Justification and Immigration in the Network Society
– A New Ambivalence?

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Bülent Diken

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No. 4/2002
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I believe that the “immigrant” is basically a sublimated fetish object. A fetish object, without which the populist politics of immigration, especially in countries such as Austria and Denmark, would not be able to exist. Without the immigrant as the “other” against which “we” define ourselves, it is impossible to sustain the clean-cut definitions of Danishness, Austrian identity, and so on. Then, obviously, the immigrant has a great function in this society. Hence I don’t think that the real aim of the immigration debate is to integrate immigrants – simply because if integration takes place, that is, if the “problem of the immigrant” disappears, then the culturalist/communitarian definitions of Danishness cannot be sustained in their present form. So, in fact, it is not the case that the immigrant is parasitic on “our identity” or “our way of life”; it is, rather, the case that what we define as “our identity” is parasitic on the supplement called immigrant. Thus it seems to me that only through the fantasy about a consistent immigrant identity, “we” can today conceal a much more profound reality, a much more profound source of anxiety: which is that in network capitalism, “society” itself, be it Danish or Austrian society, no longer exists. There are no longer borders for the flows of deterritorialized, global capital. If we are to sustain the illusion that borders remain, we cannot afford to “integrate” and forget the immigrant – which is, I believe, the “dirty secret” of politics of immigration and perhaps of much research in this field.

So, neither the “immigrant” nor the “society” exists. What are we left with, then? What can we talk about? We should perhaps simply shut up; indeed, silence can be seductive, subversive and ethical, at least sometimes. Yet, paradoxically, I am tempted to speak. Perhaps, doing immigration research is living with this paradox. In my presentation I want to look at how the topic of immigration might relate to what is called the “network society”, which is not a “society” in the sense of classical social theory. Rather, the “network society” consists of networks and flows that cannot be contained within “solid” national borders.¹

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In this context, I want to ask the following two questions: how do we justify our standpoint when we speak about immigration? And how do we criticise others’ opinions? I want to deal with these questions by integrating them into what Luc Boltanski and Laurent Thévenot call “regimes of justification”\(^2\). The idea is that there is a plurality of different, differentiated and mutually contesting regimes of justification, which are mobilised in public disputes. I suggest that this idea can function as a fruitful framework to discuss the dynamics of contemporary disputes about immigration. Regarding justification and critique, it is obvious that immigration is a contested issue. In any contest in this field, power needs justification and justification can be delegitimized by critique. In order to understand different forms of critique in the immigration debate, we therefore need to understand how we justify. Then, we need a theory of critique as well as a critical theory of immigration; a “sociology of criticism” as well as a “critical sociology” of immigration.\(^3\) In other words, we need to investigate how different forms of critique (on immigration) are grounded rather than doing research that grounds a certain form of critique.

**Justification and Immigration**

How does one justify one’s critique, then? Boltanski and Thévenot, in their book on justification,\(^4\) give the following answer to this question. People engaged in public dispute and critique refer to different *regimes* or *worlds of justification*, each with their own criteria of validity and internal consistency.\(^5\) Such regimes of justification make it possible for situated actors to engage in disputes with others on the “common good”. They do not have a normative connotation in the sense of the telos of communicative rationality in Habermas’ understanding. Rather, they establish different registers of grandeur and of denunciation to be employed in disputes. Neither do they imply a search for consensus. Consensus is possible only within a given regime of justification – across different regimes, only compromise is achievable.\(^6\)

Several regimes of justification exist simultaneously. In their study, Boltanski and Thévenot register six different regimes of justification. These are the regimes of inspiration, opinion, domesticity, civility, market, and industry. With this notion of a limited set of regimes of justification, they try to find a middle ground between a formal universalism and an unlimited pluralism.\(^7\) To be sure, the (limited) plurality and simultaneous existence of the regimes resemble the idea of a differentiated modernity, like in the case of Bourdieu’s fields or Luhmann’s autopoietic systems. But Boltanski and Thévenot also allow for *de-differentiation*; hence, the regimes are “not related to

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\(^7\) Boltanski and Thévenot (2000: 365).
different groups ... but to different situations”. Furthermore, they are not only interested in knowing what is happening within a single regime of justification, but also in situations in which different regimes clash or compromise with one another. Now, let us focus on how criticism and justification regarding immigration can be related to different regimes.

1. Migrancy as Source of Inspiration

The regime of inspiration is characterised by the grandeur of inspiration, singularity, originality, creativity and movement. What is important here is to avoid routines and habits, to free oneself from statis and inertia. Inspiration is about transgressing oneself.9

Within this regime of justification, which is closely related to aesthetic modernity, mobility that pertains to immigration is seen as a tool, with which what is seen as static is criticised. In this context, concepts such as nomadism, hybridity and displacement are associated with escape or *emancipation* from a sedentary power. Within this regime, the idea of migration promises freedom from roots, emancipation. Edward Said, for instance, writes in *Culture and Imperialism*:

... liberation as an intellectual mission ... has now shifted from the settled, established, and domesticated dynamics of culture to its unhoused, decentred, and exilic energies, energies whose incarnation today is the migrant....10

2. Migrancy and Industrialist Efficiency

Within the industrial regime, with its technological objects and scientific methods, the grandeur is about efficiency, productivity, ensuring functionality and giving utilitarian answers to “needs”. This is of course the world of industrial capitalism. Here, professional expertise counts as “grand”. Unproductive people are “small”. Progress, planning and organization are given pride of place.11

Seen from within this regime, immigrants once were useful; they had a “utility”. But with the rise of the post-industrial society they became a “burden”: a sign of ineffectivity, poor performance and dysfunctionality. In this context it is interesting that much integration debate remains indexed to the framework of a utilitarian industrialism, whereas it is increasingly doubtful if the industrial “society”, into which immigrants are to be integrated, still exists. However, the most visible sign of justification and critique within this regime is a utopian social engineering. Integration is the “utopia” of the industrialist politics of immigration. It aims at creating more integration. Integration will always take place in the future. Hence, while the effectivity of policies is evaluated from the point of view of a futuristic “target”, the goal itself often remains self-referential. A society in which immigrants are “integrated” will be a better society. The discourse of immigration is, as such, in Richard Rorty’s words, “parasitic on the hopes”.12 Having a model of future society, the politics of immigration tries to come closer to it. And, so it seems, it does not

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bother very much about the immediate effects of what it is doing here and now. For what counts most is the effective shortening of the distance to the ideal of integration.

3. Immigration and the Market Regime
Within the market regime, the grandeur is competitiveness, richness, and a willingness to take risks. Short-term, rather than long-term projects count more within this regime. What is “small” is being a loser, or having a product that does not sell (well). Seen from within this regime, immigrants are interesting only in so far as they are entrepreneurs. Especially research on immigrant businesses seems to be justifying itself with reference to this regime. Though, in other contexts, immigrants continue playing the role of welfare-dependent losers, or so it seems from this world.

4. Immigration and Opinion
In the regime of opinion, the grandeur is in the recognition of others. To be visible, to have publicity, to influence, attract and seduce others are the preferred values. What is undesirable is to be forgotten, or to appear as a blurred image. Being able to move in accordance with public opinion is grand. Showing up everywhere, especially in the media, or worshipping the stars by following them around is what counts as important.

This regime seems to be especially significant regarding the contemporary immigration debate. Hence the debate is dominated by a populism, in which references to “public opinion” constitute the main argument for justification and critique. Funnily enough, more often than not public opinion justifies repressive, even racist ideologies and policies. And indeed, one can even become the Minister of Interior in Denmark by referring to public opinion about immigration, which Thorild Simonsen’s former position as the “answer” of Danish Social Democracy to Pia Kjærsgaard exemplifies.

In this world, what most people say or believe is right. Thus, if you say what everybody already knows; for instance, if you picture the topology of the immigration debate in an Orientalist way – as N. Khader does for example – you can be considered an “expert”, or indeed become a “star”. Astonishingly, in today’s Denmark, you do not need to be productive in terms of expertise or in terms of inspiration and originality or in terms of democratic debate to become a gate-keeper in the immigration debate.

5. The Immigrant against Community – the Regime of Domesticity
Within the regime of domesticity, the grandeur is personal trust among the members of a collective, a tradition, a community, or a hierarchy. Respect, the tradition, the roots and memory are valuable; individualism is undesirable.

Within this regime, the intrusion of “the stranger” is threatening. Cultural contact with immigrants does not lead to harmony and happiness. Strangerhood is associated with cultural contamination and with global economic interdependencies. Against the flows of migrants, belonging, territory and “roots” are held to be more valuable. As is the case with communitarianism, the dispute is about defending a territory, a heritage, a nation, or a tradition against the ex-territorial, seamless and rootless flows of global capital and migrants. In these space wars, “territorialization” – not only in the geographical but also in the social and cultural sense – becomes the magic answer to

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14 (Ibid. 222-230).
all the uncertainties caused by global mobility. The “home” becomes the shelter against the horrors of deterritorialization and mobility.

6. The Civic Regime
Within the civic world, the grandeur is common will and equality. The focus is not on persons, but on collectivities and representation. The grandeur is to subordinate to the collective will, to be delegated. What is undesirable is fractions, corporatism, and individualism.16

Within this regime of justification, what we need regarding immigration is a common ground, a shared platform for the co-existence of differences. Yet this platform cannot be cultural. Thus, seen from within this regime, especially culturalism and communitarianism are dangerous tendencies. For, as Lars-Henrik Schmidt puts is, “there are not different cultures, there are only cultural differences”. Merely cultural values cannot establish a common good; what is missing is, well, politics. Before being representative of “different cultures”, immigrants are political beings, zoon politicon. Seen from this perspective, what is threatened in the ongoing immigration debate is politics itself. Culturalism is post-politics, or, trans-politics. With its cultural pre-occupations, politics of immigration has already moved beyond politics. Which is what makes it anti-democratic per definition. Thus, we discuss in a country, in which immigrants are invited to cultural identification with Danishness without much power to participate in politics. The message of immigration debate is this: identify but do not participate. We should reverse this. For to be able to speak of democracy we need participation without the compulsion to identify.17

This is of course not just a Danish dilemma. Multiculturalism has become official politics also in Britain, “insisting that we should also conceive of ourselves as a community of communities, conceding religious schools to ethnic and racial minorities and all the other social instruments that Balkanize and destroy a common civic culture. This is declared New Labour Policy”.18 But a society can hold together if it stands by a universal understanding and infrastructure of justice – “and it is within those we design our response to racism”19, says the civic regime.

Conflicts, Compromises, and new Justifications
To sum up, then, different regimes of justification come up with different and conflicting justifications. But there are also possibilities for compromise. To give an example, let us dwell on how the possibilities of conflict and compromise are observed from the regime of inspiration. Seen from the regime of inspiration, all other regimes suffer from considering stability as “grand”: from norms, principles, traditions, promises, plans, predictions, commitments, objectivity, and expertise. The regime of domesticity, particularly, is mistaken, because it clearly prioritises “roots” against mobility and displacement. On the other hand, seen from the world of domesticity, the

16 (Ibid. 231-241).
19 (Ibid.)
regime of inspiration lacks a sense of order, respect for hierarchies, and habits. Hence, at first sight, a straightforward compromise between these two regimes seems difficult to attain. Roots and movement, tradition and innovation, territorialisation and deterritorialisation seem to conflict with each other, although, in reality, one can territorialise only to deterritorialise again.

So, conflict might prevail, and different regimes might continue constructing the world in different ways, yet compromises, too, exist. The most visible inter-regime compromise in our context is between the regimes of industry, domesticity, and opinion. Thus, the general “opinion” in Denmark seems to be communitarian for it divides the social field between “us” and “them” and it expects the outsiders to be “integrated” in an effective way into a society still modelled in industrialist terms.

I think even contemporary, post-modern forms of fascism in countries such as Denmark and Austria can be taken as an inter-regime compromise between the regime of inspiration and the regime of domesticity. What is significant here is that although fascism speaks the language of an internally non-antagonistic and unchanging community, it has indeed an innovative, mobile structure. Isn’t this the case with Kjærsgaard’s racism, for instance? It is effectively so mobile and – one is tempted to say so “rootless”, that it can easily flow from Kjærsgaard’s party to Social Democracy, from Social Democracy to the Conservative Party, to the Media and the universities, and back again, and you never know where it will resurface next. Yesterday we thought it was biological determinism, today it has the face of culturalist essentialism. But what about tomorrow? Her fascism is in constant movement and constantly mutates itself. It develops not in a continuous but in a discontinuous manner, by breaks and mutations, like a Rhizome. That is, even though she represents an immobile, unchanging Danish culture, P. Kjærsgaard’s world is effectively mobile and this is her real strength; not the imaginary, primordial Danish identity which she refers to, but the flow-like, rootless character of her fascism.

A Reticular World

The problem with my narration so far is that there is emerging a new regime of justification together with the network society, a new regime, which reverses the tables completely for the researchers of immigration. To such an extent that we perhaps have to re-think a lot of taken for granted forms of critique and justification.

Today, there is a seventh regime of justification that has developed within the network society, a regime adjusted to mobilities and networks. This is what Boltanski & Chiapello argue in their recent book: The New Spirit of Capitalism.

Importantly, the seventh regime, which they call the “project regime” (cité par projets), has emerged as a compromise between three former regimes of justification: namely, the regimes of inspiration, market and industry.

It is significant in this context that, until recently, it was the French philosophy that most loudly opposed capitalism and power with an aesthetic critique: In this,

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23 (Ibid. 158).
inspiration, perversion, hybridization and transgression were seen as alternatives to the powers of inertia, stasis, essentialism and the law. Nomadism versus sedentariness; situationism versus the society of spectacle. Yet, what we are reminded once more in the network society is that aesthetic critique can be accommodated by a power which itself goes nomadic today. How can nomadism and hybridity remain an alternative when power operates through hybrid, shifting, nomadic identities, which is the case within the network society?

In the contemporary network society real geography is to a large extent cancelled by the deterritorialized logic of flows. Power works according to the principle of mobility: the fast eat the slow. Ours is a “nomad capitalism”; it justifies itself and advertises its products also with reference to the aesthetic regime of inspiration: “Be Inspired”, as Siemens says in its adverts. Meanwhile, capitalists themselves boast in new ways—“I am such a nomad, I am such a tramp”, says Anita Roddick, the owner of Body Shop. And a new capitalist discourse based on metaphors of mobility is emerging in business organizations, promoting the notion of a “constant adaptive movement” and flexible organizational forms that can “go with the flow”. In short, as Bauman nicely formulates it, today “we are witnessing the revenge of nomadism over the principle of territoriality and settlement”. We are today “condemned to nomadism, at the very moment that we think we can make displacement the most effective means of subversion”.

Aesthetic creativity, which is related to the idea of transgressing oneself, industrialist productivity, and the market’s grandeur, willingness to take risks, are no longer exclusive worlds. The new “project-regime” is well adjusted to the world of networks precisely because it is a transitory form. Those who do not have projects or do not explore networks are threatened by exclusion. In the new connectionist world, the real threat is not non-integration but exclusion from networks. In this reticular world, in which a pre-established habitus is not desirable, one “should be physically and intellectually mobile” and be able to respond to the call of “a moving world”: the new “grand person is mobile”.

My point is that critique is not a peripheral activity. Rather, it contributes to capitalist innovations that can assimilate critique, which in turn confronts critique with the danger of becoming dysfunctional. Capitalism had received mainly two forms of critique until the 1970s: the social critique, from the Marxist camp (based on the concept of “exploitation”), and the aesthetic critique, from the French philosophy (based on the concept of “nomadism”). Yet, since the 1970s, capitalism seems to have found new forms of legitimation in the artist critique, which resulted in a “transfer of

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competencies from leftist radicalism toward management". Consequently, the aesthetic critique seems to have dissolved into a post-Fordist normative regime of justification, while the notion of creativity has been re-coded in terms of flexibility, and while difference has been commercialized.

So, there seems to be emerging a new regime of justification that matches the networks of liquid capitalism. What are the consequences of this development for immigration? The most important consequences are perhaps the disappearance of “society” and the crisis of postmodernist and postcolonialist critique. The disappearance of “society” as such relates to that the network logic can escape critique. Because the new regime valorises flexibility, communication and connectionism, it compromises the old civic/political securities. For instance, it violates the assumption of a “common good” necessary for politics. In this sense, one is tempted to argue that the new, seventh regime is elevated above the previous regimes. It even seems that it is a regime of power and violence rather than justification. Network power is about the capacity to escape. Its instruments are fluidity, liquidity, and speed. In “liquid modernity” power lies in the ability to “travel light”. If you are a light traveller, your privilege is to be outside Boltanski & Thévenot’s six regimes of justification. Also, network speed is beyond the reach of politics: if politics is understood as time for reflection and dialogue, the speed of networking marks the end of politics. Speed is beyond politics, as Paul Virilio says.

Politics requires time, but for flows it takes no time to escape territories of politics. Thus, as Manuel Castells argues, global power is increasingly liberated from politics: whereas power belongs to the “space of flows”, politics remains “hopelessly local”. Power now can easily escape the agora, the space in which private fears are translated into “political” issues, the space in which immigration can be discussed as a political rather than cultural issue.

In this sense networking means the disappearance of “society”. We no longer have a “society” organized around the clean-cut territory of a nation-state, but transversal networks, channelling flows of capital and people. Indeed, one of the most visible effects of its disappearance is that “society” is increasingly staged as a fantasy construction today.

Perhaps the best example is the Big Brother TV-show. As we know, until recently, the most typical fear of modern societies was the fear of panopticism. A fear related to being under the gaze of the public authorities all the time. The fear of the George Orwell’s “Big Brother”. Yet, again, the fears have changed today. The outrageously popular TV show, “Big Brother”, just shows this. As Slavoj Žižek argues, what is uncanny about the Big Brother TV-show is the completely new meaning it gives to Orwell’s (and Foucault’s) panoptic society. What we have in Big Brother is “the tragicomic reversal of the Benthamite-Orwellian notion of the panopticon society in

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33 Boltanski & Chiapello; quoted in Guilhot (2000: 360).
which we are (potentially) ‘observed all the time’ (...): today, anxiety seems to arise from the prospect of not being exposed to the Other’s gaze all the time, so that the subject needs the camera’s gaze as a kind of ontological guarantee of his or her existence.” Precisely when “society” no longer exists / promises salvation, it has to be performed and staged as a spectacle, trying to mask the anxieties that follow its disappearance.

Similarly, in P. Kjaersgaard’s political show, the fantasy of “Danish identity”, “Danish culture”, and so on, is perhaps desperate attempts to re-stage the “Danish society”, which is increasingly becoming meaningless as it is constantly traversed by global flows of capital and migrants. What is served by racism today is an ideological fantasy about a “society” that still exists. Its logic is this: if “society” were not “threatened” or “destroyed” by the mobile immigrant, we would have a consistent, cosy, and non-antagonistic – one is tempted to say “happily fascist” society. Is not this fantasy the kernel of the whole immigration debate? I wonder what would be left in the immigration debate if this fantasy were taken away. One is tempted to say: nothing! Though, if this fantasy is taken away, what is left is of course a series of social problems. Yes, in the network society neither “society” nor the “migrant” exist, but there exist a lot of social problems. Perhaps, we should “re-invent politics”, as Ulrich Beck says. We should talk about the “common good”, not in terms of cultural identity but in terms of politics. For “people do not need to be given their cultures, only their political rights”.

Yet, the existing immigration debate is a-political or, in a sense, “post-political”. The dominant form of politics today is Third Way “post-politics”, a disavowal of politics as such. Post-politics does not “repress” politics as such but rather “forecloses” it: ideological conflicts are replaced by the collaboration of technocrats and multi-culturalists; what is foreclosed is thus the political itself, which returns in the form of racism, ethnic violence, and so on.

Post-Politics of Immigration

What is precluded in post-political multiculturalism, which seeks to identify specific problems of different sub-groups with a view to rectify the wrongs, is the gesture of politicization proper: the metaphoric universalization of particular demands, which is “not simply a part of the negotiation of interests but aims at something more”, at the restructuring of the social space. In post-politics, particular demands remain particular, without being able to function as a metaphoric condensation of general opposition against those in power: the goal of identity politics, for instance, is the assertion of particular identities and of one’s own particular place within the social. In this sense, post-politics is the end of politics proper. With this aim, “post-politics mobilizes the vast apparatus of experts, social workers, and so on, to reduce the overall demand (complaint) of a particular group to just this demand, with its particular

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44 (Ibid. 204, 208).
content – no wonder this suffocating closure gives birth to ‘irrational’ outbursts of violence as the only way to give expression to the dimension beyond particularity”.\textsuperscript{45}

Ironically, beyond this ideology of “Beyond Left and Right”\textsuperscript{46} lurks the immanent capital, which not only thrives in multitude, hybridity and diversity but is also the very link that combines the “multi”-ple cultures to one another:

[The] ever-growing flowering of groups and subgroups in their hybrid and fluid, shifting identities, each insisting on the right to assert its specific way of life and/or culture, this incessant diversification, is possible and thinkable only against the background of capitalist globalization; it is the very way capitalist globalization affects our sense of ethnic and other forms of... belonging: the only link connecting these multiple groups is the link of Capital itself, always ready to satisfy the specific demands of each group and subgroup (gay tourism, Hispanic music...).\textsuperscript{47}

Multi-culturalism is not a solution to the problems of the network society. Rather, it is the very “cultural logic of late capitalism”, as Žižek puts it.\textsuperscript{48} Likewise, neither postmodernism nor post-colonialism seem to be necessarily “anti-institutional” responses to contemporary network capitalism. Power has already evacuated the territories they are attacking and it can effortlessly support their criticism on sedentariness, fixed identities, borders, and so on. What the forms of critique launched by multiculturalism, postmodernism, postcolonialism and so on enjoy the luxury of overseeing today is precisely that such strategies are emancipatory only in so far as power poses hierarchy exclusively through essentialism and stable binary divisions.\textsuperscript{49}

Network society is no longer characterized by panoptic, place-bound forms of discipline forcing people to overtake given subject positions, but by a permanent movement, in which the subject is always in a state of becoming. If the industrial society worked in terms of fixed points or positions, network society operates in terms of mobility, speed, flexibility, and contingent identities, in terms of “the whatever”.\textsuperscript{50}

In network society, social space tends to lose its delimitation: today, one “is factory worker outside the factory, student outside the school, inmate outside prison, insane outside the asylum—all at the same time. It belongs to no identity and all of them—outside the institutions but even more intensely ruled by their disciplinary logics”.\textsuperscript{51}

Thus, the new terrain of political struggle and social research regarding immigration is mobility. As Hardt & Negri point out, the masses in the network society are driven by a desire for mobility: for desertion, exodus and nomadism. Whereas resistance took the form of sabotage (or, opposition) in the industrial society, in the network society, resistance takes the form of mobility. It is in this sense that the mobility of the multitude, the migration of the masses, is the new “specter” that haunts today’s

\textsuperscript{45} (Ibid. 204).
\textsuperscript{47} Žižek (1999: 210)
\textsuperscript{48} Žižek (1999).
\textsuperscript{51} Hardt & Negri (2000: 331-2).
network society. It is also in this sense that the primary aim of the politics of immigration is – to quote Birthe Rønn Hornbech – “to stop the flows of immigrants”.53

Even when it is forced, mobility increases nomadic desires. Even if all the powers of the network society are united against it, mobility is irresistible because it connects to the most basic human desires. Flows of migrants and refugees, a flight from the so-called Third World, along with the large-scale movements of the new service proletariat. The movements of the “new barbarians”, contemporary migratory movements are extraordinarily diffuse and complex, and – hopefully – they will not be subjugated to the laws of capitalist accumulation completely.54 The political problem is therefore not to invent the magic seven rules of integration. The problem of the network society is, rather, this: how can the mobile multitude constitute itself as a political agent? First of all, perhaps, by demanding that migrations are recognized juridically by political institutions, for capital itself demands increased mobility. The mobile multitude “must be able to decide if, when, and where it moves… The general right to control its own movement is the multitude’s ultimate demand for global citizenship”.55

The lesson of the network society is so far that hybridization, displacement, mobility and so on do not have an irresistible revolutionary calling but change meaning drastically depending on the context.56 Neither mobility nor immobility necessarily bring with them liberation. Liberation can only be related to taking control of the production of mobility and/or fixity.57 The only true political “event” I can imagine is thus to (re)assert Universality, to demand nothing less than universal rights for the mobility of the masses against capitalist global mobility.58 Today: “the leftist political gesture par excellence … is … thus to question the … existing universal order on behalf of its symptom, of the part which, although inherent to the existing … order, has no ‘proper place’ within it (say, illegal immigrants or the homeless in our societies)”.59 To identify with the exception as the point of universality, and saying that “we are all immigrants”.

52 (Ibid. 212-3).
55 (Ibid. 400).
58 Žižek (1999: 211).
59 (Ibid. 224).