protection of their family as set out in Articles 41 and 42 of the 1937 Constitution.[10]

Subsequent to the Fajujonu ruling, a precedent was set which allowed Irish citizen children to invoke their right to the care and company of their migrant parents in the Republic of Ireland regardless of the status of those parents. According to the government's own figures, between 1999 and 2003 approximately 10,000 non-EEA nationals were granted the right to remain in Ireland on the basis of being the parents of an Irish citizen child.[11] In 2003, however, a landmark ruling undermined this precedent which became known as the Lobe and Osayande ruling.

Lobe and Osayande involved the case of a Czech Roma family (the Lobes) and a Nigerian family (the Osayandes) seeking a right to residence in Ireland to provide 'company, care and parentage' for their Irish-born child similar to that sought in the Fajujonu case.[12] This was rejected for a series of reasons which the Supreme Court eventually upheld: these included what was perceived to

be the relatively short period of time during which the families had been living in Ireland (nine months for the Lobes and seven months for the Osayandes) and the fact that several members of both families had applied for asylum in the UK before moving to Ireland and were therefore in breach of the Dublin Convention.[13]

The Supreme Court judges also specifically stressed the fact that there had been a sizeable increase in asylum applications in Ireland during the previous decade (from 424 in 1992 to 10,934 in 2000, and to 11,503 as of January 2003).[14] Given that many asylum seekers could be shown to have eventually applied for leave to remain on the basis of the parentage of an Irish citizen child or sibling, what was implied was that this process was working to circumvent the asylum system.[15] As a result, in the Lobe and Osayande case it was ruled for the first time since 1990 that a migrant parent's right to remain in Ireland to bring up their child needed to be weighed against the additional importance of the integrity of the asylum process and the state's need to control entry into, as well as residence within, the state.[16] Subsequently, on 17 July 2003 the government announced that requests for leave to remain in the state on the basis of having an Irish-born child would no longer warrant a separate process to other migration claims.[17] The government did not give figures at the time but it was subsequently estimated that approximately 10,000 applications made before January 2003 for leave to remain on the basis of an Irish-born child or sibling remained outstanding.[18]

Article 2 of Bunreacht na hÉireann

Having begun to deal with this first issue (the Fajujonu ruling), the Irish government argued in 2004 that there was another issue which was impeding its ability to control entry into and residence within the state. This was the existing wording of Article 2 of Bunreacht na hÉireann. Article 2 of the Constitution was a result of negotiations made under the Good Friday Peace Agreement between the Irish and British governments in the late 1990s. It was agreed during these peace negotiations that the existing territorial claim by the Republic to the whole of the island of Ireland (the previous Article 2) would be replaced with a constitutional entitlement to all those living on the island to become

Irish citizens, should they wish to do so.[19] Under the Good Friday Agreement, the existing Article 2 was replaced with the following:

> It is the entitlement and birthright of every person born in the island of Ireland, which includes its islands and seas, to be part of the Irish Nation. That is also the entitlement of all persons otherwise qualified in accordance with law to be citizens of Ireland. Furthermore, the Irish nation cherishes its special affinity with people of Irish ancestry living abroad who share its cultural identity and heritage.[20]

According to the Irish government, this right to Irish citizenship at birth had previously only been provided for in Irish law (Irish Nationality and Citizenship Act 1956 and 1986). It argued that the Oireachtas had always previously retained the power to legislate (and therefore to control) the exact conditions necessary for the acquisition of citizenship on the island. When citizenship at birth was eventually enshrined constitutionally under the Good Friday Agreement, the Oireachtas' power to legislate in this matter was removed.

In outlining its proposals for a citizenship referendum in 2004, the government therefore argued that the need for the referendum on citizenship was based on a requirement to *restore* power to the Oireachtas which had been removed under the Good Friday Agreement, a power

> which is in line with the general statement at Article 9.1.2 of the Constitution, [and which] has not been available since the incorporation of the present wording of Article 2 by the Nineteenth Amendment of the Constitution Act, effective from 2 December 1999.[21]

As an explanation for why the constitutional entitlement to citizenship at birth needed to be changed specifically at that point, the government pointed to how much the immigration situation on the island of Ireland had changed since 1998, when the Good Friday Agreement was negotiated. Ireland had previously always been a country of net emigration, but it had become a country of net immigration in the twenty-first century. This phenomenon was due to large numbers of Irish citizens who had gone abroad

in the previous decades (mostly the 1980s and 1990s) returning to Ireland, as well as, eventually, equally large numbers of people coming to live in Ireland for the first time.[22] However, only the latter group was the focus of concern in discussions surrounding the 2004 Irish Citizenship Referendum.

There had been a sustained increase in the numbers of persons born outside the island of Ireland taking up residence over the previous decade.[23] The argument made by the government was that the automatic constitutional entitlement to citizenship at birth in Ireland was permitting children of persons who did not have sufficient connection with Ireland (referred to as 'non-nationals') to acquire significant rights which they might otherwise not be entitled to simply by virtue of being born in Ireland. This, according to the government, was an abuse of the system and needed to be rectified via referendum so as to remove the universality of this entitlement from the Constitution.

The government argued that despite the change in policy since the Lobe and Osayande ruling, which effectively abolished the 'Irish-born child route' as a means for parents to gain residency and remain in Ireland regardless of status, the constitutional right to citizenship at birth agreed to under the Good Friday Agreement was proving to be an *enduring* incentive (described as 'a loophole') for non-national parents to give birth in Ireland. The government insisted that the proposed referendum was necessary to remove this incentive. It argued in favour of and drafted preliminary legislation which proposed that citizenship at birth for those whose parents were not Irish citizens nor entitled to become so should be conditional in the future on the parents in question being resident (not including as students or as asylum seekers) in Ireland for a total of three years out of the four prior to the child's birth.[24]

As proof of the abuse to which it referred, the government pointed first to a high proportion of asylum seekers arriving pregnant in Ireland in the preceding few years.[25] It also pointed to a general increase since 1998 of births to non-nationals in the state and, in recent years, to the specific experience at certain Dublin maternity hospitals of 'a disproportionate number' of non-national women presenting unannounced in both late pregnancy

and the early stages of labour, only to leave the country soon after giving birth.[26] The government insisted that the masters (medical directors) of the three main maternity hospitals in Dublin had come to it indicating serious concerns about how this practice was both endangering the lives of pregnant women and presenting a great strain on the existing maternity services.[27] Describing this phenomenon as 'citizenship tourism', the government put forward the argument that 'the inescapable conclusion is that non-national parents, whether based in Ireland or not, quite reasonably perceive an advantage by giving birth in Ireland to a child who thereby becomes an Irish, and thus an EU, citizen.'[28]

The rationale behind the proposed citizenship referendum was accordingly presented as a 'simple' and 'sensible' effort to deal with this issue by both parties in government.[29] Both coalition parties insisted above all on the need to preserve the 'integrity' of Irish citizenship arguing that regardless of the actual numbers, the practice itself of 'conferring Irish citizenship on the future children of these estranged Irish-born citizens . . . is an unacceptable abuse of our citizenship laws and it undermines the . . . value of what it means to be an Irish citizen'.[30] The Tánaiste argued at the time that the simple fact of the matter was that 'our constitutional provisions are being used in a way we did not intend'.[31] The current situation, she argued, was 'not [one] in which citizenship is sufficiently valued and honoured'.[32] The largest party in government (FF) subsequently launched its campaign for a Yes vote in the citizenship referendum with posters which read 'Vote Yes to Common Sense Citizenship'. The leader of FF, who was also Taoiseach, put it thus:

> The constitutional referendum on citizenship has a single and straightforward purpose. There is a loophole in our citizenship law that is open to abuse. Voting Yes will close that loophole. Ireland is the only EU country that allows an unrestricted right to citizenship at birth. The Governments [*sic*] proposals are to change that.[33]

Elsewhere, the Tánaiste insisted that a Yes vote on 11 June would merely bring Irish citizenship legislation in line with other European countries by 'end[ing] the situation where people who

have no connection with Ireland, and may continue to have no connection with Ireland, can acquire citizenship for their children'.[34]

In existing analysis of the 2004 Citizenship Referendum the pro-referendum stance articulated by the Irish government is understood as a particular bounded model of citizenship; this is a model which emphasises the importance of shared national characteristics and active participation in a given community, as outlined in Chapter 1.

The Universal Inclusivist Citizenship Model: An Appeal to Post-statist or Trans-statist Citizenship

> The proclamation of 1916 promised to 'cherish all of the children of the nation equally'. . . yet this has been rendered effectively valueless by the Citizenship Referendum and subsequent legislation. The Irish state was able to strip some of its most vulnerable children of citizenship with the support of 80 per cent of the population. This reality is at the very core of the racism that we confront in 21st century Ireland.[35]

The argument against the removal of the constitutional entitlement to birthright citizenship in Ireland in 2004 was articulated by most of the main opposition parties in conjunction with various sections of Irish civil society. The largest opposition party at the time (Fine Gael) objected to the timing of the referendum but did not oppose the basis of the referendum proposal itself.[36] Those who did object to the substance of the proposal included, but were not limited to, the Green Party, the Labour Party, Sinn Féin, the Socialist Party, the Irish Council for Civil Liberties, the Children's Rights Alliance (CRA), Integrating Ireland, the Irish Human Rights Commission and the National Consultative Committee on Racism and Interculturalism.

In the first instance, these bodies pointed out that the term itself 'non-national' was highly misleading as it lumped together a range of categories of persons who could be living in the state for a variety of reasons, most of which involved a long-term commitment to living and working there.[37] They also challenged

the statistical evidence presented, as well as the 'fact' of a direct correlation between the constitutional entitlement to birthright citizenship and the arrival of pregnant women in late stages of pregnancy or early stages of labour at Dublin maternity hospitals.[38] One of the main arguments made at the time was that the government could provide no satisfactory breakdown for the overall numbers of births to non-nationals in order to confirm that they were in fact 'disproportionate'.[39]

A damning report by the Children's Rights Alliance (CRA) exploring the government's argument found, on the contrary, that these numbers were in keeping with increasing volumes of inward migration to Ireland over the previous decade and the simple fact that a large percentage of migrant women were of childbearing age. This report also significantly points out – looking specifically at one Dublin maternity hospital, the Coombe, but implying that the statistics are consistent across the other Dublin maternity hospitals – that it was not only non-Irish citizens that had a tendency to arrive unannounced or in the late stages of pregnancy. It indicates rather that many Irish citizens also did this during the same period.[40]

Overall, the lack of disaggregated statistics was criticised. The report by the CRA pointed out, for example, that even where it did exist, the statistical data gathered to date in 2004 on births to non-Irish nationals in Dublin's maternity hospitals was not very useful, for the term 'non-national' included women with British and/or other EU citizenship as well as those from outside the EEA. It therefore did not distinguish between those for whom citizenship would not be a major pull factor as against those for whom it might be,[41] arguing that because the gap between national and EU citizenship rights was narrowing, Irish citizenship would not be a pull factor for EU nationals. This report pointed out that those who were non-EEA citizens needed to be further differentiated in terms of whether they were tourists, persons with refugee status (who therefore have Irish citizenship), or persons who had been granted a work visa or a work authorisation permit in order to fill a gap in the labour market. It noted that 'women in each category will have different reasons for their presence in Ireland at the time of giving birth' but pointed out that this was not acknowledged

in existing statistics as maternity hospitals simply did not collect what is referred to as 'comprehensive data' relating to the residency status of mothers.[42]

In addition to definitional and statistical issues, the idea that the referendum proposal itself was a 'simple technical' adjustment which would restore power to the Oireachtas to legislate on citizenship where this had been removed with the insertion of the amended Article 2 under the Good Friday Agreement was refuted. Instead what was argued was that *jus soli* (birthright citizenship) had formed the fundamental basis of Irish citizenship since the foundation of the Irish Free State in 1922: initially through Article 3 of the Constitution of the Irish Free State and later without interruption through successive legislation (Nationality and Citizenship Acts of 1935, 1956 and 1986) under the 1937 Bunreacht na hÉireann. With the insistence that '*jus soli* has been the consistent and defining leitmotif of Irish citizenship law since 1922', it was asserted that the proposed referendum would result therefore in a fundamental shift in how the principle of citizenship was to be regulated in Ireland: from being based predominantly on birthright citizenship (*jus soli*) to being based predominantly on citizenship by descent (*jus sanguine*).[43] It was argued furthermore that the so-called 'loophole' identified by the government in Article 2 of the Irish Constitution was in fact the result of an overwhelming decision by the majority of the Irish population to support the terms of the Good Friday Agreement, and this attempt to engender a more inclusive concept of Irish citizenship could not be written off so easily. Finally, it was pointed out that despite the implication by the Irish government, there was no imperative for Ireland to harmonise its citizenship legislation with that of other EU countries.

Another criticism levelled at the government was that it had allowed very little time for consultation and debate of the issues at hand. Instead it guillotined the referendum proposal bill in the Oireachtas and ignored calls for an all-party committee or hearings on this legislation.[44] Existing provisions in Irish citizenship legislation which would continue to allow for people of second- and third-generation Irish families to acquire Irish citizenship (often despite having never set foot on Irish soil), along with

inadequate provisions for affording residency within the state to those who were living and working in Ireland for considerable periods of time, were also pointed at to indicate the weakness as well as the inconsistency of the government's argument that its aim was to maintain the 'integrity' of Irish citizenship.[45] Michael Higgins TD of the Labour Party perhaps best articulated the opposition stance to the referendum proposal in this respect: 'To summarise the current position: there has been no European request [to harmonise Irish citizenship legislation]; fundamental change to the Constitution is sought; the problem has not been quantified and has been distorted; and there has been no consultation.'[46]

Without the statistical evidence deemed necessary to back up the government's arguments regarding 'citizenship tourism', serious suspicions were raised about the referendum proposal itself.[47] Where statistics did indicate abuses of Irish citizenship, it was pointed out that these were so few that they did not warrant a change in the Constitution. 'We have been told that the number of people affected is 442. That does not represent a crisis . . . The government is using it and it is opportunism.'[48] Instead it was suggested that the government was trying to cover up for a lack of hospital funding over the previous decade and that immigrants were ultimately being used as scapegoats for its failures in this regard.[49] The referendum was posited as an attempt by the government to shift attention at the ballot box away from their record on 11 June, when local elections were also to be held, 'by chang[ing] the agenda to issues of race and ethnicity, and to raise scares that do not exist'.[50]

It was put forward by many that the referendum proposal was an attempt to promote 'a racist notion of citizenship and what it means to be Irish by creating a formal category of second-class citizen'.[51] What was argued was that differentiating between 'genuine' and 'non-genuine' citizens should be seen as a practice in exclusion, resulting in 'migrant women in Ireland [being] signified as "Other" and stereotyped as sexually active child-makers, deliberately subverting Irish norms of citizenship and nationality'.[52] On the basis of the understanding that 'states have become the *gated communities* of the globalised world',[53]

this argument invoked the idea of Ireland as a fortress and the state as that which holds the power to decide who gets in and who is left out. As John Harrington demonstrates, the argument made was that the Irish state was exerting its 'powers of exclusion and expulsion which it shares with all states receiving immigrants and asylum seekers'.[54] J. M. Mancini and Graham Finlay associate the pro-referendum stance with a narrow understanding of republicanism where the sovereign people are defined as those who founded the republic, 'making it impossible to redefine "the people" in light of changing circumstances.'[55] Bryan Fanning makes a similar point, identifying the pro-referendum stance as an essentialist (as opposed to civic) type of republicanism.[56]

Ronit Lentin explains that to refer to 'racialised exclusions' in this context is to emphasise the 'new ethnicised spaces' in what David Sibley calls 'Ireland's geographies of exclusion'.[57] Here, racism is no longer understood as individual prejudice but as 'a system of subordination [which] makes and keeps people different, separate and unequal'.[58] What has been suggested as an alternative is a post-national citizenship model which promotes 'less restrictive understanding of Irish citizenship and belonging'[59] by encouraging 'an interrogation of how the Irish nation can become other than white (Christian and settled)'.[60] It has been argued that this specifically involves exploring the idea of a decidedly multi-ethnic Irish society (comprising Travellers, black Irish and Jews among other migrants) despite the myth of the monocultural Gael.

These arguments draw on pre-2004 scholarship, which had already argued that the question of Irish citizenship could be linked to the exclusion of women, Travellers, Jews and black Irish from the Irish statist project embodied in the 1937 Constitution.[61] This existing work emphasises the existence of 'a particular construction of . . . the very substance of what it meant to be Irish' as white, male and settled, and the corresponding exclusion of certain groups of people who are constructed as Other.[62] The 2004 Citizenship Referendum has been interpreted as an extension of this process of othering and there has been a correspondingly heavy emphasis on the role which gender, race, class, ethnicity and ideology play in this. Some authors writing here have focused on the dominance of one of these factors,[63] whereas

others have looked at the dominance of particular combinations of factors.[64]

The aim has been to challenge the assumed natural boundaries of the state by underlining their fluidity: in particular, how individuals are positioned as included and excluded in different ways and according to different discourses. To this extent T. H. Marshall's famous definition of citizenship (as 'full membership of a community'[65]) has been problematised in how it implies that citizenship entails full membership of an established or a static political community.[66] What has been highlighted is the need to interrogate how the parameters of Irish society became fixed, as opposed to merely assuming that they reflect the pre-existing reality of a cohesive community. The notion of an uneven struggle through which the terms of membership of the Irish community were ultimately realised is paramount. The emphasis on 'Fortress Europe' is particularly dominant in this analysis, as is an emphasis on the exclusive nature of what Helma Lutz calls 'European-ness'.[67] The result is the opposition of two generalised models of citizenship – the exclusive and the inclusive. As Naila Kabeer demonstrates elsewhere, the presumption is that the notion of inclusive citizenship stands opposed to 'the standpoint of the excluded';[68] the latter is identified with narrow conceptions of political identity and belonging (for example, 'European-ness') in contrast to the former, which is associated with the possibility of 'a non-sexist, non-racist, non-westocentric theory of multilayered dialogical citizenship'.[69]

Challenging and yet reinforcing anew sovereign foundations

What we see here is an emphasis on spatial fragmentation within the Irish political community. The potential for rethinking sovereign space and time is briefly opened up in such discussions by questioning the absolute space (fixed boundaries) and linear time (progressive nature) of Irish citizenship. However, understandings of subjectivity have become sedimented (essentialised) in and through gender or race anew. Certain types of subjects – such as 'migrant mother' or 'African' or 'black migrant' – have come to be defined vis-à-vis processes of exclusion as well as supposedly *a priori* spaces of resistance linked to the understanding that

they hold 'a strategic position in relation to Ireland's citizenship and residency laws'.[70] Such subjects have appeared as alternative sovereign subjects in whom essence and power is centralised via race, gender or ethnicity. In other instances, where there has been an emphasis on 'old' and 'new' ethnic minorities, the question of sovereign autonomous presence can be seen to have been deferred away from dualistic space (us/them) but towards dualistic time (old/new, existing population/newcomer).[71]

By emphasising the inclusive/exclusive model framework within which dominant international citizenship studies literature operates, I am not attempting here to ignore how the positions within this framework can also be broken down along the lines of liberal, communitarian, radical (new social movement and feminist) and cosmopolitan theories.[72] Similarly, I do not ignore notable efforts elsewhere to consider a compromise to the exclusionary focused racial theories of the state in more inclusively focused cosmopolitan alternatives. Rather I am drawing attention to the manner in which the framework within which all these theories operate is based on the overall assumption of the need to consider how membership of a fluid, universal humanity *can* be reconciled with that of a particular and bounded community – namely, by recognising diversity within a wider society.

For example, in the 2004 Citizenship Referendum people were only able to vote Yes or No to the proposal and this can be seen in existing analysis to have encouraged extremes of opinion. What then of the self-professed more nuanced options which have also been offered in existing analysis of this event? Many people have argued that these options break with the 'inclusive versus exclusive' citizenship framework in so far as they attempt to provide a model of citizenship which is a combination of the two, a middle ground if you will. Bryan Fanning in particular argues, for example, that concentrating on racism as the only underlying factor of the 2004 Citizenship Referendum, as some people have done, is too simplistic.[73] He and others have instead suggested that the referendum might be better understood in terms of the role which nationalism (and thus the liberal state project) has played as a concept which is bound up with processes of *both* exclusion and inclusion.[74] They have emphasised the possibility of

reasserting the former within the nation-state model rather than dismissing the nation-state model in general.

Iseult Honohan's work has, for example, attempted to consider how bounded citizenship need not necessarily embody notions of exclusion and particularism but may in and of itself 'be conceived of in ways that are more inclusive and open to diversity'.[75] She does so by outlining 'a civic conception [of bounded citizenship] that, while still particular, entails criteria that are less exclusive and less demanding of homogeneity than other conceptions of membership'.[76] Honohan looks here at the implications of shifting the emphasis within the concept of bounded citizenship from strict regulation (as was focused on in the 2004 Citizenship Referendum proposal) to that of 'closure', which is based also on inclusion. She suggests that this allows for more nuanced distinctions between conceptions of citizenship than those which are embodied in the civic-versus-ethnic dichotomy normally taken for granted. This quest for such a middle ground – a quest, to use Christian Joppke's phrase, to find some ground 'between citizenship and race' – is something which is increasingly part of such discussions.[77]

Yet I would point out that there has been a relatively small move here from emphasising exclusive and inclusive models of citizenship as opposites, to exploring how these models can be or are already interwoven through the state. The middle ground which is put forward here still presents the politics of citizenship as that which must be defined in terms of the relationship between the universal (autonomous persons, or groups of autonomous persons), and the particular (the state). The emphasis remains on how the state constructs groups differently in society according to degrees of inclusion and exclusion and the need to resolve this (albeit 'through' rather than 'beyond' the state). Such discussions continue to reinforce the understanding that people are separate from political community and *can* therefore be included. Political community continues to be understood as a territorial bounded unit: the emphasis is simply on how the boundaries can be extended in new ways to include diversity rather than excluding it.

The point then is that we can see at a national level through the 2004 Irish Citizenship Referendum how citizenship was presented vis-à-vis *limited* possible interpretive choices which are defined

by a certain reality of what it means to be a political subject in terms of sovereignty and autonomy – which was then debated. The next section considers in more detail how this limited range of options – as a trade-off between exclusion and inclusion, particularism and universalism – was conceptualised, discussed and thus enabled.

One Debate: Two Options

> For the entire life of this State, we have held to a person's fundamental right to the country of his or her birth. In this regard we have always been closer to Boston than to Berlin . . . Fortress Europe has little to teach us in this regard. It has long held to the old tired principle of the rights of blood (known as *jus sanguine*) over those of soil (*jus soli*) . . .We are now being asked to choose between these two new worlds and to choose the old world model.[78]

The 2004 Citizenship Referendum brought to the fore questions of, and understandings regarding, immigration, integration and social change in the Republic of Ireland in terms of a series of dualistic distinctions – of inclusion and exclusion, particularism and universalism, nationalism and post/trans-nationalism – conceptualised primarily through a comparison between a qualified model of birthright citizenship (*jus sanguine*) with an unqualified one (*jus soli*), as the above quotation demonstrates. Existing analysis of the referendum argues that these are two alternative understandings regarding how political community and identity should be organised: one reproducing the existing boundaries of the nation-state and able to be associated with a particularly narrow republican conception of citizenship, and the other allowing for a rewriting of these boundaries through more inclusive appeals to a common humanity.

Claims to humanity and the idea of a universal citizenship are not entirely contradictory to claims to particularism and the idea of bounded citizenship, however. Instead we need to consider how each works on some level 'within a broader discourse [about our collective futures] that requires *both* for its coherence and

legitimacy'.[79] The result when we do so is a much more complex and intricate image of the various (overlapping) arguments put forward in the 2004 Irish Citizenship Referendum, and thus in the wider inclusivist citizenship literature, than that which is normally offered.

I want to argue that the 2004 Irish Citizenship Referendum can be retheorised as one single debate made up of two sides: one accepting a dominant framework of statehood and community rather unproblematically, and the other attempting to resist this framing but nonetheless accepting the notion that the state is determinative in the last instance of the limits to understandings about political possibility. The latter's attempts to resist the dominant framing are important because they challenge the basis of the statist monopoly on existing understandings about political community and identity. However, they do not ultimately undermine the dominant conception of political subjectivity defined in terms of state sovereignty. Instead they reinforce the idea that political possibility must continue to be defined as that which is split between 'human' (universal identity) and 'citizen' (particular identity). What is evident is that the state, and thus statist territorial imaginary linked to questions of calculation and demarcation, continues to define possibilities for political community and identity in those arguments against, *as well as* those in favour of, the 2004 proposal to abolish automatic entitlement to birthright citizenship in Ireland.

The Interdependency of Particular and Universal Conceptions of Political Community

Those in favour of the 2004 Irish Citizenship Referendum proposal argued that the decision to base citizenship on the principle of *jus sanguine* was about global compatibility: 'It is about bringing Irish citizenship law into line with European Union citizenship law. In Australia, for instance, a child born to non-national parents has no claim to citizenship. The same applies in the United Kingdom, France and Germany.'[80]

The Government Chief Whip insisted that it came down to the question of contribution and the need to distinguish between those

who contribute to society themselves or through their parents and those who do not:

> I consider myself of be a citizen of Ireland, as does everybody in the House, not just because I was born here. I am a citizen of Ireland because my parents and grandparents lived and worked here and con-tributed to society. I too continue to make a contribution to society. Citizenship does not imply any cultural or ethnic uniformity but it implies that contribution.[81]

Those in favour of *jus soli*, on the other hand, questioned the merits of this European trend, arguing that 'the experience of the United States as a melting pot and a society which welcomed – with different levels of success . . . different cultures' has resulted in 'a stronger country, particularly economically'.[82] It was argued furthermore that it resulted in a fairer society:

> The argument that was persuasive in Canada and the United States was that the seemingly random 'accident of birth' rule was actually a fair, democratic and objective way to determine citizenship, not dependent on race, colour, wealth or the political clout of parents. North American countries have maintained a generous approach to citizenship and have thriving economies. Their approach to citizen-ship has served Irish people very well over the past two centuries. We are grateful for that and we should learn from it.[83]

In keeping with this idea, former USA Congressman Bruce Morrison, who spoke directly about the 2004 Irish Citizenship Referendum, went so far as to suggest that *jus soli* was the *only* basis for a fair society, insisting that 'the alternative to birthright citizenship is citizenship based upon ethnicity with a set of tech-nical rules that leave open the possibility that people born and brought up in Ireland are not citizens'.[84]

According to Mancini and Finlay the eventual choice of the Irish government to propose a break with the existing empha-sis on *jus soli* in the Irish Constitution – a decision which was later endorsed by the Irish electorate at the polls on 11 June 2004 – 'marked a sharp break from both this tradition and the

universalism it entails'.[85] Elsewhere Rebecca King-O'Riain has argued that the result has been 'to create a racialised two-tier system where *jus sanguinis*, or ancestry . . . becomes the basis and prime criterion for being an Irish citizen'.[86] The understanding here is that by favouring the European trend the ideology of universalism (*jus soli*) was 'replaced' by the ideology of particularism (*jus sanguine*). Narrow exclusivist understandings of modern political community, defined in terms of possibilities and necessities *of* the nation-state, took precedence over broader understandings of modern political community which were defined in terms of possibilities and necessities *beyond* the nation-state. Mancini and Finlay argue that a 'neglect of the moral, cultural, and economic importance of *jus soli* threatens to impoverish contemporary debates surrounding immigration'.[87] In raising the question of immigration in this manner, they posit the choice of models of political community as either *jus sanguine* (particularism) or *jus soli* (universalism). These are presented as mutually exclusive and as the only two options available, given what is believed to be 'the absence of an alternative set of viable proposals'.[88] The existing analysis focuses on the idea that the referendum proposal 'removed', 'eliminated' and 'substituted' *jus soli* in favour of *jus sanguine*, tracing this decision back to a European convergence in this direction in the area of immigration.[89] General references within Dáil discussions and the literature on the 2004 referendum are based on the understanding, as argued by Fanning and Fidèle Mutwarasibo, that in the wake of the Maastricht Treaty a degree of harmonisation became inevitable in Europe,[90] and that 'the Government is playing with . . . a fear of the unknown, a fear of the foreigner that is shared throughout Europe'.[91]

Yet the usefulness of this polarity between *jus soli or jus sanguine*, universalism *or* particularism, is problematic. Piaras Mac Éinrí points out, for example, that existing responses to immigration within Europe and within individual states in Europe involve questions and understandings of 'universal' conceptions of political community (although often with certain particular specificities) as much as understandings of political community elsewhere do.[92] This is because most European countries operate a system of both *jus sanguine* and *jus soli*. In Ireland, for example, the

general provision which stipulates that all those born in Ireland are Irish citizens themselves regardless of their parent's place of birth, which existed either constitutionally or in statute until 2004, is not the only provision governing citizenship. It existed in conjunction with legal provisions for obtaining Irish citizenship by descent through an Irish citizen parent or through a grandparent (the so-called 'grandfather clause'). This final provision, as provided for in Irish legislation, is a provision allowing second-, third- and fourth-generation people whose parents are registered on a Foreign Births Register to avail themselves of Irish citizenship by virtue of their ancestry.[93] The point is that Irish legislation has always allowed for citizenship to be passed on by descent (*jus sanguine*) as well as by place of birth (*jus soli*).

To some extent this fact is indirectly acknowledged by most people. However, this has not prevented the shorthand use of *jus soli* and *jus sanguine* as concepts to refer to entirely conflicting models of citizenship and to argue that one is replacing or overturning the other. Furthermore, even when this is acknowledged and the distinction between *jus soli* and *jus sanguine* is justified as that which refers to the primary means (descent or birthplace) by which citizenship is acquired in a given state, the lack of general consensus regarding the meaning of these terms in the first place is often ignored. For example, there was huge disagreement in 2004 as to whether *jus soli* can exist in conjunction with *jus sanguine* or not. The Irish Government insisted, on one hand, that it can and therefore argued that *jus soli* would not be 'overturned' or 'eliminated' as, following acceptance of the Twenty-Seventh Amendment of the Constitution Bill 2004, the children of non-nationals who fulfilled the conditions of residency criteria would automatically acquire the right to Irish citizenship at birth. On the other hand, those against the proposed referendum argued that *jus soli* is an unconditional right which ceases to exist when qualifications are imposed on it. One TD, for example, referred to birthright citizenship as being a 'sacred' feature, implying that it could not be altered in any way.[94] Echoing this idea that birthright citizenship has an essential quality linked to inclusion and universalism, Jacqueline Bhabha has more recently argued that 'though birthright citizenship had not been eliminated [following

the 2004 Irish Citizenship Referendum], the nondiscriminatory and inclusive basis for it had'.[95]

In contrast to this emphasis on opposing particular and universal models of political community, Mac Éinrí considers how one of the main European models for the organisation of political community – multiculturalism – is in fact neither particular on one hand nor universal on the other, neither inclusive nor exclusive, but needs to be understood as a product of (incorporating elements of) both Romantic particularist and Enlightenment universalist aspirations.[96] His recent observation is reminiscent of a similar observation made by Maxim Silverman in his work undertaken in the early 1990s. In *Deconstructing the Nation*, Silverman sought to reappraise the framework of oppositional models through which citizenship had been primarily theorised up until that point.[97] This was normally in terms of a Republican universalism model associated with France, as against a Romantic particularism model associated with Germany. This typology can be seen in turn to have been taken as indicative of a contraposition between 'inclusive' and 'exclusive' models of political community within a European context, and between Europe and the rest of the world.[98] Silverman argued, however, that 'the contradictions in the formation of all modern nation-states: contradictions which emerge within Enlightenment formulations of the individual and the collectivity' – *between* universalism and particularism, assimilation and difference, individualism and collectivism – needed to be considered also.[99]

From this perspective, we can begin to think about citizenship as situated at the intersection of diverse and often contradictory discourses regarding who 'we' are and where 'we' belong, rather than that which simply 'signals "belonging" and "insider status" in a privileged way' as Bhabha insists.[100] Instead of reflecting models which can be understood as either inclusive or exclusive organisations of political community and identity, the concepts of universalism and particularism which underpin these citizenship models need to be conceptualised in terms of their own contradictions and of how they themselves 'form part of a more complex whole: that of a tension *within* the fabric of western nations'.[101] Thinking about particularism and universalism as two separate

models of citizenship, even as two models which work together within states[102], fails to address the question of immigration fully as it reproduces a statist framing of politics.

In order to understand the role which the modern sovereign territorial state plays in defining citizenship, I therefore suggest that we begin to think of the state as a 'limit concept'. Peter Nyers argues that thinking in terms of limit concepts 'forces us to confront the limits of modern forms of political identity, community and practice'.[103] He says that we need to think of 'limits', however, not only as acting as restrictions 'beyond which one can go no further' but as being 'simultaneously foundational, as they serve as the condition of possibility for making [and breaking] distinctions such as inside/outside, self/other, friend/enemy.'[104] Taking the state as a limit concept, what is brought into focus here is not only this opposition, but also the possibility (and daily reality) of *transgressing* 'the (imagined) frontiers between universalism, particularism, assimilation and difference, individuals and communities, distance and proximity, the citizen and the subject'.[105]

The Modern Statist Political Discourse

There is little doubt that the aforementioned inclusivist-orientated attempts to explore Irish citizenship are based on asking hard questions about what it means to be Irish, by pointing out how fluid and essentially contested the boundaries are between 'Irishness' and 'non-Irishness'. The theory of bounded citizenship which the Irish government's arguments draw upon relies on a belief in clearly defined lines between notions of passive in contrast to active citizenship, which link in turn to the difference between being born *of*, as opposed to *in*, the Irish community.[106] In contrast to this, inclusivist analysis refuses to ignore the problematic nature of these precarious distinctions. It is increasingly evident that such analysis of the 2004 Irish Citizenship Referendum, drawing on wider inclusivist analysis, specifically concentrates on the political possibilities which abstract universalism opens in contrast to the limitations imposed by state particularism. It

does so by advocating *jus soli* over *jus sanguine*, and in doing so, expands the boundaries of nationality – in this case, Irishness – to include the 'Other' constructed outside and excluded from the initial Irish statist project.

However, these critical explorations of citizenship do not specifically dispute the existing basis that subjectivity must be divided between being 'human' (a common humanity) and 'citizen' (a particular sovereign identity). They merely identify the question of citizenship as a different kind of resolution (a more 'inclusive' one) between being part of a particular community and being part of humanity to that proposed by the Irish government. Despite developing a very nuanced understanding of their limitations, the inclusivist analysis assumes that the future lies primarily with *either* the state (citizenship) *or* humanity. There is little consideration of how this dualistic understanding of political identity might be delimited by resituating and politicising (naming and confronting) *both*. To do this would be to engage in what Bonnie Honig calls 'a politics of double gesture'.[107] Instead the inclusivist analysis reaffirms in the last instance the modern assumption that politics must be a *trade-off* between these two options.

In other words, the extent of the challenge posed here by the inclusivist analysis is questionable when we realise that it is based on assuming, rather than problematising, the prior framing of the politics of citizenship as a relationship between individuals and the modern territorial state, a framing which was always *already* presumed to be in need of resolution. The emphasis in the inclusivist literature continues to be on the correct place to draw boundaries among people on the basis of what is considered the best resolution between universal identities as human beings and particular identities as citizens. This means that political subjectivity continues to be defined in terms of a modern sovereign dual understanding of what it is to be a subject. The idea itself of the sovereign binary framework (understood in terms of statist/humanitarian, inclusive/exclusive, universal/particular, past/present) as the very basis for theorising citizenship continues to be taken as a natural starting point here, even if it is also recognised as an unsatisfactory one.

What is increasingly clear is that although hard questions are being asked about the failure of state claims to provide answers to understandings of political subjectivity which transcend their boundaries, they are being asked in a manner which 'reproduces the terms on which they have been posed since the early-modern era'.[108] The statist monopoly on understandings of the nature and possibility of/for political community is interrogated in existing inclusivist analysis. However, the modern statist (sovereign) political discourse itself, which dictates that politics must be conceptualised in terms of a relationship between the state and autonomous persons or groups of autonomous persons, is not interrogated. Rather, by continuing to pose the question of Irish citizenship in terms of its relationship to the modern sovereign territorial state, the terms of this analysis remain embedded in the understanding that the ground of politics must be located here and that political subjectivity *must* be (re)constructed in the last instance as autonomous and sovereign. As R. B. J. Walker eloquently observes of other such attempts to counterpose state sovereignty and globalisation, 'only the sharpness of the boundary is put into question, not the spatial articulations of political life that place the boundaries where they are'.[109] What is *not* questioned is the modern conception of how we came to understand the self and state as somehow linked to, yet also as ultimately separate from, other selves and other states.

The point is that the concept itself of modern state sovereignty as a *constitutive* practice in its own right with an equally constitutive subject, and not simply a legal principle or state of Being, is not considered here – although there is often recognition of the need to do so. Citizenship embodies a problem, which is its ability to draw lines between citizen and non-citizen, between belonging and not-belonging, and so on. It also provides a historically specific way of responding to this problem, because it presents the alternative – which is humanity – in the problem itself. Put another way, 'human' does not necessarily oppose 'citizen' because both concepts form equal parts of the equation through which citizenship has been historically constructed as a problem of (state) sovereignty in the first place; this is to point out that citizenship has always been posed in terms of the need to understand

how humans also belong to specific communities. To speak in terms of this dualism of human and citizen to try to understand citizenship is therefore simply to reproduce the sovereign dual nature of subjectivity.

In advocating broader and broader communities of citizenship by way of universal conceptions, such as, for example, the 'new Irish', what is ignored is how the universalising categories themselves which we come to rely upon are always already part of the existing particularistic stance. For example, Bertie Ahern, the Taoiseach whose government proposed the referendum, also emphasised the importance of the category 'new Irish'. He explained: 'I like to call EU people "the new Irish" and anyone who is living and working in Ireland who has settled here "new Irish". The two categories now therefore for me are "new Irish" and "illegal".'[110]

What this quotation by the Taoiseach demonstrates is the manner in which a universalising category such as 'new Irish' does not stand opposed to the particularism of 'Irish' but is always already part of a particularistic framework which separates existing citizens (old Irish) from future citizens (new Irish). Ignoring this, existing analysis of the 2004 Irish Citizenship Referendum gives the impression that the gap between 'citizens' and 'humans' can be erased in the future by replacing understandings of the modern statist monopoly on political community with a universalising sense of common humanity. Of course, this is always resisted in the last instance with talk of the need to balance priorities of diversity with those of equality. But the impression remains that the question of citizenship can indeed be resolved in favour of one of the two competing models of political community: a universal *jus soli*-based model or a particular *jus sanguine*-based model. The question of the politics of citizenship is increasingly constructed in terms of how it revolves around these already (narrowly) identified options of either universal or particular possibilities and necessities of political community and identity. This in turn makes the realisation of universal reason that is imminent in the modern project – as *jus soli* – appear all the more reasonable in light of the (only) remaining possibility, which is the particularist principle of *jus sanguine*.

The Importance and Possibility of a Politics of Double Gesture

The work of Ayelet Shachar demonstrates a way in which we might name and confront how we have come to locate both the problem and the solution to citizenship in a modern sovereign statist dualistic framework. It provides a way of thinking more carefully about the wider statist political discourse, within which the notion of 'citizenship' operates, than has been done thus far within citizenship scholarship.[111] Unlike the existing citizenship literature, Shachar problematises the notion of citizenship in general *at the same time* as she problematises the question of how it is regulated. She does so by refusing to take as a starting point the idea that one type of sovereign ordered citizenship – either a universal model associated with the *jus soli* principle or a particular model associated with the *jus sanguine* principle – is 'better' than the other. Instead Shachar explores how both principles reproduce particular common-sense assumptions about a certain territorial (spatial) understanding of what political membership can be. This is one which is associated with the principle of inherited property and therefore with an understanding of Being defined in terms of a clearly delineated located presence. She notes the following:

> While *jus soli* and *jus sanguinis* are typically presented as antipodes, it is important to note that both rely upon, and sustain, a conception of bounded membership. They share the basic assumption of scarcity: only a limited pool of individuals can automatically acquire citizenship in a given polity. Once the idea of scarcity is introduced, we are faced with the dilemma of allocation, or boundary making . . . The distinction between them lies in the connecting factor used to demarcate a respective polity's membership boundaries: *jus soli* relies on birthplace; *jus sanguinis* on parentage.[112]

Shachar's overall point is echoed by Sandro Mezzadra, who elsewhere emphasises how the concept of property has shaped conventional dominant perspectives on the spatial organisation of territory *and* of self. As he explains:

> We know the importance of the relationship between citizenship and property introduced by Locke. But it is important to underscore that the concept of property itself is in John Locke an 'anthropological' concept (that is, it is rooted within a determinate conception of 'human nature'). It indicates first of all the *property of the self*, that is, the capacity of an individual to rationally dominate his passions and to discipline himself in order to be able to do that labor which constitutes in turn the foundation of every 'material' property. Only *this* individual is able to become a citizen.[113]

Modern citizenship understood in this manner needs to be grasped in terms of its global scope. As Mezzadra notes, the figure above which defined the nature of 'citizenship' and produced its own borders did so in contrast to many, including 'the woman, the atheist, the foolish, the "idle poor" and the *American Indian*'.[114] It was this image of citizen as autonomous individual which was used to justify the European colonial expansion and which has resulted in the 'distinction – and the contemporary existence – of citizen and subject [which] correspond to other distinctions that allowed a hierarchicization of the space of citizenship within the metropolis itself'.[115] Those who oppose the exclusionary basis of modern citizenship by maintaining the statist premise of a clearly defined boundary between inclusion and exclusion, inside (citizenship) and outside (humanity), therefore reinforce this understanding of political identity and belonging in terms of sovereign autonomous individuality. It enables a wider global technology of rule which brings the 'outside' into the European sphere only to expel it by continuing to understand it as a clearly defined Other; as one which is *born into* the community (through an emphasis on the principle of *jus soli*) rather than being *descended from* it (derived from the principle of *jus sanguine*).

By drawing an analogy between *jus soli* and inherited property, what we have is an emphasis on the naturalising veil of birthright. This line of analysis undermines the supposed natural separation between how we understand the nature of citizenship – in sovereign autonomous terms – from how it is currently regulated in these same sovereign autonomous terms via *jus soli*. What becomes evident is how *jus soli* reproduces in its own way (as if

there was no alternative) the human-made distinctions between nations, countries and peoples in a complementary way to *jus sanguine*. Its points to the need to interrogate this 'solution'.

It is clear that there are increasing problems with tying citizenship as a category of identity to an absolute concept of space which is clearly definable some*where* – in an 'individual' who is defined by either place of birth or by descent – given the reality of increasing global migration and the fragmentation it brings. What is needed instead is to begin to interrogate the notion of 'thinking territorially' which Mezzadra points to and which Stuart Elden discusses as being linked to statistical analysis and calculative strategies.[116] We can do this by considering how political membership is not simply a legal category – 'a repository of legal status, rights and collective identity'[117] – but a principle in its own right which can be traced back to the emergence of territory and the idea of clear demarcation as a particular way of ordering the relation between political rule and space.

Put another way, by interrogating the solution of *jus soli* as well as that of *jus sanguine* we can begin to focus on the question of how boundaries themselves are understood, rather than only on how they could or should be (re)negotiated and drawn in similar clearly demarcated, albeit more inclusive, ways. Shachar's own suggestion is that a third basis for citizenship is needed: what she calls a *jus nexi* principle. This would be based on tying citizenship to the 'social fact of membership' at a local level by emphasising functional, practical and emotional everyday ties rather than only formal or institutional ties.[118] The significance of this is that it opens up the possibility of going beyond thinking about political participation in terms of birthplace, descent and in terms of what takes place simply through involvement in the labour force, business ownership or military service – which are archetypal state institutions – to thinking about it in terms of informal and affective relationships, such as friendship, family ties and membership of local associations (including sport, leisure, educational associations) developed within society. These latter relationships are all very important when it comes to understanding the experiences of intergenerational migrants, as I discuss in Chapters 3 and 5.

This is a different principle for citizenship from what many

inclusivist citizenship scholars have discussed. The latter focuses on domicile, re-emphasising territory and as such re-emphasising political subjectivity determined vis-à-vis the territorial state and ideas of demarcation and calculability – inclusion/exclusion, inside/outside, past/present – once again. The concept of *jus nexi* and its emphasis on informal and affective relationships does not constitute the possibility of just another series of clearly demarcated connections to the state similar to those of *jus soli* and *jus sanguine*, as some people have argued.[119] Rather, *jus nexi* indicates the possibility of thinking about citizenship by moving *away* from understandings about political community defined through, against or beyond the modern territorial state; and away therefore from conceptions of political possibility in time and space as necessarily (re)defined here.

In interrupting the supposed natural basis of the generational timeline (the manner in which citizenship is passed on through either birthplace or parentage), we can begin to think about political subjectivity as something which is not necessarily based on the idea of a bounded community existing in the linear progressive time of the nation. We can move beyond the seductive idea of a community into which people are born – tied either to the soil or to their heritage – in the present and which has a clearly defined past and future. It is possible instead to think about citizenship in terms of political communities (identities and allegiances) which are formed through interaction with others in fragmented, incomplete and multiple times. These are experiences of existing, for example, as present members in some respects and *simultaneously* as (only) future possible members in others, and thus experiences which are not easily calculable on a temporal spectrum moving from past to present and on to future. This presents a very different understanding for the possibility of 'being in common'.[120]

Conclusion

Focusing on analysis of the 2004 Irish Citizenship Referendum I have looked in this chapter at how the boundaries of inside and

outside, inclusion and exclusion do not merely apply to understandings of physical state boundaries. They need more generally to be understood as reinforcing a particular understanding of the nature of modern subjectivity linked to calculation and clear demarcation which has been naturalised in the concept of birthright. With this in mind, this chapter has begun to engage in the politics of double gesture which involves questioning not only the way in which citizenship has been posed as a problem of particularism, but also the universalistic solutions which have been offered to this problem and the manner in which they continue to define subjectivity in dualistic territorial spatial-temporal terms.

Chapter 3 will explore the danger of continuing to resolve the dilemma of particularism and universalism vis-à-vis the state and thus within the notion of a sovereign autonomous self. It will argue that the result is a failure to adequately theorise complex subjectivity such as that of citizen children born to migrant parents, despite intentions to do precisely that.

Notes

1. Article 2, *Bunreacht na hÉireann*.
2. Fanning and Mutwarasibo, 'Nationals/Non-nationals', p. 439.
3. Mezzadra, 'Citizen and Subject'; Mezzadra, 'The Gaze of Autonomy'; Shachar, *The Birthright Lottery*; Shachar, 'Children of a Lesser State'.
4. DJELR, *Citizenship Referendum*; DJELR, 'Information Note'; DJELR, *Proposed Citizenship Referendum*.
5. DJELR, *Proposed Citizenship Referendum*, p. 1.
6. DJELR, 'Information Note', p. 4.
7. DJELR, *Proposed Citizenship Referendum*.
8. The Fajujonus were a married couple who had entered Ireland in 1981. They had one child in 1983 and subsequently two further children. For a more detailed discussion about the legal issues involved in the Fajujonu case, see Ryan, 'The Celtic Cubs'.
9. See for example *Pok Sun Shun* v. *Ireland*, discussed in Ryan, 'The Celtic Cubs', p. 179. The High Court also initially ruled against the Fajujonu family, finding that although their daughter had 'a certain right to be in Ireland' and 'a right to the society of her

parents', she did not necessarily have the right to the society of her parents *in* Ireland.

10. *Fajujonu* v. *Minister for Justice*.
11. W. O'Dea (FF), Dáil Éireann Debates, 'Twenty-Seventh Amendment to the Constitution Bill 2004', 29 April 2004, p. 980. The figures for applications for leave to remain on the basis of an Irish-born child for the final two years of the period 1999–2003 were 3,153 (2001) and 4,027 (2002) (Honohan, 'Bounded Citizenship and the Meaning of Citizenship Laws', p. 85).
12. The Osayandes had one son born in Ireland in November 2001. The Lobes had four children, one of whom was born in Ireland in October 2001.
13. The Dublin Convention is a treaty signed by all European Union countries in agreement that asylum applications must be considered by the country the applicant first arrives in. It entered into force in 1997.
14. The first two figures here are cited in Cullen, 'Expulsion threat to immigrants with Irish children'. All three figures are cited by Judge Keane, CJ in his delivery of the judgment in the Lobe and Osayande case on 23 January 2003 (*Lobe* v. *Minister for Justice, Equality and Law Reform*).
15. When questioned, the then DJELR stated that '75% of applications for leave to remain on the basis of an Irish-born child or sibling were filed by people who had also at one point previously applied for asylum in the state'. (M. McDowell (FF), Seanad Éireann Debates, 'Twenty-Seventh Amendment of the Constitution Bill 2004', 5 May 2004, p. 801).
16. In an ironic twist of fate, the counsel acting for the Fajujonus in 1990, Michael McDowell, who established the precedent initially permitting Irish citizen children to invoke their right to the care and company of their parents in the Republic of Ireland, was the very man who as Minister for Justice in 2003 eventually successfully challenged this precedent on behalf of the state.
17. DJELR, 'Information Note', p. 1.
18. Court Section, '10,000 non-nationals could face deportation'.
19. The pre-1998 Article 2, inserted in 1937, read as follows: 'The national territory consists of the whole island of Ireland, its islands and the territorial seas.'
20. Nineteenth Amendment to the Constitution Act, 1998, date of signature 3 June 1998, *Bunreacht na hÉireann*.
21. DJELR, *Citizenship Referendum*, p. 4; Article 9.1.2 states: 'The

future acquisition and loss of Irish nationality and citizenship shall be determined in accordance with law' (*Bunreacht na hÉireann*).

22. For a breakdown of the difference between these two groups see University College Cork, 'Irish Return Migrants 1996–2002'.

23. Between 1999 and 2003 there was an increase in the allocation of work permits within the Republic of Ireland of just over 40,000 (Department of Jobs, Enterprise and Innovation, 'Total Work Permits issued by Year and by Category'). It was never possible to say, however, how many people remained in the country beyond a period of a few months. Nonetheless, the 2002 census confirmed an increase in places of birth outside Ireland for those living in Ireland, in comparison to the previous decade (Central Statistics Office, 'Census 2002 Principal Demographic Results').

24. This draft legislation later became law in December 2004 in the form of the Irish Nationality and Citizenship Act 2004. It applied to all those born after 1 January 2005.

25. According to the Government 58 per cent of asylum seekers arrived pregnant in 2002 and 2003 (W. O'Dea (FF), Dáil Éireann Debates, 'Twenty-Seventh Amendment to the Constitution Bill 2004', 29 April 2004, p. 977).

26. M. McDowell (PD), Dáil Éireann Debates, 'Twenty-Seventh Amendment of the Constitution Bill 2004', 21 April 2004, p. 1189; DJELR, *Citizenship Referendum*, p. 8.

27. M. Harney (PD), Dáil Éireann Debates, 'Leaders' Questions', 7 April 2004, p. 819; Donnellan, 'Rotunda master anxious over late arrivals'. Minister McDowell did initially go further and say that the Masters of the hospitals had specifically asked for a change in citizenship legislation to deal with this problem, but immediately retracted this statement when it was categorically denied by the Masters (Reid, 'Masters deny seeking change of status on non-nationals').

28. DJELR, *Proposed Citizenship Referendum*, p. 1. See Sheahan, 'Citizenship tourists hit maternity services'; Sheahan, 'Revealed proof of citizenship tourism'.

29. 'McDowell Address at Launch of PD Citizenship Referendum Campaign'.

30. M. Hanafin (FF), Dáil Éireann Debates, 'Twenty-Seventh Amendment of the Constitution Bill', 22 April 2004, p. 88.

31. Brennock, 'Tánaiste staunchly defends citizenship poll plan'.

32. 'Statement by An Tánaiste on the Citizenship Referendum'.

33. Department of the Taoiseach, 'Voting Yes will mean Ireland will

continue'; see also for example Brennock, 'FF says amendment is "sensible" response to citizenship situation'.

34. 'Statement by An Tánaiste on the Citizenship Referendum'.
35. Lentin and McVeigh, *After Optimism?*, dedication page. The 1916 proclamation – also known as the Proclamation of the Irish Republic (*Forógra na Poblachta)* or the Easter Proclamation – was issued by the Irish Volunteers and the Irish Citizen Army in the course of the Easter Rising, which began on 24 April 1916. On behalf of the 'Provisional Government of the Irish Republic' it proclaimed Ireland's independence from the United Kingdom and the Irish people's right to national freedom and sovereignty.
36. Hennessy, 'If June referendum goes ahead, FG will support it'.
37. NCCRI, *The Citizenship Referendum*.
38. ICCL, 'ICCL Briefing on Proposal for a Referendum on Citizenship'; King, *Immigration and Citizenship in Ireland*.
39. Green Party, '10 Good Reasons to Vote No'; Labour Party, *Citizenship Referendum June 11th*.
40. King, *Immigration and Citizenship*, p. 13. These numbers are for the year 2003. The report explains that of the 7,848 women who gave birth at the Coombe during this period only 22 per cent of these (1,726) were non-nationals. It then points out that of the women presenting themselves at the Coombe Hospital unannounced and within three weeks of delivery (225 overall), 'nearly half were Irish [citizens]'.
41. European citizenship (the entitlement to all those who are citizens of a member state to be citizens of the EU) was enshrined in Article 17(1) of the Maastricht Treaty in 1992. The argument which has been made is therefore that Irish citizenship is largely irrelevant for the majority of migrants in Ireland as approximately 70 per cent of them hold EU citizenship, which already confers on them almost equal rights (except voting in referenda, national elections and entitlement to some social welfare benefits).
42. King, *Immigration and Citizenship*, 2004, p. 12. In their report on the referendum proposal, the NCCRI called specifically for 'guidelines on the way that statistics are collected and used by public services . . . to ensure that such statistics are used *in context*' (NCCRI, *The Citizenship Referendum*, p. 10).
43. Hogan, 'Citizenship and the Constitution 1922 to Date'. At the same conference Ashling Reidy, director of the ICCL, insisted that 'the proposal changes the basis of entitlement to citizenship from birth in the country to who your parents are. This would be

the first time since the foundation of the state that Ireland would deny citizenship by birth.' (Reidy, 'The Need for a Referendum Considered', p. 5.) The IHRC also argued at the time that the proposal would result in 'a change in the fundamental law of the State' (IHRC, *Observations on the Proposed Referendum*, 2004, p. 4).

44. M. Costello (Labour), Dáil Éireann Debates, 'Twenty-Seventh Amendment to the Constitution Bill 2004', 29 April 2004, p. 982.

45. Bacik, 'Immigration and Citizenship Law'; Fay, 'Immigration needs answers, not false piety'; 'Immigration policy needed'.

46. M. Higgins (Labour), Dáil Éireann Debates, 'Twenty-Seventh Amendment of the Constitution Bill 2004', 22 April 2004, p. 12.

47. Cullen, 'Government accused of misinformation'.

48. J. Gormley (Green), Dáil Éireann Debates, 'Twenty-Seventh Amendment of the Constitution Bill 2004', 22 April 2004, p. 24.

49. A. Ó Snodaigh (SF), ibid., p. 91.

50. D. Boyle (Green), Dáil Éireann Debates, 'Social Welfare (Miscellaneous Provisions) Bill', 11 March 2004, pp. 313–14. Ruairi Quinn, a former leader of the Labour Party (1997–2002), similarly concluded at committee stage of proceedings that the referendum was merely 'about a narrow, racist, opportunistic attempt to garner some votes on 11 June. Sadly, that is the only conclusion I can reach, and it is disgusting' (Dáil Éireann Debates, 'Twenty-seventh Amendment to the Constitution Bill 2004', 28 April 2004, p. 774).

51. Dáil Éireann Debates, 'Immigration Bill 2004 [Seanad], 4 February 2004', p. 495; Finlay, 'FF's lowest tactic yet'.

52. Lentin, 'Strangers and Strollers', p. 305.

53. Lentin and McVeigh, *After Optimism?*, p. 22, original emphasis.

54. Harrington, 'Citizenship and the Biopolitics of Post-nationalist Ireland', p. 441.

55. Thomas, B., 'China Men, United States v. Wong Kim Ark, and the Question of Citizenship', *American Quarterly* 50(4), 1998, p. 705, quoted in Mancini and Finlay, '"Citizenship Matters"', p. 581.

56. Fanning, *New Guests of the Irish Nation*, p. 6.

57. Sibley, 'Geographies of Exclusion', cited in Lentin, 'Responding to Racialisation of Irishness', p. 1.

58. Lentin and McVeigh, *After Optimism?*, p. 24.

59. Brandi, 'Unveiling the Ideological Construction of the 2004 Irish Citizenship Referendum', p. 43.

60. Lentin, 'From Racial State to Racist State', p. 2.
61. Fanning, *Racism and Social Change in the Republic of Ireland*; Gray, 'Irishness – A Global and Gendered Identity?'; Lentin, 'Constitutionally Excluded'; Lentin, '"Irishness", the 1937 Constitution and Citizenship'; Luibhéid, 'Globalization and Sexuality'; McVeigh, 'The Specificity of Irish Racism'; Meaney, *Sex and Nation*.
62. Meaney, *Sex and Nation*, p. 233. See Tracy, 'Racism and Immigration in Ireland' for a discussion about the dominant conception of the quintessential Irish stereotype to which the immigrant is exposed as Other. The model which Tracy constructs here is along the lines of the defining stereotype of the USA, the WASP (white, Anglo-Saxon, Protestant). Tracy calls his model the WHISC (white, heterosexual, Irish born, settled, Catholic) model.
63. On the role of gender in the 2004 Irish Citizenship Referendum, see Garner, 'Babies, Bodies and Entitlement'. On the role of ideology see Brandi, 'Unveiling the Ideological Construction of the 2004 Irish Citizenship Referendum'.
64. For a discussion on the intersection of race and gender in the 2004 Irish Citizenship Referendum see for example Lentin, 'Strangers and Strollers'; Lentin and McVeigh, *After Optimism?* For a discussion about the intersection of class and race in the 2004 Irish Citizenship Referendum see Harrington, 'Citizenship and the Biopolitics of Post-nationalist Ireland'.
65. Marshall, 'Part I: Citizenship and Social Class', p. 6.
66. Anthias and Yuval-Davis, 'Introduction', p. 30; Yuval-Davis, 'The Citizenship Debate', p. 59.
67. Lutz, 'The Limits of European-ness'.
68. Kabeer, 'Introduction: The Search for Inclusive Citizenship', p. 1.
69. Yuval-Davis and Werbner, 'Preface', p. xi.
70. Lentin, 'Pregnant Silence', p. 318; Luibhéid, 'Sexual Regimes and Migration Controls', 2006.
71. Fanning, *New Guests of the Irish Nation*.
72. On this see for example Delanty, *Citizenship in a Global Age*.
73. Fanning, 'Against the "Racial State"'; Fanning, *New Guests of the Irish Nation*.
74. Fanning and Munck, 'Migration, Racism and Integration'; Fanning and Mutwarasibo, 'Nationals/Non-nationals'; Tormey, '"Everyone with Eyes Can See the Problem"'.
75. Honohan, 'Bounded Citizenship and the Meaning of Citizenship Laws', p. 70.

76. Ibid.
77. Joppke, *Immigration and the Nation-state*, p. 223.
78. Raferty, 'McDowell slips badly this time'.
79. Walker, 'Citizenship after the Modern Subject', p. 189, emphasis added.
80. M. J. Nolan (FF), Dáil Éireann Debates, 'Twenty-Seventh Amendment of the Constitution Bill 2004', 22 April 2004, p. 60.
81. M. Hanafin (FF), ibid., p. 86.
82. D. Boyle (Green), Dáil Éireann Debates, 'Twenty-Seventh Amendment of the Constitution Bill 2004', 21 April 2004, p. 1277.
83. J. Burton (Labour), Dáil Éireann Debates, 'Twenty-Seventh Amendment of the Constitution Bill 2004', 22 April 2004, p. 114.
84. Hennessy, 'Morrison terms poll on citizenship "dangerous"'. Normally the opinion of a former US Congressman would not be of enormous significance in relation to an issue of national concern such as that of citizenship. However, Morrison's opinions have been held in high regard in relation to issues of immigration and citizenship in the Republic of Ireland ever since he was instrumental in securing a provision in the US Immigration and Nationality Act 1990 for a pool of visas (40,000 per year from 1992 until 1994), a sizeable proportion of which (48,000) were set aside for people born on the island of Ireland.
85. Mancini and Finlay, '"Citizenship Matters"', p. 580.
86. King-O'Riain, 'Re-racialising the Irish State through the Census, Citizenship and Language', p. 284.
87. Mancini and Finlay, '"Citizenship Matters"', p. 576.
88. Bhabha, 'The "Mere Fortuity of Birth"?', p. 199.
89. Fanning and Mutwarasibo, 'Nationals/Non-nationals', p. 439; Lentin, 'Illegal in Ireland, Irish Illegals', p. 435; Mancini and Finlay, '"Citizenship Matters"', p. 576.
90. Fanning and Mutwarasibo, 'Nationals/Non-nationals', p. 446.
91. R. Quinn (Labour), Dáil Éireann Debates, 'Twenty-seventh Amendment of the Constitution Bill 2004', 28 April 2004, p. 769.
92. Mac Éinrí, 'Integration Models and Choices', pp. 216–35.
93. According to the DJELR 'the Irish citizenship of successive generations may be maintained in this way by each generation ensuring registration in the Foreign Births Register before the birth of the next generation' (DJELR, *General Information on Irish Citizenship*, p. 3).
94. J. Burton (Labour), Dáil Éireann Debates, 'Twenty-Seventh Amendment of the Constitution Bill 2004', 22 April 2004, p. 114.

95. Bhabha, 'The "Mere Fortuity of Birth"?', p. 215.
96. Mac Éinrí, 'Integration Models and Choices'.
97. Silverman, *Deconstructing the Nation*.
98. The typification (rather than the complete equivalence) of citizenship models in terms of inclusivity and exclusivity has been taken as an important aspect in understanding how political community and identity is organised. See for example Stolcke, 'Talking Culture'.
99. Silverman, *Deconstructing the Nation*, p. 6.
100. Bhabha, 'The "Mere Fortuity of Birth"?', p. 128.
101. Silverman, *Deconstructing the Nation*, p. 5.
102. Howard, *The Politics of Citizenship in Europe*; Sawyer and Blitz, *Statelessness in the European Union*.
103. Nyers, 'Emergency or Emerging Identities?', p. 4.
104. Ibid.
105. Silverman, *Deconstructing the Nation*, p. 133.
106. See, for example, the Interpretive Declaration issued by the British and Irish governments in DJELR, *Citizenship Referendum*, p. 6.
107. Honig, 'Another Cosmopolitanism?', p. 112.
108. Walker, 'Citizenship after the Modern Subject', p. 191.
109. Walker, 'Both Globalization and Sovereignty', p. 33.
110. Interview with Bertie Ahern (Taoiseach 1997–2008), Dublin, 8 June 2009.
111. See Shachar, *The Birthright Lottery*; Shachar, 'Children of a Lesser State'.
112. Shachar, *The Birthright Lottery*, p. 7.
113. Mezzadra, 'Citizen and Subject', p. 33, original emphasis.
114. Ibid., p. 34, original emphasis.
115. Ibid.
116. Elden, 'Why Is the World Divided Territorially?', p. 211. This concept is outlined in more detail in Brenner and Elden, 'Henri Lefebvre on State, Space, Territory'; Elden, *Mapping the Present*;.
117. Shachar, *The Birthright Lottery*, p. 5.
118. Ibid., p. 165. Although there are potential issues with this new criterion, what is important here is its uniqueness – namely, how it would be based on legal recognition which does not precede actual ties, as is the case with *jus sanguine* and *jus soli*, but instead subsequently validates them on a case-by-case basis. For Shachar, 'in the context of our discussion, any new principle for bestowing citizenship needs to correspond better with the actual content associated with this legal status, rather than merely reemphasising

predetermined circumstances of territoriality or descent as the core determinants of membership' (ibid., p. 170).

119. For example Honohan, *The Theory and Politics of* Ius Soli, p. 4.
120. Balibar, *We, the People of Europe?*; Closs Stephens, 'Citizenship without Community'.

3 Trapped in the Citizenship Debate: Sovereign Time and Space

The counter-arguments in the debates surrounding the 2004 Citizenship Referendum which embody critical interrogation of the proposal have attempted to rethink citizenship anew. I look in this chapter at how these converged around (rather than necessarily falling neatly into) two forms of analysis which reflect the broad terms of the inclusivist citizenship model outlined in Chapter 1. The first form is a gendered analysis which points to and attempts to think in post-statist terms beyond the racialised nature of the discourse surrounding the act of childbearing by so-called non-national women (in particular, asylum seekers). The second is a human rights analysis which considers how the exclusionary link between residency and reproductive rights can be redrawn more inclusively through trans-statist cosmopolitan and humanitarian concerns.

Discussing these two approaches, this chapter looks at how exactly the universal inclusivist citizenship model tries but ultimately fails to rethink citizenship outside the terms of the Citizenship Debate, remaining instead trapped within these terms. It considers how the two forms of analysis argue in favour of the need to widen the understanding of who can be recognised as citizens to include migrant mothers and their children, as well as other types of migrants more generally. Such analyses widen the scope of existing sovereign territorial dualisms but without thinking about time and space *beyond* sovereign dualistic politics – that is, beyond linear time and absolute space. They therefore continue to reinforce an understating of subjectivity in terms of the idea of a coherent bounded 'I' (as woman, child, migrant, human and marginalised) which can continue to be temporally and spa-

tially differentiated from the 'Other' (the citizen, the included, non-marginalised).

The Gendered Analysis

> The referendum campaign was conducted using gendered, racialised discourses of blame against migrant women who were allegedly having babies solely to gain Irish citizenship for their children[1]

One of the main oppositions to the Irish government's proposal to amend automatic entitlement to citizenship at birth is a gendered critique of the perceived threat which certain people were supposedly posing to the integrity of Irish and European citizenship law in the early twenty-first century. This critique has specifically sought instead to show how the arrival of certain mothers and their Irish-born children[2] as immigrants into a country which perceived itself to be largely monocultural needs to be understood as having worked 'to subvert traditional understandings of citizenship and "the nation", dragging Irish modernity kicking and screaming into the chaos of the postmodern'.[3]

This analysis sets out to radically rethink the traditional emphasis on a distinctive 'Irish' citizenship. It does so by examining how Ireland's experience of migration in the twenty-first century challenges dominant ideals and practices of solidarity located solely in the monocultural national community. Ultimately it argues that so-called 'common-sense' responses demanded in the referendum are in fact racialised imperatives by the liberal nation-state model to control 'not only in-migration but also the self-definition of existing collectivities within'.[4] It argues that 'underlying all justifications for changing the Citizenship Act is the assumption that entitlement to Irishness is primarily an essence that can be transmitted genetically'.[5] This gendered analysis insists that this assumption must be subverted by beginning instead to (re)imagine the possibility of political community outside and beyond the clearly delineated boundaries of the nation-state so as to challenge the dominance of the idea that solidarity in Ireland is necessarily linked to being white, Catholic and settled.[6]

Those writing from this perspective have focused specifically on the need to recognise how 'race' and 'nation' are increasingly defined in terms of each other in the modern state. A few have gone so far as to argue that the Irish state can be theorised not only as a racial, but also as a 'racist' state, due to the manner in which it can be shown to actively (re)construct itself as unproblematically homogeneous despite the heterogeneities of postmodernity which it is faced with on a daily basis.[7] However, the more general aim of this type of analysis has been to directly link exclusivist understandings of belonging to the liberal nation-state project.[8]

Women, Childbearing and the Nation-state

Focusing on the connection which was made between reproductive and residency rights in several key court cases involving the state and migrant families between 1990 and 2003, this gendered critique highlights the centrality of the role of migrant women and their Irish citizen children in the disagreements over citizenship rights in 2004. The two court cases which are seen as integral are *Fajujonu* v. *Minister for Justice* (1990) and *Lobe* v. *Minister for Justice* (2003), the details of which were discussed in Chapter 2. What is considered in this gendered analysis is how the constitutional entitlement to birthright citizenship, inserted into the Constitution in 1998 as Article 2 under the Good Friday Agreement and itself a founding principle of the Irish statist project, was eventually constructed by virtue of these cases as 'a "constitutional quirk" or a "constitutional loophole"' which was supposedly resulting in the abuse of Irish citizenship.[9] It is the 'fact' of a direct correlation between the constitutional entitlement to birthright citizenship and the actions of migrant parents, in particular migrant mothers, which is disputed – as discussed in Chapter 2. This has led to questions as to why it was specifically migrant women who had been singled out in this regard. Ronit Lentin, for example, argues that there is a need to understand exactly how and why it is specifically 'migrant women in Ireland [that] have been signified as "other" and stereotyped as sexually active child-makers, deliberately subverting Irish norms of citizenship and nationality'.[10]

In order to explore this question, a larger historical tradition has been considered, far beyond 2004, by which 'women have been forced to become very familiar with the connections among childbearing, race and the nation-state'.[11] Echoing arguments made more generally which explore how women act as the reproducers of future generations,[12] what has been emphasised here is the manner in which women in the Republic of Ireland have traditionally been defined in terms of their childrearing and 'their childbearing role within the making of the nation – a subordination that was reflected in the 1937 Irish Constitution and is still being struggled over'.[13] Laury Oaks has emphasised how, for example, in Ireland women's reproduction is best understood as 'a medium through which competing national origin stories that focus on Irish national identity and cultural self-determination, indeed versions of 'Irishness' itself, are imagined and expressed'.[14] It has been suggested that discourses surrounding childbearing and reproduction by migrant women – in particular those in the discussions surrounding the 2004 Irish Citizenship Referendum – might similarly be understood as integral to attempts to (re)produce dominant conceptions of nationhood by encouraging particular understandings (and excluding others) of the meaning of the 'Irish' family and 'Irishness'. This line of inquiry has been seen as useful to understand how 'the stigmatisation of pregnant asylum seeker women (many, if not most, of whom are of color)' is an extension of the feminisation of nationality that has a long history.[15]

The case of 'Baby O', for example, has been considered particularly important with regard to this question of how migrant mothers and their offspring have been positioned vis-à-vis dominant conceptions of the national community in Ireland. *Baby O and anor* v. *Minister for Justice, Equality and Law Reform* is a case which involved a seven-month-pregnant Nigerian national who was issued with a deportation order following a failed asylum application in the Republic of Ireland.[16] The Nigerian national sought to challenge her deportation order on several grounds including on behalf of the baby she was carrying by appealing to the protection of the right to life of the unborn enshrined in Article 40.3.3 of Bunreacht na hÉireann. This is the

clause (inserted in 1983) that enshrined abortion as illegal in the Republic of Ireland. It declares that 'the State acknowledges the right to life of the unborn and, with due regard to the equal right to life of the mother, guarantees in its laws to respect, and so far as practicable, by its laws to defend and vindicate that right'.[17] This woman argued that it was the Irish state's duty to defend Baby O's right to life by preventing her from being deported to Nigeria, where the mortality rate was much higher (at ninety per thousand births) than in Ireland (seven per thousand) and where the standard of living was considerably lower. She also contested the deportation order arguing that her unborn child was legally a person and as such should have been issued with its own deportation order (which it had not been).[18]

Acting on behalf of the Minister for Justice, the Attorney General appealed directly in this case to the common good and to the Minister's right to deport failed asylum seekers whether they were pregnant or not. Those acting on behalf of the state pointed out further that the state was not denying that the unborn had rights but that 'in the context of these proceedings the rights of the unborn are not distinguishable [from those of the pregnant mother]'.[19] The Supreme Court eventually concluded that the state's duty to 'defend and vindicate the right to life of the unborn', as appealed to by the applicant, did *not* extend to needing to ensure safe delivery and the health and well-being of Baby O. Rather, it was intended to prevent only abortion of the foetus (apart from in those instances where there was a danger to the health of the mother). With this in mind, it indicated its satisfaction that in this case no party involved was seeking to terminate the pregnancy of Baby O and therefore affirmed the order of the High Court to proceed with the deportation.[20]

Those writing from the gendered-analysis perspective have drawn a comparison between the case of Baby O and two previous high-profile cases on abortion in the Republic of Ireland – the X case (1992) and the C case (1997). These cases involved Irish citizens, aged fourteen and thirteen respectively, who became pregnant as a result of being raped, and who were both initially prevented by the Irish state from travelling to the UK in order to

terminate their pregnancies, abortion services being illegal and therefore unavailable in Ireland.[21] The Irish state did so on these occasions on the basis of what it argued were its duties as set out in Article 40.3.3. to protect the right of the unborn (also the clause which the mother of Baby O appealed to).[22]

Ruth Fletcher and others have contrasted the state's response in both the X and C cases, and its understanding at the time of the foetus as a distinct legal entity in the context of abortion law, with its refusal to make a similar distinction in the case of Baby O. In doing so Fletcher points to the difference in 21st-century Ireland between the treatment of the rights of some unborns (whose mothers are Irish citizens) against those of other unborns (whose mothers are not Irish citizens). In the case of Baby O she argues that 'it is clear that the rights of the "unborn" are being out-weighed here because they are the rights of Nigerian "unborns" . . . the "born" are represented by the citizenry on whose behalf the state is apparently acting.'[23]

Fletcher is insistent, however, that 'Irishness' and nationalism were constructed through the racialisation of reproduction for many decades prior to 2004. She points out that in the X and Y cases reproduction was realised through the image of the Other as the immoral British woman, and the need to protect the integrity of Irish mothers against this by preventing abortion. Others, looking similarly at the contrast between the Baby O case and other such cases date this illegality back as far as 1861 in some instances, and the passing of the Offences against the Person Act.[24] The point is that the case of Baby O has been used to point here to a continuing (albeit changing) form of exclusionary rena-tionalisation taking place in the Republic of Ireland in relation to discussions about citizenship. It is used to understand a shift in exclusion: from one based predominantly on a national distinc-tion (Irishness versus Britishness) to one based on a racialised distinction (Irish versus African migrant).

Catherine Dauvergne insists that 'states are increasingly unable to assert exclusive power in a range of policy domains' as a result of globalisation. The upshot, she argues, is that immigration and citizenship law has become one of the last 'bastions of sover-eignty'.[25] It is against this understanding of the increasing pressures

of trans-nationalisation that Eithne Luibhéid similarly emphasises the growing need to consider the importance of factors such as women's sexualised bodies for state migration control regimes.[26] Luibhéid argues that existing national boundaries must be recognised as constantly being reproduced through 'new strategies of sexualised racial governance'.[27] She emphasises the very narrow terms through which migrants are defined by European states: asylum seeker, refugee or economic migrant. From this perspective, bearing a child on European soil has emerged as one of the only a means 'to challenge the state's exclusionary regimes'.[28] It is in response to this, she argues, that citizenship has emerged as the site through which the state has come to reclaim its control.

The position taken in this line of analysis is that the 2004 Citizenship Referendum represents the culmination of attempts by the Irish state to privilege increasingly narrow concepts of 'Irishness'.[29] The argument by Luibhéid and others is that racialised female migrants have come to embody the new boundaries (limits) of national society by virtue of their role as reproducers of future generations of (non-)national offspring, and in doing so occupy a strategic position outside the state through which they can resist fixed understandings of 'Irishness' as well as the state's immigration controls. In following this argument, this analysis has continued to conceptualise citizenship and claims to political identity and belonging in linear progressive time and across absolute space. This is to point out that it reproduces a narrative regarding 'citizens' (Irish nationals) and 'non-citizens' (British nationals, African nationals and so on) who are distinguished in space and time from each other. This ignores the manner in which migrant women themselves and the children of migrant women are not simply positioned 'outside' the state as (only) future possible members, as I discuss below.

Rethinking Citizenship: Migrant Women Challenging the Boundaries of 'Irishness'

In an attempt to pull away from or move beyond an understanding of belonging defined in terms of the clean clear lines imposed by the liberal nation-state between 'migrant' and 'national' mothers,

and between their 'national' and 'non-national' offspring, Ronit Lentin considers how Irishness and Irish citizenship might be (re)theorised as '"soft", porous and permeable to migratory movements'.[30] In order to do so she concentrates specifically on how migrant mothers can be theorised as more than mere 'objects of controlling impetus of the racial state'. She focuses instead on how they can be conceptualised 'as independent agents' who not only are excluded from existing spaces, but also create alternative spaces through which citizenship and Irishness can be renegotiated.[31] This emphasis is echoed by Eithne Luibhéid, who similarly argues that 'control of women's sexuality and childbearing remains key to establishing and maintaining – but also potentially contesting and reworking – racial boundaries and racialised social orders'.[32]

Lentin points out that Dublin has three main maternity hospitals and is therefore somewhere where migrant women, through giving birth, have been able to acquire residency. However, it is also, she is quick to point out, where many asylum-seeker women live in hostels without room for a cot for their babies, forced to share toilet facilities while they recover (often bleeding for weeks afterwards) from childbirth. It is this contrast which, for Lentin, provides the opportunity to consider how Dublin city space might be (re)theorised as 'a series of acts of resistance and survival rather than of mere strangerhood'.[33] Several examples of possible acts of resistance are given. These include the presence of visual images which capture everyday encounters 'between migrant mothers and Dublin city life' as something which disturbs 'the certitudes of Irish late modernity',[34] as well as specific attempts by migrant mothers to 'increasingly . . . speak for themselves' and have their own specific experiences of racism recorded and acknowledged.[35] This understanding of the ability of migrant women to challenge existing dominant conceptions of 'Irishness' is echoed in the structure of organisations such as AkiDwA: The Migrant Women's Network, which has been set up to emphasise the importance of migrant women's ability to promote 'an equal society, free of racism, discrimination and stereotyping'.[36]

As pointed out by Lentin and Luibhéid, this type of analysis provides the opportunity to 'negotiate hierarchies of privilege

and exclusion that dissolve any simplistic notion of "migrant women"'.[37] That said, focusing on these acts of resistance also limits the question of what subjectivity can be here, in so far as these acts of resistance are defined in terms of how they specifically subvert racial statist and thus *sovereign* orderings of political life. Not only does this undermine the possibility of thinking about migrant women's subjectivities other than as sovereign, it results in the absence of an ability to conceptualise a role in its own right for the subjectivity of children born to migrant mothers. This is despite the fact that this gendered critique highlights the centrality of the roles of both migrant women and their children in the dispute over citizenship rights in 2004 in the first place. The problem is thus twofold. When it comes to the question of what it means to resist or subvert dominant conceptions of 'Irishness', all such possibilities are conceptualised exclusively in terms of the sovereign presence of migrant mothers – conceptualised as 'the non-citizen parent' or 'alien parent'[38] – and therefore the political identity and belonging of migrant mothers is not accorded any possibility of being less-than sovereign. In addition to this, Irish citizen children are mentioned here only in terms of their *mothers*' ability to subvert modern orders of the Irish state through giving birth to them.

The problem is that subjectivity has been and continues to be theorised in these accounts in terms (always) of an ability to resist against the boundaries of the state because Being is always already defined as inclusionable or exclusionable in the state in the first place. This reinforces a particular assumption about what and where political life *can* be, locating it either in the exercise of sovereignty under state law, or in the interruption of the exercise of that sovereignty. As indicated by Angela Smith, the focus from this gendered-analysis perspective is on how 'it is the mother's status that thus creates a second class of Irish-born but not Irish citizen children. It is the mother who is burdened with this marginalisation. She and her children do not belong.'[39]

However, this downplays in the first instance how the migrant mothers that are focused on here *do* participate in Irish society (as members), albeit often in an unconventional sense owing little to how 'political participation' is traditionally linked more

exclusively to formal institutional participation. They participate, most significantly, in ways which undermine sovereign dualistic dichotomies (inclusion/exclusion, marginalised/not marginalised, belonging/not belonging). In doing so they challenge narrow definitions of 'politics' and political activity linked only to formal citizenship status and the electoral process.[40] Roles which migrant mothers inhabit include, without being limited to, students, volunteers, part-time or domestic workers, wives, friends, girlfriends, neighbours and/or activists, to name but a few. As the Immigrant Council of Ireland (an organisation run as much by as for migrants) has pointed out, forms of non-conventional political participation in Irish society by irregular migrants have included demonstrations, sit-ins, hunger strikes, boycotts, trade union politics, pressure groups, the direct mobilisation of ethnic communities, humanitarian movements, environmentalist movements, neighbourhood committees and customer associations.[41]

Such participation is not immediately identifiable as necessarily formal and institutional – often being based instead on familial and community relationships – but nor is it always distinct from formal and institutional ties. Community engagement, for example, stems from local and often familial concerns but these can draw upon and reinforce more formal national and international concerns, as has been the case in the context of, for example, female genital mutilation (FGM) .[42] A campaign around the issue of FGM which was focused initially on concerns at the level of migrant families and their local communities has resulted in a bill being passed in the Irish parliament (the Criminal Justice (Female Genital Mutilation) Act 2012). Recently, furthermore, 'Ireland's National Plan of Action to Address FGM' was developed as part of *Ireland*'s commitment to a European Union-endorsed human rights agenda.[43] Participation as such can move between formal and informal levels, between 'Irish' and 'migrant' issues, and blur the boundaries between them.[44] Such participation does not amount to simple 'inclusion' in the political community; however, it does challenge the assumption that such women are 'excluded' and 'do not belong' (as focused on by Smith and others).

Within the gendered-analysis approach, some people have discussed how marginalisation can be challenged through informal

as well as formal activities and interventions;[45] but again this focuses on different spaces of inclusion and exclusion which migrants inhabit at different times rather than how they occupy such spaces simultaneously. What I want to focus on instead is how such experiences combine elements of *both* inclusion and exclusion – thus contradicting the image of dualistic space and linear progressive time, which relies on a distinction between past and present, inside and outside. Such contradictions between inclusion and exclusion of migrants can be seen furthermore within the structures of society itself. For example, in June 2004, at the same time that people were being asked to consider abolishing birthright citizenship in the Republic of Ireland for the children of migrants, given arguments regarding a lack of ties to 'Irish' society held by such children, a large campaign was run to inform all migrants (in particular, asylum seekers and foreign students) of their rights to vote in municipal elections and thus to take their stake in (and help reconfigure) 'Irish' society.[46]

If we consider these less-than conventional forms of participation within the receiving society, we begin to see a very different picture of the role of migrant women. They no longer appear as clearly bounded individual entities – for example, African nationals – who deliberately contest the boundaries of national community by birthing on Irish soil and who join a long line of historically Othered subjects (for example, British nationals). Rather they present as less-than sovereign intersubjective subjects linked to various other subjects in Irish society: their husbands, relatives, friends, neighbours, boyfriends, fellow committee members or fellow activists. It is through these relationships, which in turn implicate other subjectivities within wider Irish society, that the boundaries of 'African' and 'Irish', 'national' and 'non-national', 'citizen' and 'migrant', 'past' and 'present' are involved in mutually constituting, as well as dissolving each other. Rather than moving from being migrants and thus not belonging towards becoming citizens and thus belonging, migrant women are more accurately understood as engaging simultaneously in experiences of inclusion and exclusion, belonging and not belonging. Theirs is a form of subjectivity which is very difficult to clearly distinguish from being 'citizen' in that case.

The Irish government attempted in 2004 to present a picture of the migrant woman with her husband (and sometimes other children) arriving without precedent on Irish soil to give birth to her 'anchor' or 'tourist' citizen child in an attempt to secure residency for her immediate family including any children she has left behind. What is interesting is that this image does challenge the stereotype of the migrant as a man travelling alone in search of work. It recognises that migrants are people travelling with or leaving behind families, which many scholars have stressed is very important.[47] It does so, however, through a very circumscribed understanding of the nature, role and intentions of such migrants which others – in particular theorists from the gendered analysis – have rightfully attempted to counteract, undermine and challenge. Nonetheless, despite these challenges migrant families have continued to be conceptualised as arriving as ready-made units – which can be included or alternatively excluded from Irish political community; the continued presumption is that the relationships within these families and between migrant mothers and wider societies are defined by exclusion because of the irregular nature of the status of many migrant mothers.

By considering the experiences of migrant women via the aforementioned interrelationships – of political identity and belonging, which are inextricably linked to the experiences of other people, who can be Irish citizens, European citizens, third-country nationals, asylum seekers, men and women alike – a much more complex (layered and overlapping) understanding of the role and experience of migrant mothers is developed. Their experiences of political identity and belonging are not grounded in gender, race, ethnicity, culture, class and so on, although these are very important factors in moulding, shaping and structuring such experiences within these complex, multi-layered, overlapping frameworks. We are able to re-engage with our understanding of 'subjectivity' itself in order to consider the way in which 'families' are not only made up of sovereign bounded individuals.

This brings us to the question of the children of migrant mothers. What is also ignored from this gendered perspective is how children born to migrant mothers do not necessarily

experience citizenship as either the exercise of, or the suspension of sovereignty under, state law, but often as a *contradiction* of both. For example, the children who are being born in hostels in Dublin by asylum-seeking migrant women as discussed above in the work of Lentin were, until 31 December 2004, Irish citizen children who had an unqualified right to Irish citizenship. Their right to live in Ireland was then suspended as opposed to revoked per se: first by the need to secure the 'care and company' of their parents and later, after 2003, by the need to prove that this did not contravene 'the common good'.[48] Similarly, many children of asylum-seeking mothers have existing Irish citizen fathers. Such children continue to acquire their Irish citizenship at birth through their parent who is an Irish citizen although their right to the care and company of their family members (in particular, their mother) is far from unproblematic.[49] These children are therefore neither entirely inside the Irish state, as their citizenship is (only) deferred, nor outside it, as they remain Irish citizens in legal and socio-cultural terms. They are not people who have been excluded from citizenship and who therefore need to be included, but people whose citizenship is contingently deferred according to particular circumstances. This contradicts the assumption, as put forward for example by Jacqueline Bhabha, that citizenship 'governs the relationship between the individual and the collectivity' and can be summed up in the question 'Does one "belong" or is one an "outsider"?'[50]

Instead of moving from outside where they are non-citizens and progressing inside where they *become* citizens, these Irish citizen children move back and forth between the historical–spatial periodisations of outside-future and inside-present depending on the particular situation in question, for example their entitlement to education or where they can live. In the former situation they are guaranteed entitlement to even third-level education because they have (some) legal citizenship status and thus for this purpose they are recognised as being 'inside' and part of the present membership of the Irish state; the latter however is normally dependent on their parents' status in the country, thus often positing them to some extent 'outside' the state and therefore only a future possible member if there are restrictions on where their

parents can live.[51] Similarly, if their parents are deported they too can be (albeit indirectly) deported.

All this emphasises the need to think about how these children live in unique temporal spaces – unlike those normally associated with statist imaginary – in ways that mirror but also diverge from the experiences of their parents. It means that, despite Angela Smith's argument, their experiences of citizenship should not be entirely equated with that of marginalisation ('not belonging'). Such experiences should be seen through 'the prism of a generation of rupture and of . . . discontinuity'[52] rather than a prism of coherency and continuity of, for example, racialisation or gendered exclusion. These complicated negotiations between inclusion and exclusion, inside and outside, belonging and not belonging, which are part of their political subjectivity, are acknowledged in some respects, but they nonetheless fail to inform a retheorisation of 'inclusion' and 'resistance' beyond the question of statehood and sovereignty in existing inclusivist analysis – that is, beyond coherent spaces and linear movement from past to present, from immigrant to citizen, from outsider to insider. The point is that 'migrant women' and 'their children' engage as members of the political community in a variety of ways through their relationships with other people. Questions of 'resistance' and 'inclusion' thus become much less clear cut as inclusion is no longer defined in terms of only one overarching political community but in terms of multiple aspects of political community; and therefore many different forms and types of resistance are simultaneously enabled and disabled to different extents according to different circumstances.

Some people may argue that these experiences are not citizenship or at the very least they are aberrations of citizenship, which itself in essence 'signals "belonging" and "insider status" in a privileged way'.[53] However, I would argue that there is a danger in seeing these experiences simply as failures of the 'real meaning' of citizenship, which Jacqueline Bhabha links to 'the *permanence of access* to' the attributes of social and private life in the home country including full rights to family life, social support and civil and political freedoms.[54] By doing so we fail to understand these experiences on their *own* terms as alternative experiences of political identity and belonging implicated in citizenship, however

problematic. We ignore possible new forms of political activism which incorporate resistance as well as submission to sovereign political horizons which are contained within these experiences of political identity and belonging.[55]

Having established some of the key limitations of how the subject at the centre of claims to solidarity and belonging is conceptualised in the gendered analysis of the 2004 Irish Citizenship Referendum, the next section considers the human rights response which has been offered as an alternative within the inclusivist literature.

The Human Rights Analysis

> The effect of the 2004 Referendum on Citizenship was to narrow the empirical definition of what it meant to be Irish, inventing the conundrum of the Irish-born non-Irish child as a perverse twenty-first century civics lesson . . . The challenge is to come up with ways of binding the Irish to their diverse nation-state as well as integrating the new guests of the nation.[56]

A second response to the perceived common-sense threat which certain people were seen to pose to Irish citizenship through practices of reproduction in 2004 is clustered loosely around what has been articulated as a human rights perspective. This perspective has been constructed in some places as a direct alternative to the gendered critique. In particular it has been constructed as a direct alternative to the overriding emphasis on the idea that the nation-state model is inherently exclusionary, as put forward by the aforementioned gendered critique.[57] The human rights analysis has sought to emphasise that support for so-called common-sense restrictions on citizenship in the Republic of Ireland in the twenty-first century cannot only be explained in terms of racial and/or exclusivist understandings of nation-state building. It argues that the overwhelming endorsement for a change in the basis of birthright citizenship in 2004 needs rather to be linked to a narrow nationalist understanding which need not continue to form the basis of the nation-state model.

This human rights analysis has sought to argue that the populist distinction between 'nationals' and 'non-nationals' which crystallised in the 2004 Citizenship Referendum was institutionalised by way of distributional anxiety shaped by past economic fatalism (economic Othering), combined with a racialised concept of citizenship 'anchored in past exclusionary monocultural nation-building ideologues of Irishness' (cultural Othering), both of which can be addressed.[58] Its focus has been on the manner in which the Irish national project came to be based on an exclusionary sense of cultural belonging and an exclusionary economic sense of entitlement. It argues that this was and is not inevitable, however. Rather than classifying either economic or cultural Othering as necessarily 'racial' and inevitable components of the liberal nation-state model, what is argued is that they are avoidable.[59]

In the human rights analysis, much as in the gendered response, the outcome of the 2004 Citizenship Referendum is attributed to the rapid social change brought about by migration into the Ireland over the previous decade. Unlike in the gendered response, however, which emphasises the need to conceptualise a post-national statist model of citizenship, what is proposed in the human rights analysis is a trans-national model of citizenship.

This model is based on the notion of 'binding trans-national human rights'.[60] This analysis picks up on discussions in the Oireachtas by the opposition immediately before and during the period in which the Twenty-Seventh Amendment of the Constitution Bill was discussed. These discussions similarly called for a refocusing on the question of human rights, it having been argued that the government's referendum proposal had 'zeroed in on a very narrow aspect of the citizenship debate away from human rights concerns and towards protecting territory'.[61] Indeed, opposition to the referendum proposal was based for many on this perceived lack in the first place of a more cosmopolitan and/or human rights focus underpinning its motivation and the motivation of immigration law more generally in the Republic of Ireland.[62] Sinn Féin member Aengus Ó Snodaigh, for example, explained it thus:

Sinn Féin is opposing this proposal because it is irresponsible. Instead, we want comprehensive immigration law reform to establish a positive, compassionate, human-rights-compliant and anti-racist immigration law that will pave the way for Ireland's transition to a truly multicultural, equitable society.[63]

The Inclusionary Nature of Nation-building

In 'Nationals/Non-nationals: Immigration, Citizenship and Politics in the Republic of Ireland', Bryan Fanning and Fidèle Mutwarasibo specifically problematise the notion that there is a straightforward link between exclusionary nationalism and the nation-state model. They instead draw a distinction in the disputes surrounding the 2004 Citizenship Referendum: between those discussions which simply reinforced the assumption of a difference between nationals and non-nationals, and those which actually employed racialised hostility towards certain parents and their Irish citizen children. They argue that understandings about citizenship need to be understood as bound up with processes of exclusion and inclusion, rather than simply with processes of exclusion as concentrated on by the aforementioned gendered analysis.

What the human rights analysis emphasises is the manner in which the formulation of Irish identity, which was central to the 2004 referendum discussions, specifically mobilised 'past nationalist ethnocentrisms'.[64] The contention is that the specific racialisation of citizenship in 2004 was but one response to accelerated social change on the island of Ireland in the twenty-first century rather than the only possible one. However, it is one which, people are quick to point out, was enabled (and to a large extent encouraged) by government policies. Although promoting an understanding of the economic importance of immigration, these policies also stressed the need to marginalise immigrants due to the economic threat they posed. This was done, for example, by emphasising the need 'to safeguard the social welfare system from abuse by ... people from other countries who have little or no connection with Ireland', as the Minister for Social and Family Affairs did at the time.[65] Fanning and Mutwarasibo argue

that these types of reference need to be understood in terms of how they tapped into previous distributional conflicts in the Irish psyche – the scars of decades of emigration, which was driven by lack of resources, and fears about its recurrence even in times of prosperity – as opposed to latent exclusionary nationalism.

The focus in the human rights analysis is the manner in which the narrative of the nation in the 2004 Irish Citizenship Referendum, although proving exclusionary, was not inevitably so.[66] Instead of focusing therefore on the need to think about 'Irishness' outside or beyond the exclusionary nation-state, the human rights analysis discusses the need to reconceptualise the Irish republican statist project beyond 'a narrowly constructed monocultural religious (Catholic) ethnic conception of nation'.[67] Siobhán Mullally, for example – looking specifically at the C and Baby O cases – distinguishes between rights conceptualised as *particular* claims (defined in terms of national identity) and those conceptualised as *universal* claims (invoking instead the notion of humanity). In so doing she argues for a recovery of the 'recognition of the universal legitimacy of . . . human rights claims' in respect of discussions about the 'fit' between nation-building and concepts of belonging – in particular those of children.[68]

The emphasis turns in this second type of inclusivist analysis therefore to the need to rethink the question of belonging in terms of a broader community-centred focus and more inclusive concepts of Irishness (wider humanity-inspired nationality). What is emphasised is the need to 'bring in' those who have been left outside the dominant imagined community by broadening the focus in the discussions about citizenship and belonging to consider how a wider range of interests and rights are at stake than originally envisaged. Unlike in the gendered analysis, this has resulted in a specific focus on the role of Irish citizen children (not only that of their migrant mothers) in challenging the boundaries of 'Irishness'.

As I will now discuss, however, this emphasis specifically on the way in which a human rights model of solidarity works to build bonds in society between 'new' guests and the host population is highly problematic, for it ignores the question of the existing bonds of these Irish citizens. It ignores most notably how Irish

citizen children born to non-Irish national parents are people who are *already* tied in many ways to Irish society, albeit in ways which are often not so easy to fit into traditional notions of 'inclusion' and 'exclusion' as they do not correspond to dominant sovereign statist understandings of separate, sovereign and autonomous spaces (of us/them, citizen/migrant, included/excluded) and linear historical time (a progressive continuous narrative between past, present and future).

The 'Irish Born Child (IBC)/05' scheme, under which certain Irish citizen children are entitled to live in Ireland with their parents but not necessarily with their siblings, is a case in point. The scheme was set up on a temporary basis in the wake of the Lobe and Osayande ruling in 2003, which had removed the existing 'Irish-born child route' for those wishing to apply for residency in Ireland. It enabled parents of Irish citizen children born before 1 January 2005 to apply through a different (one-off) route for permission to remain living in Ireland.[69] Under this scheme, migrant parents who faced deportation were required to sign a statutory declaration which stated that they understood that should they be granted residency this would not give them or their Irish citizen child any entitlement to reunification with other family members residing outside the country.[70] Furthermore, children born in Ireland – like so many children born elsewhere – only need one parent who has either been settled in the country for more than three years or is themselves an Irish citizen (from birth or through naturalisation) to acquire Irish citizenship at birth. The 'Irish born child route' therefore in different forms continues to be a very important avenue through which a second parent (whose migration status is irregular) of an Irish citizen child born even after 1 January 2005 can apply for leave to remain in Ireland; however, it provides no guarantee that they will be successful.

These Irish citizen children are in an unusual situation, therefore. For, unlike other Irish citizen children they are not necessarily entitled to expect to grow up in the same country as their siblings or, sometimes, their second parent.[71] The current conditions of the IBC/05 scheme and thus of this type of situation were furthermore only introduced retrospectively as a result of the 2003 Lobe and Osayande ruling. In other words, they apply

to Irish citizen children who *had had* a right (by precedent) to the care and company of their parents, but whose right was subsequently removed due to the abolition of this administrative path by the government following the Lobe and Osayande ruling, before their cases came to court. The Irish citizen children involved therefore are predominantly children whose rights as citizens were suspended in *hindsight* and thus in a temporally inconsistent way. This directly contradicts the idea inspired by T. H. Marshall of citizenship as the gradual accumulation over time of social, economic and political rights vis-à-vis the nation, which still remains the basis for how citizenship is conceptualised today by inclusivist citizenship analysis, despite other issues which have been identified with this model.[72]

What is obvious once again is that while the various conditions surrounding the IBC route mean that these children are not strictly included in traditional understandings of what Irish citizenship entails, it does not necessarily follow that they are therefore excluded from Irish citizenship. These are children who, for example, like all other Irish citizen children are entitled to normal social welfare benefits. Equally they have no restrictions on where they can work in the future, nor where they can live within the country. The point is that these children experience citizenship in a less-than state sovereign temporal and spatial framework, one which is temporally interrupted and spatially dislocated rather than temporally progressive and spatially coherent. Yet focusing on the question specifically of how to 'build' bonds in society on a universal notion of human rights between these children and other Irish citizens does not acknowledge this issue. It simply presumes that they need to be 'bonded' to other citizens and ignores how they already are, albeit in unusual understandings of time and space which are very hard to reconcile with how we normally conceive of political community and identity as guaranteed in time and across absolute space.

Looking at the 2004 Irish Citizenship Referendum Mullally, in line with others who have looked at legislative changes around the world such as Christian Joppke and Jacqueline Bhabha, insists that we must consider how birthright citizenship forces us to answer the question 'who belongs?'[73] However, it is increas-

ingly clear that children born to migrant parents often experience citizenship in such diverse and contradictory ways that the very notion of a coherent 'who' which does or does not belong and which therefore can or cannot be bonded to a particular national society makes little sense. Rather, it is only by *presuming* a sovereign presence that this question constitutes a starting point that can be taken for granted in such inquiries. Put another way, I would agree that theorists like Mullally are correct to point out the importance of recognising the child, as well as the woman and the migrant more generally, as bearer of rights. However, there is also a need to inquire into whether the place of 'child' as subject is a coherent one which *can* be taken as an analytical category in its own right here. As I further explore in this chapter and again in more detail in Chapter 5, this is often not the case.

Rethinking Citizenship: An Attempt at a Child-centred Focus

Siobhan Mullally has argued that the 2004 Citizenship Referendum should be understood in terms of how 'the perspective of the child was strikingly absent', having been subordinated to 'an overriding concern with parental status and immigration control'.[74] In doing so she has emphasised the need to bring the experiences of Irish citizen children into discussions about citizenship, constitutional change and questions of belonging. It is clear that the essence of politics is no longer associated exclusively with the state here anymore. Instead politics is realigned with notions of cosmopolitanism and humanity. However, what can also be seen is a presumption that solidarity must continue to be conceptualised in terms of coherent sovereign autonomous subjectivities, as opposed to engaging with them on their own less-than sovereign terms.

Mullally's focus is specifically on the decision in the Lobe and Osayande case, which led up to the 2004 Citizenship Referendum: she insists that it was a 'de facto postponement of citizenship for many children', denying them the right to become part of the Irish nation in their own right.[75] Comparing this with similar cases

elsewhere, Mullally concludes that a pattern can be seen in terms of how time and again in cases pertaining to migrant families and questions of residency, decisions are being made about children entirely dependent on their parents' status and former actions rather than in the best interests of the child themselves: 'There is little discussion in the case of the impact of the State's actions on the citizen children involved.'[76] Instead of automatically assuming that children's rights can be subordinated to their parents' status, Mullally calls for a 'a child-centred perspective' in relation to questions about belonging which deportation orders raise. She insists that 'the recognition of the child as bearer of rights in such cases would . . . transform the terms of the debate'.[77]

Unfortunately Mullally herself goes on subsequently to frame the role of the Irish citizen child in a discussion about the need to include 'migrant families' and allow them as a unit to remain in Ireland. In doing so she again (albeit in a different way) reduces the question of citizenship of the child to the question of the immigration status of (one or both) of the parents more generally and links both to the problematic of sovereign politics – the question of 'who belongs' and the implication that someone 'is either an Irish citizen or not'.[78] As I have shown, in both cases – in respect of migrant parents or of citizen children – it is highly problematic to speak of a subject which either belongs or does not belong. In the first instance defining migrant parents in terms of their status as inside or outside the state ignores the complex process between statuses of 'inclusion' and 'exclusion', 'belonging' and 'not-belonging' which many negotiate on a daily basis – linked to formal and informal participation as discussed above – which often results in partial inclusion (membership), and therefore involves constant experiences of both inclusion and exclusion, belonging and not-belonging.

It is equally problematic to define the citizen child in terms of their ability to transgress the boundaries of the state, for they are neither inside and therefore included in the state, nor outside and excluded from it. Instead they are located in the tension between these two positions, and thus in between particularism (citizenship) and universalism (immigration). Advocating a more child-centred focus in respect of the 2004 Citizenship Referendum or a

similar situation such as the Zambrano case, I therefore suggest, requires specifically exploring how citizenship (belonging in a particular community) is *inseparable* from immigration (belonging to a particular community). It involves recognising how questions about who 'we' are are interrelated with questions about to whom we maintain special commitments, and acknowledging the issues which are raised as a result of this regarding the affective, emotional and non-calculative bonds which ensue between parents and child (as well as with wider society such as school, friends, neighbours and so on) as very important aspects in discussions about citizenship. In other words, what is needed is not simply to link questions about citizen children born to migrant parents as members (belonging) 'in' the political community to questions about their entitlement to have both their parents and siblings living with them in their country of birth within the existing spatio-temporal statist framework. Rather it involves engaging with the alternative spaces and times of political identity and belonging which migration (by bringing together questions of belonging *to* and belonging *in* a particular society) produces on its *own* (less-than state sovereign) spatio-temporal terms.

We also need also to understand how experiences of migrant parents differ from those of their children. One of the key differences between the experiences of children as against those of their parents relates to the links which these two groups have to the(ir) 'homeland'. In one respect this relationship is always a form of re-creation, because identification is first and foremost a relation which is historically and geographically contextualised and dependent on various factors. As Wendy Ann Lee points out, the migrant identity involves the narration of 'experiences of relocation and assimilation that are perpetually incomplete and fraught with the desire for home, return, pre-history'.[79] However, as she further notes, the migrant and their offspring experience this failed identification and failed narration in different ways. 'What separates immigrants from their children are the truths witnessed by one and made inaccessible to the other.'[80]

Children will live their lives engaging with a 'homeland' that never was their own, whereas migrant parents will live their lives with a 'homeland' which they engaged with and can call their

own, if only for a fleeting time. In the latter the 'homeland' is a lost love. In the former, it is a nostalgic place defined not by what was lost, but what can never be grasped fully. As Lee discusses, 'the histories of my parents, which can only ever come to me as stories, translated, are present as a constant reminder of this disconnection'.[81] What often distinguishes a migrant's own experiences from that of their children, then, is the type of consciousness of 'homeland' – the direct experience of it – which is their preserve. But the complex interrelationship between homeland and country of residence – which in the case of intergenerational migrants is present from the moment of birth – must also be taken into consideration. The Korea which Lee speaks about having lost, for example, is intertwined with the America which she grew up in. Similarly the Africa which many of those growing up in Ireland have lost is intertwined with the Ireland they grow up in. They effectively grow up in both from birth, unlike their parents, who have had a distinct experience of living at some point only in the former.

A second key difference between the experiences of children and those of their parents relates to their status – or more accurately to their starting point vis-à-vis the question of (ir)regularity. Intergenerational migrants who grow up in their place of birth will often do so with a series of rights which are built either into their status as formal citizens or into their status as long-term residents. They will, for example, be required in most countries to go to school, and they will often receive free education and/ or health entitlements where applicable, as other children do. They will be more visible members of the political community in this respect and have important explicit socio-cultural links. In contrast, migrant parents often have a highly irregularised status and can struggle to avail themselves of basic services or to be recognised as participating members of the community. These differences are not absolute, of course, and the categories used here of 'children of migrants' and 'migrant parents' are intended to be illustrative rather than definitive. Both categories will have internal differentiations and there will be similarities across the categories given the particularities of context.

However, as Lee emphasises, it is 'the plurality of citizens, along

with their unique problems and demands', that we need to begin to engage with. In particular we need to avoid 'marshaling so many of these distinctive experiences and complex identifications into one totalizing and transhistorical group identity',[82] specifically a totalising and transhistorical identity linked to nationality and subsumed under the category of 'marginality' (when this nationality is associated with the non-dominant group in society as discussed above) or an identity subsumed under the category of 'origin' (as I discuss below).

Unfortunately, failure to take into account the ambiguous experiences of political identity and belonging experienced by migrants and their offspring, as well as the differences in the experiences of migrant parents as against those of their citizen children, is not uncommon. It can also be seen in calls by civil society groups working with migrants for a more child-centred focus when considering questions regarding citizenship rights. In 2006 in Ireland, for example, a report by the Children's Rights Alliance (CRA) called for a child impact assessment to be built into all decisions by the state with regard to the question of deportation and the granting of leave to remain in Ireland under the IBC/05 scheme.[83] This is in keeping with the CRA's position at the time of the 2004 Citizenship Referendum, when it said that it was 'deeply concerned about the referendum's implications for children'.[84] The report explains that the notion of a child impact assessment 'is based on the premise that children have needs and rights that are separate and different to adults and that these must be given due consideration'.[85] However, as a second report also commissioned by the Coalition against the Deportation of Irish Children (CADIC) a year later shows, the experiences of Irish citizen children have still not been successfully theorised in their own right. Rather what has been theorised is again the notion of experiences of a (relatively homogeneously understood) migrant family unit.[86] The emphasis continues to be on the question of belonging in the context primarily of immigration, linked to being an outsider who needs to be 'brought in', as opposed to considering the question of citizenship in the context of immigration, understood as a form of political belonging which requires negotiation of various layers of complex relationships between, across and at the edges

of inclusion/exclusion and belonging/not-belonging. This type of literature fails to explore the nuances of how people within migrant families (migrant parents and their citizen children) variously negotiate the relationship between inclusion and exclusion in ambiguous terms – occupying in different ways the spaces of *both* exclusion and inclusion, belonging and not-belonging.

   Although in this report and in equivalent reports on other European countries, children themselves are often interviewed specifically or there is some recognition of the need to have sub-categories such as 'first generation' and 'second generation', the focus remains on the idea of the single-unit migrant family, and on the 'country of origin' of the parents as that which supposedly explains and unites the experience of the migrant family as a whole. For example, the 2007 CADIC report, entitled *Looking Forward, Looking Back*, specifically focuses on the idea of the 'African family . . . looking back to their country of origin [and] look[ing] forward to a better future in this country [Ireland]'.[87] However, not all those living in these families necessarily look unproblematically 'back' to Africa and 'forward' to Ireland. Instead they live in a world in which both 'Africa' and 'Ireland' define them in the *present* moment. Furthermore, these spaces define the children in different ways to how they define their parents in the present moment. Unlike their parents, the children may never have been to Africa, or if they have been there, it will often only be on holidays. They may not speak the language of their parents' birth region and they may be much more familiar with Irish culture than African culture. While migrant parents may also in many cases have a complicated relationship with Africa as their birthplace beyond the simple understanding that it is a locus of belonging which defines them in the past, these spatio-temporal experiences will not necessarily match that of their children given the different starting point – one of being born and/or growing up in Ireland, another of being born and/or growing up in Africa. Questions of belonging and political identity for migrant parents will also be very difficult to reduce to either exclusion or inclusion in Ireland; however, they will be linked to different types of spatial and temporal dislocations to those of their children given these alternative starting points.

Another example of this type of approach which prioritises questions of immigration over questions of citizenship, rather than exploring how they are intertwined, is a report entitled *The Situation of Children in Immigrant Families in the United Kingdom* by Heaven Crawley on behalf of UNICEF.[88] Crawley notes the importance of identifying generational differences among migrant families and, as such, the differences in experiences between first-generation (born abroad) and second-generation migrants (born in the UK to either one or two foreign-born parents). Yet, despite having noted that second-generation migrants are born *in* the UK, she continues to equate the 'origin' of the second- (and at times third-) generation migrant with that of their parent's country of birth, and, drawing a distinction on the basis of this question of origin, between so-called 'natives' or 'native-born' and second-generation migrants – emphasising the disadvantaged nature of the latter.

This ignores how a large proportion of this latter group will also be (formally as well as socio-culturally) UK citizens – as UK citizenship can be acquired at birth through a second parent who is a British citizen, if the foreign-born parent qualifies as 'settled' under British law, or after residency for the first ten years of life. As such, the question of 'origin' is one which is hugely problematic and cannot simply be linked to a parent's place of birth. Instead what is needed is an understanding of how the origin of the children of migrants is also defined by their British citizenship and their being born in Britain. What such a focus fails to take into account is the manner in which large sections of second- and subsequent-generation children *are* members of the 'native' political community as British citizens, albeit often in atypical or fragmented ways. Their definition as 'excluded', 'disadvantaged' or 'marginalised' subjects who need to be included in British society is therefore at best highly problematical.

One final example is the attempt by Yann Algan and colleagues to provide a comparative perspective on the economic situation of first- and second-generation migrants in France, Germany and the UK. While they too are very careful to emphasise the need to distinguish between different generations of migrants, in the same way as Crawley does, their findings are defined according

to a similar emphasis on understanding outcome gaps among second-generation migrants according to what they refer to as 'immigrants' country of origin'.[89] Once again the place of birth of migrant parents dominates the focus on and understanding of the experiences of their children. Despite the recognition that experiences between generations differ, a modern linear temporal and modern territorial spatial framework is maintained which reproduces the image of coherent political subjects – 'immigrants and their descendants' – who travel together on a common journey and who can be distinguished from other coherent (sovereign) political subjects known as 'natives'.[90] The question of citizenship is addressed in some respects in such reports but only in terms of how the second generation acquire citizenship despite having migrant parents, and very rarely in terms of how they are often *caught between* citizenship and migration, as people with many aspects of formal legal citizenship and embedded in the wider political community.

The types of text explored above are problematic for a key reason therefore. Namely, they maintain a modern statist understanding which continues to dominate conceptions of the family experience. This traditional understanding is based on a national historical conception of time (where the emphasis is on a progressive movement from the past towards the present) as well as a national territorial conception of space (an ability to distinguish between spaces such as 'past' and 'present' in the first place, as well as between 'migrant' and 'native'). What is not taken into account are the complicated overlapping relationships between belonging and not-belonging, inclusion and exclusion, past and present negotiated by migrant parents and their citizen children and the alternative experiences of being political, fragmented spatially and inconsistent temporally, which these relationships raise. Put another way, despite successfully affording the status of the citizen child prominence in respect of the question itself of belonging and rights to citizenship, this continues to be understood in terms of an exclusion/exclusion, insider/outsider, native/migrant, past/present dichotomy rather than in terms of how citizen children get caught between inclusion and exclusion, citizenship and humanity. The emphasis on the notion of 'the family' as the unit

of analysis ignores how children of migrants experience political subjectivity in ambiguous ways which share similarities but also difference with their parents' experiences.

For Alina Sajed, a key problem is perhaps the term 'second-generation' itself. She points out that calling these children 'second-generation' reproduces the idea that they are the second generation of migrants, as opposed to the first-generation *products* of migration. Looking at the children of north African migrants in France (young Maghrebis), Sajed argues that

> it is ludicrous to call the children of migrants 'the second generation' . . . since they are not migrants themselves, they are born and raised in France. Rather their struggles and difficulties could be better grasped if seen through the prism of a generation of rupture, and of the discontinuity they represent.[91]

Others have similarly questioned the term 'migrant' itself as a label for all those who leave their country of birth to go live elsewhere. The term 'irregular migrant' has, for example, been emphasised as a better term to start to describe the delicate negotiation between inside and outside, belonging and not-belonging, legality and illegality, past and present (given the contribution of such people towards societies which they are often not formally recognised as a part of), which is undergone on a daily basis by many migrants.[92] The discontinuity referred to here can be linked to the general condition of an age of global migration where, as Étienne Balibar notes, 'opposites flow into one another [and] "strangers" can be at the same time stigmatized and indiscernible from "ourselves"'. The result is ambiguous political subjectivity 'where the notion of citizenship, involving at the same time community and universality, once again confronts its intrinsic antinomies'.[93]

Sajed points out that there is a need to recognise the children in such situations as other than the offspring of colonial subjects or as descendants of 'natives' who have to be accepted into the 'host society'. These are people whose subjectivity makes little sense in relation to the question of a separate sovereign subject who sits at the centre of claims to citizenship and who needs to be included

in or bonded with the existing political community. Rather, what needs to be understood is how their subjectivity *undermines* any semblance of the seemingly stable and fixed foundations which are required to take this question as a starting point.

Chapter 4 contextualises the work of Balibar, Engin Isin and R. B. J. Walker within the wider field of poststructuralism and links it to other theorists within this field who share a similar concern regarding the limits of a state-orientated focus when exploring questions of political identity and belonging. It does so in order to explore how such work enables us to begin to imagine alternative political horizons 'that ask after the silences, the margins, the excluded' rather than only the sovereign and the coherent.[94]

Notes

1. Lentin and Luibhéid, 'Introduction', p. 294.
2. The term 'Irish-born children' is a term which is understood from this perspective as being predominantly used to differentiate children born to migrant parents from children born to Irish citizen parents. Lentin, for example, argues that 'the euphemism "Irish-born children" racially differentiates the children of "non-nationals" from all other children born in Ireland' (Lentin, 'Pregnant Silence', p. 310).
3. Lentin, 'Pregnant Silence', p. 301.
4. Lentin, 'From Racial State to Racist State', p. 8.
5. Garner, 'Babies, Bodies and Entitlement', p. 443.
6. Brandi, 'Unveiling the Ideological Construction of the 2004 Irish Citizenship Referendum'; Lentin, 'From Racial State to Racist State', p. 8.
7. See Christie, 'From Racial to Racist State'; Lentin, 'From Racial State to Racist State'; Lentin and Lentin, 'Introduction: Speaking of Racism'; Lentin and McVeigh, *After Optimism?* This argument is based on the work by David Theo Goldberg (Goldberg, *The Racial State*).
8. See for example Garner, 'Babies, Bodies and Entitlement'; Luibhéid, 'Childbearing against the State?'.
9. Lentin, 'From Racial State to Racist State' p. 8; Sheahan, 'Revealed:

proof of citizenship tourism'. See also reference to quotation by Noel O'Flynn TD which refers to the provision for unqualified birthright citizenship (Article 2 of the Constitution) as 'the maternity-residency clause in the constitution' (Luibhéid, 'Childbearing against the State?', p. 339).

10. Lentin, 'Strangers and Strollers', p. 305.
11. Luibhéid, 'Childbearing against the State?', p. 342.
12. See Yuval-Davis, *Gender and Nation*, 1997; Yuval-Davis and Anthias, *Woman-Nation-State*, 1989.
13. Luibhéid, 'Childbearing against the State?', p. 344. Within the Irish Constitution, women are primarily conceived of as mothers. Article 41 recognises the family 'as the natural primary and fundamental unit group of Society'. It subsequently states that 'the State recognises that by her life within the home, woman gives to the State a support without which the common good cannot be achieved'. According to Article 41.2.2, 'the State shall . . . endeavour to ensure that mothers shall not be obliged by economic necessity to engage in labour to the neglect of their duties in the home'.
14. Oaks, 'Irishness, Eurocitizens, and Reproductive Rights', p. 133.
15. Smith, 'The Irish Citizenship Referendum', p. 76; Lentin and Luibhéid, 'Introduction'. On the feminisation of nationality see Yuval-Davis and Anthias, *Woman-Nation-State*.
16. *Baby O and anor* v. *Minister for Justice, Equality and Law Reform and ors*.
17. *Bunreacht na hÉireann*.
18. Carolan, 'Court appeal against deportation fails'.
19. Coulter, 'State fails to argue foetus is not a person'.
20. *Baby O and anor* v. *Minister for Justice, Equality and Law Reform and ors*, p. 10
21. *Attorney General v. X and others*; *A. and B. v. Eastern Health Board, District Judge Mary Fahy and C*. On these cases, see for example Smyth, 'Narratives of Irishness and the Problem of Abortion'.
22. The state's duty to 'protect the right to life of the unborn' as laid out in the Constitution is also based on having 'due regard' for the equal right to life of the mother. On this basis, it was eventually ruled in both these cases (by the Supreme Court in the X case and by the High Court in the C case) that the mothers in question could be permitted to travel to the UK to terminate their pregnancies. This was because it had been shown that there was 'a real and substantial risk' to the life, as distinct to only the health, of the mother in each case.
23. Fletcher, 'Reproducing Irishness', p. 394.

24. See for example Luibhéid, 'Sexual Regimes and Migration Controls', p. 63.
25. Dauvergne, 'Citizenship with a Vengeance', p. 489.
26. Luibhéid, 'Sexual Regimes and Migration Controls', p. 62.
27. Luibhéid, 'Childbearing against the State?', p. 345.
28. Luibhéid, 'Sexual Regimes and Migration Controls', p. 69.
29. Garner, 'Babies, Bodies and Entitlement', pp. 444–5; Garner and Moran, 'Asylum Seekers and the Nation-state'; Lentin, 'From Racial State to Racist State'.
30. Lentin, 'Pregnant Silence', p. 318.
31. Ibid., p. 316.
32. Luibhéid, 'Childbearing against the State?', p. 342.
33. Lentin, 'Pregnant Silence', p. 318. Lentin points out that it was James Joyce who originally feminised Dublin through Anna Livia Plurabelle in *Finnegans Wake*, making her not only at home in the city of Dublin but as the *embodiment* of the city.
34. Ibid., p. 320.
35. Ibid., p. 321.
36. AkiDwA, 'About Us'.
37. Lentin and Luibhéid, 'Introduction', p. 295.
38. See for example Bhabha, 'The "Mere Fortuity of Birth"?'.
39. Smith, 'The Irish Citizenship Referendum', p. 76.
40. Kofman et al., 'Migrant Women and Politics'; Raissiguier., *Reinventing the Republic*.
41. Immigrant Council of Ireland, 'Count Us In!' Campaign, 2011; see also Mutwarasibo, F., 'Electoral Rights for Non-Citizen Residents in Ireland', 2011.
42. Omar, 'Ifrah Ahmed'.
43. Foley, 'Evaluation Report', p. 6. Although this is not to ignore failures in this area and the need to do much more – see for example Suzanne Lynch 'Government criticised for failures on female genital mutilation '
44. Parpart et al., *Rethinking Empowerment*.
45. See for example Lentin and Moreo, *Migrant Activism*.
46. Under Irish electoral law, people need only be 'ordinarily resident' for six months at an address and aged eighteen and above to be eligible to register as a voter in municipal elections. This means, for example, that asylum seekers and foreign students are eligible to vote in municipal elections.
47. Benhabib and Resnik, 'Introduction: Citizenship and Migration Theory Engendered'.

48. The date is significant here as it was in December that the Irish Nationality and Citizenship Bill 2004 was signed into legislation. From this point onwards the draft legislation recommendations made under the 2004 Irish Citizenship Referendum proposal came into law. These stipulated that citizenship at birth for those whose parents were not already Irish citizens themselves, nor entitled to become so, would be acquired only by those whose parents had been resident (not including as students or as asylum seekers) in Ireland for a total of three years out of the previous four prior to their birth.

49. See for example Murphy 'Family Rights and Deportation in Ireland'. This is because under the Irish Nationality and Citizenship Acts, if a child is born in Ireland after January 2005, (s)he is still entitled to become a citizen if (s)he conforms to any of the following conditions at the time of his/her birth: (1) a parent of the child is an Irish citizen (by birth or by naturalisation); (2) a parent of the child had three years of legal (or 'reckonable') residency in the state when the child was born; or (3) the child was born in Ireland and is stateless, that is to say, it is impossible for him/her to become a citizen of the country of birth of either of his/her parents.

50. Bhabha., 'The "Mere Fortuity of Birth"?', p. 190.

51. For example, where the parents of an Irish citizen child are asylum-seekers the child must live with them in direct provision accommodation. The direct provision system was set up in 2000 in the Republic of Ireland as an emergency measure to deal with growing numbers of asylum applications. Under this system families, couples and single people are housed communally in reception centres (normally disused hostels and/or holiday parks) where they are provided with their meals and an allowance of €19.10 per adult per week and €9.60 per child per week.

52. Sajed, 'Postcolonial Strangers in a Cosmopolitan World', p. 374.

53. Benhabib, 'The "Mere Fortuity of Birth"?', p. 192.

54. Ibid., p. 218, original emphasis.

55. On the question of atypical forms of resistance and first-generation migration, see McNevin, *Contesting Citizenship*; Nyers and Rygiel, *Citizenship, Migrant Activism and the Politics of Movement*. I concur of course that not all experiences and contestations over political identity and belonging should be reduced simply to citizenship either, as political identity and belonging can exceed citizenship. However, I would stress that we need to understand and allow to a much greater extent for the possibility that fragmented political

identity and belonging is part of how people experience citizenship, rather than always falling short of or falling outside citizenship. We need to understand *how* the spectrum of identity and difference along which various categories of membership are established in society – such as first-, second-, third-generation migrant; legal resident; model citizen; illegal alien – is implicated in citizenship(s) and different understandings of possible citizenships within society as well as how it works outside the category itself of citizenship.

56. Fanning, *New Guests of the Irish Nation*, pp. 179–80.
57. See for example Cohen, *Migration and Its Enemies*; Fanning, 'Against the "Racial State"'.
58. Fanning and Mutwarasibo, 'Nationals/Non-nationals', p. 452. For a discussion about the role which cultural incommensurability played in the 2004 Irish Citizenship Referendum, see also Tormey, '"Everyone with Eyes Can See the Problem"'.
59. See for example Fanning and Munck, 'Migration, Racism and Integration', pp. 6–8. Fanning and Munck emphasise here the importance of taking racism seriously but caution against reducing all exclusionary and discriminatory practices to it. Cohen makes a similar argument in *Migration and Its Enemies*, which is drawn upon by these authors.
60. Fanning, *New Guests of the Irish Nation*, p. 148; see also Mullally, 'Debating Reproductive Rights in Ireland'.
61. D. Boyle (Green), Dáil Éireann Debates., 'Twenty-Seventh Amendment of the Constitution Bill 2004', 21 April 2004, p. 1275.
62. IHRC., 'Preliminary Observations on the Proposed Referendum'.
63. A. Ó Snodaigh (SF), Dáil Éireann Debates, 'Twenty-Seventh Amendment of the Constitution Bill 2004', 22 April 2004, p. 93.
64. Fanning and Mutwarasibo, 'Nationals/Non-nationals', p. 450.
65. M. Coughlan (FF), Dáil Éireann Debates, 'Social Welfare', 11 March 2004, p. 312.
66. Mullally, 'Debating Reproductive Rights in Ireland', 2005, p. 101.
67. Fanning, *New Guests of the Irish Nation*, p. 97.
68. Mullally, 'Debating Reproductive Rights in Ireland'; see also Mullally, 'Children, Citizenship and Constitutional Change'.
69. The majority of those parents who applied (approximately 10,000) were those whose applications remained outstanding on January 2003 when the Lobe and Osayande ruling was passed and the existing Irish-born child legal precedent for acquiring residency was removed. Parents were granted residency permits under the IBC/05 scheme if they were able to show that they had been living

in Ireland continuously since the birth of their child and that they had no criminal record. A report by the Children's Rights Alliance states that as of January 2006 17,917 applications were received under this scheme and 16,693 were granted leave to remain. Those parent(s) granted residency were granted it for two years initially (Corrigan, *All Our Children*, p. 4).

70. As well as this lack of entitlement to family reunification, the statutory declaration required these parents to accept three other conditions: that they would refrain from becoming involved in criminal activity, that they would strive to become economically self-sufficient, and that they would take steps to find employment (Integrating Ireland, *Looking Forward, Looking Back*, p. 26).

71. A report commissioned by the Coalition against the Deportation of Irish Children argues that lone parentage is for many families 'a direct result' of the family reunification policies which people were required to adhere to in order to gain IBC/05 status (Integrating Ireland, *Looking Forward, Looking Back*, p. 28).

72. Marshall, 'Part I: Citizenship and Social Class'.

73. Bhabha, 'The "Mere Fortuity of Birth"?'; Joppke, *Immigration and the Nation-state*, pp. 104–13; Mullally, 'Children, Citizenship and Constitutional Change', p. 42.

74. Mullally, 'Children, Citizenship and Constitutional Change', p. 36; see also Bhabha, 'The "Mere Fortuity of Birth"?'.

75. Mullally, 'Children, Citizenship and Constitutional Change', p. 33.

76. Ibid., p. 40.

77. Ibid., p. 41.

78. Ibid., p. 34.

79. Lee, 'Passing as Korean-American', p. 287.

80. Ibid., p. 288.

81. Ibid., p. 293.

82. Ibid., p. 293.

83. The report itself outlines the basis of this model including its underlying principles, the key features of child impact assessment, an impact assessment template and guidelines for applying the template (Corrigan, *All Our Children*).

84. CRA, 'Children's Rights Alliance calls for "NO" vote on Citizenship Referendum'.

85. Corrigan, *All Our Children*, p. vii.

86. Integrating Ireland, *Looking Forward, Looking Back*.

87. Ibid., p. 79. This report does acknowledge, but only fleetingly, the

fact that most families they looked at are 'multi-status' families (ibid., p. 52).

88. Crawley, *The Situation among Children in Immigrant Families in the United Kingdom*.
89. Algan et al., 'The Economic Situation of First and Second-Generation Immigrants in France, Germany and the United Kingdom', p. 8.
90. Both these phrases are used throughout the reports by Crawley and Algan et al.
91. Sajed, 'Postcolonial Strangers in a Cosmopolitan World', p. 374.
92. McNevin, *Contesting Citizenship*.
93. Balibar, 'Europe as Borderland', p. 210.
94. Masters, 'Judith Butler', p. 124.

4   Interrogating Sovereign Politics: An Alternative Citizen-Subject

> Rather than asking ourselves what the sovereign looks like from on high, we should be trying to discover how multiple bodies, forces, energies, matters, desires, thoughts and so on are gradually, progressively, actually and materially constituted as subjects, or as the subject.
>
> *Michel Foucault*[1]

This chapter contextualises Balibar's, Isin's and Walker's work within the broader theoretical field of poststructuralism so as to consider how we can think citizenship beyond (understood here as not limited to) sovereign politics. I recognise that the term 'poststructuralism' is problematic. The bodies of work considered in this chapter draw on a multitude of approaches, not least deconstruction, psychoanalysis and genealogy. My use of the term is not to invoke a unifying theory, however; rather I use it as a heuristic device to refer to a highly diverse body of social, philosophical and political work by theorists (including Richard K. Ashley, Judith Butler, David Campbell, Roxanne Lynn Doty, Jenny Edkins and Véronique Pin-Fat) who consider the need to imagine alternative forms of political expression to that of modern subjectivity by emphasising the limitations of a state-orientated focus.

In this chapter I explore how these types of work take as their starting point the need to explain the way in which excluded or included selves are produced as 'individuals' in terms of the notion of sovereignty (understood as located presence), rather than assuming that sovereign selves always already exist vis-à-vis the state and can necessarily be taken as a given in respect of the question of political subjectivity. This chapter argues that an

interrogation of subjectivity as presence in this manner allows for a reassessment of what currently counts as political possibility. It does so by forcing us to revisit (repoliticise) how we have come to know 'the subject' and accordingly what we imagine political subjectivity *can* be.

I discuss how Julia Kristeva's work provides an alternative understanding of political subjectivity as called for by Balibar, Isin and Walker as well as other poststructuralist theorists. This is one no longer based on a metaphysics of presence vis-à-vis the state (sovereignty), but on a metaphysics of process via plurality and hybridity. This is an understanding of human Being based on rupture rather than unity.

Investigating Sovereign Politics

While the simple fact of state sovereignty is itself often problematised, state sovereignty tends to remain the starting point nonetheless for most people who interrogate alternatives to modern politics. This is in so far as use of the word 'sovereignty' is assumed to refer to power or authority and therefore to indicate an attribute of the state. From this perspective the focus tends to be on how the particularity of state sovereignty as the basis of politics needs to be 'resisted' or 'transcended' by more universal concepts of political community and identity. The emphasis therefore remains on the simultaneity of political subjectivity as both particularistic as well as (potentially) universalistic in its aspirations and possibilities.

For some people, however, whose work is often associated with the tradition of poststructuralism, it is precisely this supposed obviousness of the idea of state sovereignty and the binary nature of political subjectivity as always already (and only) informed in terms of dualistic claims about precise particularity and humanity, which requires further interrogation.[2] What is explored from this perspective is how sovereignty – what politics can be – need not be limited to the state and to a statist spatio-temporal understanding of being political, understood as taking place within particular boundaries which are spatially defined and temporally

progressive. This is echoed by Étienne Balibar, who highlights the 'need to avoid simplistic dichotomies between national and post-national eras, between sovereignty and the withering away of the state'.[3] Instead of focusing on what happens to state sovereignty and thus presuming that sovereignty is something which simply exists as a dualistic framework, Balibar's work emphasises the need to understand how the concept of sovereignty is *formed*: 'that is, what tensions and oppositions it contains' which enable a particular way of thinking about the world in terms of limits, exceptions and necessities which need to be resolved, and equally what the limitations of this way of thinking are.[4] Balibar's work contributes in this manner to the argument made from a post-structuralist perspective that we need to understand the production of state sovereignty as well as the failure of a state sovereign understanding of the world to account for *new* configurations of politics amid the current crisis of fluctuating borders, boundaries and belonging.

A poststructuralist perspective focuses on the difficulty which appeals to state sovereignty (even as something which must be resisted or transcended) have in accounting for the complexities and the fluidities of non-centralised productions of power. It argues that phenomena such as the internationalisation of economic activity, technological virtualisation, the globalisation of social justice movements, and the diversity of flows of people across the world *contradict* and *undermine* our understanding of politics associated with the state and do not simply transcend or work against state sovereignty.[5] What is emphasised is how the temporal and spatial convergence in many aspects of modern-day life – this include trans-national capital or diasporic flows that confound sharp distinctions between what is presumed to be 'here' and 'there', 'us' and 'them', 'past' and 'present' – contradicts the notion of seemingly stable and fixed foundations implied in the limited spatial and temporal discriminations which are authorised by state sovereignty.[6] Instead what is highlighted is how politics is linked increasingly, to use Engin Isin's phrase, to '*a composition of differences*'.[7] As Balibar discusses, this is an understanding of politics not based on presence which exists separate from political community and becomes included or excluded,

but 'formed *through* crossing borders: visible and invisible, internal and external'.[8]

Isin discusses how being political cannot be reduced to just one type of spatial and temporal understanding; it can only be understood by 'investigating strategies and technologies as modes of being political that implicate being in solidaristic, agonistic, and alienating orientations'.[9] Being political, as such, must be divorced from a definitive shape – such as that of the individual – if we are to recognise its full potential.[10] For example, Balibar elsewhere discusses how political identity and belonging are increasingly linked to 'being a border' – understood as temporally and spatially dislocated.[11] The problem for R. B. J. Walker, however, is that the principle of state sovereignty has come to dominate our understanding of about how to think about politics in time and space in the first place. Walker draws attention to the manner in which political 'borders' and 'limits' have been constructed along a scale from the bounded system of sovereign states through the bounded sovereign to the bounded individual.[12] He emphasises that we need to acknowledge this in order to move beyond the centrality of state sovereignty;[13] this is necessary before we can begin to engage with the idea of time and space as 'a configuration' rather than as simply 'a passive background'.[14]

Thus, joining other scholars writing within the (broadly conceived) poststructuralist tradition Balibar, Isin and Walker can be seen to have sought to interrogate the meaning of sovereignty as *tied* to statehood and the timeless truth of infinite divisibility in space across continuous time, as a necessary starting point for thinking about politics. They have sought to understand how the state, rather than simply being the locus of power, is also first and foremost *an effect* in and of itself of certain relations of power which specifically assume a particular spatial and temporal basis for political possibility. This is a particular spatio-temporal framework understood in terms of absolute spaces of politics inside (where power, authority, history, legitimacy and identity reside), which are distinct from those of anarchy outside (where power, authority, history, legitimacy and identity are absent).[15] This is what Walker calls 'the articulation of political space/ time'.[16] Karena Shaw refers to it as 'the architecture through

which discourses and practices of sovereignty constitute political possibility'.[17]

Someone who has made important moves towards engaging with the productive nature of state sovereignty in her work is Roxanne Lynn Doty. Doty uses the term 'statecraft' in order to attempt to capture and problematise the normally taken-for-granted practices that produce seemingly stable and fixed spatio-temporal foundations along a scale from 'the West' through 'the Nation' to 'Citizen'.[18] Her use of the notion of statecraft serves to highlight how state sovereignty acts as a process to *fix* meaning and authority in terms of a particular spatial and temporal framework, as opposed to a coherent presence whose meaning or authority has already been fixed. The result is that state sovereignty is retheorised as an ongoing contingent effect rather than as a thing or object which can be pointed to as complete and which simply opposes 'anarchy' (understood as that 'problematic domain yet to be brought under the controlling influence of a sovereign centre'[19]). What Doty's work emphasises here therefore is not just the need to problematise the notion of the sovereign state as one type of political community which could be replaced by another type. It also emphasises the importance of considering how sovereignty in the first place acts as 'an expression of claims about temporality and history enabling constitutive discrimination between those who belong . . . and those who do not'.[20] Doty points out that 'the power of the nation-state derives from the presumption of a pure authorising presence, a centre that is itself in no need of explanation'.[21] It is this which needs to be constantly questioned (challenged) if we are to try to interrogate state sovereign spatio-temporal centricity.

Taking this approach raises questions about the nature of political community itself and how it has been formulated. It involves not just considering how political community is challenged by or co-exists with other types of community – such as ethnic, cultural or social community – and thus how 'community' can involve new forms of inclusion and exclusion outside 'politics'. It involves asking questions rather about how 'politics' itself is being reconfigured in time and space *beyond* 'an expression of claims about temporality and history enabling constitutive discrimina-

tion between those who belong . . . and those who do not'.[22] A traditional understanding of the individual citizen-subject posits 'political community' as distinct from other types of community; it retains the notion of 'politics' as a subsystem which is always engaged 'in' by someone (the individual) and which can therefore continue to be differentiated from an 'outside'.[23] We need therefore to begin to recognise the manner in which understandings of politics in Western society have become monopolised by sovereignty, which since early-modern Europe has been indelibly tied to the notion of divisibility in space and continuity in time. What we in Western modernity call politics, Edkins points out, 'entails a sovereign political order and a sovereign, autonomous subject' which we *continue* to take for granted.[24]

This point goes to the heart of Étienne Balibar's challenge to existing traditional engagements with the concept of 'community' in the context of citizenship. Balibar argues that these have become obsessed with the question as to '*which* community should be instituted as a priority and form the overall horizon of citizenship', whereas what is needed is to interrogate '*what the speculative concept of community*' has come to mean and how *this* is changing in an age of crisis of nation-states.[25] In an attempt to theorise democracy the concept of a 'community of citizens' has become tied to the spatio-temporal form of the nation-state as the dominant institutional form, thus ignoring that this is only *one* possible form.

The result is that concepts which define the terms of membership of political communities and therefore political possibility, such as 'democracy', 'cosmopolitanism' or 'citizenship' – which are normally discussed in terms of how they exist in and of themselves in relation to the state – are retheorised from the perspective of these poststructuralist theorists. Such concepts are retheorised in terms of how they have come to *derive* their meaning from the spatio-temporal coordinates of the state, and more specifically from how the notion of state sovereignty reproduces an image of the subject 'of' democracy, cosmopolitanism and citizenship as that which always holds rights *against* the state. This is an image of a subject which is thereby always separable 'from' politics in the first place. This dominant image is contrasted, by theorists

such as Ashley, Balibar, Doty, Edkins, Isin and Walker with the idea that 'the people' cannot be taken as an already established notion which opposes itself to different types of communities but rather 'consists of an act of permanent creation and recreation'.[26]

For these theorists, rethinking the limits of sovereignty can be understood as rethinking the limits of 'politics' and what this can be.[27] Instead of seeking to retheorise political subjectivity on the one hand and/or the possibilities for social political order on the other, they emphasise how neither is prior to the other. Rather, what is explored is how 'the constitution of the subject [Being] entails, and is inextricably linked with the constitution of a particular social or symbolic order [being in common]'.[28] It requires, Isin argues, investigating political subjectivity as 'a relational concept of group formation' which is based on 'overlapping, fluid, contingent, dynamic, and reversible boundaries and positions' rather than as zero-sum, discrete, binary groups which oppose each other from one side or the other of a boundary.[29] This is an understanding of political subjectivity which never simply exists in itself – as presence – vis-a-vis borders, but which instead is produced by virtue of the existence of borders and the alterity they present. As Isin explains, 'these relationships are [no longer understood as] simply inclusory or exclusory but dialogical. Ways of becoming political, such as being citizens, strangers, outsiders, and aliens do not exist in themselves, but only in relation to each other'.[30]

Edkins has suggested that Michel Foucault's work provides one of the best ways of coming to grips with the theoretical terrain associated with poststructuralism, which seeks to interrogate and move beyond a state sovereign binary focus. This is because this line of thinking can be traced back to two concepts which are indebted to his work: a decentred subject and a relational view of power.[31] The next section will thus make explicit how sovereignty – an ontology of presence – has come to be interrogated in poststructuralist thought, in order to consider how an alternative way of Being can be imagined beyond sovereign presence as an ontology of process through the work of Julia Kristeva.

The Decentred Subject

The dethroning of what Richard Ashley refers to as 'the heroic figure of reasoning man who is himself the origin of language, the maker of history and the source of meaning in the world' is a process which has taken place in various stages.[32] I begin by outlining some of the most important stages before moving on to explore how they came together in the work of Michel Foucault.

From Sociological Subject to Postmodern Subject

Stuart Hall identifies two stages in the process whereby the Cartesian subject, which formed the basis for Enlightenment epistemology and whose articulation was based on a distinction between certainly and doubt and between truth and illusion, was 'de-centred'.[33] The first stage in this process was the move from Enlightenment subject to sociological subject. The Enlightenment subject was a unified individual with an inner core from the moment of birth which was then understood to develop as the individual grows. It is this inner core which functioned as the source of the subject's identity. In comparison to this, the sociological subject appeared as the embodiment of an interactive conception of identity and self. However, the sociological subject still had 'an inner core or essence that is the real me', which was merely modified through 'dialogue with the cultural worlds outside and the identities which they offer'.[34] The distinction between society and the individual, inside and outside – also known as 'Descartes's dualism' – upon which the original Enlightenment subject was based, as such, did not ultimately become displaced or decentred but still held true in relation to the sociological subject as much as it did for the Enlightenment subject.

The second stage of this de-centring process therefore is the move from sociological subject to the postmodern subject, which is a subject *without* fixed, essential or permanent identity. Hall argues that it is this move to the postmodern subject which has seen the 'final de-centring of the Cartesian subject'.[35] This second

stage can be attributed to five major theoretical moves associated with the works of Karl Marx, Sigmund Freud, Ferdinand de Saussure, feminism and finally Michel Foucault.[36]

Marx was among the first to put forward a theoretical anti-humanism as an alternative way of thinking to that of presuming that there was a universal essence lodged in each individual subject.[37] In declaring as he did during the nineteenth century to the effect that men make history, but not on the basis of the conditions which are of their own making, Karl Marx displaced an abstract notion of Man.[38] He questioned the notion of individual agency as a consciousness independent of social structures by putting social relations (modes of production, exploitation of labour power and so on) at the centre of his theoretical system. As noted by Louis Althusser, Marx 'drove the philosophical category of the subject, of empiricism, of the ideal essence from all the domains in which they had been supreme'.[39]

An equally important stage in this decentring process was Freud's discovery of the unconscious, whereby Freud cast doubt onto the idea of thought as characteristically rational and accessible. This is because Freudian philosophy saw consciousness as a particular aspect of the mind and not its most general feature. This effectively destabilised the basis for Cartesian philosophy, which took for granted that consciousness was primary.[40] The importance of this moment is something I will come back to later in this chapter when I consider the respective work of Jacques Lacan and Julia Kristeva.

A third stage was the questioning by feminism(s) of the traditional distinction between 'man' and 'woman' and later 'public' and 'private', 'inside' and 'outside'. Feminism started out as a movement directed at querying the social position of women. It later, however, moved on to challenging outright the dominance of one form of subjectivity as a position of neutral universality, in particular 'the disembodied, sexless, and gender-blind character of the Cartesian subject'.[41] The notion of 'Mankind' was replaced with the notion of sexual difference with the result that 'it exposed, as a political and social question, the issue of how we are formed and produced as gendered subjects'.[42]

One of the final theoretical moves which contributed to the

decentring of the Cartesian subject is to be found in Saussure's work. This emphasised languages as systems of cultural meaning and not as neutral tools used by subjects to invoke pre-existing thoughts or to name pre-existing objects. Saussure queried the assumption that the subject speaks language. This was contrary to the image of the controlling will of the Cartesian subject. By focusing on the cultural nature of language systems, Saussure questioned the supposed natural link between signifier (sound image) and signified (concept) and the accepted understanding of the process of naming as that in which the subject points to an object and names it by merely invoking a 'ready-made' idea.[43] For Saussure the link between signified and signifier was an arbitrary one which was based on a contingent, as opposed to a stable, cultural designation. This emphasis on linguistic patterns as rule-governed systems which eluded individual and collective will contributed, in the same way as Freud's theorisations about the unconsciousness, to the further undermining of Cartesian philosophy, which was until then based upon the *secure* foundations of the rational, conscious subject at the core of knowledge, summed up in Descartes well-known phrase '*Cogito, ergo sum*'.[44]

Saussure's work is often seen to have produced two traditions of analysis: structuralism and poststructuralism. Structuralism was seen as an attempt to replace meaning and the subject with 'objective laws which govern all human activity'; it was seen as an attempt to replace 'Man' as a meaning-giving subject with a meaning-given humanity.[45] In contrast to this, the approach referred to as poststructuralism is defined by its rejection of the humanist notion of the subject as substance, and its affirmation of it as position. Françoise Gadet calls this 'the abandonment of transcendental subjectification'.[46] It is often suggested that Foucault's work has served as the basis for the style of thinking which is associated with the latter tradition of analysis. It can be specifically linked to the distinction which Foucault draws between a traditional 'history of ideas', based on a theory of the subject which engages in discourse, and his 'theory of knowledge', which focuses on how questions of power and knowledge are implicated in how the subject is produced *as* a discursive practice.[47] As I will now discuss, the important distinction here

is that a theory of knowledge refuses to privilege any centre including the idea of presence (grounded in Man) itself.

Discourse as practice: from 'the subject' to relations of power

Hubert Dreyfus and Paul Rabinow have argued that the structuralist alternative to objective causal laws, subjective rules and the horizon of meaningful practices was 'to claim a formal level of explanation which is not physical and not intentional'.[48] They insist, however, that Foucault rejected all levels of formal explanation and as such he eventually rejected structuralism.[49] Foucault explained in *The Archaeology of Knowledge* that he wanted 'to operate a decentring that leaves no privilege to any centre'.[50] He argued that traditional historical methods promoted an overall pattern to history which could be traced back to an original centre at some point or other by positing a founding human subject that serves as the origin of history and as guarantor of its continuity and identity.[51] He strove to emphasise that 'history does not simply analyze or interpret forces: it modifies them'.[52] The rules of history for Foucault were therefore not rules of universal reason but rules which are 'empty in themselves, violent and unfinalised; they are impersonal and can be bent to any purpose'.[53]

Foucault claimed that 'Man' (and arguably also 'Human') was the hinge which connected different ways of thinking in the modern period in so far as it was 'that transcendental reflection with which philosophy since Kant has identified itself; which concerns the theme of the origin, that promise of the return . . . that orders all these questions around the question of man's being'.[54] Following Friedrich Nietzsche's challenge to the pursuit of origin, Foucault rejected this image of what he called 'a primordial truth', which he saw as necessitating 'the removal of every mask to ultimately disclose an original identity'.[55] And, as an alternative to the traditional 'history of ideas' which was based on the idea of an immediately available area of certainty in the form of 'Man' or 'Human', Foucault developed 'a theory of knowledge' which incorporated a set of philosophical reflections on questions of truth, method and knowledge.[56]

As such, Foucault's alternative approach to history was based on more than a simple critique of the human subject. It incorpo-

rated more importantly a refusal to extend what he saw as 'faith in metaphysics'.[57] This referred to faith in all immediately available areas of ontological certainty, not only those areas which were directly associated with a humanist discourse. Foucault was particularly interested in how the body had become the basis for self-recognition of experience. He wished to understand how and, by way of what technologies of power, the body had become 'the inscribed surface of events (traced by language and dissolved by ideas), the locus of a disassociated self (adopting the illusion of a substantial unity)'.[58] He built his approach, which he called genealogy, around the belief that 'nothing in man – not even his body – is sufficiently stable to serve as the basis for self-recognition or for his understanding other men'.[59]

To this extent, it is important to note that Foucault's theory of knowledge was anti-foundationalist and anti-essentialist in that it denied 'Man' and 'Human' its position at the centre of history. It was also, however, anti-teleological in that it rejected the traditional obsession with 'the anticipatory power of meaning' (that is, the search for the meaning of events) and instead sought to emphasise 'the hazardous play of dominations'.[60] It replaced the traditional search for the meaning of events in terms of a linear cause-and-effect relationship with an appreciation of the overall war of interpretations, which ultimately undermines the supposed 'natural' direction of such a relationship. Instead of the history of subjects, which unfolds via the minds of great thinkers, the anti-teleological history which Foucault sought to record is the history of morals, ideals and metaphysical concepts as they emerge on the stage of historical process in terms of discursive regularities. This results in a record of the history of themes through which human being(s) are defined as subjects in terms of 'objects, rules of action and modes of relation to oneself', not a history since the beginning of time of the trajectory of persons understood as individuals with pre-existing rights and capabilities.[61] It is a history of the present and therefore of how 'we' have come to understand ourselves as individual-subjects with rights and capabilities, instead of a history which traces a line from the past to the present on the basis of, and therefore taking for granted, this process of subjectification.

Foucault conceived of the notion of 'problematisation' to describe the alternative understanding of knowledge which he sought to introduce. This knowledge was not about freedom operating in opposition to power as that which is repressive, but about how claims to 'freedom' can be understood to operate from within particular power relations as 'orders of problematizations' through which 'being offers itself to be, necessarily thought'.[62] For David Campbell, problematising can be understood as a deconstructive method which provides a basis for 'putting "out of joint" the authority of the "is"' (and thus presence).[63] It does so by demonstrating how 'different solutions to a problem have been constructed and made possible by the way the problem is posed in the first place' and not by virtue of particular individuals' actions.[64] Instead of an understanding of the world in terms of an independent realm of 'problems' and 'solutions' which we (as individuals) encounter, the point is that we begin to see how our understanding of ourselves as individuals who respond to problems is *implicated* in the process by which we problematise ourselves into Being as sovereign autonomous selves who *can* respond to problems in the first place. What Foucault was interested in here was how particular subjects become recognised as free (autonomous) or as not-free (for example, as enslaved or oppressed) through particular meaning systems. His is a method of inquiry which is 'not tied to the constitution and affirmation of a free subject' who is presumed to negotiate language and its meaning systems therefore; it is a method of inquiry tied rather to the need to understand how the subject *as* individual is created *through* general meaning systems themselves.[65] This refers to the collection of narratives, statements, groups of images, actions, modes of representation through which the world is known: what Foucault called 'discourse'.

Foucault argued that the Enlightenment had formulated certain problematisations which defined objects in terms of rules of actions, objects and modes of relation to oneself.[66] He saw the notion of 'orders of problematisation' as a way of thinking about how human beings are made subjects – made to understand themselves in certain particular ways, most notably as free and sovereign – as a product of the Enlightenment. Instead of the

search for origins by way of a general knowledge detached from its empirical roots, this was to focus on 'the process by which we construct origins and give meaning to our past' in terms of struggles in relation to particular types of knowledge.[67] Foucault sought to demonstrate in *The History of Sexuality*, for example, how 'sexuality' was constituted historically as a product of the Enlightenment by way of the discourses through which it was made problematic. Foucault defined discursive practices as 'characterized by the demarcation of a field of objects, by definition of a legitimate perspective for a subject of knowledge, [and] by the setting of norms for elaborating concepts and theories'.[68] He argued that 'knowledge' (in particular, knowledge of the self) could be traced back to the different discursive practices that frame and formulate this knowledge within themselves. The struggles which Foucault chose to explore in this respect were madness, illness, death and crime. What these had in common was that they were based on specific rationalisations of individualisation. Foucault was interested in how we come to understand ourselves *as* (mad, sane, insane, sexual and so on) individuals, as opposed to presuming it had always been so. It was through the concept of problematisations that Foucault was able to move from the emphasis which was traditionally placed on 'experiences' to explore that of *practices* as the games of truth through which people 'were led to focus their attention on themselves' in terms of sovereignty and therefore in terms of the notion of freedom (autonomy) or lack thereof.[69]

To take this point of view in relation to citizenship, as I do in this book by drawing on Balibar, Isin and Walker, is to reject the idea that citizenship simply positions pre-existing subjects as either 'inside' or 'outside' the law and thus that a citizen 'is' something in and of itself. It is to consider instead how the discourse of modern citizenship constructs a particular notion of what it means to be a subject in terms of certain specific assumptions regarding the supposed natural state of individual autonomy. It is to look at how certain interpretations have dictated a 'truth', in so far as it is something which can be pointed to, of what it means to be a political subject. In questioning these interpretations, 'the subject' as a sovereign entity is not taken as the natural unit of analysis

or starting point as it is in existing inclusivist citizenship analysis. Instead my emphasis turns towards power relationships and the process through which subjects are manufactured as an effect of particular 'relations of subjugation' or a 'will to knowledge':

> Rather than starting with the subject (or even subjects) the elements that exist prior to the relationship and that can be localized, we begin with the power relationship itself, with the actual or effective relationship of domination and see how the relationship determines the elements to which it is applied.[70]

Starting with the notion of power relations *instead of* 'the subject' and therefore with the notion of fragmented, decentralised (dispersed) subjectivity is very different to starting with an appreciation of power relations *in conjunction with* the notion of the subject as a particular source of power – as has been done in inclusivist citizenship scholarship. The difference is that the latter presents the subject as potentially fragmented but nonetheless retains the notion of a located presence (a coherent subject) which can be pointed to in the last instance as the continued potential holder of a diversity of identities or subject positions, for example, as 'migrant mother' or as 'African'. This retains the idea of an essential core of personhood – albeit often more subtly replacing that of an overarching notion of humanity – which is pre-existing and which is then socialised into a particular cultural setting.[71] The existing inclusivist citizenship scholarship (re)produces the notion of an alternative source of power to that of the state *in* the subject. For while it emphasises the need to think beyond state-centrism, this 'beyond', through the retention of the idea of an overarching human subject who engages 'in' political community, is nonetheless conceptualised as an alternative 'sovereign vantage point from which the history of political philosophy can [continue to] be reconstructed'.[72] Ronen Palan refers to this type of argument as 'symbolic interactionism'; he argues that although it aims to locate the self discursively by 'reject[ing] the image of a passive structurally determined subject of structuralism and view[ing] people as constantly undergoing changes during interaction', it does not ultimately disturb the notion of the self *as* a foundational entity.[73]

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Yet it is precisely the authority of this foundational unity of modernity – the notion of a self-authorising autonomous subject which opposes itself to the world – which is of concern to post-structuralist theorists as discussed in the first section of this chapter, who seek to interrogate the notion of 'sovereignty' and the 'synthetic oppositions (subject–object, self–other, inside–outside)' which this authorises.[74] I suggest that a framework based on Foucault but also taking inspiration from Freud helps us to rethink the notion of a self-authorising subject which opposes itself to the world, as called for by such theorists. It does so by allowing us to think in terms of a subject which is inextricably linked with the constitution of a particular social or symbolic order. This is an understanding of subjectivity which is based around the notion of lack (process), rather than around essence (sovereign presence).

The impossible subject

As mentioned above, Freud's discovery of the unconscious was an integral moment in decentring the Cartesian subject. It undermined the previous privilege granted to consciousness and the need to think the subject always in reference to presence. His work left behind an understanding of subjectivity which was not dominated by consciousness but which recognised consciousness as an *aspect* of the unconscious. As Freud himself explained, according to this new understanding 'the unconsciousness is the larger sphere, which includes within it the smaller sphere of the consciousness' and not the other way around.[75] In a reversal of the Cartesian subject, which is based upon consciousness and the notion of presence and wholeness, Freud's understanding of the subject is based upon the notion of absence and lack. The subject at the core of this line of thinking is therefore not only decentred but needs to be understood as having also become 'the impossible subject'.[76]

Within the field of psychoanalysis, Jacques Lacan has most notably developed the Freudian concept of a subject marked by lack.[77] As noted by Jenny Edkins and Véronique Pin-Fat, Lacan's work develops the notion of the impossible subject, which brings sovereignty and thus the idea of core or essential subjectivity into question, by emphasising how the self is always retrospectively

produced through its surrounding social or symbolic order. This social or symbolic order is posited in advance by assuming it already exists (at which point we are constituted as subjects) and therefore subjectivity itself 'only ever *will have been*'.[78] Edkins and Pin-Fat point out that

> from a Lacanian perspective, the human subject is condemned to endlessly searching for an imaginary wholeness or unity that it will never attain. This search can be traced to the imaginary relationship between the individual and its surroundings, which is inaugurated in the mirror stage when the (mis)recognition of the self as autonomous agent occurs.[79]

The impossibility of the subject here refers to the ego's (the organised part of the psyche) illusionary mastery of its environment and the unorganised elements of the unconscious (the id).[80] The result is an understanding of the basis of human subjectivity as an endless search for foundations rather than as based in foundations.

Lacan's work opened up an important line of inquiry for distinguishing our understanding of 'the subject' from that of a phase of subjectivity which is the formation of the self *as* 'I' (ego) through the mirror stage, and for exploring the subsequent process through which the subject is endowed with coherency as autonomous agent within the social or symbolic order (albeit one which we now know is based on a similar process of misrecognition).[81] Here, the subject is constituted by becoming that which occupies a certain place as citizen, as intellectual, as consumer and so on, in the social order through the process of interpellation or hailing: 'What is crucial . . . here is that subjectivity and the social order are constituted together, the social order being the frame within which subjectivities are placed'.[82]

I will now turn to the alternative conception of power which Foucault developed in his work – which has been integral in enabling us to move towards rethinking the sovereign presence of self (the coherent I) *as* a discursive effect (inextricable from the social order) in this manner – before moving on to consider how Julia Kristeva has built on the idea of the impossible subject,

indebted to Freud and Lacan's work, which is created through the social order. I will discuss how her work has retheorised the conception of a unified modern subject in favour of a subject-in-process, thus presenting a different form of Being to that of sovereign presence which we can use as the basis for an alternative citizen-subjectivity.

An Alternative Conception of Power

The issue with using the principle of sovereignty to understand all forms of power, according to Foucault, is that a theory of power as sovereign always tries to establish 'the subject-to-subject cycle' and in doing so assumes the notion of individuality in subjectivity rather than interrogating it.[83] It assumes that power in the 'political' sense can only function through a centralising force (a 'unity of power') in the face of a monarch or the form of state, or at minimum that of an individual.[84] In other words, a theory of sovereignty always already privileges a centre from which political power must be established in order to function, before finally locating the legitimacy of this power in law. Doing so, it ignores how other forms of power work through decentralised means.

What Foucault's work indicates is the need to understand how power works other than simply as top-down: as bottom-up or sideways, as well as in many other directions. As discussed, in existing inclusivist citizenship scholarship the emphasis remains in the last instance on institutions which are assumed to be holders of power, namely the state and/or sub- or supra-statist institutions. Power continues to be presented as top-down in these accounts, conceived of 'as an imaginary entity or force that has an independent but intangible being, [which] can be collected, gathered and harnessed to the will of a preexisting institution or collectivity'.[85] The questions being asked by this inclusivist citizenship analysis relate to the significance of institutions (most notably the state, but also the EU or sub-state entities) in their ability to 'include' and 'exclude' groups from society. This places an emphasis on defining citizenship in terms of an understanding of power which is centralised and imposed *upon* individuals,

with very little appreciation of how power also operates through the manner in which 'certain bodies, certain gestures, certain discourses, certain desires, come to be identified and constituted *as* individuals' or groups thereof.[86] To quote Nalini Persram, there has been 'little fundamental questioning of . . . the means by which the semblance of sovereignty is made persuasive' in the first place.[87] Most notably, existing citizenship scholarship, explored in Chapters 1, 2 and 3 in this book, leaves us with an understanding of power associated with 'the state' on one hand or with 'individuals' on the other. These are our starting points. There is no question of how we have come to presume that these are distinct entities from which power emanates in the first place, or of the potential need to rethink this truth.

As Judith Butler has demonstrated, although there has to be a subject for power to act, this does not automatically make the subject the origin of power.[88] What is therefore missing in existing inclusivist citizenship analysis is an exploration of the question as to how 'they' (individuals and groups of individuals) have *already* been constructed and sustained in the last instance as a coherent unified entity which can be pointed to or counted. Following the Foucauldian conception of power, this is to think of power in a decentralised fashion. It is to shift attention away from institutions and embodiment, as well as the patterns of exclusion which can be necessarily traced through these, towards focusing on 'the prior question of the forms of power relation' which give rise to and sustain particular institutions and specific subjectivities in the first place.[89] It is to consider how 'the individual . . . is not the vis-à-vis of power [but] one of its prime effects'.[90]

By focusing on how the body has been acted upon in the spread and localisation of power, Foucault has turned the self into 'a terrain of political action'.[91] This has meant that the notion of 'acting upon the self' is no longer simply explainable as a quest for self-discovery; it becomes instead, as Barbara Cruikshank shrewdly notes, 'a manner of acting politically' which involves choosing between infinite interpretations.[92] According to this line of reasoning, the subject is not naturally or necessarily an individual, but the idea of the subject as 'individual' becomes what Butler notes as 'an accomplishment regulated and produced in

advance'.[93] Individuality can no longer be merely assumed to make sense but must be explained *in and of itself*.

Re-establishing the Politics of Subjectivity

In this book I suggest a strategy for rethinking political subjectivity beyond sovereign presence – the problematisation of individuality – through the work of Julia Kristeva. As Kelly Oliver notes, Kristeva's theory of the subject is one which theorises how to live with and engage with difference 'without attempting to totalise it, annihilate it, or reconcile it'.[94] Rather than a call to brotherhood which emphasises resolution, Kristeva's theory of the subject allows us to start on the basis of the idea of a tension (what Étienne Balibar calls 'antinomies' and Engin Isin refers to as 'the logic of alterity') within political subjectivity.[95] Put another way, it emphasises tension rather than resolution in how it understands the possibility of subjectivity. Kristeva's work thus presents a new model: a model of unresolved otherness within the subject which allows for the idea of a subject as an ongoing process; this is unlike the modern sovereign model which presents otherness as something which needs to be resolved in subjectivity.

In one of her most famous books, *Strangers to Ourselves*, Kristeva considers the lived political experience of groups classified as 'migrants' and 'asylum seekers'. She emphasises how the geographical and the corporal experiences of lived borders (between national and international, between self and other) meet in these images of foreignness. Using Freud's explorations of the unconscious, as that which divides and (re)divides the internal self, to further explore how borders act as symbolic as well as physical signifiers of difference, Kristeva then considers how 'foreignness' can be theorised as 'a symptom' which undermines the notion itself of unified selfhood by haunting both identity and difference, inside and outside.[96] In doing so, Kristeva rethinks the human condition as one of rupture within the notion of the coherent self and within coherent selves, as opposed to across them. The point is that she does not merely question the identity/difference, inside/outside framework within which conceptions of what it is to Be

a subject are framed by the statist political discourse – this is the idea of the space of borderline as coterminous with the state. Instead, Kristeva indicates how Being itself can be *reconceptualised* as 'a strange land of borders and otherness ceaselessly constructed and deconstructed'.[97] What we are left with, as Vivienne Jabri points out, is an 'ever-shifting location of the borderline that . . . is no longer at the geographic boundaries of the state' nor at the physical boundaries of the subject, but that permeates society, and 'self', within.[98]

Unlike existing inclusivist citizenship analysis, Kristeva's work cannot be read as an attempt to think how a fractured subject and its various parts can be (re)conceived of in sovereign coherent terms, for example as hyphenated national (such as Irish-African, Belgian-Congolese and so on) or as 'newcomer' or 'guest'. Rather, she provides a rereading of the ontological status of subjectivity itself: in terms of rupture instead of unity. In Kristeva's work the lines between foreigner and native, identity and difference, 'us' and 'them', blur. Not only because they are more difficult to identify but because in concentrating on how 'foreignness . . . creeps into the tranquillity of reason itself',[99] the metaphysics of presence that sovereignty brings, which is required to speak these lines, is displaced by 'an ontological rift that an absence of any sovereignty suggests'.[100] This leaves the reader with an alternative understanding of Being which *implicates* oppositional otherness, rather than one which *can* oppose otherness. Human Being is no longer able to be conceptualised only through a metaphysics of presence vis-à-vis the state (sovereignty), or 'substance ontology',[101] but now also through a metaphysics of process: an ontology of plurality and hybridity. This understanding presents a conception of how the politics of citizenship might be posed that is very different to what is currently presented in existing citizenship scholarship.

The previous section of this chapter explored the importance of recognising how power need not always be centralised *in* a sovereign presence, such as a state or individual, in order to exist, but can work outside the notion of presence itself. As Judith Butler explains of her own attempts to rethink subjectivity outside presence, 'thinking the body as constructed' from this perspective

'demands a rethinking of the meaning of construction itself'.[102] This is because such rethinking involves not only asking what the constraints are on how intelligible bodies are produced – as 'nationals' (citizens) and as 'non-nationals' (non-citizens), thus staying within that dualism. It also involves asking what the constraints are on a domain of unthinkable *unintelligible* bodies 'that haunt the former domain as the spectre of its own impossibility, the very limit to intelligibility, its constitutive outside'.[103]

Kristeva's work is useful precisely because it helps us to consider how we might begin to engage with normally unintelligible – hybrid, fragmented – spatio-temporal understandings of Being. It does so by presenting an alternative way of understanding human Being which is a production of displacement and dispersal rather than substance. As I have already noted, Freudian-inspired psychoanalytical explorations of the various levels of the subject (of which the self as coherent 'I' is only one) have been integral to the notion of the 'impossible subject' who has no essential foundation or substance which can be traced back to presence but which instead is produced (retrospectively) through its surrounding social or symbolic order. This is a subject based around lack rather than presence, which Lacan's work has developed. However, it is important to note that Kristeva brings a unique focus to the idea of the impossible subject and to the field of psychoanalysis more generally.

Running through Kristeva's work is an emphasis on how subjectivity is constructed by virtue of exile, separation and foreignness as that which is always already *within* the subject, as opposed to against it (its constitutive outside). Building on the work of Lacan, Kristeva can be seen to therefore have further collapsed the distinction between public (self inside) and private (other outside) as understood in modern society. She does so by introducing the question of foreignness to debates about political subjectivity and allowing us to consider the idea of lack (impossibility) *within* political subjectivity, through asking who the stranger *to* the self is rather than presuming that the self, as citizen, can always be contrasted with an Other. This stranger is conceived of in various ways in her work: as migrant, as woman, as inner child, or as the effects of meaning which are not reducible to language

and communication (the semiotic).[104] In all cases, the effect is to problematise the normal association of 'politics' with the public and the assumption that this is separable from the self which is private (for example, the human self). Kristeva shows how the external, the public and the institutional domain should not be conceived of as separate from the intimate but as that which emerges 'in the field of the "intimate"'.[105] In respect more specifically of questions of community, Kristeva shows this by considering how foreignness defines the *very possibility of* the distinction between 'human' and 'citizen' at the same time as it is juxtaposed to both.[106] This is because foreignness embodies 'a scar' between citizen and man. 'Man' is understood as s/he who *can* become a full citizen.[107] Yet the foreigner is defined precisely as s/he who fails to become a full citizen. The result is an alternative notion of 'self' as a discursive effect which is based around a lack of secure foundations in *either* 'human' or 'citizen'. This is in contrast to a notion of the self produced in inclusivist citizenship scholarship which is based upon the assumption of sovereign presence in both 'human' and 'citizen' which already exists in discourse.

Indeed, it is important to note that Kristeva's work builds upon the important contributions of psychoanalysis to theorisations of subjectivity in another way. Jean-Luc Nancy has expressed reservations about the contribution of psychoanalysis to understandings of Being. He is wary that its use might result in a retreatment of politics into 'the void of its own specularity'.[108] His argument is that ontology structured around lack has often in psychoanalysis in the last instance been collapsed into absolute law, the Law of the Father as the new foundation. This law presents itself as an original lack – an inaccessible void. For Nancy, the Other is thereby re-established as an alternative law which is all-determining. This does not directly address the question of the politics of Being, but subsumes it into nothingness, understood as the void around which subjectivity is structured.[109] However, Nancy himself notes that this collapsing of ontology into law is not inevitable. He points out that 'the derivation or deduction of law from the unjustifiability of existence [impossibility] is not immediate or obvious'.[110] Rather he notes that it is a question of how we conceptualise gaining access to the origin(s) and

whether this is conceptualised as accessible or inaccessible. What he implies is that the question of ontology does not have to be reduced to impossible inaccessibility and therefore to an over-arching law, even if it is defined by a law of impossibility which is the law of sovereignty. In other words ontology can remain impossible without necessarily being inaccessible. I argue that Kristeva helps us to consider how we might begin to engage with a less-than state sovereign understanding of Being associated with psychoanalysis – the notion of the 'impossible subject' – which is accessible at the same time as it is impossible. She does so by theorising lack in terms of 'intimate spaces of signification', which can be found in the body (in particular, the female body) – as Chapter 5 will examine in more detail.[111] By associating lack with the body, Kristeva's work avoids the idea that subjectivity defined in terms of lack is necessarily structured around inaccessibility. Yet she also simultaneously provides a way of thinking about the 'body' and associated ideas of 'race', 'gender' and 'ethnicity' in a fragmented, discontinuous manner, rather than in terms of a presenting sovereign body.

The point is that Kristeva's work not only engages with the notion of the 'impossible subject'. It also provides a way of theorising this impossible subject through the notion of the inti-mate (the body) itself as the basis of politics. This is despite that fact that politics is normally differentiated *from* the private and notions of intimacy. Such a focus provides a way of thinking about subjectivity in a manner that is conducive to the need to rethink the primacy of sovereign presence, but without reducing subjectivity to being based around an inaccessible lack.

This focus on the intimate is very relevant for debates about citizenship given that they intersect with those about migration through understandings of the intimate act of motherhood and giving birth. Where other theorists do similarly explore the inti-mate, they tend to equate it with a disadvantaged position. In contrast to this, Kristeva, when emphasising her belief in the idea 'of the woman as irrecuperable foreigner', has sought to argue that 'permanent marginality . . . is the motor of change'.[112] She does so, however, uniquely without emphasising the notion of 'woman', 'because [she explains] in the present state of things,

I am afraid that if we insist on the fact that the feminine differentiates the individual, we may arrive at a new form of homogeneity'.[113] Instead, Kristeva emphasises the irreducibility of the subject in *all* respects, including in the last instance (gendered) embodiment. As Sean Homer so aptly points out, 'for Kristeva, one cannot *be* a woman because woman is a social construct. Kristeva defines "woman" as that which is outside representation; that which cannot be spoken.'[114]

It is precisely this constant disorientation in respect of the notion of the subject in her writings that makes Kristeva's work so relevant to the attempt to re-establish the political moment of citizen-subjectivity. This is because the notion here of constant disorientation and displacement is precisely contrary to how the subject has been conceived of via sovereignty as the 'individual' who is included in or excluded from politics in existing inclusivist citizenship analysis. Kristeva's work, which is based on theorising the impossible dislocated subject, instead emphasises the idea of inconsistent times and spaces of subjectivity which demand our attention. It thus permits us to consider how we might *re*theorise political possibility in respect of the question of citizenship. It presents an image contrary to the understanding of self which mirrors the spatio-temporal architecture of the sovereign state: a self grounded both in absolute space and in a historical progressive concept of time. Most importantly, it provides us with a way of engaging with the interruptions to the linear timeframe and absolute spatial imaginary which migration (as exile) poses to claims to sovereignty. This is something I discuss further in Chapter 5.

Conclusion

> We cannot respond to the violences of sovereignty unless we address the structure of thought itself.[115]

This chapter has emphasised the manner in which the sovereign state and the modern subject have together become 'the apogee of all modern desires and possibilities'.[116] Sovereign power, as that

which has come to dominate our understanding of rule, has also arguably come 'to limit our imagination in relation to the possibility and the promise of politics'.[117] What has been considered is the need therefore to recognise the appeal to sovereign autonomy as *one* particular solution to the problem of politics posed in early-modern Europe. This is one which encourages certain understandings regarding subjectivity while excluding others, and as such, is something which needs to be explored as a political aspect in its own right.

This chapter has argued that such an alternative perspective on the construction of citizen-subjectivity can be drawn from a series of theorists linked to the broad field of poststructuralism, who identify the notion of sovereignty – the supposed overarching reality of presence – as a particular way of knowing and Being. These are people for whom political theory is no longer 'a site at which one [can] more or less ignore the problematic status of modern political judgement and assume that sovereignty simply is'.[118] Instead these theorists highlight the need to rethink our reliance on modern accounts of sovereignty. Following them involves a move away from trying to fit newly configuring categories of space and time, which as a result of migration are contracting, twisting, expanding and fracturing all around us, *back* into existing statist-dominated political horizons, which reaffirm the need for foundations and for our ability to always resolve the dilemma of particularism and universalism within the notion of a sovereign autonomous self. Instead in this chapter, through the work of Julia Kristeva, the possibility has been considered that the politics of citizenship need not always be answered in this manner. What has been emphasised is the ability to consider how migration implicates 'new ways of experiencing life, a new attitude to time and space, a new sense of history and identity'[119] linked to issues of intimacy and the body which require answers and horizons beyond the notion of 'individual' and the idea of a subject which exists vis-à-vis the state as autonomous and sovereign in the last instance.

Instead of continuing to conceptualise what it is to become a citizen exclusively in terms of how we might challenge or bring together conceptions of identity 'in here' (Irish, British, French, European and so on) and difference 'out there' (African, migrant,

non-national and so on), as is done in inclusivist citizenship scholarship, Chapter 5 considers how children born to migrant parents – as subjects who are neither just migrants nor alternatively just citizens, but are both and neither simultaneously – can be theorised in their own right. Put differently, it considers the conceptual space which Kristeva's analysis gives us to imagine the subjectivity of children born to migrant parents beyond a state sovereign dualistic linear progressive framework.

Notes

1. Foucault, *Society Must be Defended*, p. 28.
2. Ashley, 'Living on Borderlines'; Ashley, 'Untying the Sovereign State'; Bartelson, *A Genealogy of Sovereignty*; Campbell, *National Deconstruction*; Edkins et al., *Sovereignty and Subjectivity*; Shaw, *Indigeneity and Political Theory*.
3. Balibar, *We, the People of Europe?* , p. 135.
4. Ibid.
5. Camilleri, 'Rethinking Sovereignty in a Shrinking, Fragmented World'; Doty, 'The Double-writing of Statecraft'.
6. Ashley, 'Untying the Sovereign State'.
7. Balibar, 'The "Impossible" Community of the Citizens', p. 448.
8. Ibid.
9. Isin, *Being Political*, p. 36.
10. Ibid., p. 49; Isin, 'Theorizing Acts of Citizenship'.
11. Balibar, *Politics and the Other Scene*, p. 89.
12. Doty, 'The Double-writing of Statecraft'; Doty, 'Sovereignty and the Nation'; Edkins et al., *Sovereignty and Subjectivity*; Walker, *After the Globe*, p. 98.
13. Bigo and Walker, 'Political Sociology and the Problem of the International'.
14. Isin, *Being Political*, p. 49.
15. Ashley and Walker, 'Reading Dissidence/Writing the Discipline'; Walker, *Inside/Outside*.
16. Walker, 'State Sovereignty and the Articulation of Political Space/Time'.
17. Shaw, 'Feminist Futures', p. 243.
18. Doty, 'The Double-writing of Statecraft'; Doty, 'Sovereignty and the Nation'.

19. Ashley, 'Untying the Sovereign State', p. 230.
20. Walker, *After the Globe*, p. 99.
21. Doty, 'The Double-writing of Statecraft', p. 184.
22. Walker, *After the Globe, Before the World*, p. 99.
23. Edkins, *Poststructuralism and International Relations*, p. 139.
24. Ibid., p. 6.
25. Balibar, *We, the People of Europe?*, p. 65, original emphasis.
26. Balibar, 'The "Impossible" Community of the Citizens', p. 443.
27. Edkins and Pin-Fat, 'The Subject of the Political'; Isin, *Being Political*; Walker, 'Both Globalization and Sovereignty'.
28. Edkins, *Poststructuralism and International Relations*, p. 6.
29. Isin, *Being Political*, p. 29.
30. Ibid.
31. Edkins, 'Poststructuralism'.
32. Ashley, 'Living on Borderlines', p. 264.
33. Hall, 'The Question of Cultural Identity'.
34. Ibid., p. 275.
35. Ibid., p. 285.
36. Ibid.
37. Ibid., p. 286.
38. The original quotation by Karl Marx is as follows: 'Men make their own history, but they do not make it just as they please; they do not make it under circumstances chosen by themselves, but under circumstances directly encountered, given and transmitted from the past' (Marx, *The Eighteenth Brumaire of Louis Bonaparte*, p. 7).
39. Althusser, *For Marx*, p. 228.
40. Hall, 'The Question of Cultural Identity', p. 288.
41. Edkins, *Poststructuralism and International Relations*, p. 30.
42. Hall, 'The Question of Cultural Identity', p. 290.
43. Saussure, *Course in General Linguistics*.
44. Hall, 'The Question of Cultural Identity', p. 286.
45. Dreyfus and Rabinow, *Michel Foucault*, p. xv.
46. Gadet, *Saussure and Contemporary Culture*, pp. 154–5, quoted in Edkins, *Poststructuralism and International Relations*, p. 25.
47. Dreyfus and Rabinow, *Michel Foucault*.
48. Ibid., p. 82.
49. Ibid., pp. 82–103.
50. Foucault, *The Archaeology of Knowledge*, p. 226.
51. Howarth, *Discourse*, p. 51.

52. Foucault, *Society Must Be Defended*, p. 171.
53. Foucault, 'Nietzsche, Genealogy, History', pp. 85–6.
54. Foucault, *The Archaeology of Knowledge*, p. 225.
55. Foucault, 'Nietzsche, Genealogy, History', p. 78.
56. Howarth, *Discourse*, p. 51.
57. Foucault, 'Nietzsche, Genealogy, History', p. 78.
58. Ibid., p. 83.
59. Ibid., pp. 87–8.
60. Ibid., p. 83.
61. Foucault, 'What Is Enlightenment?', p. 318.
62. Foucault, *The Use of Pleasure*, p. 11. Foucault argues here more specifically that his work was 'a matter of analyzing, not behaviours or ideas, nor societies and their "ideologies," but the *problematizations* through which being offers itself to be, necessarily, thought – and the *practices* on the basis of which these problematizations are formed.' (ibid., original emphasis). See also Foucault, 'Polemics, Politics and Problematizations'.
63. Derrida, 'The Time Is out of Joint', p. 25, quoted in Campbell, *National Deconstruction*, p. 21.
64. Campbell, *National Deconstruction*, p. x.
65. Foucault, 'Nietzsche, Genealogy, History', p. 96.
66. Foucault, 'What Is Enlightenment?', p. 318.
67. Bleiker, 'Forget IR Theory', p. 61.
68. Foucault, *The History of Sexuality, vol. 1: The Will to Knowledge*, p. 11.
69. Foucault, *The History of Sexuality, vol. 2: The Use of Pleasure*, p. 5.
70. Foucault, *Society Must Be Defended*, p. 45.
71. Edkins and Pin-Fat, 'The Subject of the Political', p. 1.
72. Bartelson, *A Genealogy of Sovereignty*, p. 67.
73. Palan, 'A World of their Making', p. 581.
74. Der Derian and Shapiro, 'Preface', p. x.
75. Freud, *The Interpretation of Dreams*, p. 773.
76. Edkins and Pin-Fat, 'The Subject of the Political', p. 4.
77. Lacan, 'The Freudian Thing'.
78. Edkins and Pin-Fat, 'The Subject of the Political', p. 5, original emphasis.
79. Ibid., p. 4.
80. Lacan, 'The Mirror Stage as Formative of the Function of the I as Revealed in Psychoanalytic Experience'.
81. Edkins and Pin-Fat, 'The Subject of the Political', pp. 4–5.

82. Ibid., p. 5.
83. Foucault, *Society Must Be Defended*, p. 44.
84. Ibid.
85. Edkins and Pin-Fat, 'Introduction: Life, Power, Resistance', p. 2.
86. Foucault, 'Two Lectures', p. 98, emphasis added.
87. Persram, 'Coda: Sovereignty, Subjectivity', p. 171.
88. Butler, *The Psychic Life of Power*, p. 15.
89. Edkins and Pin-Fat, 'Life, Power, Resistance', p. 3.
90. Foucault, 'Two Lectures', p. 98.
91. Cruikshank, *The Will to Empower*, p. 6.
92. Ibid., p. 6.
93. Butler, 'Contingent Foundations', p. 13.
94. Oliver, 'Introduction: Julia Kristeva's Outlaw Ethics', p. 13.
95. Balibar, 'The "Impossible" Community of the Citizens', p. 437; Isin, *Being Political*, p. 3.
96. Kristeva, *Strangers to Ourselves*, p. 103.
97. Ibid., p. 191.
98. Jabri, 'Julia Kristeva', p. 227.
99. Kristeva, *Strangers to Ourselves*, p. 170.
100. Edkins and Pin-Fat, 'The Subject of the Political', p. 15.
101. McAfee, *Julia Kristeva*, p. 87.
102. Butler, *Bodies That Matter*, p. xi.
103. Ibid.
104. Kristeva distinguishes between two registers of signification: the 'symbolic' and the 'semiotic'. The symbolic represents 'the tributary signification of language; all the effects of meaning that appear from the moment linguistic signs are articulated into grammar'. In contrast to this, the semiotic represents 'the effects of meaning that are not reducible to language or can operate outside language, even if language is necessary as an immediate context or a final referent' (Kristeva, 'A Conversation with Julia Kristeva', pp. 21–2).
105. Jabri, 'Julia Kristeva', p. 223.
106. Kristeva, *Nations without Nationalism*; Kristeva, *Strangers to Ourselves*.
107. Kristeva, *Strangers to Ourselves*, pp. 97–8.
108. Nancy, *Being Singular Plural*, p. 36.
109. Ibid., pp. 36, 48.
110. Nancy, *The Inoperative Community*, p. 48.
111. Sjöholm, *Kristeva and the Political*, p. 1.
112. Kristeva, 'Cultural Strangeness and the Subject in Crisis', p. 45.
113. Ibid., p. 43; see also Kristeva, 'A New Type of Intellectual'.

Kristeva argues here that 'we must stop making feminism into a new religion' (p. 298).

114. Homer, *Jacques Lacan*, p. 118, original emphasis; see Kristeva, 'Woman Is Never What We Say'.
115. Shaw, *Indigeneity and Political Theory*, p. 160.
116. Walker, 'Foreword', p. x.
117. Dillon, 'Correlating Sovereign and Biopower', p. 42.
118. Walker, *After the Globe, Before the World*, p. 148.
119. Camilleri, 'Rethinking Sovereignty in a Shrinking, Fragmented World', p. 35.

5 Challenging the Citizenship Debate: Beyond Sovereign Time and Space

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But like part Irish or part American, yeah, like because I . . . my sport is football, like, Gaelic football, but I feel American, like, so it's kind of like the best of both or whatever you like, you know, so I don't know.

Colin, 18[1]

Between, yeah something in between because I am African so I can't just be Irish just because I live there for longer so I am African but I am also Irish in a way because I live here and I have grown up here more so then I have, I made more friends here than Africa so then the school I studied here so I am Irish schooled, this is where I am living . . .

Sarah, 15[2]

As these quotes demonstrate, when asked about their identities, many migrant youth find it very difficult to identify themselves within a sovereign spatio-temporal narrative involving coherent spaces of us/them, Irish/non-Irish, insider/outsider, there/here, now/then and movement in progressive time from one space to another space. Their attempts to locate themselves instead highlight the lack of coherency surrounding their processes of political identity and belonging. The point is not that national (or other territorialised) identity no longer matters, but that their experiences escape the coherency (calculability) normally associated with this. Political identity and belonging – for example, being Irish – is instead linked to a multitude of spaces such as school, sport and friendships as well as temporal inconsistencies – being both Irish and American or Irish and African, and neither ('I don't know') at the *same* time.

In an attempt to try to engage with these types of experience on their own less-than sovereign terms, this chapter considers exactly how Julia Kristeva's work can be used to move away from always defining the question of citizenship in terms of dualistic space and linear progressive time. Kristeva's work emphasises that reproduction can be shown to make impossible the automatic assumption of the coherent 'I' ('woman', 'child' or 'migrant') as the sovereign presence which can define claims to solidarity and can be contrasted with the citizen-subject. Her work indicates that the subject is tied to a contingent as opposed to an inevitably sovereign relationship between identity (people), place (territory) and history (narrative). This is a relationship which is reinscribed but also rewritten through discussions about reproduction and its representations. I will discuss how this new starting point – the contingency of the relationship between identity, place and history – allows us room to consider more ambiguous subjectivity, such as that of citizen children, in its own right. It specifically provides for the possibility of imagining how political subjectivity could be experienced outside the question of state sovereignty on less stable and fixed foundations than that of a coherent self defined in dualistic linear progressive terms.

Drawing on Kristeva's work, experiences of belonging among migrant youth in Europe are recast in this chapter in light of the possibility that the political subject itself is fragmented in terms of many different types of contingent spaces and fractured temporalities, rather than only in dualistic space without limits. This, I argue, is the difference between simply maintaining the existing state sovereign dualistic linear progressive terms of the Citizenship Debate (as considered in Chapter 3) and actually challenging them.

Rethinking the Space and Time of Modern Subjectivity

As discussed in Chapter 4, Kristeva's work asks us to think about the body in terms of lack and fragmentation, interruption and incompleteness, rather than coherency, sovereignty and presence. Whereas inclusivist citizenship scholars focus on how particular

types of bodies specifically reinforce racialised or gendered essence and presence, Kristeva indicates how the body simultaneously reinforces and subverts sovereign Being. One of the main ways in which she does this is by looking at how political subjectivity is *rewritten* (as much as it is reinscribed) through discussions about reproduction and its representations.

Kristeva does not ignore the manner in which women 'reproduce' the sovereign presence of the nation through giving birth to successive generations. However, she goes further than this to emphasise the manner in which the mode of reproduction and representations thereof associated with women and children can be understood to also (and perhaps more importantly) always already *interrupt* 'the nation [and] its essence: economic homogeneity, historical tradition and linguistic unity', and therefore also to interrupt the corresponding sovereign autonomous subject associated with this understanding.[3] It does so by representing an alternative temporal dimension to the linear (political and historical) time of nationality, which is normally used to distinguish the self from (an)Other.

National time (also referred to as political time) is the linear time of progression, of speech and communication. 'For the speaking animal, it is the clock of objective time: it provides the reference point, and, consequently, all possibilities of measurement, by distinguishing between a before, a now and an after.'[4] 'I' as a coherent self which can be distinguished from an Other in linear time is present in communication by virtue of these coordinates, through which it can project itself into the future with respect to an Other in the past against which in turn it can be distinguished. The result, Kristeva argues, is 'a journey on the axis centred by the moment of my speech, exemplified by its most intimate phenomenon, my own family tree'.[5] An example of how national linear progressive time works in this manner can be seen in how the 'citizen' is normally distinguished from the 'migrant' (as future citizen only) by virtue of the former's ability to link its existence in the present to the correct ancestors in the past.

In contrast, reproduction and representations thereof introduce maternal time – motherhood – as an alternative to the type of temporalisation understood as political linear time. Unlike linear

time, which is time conceived of as project, teleology, departure, progression and arrival, 'in other words, the time of history', maternal time is linked both to *cyclical* time (temporality as repetition) given its association with menstruation and pregnancy, and to *monumental* time (temporality as eternity) given its association with reproduction and the genetic chain.[6] Unlike historical time, which is the time of beginnings, middles and ends, maternal time is time which does not conclude but both repeats itself constantly (as cyclical) and has no end (as monumental). It is time which is based on an inability to distinguish in the last instance between the present and the future, as the future is ever present. The ability therefore to base the idea of 'I' in a particular moment in time (the present) which can be distinguished from a similar moment and therefore an 'Other' which is different (in the future) is not available. Past, present and future are no longer linked together in progressive time but the future can be ever present (eternal) and/or run into the past, which in turn runs into the present (cyclical). [7]

Kristeva's work provides a caution to those who attempt to theorise female subjectivity, and in particular the transcendental subject associated with this ('woman') linked to issues of reproduction. It indicates that such theorisations should not ignore how pregnancy itself first and foremost *challenges* the identification of, and the narrative involving, a sovereign self which has a beginning and an end in time and space. This is because pregnancy is ultimately 'experienced as the radical ordeal of the splitting of the subject: redoubling up of the body, separation and coexistence of the self and of an other, of nature and consciousness, of physiology and speech'.[8] Drawing on her own experiences of motherhood and pregnancy, Kristeva indicates how pregnancy undermines the dominant view that the self and the Other can be separated. She looks instead at how pregnancy results in a relationship to the Other which is not wholly 'other' nor entirely oneself: 'for such an other can come out of myself, which is yet not myself but a flow of unending germinations, an eternal cosmos'.[9]

It is in this vein that Kristeva's work allows us to consider how 'woman' has never simply existed in an essential sovereign form as a coherent 'I' which can be 'included' or 'excluded' in national imaginary. Rather it indicates that 'woman' needs to be under-

stood as 'presence in subversive form'[10] which challenges the existing basis for 'the synchronicity of the imagined community'.[11] For Kristeva, woman is 'a curious truth' outside (historical) time, 'with neither a before nor an after, neither true or false; subterranean, it neither judges nor postulates, but refuses, displaces and breaks the symbolic order before it can re-establish itself'.[12] Her work has similarly emphasised how 'child' can be understood as presence which acts in subversive form as the stranger within, 'remain[ing] active in the shadow of an adult's consciousness'.[13]

Kristeva's work disorientates and displaces what we think we know about subjectivity. Woman exists but one cannot 'be' a woman as this is a social construct which is outside the dominant discourse and marginal to it.[14] Child is not simply the Other which woman produces but is part of the self at the same time as it is also separate from the self. Instead of an image of unitary selves which coexist within distinct spaces which can be conceptualised in terms of identity (inside) and difference (outside), inclusion and exclusion, the past and present, subjectivity is reconceptualised here as fluid and overlapping. It is conceptualised as disruption, encounter and confrontation. Our starting point is no longer an understanding of subjectivity via an ability (in the future) to bring difference inside in order to overcome exclusion of those who have been Othered.

Focusing on reproduction and the question of otherness here serves to raise questions about those who sit on the margins of society more generally – namely, those who are defined as 'foreigners'. Having highlighted the lack of permanent structure of the subject which sits at the centre of claims to identity, Kristeva's work urges us to embrace 'contemporary individualism's subversion, beginning with the moment when the citizen-individual ceases to consider himself as unitary and glorious but discovers his incoherencies and abysses'.[15] It is this which distinguishes her work from that of so many others, in that she controversially implies that uncertainty and ambiguity associated with strangeness or otherness need not only be understood as a source of hopelessness or confusion but can be a positive force which presents opportunities to reconsider 'our own potential, the potential of those around us, and the "foreignness" inherent in each of us'.[16]

Kristeva indicates, however, that this embracing of uncertainty and its recognition as the basis of an alternative (but a nonetheless valid) type of political subjectivity require a new way of thinking, which in turn requires 'a different way of reading'[17] the elusive nature of Being. This is a move away from trying to make sense of this elusiveness according to existing political horizons.

The Problem of a Sovereign 'Home' and 'Self' as Starting Points

As Piaras Mac Éinrí notes, the search for home and discussions about belonging are part of attempts to locate the self in both time and place.[18] Yet this search is increasingly futile as 'for many of us there is no possibility of staying at home in the conventional sense – that is, the world has changed to the point that those domestic, national or marked spaces no longer exist'.[19] What is interrupted by migration is the linear narrative of home-leaving followed by homecoming. Both are instead collapsed together into the experience of migration, where 'home' comes to mean more than one place. Noting the use of the concept of 'home' by recently returned Irish citizens to describe Ireland (as the country they grew up in) as well as their country of emigration, Caitríona Ní Laoire considers how the result is 'the fragmentation of self . . . associated with the contradictions of the migrant situation'.[20]

The point is not that realising a home and a self are no longer possible. Rather the realisation of a *sovereign* home and self has become increasingly impossible as the basis of, and the starting point for, questions about citizenship. This sovereign home and self is what Judith Butler refers to as 'the stability of those territories that constitute the "then" and "now" as well as the "there" and "here" of emplotment, topology, and narrative line'.[21] What is increasingly impossible, as such, is a home and self located in a clearly delineated territory – bounded space – and a linear historical narrative: time based on a continuum (rather than overlapping experiences) of past, present and future. It is *this* specific conception of home and self (as clearly demarcated, calculative and temporally progressive) that is being problematised. I see Kristeva as providing a new way of thinking through this impossibility

which involves rethinking the truth (timelessness) of linear time and absolute space.

In his work Homi Bhabha differentiates between two ways of thinking about cultural difference, which is instructive here. He suggests that we can, on one hand, continue to conceptualise the national community and subjectivity in light of cultural difference as 'the one' and 'the-many-as-one'. On the other hand, however, we can begin to try to conceptualise how national community and subjectivity are *disturbed* by cultural difference and are recast from the perspective of margins and minorities as 'the less-than-one that intervenes with a metonymic, iterative temporality'.[22] Bhabha associates Kristeva's work with the latter. He refers to this less-than-one space as 'a space of doubling' which adds 'to' but does not 'add up'. Instead, it works to disturb the existing calculation – which understands subjectivity in terms of sovereignty and autonomy – by introducing the notion of fragmentation (fractions).

This 'space of doubling', which Bhabha associates with the space of the-less-than-one, is different to the space of plurality – a term more familiar within existing inclusivist citizenship literature. It does not simply provide an alternative way of articulating complementary existing conditions of sovereign Being, but results rather in a change in the position of enunciation itself. That is to say, the space of doubling challenges the idea of how we have been told we must Be sovereign subjects.[23] It is better envisaged therefore as a supplementary space which, having disturbed the calculation of power and knowledge, 'produc[es] other spaces of subaltern signification' and thereby different understandings of space itself and of the *necessity* of linear time within space.[24]

What can be drawn from Bhabha's work is the idea that Kristeva provides a way of rethinking the assumption that a particular marginalised and coherent 'who' can always be taken as a starting point in an analysis of citizenship and migration. Her work instead highlights the problematic nature of starting with the sovereign time and space of the marginalised subject (those speaking from the margins). In doing so, it propels us towards those who start with the notion of ambiguity instead of with the automatic assumption of a coherent marginalised 'I'.

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Subject-in-potential as opposed to 'marginalised subject'

In respect of the 2004 Irish Citizenship Referendum I want to look at how Kristeva's work propels us for example towards an article by Allen White and Mary Gilmartin. In 'Critical Geographies of Citizenship and Belonging in Ireland' White and Gilmartin reflect upon similar concerns to those explored by the gendered and human rights analyses within the inclusivist literature, examined in Chapter 3. These concerns have regard to the relationship which had been established between reproductive and mobility rights prior to the 2004 Irish Citizenship Referendum.[25] In their study, however, unlike the inclusivist literature, White and Gilmartin emphasise the fact that no fewer than five constitutional referendum proposals were debated over a twenty-year period in Ireland regarding the concept of 'the right to life of the unborn', enshrined in Article 40.3.3 of Bunreacht na hÉireann. Doing so, their discussion highlights the manner in which these previous referenda belie any coherency or stability in time and space underlying conceptions of 'child' or 'woman' as citizen in the context of disputes about pregnancy in the Republic of Ireland. They do not take for granted that such disputes about pregnancy linked to more recent disputes supposedly resulted in unambiguous continuities between older sexual regimes and newer migration controls. Instead White and Gilmartin's work indicates how these referenda reflect the manner in which the spaces of 'woman' and 'child' have more generally become in themselves 'sites of conflict over the broader meanings of family, state and the law'.[26]

This work stands therefore in contrast to the inclusivist analysis of the 2004 Irish Citizenship Referendum. As we saw in Chapter 3, that analysis emphasises primarily how the relationship which was established between reproductive and residency rights – via the Fajujonu case in 1990 and the Lobe and Osayande case in 2003 – served to reinforce existing exclusionary legal discourses regarding reproductive rights. It posits once again the 'woman' and/or 'child' as the new sovereign marginalised subject. White and Gilmartin's work instead indicates that this relationship between reproductive and residency rights, and the question of how it led to an understanding of the (il)legitimate presence of non-national women in Dublin's main maternity hospitals in

2004, can be explored in terms of geographies of belonging and exclusion which traverse and *destabilise* existing exclusionary legal discourses regarding reproductive rights. The relationship between reproductive and residency rights destabilises these discourses in so far as it reveals the ambiguous nature of the supposedly coherent subject which sits at the centre of such claims.

White and Gilmartin also discuss the two highest-profile cases on abortion in the Republic of Ireland: the X case (1992) and the C case (1997), outlined in Chapter 3. What White and Gilmartin focus on, among other things, however, is the manner in which the judges in these cases described the subject at the centre of the claims variously as 'young girl', 'girl', 'mother' and 'girl/mother'.[27] In doing so they do not draw attention to the manner in which the treatment of these 'women' must be understood in terms of a continuity with a long history of state sexual regimes in the Republic, and potentially more generally. Rather their discussion indicates how the idea of a sovereign autonomous subject itself (the notion of 'woman') at the centre of the claim to rights makes little sense in relation to these cases. Their work can be read as pointing out that it is not possible here to think in terms of the *progression* of a sovereign autonomous subject (an individual) from the space of childhood on one hand to that of motherhood on the other, but as emphasising the precariousness of the boundaries themselves between the already born (pregnant teenager) and the yet-unborn 'child' and therefore between 'child' as foetus and 'mother' as child. The result is the image of a disjointed subject *of* (as opposed to *in*) multiple time-space coordinates, each resulting from the different configurations of how the relationship between state, family and unborn child is (re)articulated.

This introduces an important analytical spatio-temporal dimension to our understanding of the relationship between reproductive practices and rights of the child which has not yet been considered in the inclusivist analysis of the 2004 Irish Citizenship Referendum and the wider inclusivist citizenship literature on which it draws. Such a dimension might now be read into an example such as the 'Baby O' case, in so far as it is possible to consider how the foetus in question is neither a citizen with rights nor a non-citizen but rather potentially *both* until it is subsequently defined as one

or the other; that is to say, until it is defined as either a subject who never had rights (as was the final decision), or as a citizen-subject who always had rights (which was always a possibility if the court had ruled that Baby O could not be deported). In other words, we can reread the citizen-subject in the Baby O case as that which is defined *after* the fact. It is defined outside both the sovereign spatial order (inside/outside, self/other, child/mother) and the sovereign temporal order (the progression from past to present and on to future) which is normally associated with our understanding of the way in which subjects are defined as political vis-à-vis the nation. Put simply, the citizen-subject in the Baby O case can be read as being defined outside the understanding that subjects are either already part of an existing national community or only become part of that national community in the future. The citizen-subject is redefined as a subject-in-potential (a subject-in-process) rather than a sovereign autonomous subject.

This understanding of the ambiguity of the subject at the centre of discussions about reproduction in the Republic of Ireland has been touched on in other studies. For example, in her work Dianna J. Shandy focuses on the image of children (the eventual Irish born) 'travelling without a passport by migrating *in utero*', bypassing borders as 'they enter below the radar of the state'.[28] This, drives home the idea of an intertwined 'mother-child' subject which is at the heart of discussions about birthright citizenship and emphasises the intricacy of the lives of the so-called 'individuals' that sit at the centre of claims to citizenship.[29] Shandy quotes Oyeronke Oyewumi, who observes that in African societies 'at the moment of birth, two entities are born – a baby and a mother'; however, she stresses that these are not distinct entities.[30] With this in mind, the role of the 'child' in the discussions surrounding the 2004 Irish Citizenship Referendum is no longer conceptualised as the voice of a sovereign subject who needs to be brought into the debate about belonging, but presents as 'the pre-verbal cries of a babe in arms' whose role is far more complex and ambiguous than the simple terms 'presence' or 'absence' imply.[31]

We can also begin to consider the trans-national nature of the experiences of the migrant mothers who were the focus of attention in 2004: the multiple, complex and shifting nature

of the motivations of these women who came to Ireland in the first place. These motivations end up pushing and pulling these women in many different directions given that they change over time and are not static. What we can begin to think about therefore is how the 'mother-child' subject(s) that eventually become the focus in discussions about reproduction are always already connected to both 'Irishness' and/or 'Africanness' in such a way as to undermine the notion that it is possible to clearly mark the end of one, which is associated with 'the past', and the beginning of another, which can be associated with 'the future', in order to identify an excluded sovereign autonomous subject. Their subjectivity exists in ways which are very difficult to capture in existing legal-institutional concepts of rights and/or policy-based-discourses. These discourses assume that political subjectivity must lie in claims to a coherent identity via the notion of bounded nationality (either single or multiple) and the linear narrative of nationhood which comprises a beginning, middle and end.

I read the work of White and Gilmartin as well as that of Shandy as highlighting how belonging and political subjectivity are often experienced as a series of interruptions *into* existing temporal and spatial understandings, resulting in a fragmented conception of self as citizen and of 'citizen' as self. Instead of conceptualising political subjectivity as that which exists in relation to the state as absolute space, subjectivity can through these examples be recast in terms of 'interconnected spaces'. These are sites and practices that 'are crucial to understanding the ways in which citizenship laws are enacted, enforced and challenged' on an *ongoing* basis.[32] The relationship between reproductiveness and residency can therefore be reset in terms of an appreciation of interwoven (often contradictory) identity spaces around which political and legal claims have been organised to date, only some of which can be understood as sovereign spaces. There are a range of different places where the 2004 Irish Citizenship Referendum was played out – White and Gilmartin focus on the home, the private sphere, maternity wards in Irish hospitals, UK abortion clinics, the courtroom and the legislature, as well as academic legal texts, while Shandy considers how they also included different spatio-temporal discourses surrounding birth itself in

both Ireland and in Africa. Focusing on such a range of spaces around which political and legal claims have been organised, we can begin to reimagine the multiple ways in which citizenship is playing out: other than in terms of a movement from past, towards present and future (a linear progressive timeframe) and somewhere that can be unproblematically located such as 'now' or 'then', 'here' or 'there', 'inside' or 'outside' (bounded space), whether this is a jurisdiction, a homeland, a community or a coherent excluded 'self'.

Beyond Modern Subjectivity: Beyond 'The-One' and 'The Many-as-One'

In their study entitled *Tell Me about Yourself*, Caitríona Ní Laoire and her colleagues touch specifically on the multi-faceted (and often indeterminate) nature through which migrant children experience citizenship, which picks up on the line of analysis explored in the previous section.[33] This study, which was conducted between 2006 and 2009, explores the immigration and integration experiences of migrant children and youth in Irish society, many (although not all) of whom were born in Ireland (prior to 2004) or acquired citizenship through an Irish citizen parent. It focuses on migration from three geographical areas (Africa, central and eastern Europe, and Latin America) as well as the general phenomenon of 'return' migration, which involves Irish citizen parent(s) who moved away from Ireland and began families abroad eventually moving back with their children (also Irish citizens). What is significant about this study is that it does not ignore that 'children's experiences are profoundly shaped . . . by their parents' rights and status as migrants'. However, it also allows us to consider how the children of migrant families negotiate belonging and construct their own identities across a more complex range of spatial and social as well as temporal contexts.[34]

The study focuses on how the category of 'migrant children' itself needs to be differentiated in ways which are often ignored in existing discussions about the intersection of migration and citizenship. The category of 'migrant children' in this study includes

Irish citizens born to migrant parents, Irish citizens born to Irish citizen parents, and children who are citizens of countries other than Ireland but who grow up in Ireland. In the first instance this study points out that the category of 'migrant children' needs to be *internally* differentiated to take account of the manner in which immigration policies confer differing rights on children depending on both citizenship and migrant status. It emphasises that this needs to be understood further, in terms of how these statuses are often conflicting and/or contradictory. One of the points emphasised, for example, is that 'having Irish citizenship was not necessarily sufficient protection for the children against arguments made by others about whether they could legitimately claim to belong in Irish society', especially in cases where these children did not have the 'correct' accent or skin colour.[35]

Similarly the authors of the report highlight the complexity of experiences within the migrant population in which these children are embedded more generally.[36] They stress, for example, the manner in which a label such as 'African-Irish' reflects a wide range of experiences including those of children who 'migrated from African countries at a very early age and have never returned, others [who] were born in Ireland and have Irish and EU citizenship', as well as those who moved to Ireland at an older age and have been back to Africa.[37]

Most importantly perhaps, the study points out that the category 'migrant children' needs to be *externally* differentiated to take account of how the complex experiences of migrant children very rarely correspond to accepted understandings of the difference between 'Irish' citizenship and 'immigrant' status. As the study explains in one of its key insights,

> being a migrant is only one aspect of migrant children's identities. It is also evident that migrant children and youth express their identities in ways which often diverge from the labels that are imposed upon them (usually by adults). Migrant children's identity negotiations can challenge dominant assumptions about ethnic and national identities.[38]

Rather than simply confirming, therefore, established understandings regarding how migrant and ethnic minority adults

are perceived as culturally different to 'Irish' adults, this study emphasises how migrant children's experiences often positively *confound* the categories themselves of 'Irish' and 'migrant' as well as existing 'assumptions about hierarchies of sameness and difference which underlie these processes' of othering.[39] What is stressed, furthermore, is that there is often little conceptual room for migrant children to articulate their experiences and understandings of self outside these dominant frameworks which prioritise an ability to identify with nationality and ignore identifications with county, school, family or aspects of popular culture affiliation.[40] The final insight from this study is accordingly that there needs to be a greater appreciation of how children's own perspectives and experiences of migration, integration and living in Ireland 'are often different to those of adults, or to the ways in which adults assume that children view and experience the world'.[41]

These findings echo an exploration by Nicola Yau into the experiences of (what she refers to as) second-generation Chinese in Ireland, and the difficulty which she found many of these people were having in articulating their sense of identity and self within the existing statist conceptual framework.[42] Yau defines 'second-generation Chinese' as people, 'either one or both of whose parents are ethnic Chinese', who were born in Ireland or who migrated to Ireland and have spent most of their lives there.[43] She notes that as Commonwealth citizens with free access to the UK, Hong Kong Chinese have been migrating to Northern Ireland since the 1950s.[44] However, she stresses the contradictory way in which such people are both part of the mainstream and of the margin according to different (often contradictory) contexts within Ireland.

Yau explains, for example, that this group are often both racialised as Chinese yet remain invisible in a wider black/white dichotomous framework in Irish society where 'black' is associated with being African. She furthermore indicates that these are people who experience both 'Irishness' and 'Chineseness' in ways which are not immediately intelligible. For example, she explains that referencing 'Chineseness' often refers to a type of homing desire 'without actually meaning a desire to return'.[45] This, she

points out, is because the concept of 'return' as normally used is problematic here in that some second-generation Chinese living on the island of Ireland were not born in, nor have they ever been to, either China or Hong Kong: 'there is no possibility of return because you cannot return to where you have not been, whether that is a physical space or a state of mind'.[46] This emphasises the difficulty in categorising the 'connections' which second-generation Chinese – for whom there is often no sustained contact with family in Hong Kong or China – have to places and histories associated with 'China' and 'Hong Kong' as part of diasporic identities which nonetheless offer a sense of belonging. What is clear is how the notion of 'home' acts here as both a physical and historical space and a personal space of identification, yet also the *inability* of the absolute spatial and linear temporal boundaries and categorisations associated with the nation-state and appeals to state sovereignty to conceive of the uncertainty and fractions of personhood that this produces. Yau quotes Benedict Anderson in *Imagined Communities*, who points out that 'the fiction of the census is that everyone is in it, and that everyone has one – and only one – extremely clear place. No fractions.' She argues, on the contrary, that what her study of second-generation Chinese in Ireland shows is 'there is uncertainty and there are fractions'.[47]

Other theorists have similarly stressed the need for more nuanced and complex understandings of the role of time and space in intergenerational migration experiences. Similar to the work by Ní Laoire and her colleagues although looking at the British context, Susie Weller discusses how the children of migrants often refer to their parents' place of birth as 'home' as well as the UK, where they themselves were born.[48] Elsewhere Robert B. Potter and Joan Phillips explore the difficulty for people born in Britain to Barbadian parents of 'returning' to one of the places they call home which is the birthplace of their parents.[49] It is precisely because more than one place is referred to as 'home' that space and time need to be understood here as important analytical categories in their own right, rather than mere backdrops within which coherent political identities operate. Weller emphasises the manner in which a migrant parent's identity and heritage can often play an important role in shaping their children's

sense of self, but in a way that is different from how a migrant parent's sense of self has been shaped. This is because the child of a migrant is exposed to several national cultures at once, rather than starting out with one national culture and adding another following migration. The difference is not that migrant parents do not grow up exposed to many different national cultures – many do and many others eventually get caught between (membership of) national cultures or communities, as discussed in Chapter 3. But there is a qualitative difference in the experiences linked to these national cultures. The children of migrants experience these national cultures in a dislocated fashion. These children are from many different places whose native languages they identify with. These places however, need not be places they have lived in, or even visited, and they may only speak a very little of these 'native' languages.

The result is a series of experiences which do not add up to clear hyphenated identities which can be simply linked to (pre-existing) national territorial spaces – such as 'Britain', 'Africa' or 'Jamaica'. The result is experiences instead of fractured contradictory or overlapping identity-territorial relationships such as 'black, white African-Jamaican' or 'black British and West African'.[50] As Potter and Phillips note, 'the liminal experiences of migrants not only challenge traditional notions of identity and selfhood, but also present new articulations of identity born of cultural differences'.[51]

The idea of rupture rather than continuity between the experiences of migrants and their offspring is one which Alina Sajed explores in her work, focusing in particular on the French context.[52] Discussions about France tend to emphasise the failure of the republican model to integrate 'migrants' or 'migrants-and-their-descendants' into French society, especially those coming from north Africa.[53] In contrast, Sajed highlights the importance of recognising the differences in experience *among* groups of trans-national subjects living in France. In particular, she notes the differences of experiences among those who are the children of migrants, in contrast to the experiences of their parents. Unlike their parents, who often possess 'a strong sense of ethnic identification with their country of origin' in terms of language and

national culture, the children of migrants have been immersed in French national culture and language throughout their lives.[54] Yet it is precisely this French society and national culture that has by and large rejected them. This was demonstrated by the 2005 riots, which began in the suburbs of north-east Paris and then spread to other suburban ghettos throughout France and which saw predominantly French youth from north African families take to the streets to demonstrate their disaffection.

Sajed's work is useful as it points to the way in which the children of migrants are people who are born in France without being recognised as 'French', yet are not 'migrants' either, given that their only tie with their parent's birthplace is often simply an occasional visit or vacation. This group are therefore neither French nor Arab. Instead they 'inhabit a space of confused hybridity' caught between 'the burden of colonial memory and the need to escape the background of the family they see as overly traditional and antiquated'; they are caught between their experiences as children of the republic and their experiences as children of those who fought the republic for independence.[55]

I do not draw on the work of Sajed or the other theorists mentioned here in order to set up and/or advocate newer (rigid) categorisations between migrant and migrant offspring. Rather, by exploring a diversity of experiences across existing categories of 'migrant' and 'citizen', 'the included' and 'the excluded', I seek to emphasise the need to remain attentive to how contingent these forms of categorisation are. Such work indicates the need to explore inconsistencies and variations within the category of 'migrant family' and highlights the problems with focusing only on how this category unites experiences which stand in contrast to that of 'native' or 'host family'. The studies I refer to above suggest some ways in which the inconsistencies within the category of 'belonging' in the context of migration might be explored, but should not be taken to do so exhaustively.

Nor should it be taken that all children born to migrant parents necessarily have similar experiences. For example, Azouz Begag suggests that children of migrants living in France can be divided into three sub-groups: *rouilleurs* (who are outside the normal social system and depend on their living from a parallel economy

fuelled in part by drug-trafficking and crime), *dérouilleurs* (who are part of the French middle class) and *intermédiaires* (who occupy a position in between the *rouilleurs* and *dérouilleurs* and in between both social models).[56] Begag argues that these sub-groups experience the relation between identity and territory in very different ways – from their parents but also from each other – and are treated very differently by the media.

I suggest that the work explored here can be set within the context of an under-developed but growing body of intergenerational migration literature which emphasises the specificities of the experiences of migrant youth. At present much of this intergenerational migration literature continues to focus on the rather problematic concept of 'integration' or 'assimilation' in social contexts. Therefore, I insist, our task is to delink the experiences it focuses on from these narrow categories, which often simply impose another (similar) understanding of bounded political community. We need to consider these experiences within the context of wider questions of political identity and belonging invoked in the notion of 'citizenship' rather than limiting them to the social (understood as extra-political) context.

For example, much of the small but nonetheless existing literature on intergenerational migration emphasises the need to understand the multiple and often very diverse forms of adaptation (what Alejandro Portes and Min Zhou call 'segmented assimilation') visible among the children of migrants.[57] This literature currently focuses on the fragmented nature of the 'integration trajectories' of descendants of migrants, pointing out how these trajectories are dependent on social setting and a range of structural factors such as access to education and labour market status. What is much less stressed is the manner in which integration is dependent on the 'fuzzier concept' of citizenship linked to political identity, which is constantly shifting, and how this ultimately challenges national temporal linearity and spatial distinctions between 'inclusion' and 'exclusion', 'natives' and 'newcomers' as opposed to reinforcing them – although this has been identified as an area in need of further exploration within this literature.[58]

This area of focus needs to be built into growing awareness about how integration trajectories differ among those of *similar*

national background (for example, between migrants and inter-generational migrants) and not only *across* nationalities and ethnicities. Such work can challenge any over-emphasis on the question of the country of birth of the migrant parents as a necessary starting point or a defining factor of 'origin' for migrant children's experiences. When taken too seriously, dualistic spaces tend to obscure the relevance of the degree of variation *within* a group; this variance can be just as relevant as, if not more so than, the national group lines of differentiation which juxtapose a common national space and time of 'native' with a different national space and time of 'migrant'.

The existing intergenerational migration literature has provided an important starting point for further discussions about how the descendants of migrants do not need to be bonded with the society in which they live given that 'they are [often] . . . overwhelmingly citizens of that country' and for them 'there is no such place as "outside" society'.[59] When considering the question of integration of intergenerational migrants in the context of France, for example, Begag argues very clearly that these are children who are part of French society and French by birth; the problem is that they are 'not [entirely] recognised as such'.[60] For Maurice Crul and Jens Schneider

> this is an important point for the theoretical debate: if the second generation does not need to integrate or assimilate into society, the common opposition between 'the society' (or the 'natives', or the 'autochthonous', or the 'residents'), on the one side, and immigrants as 'newcomers', on the other, does not apply to the second generation. We are not dealing with a clearly defined group of in- and outsiders.[61]

Such work confirms the need to further explore the possibility of less-than state sovereign times and spaces associated with political identity and belonging. It is increasingly evident that citizen children of migrants participate in a plurality of social organisations which include families, neighbourhoods, schools, peer groups and work units as well as organised free time or leisure activities. It indicates the importance of thinking about political identity and belonging in many possible diverse times and spaces which

overlap and contradict each other, and away from the question of belonging associated with clearly defined spaces within a continuum of inclusion and exclusion, past and present, 'us' and 'them'.

Children of migrants and their identities constantly move across, within and between political and cultural boundaries. By so doing, these children can be seen to challenge these boundaries. Most importantly, they can be seen to challenge the notion that inclusion and exclusion can be located in the first place by way of boundaries which clearly differentiate 'here' from 'there', 'us' from 'them', past from future, as normally associated with the concept of 'individuals' and groups thereof. There is a need to rethink how belonging is being experienced by the descendants of migrants therefore, rather than presuming that it can simply be equated with traditional understandings in terms of either exclusion and marginalisation or inclusion and belonging, and movement from the former to the latter.

The notion of a fragmented self is not easy to imagine given the dominance of sovereign political imagination. Despite growing appreciation of how identities are increasingly defined in hybrid, marginal and liminal terms, it remains a supremely difficult task. This is evident in how political subjectivity continues to be defined in inclusivist citizenship scholarship in terms of clearly delineated boundaries (albeit with emphasis on the fluidity of such boundaries) between 'us' and 'them', and 'past', 'present' and 'future', and in terms of the need to specifically *resolve* these boundaries somehow in the notion of a coherent subject which is defined in terms of presence, despite concerted efforts to think in post-statist terms.

Yet, as discussed, Julia Kristeva explores the notion of Otherness as it relates to the unconscious and thus as that which is *within* the specific self, just not in a tangible way which can be defined in terms *of* a particular sovereign autonomous self, nor as that which has a definable 'outside' *of* itself which can be articulated as a 'universal' self in opposition to this. In doing so, Kristeva begins to form the basis of an alternative conception of subjectivity which is no longer only articulated in the resolution of the process of drawing lines between inside and outside, particular

and universal, identity and difference. Rather subjectivity reappears as that which is articulated and just as quickly rearticulated anew in the *tension* or border-space which is constitutive of, and constituted by, these very limits. Kristeva's work indicates how we can still think in terms of politics and political subjectivity (indeed, that we must do so) even when the self 'shows itself to be a strange land of borders and otherness ceaselessly constructed and deconstructed' which present new meanings 'of' rather than 'in' time and space.[62]

From the perspective of Kristeva's work, the studies looked at in this chapter by those such as Ní Laoire et al., Yau, Weller and Potter and Phillips can be shown to do more therefore than simply highlight the *need* to conceptualise how certain migrant children are citizens in their own right outside strict sovereign terms. From the perspective of Kristeva's work, they are actually succeeding in beginning to do exactly that, in so far as the focus in these studies on the experiences of these children as cross-cutting and often contradictory, yet simultaneously as meaning filled and meaningful, can be seen in itself as rethinking how the space (both subjective and territorial) and time of political identity and belonging *are* inhabitable other than in a coherent way (as inclusive or exclusive, as present or future). If we take Kristeva's work as informing our understanding of political subjectivity, we begin to see how ambiguous political subjectivity is already being articulated in many different fields. Our task, I argue, is to engage with these articulations and draw them out by linking them to the language of 'citizenship', and therefore to consider them within wider understandings of how politics is *actually* changing in an age of global migration.

Subjectivity as the Less-than-One: Concluding from a New Starting Point

The discussion in this chapter indicates how we might go beyond the idea that migration has simply redrawn the map of what it is to be 'Irish', 'French', 'British' and so on (nationality), in relation to particular subjectivities by hyphenating these and making them more inclusive. It indicates, I suggest, the need to con-

sider instead how migration has redrawn the map of what it is to Be more generally (subjectivity). The discussion has focused attention away from having to understand Being in terms of an ability to be included in and thus as always already *separate from* political community in the first place. Instead of such a metaphysics of presence defined in terms of spatial territoriality and temporal continuity, what has been explored is how the politics of citizenship needs also to be posed from a different starting point for human Being. This starting point is one based on a metaphysics of process which incorporates ideas of temporal and spatial fragmentation: subjectivity as 'the-less-than-one'.

As Piaras Mac Éinrí points out in a provocatively titled chapter, 'If I Wanted to Go There I Wouldn't Start from Here', the task has become that of needing to rethink our starting point in respect to the question of belonging. What is needed is a counter-history

> which tells the history of [a] country and its multiple peoples and diasporas, not as overwhelmingly in the past, in the tribal sense of a 'core nation' beset by successive invasions, but in terms of an accretion of encounters and syntheses over many centuries, making the Irish [French, British, European and so on] people the already multi-ethnic, non-tribal nation they are today.[63]

Following Kristeva's work we can begin think about belonging as that which cuts *across* the physical and imaginative space of the 'subject' as individual (the one) and/or groups of individuals (the many-as-one). This is a politics of belonging which can account for the 'shifting, multiple, hybrid, sometimes conflicting positions' which are being increasingly identified.[64] Doing so we can begin to respond to and engage with, on their own terms, the complex experiences of belonging and of being citizen-subjects in the lives of intergenerational migrants and others.

What we have then are two ways in which political identity and belonging can be theorised. It can be theorised, on one hand, as in an inclusivist analysis of citizenship, through the *existing* dualism of modern subjectivity between woman and citizen, or human and citizen, and therefore in terms of individuals (the one) and groups of individuals (the many-as-one). It can also be conceptu-

alised, however, by *retheorising* the existing space of individuality which connects 'identity' (subjectivity) to 'place' (sovereignty) and to a particular history (sovereign time): in terms of 'the less-than-one'. In the latter approach, the idea of the less-than-one disturbs existing calculations of power and knowledge by under-mining the dualism of modern subjectivity as this is understood in time and space.[65] In this approach, the notion of marginalisation of particular (sovereign) subjects is rethought through the produc-tion of alternative spaces and temporal fragmentations of subject signification which escape (however momentarily and intermit-tently) the logic of state sovereignty: the authority of sovereign presence. Instead of the marginalised subject ('individual') at the centre of claims to citizenship which experiences citizenship in continuous narrative time and within clearly delineated spaces (the one and the many-as-one), political subjectivity is theorised as that which can be experienced through fragmented time and fractional spaces (the less-than-one) by people who straddle this sovereign divide, existing in the tension *between* humanity and citizenship, being both and neither at the same time.

While I do not deny the political nature of both approaches, I wish to draw attention to how the former approach (based on sovereign dualisms) to theorising political identity and belonging does not challenge the basis of the claim by the Irish government (and the exclusivist citizenship analysis upon which the Irish government draws) regarding the *necessary* link between repro-duction (identity) and residency (place). Although the formal approach modifies and realigns this relationship, it does not chal-lenge the notion of the sovereign subject in linear time and abso-lute space as that which can be included and excluded in political community and national narrative. In continuing to think in terms of a coherent 'who' which *can* challenge and be included in dominant concepts of Irish, French, British, Belgian, European citizenship and so on, the inclusivist analysis ignores precisely the complexity of the spatio-temporal experiences of belonging focused on by those such as Yau and Ní Laoire et al., Shandy, Weller, Potter and Phillips and Crul and Schneider, which *cannot* be reduced to clearly bounded spaces such as 'here' and 'there', 'inclusion' and 'exclusion', 'citizen' and 'migrant', and linear pro-

gressive movement between them, *from* one *towards* the next. This is because the inclusivist citizenship scholarship is unable to conceptualise the often fragmented nature of the subject at the centre of such claims to citizenship in the first place: the subject that 'adds to' but does not 'add up'.

In contrast, through Kristeva's work, the experiences explored in this chapter can be read as specifically problematising the necessary link between identity and territory and its associated notion of time as history: moving from past to present and towards future. They can be understood as helping us rethink disputes about reproduction and migration and allowing us to consider how such disputes often undermine the very necessity of sovereign identity in the first place; that is, they undermine the necessity of an identity that must be pointed to as individual (an originary located presence).

Chapter 6 as the final chapter of this book will explore the alternative conceptual space which has been opened here and its implications for understanding more generally how citizenship and questions of political subjectivity can be retheorised in an age of global migration.

Notes

1. Quoted in Ní Laoire et al., *Childhood and Migration in Europe*, p. 137. Appearing here in book form, this material was originally published as a report, *Tell Me about Yourself*, based on interviews with children aged between three and eighteen.
2. Quoted in Ní Laiore et al., *Tell Me about Yourself*, p. 42.
3. Kristeva, 'Women's Time', p. 13; see also Kristeva, 'A New Type of Intellectual', where she argues that 'through the events of her life, a woman thus finds herself at the pivot of sociality – she is at once the guarantee and a threat to its stability' (p. 297).
4. Kristeva, 'About Chinese Women', p. 153.
5. Ibid.
6. Kristeva, 'Women's Time', p. 17.
7. I use Kristeva's work not to consider how we might replace the dominance of national time with cyclical or monumental time but

to explore how we can think about alternative temporal possibilities more generally.

8. Kristeva, 'Women's Time', p. 31.
9. Kristeva, 'Stabat Mater', p. 185.
10. Jabri, 'Julia Kristeva', p. 232.
11. Bhabha, *The Location of Culture*, p. 158.
12. Kristeva, 'About Chinese Women', p. 153.
13. Roudiez, 'Translator's Introduction', p. x.
14. Kristeva, 'Woman Is Never What We Say', p. 98.
15. Kristeva, *Strangers to Ourselves*, pp. 2–3.
16. Ibid., p. 4.
17. Kristeva, 'A Conversation with Julia Kristeva', p. 28.
18. Mac Éinrí, 'States of Becoming'.
19. Kaplan, *Questions of Travel*, quoted in Mac Éinrí, 'States of Becoming', p. 6.
20. Ní Laoire, 'Complicating Host–Newcomer Dualisms', p. 45.
21. Butler and Spivak, *Who Sings the Nation State?*, pp. 18–19.
22. Bhabha, *The Location of Culture*, p. 155.
23. This is arguably in keeping with Foucault's observation that 'maybe the target nowadays is not to discover what we are, but to refuse what we are' (Foucault, 'Afterword: The Subject and Power', p. 216).
24. Bhabha, *The Location of Culture*, p. 162.
25. White and Gilmartin, 'Critical Geographies of Citizenship and Belonging in Ireland'.
26. Ibid., p. 393.
27. Ibid., p. 394.
28. Shandy, 'Irish Babies, African Mothers', p. 821.
29. Ibid., p. 821.
30. Ibid., p. 813.
31. Ibid., p. 806.
32. White and Gilmartin, 'Critical Geographies of Citizenship and Belonging in Ireland', p. 390.
33. Ní Laoire et al., *Tell Me about Yourself*.
34. Ní Laoire et al., *Tell Me about Yourself*, p. 14.
35. Ibid., p. 80. See for example Tracy, 'Racism and Immigration in Ireland' for a discussion about the stereotypical image of an Irish person as 'WHISC': white, heterosexual, Irish born, settled and Catholic.
36. The report emphasises this complexity of experience by considering the immigration and integration experiences of migrant chil-

dren in Ireland through four sub-headings. These are 'African/Irish Children and Young People in Ireland' (strand A); 'From Central and Eastern Europe to Ireland: Children's Experiences of Migration' (strand B); 'Latin American Migrant Children in Ireland' (strand C); and 'Coming Home? Children in Returning Irish Families' (strand D).

37. Ní Laoire et al., *Tell Me about Yourself*, p. 32.
38. Ibid., p. 11.
39. Ibid., p. 102.
40. Ibid., p. 97.
41. Ibid., p. 104.
42. Yau, 'Celtic Tiger, Hidden Dragon'.
43. Ibid., pp. 48–9.
44. Many of those who ended up in the Republic of Ireland would have travelled here first. This access was curtailed somewhat, however, with the 1962 Commonwealth Immigrants Act, which imposed restrictions on immigration to the United Kingdom by those from ex-colonies.
45. Yau, 'Celtic Tiger, Hidden Dragon', p. 60.
46. Ibid., p. 59.
47. Anderson, *Imagined Communities*, 2nd ed., p. 166, quoted in Yau, 'Celtic Tiger, Hidden Dragon', p. 64.
48. Weller, 'Young People's Social Capital'.
49. Potter and Phillips, 'Both Black and Symbolically White'.
50. Weller, 'Young People's Social Capital', pp. 882, 879.
51. Potter and Phillips, 'Both Black and Symbolically White', p. 909.
52. Sajed, 'Postcolonial Strangers in a Cosmopolitan World'.
53. This is done often even in work which otherwise successfully contests the basis of the term 'migrant' and highlights its constructed nature. See for example Ferry et al., 'France'.
54. Hargreaves, 'Translator's Introduction', p. xi.
55. Sajed 'Postcolonial Strangers in a Cosmopolitan World', p. 372.
56. Begag, *Ethnicity and Equality*. The literal translation of *rouilleurs* is 'rusters', people who rot in the place they occupy; the literal translation of *dérouilleurs* is 'derusters' or movers; and the literal translation of *intermédiaires* is 'intermediaries'.
57. Portes and Zhou, 'The New Second Generation'; Portes and Rumbaut, *Legacies*; Thomson and Crul, 'The Second Generation in Europe and the United States'.
58. Thomson and Crul, 'The Second Generation in Europe and the United States', p. 1025.

59. Crul and Schneider, 'Comparative Integration Context Theory', p. 1251.
60. Begag, *Ethnicity and Equality*, p. 91.
61. Crul and Schneider, 'Comparative Integration Context Theory', p. 1251.
62. Kristeva, *Strangers to Ourselves*, p. 191.
63. Mac Éinrí, 'If I Wanted to Go There I Wouldn't Start from Here', p. 51; see also Mac Éinrí, 'States of Becoming'.
64. Mac Éinrí, 'If I Wanted to Go There I Wouldn't Start from Here'; see also for example Crowley et al., '*Vote Yes for Common Sense Citizenship*'; Gray, 'Curious Hybridities'; Hickman, 'Immigration and Monocultural (Re)Imaginings in Ireland and Britain'.
65. Bhabha, *The Location of Culture*, pp. 146–57.

6 Traces Rather than Spaces of Citizenship: Retheorising the Politics of Citizenship

What is at stake in opening up the conceptual understanding through which citizenship is currently thought from a metaphysics of presence (from the one and the-many-as-one) to a metaphysics of process (the less-than-one), as I have done in the preceding chapters of this book? How might that be useful for thinking about political identity and belonging in the future? How does it lead to a different theoretical practice in global politics? What does it mean for, and how does it relate to, a logic of dualistic and progressive temporal bordering? These are the questions which I attempt to address in this final chapter.

This chapter argues that the consequence of opening up the conceptual understanding from a metaphysics of presence to one of process is a new cartography of political life. The shift from assuming that temporality must be contained within absolute space to theorising fragmented time-space enables a move away from asking where boundaries are drawn between 'us' and 'them', inside and outside, citizen and migrant, the national and the international, towards focusing on the process(es) of boundary-drawing itself. It 'encourages us to think about the *lines* that enable and are enabled by the distinctions made familiar'[1] by sovereign politics, rather than taking for granted that these can be ignored as 'lines that do nothing at all'.[2] We can begin to explore how political subjectivity need not be limited to being located within sovereign autonomous space, but can be understood as an ongoing process of drawing lines. Such a shift ultimately enables a reconceptualisation of the possibilities of what it means to be a citizen-subject; these are no longer limited to clearly bounded spaces experienced as 'us' or 'them', 'inside' or 'outside', 'belong-

ing' or 'not-belonging', 'present' or 'future' – and movements simply across lines at the edges of these spaces. Citizenship can also be conceptualised as based upon the constant redrawing of lines: understood as a site of 'encounters; a gathering; the forming of a sociality; a becoming; a remaking; or rewriting'.[3]

I outline the benefit of thinking about citizenship as 'contingent trace' from this alternative perspective. Thinking about citizenship in terms of trace, I argue, highlights its nature as a process, and underscores the ongoing fact of irregularity, fragmentation, contingency and disorder. It reconceives experiences of political identity and belonging as less-than coherent dualistic spaces, as fragmented, overlapping, inconsistent and irregular moments of being *both* citizen and migrant, included and excluded, part of the existing population and a newcomer, yet irreducible to either.

I first describe how lines have become our focus in respect of citizenship from the perspective of process and the-less-than-one. I then explore the alternative understanding of citizenship which ensues (as that which defies calculation) when linked to the concept of contingent trace. The concept of trace provides us with a new metaphorical starting point for conceptualising what it is to be a citizen. Citizenship can now be conceptualised in global politics as manifesting in an uneven fragmented cluster of time-space coordinates; these are coordinates which are constantly changing within *and across* what is normally conceptualised as the absolute space and horizontal time of sovereign political community, providing experiences which are both familiar and unfamiliar at the same time.

Crisis and the Question of Sovereignty

If you ask me about identity I think our kids are going to be very – they are not going to be Irish, they are not going to be African – they are going to be very global.[4]

A growing number of people living in Europe do not seem to inhabit the social space which corresponds to the expansion of citizenship rights, that is 'civil society'. Rather, their lives are increasingly the

targets of the technologies of governmentality which define what Partha Chatterjee has called the heterogeneous space of political society . . . The postcolonial migratory movements of the present are in this sense a challenge not only to the borders of European citizenship, but also to the borders of our imagination.[5]

When it comes to the question of Being and how it is mediated via cultural difference in the twenty-first century, the above quotations indicate scepticism that political possibility is always necessarily extended by thinking about political life in terms of 'a continuum', to use Jürgen Habermas's term, within and between modern territorial states.[6] This continuum is exemplified in the assumption, as insisted on by Stephen Castles and Alastair Davidson, that 'the solution [to cultural diversity] must lie in a mode of citizenship that reconciles the pressures of globalisation with the reality that states will continue for the foreseeable future, to exist as the most important political unit'.[7] As previous chapters of this book have shown, this belief has caused inclusivist citizenship scholarship either to focus on the inherent limitations of the state-based model – and how it might be reconfigured (tamed) – or to question how the state-based model can be improved (by transcending it). Contrary to this, the quotations above both question (in their own ways) the plausibility of continuing to frame 'the tractable puzzles of modern politics . . . in terms of horizontal or territorial relations [lines] between self and world, self and other, this community here and that community there'.[8] They emphasise the importance of understanding how certain experiences no longer fit 'with the regularity of so-called "politics"', but need to be retheorised in terms of how they appear to occupy another form of time and space.[9]

In identifying the shortcomings of the categories of 'African' and 'Irish' (as well as combinations thereof) in capturing the basis of the subjectivity of certain children growing up in Ireland, the first quotation challenges the very need to pose the question of political subjectivity in terms of its relationship with the modern sovereign territorial community.[10] In suggesting that children growing up in Ireland of African origin will be neither 'Irish' nor 'African', it does not imply that those territorial categories and

temporal continuities and the bounded spaces they occupy do not apply at all to those children, but rather that they are insufficient to capture their experiences and that other types of space and time exist beyond them (or beyond mere hyphenated versions of them) in which those experiences are being lived. Echoing this, the second quotation by Sandro Mezzadra similarly rejects taking the relationship between political subjectivity and the modern territorial community as a natural starting point for questions about the politics of citizenship. It suggests instead that it is this relationship itself that needs to be explored in terms of how it facilitates a particular understanding of 'politics' in the first place associated with homogeneity, thus foreclosing the possibility of heterogeneous time-space.

The implication is that there is a need to think about how a supplementary space of subjectivity is opened up by certain types of people. This is an alternative time-space of being 'citizen' unlike that which is normally associated with situations in which the national/immigrant, host/guest, included/excluded dualism is more immediately prevalent (if never completely unproblematic). This supplementary space is not a different coordinate in existing time-space understandings which simply 'adds up' to another space in time in which the sovereign subject experiences citizenship. Examples of that would be concepts such as 'new Irish', 'new guest of the nation' or 'hyphenated Irish' suggested in inclusivist analysis. Rather, as implied by the above quotation, what is produced is a supplementary space in which adding African to Irish need not 'add up' to African-Irish or Irish/African, but rather may *interrupt* the existing calculation and 'successive seriality of the narrative of plurals and pluralism' associated with these concepts.[11] This, as Homi Bhabha explains, is because

> the 'supplementary question' of cultural signification alienates the synchronicity of the imagined community. From the place of the 'meanwhile', where cultural homogeneity and democratic anonymity articulate the national community, there emerges a more instantaneous and subaltern voice of the people minority discourses that speak betwixt and between times and places.[12]

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Here Bhabha emphasises the manner in which some people, for example, a child born to migrant parents, speak from a non-place, somewhere in between the normal time and space of the imagined community. They thereby undermine the ability of this imagined community to maintain and reproduce its clearly delineated spatial coherency and historical continuity linked to lines that do nothing at all but merely demarcate between 'old' and 'new', 'insider' and 'outsider'. The children of migrants supplement the community in so far as they are an addition to the idea of the national community (as a type of member) but also emphasise what is missing, highlighting the inability of the national community to clearly delineate its membership in the last instance, given that they are not and cannot simply be recognised just as another regular member – a (new) citizen – of that nation either.

Two Different Types of Critical Response

Inclusivist analysis of the 2004 Irish Citizenship Referendum juxtaposes critical analysis with uncritical analysis.[13] This juxtaposition is echoed in wider citizenship scholarship. Critical analysis is seen as being based on an awareness of 'the role played by language use in producing power relations and social and political identity', whereas uncritical analysis is associated with taking for granted many of the existing social and political identities which produce distinctions between 'us' and 'them', inside and outside.[14]

Yet, as was explored in the previous chapter through the work of Julia Kristeva, the potential exists for critical scholarship to make a further choice. This is a choice about whether to work within the existing time and space of the dualism of modern subjectivity (theorised variously as woman and citizen, child and citizen or human and citizen), or whether to problematise the specific understanding of time and space upon which this dualism is based. I suggest that the distinction which Richard K. Ashley and R. B. J. Walker once drew between two possible critical responses to crisis and the question of sovereignty is useful in order to conceptualise what is at stake in this choice.[15]

One critical response

The first response that Ashley and Walker look at is an under-standing of the world in terms of spatially opposed positions of inside and outside and temporal continuity which is then inter-rupted by a unique moment of discontinuity 'that opens up when . . . continuous time, homogeneous place, and coherent and well-bounded textual inheritance breaks up or gives way'.[16] They explain that this line of reasoning posits the boundaries demarcat-ing 'us' from 'them' in the twenty-first century as sharply brought into focus and now highly contested, but ultimately retains the basic notion of the ontological foundation of this dichotomy. In other words, despite the concepts of 'us' and 'them' now con-stantly undergoing deconstruction, identity (inside) continues here to be conceptualised as ontologically against difference (outside) as two separate, albeit interlinked, analytical categories which remain 'constitutive of our modern understanding of political space'.[17]

Because the subject continues in this first response to be con-ceptualised as unitary (by theorising similarity in difference via autonomous subjectivities), 'difference' remains defined in terms (always) of an(other) as one who *can* be 'included'. This means that political arrangements of sovereignty (the symbolic or social order) are seen in the last instance as separate from the processes of inscription of (an originary located) subjectivity.[18] The result is that sovereignty is seen as that which is required for reality to have meaning and thus political possibility, as opposed to that which merely facilitates a particular type of meaningful reality in terms of what has come to be understood as 'political' possibility. I argue that the critical approach presented in inclusivist citizen-ship analysis corresponds with this first response which Walker and Ashley identify.

What can be identified in this first response is the assump-tion that the image of the sovereign state as 'fixed within precise ontological coordinates' can be applied universally.[19] Despite a move away from the notion of pre-given groups and instead towards a successful interrogation of the notions themselves of 'individual' and 'state', the persistent idea that the state exists as an analytical category in its own right which can be juxtaposed with the 'individual' reproduces a very specific (homogeneous)

understanding of the possible configuration of spatio-temporality. Pierre-Maxime Schuhl once identified this as the 'the theme of Gulliver' in order to emphasise how it embodies the idea that the human world has essential characteristics which remain the same regardless of the magnitude in question. Both micro and macro physical space are presumed to be 'just like the space of the commonsense world', merely reduced or increased in magnification.[20] Yet, to assume that the self *must* be conceptualised as an individual, and thus in terms of similar spatio-temporal relations as the state, is to ignore the question of the historically constituted nature of sovereign autonomous subjectivity, which only came to be understood in this way at a particular point in time. It is to take for granted that the limits of the modern state have always been analogous to the limits of subjectivity – that is, clearly calculable in so far as they occupy a defined space which moves from past to present and on to future – and that they must remain so. This assumption is based on the understanding of a decisive demarcation between inside and outside, between self and other, between presence and absence as a timeless phenomenon. It rethinks the statist monopoly on understandings of the nature and possibility of/for political community, but not the statist political discourse and the understanding of political community and identity as bordered by straight lines, through which political subjectivity (Being) came to be understood in the first place.

A second critical response

The alternative response which Ashley and Walker envisage to crisis and the question of sovereignty is based on specifically questioning what current imaginations of boundaries and territory tell us political community and identity must be. This second critical response indicates a further line of inquiry: one which explores how the modern understanding of 'boundary' as infinite and invariable, existing in homogeneous space and continuous, progressive time – concentrated in claims to statehood and the idea of the (in)complete Cartesian subject – is not the only way of imagining political possibility. It intimates rather that this understanding merely became dominant 'because it was possible for a time . . . actively to marginalise, forget and defer encounters with

paradoxes, contesting themes, and resistant interpretations that . . . transgress all imaginable boundaries, and that render radically unstable all renditions of unequivocal voice'.[21]

In contrast to the first response, in this second type of deconstructive account the point is that no boundaries or territories are presumed to be already in place which are *then* contested, challenged and politicised. All drawing of boundaries is rather problematised by showing that the margins which were once taken for granted – for example, between the state and other institutions, or between the state and individuals – were never in fact fixed solidly. Instead, they are shown to have (always) been based on slippages down through history. 'The familiar world cannot be separated from the [various contingent] interpretive practices through which it is made.'[22] The contention is that meaning is always imposed and is therefore *always* political. As such, there is simply no pre-political or 'non-political' realm; everything is understood to come within 'the political' – including subjectivity.

On the basis of this understanding, a move is effectively made to leave the more epistemologically driven understanding of social enquiry (for example, how structure and agency can be theorised as interdependent rather than separate) – and to begin specifically to rethink existing possibilities of Being, acting and knowing. This is a move towards thinking about how 'epistemology came to be *constructed* as a dualistic encounter between subject and object in the first place' in terms of particular lines which have since become insignificant.[23] Unlike in the first response, in this second response it is the idea itself of *how* we draw boundaries (the presumed convergence between boundaries and territorial space, and boundaries and subjectivity), and therefore our understanding of the limits of modern political life (within and between modern states whose lines we simply take for granted), that is problematised.[24]

Rather than starting from the assumption that sovereignty has been 'interrupted' by a moment of discontinuity, this second response can be seen as an attempt to interrogate the notion itself of sovereignty (sovereign statehood and sovereign subjectivity) understood as unproblematically divisible and continuous. Asking 'where' the margins of modern political life should be

drawn – as more or less inclusively between the state and citizenship, or as more or less inclusively between identity (inside) and difference (outside) – presumes precisely the continuity and divisibility which it purportedly attempts to interrogate. As an alternative to this, this second type of critical response considers the necessity of reconceptualising how we have been told that we must 'think about the delineation of political possibility in both time and space';[25] it challenges the necessity that this must always be within or between states and therefore against a backdrop of insignificant lines moving from past towards the future which also differentiate inside *from* outside, past *from* future.

Theorising Heterogeneous Time and Space

It has been suggested that our understanding of Being (as bordered by straight lines which are insignificant in themselves) can be unpacked somewhat by reflecting on the manner in which our current understanding of time and space continues to be intimately related to ideas associated with classic Newtonian physics and Euclidean geometry.[26] We need to look at how classical physics, which assumes the independence of space from the matter which it contains and 'the linearity of historical, narrativised time, time which has beginnings and ends', is also *constitutive* of our understanding of modern political subjectivity.[27]

Stuart Elden has suggested, for example, that the manner in which time and space inform political (im)possibilities in contemporary circumstances can be best understood via an examination of the distinction which Martin Heidegger once drew between 'ontic' and 'ontological' knowledge: the former relates to the knowledge of entities and their properties; the latter relates to the question of the *a priori* conditions 'on which any such theory (of ontic knowledge) could be constructed'.[28] This allows us to distinguish between the theory of beings (ontic knowledge) and the theory of Being (ontological knowledge). The latter outlines the conditions by which it is possible to construct a theory of beings in the first place. In his work Elden identifies through Heidegger a historical Cartesian notion of space 'as mathemati-

cal, geometric, viewed in terms of spatial location [and] measurable by co-ordinates' as the dominant notion. He also identifies an Aristotelian view of temporality, as 'succession', as the dominant notion of time. He points out that together these form the basis for our theory of 'Being'.[29]

Elsewhere, however, David Harvey points to the possibility of distinguishing modern absolute spatio-temporal relations associated with 'the space of Newton and Descartes' from non-modern relational spatio-temporalisation associated with the space and time of 'Albert Einstein and the non-Euclidean geometries that began to be constructed most systematically in the nineteenth century'.[30] Harvey points out that the latter can be defined as that which presents a plurality of spatio-temporal possibilities which undermine the ability to calculate, count and identify what clearly belongs 'here', not 'there'.

What both Elden and Harvey point to is the need to consider how space and time are objects of analysis with different meanings; they do not only form a neutral part of the conceptual basis for analysing subjectivity itself. Furthermore, Harvey's work points to the failure of Newtonian physics and Euclidean geometry to monopolise all contemporary ways of thinking about time and space and the possibility of alternative ways of engaging with the basis of Being (ontic knowledge). These alternatives indicate the possibility of theorising Being in a way that does not need to be reducible to coherent spaces bordered by Euclidean geometric lines, which are defined in terms of how they can be extended infinitely between any two points.

But how is this useful for understanding migration? It is generally recognised that migration presents a challenge to dominant ideals and existing practices of solidarity conceptualised in terms of the narrowly defined parameters of nationalist projects. What this type of work by Elden and Harvey does is to add depth to how this challenge could be understood. At present the challenge which migration presents is understood in terms of whether or not existing lines are understood to be shifting. If we begin to think about time and space as analytical categories in their own right, however, we can also begin to think about how migration potentially affects the *meaning* of spatio-temporal coordinates;

that is, we can begin to think about how migration affects the notion of political subjectivity as *having* always to be identifiable by means of lines visualised similarly to those on a map and existing in temporal sequence. Instead we can begin to imagine how migration presents alternative ways of Being which operate *through* lines and which are thus *of* many different times and spaces.

This is not something which is necessarily easy to come to grips with. For example, as Milič Čapek points out in *The Philosophical Impact of Contemporary Physics*, although it is increasingly understood that contemporary (quantum) physics does present alternative ways of conceiving of time and space, there is also a need to recognise that outside physics (in particular in biology, psychology and the social sciences), 'the classical habits of thought persist . . . driven into subconsciousness'.[31] My argument as such is not that we can simply catch up with ways of thinking about time and space in light of contemporary scientific analysis. However, following Edkins, I do suggest that there is a need to understand how classical conceptions of time and space work, and how they are integral to structures of sovereign power, understood as 'the power of the modern nation-state' if we want to understand alternatives to this.[32] This is to reassert once again that we cannot simply move beyond sovereign power (a modern conception of subjectivity as sovereign and autonomous) in order to respond to the challenge which a crisis of sovereignty presents. To aim to do so would simply be to remain within the particular conception of time and space which locates different political conditions within different clearly defined spaces and times – such as sovereign and non-sovereign – which *can* be travelled to and from, thus ignoring once again the lines themselves which make such political conditions possible.[33] Rather we need to ask ourselves how we can engage at the level of, rather than try to surpass, the conceptual difficulties which the subjectivity of intergenerational migrants poses to the continuing dominance of this sovereign power structure. A key way this can be done is by considering how sovereign power produces a particular spatio-temporal form of political identity and belonging but how alternative spatio-

temporal configurations of political community have been and continue to be possible.

Boundary Lines

The importance of a particular understanding of space as territory associated with statist politics has been explored by Stuart Elden, who demonstrates how this (re)produces a very particular conception of space as something which can be 'owned, distributed, mapped, calculated, bordered and controlled'.[34] This understanding has also been instrumental in the construction of 'population' as the object of political rule.[35] This is important for understanding how politics and political possibility more generally has become and *remained* associated in dominant accounts with 'what is learnable, what is perceivable, the basis for later understanding of the mathematical'.[36] Modern politics furthermore is defined not only in terms of space (territorial control) but also in terms of temporal continuity (narrative history).[37] Narrative history acts to differentiate different spaces across time *within* a state which maintains the coherency of the nation-state in question. For example, it acts to differentiate between 'old' and 'new' ethnic minorities, or between native populations and 'newcomers'. From this perspective, we can begin to see how, by virtue of linking together modern space, modern time and modern identity via clear lines, a very specific understanding of political subjectivity has been conceptualised as true. Sovereign power both reproduces and relies on this understanding of political identity and belonging.

Despite the dominance of this truth, however, other possibilities for political subjectivity have been experienced (and documented), thus challenging this understanding of where the boundaries of political community must lie. For example, Benedict Anderson considers two types of less-than statist space-time-identity configurations. These are the religious community and the dynastic realm. He points out that in the religious community 'social groups were centripetal and hierarchical, rather than boundary-oriented and horizontal'.[38] Instead of a specific language (temporal history) associated with a particular territory (space) which in

turn could be traced back to particular identities, there were many different languages spoken in conjunction with Latin, which was taken as the sign by all. Language as such did not distinguish between 'us' and 'them', 'here' and 'there', 'now' and 'then' as it does today in statist political communities but 'the bilingual intelligentsia, by mediating between vernacular and Latin, mediated between earth and heaven'.[39] In the dynastic realm there were similarly no borders in the modern sense which could be clearly mapped. Instead, populations were conceptualised as porous, discontinuous and therefore indistinct (albeit differentiable). Unlike in the modern statist discourse where people are differentiated vis-à-vis the state and therefore divisible from politics and each other *as* individuals, in both the religious and the dynastic realms people were differentiated predominantly by their status under God (as the divine) and under the king (as him who embodied divinity).

Another example of a less-than state sovereign resolution of the time-space-identity configuration can be found by considering the modern-day city. As Angharad Closs Stephens discusses, most large cities like New York and London 'refuse the principle of a common identity' which is extended in space within linear progressive national time.[40] Identity in the city is based precisely on sharing different cultures and languages, rather than a sharing of a common language, race or ethnicity; there is no clear distinction between 'us' and 'them' around which commonality is built. Rather, belonging and citizenship is based on living 'with and through synergies, overlaps and intersections between worlds and cultures'.[41] In other words, it is lived *through* boundaries. Unlike the homogeneous empty time of progress – the time of beginnings, middles and ends – which plays out in the nation in different spaces of belonging such as inside and outside, 'us' and 'them', or past and present, in the city, belonging is based on the time of fragmentation, difference and incompleteness, which cuts across spaces in incomplete intermittent ways.

The examples of religious community, dynastic realm and the city challenge the sovereign regulative idea that a boundary line automatically separates and differentiates spaces; this is because they point to how communities can be made up of many differ-

ent intersecting times and spaces (boundary lines) rather than being contained between boundary lines which simply differentiate communities from each other in time and space. This draws attention to boundary lines as important in themselves given their role as central to the constitution of social life rather than merely peripheral to it. These examples indicate that the understanding of a boundary as a line of distinction and differentiation is something which must be constantly reproduced if it is to be maintained.

It becomes clear that approaches which ignore the productive role of boundaries help reinforce the truth of sovereign citizenship as if it *were* natural because they take for granted that space is intersected by temporal lines. This allows us to see that not everyone attempting to rethink citizenship as a result of migration is actually seeking to engage in novel ways with the existing statist regulative ideal of politics. They are not all seeking to understand how this regulative ideal has changed as a result of migration. Rather, some people who leave the idea of the boundary line and the notion of linear progressive time and absolute space unquestioned are simply 'working within a particular account of what and where [we have come to *presume*] the political must be'.[42]

As Engin Isin notes, by challenging the starting points of absolute space and linear progressive time we can move away from reinforcing the idea of a politics of exclusion towards exploring the idea of a politics of alterity. These two approaches build up distinct images of the world and in particular of the relationship between identity and difference across space. The difference is that in the latter boundary lines become important in themselves as 'complex sites, moments and practices of political engagement'.[43]

> While the logics of exclusion would have us believe in zero-sum, discrete, and binary groups, the logics of alterity assume overlapping, fluid, contingent, dynamic, and reversible boundaries and positions where agents engage in solidaristic strategies such as domination and authorisation or alienating strategies such as disbarment across various positions within social space.[44]

We thus come to focus on boundary lines as significant in their own right. They become a *location* of and for politics.

Politics of the Line

In early-modern Europe Cartesian lines drawn from Man to the world came to indicate the relationship between them and the myriad ways it could be negotiated. This was not and is not a problem. However, eventually the actual drawing of these lines became insignificant.[45] At some point the problem of origins and limits became indistinguishable from that of the regulative principle of state sovereignty as a solution. It became indistinguishable from the need which it invoked to think in terms of the necessity (rather than simply an ability) to draw lines between 'us' and 'them', outside and inside, particularism and universalism, the past and the present.

This process arguably has to be understood, however, in light of the rather tangible nature of the reality which is invoked through references to political life as something which exists vis-à-vis particular points, lines and planes connecting 'us' to 'them', 'inside' to 'outside', 'identity' to 'difference', 'the present' to 'the future'. Modern politics invokes a particular understanding which corresponds to embodiment itself, which has, for the most part (although not unproblematically), tangible borders, a beginning and an end point.[46] Attempts to problematise modern politics – that is, attempts to problematise the understandings of political possibility articulated via geometry and measurable distance as well as sequential time – face a more difficult task in so far as they seek to move beyond what has become understood as immediate visual and tactual experiences. As Milič Čapek points out, however, this is not an impossible task. Rather, he suggests that we need to keep in mind the following:

> What will eventually emerge will certainly not be a 'picture' or 'model' in the old classical and pictorial sense, but this does not mean that the resulting view must necessarily be divorced from every aspect of our immediate experience, provided that the term 'experience' is understood more broadly than in its usual narrow sensualistic, and more specifically visual-tactile sense.[47]

Psychoanalysis is an example of an area of considerable credibility in which the notion of experience as other than immediately sensualistic or visually tactile has been explored. Here, the idea itself of the unconscious is not something which can be either seen or touched, yet most people agree (albeit to varying degrees) on its significance. In other words, it is not an idea which can be easily dismissed due simply to its intangible quality. Rather, in line with Čapek's comment above, it is something whose understanding has required a rethinking of the idea of what experience *can* consist of beyond the immediately visual and tactile. It is indeed possible to say that psychoanalysis' contribution to politics and, in particular, international politics in some ways reinforces the public/private distinction through which the dominant understanding of politics has been theorised. However, as has been emphasised in this book, the work of Julia Kristeva has also successfully introduced intimacy, as implied in the notion of the unconscious, into the political realm through the issue of migration.

What is interesting is how Kristeva's work has introduced an element of intangibility inherent in the notion of the unconscious and intimacy – which is normally understood as that which distinguishes itself from politics – into how political subjectivity itself can be conceptualised in relation to migration. This is particularly important as it has not been based on reinforcing the initial distinction between, nor the need for a resolution of, the particular and intimate (citizenship) on one hand, and the universal and public (humanity) on the other. Instead, through Kristeva's work we can begin to consider the incompleteness of the subject and its fragmented Being *before* lines are drawn along hierarchies of class, status, social order and territorial place and before it becomes possible to speak authoritatively about how particular groups have been constructed as 'belonging' (citizens) or as 'not belonging' (migrants/humans), as 'here' or as 'there'.

As Vivienne Jabri points out, 'the Kristevan subject is always at once both self and other, self and society, self and history, the historical and historicised self'.[48] This is a complex subject whose articulations of identity cannot be precisely understood via the idea of lines extended in time and across, which mark out the space of universalism and particularism, because the subject

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can no longer be reduced to a singular representation of place and time. The main contribution of Kristeva's work here is that she emphasises the shifting location of the borderline as a result of migration, from the geographic boundaries of the state to society within and in turn to the self. In so doing, the lines which are traversed in the making of this move become significant *in themselves* as sites of political (im)possibility. In other words, political subjectivity is reconceptualised, not simply across boundaries, but in terms of how such boundaries are articulated temporally and spatially as processes *of* subjectivity.[49] Kristeva's contribution is that she provides us with a way of thinking the politics of the boundary line *itself* as a place in which Being is enabled.

What this indicates in the context of migration is the increasing need to re-engage with 'an alternative way of scripting the meaning of selves'.[50] From a starting point of dominant political imagination it is very difficult to theorise this type of existence as it is not based on a decisive demarcation between inside and outside, 'them' and 'us', identity and difference, before and after. Yet Kristeva's work offers an alternative to dominant political imagination by presenting a different way of theorising the question of the politics of Being itself. This way does not start with the necessity of a coherent 'I' which is bonded with the otherness of a foreigner or which seeks to find the otherness of a foreigner in the self. Rather, it starts with 'the harmonious repetition of the differences [otherness] implies and spreads . . . without goal, without boundary, without end' as the condition of being with others *in the first place*.[51]

The crucial point is that Kristeva's work on the notions of 'strangeness', 'Other' and 'otherness' is not focused on how these concepts merely disturb, and in so doing subsequently reinforces in a different manner understandings of the dual nature of modern subjectivity: divided between the sovereign space of particularism (citizenship) on one hand and universalism (humanity) on the other. Rather, through her work we can begin to consider how these concepts permeate *both* citizenship and humanity, and in doing so, destroy the basis for this spatial and temporal distinction more generally. The result is a rereading of the ontological status of subjectivity in terms other than unity and a metaphysics

of presence. Drawing on Kristeva's work we can begin to think about how the supplementary question of cultural signification – the supplementary space of doubling which I have explored in the context of the experiences of intergenerational migrants – presents the notion of a fractured subject which does not merely 'negate the preconstituted social contradictions of the past and present' but renegotiates the 'space and time from which the narrative of the nation must *begin*'.[52]

This is not to simply ignore the significance of statist time and space. For example, it is important to recognise that linear progressive time (history) linked to the idea of absolute bounded space (territory) provides a link to the eternal, in a manner similar to religion, which was lost with the rationalist secularism of the Enlightenment.[53] I do not deny the persistence and popularity of this statist spatio-temporal conception of Being. Nor do I advocate that we should presume that politics based on statist spatio-temporality is simply bad or negative in contrast to alternative less-than statist conceptions which are good and positive; I merely posit that the former type of politics cannot be taken for granted. Similarly, it would be a mistake to suggest that a sovereign spatio-temporal basis for politics can simply be replaced with another understanding. These are not mutually exclusive. Our choices are not limited to being 'in favour' of linear progressive time and seeking to include citizen children born to migrant parents in history and politics; being 'against' linear progressive time and demanding citizen children's right to remain outside history and politics; or simply attempting to reconcile these two options through a politics of plurality. Rather we need to conceptualise a politics which is based on a heterogeneous understanding of time and space: 'an intermingling of all three approaches . . . all three concepts of time within the same historical moment'.[54] We need, in other words, to *rethink* how we have come to understand boundaries as straight continuous lines drawn in absolute space which act to distinguish self and other, citizen and migrant, included and excluded across space and in continuous time. I suggest that the concept of 'trace' is a way of thinking about the alternative and ambiguous understanding of Being (becoming) political which has opened up here.

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Citizenship as Trace Rather than Absolute Space

A trace is a mark defined by its incompleteness; it is always partial. A trace can be less permanent – for example the trace of a footprint in the sand will quickly wash away and disappear – or more permanent – for example, the trace of ink on a piece of paper or the trace of a memory can take a long time to fade, if it ever actually does. We talk about traces which are left behind by people, objects, history, events. Trace is always therefore less-than; it always refers to something else and is incomplete in and of itself. This can be contrasted with the understanding of space outlined above – as absolute, infinitely divisible and homogeneous – which is marked out.[55] In keeping with this latter understanding of space, we talk about reserving spaces; of the need to develop new spaces of humanity, nationality and so on; of spaces of separation. This understanding of space as absolute, in contrast to that of trace as contingent, is defined by its attempt at coherence and completeness. It is defined by continuous lines extended, which, even if only temporarily, mark out beginning and end points of something which is identified. Unlike space, a trace is defined in terms of its inability to fully replicate and therefore to fully mark out such an identifiable object. Trace can be understood as a process of 'simultaneous iteration and change.'[56] It is defined by incomplete lines. A trace falls short of a line which successfully marks out an object (an idea, a subject, a gap). When we think in terms of traces, it is the mark which is made – which falls short of a clearly defined object – which becomes the focus of analysis.

The notion of trace is very useful for thinking about the less-than state sovereign spatio-temporal experiences of citizenship suggested above because it presents a less-than sovereign understanding of time and space. It emphasises the idea of disruptive spaces and times of Being rather than disruption 'into' (pre-existing) coherent spatio-temporal forms of Being. This is because a trace 'is' not something; it is disruption. Its meaning comes down to a question of what it is a mark of, which is always open to interpretation. 'It' therefore becomes the question. Trace understood *as* disruption (a constant attempt at replication and

inscribing meaning) can be contrasted with the understanding of absolute space, which marks out an object and which is understood to 'become' disrupted.

Referring always to something else, a trace presents no clearly defined subject, no central source of power. 'Trace' can act as a metaphor therefore for describing the type of citizenship experiences which have been associated with the idea of 'less-than-one' or fragmented time-space explored in this and the previous chapter. These experiences are made up of various elements which 'add to' but do not 'add up' to a coherent bounded sovereign presence. They do not traverse pre-existing boundaries which frame and allow us to calculate the parameters of inclusion/ exclusion, us/them, inside/outside, citizenship/humanity. As I will now show, these experiences of citizenship instead are defined through boundary lines, creating and re-creating fragmented and overlapping traces of us–them, inside–outside, inclusion–exclusion, nationality–humanity which defy calculation and easy categorisation.

Traces of Citizenship: Occupying the Boundary Line

In discussions surrounding the 2004 Irish Citizenship Referendum, children born to migrant parents were referred to variously as 'Irish citizen children', 'Irish children', 'non-citizen children', 'Irish-born children' and 'children'.[57] The result is that these children were defined in terms of modern political spatio-temporal imagery – as citizens or as migrants – to some extent, but not quite. This is because, although these children can be associated with both categories, they cannot be associated with them in a way which simply reproduces or reinforces the sovereign basis of these categories – hence arguably the aforementioned confusion as to how to refer to them. They are defined in terms of similar but also less-than similar understandings of these categories. They experience citizenship, I suggest therefore, as traces of these categories; these are marks which fail more than they succeed in accurately replicating and (re)framing the categories of 'citizen' and 'migrant'.

A very good example of the failure to simply replicate and thus reframe either of the sovereign categories of 'citizen' on one hand

or 'humans' (migrants) on the other can be found in the contradiction raised by the 2004 Irish Citizenship Referendum proposal itself. To explain briefly, in 2004 the referendum amendment to Article 9 of the Irish Constitution introduced conditionality to citizenship for those born in Ireland. This amendment was contradicted, however, by an existing unconditional right to membership of the nation afforded to those born in Ireland outlined in Article 2 of the Constitution, which remained unamended. This contradiction is something which, as Ronit Lentin points out, 'created a bizarre new category of people who remain "part of the Irish nation" (article 2 of the Constitution [. . .]), yet have their citizenship removed, deemed to have insufficient connection to the island of Ireland to qualify for citizenship' (given the 2004 referendum amendment).[58]

Children born to migrant parents since 2004 in this case are thus more than simply 'migrants' (humans) in that they are part of the Irish nation both legally and socially, yet their rights are curtailed and they are regarded often as less-than full Irish 'citizens'. Theirs are experiences therefore which replicate in unfamiliar *as well as* familiar ways (reconfiguring as well as reinscribing) sovereign understandings of citizenship as that which is divided between being primarily citizen and being primarily migrant; they are experiences which create fragmentary, contradictory traces of citizenship, rather than coherent spaces of citizenship or migration.

Examples of such contradictions can be seen elsewhere. In France, for example, children born to migrant parents grow up as potential citizens, because they are entitled to become French citizens at the age of eighteen. Despite being entitled to future French citizenship from the day they are born and thus more than simply 'migrants' because they go to school and grow up in France, many of these children are relegated to the peripheries of French society, both symbolically through their identification as yet another generation of migrants (a 'second generation'), which results in their ethnicisation, and physically because they are often housed on the outskirts of cities in ghettos known as *les banlieues*. In Belgium, in contrast – but also very similarly given the resulting spatio-temporal dislocation – children born to migrant parents

grow up as potential non-citizens. This is because they are only entitled to become citizens at birth if they are not registered as citizens of another state. In the Irish, French and Belgian cases, as elsewhere, many of the children of migrants are therefore caught between their rights as citizens and their lack of rights tied to the (often irregular) status of their parents. As a result, they experience citizenship *through* boundaries in terms of particular traces of inclusion and exclusion, 'us' and 'them', citizen and migrant, rather than by living on one or other side of the boundary and experiencing citizenship in absolute spaces of inclusion or exclusion, 'us' or 'them'.

As the Zambrano case demonstrates, deciding whether children should be indirectly deported with their parents is often a very difficult and protracted process. This is due to the complicated nature of the rights, entitlements and attachments of the children and the parents. By thinking about these experiences as traces which recite but also *rewrite* (in less than familiar ways) understandings of citizenship, it becomes more difficult to presume that we can understand such cases via existing modern sovereign political horizons, which define belonging in terms of calculative universalism *versus* particularism, inclusion *versus* exclusion. This highlights the danger of presuming that the contradictions surrounding the experiences of children born to migrants can be read in terms of greater inclusion or greater exclusion. By contrast, the concept of trace emphasises the need to think about the complex, contradictory and less-than coherent (disruptive, fragmented) dialogical relationship between inclusion and exclusion which these children are caught up in. It also forces us to think about experiences of citizenship more generally and how they so often fall short of and contradict ideal understandings of what a citizen should look like.

It is important to note that there *is* increasing awareness within citizenship scholarship of the contradictions and ambiguities inherent in the experiences of children of migrants. There is growing recognition, for example, of boundaries as sites and moments in which a great deal happens to produce and reproduce specific forms of political life rather than simply being lines that do nothing but distinguish (existing) coherent spaces. However, despite this,

it is also clear that attempts to focus on such contradictions often call for *more*, not less, sovereign calculative politics. A three-year fully funded project by the Irish Council of Humanities and Social Studies entitled 'Immigration and Integration in the Republic of Ireland' illustrates this. It ignored the challenge which the afore-mentioned disruptions present to the dominant citizen/migrant statist conception of politics. Those ruptures and inconsistencies which migration presents to understandings of belonging were instead identified as indicating 'an urgent need to promote a longitudinal analysis of census and survey data capable of track-ing the distinct needs and circumstances of diverse immigrant communities'.[59]

On one hand the need for disaggregated statistical data in this area is very welcome. The Integration of the European Second Generation (TIES) survey is one of the main examples at a supra-national level of such an attempt to provide information about immigrant intergenerational experiences; it seeks to move beyond the crude, unhelpful distinctions – between those who are foreign born (regardless of citizenship) and people in ethnic minorities – which tend to be collected in census data.[60] Important as such aims are, however, what I want to draw attention to is the danger of focusing on only trying to correct what Heaven Crawley refers to as 'conceptual vagueness about immigration'.[61] This type of focus ignores the manner in which the contradictory moments discussed above present (or at the very least indicate) a politics in which 'population' (subjectivity) and its experiences *cannot* be quantified, qualified, disaggregated, measured and calculated. Rather, these are moments which precisely *escape* calculation in some form or other. Calling for further statistical information and further qualitative disaggregation of existing statistical informa-tion presents a real danger in interpreting this issue as merely a 'knowledge gap' about how individual subject-citizens experience citizenship in different ways,[62] as opposed to a need to interrogate the manner in which knowledge about migration is produced *as* political in specific ways in the first place – linked namely to calculation (clear demarcation). The presumption that people are self-evidently constituted as 'political' first and foremost vis-à-vis the state and ideas of bounded space and linear time linked to

individuality is in danger of remaining unproblematised here.

I do not dismiss such forms of inquiry simply in favour of so-called 'better' ones. Rather I want to point out that by continuing to discuss the relationship between citizenship and migration in terms of individuals and groups of individuals ('migrant' and 'indigenous' or 'natives'[63]) whose identities unfold across time within particular spaces, we ignore or bypass, rather than actually engaging with, the *difficulty* of being able to count ambiguous citizens. In particular, we ignore or bypass the difficulty (aporia) of counting those who fall into the gaps which result from all the contradictions discussed above and who thereby become inhabitants of the borderline itself (with its contradictory times and incomplete spaces), which has come to demarcate so many sub-categories of citizen – for example, the 'accidental citizen', the 'illegal citizen' or the 'second-class citizen'.

Increasingly, a small but growing number of theorists have sought to emphasise practices of less-than state sovereign spatio-temporal political identity and belonging. They have sought to explore how being 'citizen' is remade through contradictions and ambiguities, focusing on how citizenship is experienced through categories such as 'irregularisation', 'non-documentation' or 'illegalisation', as opposed to always through the more straightforward processes of *jus soli*, *jus sanguine* and naturalisation.[64] Such inquiries demonstrate how the notion of a coherent self which is containable 'within a unified narrative or bounded political community'[65] is always already being undermined.

The work of Peter Nyers is exemplary of this type of exciting new scholarship. Nyers considers how birthright citizenship is remade in the boundary itself, and one of the ways is through discussions about 'accidental citizenship'. He explains that 'like the terms "citizenship tourists", "instant citizens", or "anchor babies", the phrase "accidental citizenship" is increasingly being deployed as a pejorative term to describe the "birthright" citizenship of individuals born on US territory to non-citizen parents'.[66] Nyers is interested here in how citizenship need not always be revoked per se but is increasingly being 'rendered inoperable, or irregularized'.[67] Focusing on these moments of irregularisation, he points to the importance of understanding the 'disaggregation

of citizenship' not simply in terms of how different sovereign subjects (for example, migrants or non-migrants) experience citizenship in different ways.[68] Rather, he focuses on the differential application of civil, political and social rights of citizenship *across* sovereign subjects. This application can be used to consider how the notion itself of a coherent citizen-subject who can be reduced either to a politics of exception and control, or alternatively a politics of regularity, is very unstable. 'Irregularisation' can be understood here in terms of how it destabilises the distinction *between* 'citizen' and 'migrant' (non-citizen), pointing to new forms of political subjectivity. These are best understood as traces of citizenship and migration, for the resulting experiences replicate modern categories to some extent, but are also irreducible to either as they also always potentially replay and recite them in very different ways. The expression 'irregular' as used in this context can be seen to 'lay bare a situation and suggest meaning that *exceed[s]* the rules according to which human mobility is regulated by the border sovereignty of legal systems';[69] these are similar to but always also less than modern spaces of citizenship and thus better understood in terms of traces of citizenship.

Drawing on the conceptual imagery of trace we can begin to think 'citizen' outside modern subjectivity; that is, outside the politics of drawing lines of distinction and demarcation and anticipating mobilities between 'here' and 'there', between identity and difference, between 'us' and 'them'. Needing to bring 'migrant' and 'national' together within a more 'inclusive' conception of citizenship is no longer the only way of thinking about the relationship between migration and what it means to be a citizen. Citizenship is no longer dominated by the necessity of spaces defined in terms of 'outside' and 'inside' the dominant imagined community, between 'migrant' and 'non-migrant', between 'host' and 'newcomer', between the past (old Irish, French, British, Belgian, European and so on) and the present (new Irish, French, British, Belgian, European and so on). The topography of citizenship is no longer so simply idealised as involving solid bodies analogous to the image of the sovereign territorial state which exist in linear time moving from the past to the present and back again, but rather as often retrospectively produced, highly ambig-

uous experiences (traces) which both fall short of and exceed this understanding of politics.

The assumption of the self as a territorial sovereign being which *needs* to be bonded with another is replaced with an understanding of the various ways in which citizenship can be thought of as a condition of rupture within the notion of the coherent self and within coherent selves across time and space. This in turn results in the articulation and rearticulation of various contingent bonds. Here political subjectivity experienced in terms of these spatial and temporal inconsistencies – what I am calling traces – of presence and absence can be conceptualised also as citizenship despite its atypical nature.

Conclusion

> I . . . saw a humanity that asks not to be included or excluded from universalism, but encourages us to consider different ways to be or to signify.[70]

The experiences of children born to migrant parents that have been explored in previous chapters and are referred to in the opening quotations question the idea that we can always draw lines in history moving from past to present, from 'here' to 'there', associated with statehood and nationality. These lines are not necessarily entirely redundant in the case of such experiences but what these experiences indicate is that citizenship no longer makes sense only in terms of the absolute spaces of self and other, inclusion and exclusion which these lines permitted and protected. The alternative to taking lines as mere limits in and of themselves which need to be either obeyed or transcended is to seek to understand how 'the boundary becomes the place from which *something begins its presencing* in a movement . . . of the beyond'.[71]

The concept of trace has been introduced in this chapter to try to capture the new supplementary space of Being associated with the experiences of children born to migrant parents, which begins its presencing *in* the boundary line, rather than by traversing boundary lines. It has been introduced here in an attempt to

capture the alternative conception of political subjectivity enabled by the work of Julia Kristeva, which emphasises the importance of boundaries as *locations* of subjectivity. For, as Homi Bhabha points out, 'what is crucial to such a vision . . . is the belief that we must not merely change the narratives of our histories, but transform our sense of what it means to live, to be, in other times and different spaces, both human and historical'.[72]

This concept of trace challenges the image of political space as having to be understood as something to be achieved in unified time and extended in space. It challenges the necessity of conceptualising citizenship only in terms of the oscillation between continuing presence and imminent absence, between being included and being excluded. Through this notion of trace we are left to imagine 'citizen' as a form of subjectivity which can also manifest as a cluster of time-space coordinates constantly changing within and across what is normally conceptualised as the absolute space and horizontal time of sovereign political community. We can begin to consider how citizen as a form of subjectivity is experienced in the context of migration in new ways, simultaneously both familiar and unfamiliar.

The value of thinking and talking about citizenship as trace and therefore process, as opposed to only in terms of absolute space and presence, is that it allows us to develop a more robust ontology by conceptualising a wider variety of ways of being political. It is not my intention to argue that a more robust ontology necessarily gives us a better politics. It does, however, give us the ability to see the different ways in which the politics of citizenship can be, and more importantly, is being experienced outside the spatio-temporal limits of modernity.

Notes

1. Closs Stephens, 'Lost in the World', p. 301, original emphasis.
2. Walker, *After the Globe, Before the World*, p. 239.
3. Closs Stephens, 'Lost in the World', p. 301.
4. Migrant parent, quoted in Ní Laoire et al., *Tell Me about Yourself*, p. 42.

5. Mezzadra, 'Citizen and Subject', p. 40.
6. Habermas, *Between Facts and Norms*, p. 515.
7. Castles and Davidson, *Citizenship and Migration*, p. viii.
8. Walker, *Inside/Outside*, p. 179.
9. Edkins, *Trauma and the Memory of Politics*, p. xiv.
10. 'African' can of course be understood in a global diasporic sense of not being limited to, but transcending, the territorial boundaries of the African continent itself. However, given the way in which it is juxtaposed with 'Irish' here and compared with something 'more' global, I believe it is reasonable to assume that it is being used by this parent in keeping with a more delineated territorial understanding of the concept (see Ní Laoire et al., *Tell Me about Yourself*, p. 42).
11. Bhabha, *The Location of Culture*, p. 155.
12. Ibid., p. 158.
13. See in particular Brandi, 'Unveiling the Ideological Construction of the 2004 Irish Constitution Referendum'; Lentin and McVeigh, *After Optimism*.
14. Paoletti, *A Critical Analysis of Migration Policies in the Mediterranean*, p. 5.
15. Ashley and Walker, 'Reading Dissidence/Writing the Discipline'.
16. Ibid., p. 386.
17. Walker, *Inside/Outside*, p. 174.
18. Edkins and Pin-Fat, 'The Subject of the Political'.
19. Walker, *Inside/Outside*, p. 133.
20. Pierre-Maxime Schuhl, 'Le Thème du Gulliver et le postulat de Laplace', cited in Walker, *Inside/Outside*, p. 133. Milič Čapek notes that 'belief in the mathematical continuity of space was of tremendous importance for *the classical view of microphysical reality*. It led to the assumption that microphysical space is like the space surrounding our bodies and that the world of atoms differs only in size from the world of our sense perception' (Čapek, *The Philosophical Impact of Contemporary Physics*, p. 21, original emphasis).
21. Ashley and Walker, 'Reading Dissidence/Writing the Discipline', p. 387.
22. Shapiro, 'Textualizing Global Politics', p. 11.
23. Walker, *Inside/Outside*, p. 190, emphasis added.
24. Bigo and Walker, 'Political Sociology and the Problem of the International'.
25. Walker, *Inside/Outside*, p. 175.
26. Milič Čapek provides an account of the differences in understandings

of time, space and matter between classical and contemporary physics (see Čapek, *The Philosophical Impact of Contemporary Physics*, pp. 21–6). On the question of the limitations of Newtonian–Cartesian–Euclidean worldviews, see Edkins, *Trauma and the Memory of Politics*; Elden, *Speaking against Number*; Walker, 'Citizenship after the Modern Subject'; Walker, *Inside/Outside*.

27. Edkins, *Trauma and the Memory of Politics*, p. 40.
28. Elden, *Mapping the Present*, p. 9.
29. Ibid., p. 27.
30. Harvey, *Cosmopolitanism and the Geographies of Freedom*, pp. 134–5.
31. Čapek, *The Philosophical Impact of Contemporary Physics*, p. xiv.
32. Edkins, *Trauma and the Memory of Politics*, p. xv.
33. Walker, *After the Globe, Before the World*, p. 11.
34. Elden, 'Governmentality, Calculation, Territory', p. 578.
35. Elden, *Mapping the Present*, p. 563.
36. Ibid., p. 577. Although not denying the interruptions, Elden explores the need to remain conscious also of the continuities in the shift from the government of territory to the government of men and things, as discussed by Foucault. He does so by pointing towards the amenability of territory but also later of 'population' to statistical analysis and calculative strategies.
37. Shapiro, 'Narrating the Nation'.
38. Anderson, *Imagined Communities*, 3rd ed., p. 15.
39. Ibid.
40. Closs Stephens, 'Beyond Imaginative Geographies?'; see also, for example, Coward, *Urbicide*.
41. Closs Stephens, 'Beyond Imaginative Geographies?', p. 12.
42. Walker, 'International Relations and the Concept of the Political', p. 323.
43. Walker, *After the Globe, Before the World*, p. 11.
44. Isin, *Being Political*, p. 30.
45. Walker, *After the Globe, Before the World*.
46. For a sophisticated deconstruction of this tangible notion of embodiment see Butler, *Bodies that Matter*.
47. Čapek, *The Philosophical Impact of Contemporary Physics*, p. xvi.
48. Jabri, 'Julia Kristeva', p. 226.
49. For a discussion related to this point but outside the scope of this book about how the bodyspace can be articulated as both fixed topography and fluid choreography see Puumala and Pehkonen, 'Corporeal Choreographies between Politics and the Political'.

50. Shapiro, 'National Times and Other Times', p. 82.
51. Kristeva, *Strangers to Ourselves*, p. 3.
52. Bhabha, *The Location of Culture*, p. 155, original emphasis.
53. Anderson, *Imagined Communities*, 2nd ed., p. 11.
54. Moi, 'Introduction to "Women's Time"', p. 188.
55. The contrast between 'trace' and 'space' outlined here is based on this specific homogeneous understanding of space. If we take a different starting point, namely that space is not homogeneous but that there are different conceptions of space, then 'trace' becomes merely another conception of spatial possibility.
56. Arfi, '*Khôra* as the Condition of Possibility of the Ontological *without* Ontology', p. 197.
57. CRA, 'The Case against the Citizenship Referendum from the Standpoint of the Rights and Well-being of Children'; CADIC, 'Information for Migrant Parents of Irish Citizen Children'; NCCRI, *International Perspectives Relating to the Future of Irish Born Children and Their Non-native Parents in Ireland*.
58. Lentin, 'Illegal in Ireland, Irish Illegals', p. 443.
59. Fanning and O'Boyle, *Immigration and Integration*.
60. See the TIES website (http://www.tiesproject.eu, last accessed 4 February 2014).
61. Crawley, *The Situation among Children in Immigrant Families in the United Kingdom*.
62. Fanning and O'Boyle, *Immigration and Integration*.
63. For example, Fanning and O'Boyle refer to the need 'to construct a general profile of migrant workers relative to the indigenous population' (ibid.). Use of similar language including terms such as 'native-born' can be found in many publications associated with TIES. The point is not that this is exhaustive of the publications produced here but that it is an accepted approach.
64. See for example Butler and Spivak, *Who Sings the Nation State?;* McNevin, *Contesting Citizenship*; Squire, *The Contested Politics of Mobility*; Isin and Nielsen, *Acts of Citizenship*.
65. Closs Stephens, 'Citizenship without Community', p. 34.
66. Nyers, 'The Accidental Citizen', p. 24.
67. Nyers, 'Forms of Irregular Citizenship', p. 185.
68. Ibid., p. 187.
69. Rigo, 'Citizens despite Borders', p. 202, emphasis added.
70. Kristeva, 'Julia Kristeva Speaks Out', p. 261.
71. Bhabha, *The Location of Culture*, p. 5, original emphasis.
72. Ibid., p. 256.

Conclusion

So many stories to tell . . . such an excess of intertwined lives events miracles places rumours, so dense a commingling of the improbable and the mundane . . . I have been a swallower of lives; and to know me, just the one of me, you'll have to swallow the lot as well.

Saleem Sinai[1]

The above observation is made by the protagonist of Salman Rushdie's *Midnight's Children*, who describes himself as mysteriously yet irrevocably 'handcuffed to history'.[2] Born at the dawn of Indian independence (exactly on the stroke of midnight), Saleem Sinai tells the story of how he came to represent the entirety of India and all its religious and national diversity within and across (as opposed to in terms of) his unitary self. In order to explore the diversity of his Being ('all kinds of everywhichthing . . . jumbled up inside'[3]), Saleem is forced to resist the idea of wholeness associated with 'the body . . . homogeneous as anything. Indivisible, a one-piece suit, a sacred temple if you will.'[4] He is forced to resist attempts by others 'to bully [him] back into the world of linear narrative, the universe of what-happened-next'.[5] Ultimately, it is only by hovering 'at the apex, above past and present'[6] in a body born with 'two heads but you will see only one'[7] that he manages to tell the story of the lives of 600 million people bound up inside in one single self.

This book has explored another way in which people are handcuffed to history: as children born to migrant parents. It has explored how their subjectivity is inextricable from, as opposed to merely linked to, the diversity of the symbolic order. It has emphasised how these children similarly need to be understood as a dis-

jointed rather than coherent presence; as selves which contain a huge diversity within and across the notion of a coherent 'I'. They are people whose citizen-subjectivity cannot therefore be understood merely in terms of the physical and imaginative space of the political subject *as* individual (the one) and/or groups of individuals (the many-as-one). Rather, theirs are important stories which tell of the diversity of Being that exists outside an exclusive world of linear narrative and absolute spatial wholes. This latter understanding is an understanding of Being which is currently taken for granted as the only basis for political possibility in the Citizenship Debate, explored in this book through European citizenship literature and specifically the 2004 Irish Citizenship Referendum. Conceptualising these alternative experiences, which sit at the intersection of migration and claims to belonging in terms of trace rather than absolute space, this book underlines the need to recognise that they cannot be made sense of according to existing imaginaries of political community and identity, which are based on clearly demarcated (sovereign) spatio-temporal notions of inclusion and exclusion. The book highlights how they require instead a rethinking of what counts as political possibility in respect of citizenship, by forcing us to revisit (repoliticise) how we have come to know the citizen-subject and by considering how citizenship is being experienced *of* (as well as in) different times and spaces.

An ethos of repoliticising the self as citizen-subject and the manner in which we have come to know the citizen-subject as self emerges from the work of Étienne Balibar, Engin Isin and R. B. J. Walker. By regarding politics and subjectivity as intimately related and emphasising the manner in which political possibility has come to be defined according to a particular understanding of Being in time and space associated with appeals to state sovereignty, their work indicates that there is a need to rethink what we have been told citizen-subjectivity can be. It shows that political subjectivity needs to be understood in terms of how it has come to be (rather than needs to be) associated with a dominant 'particular versus universal' framework and an assumption that this needs to be resolved via the idea of a sovereign self. Existing citizenship scholarship which relies upon this 'particular versus

universal' opposition is therefore simply no longer representative of the infinite possible understandings about what it is to become a citizen. This scholarship can be seen instead to be part of a specific framework for thinking about and talking about what it is to Be political. The challenge which is supposedly presented in the Citizenship Debate by universal models of citizenship to particular models of citizenship can be qualified; it can be qualified as a challenge which *re*produces the manner in which the possibilities of being citizen have been posed since early-modern times in terms of sovereign autonomous subjectivity.

By drawing on the work of Balibar, Isin and Walker, this book highlights the limitations of the Citizenship Debate and of the framework within which the question of political subjectivity has been posed in citizenship studies more generally via appeals to state sovereignty; it also highlights the possibility of thinking beyond this dominant framework. It draws on Balibar's, Isin's and Walker's work to consider how state sovereignty implicates a particularly modern way of knowing and Being in relation to the question of citizenship, rather than a necessary starting point from which we *must* begin in order to theorise political subjectivity. Instead of starting with the state as 'particularism' and the idea of something beyond (or against) the state as 'universalism', and therefore with existing understandings about how people (citizen-subjects) are, or are not, included in political community according to different patterns or combinations of particularism and universalism, this book emphasises the need to rethink the understanding itself that political subjectivity must be conceptualised as resolvable in time within a horizontally compartmentalised spatial terrain. It questions the assumption more specifically that there is always necessarily a sovereign autonomous 'we' or 'I' (whether (wo)man, child or migrant), existing separate from the boundaries of the state in the first place, which can be taken as a starting point in discussions about citizenship.

Emphasising the limits of sovereignty as a particular way of knowing and Being highlights the constructed nature of the notion of the individual (as sovereign autonomous presence) which exists vis-à-vis the state, in so far as individuality is no longer a natural state of Being that can be pointed to. Instead, the idea of a

located authorising presence (an essence which exists in time and space) is reconceived as a practice and a problem in its own right which constantly needs to be reproduced if it is to be maintained. Subjects are not assumed to always already be individuals who engage in discourse as autonomous selves, which are subsequently culturally circumscribed (as belonging or not), as is done in existing inclusivist citizenship analysis. Instead, this book draws a distinction between being a citizen-subject and (necessarily) being an individual.

What is emphasised in this book is how subjectivity has become associated with an understanding of Being as sovereign autonomy *through* discourse, as an object in its own right; I have explored furthermore the manner in which this is ignored in the Citizenship Debate. Attempts in the Citizenship Debate to challenge exclusivity (defined in terms of appeals to state sovereignty) with inclusivity (associated with appeals beyond or against the statist monopoly on conceptions of community and identity) are shown to be limited by their reliance on a particular idea of subjectivity which can always be included in or excluded from political community. These attempts have been shown to be limited by a specific understanding of space as absolute and time as continuous, which reproduces and reframes a dualistic understanding of subjectivity in terms of us/them, included/excluded, citizen/human, albeit in increasingly neutralised (rather than antagonistic) dualistic terms.

Psychoanalysis, and in particular the work of Julia Kristeva, has been presented as providing a way of thinking about how the subject can be reconsidered as inherently bound up in the symbolic or social order, rather than simply engaging in it according to varying degrees of inclusivity and exclusivity. I have argued that Kristeva's work permits us to move away from defining the politics of citizenship in terms of drawing lines in continuous time and across space between 'us' and 'them', here and there, old and new citizens, selves and others. Her work forces us to rethink the *need* to associate the politics of citizenship with the ability to draw lines in this manner in the first place, and the possibility of *inhabiting* such lines instead. It does so by asking us to consider how foreignness is integral to the formation of the self and the possibility of being with others, as opposed to that which merely

undermines the self and its coherency and/or distinguishes the self from the Other. Unlike existing inclusivist citizenship scholarship, which starts with the idea of a sovereign and autonomous (albeit intersubjectively formed) subject which holds rights against the state, Kristeva's work starts with a psychoanalytically informed incomplete and fragmented subject: 'the subject whose present is always co-present with the past, fragments of a recollection brought forth as the subject shifts and moves through the interstices of life'.[8]

Kristeva's work must be seen as pointing therefore in a different direction than the type of cultural critique advocated in existing analysis of the 2004 Irish Citizenship Referendum. The latter cultural critique insists on an engagement with the Other which acknowledges either pre-existing fears of economic destitution engrained in the Irish psyche as a result of past experiences such as the famine (as argued by Fanning and Mutwarasibo[9]); that 'we' must be generous to 'them' given our experiences of migration;[10] or that 'they' as outsiders (migrant (m)others) can challenge the boundaries according to which 'we' as Irish have been defined (as argued by Lentin and Luibhéid[11]). This type of critique assumes to some extent the already existing world of many distinct 'cultures' in that categories of 'us' and 'them' (albeit neutralised) still make sense.[12] In contrast to this, Kristeva's call for the recognition of 'our own foreignness' is not a call for the understanding of difference outside self and thereby a call to brotherhood, but emphasises the need to understand how difference is set *within* the self as the condition for the self Being with others. In doing so it problematises the more general idea that politics must be based upon an ability to distinguish inside from outside, past from present, identity from difference. The result is an interrogation of how the principle of state sovereignty has told us that the 'boundary' (of political community and by implication of self) should be conceptualised as a temporal problem which can be resolved in space.

Kristeva presents an alternative notion of Being, based on rupture (tension) rather than unity (resolution). It is through her work that this book reconceptualises political subjectivity. It is no longer defined in terms of, or across, lines which are presumed simply to exist, but by looking at how processes of subjectivity are

articulated through the drawing of these boundary lines as spatio-temporal coordinates themselves. Likewise, through Kristeva's work this book repoliticises how we have come to know the self as citizen-subject and its place in the world. Kristeva's work is not taken as indicating the end of the subject here but rather 'a call to rework that notion outside the terms of an epistemological given';[13] to rework the notion of citizen-subject outside the given dominant theory of knowledge which says that it can always be reduced to a singular representation of time and place as envisaged through gender, class or culture.[14] Instead the citizen emerges as a result of various temporal and spatial combinations of gender, race, class, generation and so on. Homi Bhabha refers to this as a '"splitting" in the construction of subjectivity' where political subjectivity appears familiar yet also strange (uncanny): 'it is iteratively revised or reinvented in various social histories', maintaining a kind of genealogy with the established history of subjectivity 'but each time revising the form and rearticulating the causality and the cultural value of that designation'.[15] The result is traces rather than spaces of political identity and belonging.

Given its reliance on sovereign subjectivity, inclusivist citizenship scholarship – explored through a focus on the 2004 Irish Citizenship Referendum – is shown in this book to be limited. It is limited by its need to conceptualise Being, even when challenging the statist monopoly on understandings about community and identity, as infinitely divisible by lines extended in continuous, progressive time which necessarily demarcate self from the world, the universal (humanity) from the particular (citizenship), 'here' from 'there', 'us' from 'them'. This scholarship has been shown to be limited by its inability to separate conceptions of political possibility from the practices through which state sovereignty was articulated in the first place. It highlights the challenges that migration places upon the dominant statist ideals and practices of solidarity. However, it understands these challenges in terms of how the state continues to define the parameters of solidarity in the twenty-first century: as that which must be transcended (via a post-statist political community) or reconfigured anew (via a trans-national political community). Despite taking away the supposition of conflict, the politics of citizenship (the understand-

ings of what it means to become a citizen) continues to be concep-
tualised in inclusivist citizenship scholarship in terms of 'a form
of inclusion that depends on a clear pattern of spatial exclusion'.[16]

Inclusivist scholarship has produced several alternative histories
of multi-ethnic societies which are made up of various identities
– old national communities/new national communities, host/
guest, minority/majority, migrant mothers/non-migrant mothers,
secular/religious – rather than a history in which there are just
single authentic identities. However, this has been done without
ultimately undermining the opposition itself between notions of
'us' and 'them', this community and that community, between
'here' and 'there'. No longer a world of aliens versus citizens,
what is presented in the inclusivist citizenship scholarship is a
world nonetheless in which belonging continues to be based on
the notion of absolute spatial and linear progressive exclusion
in the last instance; this is merely an exclusion which no longer
involves treating the Other as adversary.

In contrast to this, as Chapters 3 and 5 have shown, the experi-
ences of citizen children born to migrant parents present a very
different image of what it is to be a citizen and of the relationship
between citizenship and migration. This is one which specifically
challenges the idea of citizenship experienced as a spatially dis-
tinctive continuum between 'here' and 'there', past and present,
'us' and 'them'. Emphasising the temporally discontinuous and
spatially fragmented manner in which subjectivity is produced,
this book has considered how the experiences of citizen children
born to migrant parents present an ambiguous paradoxical sub-
jectivity which actually collapses the idea of an us/them, self/
other, past/present dualism. Their experiences undermine the idea
that politics can (only) be articulated according to a dominant
understanding of time resolved within space, assumed and repro-
duced by appeals to state sovereignty.

Exploring the experiences of these citizen children has demon-
strated how political subjectivity can also be experienced as frag-
mented in itself ('less-than-one' spatio-temporalities). I have done
this by considering how citizenship is experienced *as* rather than
against foreignness. Foreignness here is understood as 'the hidden
face of our identity, the space that wrecks our abode, the time in

which understanding and affinity founder'.[17] This is a form of Being that haunts the relationship between citizenship and the sovereign territorial state and challenges the presumption that citizen-subjectivity can only be identified in terms of the modern spatio-temporal principle of subjectivity as individual ('the-one' and 'the-many-as-one').

As has been noted elsewhere, using Kristevan theory is not unproblematic.[18] In particular, there is a need to remain aware of the role of psychoanalysis and psychiatry more generally in the production of the excluded and the marginalised, and the subsequent reification of these categories. There is also a need to be aware of how the discursive and institutional backdrop that constitutes the symbolic order can become secondary to the focus in Kristeva's work on the speaking subject and their reflections on the world around them. These reflections should furthermore not be taken as subversive in their own right, but rather as able to conform to the given order just as easily as they might to resistance and dissidence.[19] With this in mind, political subjectivity is retheorised through psychoanalysis theory somewhat cautiously in this book. Psychoanalysis and the work of Julia Kristeva – for example, the concept of maternal time – are used as a way of considering how an alternative to the dominant state sovereign conception of subjectivity can be imagined and experienced. They are not intended to act here as a new totalising conception of experience and practice, but as that whose value is in asking after the limitations of (and thereby undermining) the existing dominant sovereign spatio-temporal conception as the only possibility of being political. Their worth lies in enabling us to replay and recite dominant sovereign conceptions of Being in order to reveal their instabilities and therefore potential alternative possibilities.

Chapter 6 introduced the notion of citizenship as trace as a way of conceptualising alternative possibilities of relative and contingent space-time of Being, opened up by the attempts in this book to think about citizenship beyond sovereign spatio-temporality. A trace 'is' not something; it is disruption. Its meaning comes down to a question of what it is a mark of, which is always open to interpretation. Being itself, therefore, becomes the question. A trace, as that which is always less-than and incomplete, contrasts

with the notion of absolute space, which is clearly defined. The notion of citizenship as trace emphasises the idea of *disruptive* spaces and times of being political – which cross over between past and present, inside and outside, belonging and not belonging – rather than pre-existing coherent spaces of being political, which are defined in terms of either past *or* present, inside *or* outside and which are subsequently disrupted. The concept of trace allows us to imagine a supplementary locus of times and spaces 'which are adjacent and adjunct, but not necessarily accumulative, teleological or dialectical'.[20] It allows us to imagine a paradoxical starting point for theorising citizenship: one which involves combinations of the archaic within the contemporaneous, the contingent within the coherent, psychic emotion as part of social rationality, fragmentation as part of structure. What is interesting is how this starting point, which Homi Bhabha links to the 'Postcolonial', should no longer be associated only with former colonial spaces, but is also applicable *within* metropolitan spaces such as Europe, through the experiences for example of intergenerational migrants. Its effect is to ask us to think about postcolonialism as a condition which is global in scope, because it interrupts the clean clear lines with which we have become familiar – between inside and outside, 'us' and 'them', centre and periphery, citizen and migrant – *within* 'centres' of the world as well as within the so-called peripheries. Such an understanding of the present condition is very important for decentring Eurocentric narratives of late modernity, which rely on lines of distinction between modernity, coherency and universality on one hand, and ambiguity, fragmentation and particularity on the other hand. It enables us to re-engage with the less-than sovereign temporal and spatial conditions of the global present rather than continuing to presume that the global exists (only) as coherently spatialised and temporally present.[21]

It is important to note that the ability to reconceptualise how we think about being a citizen (the politics of citizenship) explored in this book is not tied to some aspirational political subjectivity. It is tied instead to *existing* experiences of citizenship; these are ones which are currently marginalised, however, given their operation outside dominant political horizons. Nor do I argue, furthermore,

that these experiences necessarily lead to better politics. Indeed, as Alina Sajed points out, having identified the migrant as the figure which attests to the limits of sovereign subjectivity, it would be a mistake to presume that ambiguous citizenship-subjectivity (such as that of the children of migrants) necessarily always, or even often, disrupts hegemonic practices of capital and state-centric citizenship, rather than simply reinforcing it in newer ways.[22] Aihwa Ong's work shows, for example, that coherent and less coherent forms of political subjectivity interweave together, and the latter – which she refers to as 'flexible citizenship', 'graduated sovereignty' and 'splintering cosmopolitanism' – can often work through, as much as they interrupt, state-centric citizenship.[23]

Rather, what is being argued in this book is that an awareness of contingent time-space as the basis of an alternative ontology leads to a better understanding of how the politics of citizenship is being experienced outside sovereign politics through immanent difference as well as within sovereign politics through exterior difference.[24] In the latter, foreignness defines the self as coherent 'I' – which can oppose otherness via the lines which divide absolute space into 'us' and 'them', the included and the excluded. Meanwhile in the former – the ontology linked in this book to experiences of intergenerational migrants – foreignness is recognised as integral to Being, as that which implicates oppositional otherness without boundary and without end. I argue that awareness of this second and alternative ontology permits us to work 'with a different mapping where patterns of inclusion and exclusion transverse and are multiple rather than absolute'.[25]

This book needs to be seen as increasing our understanding of how political subjectivity can be understood and not attempting to replace one ontology with another. To quote Homi Bhabha one last time, 'I . . . suggest no salvation, but a strange cultural survival of the people' from which another kind of solidarity might be imagined.[26] Conceptualising citizenship as trace, as opposed to in terms of absolute space, is not good or bad in and of itself. Rather, as I have argued in this book, the question of the politics of citizenship itself (which includes the concerns about gender, race, class, positionality and so on raised by inclusivist citizenship scholarship) needs to be theorised in terms of how

it can operate through unfamiliar fragmentary, splintered, and arbitrary time-space coordinates, *as well as* through more familiar modern absolute spatial and linear temporal coordinates – often simultaneously.

The limitations of how inclusivist citizenship scholarship conceptualises political subjectivity are manifold; they can be contextualised in direct relation to its inability to combine a sovereign understanding of citizenship linked to an inclusion/exclusion framework (coherent space and progressive time) with a less-than sovereign understanding of citizenship which operates in terms of disruptions, discontinuities and fractions (as trace). The inclusivist scholarship has been shown to rely on the idea that subjectivity can always be included or excluded in political community. Doing so, it ignores how subjectivity is not necessarily synonymous with individuality and only came to be associated with sovereign autonomy at a particular point in history. Essentially what has been argued in this book is that inclusivist citizenship analysis is limited by its failure to differentiate between political possibility in general and how we have come to think of 'possibility' in terms of a certain conception of politics which came to be associated with state sovereignty and the ability to divide space infinitely by lines extended in continuous progressive time.

By 'resist[ing] the eternal return of the spatial differentiations of early-modern Europe',[27] the notion of citizenship as trace presents an alternative conception of what politics can be. It does so by challenging the idea that all understandings of politics can necessarily be traced back to the modern statist political imaginary and the associated spatio-temporal understandings of a clearly located presence which can be demarcated in terms of 'inside' and 'outside', as 'excluded' or 'included'. Thinking about citizenship as trace allows for an alternative understanding of what it is to be a citizen-subject. Instead of being reduced to singular representations of time and space grounded in particularism such as 'national' or 'native', which can be contrasted with representations such as 'migrant mother', 'African', 'migrant' or 'child', in turn grounded in universalism, citizenship-subjectivity can be reconceptualised as that which is also and increasingly based on situations which combine inconsistent fragments across these

subject positions, defying coherency and therefore irreducible primarily to any single one defining time and space of self.

The benefit of thinking of citizen-subjectivity as trace is that it undermines the idea that citizen-subjectivity can *only* be defined in terms of a coherent 'who' (a sovereign individual). It allows us to move beyond the endless discussions about who is or who is not abusing citizenship, who is or who is not entitled to citizenship, and concentrate instead on the increasingly momentary fragments of self through which citizenship can operate. Conceptualising citizenship as trace succeeds, as such, in undermining the importance of the distinctions between human and citizen, migrant and native as the basis upon which all questions about political subjectivity must begin. It forces us to consider instead how migrants and citizens can be connected to each other through contingent time-spaces. It allows us to rethink the possibility of political community: as something which can be conceptualised through fragmented as well as continuous moments of Being in common. This is the opposite of the understanding of possibilities for citizenship discussed in inclusivist citizenship scholarship; these continue to rely on the idea of the centralisation of power in a particular time and place of the self – such as marginalised, excluded, migrant mother, or non-citizen, characteristic of the modern state.

The key conclusions reached in this book, therefore, fall within four principal areas. Firstly, by approaching existing citizenship scholarship from the perspective of Balibar's, Isin's and Walker's work I argue that it can be taken as representative of a limited debate. This is a debate which reflects important assumptions about what a politics of citizenship must look like which can be traced back to the dominance of sovereign autonomous subjectivity. Secondly, a Kristevan understanding of human Being based on a metaphysics of process in the context of citizen-subjectivity can be used to think about political subjectivity as other than that which is defined in terms of sovereign presence. Kristeva's work has been used in this book to provide an example of how we can rethink political subjectivity outside appeals to state sovereignty (a metaphysics of presence). In doing so this book repoliticises how to think about the boundaries of citizen-subjectivity and their important spatio-temporal coordinates.

Thirdly, this book has developed an important empirical contribution to discussions about the politics of citizenship by demonstrating how citizen children born to migrant parents, who are neither just migrants nor alternatively just citizens, interrupt these discussions by challenging the idea that their experiences can be theorised in terms of inclusion or exclusion, belonging or not-belonging. These citizen children are not marginalised subjects who have been positioned outside the dominant political community and who are in need of inclusion. Instead, they are people whose subjectivity is defined in the *tension* between inclusion and exclusion, particularism and universalism. Theirs is subjectivity which is experienced in a disruptive contingent temporal and spatial framework, rather than a sovereign one. Increasingly it is suggested within the CCS literature that migrant parents themselves also experience citizenship in fragmented and disruptive ways which interrupt existing discussions about citizenship. I suggest that both types of experience need to be explored in further research through the fourth and final key contribution of this book, which is the concept of 'trace' as a way of theorising citizenship and political belonging anew.

The shift which is made here from presuming that political subjectivity must be theorised in terms of a metaphysics of presence to recognising how it can also be experienced as a metaphysics of process can be understood as a shift from conceptualising citizenship as absolute space to conceptualising it in terms of contingent trace. The understanding of citizenship as trace provides an alternative way of thinking about how it is being re-experienced beyond prescriptive sovereign dualisms, yet without ignoring the significance of such dualistic concepts. As a concept, trace provides an alternative to the determinative dominant logic of the inside/outside, inclusion/exclusion spatial binary by allowing for the possibility that subjectivity comes into play via processes of differentiation which are irregular, discontinuous and strange *as well as* those which are sovereign and continuous. This book therefore contributes not only to our understanding of the Citizenship Debate and the limitations of how subjectivity has been conceptualised in dominant citizenship literature, but also to broader theoretical attempts to recognise

how political subjectivity is being experienced outside a statist political discourse.

In this book I set out to understand and address the limitations of how political subjectivity is conceptualised in existing dominant citizenship scholarship. The conclusion I have reached is that this citizenship scholarship is limited by its inability to account for political possibility outside specific conceptions of space as independent of its physical content and of time as linear and progressive. This is the spatio-temporal understanding through which practices of state sovereignty were produced and through which they continue to be reaffirmed via the conception of the modern individual subject. The experiences of citizen children born to migrant parents challenge the limited nature of this understanding as the necessary basis of political subjectivity, however. These experiences undermine the truth that the citizen-subject can always be conceptualised in terms of singular representations of time and space associated with the ideal of the individual subject. They confirm the need for citizenship studies to engage with the idea of always already existing and acting citizen-subjects outside the spatio-temporal ideal of modernity. This is a necessity if the study of citizenship is to have any chance of capturing the complexity of the contemporary period which it so often purports to highlight.

Notes

1. Rushdie, *Midnight's Children*, p. 9.
2. Ibid.
3. Ibid., p. 236.
4. Ibid., p. 237.
5. Ibid., p. 38.
6. Ibid., p. 194.
7. Ibid., p. 87.
8. Jabri, 'Julia Kristeva', p. 224.
9. Fanning and Mutwarasibo, 'Nationals/Non-nationals', pp. 440–1.
10. See for example Daly, 'We were emigrants once, too'.
11. Lentin and Luibhéid, 'Introduction'.
12. Gupta and Ferguson, 'Beyond "Culture"', p. 15.

13. Butler, 'Contingent Foundations', p. 14.
14. Jabri, 'Julia Kristeva', p. 224.
15. Bhabha and Comaroff, 'Speaking of Postcoloniality, in the Continuous Present', p. 22.
16. Walker, 'Citizenship after the Modern Subject', p. 179.
17. Kristeva, *Strangers to Ourselves*, p. 1.
18. Jabri, 'Julia Kristeva', pp. 225–7; Oliver, *Ethics, Politics, and Difference in Julia Kristeva's Writings*; Oliver, 'Introduction: Kristeva's Revolutions', pp. xxvi–xxvii.
19. Judith Butler and Nancy Fraser have argued, for example, that there is a danger that Kristeva's work over-emphasises the transgression and the subversion of the unconsciousness (aesthetic/semiotic) over the consciousness (symbolic) (Butler, 'The Body Politics of Julia Kristeva'; Fraser, 'The Uses and Abuses of French Discourse Theories for Feminist Politics').
20. Bhabha, *The Location of Culture*, p. 163.
21. On this question of the global present see for example Mezzadra and Rahola, 'The Postcolonial Condition'.
22. Sajed, 'Postcolonial Strangers in a Cosmopolitan World'.
23. Ong, *Flexible Citizenship*; Ong, 'Graduated Sovereignty in Southeast Asia'; Ong, 'Splintering Cosmopolitanism'.
24. Isin, *Being Political*, p. 30.
25. Closs Stephens, 'Citizenship without Community', p. 40.
26. Bhabha, *The Location of Culture*, p. 224.
27. Walker, 'Citizenship after the Modern Subject', p. 199.

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