Migration and the Crisis of the Modern Nation State?

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Contents

Introduction v

Frank Jacob and Adam Luedtke

Historical Case Studies

Chapter 1 **Refugees and the State in Interwar Greece: A Story of Mutual Transformation** 1

Emilia Salvanou

Chapter 2 **Repatriation and the Crisis of the North Korean Nation State in the Early Cold War** 25

Frank Jacob

Chapter 3 **"My Grandparents Came Here Legally, Learned the Language, and Wanted to Be American!": The Nostalgic Construction of Pre-1965US Immigration in Contemporary Nativist Discourses** 47

Justin D. García

Current Politics and the Migration Issue

Chapter 4 **Conditional Migrant Integration in the United Arab Emirates: Consequences on Foreign Workers' Welfare** 77

Froilan Malit, Jenny Morrison and Georges Naufal

Chapter 5 **Immigration and National Security in the UAE: Between Realism and Constructivism** 103

Kristian Alexander and Adam Luedtke

Chapter 6 **Understanding Policy Change: The Dynamics of Immigration Policy Formation in France, Britain and the United States** 129

Simon Reich and Martin A. Schain

Chapter 7 **Problem Solving in Triplicate: Examining the Eurozone, Migrant, and Secessionist Crises in Italy, France, and the United Kingdom** 161
Glen M.E. Duerr

Chapter 8 **Nationhood in Contemporary European States: Succeeding in Mingling Migrants and Natives** 187
Raymond Taras

Chapter 9 **The Differing Perceptions of Zones of Exclusion: The Redefinition of the Modern European Protectionist State in an Era of Unprecedented Irregular Migration** 211
DeMond Miller and Sotiris Chtouris

Chapter 10 **The Press in Europe: Covering the Migrant Crisis or Generating Crisis?** 233
Alexander Caviedes

Contributors 257

Index 261

Introduction

Frank Jacob and Adam Luedtke

The state has been in crisis in one form or another since 1648, when it sprang from the ashes of religious civil war on the European continent. The Thirty Years' War, beginning in 1618, initially featured vicious, bloody Protestant-Catholic conflict (with interesting parallels to the Sunni-Shia fighting today), but would end as a state building war with alliances that no longer resembled the initial religious quarrel.[1] The Treaty of Westphalia supposedly settled that conflict by providing that each domain would be "sovereign" and its leadership would determine the official religion of the realm. A lot has changed since then, obviously, although it is worth noting that Protestant-Catholic violence did not die out in Europe until the Good Friday accords of December 1999.

While the modern nation state developed much later than 1648, that settlement laid the foundation for a new order, which would evolve through some of humanity's most violent and contentious challenges. As the state after its establishment in Westphalia, the nation state of later centuries would face severe crises, such as decolonization, hegemonic struggles in the international system, and economic and ideological challenges to its legitimacy. Although crisis has, therefore, been routine for the nation state, this volume addresses the question of whether the scope and intensity of this crisis is now greater than ever before, and if so, then how can we analyze the origins, symptoms and effects of this unprecedented crisis?

A basic problem for the state within today's globalized world is the potential existence of multiple nations within its borders. Ernest Renan, the French historian and philosopher, who defined the nation in his famous lecture "What is a nation?" in 1882, emphasized the nation as a changeable process that would be passed on from generation to generation. He made clear that:

> Nations, in this sense of the term, are something fairly new in history. Antiquity was unfamiliar with them; Egypt, China and ancient Chaldea were in no way nations. … A nation is a soul, a spiritual principle. Two things, which in truth are but one, constitute this

[1] For a detailed discussion of such an evaluation of the Thirty Years' War see Johannes Burkhardt, "Der Dreißigjährige Krieg als frühmoderner Staatsbildungskrieg," *Geschichte in Wissenschaft und Unterricht* 45 (1994), 487-499.

> soul or spiritual principle. One lies in the past, one in the present. One is the possession in common of a rich legacy of memories; the other is present-day consent, the desire to live together, the will to perpetuate the value of the heritage that one has received in an undivided form. Man, Gentlemen, does not improvise. The nation, like the individual, is the culmination of a long past of endeavours, sacrifice, and devotion. Of all cults, that of the ancestors is the most legitimate, for the ancestors have made us what we are. A heroic past, great men, glory (by which I understand genuine glory), this is the social capital upon which one bases a national idea. To have common glories in the past and to have a common will in the present; to have performed great deeds together, to wish to perform still more - these are the essential conditions for being a people. One loves in proportion to the sacrifices to which one has consented, and in proportion to the ills that one has suffered. One loves the house that one has built and that one has handed down. The Spartan song – "We are what you were; we, will be what you are" - is, in its simplicity, the abridged hymn of every patrie.[2]

Today's globalized world sees states with multiple potential nations existing within their boundaries, from Europe, to former European colonies, to the state of Israel. For instance, as nationhood and nationalism has evolved, along with linkages to ideas about race and ethnicity, we can see the United States (US) as containing African American, Asian American, and Hispanic American nations as the same time. The definition of these nations, and their political relationship to the state, is heavily contested.[3] This is in part because of the contested or changing status and the views of the "white" majority, as addressed in this volume, not to mention sovereign Native American nations that exist in a more legal-formal sense as well.

Nationhood has always been contested, but the chapters in this volume show how this contestation is challenging the modern state in new and acute ways, as new definitions of nationhood arise to challenge the existing order. The nation in these cases is usually based on language, the history of the diaspora of the group, the everyday culture, or religion of the people that form

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[2] Ernest Renan, "What is a Nation?", text of a conference delivered at the Sorbonne on March 11th, 1882, in Ernest Renan, *Qu'est-ce qu'une nation?* (Paris: Presses-Pocket, 1992), accessed November 10, 2016 http://ucparis.fr/files/9313/6549/9943/What_is_a_Nation.pdf

[3] Joel Fetzer, *Public Attitudes toward Immigration in the United States, France and Germany* (Cambridge: Cambridge University Press, 2000).

such a nation. Although internal religious conflict is no longer the largest crisis for developed nation states, several of our chapters show how it continues to pose challenges in, for instance, Europe and the United Arab Emirates (UAE).

The 21st Century nation state is in crisis most directly from external or global forces, and the nature of national responses to these external forces.[4] Forces like flows of goods, services and capital across borders have always threatened nation states, because they threaten the perceived sovereignty or ability of a nation state to control its destiny. But certain things are new about the volume of, effects of and reaction to the global forces buffeting the nation state model. And whether today's threats to the nation state are "real" and tangible, or exist only as perceived "social constructs", is in many ways a moot point, though perception is easier to demonstrate than objective threat, obviously, as several of the chapters in this volume show.[5] This perception of crisis depends on the form of nationalism in existing nation states. The theories on nationalism by Karl W. Deutsch,[6] Ernest Gellner,[7] and Benedict Anderson mostly dealt with what shall be called type I nationalism, i.e. a movement to create a nation state based on a specific idea of a nation. However, nation states can develop a second type of nationalism, which is more aggressive and directed towards external forces to counter crises or the perception of one, i.e. a nationalist mobilization against a real or imagined threat. This type II nationalism might be directed towards the interior, if the nation state seems no longer capable of cradling a stable imagined community.

For Anderson, the nation:

> is an imagined political community – and imagined as both inherently limited and sovereign. It is imagined because the members of even the smallest nation will never know most of their fellow-

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[4] Peter Katzenstein, Robert Keohane and Stephen Krasner, "International Organization and the Study of World Politics," *International Organization* 52 (1998), 645-685.

[5] Mikael Hjerm, "Do Numbers Really Count? Group Threat Theory Revisited," *Journal of Ethnic and Migration Studies* 33 (2007), 1253-1275

[6] Karl W. Deutsch, *Nationalism and Social Communication: An Inquiry into the Foundations of Nationality* (Cambridge, MA: MIT Press, 1953). Considering the possibility of modern technology Gellner's theory seems to have been outworn, however, especially in so called Third World countries, the intensification of communication is still stimulating the development of nationalist movements. See Frank Jacob, "The Role of M-Pesa in Kenya's Economic and Political Development," in *Kenya After 50: Reconfiguring Education, Gender, and Policy*, ed. Mickie Mwanzia Koster, Michael Mwenda Kithinji, and Jerono P. Rotic (London/ New York: Palgrave, 2016), 89-100.

[7] Ernest Gellner, *Thought and Change* (Chicago: Chicago University Press, 1964).

> members, meet them, or even hear of them, yet in the minds of each lives the image of their communion.[8]

However, if this community is no longer imagined as equal (religiously, politically, economically), especially as a consequence of newcomers' migration, there might be an internal conflict, a secessionist movement and/or a civil war over the power to determine the nation and to define the nation state of the future.

To make matters more difficult, in the 21st Century the nation state system seems increasingly thrown into crisis by the nature of the responses of its own political leadership to global forces – namely, the web of international and supranational institutions that have grown as a result of national cooperation on international problems – and the backlashes from their own publics about these efforts. National responses to global forces have always posed a challenge to nation states (think of the conditions that led to both World Wars). But an increasing web of international institutions and law now poses a direct challenge to national sovereignty (and perhaps even the existence of nation states), with the accompanying rise in technocracy, liberal cosmopolitanism and perceived elitism brought on by the agents of globalization. Such transnational regulations have been seen to stimulate the aggressive type II nationalism as a defense mechanism of the nation state against perceived foreign control or influence. In the US, Donald Trump is the best expression of this sentiment–a backlash against perceived forces threatening US national sovereignty, including not only radical Islam and Chinese trade, but also Mexican immigrants, who are seen as outsiders in the US nation, and therefore dangerous elements within the borders of the nation state.[9]

Of course, in Europe, this backlash has ebbed and flowed for decades, but it has flown more broadly in recent years, culminating especially in the 2016 "Brexit" vote for the United Kingdom (UK) to leave the European Union (EU). This vote, perhaps more than any other, exemplifies the current crisis, for three reasons: 1) Secessionism: while Brexit ostensibly strikes a blow against

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[8] Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London/New York: Verso Books, 1991), 6.

[9] Publications like Ann Coulter, ¡Adios, America! The Left's Plan to Turn Our Country into a Third World Hellhole (Washington, DC: Regnery Publishing 2015) play with such paranoid fears and create an anti-immigration sentiment that is predominantly based on stereotypes and might lead to internal violence in the future. Similar publications were successful in Europe as well, e.g. Thilo Sarazin, *Deutschland schafft sich ab: Wie wir unser Land aufs Spiel setzen* (Munich: DVA, 2010). On the relationship between stereotypes and violence see Frank Jacob, "Editorial," *Global Humanities* 4 (2017): *Stereotypes and Violence*, 7-13.

supranational threats to national sovereignty, it has breathed new life into the secessionist movement in Scotland, for instance, which threatens to end the centuries-long union of several "nations" into one British state; 2) Supranationalism: the de facto ability of the UK to leave the EU is highly questionable, given the degree to which the two economies are linked. This means that voters want their nation state to re-assert a sovereignty which may no longer be possible.[10] If leaving the EU in practice is impossible, whatever one's opinion about the value of the European project, this signals perhaps the gravest threat to the nation state system ever, since sovereignty is the cornerstone of the Westphalian system; and 3) Immigration: polls show that the UK voters who chose "leave" in the Brexit vote were primarily motivated by one issue: immigrants and the threat to the nation by foreign infiltration. The same fear is shared by new political forces across the continent, e.g. the German PEGIDA movement, as well as largely white working-class communities in the US, whose members fear immigration and anticipate that as a consequence of immigration, their own jobs and lives might be in danger.[11] This highlights the degree to which human migration – whether through refugees, family migrants or labor migrants, coming lawfully or not – has thrown the nation state into an unprecedented type of crisis; the foreign "other" is perceived as a threat towards the integrity, sovereignty, and economy of the nation state, and therefore demands countermeasures, usually are expressed by right wing votes, protests, or even vigilante violence. The crisis connects to the other issues looming over the national project, including the ways in which migration correlates with trade, capital flows, international law, terrorism and other cultural and religious conflict in the eyes of many voters, politicians and press.

Our volume traces the rise of this crisis historically, beginning with three 20th century cases of the complex interrelationship between refugees and national identity, as pertaining to Greeks, Koreans, and Mexicans. These chapters show how three populations navigate the complex cultural and political issues wrought by war, migration and pressure on historical identities, which led to formative outcomes in each case. In addition, the role of "imagined communities" within the nation state will be highlighted. The chapters in this section will be showing how immigration created conflicts in Greece (Sal-

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[10] Gallya Lahav, "Public Opinion toward Immigration in the European Union: Does It Matter?" *Comparative Political Studies* 37 (2004), 1151-1183.

[11] Terri Givens, *Voting Radical Right in Western Europe* (New York: Cambridge University Press, 2005); Alan E. Kessler and Gary P. Freeman, "Public Opinion in the EU on Immigration from Outside the Community," *Journal of Common Market Studies* 43 (2005), 825-850.

vanou) and Korea (Jacob) alike, and as it has shaped Americans' self-understanding in ways that have varied over time, culminating in a current type of nativist (anti-immigration) narrative that de-historicizes the reality of immigration's role in the past in shaping American society (Garcia). The latter shows that past immigration waves were seen as strengthening the US national project, whereas current immigration patterns, despite having little or no objective differences to past inflows, are seen increasingly as a threat to the American national project.

The second section of the volume covers the contemporary crisis, beginning with the fascinating case of the UAE. (Alexander & Luedtke) With one of the highest per capita GDPs in the world, the UAE is not normally thought of as a developed country. However, in many ways it is a vanguard or test case of the 21st Century challenges for a nation state – how to balance a traditional monarchist society, in a dangerous region of the world, with the rewards of transforming itself into a globalized hub of commerce and trade. One interesting consequence of this transformation has been a reliance on foreign labor to such an extent that the UAE has a higher percentage of non-citizen residents than any other country in the world (around 90% of the population are foreign workers). The chapter by Alexander and Luedtke traces the discourses around Emirati identity and security wrought by this incredible, migration-driven economic miracle, analyzing specifically whether Emiratis perceive immigration to threaten their national security on the basis of tangible factors such as land or resources, of if immigrants are perceived to pose more of a threat in the areas of culture, religion, language or identity.[12] The subsequent chapter (Malit et al.) looks at the threats from the other perspective: the experience of the immigrant population in the UAE, who are deprived of most of the rights of immigrants in Western countries, in spite of (or perhaps in part because of) their numerical superiority as compared to the native citizenry. The UAE's large migrant population are on very strict temporary work visa regimes, with almost no possibility to stay legally in the country beyond when their labor is needed, and private employers are given a great deal of discretion in terms of how these immigrants (the majority from South Asia) are treated, with many abuses or potential abuses resulting.

Democracy has been both essential to and a challenge to the nation state model. The UAE is an incredibly young nation state, and is not a democratic system. Yet it is robustly and enthusiastically a capitalist system, for the most part, and the capitalist dynamism of places like Dubai and Abu Dhabi rely on foreign labor. The lack of democracy, in a sense, is the only way a country could sustain having 90% of its resident population be foreign nationals. Par-

[12] Myron Weiner, *International Migration and Security* (Boulder: Westview, 1993).

adoxically, it seems that while liberal democracy might be better for immigrants in terms of rights given by courts and legal systems, the median voter in every developed country consistently opposes increased immigration.[13] This means that democratic nation states are caught in a contradiction where foreigners are concerned. Increasingly, the imperatives of global capitalism (cheaper labor) and international law (refugee rights and family reunification rights respected) are seen as dangerous or threatening by Western publics, who turn to xenophobic politicians out of a general anger at the political elites, who are often perceived to be pro-globalization and pro-immigration in ways that threaten national traditions, identities and sovereignty itself. The chapter by Reich and Schain looks at this tension in three western countries, comparing how France, Britain and the US have managed this tension between the pressures of immigration's costs and benefits, and the inability of the political system to respond effectively.

The preceding chapter (Duerr), looks at three European cases, and ties together some of the main crises facing the nation state in the 21st Century – mainly, the ways in which European states are threatened like never before by a triple combination of recession, secession and immigration, all created by a struggle between the traditional nation and its supporters and those who believe in a possible change of the nation itself as a consequence of immigration. The next chapter (Taras) then looks at how the self-understanding of Europeans has changed (or not) when it comes to national identity and the effects of migration and European integration in the 21st Century, thereby tracing the nation building process over a longer time period and emphasizing the nation itself as a changeable process throughout history. The final two chapters focus specifically on two important facets of the crisis – the central role played by Islam in terms of immigration's perceived threat to the West (Miller & Chtouris), and the central role of the news media in shaping or amplifying these perceived threats and the reactions of publics and politicians (Caviedes).[14]

In the wake of the Brexit vote, Trump's election victory, the faltering of international trade, and the rise of the homeland security state to counter the threat posed by Islam to the West, one might say that the nation within the existing nation state is reasserting itself, and striking back at the global forces

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[13] Christian Breunig, Xun Cao, and Adam Luedtke, "Global Migration and Political Regime Type: A Democratic Disadvantage," *British Journal of Political Science* 42 (2012), 825-854.

[14] Terri Givens and Adam Luedtke, "European Immigration Policies in Comparative Perspective: Issue Salience, Partisanship and Immigrant Rights," *Comparative European Politics* 3 (2005), 1-22.

causing the current crisis.[15] On the other hand, these forces have in many ways grown beyond the ability of the nation state to control or opt out of. In the EU, for instance, it is not clear if and when the UK formally announces a decision to leave, whether it will be able to extricate itself from the reach of Brussels, given its economic integration with the continent. This, along with America's openness to trade and immigration in the wake of a contentious 2016 election, and the ability of non-Western states like the UAE to continue to participate in the global economic order (including migration), without succumbing to civil or external conflict, will be the great tests of the nation state's survival in the 21st Century. For anti-globalizers this is a critical juncture.

At the other extreme of the spectrum of possible responses to perceived external threats is to embrace globalization, which poses its own kind of threat to the nation state, in terms of diminishing sovereignty and increased power for international and supranational institutions like the EU.[16] European unification, like the slow unification of the American colonies, has moved ahead precisely during moments of grave crisis. Just as Washington DC's power grew most during the Civil War and the Great Depression, Brussels' biggest gains came out of the oil shocks of the 1970s and the Cold War's turbulent end. Regarding refugees, one EU-empowering consequence of the Cold War's end was how the ethnic cleansing in former Yugoslavia sparked a mass migration arguably more acute than today's. While that refugee crisis spawned innumerable predictions of EU doom and gloom, it actually led to the creation of FRONTEX, the EU's border patrol, and the EURODAC fingerprint database targeting "asylum-shoppers". These (federal) tools could only come from Brussels. By pooling sovereignty, Europeans averted the far greater migrant inflows and political backlashes that would have faced individual nation-states. Headlines about "ever-increasing" xenophobia, Euro-skepticism, terrorist threats or far-right voting belie a historical pattern of slow, tectonic movements in favor of federalism on both sides of the Atlantic. National politicians in Europe wins votes by bashing "Brussels", just as American candidates win votes by bashing Washington DC. This says nothing about the size, legitimacy or durability of the US federal government, just as European pessimism about globalization arguably says nothing about the size, legitimacy,

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[15] Adam Luedtke, "Fortifying Fortress Europe? The Effect of September 11 on EU Immigration Policy," in *Immigration Policy and Security: US, European and Commonwealth Perspectives*, ed. Gary Freeman, Terri Givens and David Leal (New York: Routledge, 2009), 130-147.

[16] Saskia Sassen, *Losing Control? Sovereignty in an Age of Globalization* (New York: Columbia University Press, 1996).

or durability of the EU, whose unification has progressed speedily through dangerous times like the Cold War. Paradoxically for Brexit voters, it is the EU who has helped countries like the UK minimize immigration, by funding a common border patrol (FRONTEX) in Southern and Eastern Europe, as well as implementing the European Asylum System, which forces refugees to remain in the first "safe" country where they arrive (usually in Southern or Eastern Europe).[17]

While many voters in the West may see a renewed national sovereignty as the answer to the crises of the day, they might not be willing or able to bear the costs that such retrenchment would entail. The coming decades pose very interesting dilemmas indeed for the balance between democracy, economic growth and the continued desire or ability for human beings to organize themselves politically under the Westphalian nation state model. 2048 will mark the 400th anniversary of the Treaty of Westphalia. The coming three decades will test this model to degrees and in ways it has never been tested. Whatever the result, it will be the ability of nation states to succeed or fail at adapting to – or controlling – human migration that will play a central role in the fate of the modern nation. Will states be able to overcome the dangerous type II nationalism outlined above, which pushes for segregation, secession, or even worse, for the extinction of the "other" with violent means? These crises can only be overcome if the people, in the tradition of Renan, can re-evaluate their own nationhood, and embrace the foreign "other" to make it part of their nation.

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Index

A

Abruzzo, 168
Action française, 204
Acts of Union, 163
Africa, 18, 23, 50, 55, 65, 80, 87, 138, 141, 163, 214, 250, 258
Al-Qaeda, 216
Anatolia, 2, 3, 11, 15, 18
Anatolian refugees, 3, 10, 15, 18
Anderson, Benedict, vii, viii
Arab Spring, 107, 112, 121, 246, 250, 253
Asia Minor, 1, 4, 6, 12, 15, 16, 18, 21, 22, 24
Asian migrant workforce, 77, 84, 94, 96, 98
asylum, xii, 77, 129, 132, 143, 148, 149, 154, 167, 188, 189, 194, 212, 213, 215, 218, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254

B

Bahrain, 77, 79, 81
Balkan Wars, 5, 8, 19
Bangladesh, 78, 95, 249
Bank of Naples, 63
Basilicata, 168
Basque Country, 161
Belgium, 161, 166, 204, 215, 217, 220, 224, 226
Berlusconi, Silvio, 170
Bersani, Pier-Luigi, 171
Bezobrazov, Alexander, 29
bigotry, 53, 70, 188
Birmingham, 226
Borcic, Berislav, 13
Bradford, 226
Brexit, viii, xi, xiii, 135, 144, 146, 148, 150, 162, 164, 175, 177, 178, 180, 182, 252
British Commonwealth, 140
British Nationality Act of 1981, 140
Brussels, 189
Byzantine Empire, 1, 19

C

Calabria, 168
Cameron, David, 145, 147, 159, 177, 178, 179, 180, 181
Campania, 168
Carswell, Douglas, 177
Catalonia, 161, 165, 169, 175, 183, 185
China, v, 26, 27, 29, 32, 33, 34, 35, 36, 37, 43, 45, 46, 124
Chirac, Jacques, 173
Civil War, xii, 10, 33, 211, 215
Cold War, xii, 32, 37, 39, 107
Conditional Migrant Integration Model, 80, 83
Conservative Party, 140, 177, 178, 181
Convention of Population Exchange, 5, 7
Corbyn, Jeremy, 177
Corsica Libera, 172, 183
Coventry, 176
Cuba, 55
cultural stereotypes, 6
Cyprus, 165

D

Daily Mail, 241
Democrazia Cristana, 170
Denmark, 163, 218, 223, 225
Deputy Crown Prince Mohammad bin Salam, 99
Derby, 226
Deutsch, Karl W., vii, 25
Dewsbury, 226
Die Welt, 211, 231, 243, 245, 246, 250, 251
domestic workers, 94, 95, 96, 97

E

East Asia, 39, 95, 165
East German Embassy in North Korea, 39
Egyptianization, 94
Emerson, Haven, 13
Europe, v, vi, vii, viii, ix, xii, xiv, 2, 5, 12, 16, 22, 23, 28, 45, 55, 65, 68, 78, 85, 86, 88, 101, 109, 129, 130, 131, 132, 133, 134, 138, 141, 142, 146, 148, 150, 151, 152, 153, 154, 155, 156, 157, 161, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173,180, 181, 182, 183, 184, 185, 186, 187, 189, 195, 197, 198, 199, 200, 202, 203, 204, 205, 207, 208, 212, 213, 214, 215, 216, 217, 218, 221, 223, 224, 225, 226, 227, 228, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 248, 255, 256, 257, 259, 260
European immigrants, 49, 54, 55, 65, 68, 69, 70
European Union, viii, ix, xiii, xiv, 105, 106, 111, 130, 132, 133, 142, 146, 156, 161, 165, 166, 169, 170, 173, 175, 181, 182, 183, 185, 187, 189, 207, 211, 212, 218, 219, 226, 230, 232, 237, 248, 249, 255, 260
Eurotunnel, 148

F

Fairbank, John King, 31
First Balkan War, 3
First World War, 2, 12, 53, 63
Flanders, 161, 165, 169, 183, 185
forced assimilation, 30
Foucault, Michel, 13, 196
France, vi, xi, xiii, 29, 104, 129, 130, 133, 134, 135, 136, 137, 138, 139, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 161, 163, 164, 165, 167, 168, 169, 171, 172, 173, 174, 175, 176, 178, 179, 180, 181, 182, 185, 196, 200, 207, 215, 218, 222, 223, 225, 230, 231, 235, 237, 238, 240, 243, 244, 245, 246, 247, 248, 249, 250, 252, 254, 256, 259
Franco-Prussian War, 138
Franklin, Benjamin, 59, 60, 72
Frexit, 162, 176
FRONTEX, xii, 134, 169

G

Gellner, Ernest, vii
Gentiloni, Paolo, 170, 171, 179
Germany, vi, xiii, 29, 58, 69, 104, 129, 130, 134, 135, 136, 138, 140, 155, 156, 157, 167, 173, 175, 193, 202, 208, 215, 217, 218, 225, 231, 235, 236, 237, 238, 240, 241, 243, 244, 245, 246, 250, 251, 255, 256
ghettoization, 104
global markets, 172
Gothenburg, 226
Goudi Coup, 8

Great Britain, 50, 140, 157, 193, 208, 225
Greece, ix, 1, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 165, 166, 167, 171, 182, 217, 218, 219, 257
Greek Ministry of Health and Social Welfare, 13
Greek Revolution of 1821, 19
Greek Social Security Foundation, 14
Grillo, Beppe, 170
Gulf Labor Markets and Migration, 78, 101, 258

H

Haiti, 64
Hart-Cellar Act, 50, 52, 64
hijab, 225
Hispanic unity, 49
Hollande, François, 173, 179
Hungary, 38, 39, 45, 165, 202, 213, 214, 218, 230
hyperurbanization, 27

I

illegal immigration, 54
imagined community, vii, 187
Immigration and Naturalization Service, 56
India, 62, 78, 95, 107, 124
Indonesia, 95, 215
International Labor Office, 14
International Relations, 26, 46, 103, 105, 218, 232, 239, 256
Interwar Greece, 1, 3, 10, 12, 16, 21, 22
Iraq, 80, 131, 167, 184, 203, 215
Ireland, 163, 165, 177, 178, 219, 232
ISIS, 216, 217
Islam, viii, xi, 51, 66, 73, 121, 204, 216, 218, 219, 221, 224, 228, 230, 231, 232
Italy, 58, 63, 129, 135, 136, 161, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 176, 178, 179, 180, 181, 182, 185, 218, 223
Itō Hirobumi, 30

J

Japan, 26, 27, 28, 29, 30, 32, 35, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 84, 199, 208
Japanese imperialism, 30, 41
Japanization, 30
Johnson, Lyndon B., 50
Jones Act, 57
Jordan, 88, 107, 153, 167, 212
jus sanguinis, 138
jus solis, 138

K

Kafala, 77, 79, 82, 87, 88, 90, 94, 97, 98, 102, 118, 120, 122, 123
Kennedy, John F., 150
Kohl, Helmut, 238, 239
Kopanaris, Fokionas, 6
Korea, x, 26, 27, 28, 29, 30, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 84
Korean Peninsula, 26, 27, 29, 30, 32, 37
Korean War, 27, 37, 38, 39, 44, 46
Kuwait, 77, 79, 106

L

labor market mobility, 80, 83, 85, 86, 91, 94

labor migration, 142, 235, 257
Labour Party, 147, 177
Lampedusa, 169
Latin America, 50, 53, 57, 65, 67, 165
Latvia, 165, 217, 230
Lausanne Treaty, 3, 15
Le Figaro, 129, 243, 245, 246, 247, 248, 249
Le Pen, Marine, 173, 174
Lebanon, 92, 167, 212
Leeds, 226
Lega Nord, 168, 179
Leicester, 226
Les Republicains, 173
Lexis-Nexis Academic database, 243
Libya, 171, 212
Liga Veneta, 169, 170, 183
Liverpool, 176, 226
London, vii, viii, xiii, xiv, 3, 4, 13, 15, 16, 20, 21, 22, 23, 24, 30, 105, 140, 141, 143, 145, 147, 156, 157, 164, 165, 174, 176, 177, 178, 185, 194, 195, 197, 203, 207, 209, 214, 222, 226, 228, 231, 234, 241, 255, 256
Luton, 226

M

Madrid, 168, 248
Malmo, 226
Manchester, 182, 185, 226
Manchukuo, 31, 32
Manchurian Incident, 31, 32
Manpo ̄zan Incident, 31
Mao Zedong, 32, 33, 34, 46
Mediterranean Sea, 167, 169, 171, 174
Merkel, Angela, 173, 180, 189, 202
Mexico, 51, 53, 55, 57, 64
Mezzogiorno, 168
Middle East, 50, 65, 80, 87, 163, 167, 211, 214, 217, 222, 228, 231, 232, 250, 257, 259
migrant integration, 77, 78, 79, 80, 82, 84, 91, 94, 95, 98, 99, 195
Migration Integration Policy Index, 80, 102
Milan, 168
Molise, 168
Mongolia, 26, 36
monolingualism, 61
Movimento Cinque Stelle, 170
Multikulti, 202
Munich, viii, xiv, 28, 44, 168
Muslim Americans, 52
Muslim Brotherhood, 112

N

nation state, v, vii, viii, ix, x, xi, xii, xiii, 17, 20, 25, 26, 27, 29, 32, 35, 37, 42
nationalism, vi, vii, viii, xiii, 16, 23, 25, 106, 173, 177, 182, 183, 186, 189, 203
Nepal, 95
Netherlands, 129, 130, 155, 156, 215, 218, 220, 225, 226, 227, 230
New Mexico, 57
Nie Rongzhen, 33, 46
No-Go Zones, 221
North Korea, 27, 37, 39, 41, 43
Norway, 84, 223, 225

O

October Revolution, 9
oil crises, 235
Olympic Games, 174, 178
Oman, 77, 79, 81, 95

Organization of Public Health of Australia, 13
Orlando, Florida, 51
Ottoman Empire, 1, 2, 4, 5, 19, 22, 23, 259

P

Parekh, Bhikhu, 201
Paris, vi, xiv, 12, 51, 131, 138, 146, 157, 158, 163, 164, 196, 204, 207, 208, 214, 217, 224, 225, 226, 230
Park, Charles L., 13
Parti Socialiste, 173
Partito Comunista Italiano, 170
Partito Democratico, 170
Pasqua Laws, 237
PEGIDA, ix
Pennsylvania, 47, 49, 59, 60, 66, 71, 72, 257
Perry, Matthew C., 27, 45
Philippines, 30, 95
populist politics, 129
Puglia, 168

Q

Qatar, 77, 79, 81

R

racism, 50, 53, 66, 67, 69, 115, 122, 150, 188, 190, 193
Rajchman, Ludwik, 13
refugee camp, 149
refugee neighborhoods, 2, 10
Renan, Ernest, v, vi, xiv
restrictive immigration policies, 54, 64
Romania, 165
Roosevelt, Theodore, 30
Russia, 26, 29, 36, 37, 63, 107, 120, 197, 207
RUSsia, 28, 200
Russo-Japanese War, 29, 30
RUSso-Japanese War, 30

S

Saigō Takamori, 28, 44, 46
San Bernardino, California, 51
Sangatte Crisis, 148
Sardinia, 168
Saudi Arabia, 77, 78, 79, 99, 257
Schäuble, Wolfgang, 251
School of Public Hygiene, Athens, 14
Scotland, ix, 161, 162, 163, 165, 169, 173, 175, 176, 177, 178, 179, 180, 181, 182, 183, 185
secessionism, 161, 162, 166, 168, 170, 171, 173, 174, 180, 182, 184
Second Continental Congress, 60
Second World War, 10, 26, 27
Seikanron, 28, 29, 46
self-culpabilization, 197
settler colonialism, 30, 31
Sharia Compliant Zones, 221
Sheffield, 226
Sicily, 168, 219
Sino-Japanese War, 27, 29
Skocpol, Theda, 188, 208
South Philadelphia cheesesteak shop, 48
South Tyrol, 166, 170
Soviet Union, 37, 46, 233, 235
Spain, 2, 135, 136, 161, 166, 171, 204, 225, 243
Sri Lanka, 95
subjectship, 140
Südtiroler Volkspartei, 166
Sweden, 195, 199, 208, 209, 217, 218, 223, 225, 226, 230, 231

Syria, 92, 131, 167, 184, 197, 203, 204, 215

T

Talibanization, 121
Texas, 57, 259
The Daily Telegraph, 245, 246, 251, 252, 253
Third World, vii, viii, xiii, 49, 64, 71
Thirty Years' War, v
Tixier, Adrianne, 14
Tower Hamlets, 222, 226
Treaty of Westphalia, v, xiii
Trout, George, 47, 48, 68
Trump, Donald, viii, 50, 51, 72, 73, 153
Tunisia, 171, 215
Turin, 168
Turkey, 3, 15, 20, 84, 167, 197, 215

U

U.S. Border Patrol, 55
U.S. immigration policy, 53
UAE Nationality Law No. 17, 81
undocumented immigration, 129, 134, 153
Union of Muslim Associations of the Seine-St. Denis department, 146
United Arab Emirates, vii, 77, 81, 86, 94, 96, 102, 103, 258, 259
United Kingdom, viii, ix, xii, xiii, 87, 129, 133, 134, 135, 136, 137, 140, 141, 143, 144, 146, 147, 148, 149, 150, 151, 158, 161, 162, 163, 164, 167, 169, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 184, 213, 226, 234, 235, 236, 238, 239, 240, 241, 242, 243,245, 246, 247, 252, 253, 254, 255, 256
United Nation's 1951 Convention Relating to the Status of Refugees, 235
United States, vi, xiii, 14, 26, 28, 30, 32, 37, 43, 45, 47, 49, 50, 51, 52, 53, 54, 55, 56, 57, 59, 61, 62, 63, 64, 65, 67, 68, 72, 73, 104, 109, 129, 131, 134, 135, 136, 137, 139, 140, 146, 150, 151, 152, 153, 154, 156, 157, 165, 181, 185, 193, 194, 199, 200, 207, 208, 221, 237, 256, 259
University of Wisconsin-Madison, 59

V

Venizelos, Eleftherios, 8, 15
Vento, Joey, 48, 58, 72
Vienna, 12, 168, 219, 230

W

Wales, 163, 176, 177
Waltham Forest, 222, 226
Western Christian society, 64
Western liberal democracies, 196
Whitman, Walt, 150

Y

Yamagata Aritomo, 29
York County, 47, 60

Z

Zaia, Luca, 169, 170
Žižek, Slavoj, 196, 197
zones urbaines sensibles, 222, 223