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In October 2010, the British media and a facebook campaign with more than a quarter of a million subscribers almost univocally pleaded with the authorities to show compassion towards Gamu Nhengu, an 18-year-old Zimbabwean immigrant from Clackmannanshire, Scotland, facing imminent deportation. Gamu Nhengu came to Britain eight years earlier with her two brothers on their mother's student visa, and she was asked to leave the country by the Home Office due to an "administrative error" in their mother's latest visa application (BBC 2010).¹ That the British press should rally in support of an African 'illegal' living in Britain is a strange and surprising rarity. It is thoroughly at odds with the fact that the same organs which now offered a relatively benevolent review of a single immigrant's case have habitually busied themselves with fostering an unprecedented moral panic throughout the first decade of the 21st century. While the *Daily Mail*, for instance, has always taken a hostile view on asylum and illegal immigration since its founding in 1890, it has dramatically raised its game since around 2000 when, as a *Reader's Digest* research revealed, it published more than 200 stories about asylum seekers 'swamping' Britain within a period of only 10 months (a modest number, still, compared to the *Daily Express* which contributed to the same hysteria with more than 600 pieces in the same period, cf. Bouquet and Moller 2000: 64-65, Kushner 2003: 258). As Tony Kushner is careful to point out, though, the offset of an intense "asylum-seeker phobia" which marks the turn of the millennium cannot exclusively be blamed on a top down government and media campaign. Rather, it at best reinforced – rather than created – existing antipathy towards asylum seekers. Referring to data collected in summer 2000 by the social

anthropological organisation Mass-Observation (which prides itself in the relative ‘independence’ of its volunteer members), he notes “how many of the Mass-Observers in the sample not only refused to challenge media images of asylum-seekers as bogus, undeserving and a menace, but enclosed clippings from papers such as the *Daily Mail* to reinforce their arguments” (Kushner 2003: 259). The sheer size of the rampant hysteria may be documented by the fact that according to a MORI research on *Attitudes towards Asylum Seekers and Refugees* conducted in 2002, the British on average assumed that around one quarter of the world’s asylum seekers are in Britain (whereas in fact it is less than 2 %, cf. MORI 2003), and there is very little reason to assume that the moral panic has decreased ever since (cf. Dauvergne 2008).

So what are Gamu Nhengu’s credentials that made her case so much different from all those thousands of other cases of human illegality and deserving of British compassion? What made her case special, quite simply, is that she had the X-Factor. As a reasonably good singer with a good story, she ran as a contestant in the seventh series of Simon Cowell’s extremely successful ITV casting show *The X-Factor* and was seen as an early favourite, only to be axed just before the live studio finals by judge Cheryl Cole, who was allegedly instructed to do so by the producers because of the singer’s unclear visa status. It was a highly mediatised ‘double stroke’, therefore, which called up a compassionate public, clearly mattering in fateful combination (and reverse order of importance): what touched the British was the pending deportation to Robert Mugabe’s Zimbabwe of an 18-year old woman who would face, in her own account, ‘a firing squad’ back home (her father apparently died in mysterious circumstances as a government critic); what really touched the British, however, was a young woman not only barred from political refuge, but from the universal right of becoming a pop star by the hands of a corrupt TV jury, against the support of hundreds of thousands of fans.

The pressure of the public consequently had an effect on the legal proceedings in Gamu Nhengu's case. The politics of these proceedings significantly shifted from Home Office statements that the denial of a visa renewal is final with no right to appeal in October 2010 to granting another appeal date on the 26 of November, only to state on the very day that due to 'technical problems' the entire case will be reconsidered and a "fresh decision will be made in due course" (Doyle and Bruce 2010). With this reprieve, the Home Office went considerably out of its way as laid down, for instance, in the pathbreaking 1998 government white paper *Faster – Fairer – Firmer* (Home Department 1998) and otherwise relentlessly pursued in immigration matters. The white paper set a political programme which, among other things, severely limits the right to appeal, drastically cuts down the length of legal proceedings and thereby the opportunity to prove political persecution, and dramatically increases measures of border control and detention. Britain, like almost all industrialised countries across the globe, has in this sense been engaged in a thorough crackdown on extralegal migration since the early 1990s and adapted its migration laws in such a way that political asylum is ever increasingly difficult to obtain. These moves strikingly go along with a political rhetoric which has progressively displaced the legitimate figure of the 'refugee' with that of the more dubious 'asylum seeker' and, more recently, that of the thoroughly illegitimate 'illegal migrant' or 'illegal alien', even while talk about general human rights increases. In accordance with the rest of the economic North, Britain has thus dramatically 'illegalised' a large share of its migrant population by progressively excluding them from the state and the law.²

In the following, I wish to more systematically discuss the systematic production of human illegality as a case study of the conceptual ambiguities of a *politics of passion*. Clearly, the public and collective quality of passion matters in at least two different forms in view of the more general scenario I have drawn in this introduction, and in the single case of

Gamu Nhengu in particular. On the one hand, a politics of passion clearly reverberates in the uncanny success of Britain's demonisation of the figure of the illegal migrant in government rhetoric and media campaigns, and in the sustained moral panic they managed to unleash over the past decade. On the other hand, another politics is equally at play when in individual scenarios – such as in the spectacular case of Gamu Nhengu – the resentment against illegals is overruled by another passionate impulse, namely a collective empathy with single individuals. I would like to locate this empathy in the concept of 'compassion'. What interests me in particular in the following, then, is the specific conceptual relationship between passion, compassion, and a possibly emancipatory politics in the context of illegality and asylum.

I will begin discussing these issues by first tracing the conceptual relationship between compassion and politics in political theory. The most important contribution, here, is Hannah Arendt's adamant dismissal of compassion in her work *On Revolution*, which will lead me to the location of compassion in Giorgio Agamben's *Homo Sacer*. I wish to show that in a striking fashion, both Arendt and Agamben argue – on slightly different grounds and in very different contexts – that compassion is ultimately incompatible with emancipatory politics. The arguments of both writers, however, remain rooted in a largely national and Eurocentric framework, while in a globalised world exclusion in the name of state sovereignty must inevitably be understood in global and transnational terms. I will in a third step therefore briefly turn to the insights of legal scholar Catherine Dauvergne on the global state of migration and law, before concluding with some speculations about future scenarios regarding illegality, politics, and the role and function of (com)passion.

Hannah Arendt: Can the Compassionate Speak?

Let me begin with the term ‘compassion’, then. According to the moral philosopher Lawrence Blum,

[c]ompassion is not a simple feeling-state but a complex emotional attitude toward another, characteristically involving imaginative dwelling on the condition of the other person, an active regard for his good, a view of him as a fellow human being, and emotional response of a certain degree of intensity. (Blum 1994: 175)

Two aspects are striking in this definition: first, that compassion is predicated on the capacity of imagination. Second, and more crucially in this context, that compassion is rooted in the conception of humanity as an anthropological given which apparently antecedes the social and political. Thus Blum writes:

Because compassion involves a sense of shared humanity, it promotes the *experience* of equality, even when accompanied by an acknowledgement of actual social inequality. Compassion forbids regarding *social* inequality as establishing *human* inequality. (ibid. 178, the italics in ‘experience’ are Blum’s)

Blum sees compassion as a positive, emancipatory, and life-affirming force on these grounds, and distinguishes it from pity, which resonates with the Nietzschean dismissal of ‘Mitleid’ as life-negating (Blum argues that Nietzsche’s argument suffers precisely from the linguistic conflation of pity and compassion in the German word ‘Mitleid’).

In political philosophy, however, compassion gets off far less lightly, and particularly so in the writings of Hannah Arendt. Arendt's most detailed discussion of compassion's relation to the political is to be found in her 1963 work *On Revolution*, where she conceptually introduces the term in a reading of Melville's *Billy Budd* only to fundamentally associate it, in a rather dramatic sweep, with the failure of the French revolution in the hands of Robespierre. Arendt's core argument in this context is that compassion exists outside of verbal language: "Passion and compassion are not speechless," she writes, "but their language consists in gestures and expressions of countenance rather than in words" (Arendt 1991: 86). This is crucial for her, because compassion thus also exists outside of legal and political discourses which are predicated on verbal communication: like Billy Budd in front of Captain Vere, compassion cannot speak rationally, and must therefore ultimately resort to violence. Arendt concludes:

compassion [...] is directed solely, and with passionate intensity, towards suffering man himself; compassion speaks only to the extent that it has to reply directly to the sheer expressionist sound and gestures through which suffering becomes audible and visible in the world. As a rule, it is not compassion which sets out to change worldly conditions in order to ease human suffering, but if it does, it will shun the drawn-out wearisome process of persuasion, negotiation, and compromise, which are the processes of law and politics, and lend its voice to the suffering itself, which must claim for swift and direct action, that is, for action with the means of violence. (ibid. 86-87)

In the specific context of the French revolution, it was Robespierre's advocacy of 'natural' compassion with the starved poor – rather than 'rational' solidarity – which for Arendt

betrayed the revolutionary ideals of freedom. Solidarity, for Arendt, “partakes of reason, and hence of generality, it is able to comprehend a multitude conceptually” (ibid. 88). Compassion, in contrast, corresponds to the Heglian category of ‘necessity’. Hegel’s proclamation of the “famous dialectics of freedom and necessity in which both eventually coincide”, Arendt argues, is directly informed by the events of the French revolution, and she memorably goes on to denounce his dialectics as “perhaps the most terrible and, humanly speaking, least bearable paradox in the whole body of modern thought” (ibid. 55).

What is just as vital for the purpose of my argument here, however, is the clear resonance of the Aristotelian distinction of ‘zoë’ or ‘bare life’ and ‘bios’ or ‘qualified life’ in Arendt’s approach. Obviously, for Arendt, compassion relates exclusively to bare life, to mere physical existence or, in her own words, “suffering man himself,” yet leaves qualified life and the polis untouched. This leads directly to Giorgio Agamben, of course, who heavily draws on other sections of Arendt’s work, and brings us closer to the pervasive production of human illegality in the economic North.

Giorgio Agamben: Compassion and the Production of Bare Life

Agamben’s argument does not simply follow Arendt in her claims that the confusion of compassion and politics inevitably leads to violence. He does argue, though, that a ‘politics of compassion’ is ultimately complicit with an encompassing biopolitical practice which has characterised the rise of modern democracy and ultimately led to its “gradual convergence with totalitarian states” (Agamben 1997: 10). Agamben grounds his central argument on the observation that from the beginning, both democratic and totalitarian states have systematically excluded groups of people from the protection of society and the law, and thus reduced them to “bare life.” Referring to a figure in ancient Roman law, he famously calls

these people “*homine sacri*,” human beings “*who may be killed and yet not sacrificed*,” and insists that the “*production of a biopolitical body is the original activity of sovereign power*” (ibid. 8, 6, italics in the original).

In Agamben’s political philosophy, *homine sacri* hold a paradoxical position, as they are both excluded, yet through this very act of exclusion also paradoxically included into the polis. The core twist of argument, here, lies in the fact that the production of human illegality is predicated on a parallel political structure in which the law is effectively suspended, yet negatively confirmed in its very existence by the possibility of absence. Agamben’s major reference, in this context, is the most influential political theorist of the Weimar Republic next Walter Benjamin, Carl Schmitt, who in his 1922 work *Politische Theologie* famously defined that “Sovereign is he who decides on the stage of exception” (cf. Schmitt 1922, qtd. in Agamben 1997: 11). Not unlike Arendt, Agamben thus argues that modern democracies suffer precisely from grounding their legitimacy in an inevitable dialectics which ultimately leads to the conflation of law (freedom) and fact (necessity). Yet he goes further in arguing that under the guise of necessity, sovereign states not only abuse, but in fact actively *create* ‘bare life’ as their indispensable ‘Other’ against which legitimacy can be negatively defined and acted out. The crisis of democracy in the 21st century as evidenced, for instance, in the legal status of Guantanamo or the states of emergency decreed in Italy over the Mediterranean refugee crisis, can therefore only be solved, Agamben would argue, by devising a “completely new politics – that is, a politics no longer founded on the *exceptio* of bare life” (Agamben 1997: 11).

Unfortunately, Agamben offers little practical advice as to what such a politics could look like more specifically. He is very explicit, however, about the fact that a ‘politics of compassion’ is precisely not what is needed. He discusses this in the context of “[t]he separation of humanitarianism and politics [...] today” which he considers as the “extreme

phase of the separation of the rights of man from the rights of the citizen” (ibid. 133). Let me quote Agamben at some length here, who writes with reference to publicity campaigns gathering funds for refugees from Rwanda in the 1990s:

humanitarian organisations can only grasp human life in the figure of bare or sacred life, and therefore, despite themselves, maintain a secret solidarity with the very powers they ought to fight. [H]ere, human life is exclusively considered [...] as sacred life – which is to say life that can be killed but not sacrificed – and only as such is it made into the object of aid and protection. The “imploring eyes” of the Rwandan child, whose photograph is shown to obtain money but who “is now becoming more and more difficult to find alive,” may well be the most telling contemporary cipher of the bare life that humanitarian organizations, in perfect symmetry with state power, need. A humanitarianism separated from politics cannot fail to reproduce the isolation of sacred life at the basis of sovereignty [...] (ibid. 133-34).

A ‘politics of compassion’, in this sense, constitutes nothing less than an oxymoron for Agamben. While compassion obsessively recirculates images of “suffering man himself,” it is ‘political’ only insofar as it complies with a pervasive biopolitical regime. In other words, and reframed in view of the figure of the refugee: a politics of passion which operates exclusively with the category of bare life, and by definition separates it from the demands of the social and political, is doomed to repeat the original sin of modern democracy, and does nothing to redeem the structural problem of human illegality today; instead, it is complicit with the production of *homine sacri* across the globe. If in Blum’s definition, “[c]ompassion forbids regarding *social* inequality as establishing *human* inequality,” it is precisely the separation of the ‘social’ from the ‘human’ which proves fatal. Refugees must not be sacrificed;

compassion asks us accept their humanity and ‘feel’ with them. But at the same time, compassion comfortably alleviates us from taking on any legal or political responsibility for their violent deaths. We may kill, but not (morally) sacrifice them.³

Catherine Dauvergne: Globality, Sovereignty and Compassionate Exclusion

While not doubting the basic validity of this conclusion, I wish to argue that Agamben’s placement of the figure of the refugee in our globalised modernity still requires additional qualification. Arguably, Agamben’s work, which is thoroughly grounded in the tradition of European political philosophy and focuses on the convergence of democratic and totalitarian regimes in the Western world (and their empires), tends to take a relatively undifferentiated take on the political economy of globalisation. There is good reason to suggest, however, that it is this economy which more than anything else informs the fate of millions of illegals today. Let us briefly linger with one of Agamben’s most famous and often-quoted statements: “In the context of the inexorable decline of the nation-state and the general corrosion of traditional legal-political categories, the refugee is perhaps the only imaginable figure of the people in our day” (Agamben 1995: 14). What is problematic, here, is not only the dubious overextension, building on Schmitt and Foucault, of the figure of the refugee into a *conditio humana* (which has been passionately challenged elsewhere, cf. eg. Owens 2009). Agamben’s vision more crucially, perhaps, fails to take account of the fact that empirical research into globalisation, migration and the law suggests anything but the corrosion of the nation-state and the rule of (domestic) law, precisely where the figure of the refugee is concerned.

It is helpful to turn to the work of legal scholar Catherine Dauvergne in this context, whose analyses of migration, globalisation and the law closely tie in with and expand Agamben’s basic philosophical tenets in a more thoroughly transnational framework.⁴ Like

Agamben, she attests a thrust towards global convergence, not only in view of the flows of people, capital, goods and ideas which pose a threat to the sovereignty of the modern nation-state, yet also in view of certain corresponding fields of law, most notably economic law and a global human rights regime. At the same time, however, she emphasises how “[m]igration laws have become a site of contestation, in which nations inscribe their resistance to human rights norms and global convergence trends.” Dauvergne’s work thus crucially builds on the insight that “[i]n contemporary globalizing times migration laws and their enforcement are increasingly understood as the last bastion of sovereignty” (Dauvergne, 2008: 7, 2). Traditional sovereignty based on a politics of strategic exclusion can in this sense no longer be thought in isolation, yet is intricately linked to a global and transnational regime which paradoxically sustains the nation-state:

Th[e] desirability [of prosperous Western nation-states] as destinations for extralegal migrants functions as a measure of their status and standing as nations. While globalization may bring some characteristics of the nation under threat, it also allows the exclusion that is essential to the existence of nations to expand. National actions designed to assert traditional sovereignty also contribute to a globalizing of sovereignty in this new way. (ibid. 18)

The structural parallels to Agamben’s views on the complicity between sovereignty and the production of bare life are difficult to miss. As Dauvergne manages to convincingly show in a range of national and transnational case studies, the pressures of economic globalisation on nation-states have manifestly aggravated, and in many ways contributed to the making of an estimated 50 million illegals across the globe. Seen from this angle, the figure of the refugee – or in the rhetoric of the West, the illegal migrant or alien – figures less as a threat to national

security or sovereignty (the role in which he is habitually cast in government and media campaigns), but stars as the indispensable last Other standing. In other words, modern nation-states depend on creating human illegality, and they do so in the tradition that Arendt and Agamben decry, by progressively conflating freedom and necessity, law and fact: “Typically, the content of migration law,” Dauvergne writes, “– especially the most important parts for determining who will be admitted and who will not – is easily and frequently altered. As the label ‘illegal’ has no content aside from being against the law, it accommodates similarly frequent changes” (ibid.).

Still, linking the problem of human illegality exclusively to the problem of sovereignty and Western policy makers would again simplify a more complex and more global dynamics. Dauvergne thus intriguingly assesses that the thrust towards a structural separation between human rights and political rights not only pervades the rhetoric and legal practice of first world nations, but also structures the most promising transnational emancipatory endeavours for migrants across the globe. A case in point is the Migrant Workers Convention,⁵ which is hailed by some of the foremost globalisation scholars such as Saskia Sassen as “one of the most important documents seeking to protect the right of migrants” (Sassen 1996: 94) as it allegedly works towards reducing the importance of citizenship in questions of human entitlement. In a detailed analysis, however, Dauvergne exemplarily demonstrates how the Convention in fact deepens rather than redeems the pervasive split between bare and qualified life. Thus, the Convention explicitly excludes refugees and stateless persons from its agenda; it defines a range of manifest social and political rights only for authorised migrant workers (Part III) while rights for “nondocumented” workers (Part IV) merely reformulate a loose commitment to human rights such as the right to life (Article 9), freedom from torture (Article 10), freedom from slavery (Article 11), or freedom of thought and religion (Article 12). In this way, argues Dauvergne, the Migrant Workers Convention only serves to “broaden the gap

between legal and illegal workers” and confirms the “reciprocal relationship” between illegality and sovereignty.⁶ “The law,” she concludes, “is a necessary site for the construction of illegality, but is much less apt for remedying it” (Dauvergne 2008: 27).

Thinking Beyond Politics or Thinking Beyond Passion?

How may the pervasive production of human illegality be overcome, then? Dauvergne and Agamben agree that the ultimate key lies in thinking beyond sovereignty. Dauvergne concludes that “[a]s sovereignty is the uncontested barrier to meaningful, far-reaching reform in this area, efforts to think beyond it, and without it, are vital” (ibid. 190). Agamben’s ‘coming community’, in turn, rests on a very similar premise. He argues that

until the process of the dissolution of the nation-state and its sovereignty has come to an end, the refugee is the sole category in which it is possible today to perceive the forms and limits of a political community to come. Indeed, it may be that if we want to be equal to the absolutely novel tasks that face us, we will have to abandon without misgivings the basic concepts in which we have represented political subjects up to now (man and citizen with their rights, but also the sovereign people, the worker, etc.) and to reconstruct our political philosophy beginning with this unique figure. (Agamben 1995, 114-15)

Agamben’s vision of a world without the rule of law in which the human essentials of bare life universally sublate the validity of political subjectivity, of course, borders on the utopian and is nowhere near in sight at the moment – and it may not even be as desirable as Agamben sees it. It is clearly at odds, at least, with Hannah Arendt’s passionate argument against

(prediscursive and, for her, ultimately violent) (com)passion in favour of solidarity as a decidedly political category which invests in the vitality of (legal) language and transnational rationality. In other words, while pinpointing the same dilemma of a fundamental division of bare life and qualified life in the political culture of modernity, Agamben and Arendt's visions of a possible solution go very much opposite ways (cf. Owens 2009).

To make things worse, Western political regimes have already begun to treat illegal migration by thoroughly instrumentalising compassion in the name of sovereignty: Didier Fassin (2006), for instance, explicitly contests Agamben's claims about a categorical separation between humanitarianism (catering to compassion as a human universal) and politics (regulating the specificities of civil life), drawing on anthropological research in France. Fassin's more recent investigation into the actual fates of refugees and the political processes which affect their lives reveals that indeed, French authorities have dramatically reduced opportunities of asylum in cases of political persecution; in exchange, however, refuge is granted in steadily increasing numbers where asylum seekers can prove to suffer from ailments which cannot be adequately treated in their respective home countries. This political practice is intriguing, as it presents both a logical continuation of the political exclusion of 'bare life', but also an escalation in which bare life and politics become in a way indistinguishable. Fassin thus argues against Agamben that: "If the refugees occupy a crucial space in the biopolitics of Europe today, their collective treatment does not rest on the separation of the 'humanitarian' from the 'political,' but on the increasing confusion between the two [...]" (Fassin 2006: 216). As he is able to demonstrate, sympathetic French doctors have begun to no longer attest marks of physical or psychological violence on the migrant's body, but instead look out for serious and rare diseases which directly appeal to a politics of compassion. Refugee Council workers and lawyers tend to no longer present cases of political persecution, but of critical health conditions. In a more optimistic reading, a "politics of

compassion” may thus be less an oxymoron than a path towards political action which beats the systemic production of biopolitical bodies at its own game. Yet obviously, by playing along with a global regime which disavows global solidarity on legal and political terms, it also comes at the cost of deepening the original split between bare and qualified life; it remains, as Agamben puts it, “imprisoned and immobile, and [...] life will be given citizenship only either through blood and death or in the perfect senselessness to which the society of spectacle condemns it” (Agamben 1998: 11).

Which part does Gamu Nhengu play in all this, who for a few weeks in October 2010 managed to draw the British public’s attention to the problem of human illegality without feeding into the familiar moral panic about uncontrollable flows of aliens ‘swamping’ the British isles? According to legal precedence, her status of illegality can be overruled only on the grounds that she is of outstanding “value to the community” (Wagner 2010) – and indeed, at the time of writing her case seems to have been resolved, as her appeal against deportation succeeded on precisely these grounds in May 2011 (Press Association 2011). Such “value to the community,” of course, is conveniently severed from any transnational political obligation; it is open to very flexible interpretation; and in Gamu Nhengu’s case perhaps more so than in any other before, it is indeed at mercy of precisely the “society of spectacle” which Agamben decries. In other words, it is very unlikely that any larger movement of political solidarity with illegals has emerged from the highly mediated public compassion with a singular young woman. Rather, the prospects of Gamu Nhengu’s individual case rested almost exclusively on the question whether she managed to keep the public’s attention for as long as her legal case was pending. She was probably lucky, then, that the Christmas single she released in December, titled “Where will you sleep this Christmas?” found at least some support among British fans and hit no. 13 in the UK independent charts. However: while the song probably helped Gamu Nhengu in the way of social spectacle, and while it may have

helped others through funds that went to a collaborating Scottish children's charity, its plea for compassion at best made no political difference; at worst, it further deepened the divide between those of us who live lives legally, and those who do not.

Notes

¹ Tabloids such as *The Sun* instead preferred to report that she wrongly claimed 16.000 pounds in state benefits (Collins 2010).

² According to a report by the Greater London Authority supported by research conducted at the London School of Economics, London alone hosts an estimate of 420.000 illegal migrants (Greater London Authority 2009).

³ The short "Foreword" to then Home Office Secretary David Blunkett's 2002 white paper *Secure Borders, Safe Haven: Integration with Diversity in Modern Britain*, the second white paper on matters of immigration under Tony Blair's Labour government, may serve as an example of biopolitical discourse that is expressive of Agamben's aporia of life that may be killed but not sacrificed. The opening paragraph reads:

There is nothing more controversial, and yet more *natural*, than men and women from across the world seeking a better life for themselves and their families. Ease of communication and of transportation have transformed the time it takes to move across the globe. This ease of movement has broken down traditional boundaries. Yet the historic causes of *homelessness, hunger or fear* – conflict, war and persecution – have not disappeared. That is why *economic migration* and the seeking of asylum are as prevalent *today* as they have been at times of historic trauma. (Blunkett 2002, my italics and underlines)

Already in the very first sentence, Blunkett introduces an adversative “and yet” structure which runs through the rest of the argument. Thus illegal immigration is “natural” from a compassionate perspective which caters to the deprivations of “bare life” – and yet, it is “controversial” at the very moment it poses a political problem. A deliberate grammatical effort has been taken to keep these perspectives further apart. In the fourth sentence, a list of causes for migration including “homelessness, hunger or fear” is kept apart by a dash from another list including “conflict, war and persecution.” The first evidently falls within the field of compassion and humanitarian concern: home, food and personal safety are carefully separated from terms such as “war,” “conflict” and “persecution,” from which *civil* and *political* rights could be deduced (While a dominant reading may suggest that Blunkett intends a causal relation between both lists, the adversarial overall structure of the paragraph suggest an *additive* interpretation, in the sense of “the historic causes of homelessness, hunger or fear – [as much as of] conflict, war and persecution”). In the final sentence, Blunkett then elegantly introduces a division between economic migration, which is, in a chiasmic twist, associated with the word “today,” and “asylum,” which is in turn associated with “historic trauma.”

Blunkett’s opening thus accumulates two separate fields of reference, one surrounding the term “economic migration” which is “natural” and rather prevalent “today,” marked by the humanitarian problem of “homelessness, hunger, or fear”; the other surrounding the “seeking of asylum,” which is “controversial” and legitimately linked rather to “historic trauma,” marked by true “conflict, war, and persecution.” What is hidden between the lines, then, is roughly this: there were times of historic trauma – read, the World Wars – in which asylum was a legitimate political issue in a situation when war, conflict and persecution affected the very heart of Europe and not least Britain itself. It is out of this context that the Geneva Convention resulted, which the British State respects. But times are different today.

In the age of economic globalisation, what we witness is predominantly economic migration in a world order for which we cannot and do not take up responsibility. While it is our duty to feel compassion for all the people coming to our shores (we cannot morally sacrifice them), no political claims can come out of their passage (we have no legal responsibilities to their lives).

⁴ Ironically despite the fact that she apparently misreads his work: when she writes that: “Drawing on Agamben, we can say here that the contemporary trend toward making people illegal counters the modern move toward giving bare life a place in the political sphere. Illegality is exclusion from that sphere, to a status diminished even beyond bare life” (Dauvergne 2008: 28), she obviously misses the central twist in Agamben’s argument that the inclusion of bare life is precisely predicated on a strategic *exclusion* in the name of sovereignty.

⁵ Migrant Workers Convention is short for the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Signed on in 1990 by the United Nations, it came into force only in 2003 when the threshold of 20 ratifying states was reached. No Western migrant-receiving state has ratified the convention to this date.

⁶ Not only does the convention withhold political rights from illegal migrants, it also demands ratifying states to take on measures to fight illegal work relationships and clandestine migration.

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