

# **Homo Europaeus migrans. From “White Man” via Chinese Encyclopedia to EU citizen?**

**Mathias Mesenhöller**

## **RESÜMEE**

Mit der „Exit Revolution“ des 19. Jahrhunderts verschob sich das dominante Kontrollanliegen europäisch-atlantischer Migrationsregime vom Abwanderungsverbot zur Zutrittsregulierung. Dabei avancierten ethnisch-kulturelle bzw. räumlich-rassische Metaphern sozialer Wünschbarkeit mit der Zeit zu eigenbedeutsamen Selektionsinstrumenten. Unter diesen wiederum illustriert die Kategorie „Europäer“ den Stellenwert politisch verfasster Räume für Design und Applikation entsprechender Kollektivzuschreibungen: Erst nach der Institutionalisierung einer Europäischen Pass- und Rechteunion trat der *Homo Europaeus* in Konkurrenz zu älteren, von imperial- oder nationalstaatlicher (Binnen-) Differenzierung instruierten Hierarchien. Seither sind die In-/Exklusionschiffren „weiß“ und „Europa“ zu einem wanderungspolitischen Kulturogem konvergiert – und erneut von einem bio-areal indifferenten Paradigma individueller wirtschaftlich-sozialer „Fitness“ überholt worden.

It took Europe to make the *Homo Europaeus*. More specifically, it took the European political union to bring about a category of migrants that had not existed before: Europeans. In the interplay of global flows and controls, it thus appears that classificatory power ultimately lies with the controllers.

Modern migratory regimes are institutional fabricates, designed by public authorities in order to register and administer large quantities of individual acts through categorizing and regulating them. Facing the amorphous phenomenon of human mobility, they strive for calculability and control – or at least an illusion of both. In doing so, authorities are inclined to construe tables of classifications that privilege institutional findings and institutionally generated knowledge over the (self-) perceptions, interpretations, and nar-

ratives held by the classified themselves. In other words, confronted with the relatively unknown, with the outlandish in a literal sense, migratory regimes more often than not structure the world along the lines of political entities and circumstances on the one hand, and according to scientific assumptions on the other hand, which again are prone to reflect political-institutional contexts. While being potent, maybe prototypical machineries of ascription, at the same time, migratory regimes appear remarkably self-referential.

It is this specific self-referentiality of the institutional sphere that underlies the circular structure of the argument I will present here. It comes down to the contention that “the European” as a recognized category in the sphere of North Atlantic migration only appeared as a consequence of the erection of “Europe” in terms of an institutionalized entity.

Yet, *Homo Europaeus* has a genealogy, albeit a shared one with other national and (post-) imperial classes of migrants with whom he coexisted and continues to coexist in the realm of migratory regimes (As a matter of fact, such coexistence frequently takes place in one and the same agent). This essay intends to shed some light on this genealogy.

### The (almost) open universe of ethnic indifference

Up to the turn of the nineteenth century, early modern, mercantilist European states abhorred the loss of population and had put up legal and moral barriers on such acts of “desertion.”<sup>1</sup> Thus, the “irruption into the Atlantic world of an under-populated republic that arrogated to itself an immense reserve of temperate lands – and determined to capitalize on this unique asset by marketing it to all comers – was a truly revolutionary event.”<sup>2</sup> Indeed, Europeans considered the “routinized and accessible naturalization law” of the newly independent United States of America a breach of the law of nations.<sup>3</sup>

Originating in Britain only after the Napoleonic Wars, an ever growing, pauperized, and increasingly unruly population slowly turned the elites emigrationist, a process that was still fostered by a general turn towards economic liberalism. Over the following decades, much of Europe experienced an “Exit Revolution” (A. Zolberg), the successive elimination of restrictions to leave one’s country or territory of birth.<sup>4</sup>

At the same time, though, authorities in most countries continued to treat *immigration* largely in the way the early modern territorial state had approached its – or its neighbors’ – subjects. If at all, social and economic criteria like estate, profession, or income played a role in assessing the desirability of newcomers, while lack of means to sustain themselves,

1 Aristide R. Zolberg, *The Exit Revolution*, in: Nancy L. Green / François Weil (eds), *Citizenship and Those Who Leave: The Politics of Emigration and Expatriation*, Urbana 2007, pp. 33–60, ct. p. 36.

2 Zolberg, *Exit Revolution*, p. 33.

3 Ibid., p. 40.

4 Ibid., pp. 41, 49–53. The most prominent exception from the pattern was France.

criminal records or politically subversive activity provided reasons for expulsion.<sup>5</sup> Ethnicity, in contrast, only slowly grew from serving as a form of metaphor, or abbreviation, for concrete socio-political concerns – *e.g.*, in the case of pauperized Irish in England<sup>6</sup> – into an issue of its own, of national homogeneity, for instance the Poles in Germany.<sup>7</sup>

Basically the same tradition, yet modified and partially nationalized, can be observed in the administration of residence rights, expulsion, and according passport-systems that were developed in revolutionary France and soon spread elsewhere. The main idea was to single out political enemies, spies, and other subversive elements.<sup>8</sup>

Finally, a similar pattern of social evaluation ranking over cultural ascription characterized US legal approaches towards migration. With the Naturalization Act of 1790 conceding the right to naturalization to any “free white person” of “good character,” attempts to restrict the immigration of undesirables became subject to a variety of federal and state legislations.<sup>10</sup>

Generally speaking, exclusion followed an assessment of individual properties, which targeted the (mentally) disabled, criminals, and those who seemed unable to support themselves; later professional beggars, polygamists, and anarchists were added to the list.<sup>11</sup> Incurable or infectious disease became a ground for rejection, while admission

5 Frank Caestecker, The Transformation of Nineteenth-Century West European Expulsion Policy, 1880–1914, in: Andreas Fahrmeir / Olivier Faron / Patrick Weil (eds), *Migration Control in the North Atlantic World. The Evolution of State Practices in Europe and the United States from the French Revolution to the Interwar Period*, New York / Oxford 2003, pp. 120–137, here pp. 121–123.

6 David Feldman, Was the Nineteenth Century a Golden age for Immigrants? The Changing Articulation of National, Local, and Voluntary Controls, in: Andreas Fahrmeir / Olivier Faron / Patrick Weil (eds), *Migration Control in the North Atlantic World. The Evolution of State Practices in Europe and the United States from the French Revolution to the Interwar Period*, New York / Oxford 2003, pp. 167–177, here pp. 169–170.

7 Ulrich Herbert, *A History of Foreign Labor in Germany, 1880–1980. Seasonal Workers, Forced Laborers, Guest Workers*, Ann Arbor 1990 (1st German ed. “Geschichte der Ausländerbeschäftigung in Deutschland”, Berlin / Bonn 1986), pp. 9–37; Dieter Gosewinkel, *Einbürgern und Ausschließen. Die Nationalisierung der Staatsangehörigkeit vom Deutschen Bund bis zur Bundesrepublik Deutschland*, Göttingen 2001, pp. 211–218. – Admittedly, this is a very abridged, typified representation of a “picture [...] of migration control in the nineteenth century [that] is one of extreme diversity” as fits an “age of experimentation” in this concern: Andreas Fahrmeir / Olivier Faron / Patrick Weil, Introduction, in: the same (eds), *Migration Control in the North Atlantic World. The Evolution of State Practices in Europe and the United States from the French Revolution to the Interwar Period*, New York / Oxford 2003, pp. 1–7, here p. 2.

8 Andreas Fahrmeir / Olivier Faron / Patrick Weil (eds), *Migration Control in the North Atlantic World. The Evolution of State Practices in Europe and the United States from the French Revolution to the Interwar Period*, New York / Oxford 2003, chapters 1, 3, and 4.

9 After a period of residence, at that time of two years: *United States Statutes at Large*, vol. 1, p. 103.

10 Dorothee Schneider, The United States government and the investigation of European emigration in the open door era, in: Nancy L. Green / François Weil (eds), *Citizenship and Those Who Leave: The Politics of Emigration and Expatriation*, Urbana 2007, pp. 195–210; Gerald L. Neumann, Qualitative Migration Controls in the Antebellum United States, in: Andreas Fahrmeir / Olivier Faron / Patrick Weil (eds), *Migration Control in the North Atlantic World. The Evolution of State Practices in Europe and the United States from the French Revolution to the Interwar Period*, New York / Oxford 2003, pp. 106–119.

11 Patrick Weil, Races at the Gate. Racial Distinctions in Immigration Policy. A Comparison between France and the United States, in: Andreas Fahrmeir / Olivier Faron / Patrick Weil (eds), *Migration Control in the North Atlantic World. The Evolution of State Practices in Europe and the United States from the French Revolution to the Interwar Period*, New York / Oxford 2003, pp. 271–297, here p. 273.

after quarantine and a restoration of health were rather common practice.<sup>12</sup> Collective categories such as ethnicity, religion, or social background did not come into consideration, at least not lawfully.

The act made manifest a line of exclusion that was repeatedly drawn and redrawn, which was negotiated in Europe, as well: that of race.<sup>13</sup> Evidently, there is an early echo of "Europe" as a category of origin in this. Still, the accent here is on the fundamental divide between "free" and "un-free." In the face of weak immigration from other parts of the world, the central idea was to deny slaves of generally African origin – as well as "native" Americans – naturalization as citizens. A ban on immigration was derived from this after the abolition of the slave trade; in 1808, slave states barred the entry of free blacks, while "free" states chose diverse regimes, from the protection to the exclusion of all people of African origin.<sup>14</sup> Shortly after, legislation engaged the rights and acceptability of indentured servants in general, including Europeans<sup>15</sup>, thus illustrating that the main concern was with liberty (and commercial relations) rather than with race. From this point of view, it appears only consistent that after the abolition of slavery, citizenship was granted to all those born on American soil (the Fourteenth and Fifteenth Amendments), and in 1870, eligibility was extended to Africans in general.<sup>16</sup> Following a comparable logic, Britain had allowed colonials to settle on the isle after its own ban on slavery in 1833.<sup>17</sup>

### From Atlantic to Pacific Racism and back

If post-Civil War America turned towards "Atlantic Universalism," it soon saw the intensification of inhibitive policies towards Asian immigrants that then produced constrictions explicitly addressing racially or culturally defined collectives. At about the same time, European migratory regimes became increasingly dominated by the category of nation. The reason was twofold.

First, in most countries the state developed from an institution that primarily took (taxes, conscripts) into one that also gave, allotting civic, political, and social rights and entitlements.<sup>18</sup> The more such instruments of participation and inclusion on the supra-local level were implemented, the more urgent it became to ascertain who exactly was to profit

12 M. Kraut, *Silent Travellers. Germs, Genes, and the Immigrant Menace*, New York 1994, p. 62.

13 Cf. Andreas Fahrmeir/Olivier Faron/Patrick Weil (eds), *Migration Control in the North Atlantic World. The Evolution of State Practices in Europe and the United States from the French Revolution to the Interwar Period*, New York/Oxford 2003, chapter 2.

14 Neumann, *Qualitative Migration Controls*, pp. 112–113, 115–117.

15 *Ibid.*, pp. 113–114.

16 *United States Statutes at Large*, vol. 16, p. 256; see also Donna Gabaccia, *The "Yellow Peril" and the Chinese of Europe: Global Perspectives on Race and Labor, 1815–1930*, in: Jan Lucassen/Leo Lucassen (eds), *Migration, Migration History, History: Old Paradigms and New Perspectives*, Bern et al. 3rd ed. 2005, pp. 177–196, here p. 191.

17 Frank Düvell, *United Kingdom*, in: Ruby Gropas/Anna Triandafyllidou (eds), *European Immigration. A Sourcebook*, Aldershot 2007, pp. 346–359, here p. 347.

18 Caestecker, *Transformation*, p. 130: „While, for most of the nineteenth century, the state was principally something that took (taxes and conscripts), by the end of the century it also gave.“

from the according provisions and who was not.<sup>19</sup> It was less the system of migratory regimes in a narrower sense, which long remained comparatively liberal, or indifferent, but the problem of undesirable, mostly destitute individuals on the spot, from which a significant change in the administration of mobility originated.<sup>20</sup> While self-dependent persons of means continued to enjoy relative freedom of movement, it was the developing national welfare state of the German *Reich* that began elevating nationality to the status of a key category in practices of admission and expulsion. Between 1888 and 1906, international conventions codified the principle.<sup>21</sup> According to these stipulations, an individual rejected elsewhere had to be admitted back into his or her country of origin. Respectively, any “foreigner” could be transferred to his “home” country.<sup>22</sup> Moreover, it was this order of re-admission, in contrast to the older practice of expulsion over just any border,<sup>23</sup> which rendered national affiliation key in the classification of the mobile population<sup>24</sup> – and an oft-contested one. Intense research and prolonged struggles over the national identity of an undesired migrant, and thus over the responsibility for supporting him, became a widespread phenomenon.<sup>25</sup>

To put the rule to the test, the Habsburg Empire is a case where welfare remained a strictly municipal, or local, function. Here, needy migrants were addressed as non-eligible “strangers” (*Fremde*) without further classification or regard for their territorial origin. Only in the “constitutional” period of the 1860s, with widening political rights, were attempts made to define and restrict the rights of alien residents – without any consistent legislative result. The tense multiethnic situation of the empire suggested to leave the issue pending, all the more as the monarchy did not experience large-scale immigration anyway.<sup>26</sup>

This leads to the second and more obvious reason for the rise of ethnic or racial categories in the structure of migratory regimes: a general expansion of migration flows, their gradual interweavement into a globally interdependent system, and a corresponding increase in the heterogeneity of regions of origin.

Up to the 1860s, immigration to the USA had its source mainly in North Western and German speaking Europe, which supplied ninety-five percent of the new arrivals between 1851 and 1860. By the first decade of the twentieth century, though, their share dropped to twenty percent.<sup>27</sup> Ranking high among the areas of origin that now domi-

19 Rogers Brubaker, *Citizenship and Nationhood in France and Germany*, Cambridge 1992, pp. 63–70.

20 Cf. Caestecker, *Transformation*, S. 129.

21 Ibid., p. 126–127.

22 Ibid., p. 126–127.

23 Ibid., p. 123.

24 Cf. Ibid., p. 128.

25 Ibid., pp. 128, 130.

26 Birgitta Bader-Zaar, *Foreigners and the Law in Nineteenth-Century Austria. Juridical Concepts and Legal Rights in the Light of the Development of Citizenship*, in: Andreas Fahrmeir/Olivier Faron/Patrick Weil (eds), *Migration Control in the North Atlantic World. The Evolution of State Practices in Europe and the United States from the French Revolution to the Interwar Period*, New York/Oxford 2003, pp. 138–152.

27 Aristide R. Zolberg, *The Great Wall Against China: Responses to the First Immigration Crisis, 1885–1925*, in: Jan

nated the statistics were the Mediterranean and Eastern Europe (Italy, the Habsburg Monarchy, Russia, and also Spain and Portugal), and notably China.<sup>28</sup> As a matter of fact, it was Chinese immigration that provoked a change in the US migratory regime over the latter decades of the century, soon affecting migrants from other parts of the world, and namely from Europe.<sup>29</sup>

If post Civil War legislation conceded naturalization rights to all those born on US soil and quickly extended the option to immigrants from Africa, the same law generally denied such rights to those arriving from Asia.<sup>30</sup> In 1882, the "Chinese Exclusion Act" banned the entry of Chinese contract laborers, and in 1885, the law was extended to exclude all "un-free" work and toilers irrespective of their origin.<sup>31</sup> Thus, the underlying pattern of racial exclusion at first remained untouched: The motivating argument behind the anti-Chinese reformulation of the migratory regime was provided and propagated by early trade union campaigns, which undertook to fend off the transpacific influx of cheap labor, stressing its un-free character. The "coolie trade," or so the argument ran, operated under conditions that resembled those of the just abolished slave system, threatening American "free labor."<sup>32</sup>

Cultural, racial and juridical allegations were amalgamated to a degree that let "non-white" and "un-free" appear almost congruent – albeit such semantics were neither covered by the reality of Chinese work migration,<sup>33</sup> nor were they consistent with that of emancipated "black" African Americans.<sup>34</sup>

Nonetheless, Chinese became associated with imaginations of dependency, closely linked to those of cultural inferiority, and specifically of a devious, effeminate collective character.<sup>35</sup> "A distinct and antagonistic race,"<sup>36</sup> they were marked as Un-American and, what is more, as inaccessible to Americanization. At the hands of Chinese migrants, US immigration policies first began to develop and to test judicial and administrative

Lucassen/Leo Lucassen (eds), *Migration, Migration History, History. Old Paradigms and New Perspectives*, Bern et al. 3<sup>rd</sup> ed. 2005, pp. 291–315, here p. 314.

28 Zolberg, *Great Wall*, pp. 298–303.

29 Gabaccia, "Yellow Peril", p. 180; Matthew James Conelly, *Seeing beyond the State: The Population Control Movement and the Problem of Sovereignty*, in: *Past and Present* 193 (2006), 197–233, here p. 206.

30 Weil, *Races at the Gate*, p. 273. For a comprehensive, comparative study of the perception and political use of the "Yellow Peril" in the United States and Germany, see Ute Mehnert, *Deutschland, Amerika und die „Gelbe Gefahr“*. Zur Karriere eines Schlagworts in der Großen Politik, 1905–1917, Stuttgart 1995.

31 Gabaccia, "Yellow Peril", pp. 191–192.

32 Ibid., p. 186; Karen J. Leong, "A Distinct and Antagonistic Race". *Constructions of Chinese Manhood in the Exclusionist Debates, 1869–1878*, in: Donna R. Gabaccia/Vicki L. Ruiz (eds), *American Dreaming, Global Realities. Rethinking U. S. Immigration History*, Urbana/Chicago 2006, pp. 141–157, here pp. 141–142; Alexander Saxton, *The Indispensable Enemy. Labor and the Anti-Chinese Movement in California*, Berkeley 1971.

33 Adam McKeown, *Global Migration, 1846–1940*, in: *Journal of World History* 15 (2004, 2), 155–189, here pp. 170–175.

34 Cf. David R. Roediger, *The Wages of Whiteness. Race and the Making of the American Working Class*, London 1992.

35 Cf. Clare Sears, *All that Glitters. Trans-ing California's Gold Rush Migration*, in: *GLQ. A Journal on Lesbian and Gay Studies* 14 (2008, 2-3), pp. 383–402.

36 Cf. Leong, "A Distinct and Antagonistic Race".

mechanisms aimed at the exclusion of whole ethnically and culturally defined groups as “unfit for America.”<sup>37</sup>

Yet, the racially charged Sinophobe discourses, legislation, and practices induced by no means the construction of (desirable) “Europeans” *ex negativo*. On the contrary, “white” was incongruent with “European,” and “color” proved to be a quite shaded concept.<sup>38</sup>

Donna Gabaccia has shown this in a striking manner for the case of the Italians, whose experience soon was to be shared by other groups of immigrants.<sup>39</sup> Exclusionist legislation on “yellow” Chinese “coolies” was only just established when the supposedly equally, or almost equally, “un-free” Italian migrants, suffering from adhesion contracts and exerting pressure on wages, fell to stigmatizations as “swarthy,” or “olive” and ultimately to the pointed verdict that they represent “the Chinese of Europe.”<sup>40</sup>

Thus, the concept of “European” in these debates on immigration to the United States is at best an implicit and normative one. If “Europeans” ideally were “free” and “white,” or used to be, they now proved in large numbers not to be – that is, organized interest and discourses of self-affirmation came to represent it that way. Incongruent with an assumed “fitness for America,” the category of “European” could not serve to define the US migratory regime.

Instead, legislative experience with the exclusion of an ethnically defined collective that was perceived as economic competition<sup>41</sup> and successfully was marked as “distinct” and “antagonistic” towards US-nativist self-assumptions,<sup>42</sup> stimulated attempts to close the door for other groups whose profile of origin differed from that of the bulk of earlier immigrants, as well.<sup>43</sup> Southern and Eastern Europeans, and among these, specifically Jews were the major targets.<sup>44</sup> According legislation passed through Congress first in 1896, but was blocked by presidential veto until 1917.<sup>45</sup>

Yet, just as the Chinese Exclusion Act – albeit named tellingly enough – did not primarily rely on its ethnical content but drew on concepts of “free” and “un-free” labor, it was now literacy that was to serve the purpose. The bill envisioned a reading test to guarantee minimum standards that large strata of the Mediterranean and East European

37 Leong, “A distinct and Antagonistic Race”, pp. 141–142; Zolberg, *Great Wall*, pp. 291, 304–309; Conelly, *Seeing beyond the State*, p. 206. I here will pass over the interdependence with corresponding policies in Canada and Australia (Zolberg, *Great Wall*, p. 292), as well as over the systematic interrelation of capitalism, modernisation, modernisation anxiety, and xenophobia (cf. Lynn Dumenil, *The Modern Temper. American Culture and Society in the 1920s*, New York 1995, p. 204).

38 On the social base of color also cf. Matt Wray, *Not Quite White. White Trash and the Boundaries of Whiteness*, Durham/London 2006.

39 Gabaccia, “Yellow Peril”, p. 178; also cf. Roediger, *Wages of Whiteness*, pp. 133–156, on the “Whitening” of the Irish.

40 Gabaccia, “Yellow Peril”, p. 178.

41 Zolberg, *Great Wall*, pp. 304–305.

42 *Ibid.*, pp. 307–308.

43 Among other Filipinos and Japanese, whom interested employers soon had begun to hire as replacements for the excluded Chinese: Zolberg, *Great Wall*, p. 306.

44 Dumenil, *Modern Temper*, pp. 203–217; Zolberg, *Great Wall*, p. 304.

45 Zolberg, *Great Wall*, p. 307.

populations could be expected to fail, implying the desired ethno-regional exclusion.<sup>46</sup> When the law finally was enacted at the end of World War I, with transatlantic migration picking up again, it showed itself impotent due to exceptions providing for family reunions, but mostly since educational standards in the targeted areas had significantly improved.<sup>47</sup>

Only then, among an atmosphere of Red Scare and massive nativist reaction against "non-whites" (and non-protestants), generally against the backdrop of an increasingly aggressive mood towards various deviances from a narrowly contoured set of normative WASP style concepts,<sup>48</sup> did ethnic restriction come forward to articulate its goals bluntly and extensively. From 1921/24 onward, the law commanded Asians to be rejected altogether and Europeans to be permitted only according to a quota system that in the long run would allow reestablishing the US society's ethnic composition before the latest "wave" of immigration.<sup>49</sup>

The basis upon which the necessary classification rested, and which instructed the quota system of the 1920s, was a "list of races and peoples"<sup>50</sup> that had served since 1898 to gather statistical information on immigration to the US. Before, only the country of origin had been asked to be reported,<sup>51</sup> which often was a multinational empire. Thus, seemingly grave misinterpretations had come to light, *e. g.*, in a number of 40,000 immigrants from Russia in 1898, only 200 proved to be "actual" Russians, the vast majority declared themselves Jews or Poles.<sup>52</sup>

This enlightening list strongly reminds one of the "Chinese Encyclopedia" famously quoted by Jorge Luis Borges.<sup>53</sup> It contained among other the ascriptions: African (black), Armenian, Bohemian, Moravian, Bulgarian, Serbian, Montenegrin, Chinese, Croatian and Slovenian, Cuban, Dalmatian, Bosnian and Herzegovian, Dutch and Flemish, East Indian, English, Finnish, French, German, Greek, Hebrew, Irish, Italian (North), Italian (South), Japanese, Korean, Lithuanian, Magyar, Mexican, Pacific Islander, Polish, Portuguese, Russian, Ruthenian (Russnik), Scandinavian (Norwegians, Danes and Swedes), Scottish, and Welsh.<sup>54</sup> What is of interest here is less the intriguing mixture of political, geographical, lingual, confessional, biological and other criteria and assumptions the list reflects, nor its alternation of keen attention for the slightest differentials with rather crudely encompassing classes, and neither the motivation and mechanisms that

46 Ibid.

47 Ibid., p. 307–308.

48 Dumenil, *Modern Temper*, pp. 201–249; Zolberg, *Great Wall*, p. 308; also cf. Julian B. Carter, *The Heart of Whiteness. Normal Sexuality and Race in America, 1880–1940*, Durham/London 2007.

49 Zolberg, *Great Wall*, p. 308.

50 Both terms were used largely indiscriminate up to World War II: Weil, *Races at the Gate*, p. 277. For the semantic change of "nation" and "race" over the 19<sup>th</sup> century, including the invention of the "Caucasian", also see Patrick Manning, *Migration in World History*, London/New York, 2005, p. 139.

51 Weil, *Races at the Gate*, p. 273.

52 Ibid., p. 274.

53 Michel Foucault, *The Order of Things. An Archaeology of Human Sciences*, New York 1970 (1<sup>st</sup> French ed. "Les mots et les choses", Paris 1966), p. xv.

54 Weil, *Races at the Gate*, pp. 273, 275.



made US officials fabricate their 1898 racial map of the globe.<sup>55</sup> What is of relevance for the argument here is the fact that when US immigration authorities began to construe and employ categories of ethno-cultural belonging, the “free white person” of 1790 did not at all evolve into a *Homo Europaeus* but rather was disassembled into innumerable subgroups of “races and peoples”; the most obvious privilege was their elaborate division into incomparably smaller segments than the “rest of the world” could hope to be hierarchically organized along.

The quotas established in 1921/24 were about ethno-cultural hierarchic ordering. They translated the 1898 catalogue into a rank of desirability, with North Western Europeans first, limited numbers of East and South Europeans grudgingly accepted, and Asians had the door slammed on them.<sup>56</sup>

As time went by, political circumstances induced the introduction of Latvian, Estonian, and Albanian “races” in 1936, as well as the belated unification of “Southern” and “Northern” Italy by US immigration authorities “with respect to the Italian people,” that is, to Mussolini.<sup>57</sup> “African (black)” became “Negro” since the majority of the individuals in question arrived from the West Indies. Pressure by the Mexican government brought their co-nationals into the meta category “white”; analogous efforts from lobby groups earned the Celtic “race” of the Manx special mentioning, while in 1943 this same category with regard to the Jews was abolished – after years of fruitless protest against such irreverence of context or conversion.<sup>58</sup> At that point, the corresponding report came to acknowledge that “scientists are in hopeless confusion and contradiction as to the criteria of race.”<sup>59</sup>

Still, it took another twenty years before the ethno-racial ranking of US immigrants was dropped. In 1965, the gargantuan list was replaced by a migratory regime that – again – rewarded individual properties.<sup>60</sup> By then, migration control in the Old World was entering an era of categorical change, too.

## Races, Nations, and Empires

Just like in the United States, Sino-obsession rose to prominence in late nineteenth century European reactions to modern mobility. Yet, while English xenophobes during the debates on restrictionism that took off around 1900 pictured Chinese as “the truest of al-

55 Nor, we should admit, the likelihood of our own conceptions of “the world” being an equally rewarding source of scholarly amusement.

56 Weil, *Races at the Gate*, pp. 276–277; Leslie P. Moch, *Moving Europeans. Migration in Western Europe since 1650*, 2<sup>nd</sup> ed. Bloomington/Indianapolis 2003 (1<sup>st</sup> ed. 1992), p. 166.

57 Weil, *Races at the Gate*, p. 277.

58 Ibid.

59 Ibid., p. 278.

60 Dirk Hoerder, *Cultures in Contact. World Migration in the Second Millennium*, Durham/London 2002, pp. 523–524.

iens,"<sup>61</sup> German estate owners, in 1895, explicitly suggested recruiting Chinese seasonal toilers – with reactions by German unions similar to those of organized labor across the Atlantic.<sup>62</sup>

No more than was the case in America, neither controversy simply produced a binary understanding of "Yellow Peril" vs. "European Civilization," let alone according migratory regimes. Instead, the background for suggestions to bring "coolies" to Germany was provided by distinct anti-Polish resentments.<sup>63</sup> Also, Prussian and Whig exclusionism equally focused on Galician and Russian Jews, differing from patterns of Chinese-bashing slightly at best.<sup>64</sup> In England, "Jew" and "immigrant" came close to being used as synonyms, leaving behind even the time-honored despise for the nominally British Irish.<sup>65</sup>

In another parallel to US practices, late nineteenth century French scholars drew up a catalogue of ethnic hierarchy to structure the migratory regime.<sup>66</sup> Obviously, in this incident the intention was not so much to (re-)stabilize the ethnic composition of the nation. Rather, the classification relied on blood groups and their compatibility and paid particular attention to the various groups' faculty to assimilate into the job market. The resulting gradient was quite similar to that of the American racial map: It ran from North West to South East across the European continent and beyond, assembling on the lowest rungs of desirability Jews, Eastern Slavs, Armenians, and Africans. In contrast to the United States, though, this order of peoples never materialized into legislation. After decades of controversy in changing political contexts, liberated France in 1945 ultimately implemented a racially egalitarian migratory regime – twenty years before the US swung back into the same path.

The one thing all these regulatory attempts – or their mentioned absence as in the case of the Habsburg Empire until its downfall in 1918 –, failed or successful, had in common, was that they did not conceive a positively defined *Homo Europaeus*. The idea of an overarching "white race" was indeed widely spread and so were assumptions of its almost self evident superiority. But by far, not all Europeans were treated as fully-fledged "white" in this normative sense. The geographical and historical idea of "Europe" had no distinct and coherent equivalent in terms of ethnic or social imagination primarily because it was lacking a political and institutional distinction.

Larger-than-nation political structures, though, did exist in the form of the European colonial empires, and respective post-colonial spaces and organizations. These did have an impact on migratory regimes, especially when many of the countries to the West

61 Zolberg, *Great Wall*, p. 311.

62 Sebastian Conrad/Klaus Mùhlhahn, *Globale Mobilität und Nationalismus. Chinesische Migration und die Re-Territorialisierung des Nationalen um 1900*, in: Birgit Schäbler (ed.), *Area Studies und die Welt. Weltregionen und neue Globalgeschichte*, Wien 2007, pp. 217–251, here pp. 222–225; but see also Mehnert, *Deutschland, Amerika und die "Gelbe Gefahr"*, for the more general, anxious reaction.

63 Conrad/Mùhlhahn, *Globale Mobilität*, pp. 224–225.

64 Zolberg, *Great Wall*, p. 311; Conrad/Mùhlhahn, *Globale Mobilität*, pp. 224–225.

65 Zolberg, *Great Wall*, pp. 312–313; Moch, *Moving Europeans*, p. 167.

66 Weil, *Races at the Gate* 281–288.

and the North of the continent irrevocably and on a large scale changed from sending to predominantly receiving societies after World War II.<sup>67</sup> In Britain, this led to the divorce of the Commonwealth citizenship from unhindered mobility in 1961<sup>68</sup>, undoing the long standing freedom of residence established across the empire in 1833 following the abolition of slavery.<sup>69</sup> A complex interplay of restrictions and privileges concerning rights of entry and settlement, to welfare and integration programs, and of integration and exclusion came to characterize the migratory regimes of most (post-) imperial nation states with regard to the populations of their actual or former colonies.<sup>70</sup> This holds true for countries that over time developed shortages of labor, like Britain, France, and the Netherlands, but also for the sending societies of Portugal and Spain, and remnants of this historical legacy remain in effect to date.<sup>71</sup>

At the same time, these countries, but also nations without – accessible – post-imperial supplementary areas, such as Germany, concluded recruitment contracts with partners mainly around the Mediterranean basin to fill labor shortages. As a rule, such agreements were bilateral,<sup>72</sup> while the scope of partners was not limited to what geographically or culturally was then commonly perceived as Europe. Rather, they reached beyond Southern Europe to North Africa as well as to various regions of the Near East and East Asia.<sup>73</sup> Again, these specific migratory regimes did not operate with the category of a European man.

## Homo Europaeus

The Europeanization of Europe set in just about when the European overseas empires faced accelerating decolonization. In this context, “Europeanization” alludes less to the thesis of a “continually shrinking influence of national governments,”<sup>74</sup> but rather refers to the emergence of the European Community as an institutional entity and thereby as a player of potential relevance in migration politics.

The first step was made by the European Economic Community, founded in 1957, when in 1961 its members – France, Germany, Italy, the Netherlands, Belgium, and Luxembourg – agreed to grant their citizens general freedom of movement within each other’s territory.<sup>75</sup> Since then, the processes of integration and expansion have transformed con-

67 Moch, *Moving Europeans*, pp. 176–177; South Western Europe followed suit in the late 1970s: *ibid.*, p. 190–191.

68 Hoerder, *Cultures in Contact*, p. 502.

69 See above, ann. 17.

70 Hoerder, *Cultures in Contact*, pp. 502–504, 522, 528.

71 See below.

72 Ruby Gropas/Anna Triandafyllidou, *Concluding Remarks*, in: the same (eds), *European Immigration. A Sourcebook*, Aldershot 2007, pp. 361–376, here p. 369.

73 Gropas/Triandafyllidou, *Concluding Remarks*, p. 362; Moch, *Moving Europeans*, pp. 162–163, 178–180, 184.

74 Roland Verwiebe, *Transnationale Mobilität innerhalb Europas. Eine Studie zu den sozialstrukturellen Effekten der Europäisierung*, Berlin 2004, p. 16.

75 Moch, *Moving Europeans*, p. 177.

tinental mobility from a legal point of view into internal migration.<sup>76</sup> More specifically, the Single European Act of 1986<sup>77</sup>, and the Maastricht Treaty that took effect on January 1, 1994, have provided the framework for unrestricted mobility within the Union<sup>78</sup> – temporary curtails and delay clauses notwithstanding, which accompanied the “eastern enlargements” since 2004<sup>79</sup>, in particular. The Maastricht Treaty also created a European citizenship by according all member state citizens – and only them – a certain set of rights, including free choice of residence, suffrage in local and European elections at the place of residence, diplomatic protection in third countries, and the right to petition to the European Parliament.<sup>80</sup>

Yet, one issue the treaty neglected, or codified to the lowest possible degree, was the competence of European authorities over regulations concerning the immigration of non-EU nationals into the union, that is, its member states.<sup>81</sup> Nonetheless, the common institutions over the following decade managed to pass a number of acts that bind the nation states in this concern. On the one hand, it soon became manifest that a zone of unrestricted mobility with a common external border runs into functional difficulty if no provisions are set for who is to have access to this zone and which rights and entitlements they receive within. On the other hand, national governments realized that the partial Europeanization actually accommodated their increasingly restrictive purposes.<sup>82</sup> As a consequence, the constitutional project of the later 2000s envisaged a further delegation of authority over the migratory regime to the common institutions, even though a clause carried by Germany reserves every national government’s right to legislate a general cap on immigration into its territory.<sup>83</sup>

Thus, the EU-27 countries differentiate between national citizens, EU citizens, and third state nationals, with the civic and political<sup>84</sup> rights and entitlements of the latter varying strongly from country to country.<sup>85</sup> Similarly, national concepts of citizenship and naturalization practices remain strongly heterogeneous.<sup>86</sup> Last but not least, this is the

76 Ibid., pp. 177–178.

77 Adam Luedtke, *The European Union dimension: Supranational integration, free movement of persons, and immigration politics*, in: Craig A. Parsons/Timothy M. Smeeding (eds), *Immigration and the Transformation of Europe*, Cambridge et al. 2006, pp. 419–441, here p. 422.

78 Verwiebe, *Transnationale Mobilität*, p. 18.

79 Ibid., p. 19.

80 Marco Martiniello, *European citizenship, European identity and migrants: towards the post-national state?*, in: Robert Miles/Dietrich Thränhardt (eds), *Migration and European Integration. The Dynamics of Inclusion and Exclusion*, London 1995, pp. 37–52, here p. 38; Elspeth Guild, *The Legal Framework of Citizenship of the European Union*, in: David Cesarani/Mary Fulbrook (eds), *Citizenship, Nationality and Migration in Europe*, London/New York 1996, pp. 30–54.

81 Luedtke, *European Union dimension*, pp. 420, 423.

82 Ibid., p. 420–421, 424; Moch, *Moving Europeans*, p. 163–164.

83 Ibid., pp. 420, 424–425.

84 Especially concerning active and passive suffrage at the local level: Gropas/Triandafyllidou, *Concluding Remarks*, p. 374.

85 Gropas/Triandafyllidou, *Concluding Remarks*, p. 372.

86 Ruby Gropas/Anna Triandafyllidou/Dita Vogel, *Introduction*, in: Ruby Gropas/Anna Triandafyllidou (eds), *European Immigration. A Sourcebook*, Aldershot 2007, pp. 1–17, here p. 7.

realm in which diverse imperial or quasi-imperial pasts display a long afterlife, *e. g.*, in the form of facilitated naturalization for German *Spätaussiedler*, or repatriates from the East European German speaking minorities, for Filipinos, Equatorial-Guineans and others in Spain, or for PALOP<sup>87</sup>-nationals in Portugal.<sup>88</sup>

However, those reverberations of the past appear to be phasing out. More or less in parallel to their opening up for “Europeans,” most post-colonial centers gradually have adopted more restrictionist, or even exclusivist migratory regimes towards the former imperial peripheries. Regardless of the persisting differences, there is one distinction that has gained thorough acceptance throughout the Union’s legislatures: that between “Europeans” and *Extracomunitari*<sup>89</sup> (non-EU immigrants). In other words, synchronously to the reduction of the European empires European migratory regimes finally brought about *Homo Europaeus*. On the other hand, it is to be remembered that his habitat is politically limited to the local and supranational level, while in national affairs, even a European foreigner remains just a foreigner.

Another somewhat ironic aspect of this turn of the Europeans towards themselves is that at the very moment they started creating *Homo Europaeus migrans*, their historical counterpart in negotiations over access classifications dropped the approach of ethnic or origin criteria altogether. As aforementioned, in 1965 the USA chose to implement a migratory regime based on individual properties so that the category of European in terms of migration remains limited to one side of the North Atlantic (travel and visa regulations render a different picture, of course).

Even with regard to the European continent, the concept is *de facto* and by no means wholeheartedly inclusivist. There always has been, and continues to be, the hierarchy of access between EC/EU insiders and other continentals. More tellingly, and somewhat reminding of the earlier shades of “whiteness,” negotiations over enlargement since 1989/90 have carried strong ethnocentric, if not openly racist undertones that still linger in the delay of full freedom of mobility for East European member-state citizens – let alone non-member state nationals – and that are awkwardly manifest in the debate over a possible admission of Turkey. Not accidentally, this struggle over membership, affiliation, or outright exclusion is centered on prospective migrant flows. At its core, the discussion is on whose mobility deserves warm approval as free internal migration, and whose entry ought be blocked to prevent culturally “foreign” infiltration. Thus, the migratory regime definition of who is, or can be, a European – who is culturally “fit for Europe,” to take up the early twentieth-century American phrase – has seized a constitutive place in the fabrication of European identity. If *Homo Europaeus* is a result of political Europe, the self-interpretation of the supra-national community proves highly dependent on the ethnic profile of this new figure in the world of migratory regimes. The legacy of the White Man is still with us in his descendant.

87 “Países Africanos de Língua Oficial Portuguesa”, or “Portuguese-Speaking African Countries”.

88 Gropas/Triandafyllidou, Concluding Remarks, p. 373.

89 Gropas/Triandafyllidou/Vogel, Introduction, p. 11.