(En)Gendering the War on Terror

War Stories and Camouflaged Politics

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Chapter 6

White Nationalism, Illegality and
Imperialism: Border Controls as Ideology

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Introduction

Struggle over geography is not only about soldiers and cannons but also about ideas, about forms, about images and imaginings.

Edward Said

Ideologies are deadly. Feminists have always known this. Ideologies shape practice just as practice gives life to ideologies. One of the deadliest ideological practices to have gained hegemonic status over the past few centuries is nationalism. It is an axiom now to acknowledge that it is mainly for the 'nation' that people can be seen to legitimately kill and be killed for. It is equally understood that it is the state that holds the only legitimate power to order these deaths.

Feminist work on nationalism is extensive. For some time, this work has focused either on an examination of how gender relations (and in some studies, how racism and class relations) shape the construction of national identities or on how various women are positioned, and position themselves, in nationalist movements. By linking the ideological practices of nationalism with the practices of states, this work has provided us with a clearer understanding of the relationship between gendered (and classed and racialized) ideas of belonging and juridical membership, that is, citizenship.

Although not always explicitly stated, the subjects of analysis in most studies of women and nationalism have typically been women (and men) with de jure citizenship status. Attention has focused on processes of gendering (and sometimes racialization and class formation) in the making of citizen-subjects and the problem to be addressed has been the lack of equality between male and female citizens. In most feminist work on nationalism, the fact that nationalized regimes of ruling rely not only on the social processes of differentiating amongst citizens but also on the legal-juridical processes of differentiating between citizens and their non-citizen Others has been mostly ignored.¹

¹ Exceptions, and quite notable ones at that, have been studies of migrant domestic workers and, to some extent, migrant sex workers (see Arat-Koc, 1992; Kempadoo and
Consequently, an appreciation of the state as a juridical form of power with the widely legitimated ‘right’ to determine membership has not been adequately examined. Remaining unproblematised, therefore, has been the relationship between processes of capitalist globalization, nationalist ideologies and the denial of full legal status to a growing number of people working and living within national states with their citizenship regimes. It is precisely this relationship that we need to pay special attention to in analysing the present-day ‘war on terror’.

In this paper I wish to remind us that having juridical national status is ‘no small advantage’ (Kafka, 1969, p. 11). In the post-9/11 world, such a reminder is crucial. In Canada, as elsewhere, the main targets of coercive state action have been those who fall into two broad groups: those constructed as non-members of national society regardless of whatever juridical status they may have and, secondly, migrants without citizenship status who have been negatively racialized and nationalized. Importantly, it is the latter who have faced the brunt of Canadian state power: people on visitors visas, student visas or without legal documents.

Although an Anti-Terrorism Act (previously Bill C-36) was passed on November 2001, much of the actual work of the post-9/11 war on terror has been carried out through Citizenship and Immigration Canada. It is mainly through state practices of immigration control (such as criminal detentions and deportation) that Canada has shown support for the ‘global war on terror’. Arguably, the targeting of people both socially and legally constructed as ‘foreigners’ is the main reason for why the war on terror has been perceived as largely legitimate by much of the population in ‘Canadian society’.

In this war, the Canadian state has focused its efforts on protecting the ‘nation’ by discursively and materially securing not just the physical borders of nationalized territory but, more importantly, its existential borders as well. There has been much talk about ‘Canadian values’ which are always portrayed in a positive light, freedom, democracy and so on, rather than the equally ‘Canadian’ practices of racism, colonialism and imperialism that continue unabated. Thus, a crucial part of the Canadian national security effort has been the identification of an enemy that threatens not just ‘Canadians’ but, more importantly, ‘Canadian society’. This points to the ideological character of this war on terror. It is aimed mostly not at those who may actually pose some danger to people’s lives but those who pose an existential danger to dominant notions of ‘Canadian-ness’. Thus, even though it is national borders that occupy centre stage in the war on terror, ideas of sameness (Us) and difference (Them), as well as the protection of racialized and gendered notions of ‘home’ and ‘homeland’, are important in the fight against terror. In the current, post modern manifestation of imperialism, ‘defending Canada’ is seen as the equivalent of ‘defending Western Civilization’, especially against those who are followers of Islam. This is evident in the fact that all of the men currently being held in Canada or national security certificates are non-White Muslims without Canadian citizenship status. Thus, the main component of the immediate post-9/11 support for the war on terror has been the beefing up of national security forces at the borders that mark the space for the ‘west and the rest’.

In Canada, the globalized identity of Whiteness remains essential to the nation identity of ‘being Canadian’. It is a White identity, one borne of Enlightenmer thought and practice, that links Canada to ‘the West’. Hence, when patrolling the borders, ‘not all strangers are [seen to be] equally strange’ (Fitzpatrick as cited in Morley, 2000, p. 249). Terrorism, thus, is re-presented as a Third World impov carried in by non-White people, especially those who are ‘perceived to be Muslim (a racialized term if ever there was one!). Hence, border controls that differentially sort and classify people trying to enter Canada take on the role of being the first, an most important, line of defence against terrorism. Post-9/11, the ‘threat’ that ‘the rest’ pose to ‘the west’ has become the strongest rationale for increasingly repressive border policies throughout the Global North. This is evident in the blanket targetgin of entire collectivities of people through police and other state practices of profilin based on ideas of ‘race’ and ‘nation’ at border crossings and within national space. Terror, then, has been nationalized, racialized and gendered. This has had two major effects. One is to focus attention on anyone within Canadian society who may be a ‘risk’ to the security of a White national identity, evident in the fact that the suspects rounded up mainly consist of those who throughout the histot of Canadian nation-building have been figured as the dangerous Other, this tipp with an additional emphasis on ‘Muslim-ness’ (the actual fact of being a believer in Islam is not how ‘Muslims’ are necessarily identified, as people holding vario or no religious beliefs have been targeted). The second is to focus on border contr-practices that purportedly screen those arriving to Canada from abroad. The to ‘Canadians’ is external to society itself. In both cases, it is non-citizens who a disproportionately affected.

Even as de jure, mainly non-White ‘Canadians’ are harassed, jailed and ev subjected to torture (here or elsewhere) as a result of Canadian state practices, even as many non-Whites holding Canadian passports are targeted at airports at other sites, it is the non-citizen, the juridically ‘foreign’ interloper, who is under tl greatest scrutiny and who has absolutely no legal recourse within Canada. The post-9/11, greater legitimacy has been attached to the differential treatment citizens and their Others. We now speak of undocumented migrants not ‘merely’ criminals but also as terrorists.

This was pre-figured in both national and international law. Audrey Mackl points out that ‘until Bill C-36 [the Anti-Terrorism Act], terrorism as a discrete leg category of conduct only existed within the confines of the immigration legislatio (2001, p. 391). Significantly, within international law, such as the 2000 Unit.
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Nations Convention against Transnational Organized Crime with its accompanying Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and its Protocol against the Smuggling of Migrants by Land, Air and Sea, it is also the process of migration, specifically undocument migration, that is the focus of the ‘crackdown’ on ‘international crime’. In both, it is the illegalized migrant, the one not given official permission to enter national states, who is the ‘problem’.

In this chapter, I focus on how the war on terror helps to intensify the imposed identity of national-subjects through border control practices that are largely ideological in character. I believe that it is urgent that we recognize, and challenge, the spread of what Steve Cohen (2003) has called ‘passport culture’, that is, the further entrenchment of a global apartheid where one’s nationality is seen as a legitimate instrument of discrimination. This is because by naming certain people as ‘non-Canadians’, what is accomplished is the naturalization of their degradation and lack of entitlements in spaces where they are cast as both existential and juridical ‘foreigners’.

As such, I raise a question posed by M. Jacqui Alexander and Chandra Talpade Mohanty: ‘what kinds of transformative practices are needed in order to develop nonhegemonic selves? Are these practices commensurate with [current] feminist organizational struggles for decolonization?’ (1997, p. xviii). Of course, a preliminary answer to these questions would be yes and no, since there is no one feminist struggle for decolonization: some feminist strategies uphold the hegemony of national identities and nationalized spaces, continuing to fight for women’s liberation in the ‘nation’, while others argue for the rejection of nationalized identities and projects in favour of solidarities based on shared everyday lived experiences and desires.

Thus, in addition to Alexander and Mohanty’s recognition of the need to analyse state power when strategizing about change, I argue that we also need to account for the continued power that the idea of the ‘nation’ has in this particular postmodern phase of capitalist globalization with its war on terror. As more and more people depend on migration to try and survive the workings of a global capitalist system, we need to focus our attention on the interconnection between ideologies of nation-ness and the organization of exploitation and oppression.

Sovereignty Stories and the Making of Global Apartheid

The last thirty-odd years, precisely when feminist (and other) scholarship on nationalism has flourished, is also the time in which a regime of global apartheid has been institutionalized (Richmond, 1994). This regime has been put into place through state practices concerning citizenship and immigration. By not paying attention to how people move and how they are legally, socially, economically and politically positioned by the state within nationalized societies, we have failed to understand a significant component of global imperial relations of spatial/social disparities in wealth and power, disparities organized through gendered, racialized and classed relations.

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The expansion of capitalist social relations and the associated mass displacement and proletarianization of hundreds of millions of people during this time (Hardt and Negri, 2000; Shiva, 1997), has meant that cross-border migration has become a key strategy for ever-growing numbers of people. By 2002, an estimated 175 million people were engaged in international migration (United Nations, 2003). This is a doubling from the number of migrants in the mid-1980s and the number of people moving across nationalized borders is expected to double yet again over the next decade (Withers, 1994, p. 311). Importantly, in contrast to the great ‘age of mass migration’ of the late nineteenth and early twentieth centuries (Hatton and Williamson, 1998), when migration was mainly out of Europe, most cross-border migrants today are from the Global South (Sutcliffe, 2001). In stark contrast to the experience of people out of Europe a century or more ago, today’s international migrants, particularly those from the Global South, face intense restrictions on and increasing criminalization of their mobility to and within the national spaces they try to make home. Global apartheid is organized within this capitalist/state matrix of mass displacement and mass migration. It is also within this matrix that the global war on terror finds its most legitimatized targets.

According to migration scholar Anthony Richmond (1994), the organization of global apartheid is one where ‘rich’ states keep out people from ‘poor’ ones. Yet, like past forms of apartheid, its global manifestation is not based on keeping differentiated people apart but instead, on organizing two (or more) separate legal regimes and practices for differentiated collectivities within the same nationalized space (see Cock, 1980). Global apartheid relies on processes of legal differentiation within national space instead of physical exclusion from it. This is accomplished by the placement of people who live and work within a given national state within various categories of foreign-ness, like ‘temporary migrant worker’ or ‘illegal’. Citizenship and immigration controls, thus, are central to the realization of these nationalized forms of discrimination. As Gilles Deleuze and Félix Guattari (1987) put it, the nation’s Others are not actually excluded but are ‘differently included’.

3 Contemporary migrations from Global South to North reflect the very real concentration of wealth in the North. One indicator of this is the United Nations Development Plan’s estimate that at least $500 billion in wealth is transferred from the South to the North every year (cited in Shiva, 1997, p. 11).

4 Apartheid continues to be largely associated with ‘race’-based juridical differentiations but because such differentiations are, almost without exception, no longer a part of national legal systems anywhere there is a strong tendency to deny that any form of apartheid exists at all. Not only does this legitimize certain global inequalities, it also legitimizes the use of coercive state power against those defined as non-nationals. The naturalization of national forms of discrimination, in turn, renders invisible how forms of national membership are fundamentally structured through global relations of colonialism, class, gender and racism. In this period of late capitalism, it is these relationships that are being re-organized through the imposition of a global apartheid regulated through state policies on citizenship and immigration.
As in any system of apartheid, people legally classified as ‘foreigners’ live and work closely together with the national subjects that they are politically, socially and ideologically separated from. However close and daily their interactions are, those positioned in the subordinated half of the negative duality of citizen/non-citizen are both cheapened (in the labour market) and weakened (in being able to protect themselves from either legal or illegal acts of coercion).

In each national state of the Global North a person must have a legal status, and maintain it, to prevent one’s detention and deportation. Over the last decade, however, not only have the distinctions between legal and illegal been intensified, there have been greater differentiations made between the various types of legal status. In some national states (the United States since 1996 and Great Britain since 1999 for example), anyone subject to immigration controls, even those with legal, permanent status, are denied a plethora of services and benefits available only to the citizenry (Cohen, 2003, p. 40; Nevins, 2002). Moreover, there have been attempts to differentiate between citizens born in a national state and those who hold citizenship status through naturalization. For example, in Canada after the passing of the new Immigration and Refugee Protection Act in 2002, it is easier to revoke the citizenship status of those whose citizenship was gained through naturalization instead of birth for several reasons, including being an (undefined) national security threat (CIC, 2002).

Yet, very little of this kind of discrimination is questioned, even by many progressives or those on the Left. In part, this is because discrimination based on national citizenship is normalized through the global system of national states and the international law that regulates it and internalized by those with a national-subject identity. In the founding Charter of the United Nations, for instance, the ‘sovereign right’ of national states to extend or deny membership is the pivot around which the national state system revolves. It is this juridically constructed right that allows national states of the Global North to deny entry as well as permanent or citizenship status to the vast majority of the world’s migrants, most especially to those from the Global South, all while earning legitimacy for such actions (Sharma, 2001). It is the interlocking character of the relationship between state juridical and national ideological practices that together make common sense of a regime of global apartheid. Acceptance of the national state system as not only natural but even just by both Right and Left nationalists acts as a serious barrier to seeing certain, negatively racialized migrant women and men as part of the same society in which national subjects reside (see Sharma, 2003).

To understand the significance of practices of apartheid to capitalist globalization, we therefore need to pay attention to how regimes of apartheid depend on the difference of citizenship to make common sense of gross inequalities and today’s war on terror. The story that national subjects tell ourselves is that we, ‘the people’ of a given ‘nation’, are sovereign because our state is (or ought to be). This ‘sovereignty story’ is based on the notion that within any national state there exists a crucial link between identity, territory and authority (Pettman, 1997). Such stories work to neatly slide the relationship between capital and state. Through their telling, national states become merely the ‘representative’ of the people’s power. The state is imagined as a reflection of the ‘nation’ instead of a very powerful institution that regulates and disciplines a group of people established as a discrete ‘population’. National states, therefore, escape any systemic challenge to their existence because they are evaluated on whether the rulers of the state are either proper representatives, and therefore ‘democratic’, or non-representative and, as such, dictators. A corollary to this is the attempted re-education of the ‘nation’ (anti-sextist, anti-racist campaigns, and so on), so as to ensure a state that supposedly represents all its citizens.

Within liberal democracies like Canada, the existence of a group of people considering themselves to be the nation (or civil society), and therefore not as being ruled over but as ruled for, helps to secure ruling relations and the continued existence of the national state. In other words, the construction of a civil or social sphere that ‘citizens’ inhabit becomes a way to naturalize the power of the state to rule. By claiming to represent the ‘national family’, the state secures its power over both its members and those positioned as their negative reference point.

Stories of national sovereignty re-present global economic, social and political inequalities as a manifestation of the individual national state one lives in, reproducing the myth that there are, in fact, ‘national societies’ that fall or rise according to their own domestic disputes. What remains concealed is how historically the very ability for some national states to be more or less ‘sovereign’ than others is a result of how they are positioned in a globalized set of power relationships. The ‘uneven development’ between so-called ‘stronger’ and ‘weaker’ states, then, becomes not a nationally constituted phenomenon but a consequence of a global real politik (Amin, 1974; Frank, 1967).

This aspect of the sovereignty story is significant. The war on terror is organized so that the world’s ‘strongest’ (and therefore most ‘sovereign’) states are represented as being under threat from some of the ‘weakest’ states or from non-state actors, said to have no legitimacy in acting on the international stage (even as these non-state actors supposedly work with/for particular ‘weak’ states: David Frum’s so-called ‘axis of evil’). Unsurprisingly, then, the discourse of post-modern imperialism is such that ‘strong’ states are presented as ‘helping’ the ‘weak’ by ‘strengthening’ their capacity to govern with legitimacy over their own ‘nations’ (hence the rhetoric of ‘strengthening democracy’; ‘strengthening the rule of law’ and so on). This binary of muscular (protective) and enfeebled (needing protection) states works to both reify and divert attention away from an examination of who has the guns and the money (never mind the longer life expectancies, access to safer water and food, medical attention and so on) both on a global scale as well as within either ‘strong’ or ‘weak’ states.

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5 The idea, very popular amongst liberal, ‘progressive’ and even Left forces in the United States in particular, that President George W. Bush is an illegitimate leader who has destroyed the righteous values established by the ‘Founding Fathers’ of American society (supposedly freedom, liberty and the pursuit of happiness) is evidence of the sanctity, and hegemony, of the nation-state. Resistance becomes aimed at changing the ‘representative’ while leaving the social relations that organize particular experiences intact.
The depoliticization of always-global social relations of capitalism, racism and sexism has, I argue, been the main effect (as well as cause?) of the war on terror. As such, the material basis for any ‘clash’ is ignored, thereby relegating the war on terror to the realm of primordial, naturalized defence of ‘civilized’ people against ‘barbarians’. What is also accomplished is the wholesale denial of any responsibility for the production and realization of terror from those who are able to self-define themselves as the sole victims of it.

In the dialectic story of national identity and state power, neither ‘the people’ nor the state can afford to have a breach in their imag(nation) of space and identity. In this, the obfuscation of terrorism through border controls is essential. Broadly speaking, national state controls on citizenship and immigration distinguish members from non-members and by virtue of their ‘belonging’, grant members rights and entitlements legitimately denied to the nation’s Others. Acts of nationalized discrimination, therefore, materially secure the national subject identity of those that do ‘belong’. It is for this reason that in Canada’s participation in the war on terror, the figure of the ‘foreign’ trespasser/terrorist has been selected as the central object of state coercive power.

**Imperialism and Border Controls**

In North America, major legislative and policy changes concerning the border have taken place since 9/11. While certainly charting some new ground, recent changes (discussed below) urgently need to be contextualized within a much longer history of border controls aimed at positioning migrants who are non-White women and men in inferior state categories of entry, work and residence in Canada. This history begins with the very first attempts at regulating and restricting citizenship and (im)migration in the nineteenth century.

Unlike global transmigrations of people, processes of immigration have only taken place for little over a century. While migration is the movement of people across space (as it has variously been experienced and understood over time) and is something that human beings have always engaged in, immigration is the process by which people move across and through nationalized spaces. The process of immigration, in other words, began with the introduction of national state regulation on people’s mobility and has no meaning outside of this context. National regulations on people’s mobility were, from the start, highly racialized and gendered and integrally linked to practices of building both nations and global empires. It is for this reason, among others, that the oft-circulated cliché of Canada being a ‘country of immigrants’ is inaccurate: not all people who have migrated to Canada have been immigrants.

Immigration controls were practically non-existent when various European colonial empires orchestrated the mass movement of people in the period between the seventeenth and mid-nineteenth centuries. Millions were coerced in one way or another to come to the ‘New World’. From what we now know as ‘Europe’ came the ‘great unwashed’: displaced peasants and artisans, many as unfree, indentured servants (Linebaugh and Rediker, 2000). From Africa, millions more were forcibly moved as unfree slaves defined as ‘sub-humans’. Of course, the movement and settlement of colonial elites, administrators and armies was unrestricted, as was the capital accrued through colonial plunder and exploitation of producers’ labour.

In the period of early colonization, the need to establish and consolidate large, global markets for labour in each of the colonies was paramount. The right of entry, therefore, was hardly at issue. Indeed, as people’s mobility was predicated on their displacement, many people around the world fought against being moved and for the return of their ability to ‘common’ (Linebaugh and Rediker, 2000).

Border controls and the regulation and restriction of people’s mobility came to the fore as national states were formed and capitalist expansion, with its destruction of non-market economies, intensified in the mid-nineteenth century. National states neither needed nor had the technical and administrative capacity to police borders until this time. Significantly, as border controls on exit and entry became crucial to the security of national states (initially to keep people in so they would be available to soldiery in newly formed national armies), the international right of states to control entry into, and membership in, a given territory emerged in legal discourse (Torpey, 2000). Prior to this period, classical jurists had accepted a general right of free movement, provided it was undertaken for lawful reasons that included economic ones. The **Magna Carta**, for instance, gave any human being (whether defined by the monarch as a subject or an alien) the rights of entry (Vincenzi in Dua, 2003, p. 44).

Significantly, the period in which the global system of national states was being put together was simultaneously the ‘age of imperialism’. This is not at all contradictory as imperialism was organized, in large part, through national state practices. As various European colonial regimes, by now ideologically and administratively reconfigured as national states, began to more directly and intensively colonize various African and Asian societies, European and American systems of slavery were rendered illegal and replaced by the global labour recruitment system of ‘coolie’ labour where workers would be indentured to particular employers (Potts, 1994).

This system of recruiting dispossessed and impoverished people largely from Asia (mostly from China and India) was organized primarily through national systems of border controls on citizenship and immigration. In Canada, their status as inferioritized-Others was organized by placing them in a subordinate category of national membership (or non-membership as the case may be). Their racialization was made sense of through nationalist ideologies that positioned them as members of other ‘nations’ whose values and practices were incompatible with the civilized ‘nation’ of ‘Canadians’. The differential treatment they experienced relative to northwestern Europeans, now ideologically reconfigured as White, was based on new laws concerning citizenship. They were deemed either to be ineligible for entry and summarily deported or admitted under the category of ‘temporary’ migrants instead of permanent residents and made ineligible for citizenship status.
Border controls were implemented as human communities underwent a profound period of institutionalizing ethnicized and racialized identities within national state categories of membership and non-membership captured in the negative dualism of citizen/foreigner. Indeed, border controls profoundly shaped this process of ethnicizing and racializing diverse people engaged in international migration. People were seen, and came to see themselves, as the ‘same’ as those categorized in similar ways and, simultaneously, as ‘different’ from those who were placed in other state categories of entry and residence in Canada. The newfound legitimacy of immigration regulations, such as the development of the international system of passports in the early part of the twentieth century (Torpey, 2000), came to be inseparable from racialized practices of national identity schemes.

Within the globalized British Empire, the racialization of citizenship and immigration laws was essential in an imperial system that disseminated an official rhetoric of a shared subjecthood between colonizing and colonized groups yet operationalized the contradictory goal of organizing modern ‘White nations’ (Ward, 1972). The latter was necessary to secure the consent for Imperial rule from non-elite ‘Whites’ in the new Dominions. The emergence of racialized border controls that discriminated against non-Whites contributed significantly to the formation of nationalized labour markets and to the organization of a global capitalist order reliant on intense competition between variously differentiated groups of workers. As White workers further fortified their sense of entitlement to newly nationalized ‘White’ territories in Europe, in some parts of the Americas and the Pacific, the criteria of ‘national belonging’, with its racialized and gendered content, became essential in the formulation of immigration policies. For this reason, a number of intellectuals have understood all such forms of restricting people’s international movements as inherently racist (see Cohen, 2003; Hayter, 2000; Holloway, 1994) and, I would add, sexist.

Few countries put forward the rationale for border controls with as much clarity and conviction as Canada. Restrictions on entry and citizenship for ‘non-preferred races and peoples’ were established almost simultaneously to the creation of the Dominion of Canada. The 1867 British North America Act, the founding document of the Canadian state, explicitly identified citizens as being male and ‘British subjects’, an imperial category that was racialized shortly after the granting of the right to self-government for Canada (Dua, 2003). As the newly formed Canadian state engaged in practices of nation-building, criteria for membership became ever more restricted to Whites only. Indeed, it can be said that the new Canadian state asserted its newly found ‘sovereign powers’ through border controls aimed at restricting the entry and citizenship of non-Whites, including Blacks fleeing slavery in the United States and Asians fleeing colonial practices of displacement. In this sense, the ‘Canadian nation’ found itself by defining itself in opposition to its racialized Others (Sharma, 2001).

It was when non-Whites increasingly sought free entry and residence into Canada (instead of as unfree ‘cooler’ labour), and the property and voting rights of citizenship that went along with it, that immigration controls were established. Thus, while the mobility of Whites, seen as unproblematic subjects of the colonizing power, continued to be more-or-less assured, people from various European colonies or former colonies in Asia, Africa, Latin America and the Caribbean were restricted in their entry into and/or permanent residence in Canada because they were represented as ‘unsuitable’ and ‘inassimilable’ (Li, 1988). Nationalism organized a spatial consciousness of where certain raced individuals and collectivities ‘belonged’ and what their ‘place’ in Canadian society, if any, should be.

Following the passing of the Bill to Restrict and Regulate Chinese Immigration to the Dominion of Canada and its passage into law as the 1885 Chinese Immigration Act, a ‘head tax’ restricting migrants from China was introduced to limit not only how many but which class of people from China could enter Canada. Shortly thereafter, a White Canada policy was codified in the Immigration Act of 1910 that explicitly targeted the ‘Asiatic race’ for discrimination (Dua, 2003, p. 48). The White Canada policy was further amended by the Act of 1919 and included in subsequent orders-in-council and legislation, culminating in the 1952 Immigration Act (Hawkins, 1988, p. 16).

Key components of the White Canada policy were the 1907 ‘Gentleman’s Agreement’ restricting immigration from Japan; the 1908 Continuous Journey, stipulation restricting immigration from South Asia; the 1914 court ruling that the Canadian state, not the British parliament, had ultimate authority over citizenship (a citizenship it would deny to all Asians); and the 1923 Chinese Exclusion Act in place until 1947. Taken together, these sets of practices point not only to the importance of racism in the organization of state power but also the ideology of nationalism to regulate and discipline both ‘nationals’ and ‘non-nationals’ in Canada.

It was through these processes of racialization and nationalization that certain women became (and remain) emblematic of the nation. Nationalist discourses have generally positioned women as playing a key maintenance role in the configuration of particular national boundaries (Anthias and Yuval-Davis, 1993). Women, consistently portrayed as embodying the very differences between ‘races’ and ‘nations’, are seen as essential to either the maintenance or ruination of the national project. However, notions of belonging for women, unlike for men, carry with them the implications (and at times, the legal authority) of women belonging also to the men of the nation. Men are positioned as having a proprietary relationship over women national subjects and because of this are able to discipline women’s practices concerning all manner of things. Women’s sexualities, reproductive rights, the decision to have/not have and/or raise children, childrearing practices and experiences of unpaid and paid labour: all these are organized through the framework of the ‘proper’ place for women in the nation (Valverde, 1991). Thus, even though the nation is often represented symbolically as a woman, it is gendered as masculine in its realization.

In Canada, as they now are around the world, gendered notions of the ‘proper’ place for women are racialized. This has fundamentally shaped the making of citizenship and immigration policy and the declared need for restrictive measures against the women of ‘different’ nations. While White women settlers, because of their identification as ‘mothers of the race’, have been relegated to the supposedly ‘private’ sphere of home and hearth and, as a result, positioned in decidedly inferior
positions alongside their male national subjects, the Canadian nation-building project has positioned women who are presented as not belonging in Canada (to a different nation and, therefore, to a different set of men) in far inferior social and legal locations.

These Othered women are presented as being disruptive of the ‘character’ and ‘integrity’ of the Canadian nation. Hence, border controls have historically been designed to restrict the entry of ‘foreign’ women. For instance, although a very small number of women from China were admitted to Canada after 1885, most women and children were refused entry until at least 1947 (Das Gupta in Dua, 2003). Such exclusions also applied to women from other parts of Asia, Africa and the Caribbean (see Bolaria and Li, 1989; Silvera, 1984).

Discrimination was liberalized in the 1960s with the implementation of a ‘points’ system for immigration selection. However, the opening-up of immigration policy in the 1960s did not eliminate discrimination, as racialized, gendered and class inequalities continued to structure who got in (Abu-Laban, 1998) and under what conditions. While the points system, lauded as an objective, ‘non-discriminatory’ criteria of admittance, did away with the racist construction of ‘most-preferred races and countries’, it nonetheless transferred the racialized and gendered meanings of such notions onto other criteria, such as ‘skill’, level of education achieved, the ability to speak one of the two official Canadian (colonial) languages and, of course, ‘adaptability’ (this latter criteria being a discursive re-working of the pre-1967 ‘ability to be readily assimilated’ test). In this way, as Vic Satzewich (1989, p. 93) rightly notes, ‘post-1962 migration did not...take place in an ideological climate demudied of the negative evaluations of certain ‘races’.

The most significant change in the post-1967 period, however, has been the shift away from a policy of permanent immigrant settlement towards an increasing reliance upon unfree, temporary migrant workers (Sharma, 1995). For the majority of the years following the introduction of the 1973 Non-Immigrant Employment Authorization Program (NIEAP), the number of people admitted to work in the labour market in Canada as immigrants (that is, permanent residents) has declined both in proportion and in number to those recruited as temporary migrant workers. From making up 57 per cent of the total number of those recruited for the labour market in 1973, only 30 per cent of the (im)migrant work force received permanent resident status by 1993 (1995, p. 122). By looking at only at the numbers of people admitted as part of the independent class, the shift is even greater: by 1993 only 24 per cent of all (im)migrants recruited to the Canadian labour market were given permanent residency rights while 76 per cent were recruited as migrant workers (p. 122). By 2004, there were 228,677 people entering Canada as temporary migrant workers versus only 124,829 entering with the rights of permanent residency (Sharma forthcoming).

Canadian parliamentarians, among others, discursively produced the rationality of this shift by problematizing non-White immigrants (that is, permanent residents) who were portrayed as negatively affecting the ‘character’ of ‘Canadian society’ (Sharma, 2002). This contemporary moral panic was similar to those of the late nineteenth century, because for both, it was the permanency of non-Whites in the country that created alarm amongst Whites. The key distinction between the two periods is that by 1973, non-Whites had already been granted the right of permanent residency thereby forcing parliamentarians to seek ways to obscure its removal so as not to appear racist. The early 1970s, after all, was the era when the Canadian state was re-presenting itself as a ‘multicultural’ and ‘tolerant’ society both at ‘home’ and on the world stage.

Thus, it has been the permanence (and the rights and entitlements that permanency brings) and not necessarily the presence of non-Whites that has been organized as a ‘problem’ for ‘Canadians’ throughout the history of Canadian nation-state formation. This points to the ideological character of past and contemporary border controls on citizenship and immigration and to how ideological the centers of border controls is in the current war on terror.

The Ideology of Border Control

Although in the nineteenth and early twentieth centuries, restrictions on entry an citizenship had the effect of severely limiting the numbers of, but by no mean excluding altogether, non-White migrants in Canada, this is no longer the case. Today, restrictive immigration policies do not restrict the entry of non-Whites (as well as those on the borderline between White and non-White, such as people from Eastern Europe) per se. Instead, more non-White people are moving into territories claimed by the Canadian state than at any point. However, a growing number are made to enter under state categories, such as unfree ‘migrant worker’ or ‘illegal’ person, categories that make them highly vulnerable in a whole host of ways.

What restrictive immigration policies restrict, then, is not necessarily the mobility of people but the rights and entitlements migrants are able to lay claim to (Sharma, 2000). This affects their position in the labour market, their access to social services and benefits and their spatial, social and economic mobility. The Canadian state (along with all the other states in the Global North) has therefore reformed its immigration policies in such a way that a growing number of migrants from the Global South face the greatest brunt of post-Fordist labour market restructuring (Sharma, 2000). While Canadian state policies have undoubtedly created a global hierarchy of wealth and power (Tomlinson, 1991), state laws on citizenship and immigration have helped to create a hierarchical ordering of ‘insiders’ and ‘outsiders’ living and working within Canadian society.
This restructuring has, in no small part, contributed to the attempt at retaining ‘Canada’ as a viable site for investment within global capitalism (Sharma, 2002). The greater policing of the purified boundaries of nationalized identities have been beneficial to employers trying to gain advantages from the dramatic increase in people’s displacement and subsequent migrations. The simultaneous presence of virulent anti-immigration discourses evident in Canada (and elsewhere) and increases in the number of people entering Canada as non-citizens without permanent, full status are therefore not at all contradictory but are instead complementary processes. As Ghassan Hage comments, ‘...anti-immigration discourse, by continually constructing the immigrants as unwanted, works precisely at maintaining [their] economic viability to...employers. They are best wanted as “unwanted”’ (2000, p. 135).

While earlier, border controls were aimed at policing boundaries of ‘race’, and gender-based discrimination enshrined within national legislation, today, they occur through highly differentiated national state categories of entry and membership. Today, one would be hard-pressed to find explicit ‘race’ or gender categories of discrimination as part of formal legal practices. Now these are organized through categories of entry, work and residence. The legitimacy for the hierarchical ranking of persons through immigration categories rests on the ongoing construction of the Canadian ‘nation’, particularly its construction as a White, masculine space. The Whiteness of the ‘Canadian nation’, along with its masculinity, has become even more intensive during times of ‘national’ crisis, such as that after the events of September 11, 2001.

Securing the Nation: The War on Terror

In the war on terror organized following 9/11, the imminent threat of the dangerous ‘foreigner’ is the main policy framework through which the Canadian state has acted. Much has been written about this ‘foreign’ threat being imagined as non-Western, Muslim, irrational, violent and, significantly, patriarchal (or a victim of it). As in all systems of negative duality, this rendering of the Other tells us much about the Self-representation of ‘Canadians’. Through the operation of this binary code, ‘We’ Canadians, are presented as Western, enlightened and egalitarian, particularly in the area of gender relations.

That the war on terror is being fought on civilizational terms becomes starkly evident as we examine the major legislative changes in Canadian immigration policy following 9/11. One of the first changes was the December 2001 signing of a 30-point ‘Smart Border Declaration’ between Canada and the US. In response to the over-heated call for the establishment of a ‘North American perimeter’ from the US, entry-visa requirements between the two countries were harmonized with the result that a greater number of people needed visas to enter Canada than before. Moreover, information exchanges and coordinated intelligence activities to screen travellers were planned and airlines were compelled to hand over passenger lists to the government. This led to the practice of racialized profiling of air travellers where many non-White men, in particular those ‘perceived to be Muslim’, were routinely and disproportionately targeted for extra scrutiny at both national and international transit points (see also Rygjei, Ch. 7). This led to the experience of harassment known as ‘traveling while Brown’.

As one of the first state responses to 9/11 was the implementation of new forms of border controls, this strengthened the common sense association between ‘terrorism’ and the migration, not just of any people but of non-White men, the not-so-new ‘barbarians’ of Western civilization. This helped to organize the public belief in the idea that terror was admitted into Canada through faulty border controls. ‘Terrorists’, we were told, were able to enter because of ‘lax’ refugee and immigration practices. This sentiment was widely accepted, as reflected in a December 2001 Ipsos Reid poll that found that ‘69% [of those polled] don’t trust screening of new Canadians’ and saw them as a danger to Canadians.

On the heels of the Smart Border Declaration, on January 11, 2002, the Supreme Court of Canada ruled that failed refugee claimants facing torture or death could be legally deported if deemed to be a ‘serious risk to national security’. In their unanimous decision, the Supreme Court justices stated that there was no need to demonstrate how a particular refugee posed a specific threat or to reveal to that person the ‘sensitive information’ used to come to this conclusion, thereby giving the state new, arbitrary powers of deportation. This was widely portrayed as the Court putting into law broad public opinion that tougher border controls were necessary for the defence of the ‘nation’ post-9/11. To date in Canada, those who have been detained and threatened with deportation to places where they will likely face torture or execution have all been non-White men.

In March 2002, again under the rubric of the war on terror, Canada and the US agreed to deploy joint customs teams to screen shipping containers at ports in Canada, thereby extending the reach of the state’s border controls.7 A few months later, in June 2002, the first major overhaul of the Immigration Act since 1977 was passed. Provisions of the erroneously titled Canadian Immigration and Refugee Protection Act (IRPA) include: increased money, resources and international cooperation on interdiction (that is, preventing people from ever reaching Canada and being able to apply for refugee status); an expansion of the powers of detention (for example, automatic detention for anyone arriving with the aid of smugglers); the possibility of life sentences to those convicted of smuggling people into Canada, even if they were motivated by humanitarian concerns; denying people convicted of ‘serious’ crimes or association with ‘criminals’ from making claims for refugee or immigration status; absence of legislative definition for the terms ‘terrorism’, ‘membership in a terrorist organization’ and ‘security of Canada’, leaving refugees and immigrants susceptible to unprincipled, arbitrary and even unconstitutional decision making; creation of a

7 Also in March 2002, the Canadian Supreme Court entrenched discrimination against those who had become permanent residents in Canada by ruling that they can be legally denied work in the public service because of their lack of citizenship.
permanent resident card which allows the government to more closely monitor, track and deport permanent residents; creation of 'new inadmissibility clauses' which will effectively bar those who, for whatever reason, misrepresented their situation in their immigration application and, increased power of the government to deport those with permanent residence status.

Just prior to the passing of the IRPA, in April 2002, the Canadian government decided to 'delay' indefinitely that part of the Bill that would have ensured an appeal process for refugee claimants in this new Act. Currently, then, failed refugee claimants, judged solely by a lone refugee board member, have no access to an appeal on the merits of their case. That same month, in another blow to the rights of refugee claimants, Canada and the US jointly signed a so-called Safe Third Country Agreement that would deny due process to thousands of refugee claimants. Implemented in November 2004, anyone applying for asylum at the Canadian border, who had travelled through the US, is now automatically turned back to the US where they will likely be jailed and/or have their claim rejected.

Later that fall, on October 31, 2002, a new citizenship Bill (C-18) was tabled in the House of Commons. The rationale for the bill was to 'reassert the rights and freedoms of Canadians and reinforce the responsibilities associated with being Canadian and the importance of a strong commitment to Canada' (CIC, 2002). Although never passed (a federal election was called before it came to a final vote), Bill C-18 allowed the government to publicly question the 'loyalty' of permanent residents by 'changing the oath of citizenship to include a direct expression of loyalty...' (CIC, 2002). If passed, Bill C-18 would have allowed the government to more easily revoke a person's naturalized citizenship. Bill C-18 would also allow the government to refuse citizenship on the grounds that 'a person demonstrate[d] a flagrant disregard for Canadian values', thereby not only reifying 'Canadian society' but also distancing Canada from societies with supposedly less enlightened 'values'. If a bill similar to this one were to pass (as is expected), significant differences amongst citizens born in Canada and those born elsewhere, such as the ease by which their citizenship status could be stripped, would be further entrenched into law.

During this legislative fury, the Canada-US border became increasingly militarized. Immediately after 9/11, armed US National Guard soldiers were positioned across the US side of the border and plans were announced to allow Canadian armed troops to patrol the Canadian side. In April 2002, a new US military zone stretching from the Arctic to Mexico was created. Called the Northern Command, its head was empowered to deploy armed troops, tanks, warships and combat aircraft in defence of 'our' borders.

Together, these changes in citizenship and immigration policy, along with the heightened attention paid to border controls, are a significant aspect of the Canadian state's support for the war on terror. In the 'camouflaged politics' of the war on terror where immigration controls and border checks are seen as protecting the nation, such measures hide from view the fact that border controls are largely ideological. As processes of displacement have only increased post-9/11, the lives of migrants moving away from war zones, poverty, dispossession and displacement and towards their hopes for new homes and livelihoods, have been made more vulnerable to every sort of abuse in the nationalized spaces they move to. Their border crossings are now more fraught with danger (Fekete, 2003; Neivins, 2002). Named as potential terrorists if they fit a certain racialized profile, their experiences of homelessness are more profound. Is there less terror in the world as a result of these border panics? Hardly. From the standpoint of those migrants made into 'temporary' or 'illegal' people in the national states in the Global North, there is much, much more.

Conclusion

Let me return to the questions posed by Alexander and Mohanty: 'what kinds of transformative practices are needed in order to develop nonhegemonic selves? Are these practices commensurate with current feminist organizational struggles for decolonization?' (1997, p. xviii). As it is the 'dangerous foreigner' who is the central antagonist in the unfolding drama over 'homeland security', it is necessary that feminists challenge the on-going power of national borders as sites of legal-juridical power and as zones of 'natural' belonging. Have we been doing that? In my estimation, many of us have not.

Although anti-racism is an acknowledged plank in many (but not all) anti-war organizations and coalitions, it remains marginal both to the understanding of the causes of this war as well as to the demands that are articulated. In Canada, the broad anti-war movements have not addressed many of the consequences of the war on terror on the lives of non-Whites. Instead, state practices targeting non-Whites, such as immigration controls, the detention (often without charges and trials) of non-citizens, raids on the homes and workplaces of undocumented people and so on, have largely been taken up by small, relatively marginalized groups within Canada. Moreover, anti-racism has been relegated to the sidelines of the broader anti-war groups: an activist version of media 'human interest stories' used to illustrate the brutality of war instead of how integral it is to its execution. Even then, many of these real human tragedies have been centred on non-Whites with citizenship status, such as Maher Arar (Wright, 2004; see also Rygili, Ch. 7).

The failure to account for the integral relationship of racism to the war on terror is a result of the refusal to question the global constitution of nationalized identities. In short, racism is not questioned because nationalism is not. Let me explain: the dominant analysis of the problem of imperialism is that discrete and distinct 'nations' are ruled over by 'foreigners', namely 'foreign' corporations. Such a perception allows for only one possible 'solution': each separate 'nation' ought to have 'sovereignty' (and its 'own' capitalists). A slogan typifying this position was recently seen at an anti-war demonstration in Toronto, Canada: 'Iraq for the Iraqis' (Wright, 2004).

The problem with such an analysis, and the political positions and on-the-ground strategies that flow from it, is that from the standpoint of 'unwanted' migrants,
adherence to the myth of discrete ‘national communities’, each with its own ‘right’ to ‘sovereignty’, fails to account for the discrimination faced by those who are not, ideologically and/or legally, members of a said ‘nation’. Clearly, as with all other national states, the formation of the national state of Iraq occurred through global processes of colonial, capitalist, patriarchal and racist social relations (Ali, 2002). Many who find themselves in ‘Iraq’ are not considered members of that national ‘society’. Moreover, many do not wish to be. This is no different than the situation within ‘Canada’, or the ‘USA’ or ‘India’ or ‘France’, the list is as long as the roster of present and aspiring members of the United Nations. If feminists are uncomfortable with the idea of ‘Canada for Canadians’ (admittedly a big if), for the obvious reasons of Canada being formed at the expense of diverse indigenous groups, slaves, indentured workers and immigrants, why is this less obvious to us in the case of Iraq or any other national state in the world?

Any struggle against imperialism that fails to take into account the fact that each and every national identity was borne of violent contestation and that in each case, from George Washington to Simon Bolivar to Mohandas Ghandi on, the struggle was won by elites at the expense of everybody else, misses some very key features of global capitalism and the equally global system of national states. The continued hegemonic belief that if only We, the ‘people’, could elect (or otherwise put into place) the ‘proper representatives’, we would finally realize liberty, has led to the denial of the deep ties between not only the ‘money and the military’ but between capital, state and national identity.

In trying to understand, and challenge, the contemporary, postmodern expansion of capitalist globalization, those struggling for social justice need to pay attention to the significance not only of racist practices but also nationalist ones. This would help us uncover the territorial dimension of moral panics concerning citizenship and (im)migration. We need to question and transform ideological renderings of space where only members of the ‘nation’ (with all of the historically racialized, gendered and sexualized criteria for ‘belonging’) are able to claim managerial rights over what happens there. Relationships shaped by such spatial politics are those of apartheid: each culture in its place or, perhaps most precisely, each Othered culture kept in its place while dominant ones traverse all manufactured borders. In other words, we need to challenge the war on terror.

In the ‘cultural fundamentalism’ of this war, it should not come as any surprise that the difference amongst ‘nationals’ and ‘immigrants’ is the most naturalized (Stolcke, 1995, p. 5). This is because the very mobility of negatively racialized migrants calls into question the segmentation of the world into discrete, demarcated zones of natural ‘belonging’. They threaten not only the physical boundaries of the ‘nation’ but challenge its very existence in time and space. Indeed, Nora Rathel notes that ‘unwanted’ migrants are threatening precisely because they, ‘make our taken-for-granted identities visible as specific identities and deprive them of their assumed naturalness’, hence, ‘once we start thinking about them, becoming aware of them, we cannot feel “at home” any more’ (1994, p. 91). For this reason, the mobility of Others is (mis)represented as ‘...a basic form of disorder and chaos – constantly defined as transgression and trespass’ (Cresswell, 1996, p. 87).

In struggling to realize our non-hegemonic identities, we need to seriously and sincerely consider the distinction between imposed identities that contribute to exploitative and harmful relationships and those identities that hold the potential to transform existing hierarchical relationships. How can we begin the process of de-colonization instead of issuing more demands for stronger forms of national sovereignty? For a start, we need to do much more than ‘confront’ the state or build a ‘different kind of state’ as some would encourage us to do (see, Canadian Dimension, 2003). Instead, we need to engage in practices of refusal (Foucault, 1991). We need to reject the global capitalist model of national states and give serious thought to how to live with each other on the basis of equality, in the absence of exploitation and with ecological integrity. We need to acknowledge that there is indeed something inherently negative about nationalism and it is this: nationalism demands of the global community of diverse human beings the forfeiting of their power and self-determination to some (always) elite group of national state representatives (Hardt and Negri, 2000; Linebaugh and Rediker, 2000).

The call to de-nationalize our imaginations and our geographies is not as wholly utopic as some ‘realists’ claim. Instead, it fuels some of the most creative, radical and re-constructive social movements the world over: the growing and diverse No Borders movements with their revolutionary, anti-nationalist declaration that ‘No One is Illegal’. A demand for No Borders is based on re-organizing human relationships so that the state is no longer one of the main arbiters of life on the planet. Far from abandoning those whose lives depend on various state processes (which in the present historical juncture is almost everyone), No Borders movements tend to share a belief in the need to re-organize human collectivities on the basis of self-sustaining (as opposed to parasitic) modes of production and conduct and always-fluid modes of membership. Such movements are the inheritors of the radical, internationalist stance of a century and more ago, the true meaning of which is transnationalism, that is, not the solidarity amongst nations but a rejection of the global system of nation states.8

Working within this framework, No Borders movements have developed an integrated politics that calls for an end to displacement worldwide and for the unrestricted movement of people. No Borders activists have increased the level of sophistication of analysis and practice within anti-capitalist movements and created the possibility of struggles that are stronger precisely because of their recognition that nationalist practices have enabled the organization of global apartheid. This is

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8 Anti-nationalist movements, intent on resisting nationalized identities existed prior to the nineteenth century. In the turbulent period of initial national state formation in the seventeenth century, many groups, such as the Diggers, initially rejected, quite forcefully, the imposition of a ‘national’ identity, for this was seen as a way of ensuring their subjugation to a new set of rulers, namely Parliament (see Chan and Sharma, 2004; Linebaugh and Rediker, 2000).
something that the traditional Left-nationalist politics has been unable or unwilling to acknowledge.

In today's world where there is a growing level of displacement and international migration, we desperately need to trouble and unsettle nationalized imaginations and the global capitalist relationships that organize them. This calls for new 'social bodies' that are not founded on any of the prevailing myths that sustain the current World Order: social bodies that can create and carry out a real alternative to the way social relations among us are currently arranged (see Hardt and Negri, 2000). Such bodies would not be based on imposed identities organized through binaries of nation, 'race', gender and sexuality but upon radically diverse ways of organizing life across this planet.

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