

Migration: the last frontier?

'Homeland Security' and the challenge of diasporic networks

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In the first decade of the twenty-first century, the foundations of the global order which Euro-Americans have come to take for granted – such that they regard their position of socio-economic privilege as both institutionally and ideologically normative – have become alarmingly unstable. All manner of negative portents which have lurked below the horizon have suddenly sprung to the forefront in the aftermath of the collapse of the latest and largest of the speculative bubbles which that order has yet generated. But if we look beyond the chaotic consequences of the current credit crunch, there are good reasons to believe that it presages a fundamental shift in the tectonics of the global socio-political order, and of a kind which can only be fully understood viewed in the *longue durée*.

Five centuries ago Iberian skills in seamanship, conveniently combined with a commitment to naval warfare and access to the products of the silver mines of Potosí, enabled armed, state-promoted European merchants to find their way round the Cape of Good Hope, and to barge their way into a well-established arena of intercontinental trade: that which connected a network of ports – and hence the empires which stood behind them – lying around the periphery of the Indian Ocean and the eastern Pacific, and which had been going strong for the best part of two millennia. Although Europeans subsequently came to regard their achievements as a necessary triumph, the early adventurers actually found themselves faced with challenges with which they were ill-equipped to cope. The Indian Ocean and its adjuncts formed a highly sophisticated mercantile arena, and although its markets were filled with all manner of products for which there was an insatiable demand in back home, the interlopers initially had little if anything to offer in exchange: the manufacturing capabilities of the inhabitants of Asia's backward western promontory were comprehensively inferior to those in India and China (Chaudhuri 1983, Gordon 2008).

How, then, did the interlopers manage to pull it off? Perhaps their most vital initial asset was their skills in naval warfare, together with their willingness to deploy their weaponry to assert themselves over those whom they routinely dismissed as godless heathens. When Portuguese privateers rounded the Cape of Good Hope at the beginning of the sixteenth century they

found themselves in the midst of a thriving arena of long distance seaborne trade, based on the mutual exchange of sought-after goods. But as Pearson (1976) describes in some detail, whilst the Portuguese little to offer in the way of peaceful exchange for the goods they sought, they not only had the weaponry to implement forced exchanges on their own terms, but to impose substantial taxes, in the form of the compulsory *cartaze* system on all local seaborne trade. It is by no means clear for how long the Empires of India and China would have put up with such piratical tactics, but in the event the Europeans found a means of reverting to more normal forms of trade – although this was still exercised under the shadow of their naval might.

Thanks to their success in overthrowing the civilizations of the 'New World' on the far side of the Atlantic, Europe gained access to the almost the limitless wealth of the silver mines of Potosí – or in other words to what André Gunder Frank (1998) has aptly described as 'Free Money'. This proved to be crucial. Given access to the mineral (and later the agricultural) resources of the Americas, together with their willingness to deploy non-European labour on a ruthless basis as they set about exploiting them, state-supported adventurers Spain, England, France and Holland joined the Portuguese in developing sea-borne global networks on the basis of which they could deploy New World bullion to facilitate the purchase Indian and Chinese manufactures the East, and subsequently to mechanise those manufacturing techniques to generate an Industrial Revolution in Western Europe, and shortly afterwards in North America. In doing so they managed to shift centre of gravity of the global economy gradually westwards. As a result Euro-America experienced a huge burst of economic growth during the course of nineteenth century, and Asia an equally rapid period of decline, thus producing a global imperial structure which reached its apogee in the opening years of the twentieth century (Darwin 2000). It is precisely that structure which appears to be facing its nemesis at the beginning of the twenty first.

However my aim in this paper is not to produce an essay on global systems. My concern here is much more limited: to explore the role of diasporas, and most especially with those which have emerged 'from below', in the midst of these dramatic patterns of change. Moreover I write as an anthropologist, rather than as a political economist or a systems theorist, and hence with as much of an interest in the minutiae of face-to-face social interactions as can nevertheless be extended into global networks, so enabling relatively powerless actors not just to manoeuvre their way through the multiplicity of socio-economic arenas, but also to

significantly re-order their very structures as they do so. This was not, however, the destination which I expected to reach when I initially set out, the best part of forty years ago, to use ethnographic methods to explore the patterns of adjustment displayed by South Asian migrant workers as they established themselves in Britain's industrial cities. As I did so I found my agenda steadily widening to reach the position set out in this essay: an exploration of the dynamics social, cultural, economic and spatial trajectories followed by South Asian migrant workers as they have developed innumerable entrepreneurially oriented networks of transnational mutual reciprocity to press their way upwards and outwards through the post-Imperial global order. Hence whilst my empirical starting point was that of a micro-focused ethnographer working in a single locality, I soon discovered that my initial agenda was ridiculously restricted: local developments were best understood as a narrow parochial corner globally extended trans-jurisdictional diasporic network. In seeking to understand the dynamics of totality of developments within that arena, it became steadily more apparent that my investigations should be extended to all possible levels of social analysis: from marriage rules and their impact on the dynamics of interpersonal relationships at one end of the scale, right through the historical dynamics of global imperialism at the other.

Moreover I soon began to appreciate there was no way in which I could complete my analysis by focusing solely on the activities of South Asian diasporic entrepreneurs. Even though the great majority emerged from humble beginnings, and hence very firmly 'from below' (Smith and Guarnizo 1998), their activities at all times had a *transgressive* dimension. In the process of pursuing their own self-defined interests and concerns in the midst of a global order, they were routinely perceived as making unwelcome challenges to the interests of the indigenes amongst whom they settled, such that their initiatives were constantly in danger of being categorised as illegitimate. The dynamics which diasporas precipitate are no less external than internal, so much so that no coherent analytical progress can be made in this sphere without giving careful consideration to the dialectical processes of reaction and counter-reaction to which such initiatives give rise.

Several points follow from this. Firstly all such investigations must be *glocal* in character, as Gardener (1995) emphasises in her aptly titled monograph *Global Migrants, Local Lives*. Secondly, and consequently, research in this arena is ill-suited to disciplinary myopia. Not only do personal and domestic developments constantly interact with economic and political

developments in the world at large, also one in which one has to keep a constant eye on the *longue durée*. To paraphrase Marx (1852)

Migrants make their own history, but they do not make it as they please; they do not make it under self-selected circumstances, but under circumstances existing already, given and transmitted from the past

The internal dynamics of translocal networks

Nevertheless the vast majority of contemporary migrants differ strikingly in their outlook from that envisioned by Marx when he went on to suggest that

the great mass of the French nation is formed by the simple addition of homologous magnitudes, much as potatoes in a sack form a sack of potatoes Insofar as there is merely a local interconnection among these small-holding peasants, and the identity of their interests forms no community, no national bond, and no political organization among them they are incapable of asserting their class interest in their own name.

I quote Marx here not so much to suggest that Marx's analytical conclusions with respect to the state of the French nation in the mid-nineteenth century were analytically correct (indeed I suspect they were profoundly mistaken) but rather to emphasise that the vast majority of migrants were and are in no sense 'potatoes' in Marx's sense. They rarely, if ever, acted as individuals: instead they invariably so as part and parcel of self-constructed spatially extended networks of inter-personal reciprocity, through which they seek to leap-frog their way to better and more prosperous futures in distant lands.

What, then, do these networks consist of? And how do they sustain themselves?

Inter-personal relationships are the ultimate foundation of every social order; and in whatever context they occur, and whatever purposes they serve, such interconnections can readily be mapped out as networks. However the networks with which we are concerned here have a further distinctive characteristic: they are spatially extended, and must somehow serve to maintain such inter-personal relationships, even though those involved are precluded from engaging in face-to-face interactions with one another on a day to day basis. It also follows that whatever the scale of such linkages – whether as between virilocal wives and their now distant natal kinsfolk, as between charismatic 'saints' and their spatially scattered devotees, as between merchants engaged in long distance trade, or migrants within a global diaspora – similar strategic requirements must be fulfilled if the resulting networks are to be more than a flash in the pan. If they are to sustain themselves over time, network members must be prepared (and able to make) a substantial investment in mutual communication as between

themselves. If such networks are not to fall into abeyance, patterns of mutual reciprocity must regularly be renewed. It is also worth noting that whilst trans-local networks of kind are nothing new, recent developments in communications technology, especially in the form of the internet and the even more ubiquitous mobile phone, have radically eased greatly eased the technical challenges which have always been inherent in the maintenance of such networks. But whilst the investment which members are prepared in network-maintenance is usually directly proportional to the level of the benefits (in the longer no less than the shorter term) which they estimate they can gain from participating in such networks, the benefits which they envisage can be immensely varied in character. Hence although these are invariably strongly material in character, they are equally invariably further conditioned by moral, emotional, religious and political considerations, as well as those of prestige. Hence whilst the patterns of reciprocity which underpin such networks lead to broadly equivalent in *value* (for otherwise the losers would drop out), they are by no means necessarily equivalent in kind, or simultaneous in time.

Issues of power

All such networks raise issues of power. As well as empowering their members (for network-formation by definition enables those involved to pursue goals with greater success than would have been able to do as autonomous, and hence as non-cooperating, individuals), they are further conditioned by the character of the context from which they emerge, as well as those into which they thrust themselves. From this perspective trans-local initiatives can conveniently be grouped into two broad categories: those which emerge transgressively 'from below', and those which descend hegemonically 'from above'. This opens up a further dimension of my argument. However striking and significant diasporic networks 'from below' may be, they are by no means the only networking show in town. In the context of the global arena they are paralleled by – and indeed have in large part emerged in contradistinction to – a further set of networks which have emerged as it were from the other side of the fence: those operating 'from above', and which facilitated the growth of – and which continue to sustain – the hegemonic commercial and political networks by means of which the Euro-American gained their now-imperilled condition of global hegemony.

Close inspection also reveals that there is a powerful sense in which the two contrapuntal strategies mirror one another. Whilst the diasporic initiatives with which we are concerned here develop as countervailing responses to those which have emerged hegemonically from

above during the course of the past four centuries, all such initiatives, whether emanating from below or above, where ultimately underpinned by the same objectives: to facilitate the global circulation of personnel, capital and information the better to advance the collective interests of their members – transgressively of hegemonically as the case may be.

Empires, Empire and the currently emergent post-Imperial global order

Viewed from the *longue durée*, this dialectic also takes us back to a period in world history when roles were reversed as compared which have prevailed for the past two centuries. Having achieved the capacity to circumnavigate the globe in their heavily armed galleons, the transgressive success of ruthless state-supported European merchant adventurers ultimately precipitated a spectacular restructuring of the world order: building on each others' prior achievements, the Portuguese, Spanish, the Dutch, the British and ultimately the Americans established imperial systems with an increasingly global reach. Not that empire was in any sense a novel phenomenon: in the seventeenth century the Ottoman, Safavid, Mughal and Ch'ing Empires vastly outclassed the relatively puny nation states of Western Europe in size, sophistication and historical depth. What was new was the unprecedented capacity of these adventurers drawn firmly 'from below' (as the world was then structured) to operate on a truly global scale – and their consequent ability to use the wealth looted from the Americas to finance their entrepreneurial activities in Southern and Eastern Asia. To be sure for several centuries their power was limited to their control of the sea ways, and to a string of otherwise isolated ports, but their transgressive activities ultimately built up such a momentum that they were able to undermine, and eventually to impose their hegemony over, their less initially substantially more wealthy and sophisticated Asiatic imperial predecessors.

Not that those who implemented this first round of globalisation were the inventors of long-distance navigation or of transnational entrepreneurship. All the major Asiatic civilizations had been in touch with one another for many centuries prior to the arrival of European interlopers; trade between them was extensive, and there is now a growing body of evidence indicating that parts of Admiral He's fleet circumnavigated the globe a full century before Magellan achieved the same feat (Menziés 2002). Nevertheless there was one highly distinctive feature about the way in which the Europeans exploited opportunities to conduct arbitrage on a global scale: their willingness to ruthlessly use violence to get their own way whenever and wherever they found themselves in a position to do so. As a result they managed to exploit their position as first-comers to maritime globalisation with extraordinary success.

By the time this process reached its apogee at beginning of the 20th century Euro-America had long since ceased to be transgressive interlopers 'from below'. The level of global hegemony which they had reached by deploying these tactics was so comprehensive that those responsible took their position so much for granted that they were utterly confident of both the legitimacy and the inevitability of their status of lords and masters of the world order. It is easy to see why they reached this hubristic conclusion. With few exceptions¹, all other imperial structures had by then been swept away, and the greater part of the indigenous population of the remainder of the world had been over-run by military force. Hence it was easy for Europeans to conclude that the conceptual, philosophical, literary, artistic, scientific, and technological achievements of all other components of humankind were intrinsically inferior to their own.

This precipitated a trope which rapidly became institutionalised throughout the Euro-American world. The dramatic disparity in wealth and power between Europeans and all others, which continued to widen through the first half of the twentieth century, could readily be explained – or so it was presumed – in terms of a combination of cultural and biological arguments: whilst 'we' were civilised, and biologically endowed with capability to develop advanced civilisation, 'they' were not. Europe's imperial successes were therefore entirely legitimate, and a manifestation of the evolutionary process of natural selection.

Of course in contemporary Euro-America the explicit articulation of such racialistic sentiments has long since gone out of fashion, especially in intellectually sophisticated contexts. Nevertheless it would be idle to suggest that such sentiments have disappeared from popular culture in any corner of Euro-America, or that 'popular culture' in this sense is a phenomenon solely limited to the ill-educated. From an ethnographic perspective popular culture is best understood as the sum total of the conceptual premises – polite or otherwise – which are routinely deployed in the course of their everyday activities by members of the population in question. For those operating within such a framework its conceptual lineaments are hard to perceive, since they grounded unspoken as well as unspoken values and assumptions which appear to be no more than 'commonsense' to their users. That this should be so should come as no surprise. Whilst global empire is an inescapable component of European history in general, and of English history in particular, active remembrance of

¹ One of which was the annihilation of the Russian Pacific Fleet by the Imperial Japanese Navy in 1905 – a clear harbinger for the future, at least for those whose eyes were not blinded by hubristic myopia.

what that process actually entailed is now regarded as so deeply embarrassing that it has been parked beyond the scope of respectable knowledge. But cultural traditions follow their own dynamics: so long as the premises and assumptions about their 'natural' position in the global order which have been articulated by Europeans – no less in their homelands than in their overseas diasporas – are not subject to explicit and unavoidable challenges, it should be a source of little surprise that historically grounded conceptual assumptions should remain as well-established as ever in popular culture, so much so that Euro-Americans have found themselves able to live out their lives through the course of the twentieth century *as if nothing had changed* (see Ballard and Parveen 2008).

Once again it is easy to see why. Whilst formal control of their imperial possessions vanished by the middle of the century, on-going processes of globalisation still continued to deliver the goods. At least until the onset of the credit crunch, their mean standard of living continued to rise, and the prospect of nemesis was systematically ignored.

Global re-orientation in the new millennium

It seems most unlikely that those who have gained so many benefits from Europe's processes of diasporic expansion will be able to sustain such hubristic expectations for very much longer, given the position of unchallenged global hegemony which they have so long enjoyed now seems perilously close to nemesis. But as a process of global reorientation begins to unroll before our eyes, there is little sign that the challenger from below are merely playing 'catch up' with Euro-America, as development theory once so naively assumed. Rather they are doing so by out-manoeuvring and hence by-passing their former hegemon, above all by thinking for themselves.

Regardless of the presumptions of their hegemon, most of those subject to colonial dominance were always been deeply sceptical of suggestions that the only route to progress was by aping the manners and assumptions of their 'betters'. To be sure members of assimilated elites whom the hegemon had so carefully trained to act as their agents may sometimes have been taken in by such fantasies; however far more – and most especially allegedly 'backward' and 'ill-educated' peasants – have long been aware of the hypocrisy of such arguments, not least because the more local hegemon who had long ruled over them regularly deployed just the same tactics as a means of defending and legitimising their positions of aristocratic privilege.

Deeply distrustful of the manoeuvres of elites of all kind, the history and traditions of South Asia's peasant taught them the best route to survival was by looking to their own for mutual support. Closing ranks on that basis (most usually by a combination of caste and kinship) they sought to make most of whatever resources they could lay their hands on the better to pull themselves up by their own collective bootstraps. In doing so they relied on four closely inter-related assumptions:

- i. Always to be sceptical of the motives outsiders, and most especially of agents of the state. On the basis of many generations of experience, it is assumed that other things being equal, *'outsiders' are most unlikely to have the best interests of people like themselves at heart*: on the contrary they are much more likely to rip them off.
- ii. Always be aware that the world large is not only hierarchically ordered, but inherently competitive character. *Autonomy* should always be one's goal, since competitive others are always likely to be trying to manoeuvre them into a position of political, social, and economic dependency – condition which should be avoided like the plague.
- iii. That the socio-economic order has the character of a zero-sum game: hence any advances one makes oneself are likely to transgress on the interests of others, and of course vice-versa. Hence it is self-evident that the best way to move forward is to *close ranks in mutual solidarity*, not least because it stands to reason that one's rivals will already be pursuing just the same tactics.
- iv. If survival, let alone significant and sustainable progress, can only be made on a collective basis, it follows that windfalls are unlikely to arrive overnight. Peasants calculate their income from harvest to harvest, and beyond that from generation. Hence they are *prepared to wait for their initiatives to mature*.

The application of this logic – whose premises are also widely shared by traditionally minded merchants, but which are equally foreign to those with generations of exposure to waged employment, and/or to the seductive of credit-driven capitalism – provides an illuminating basis for comprehending current developments in the global socio-economic order. Those socialised into such a peasant logic tend not only to be strongly entrepreneurially minded, but to be equally aware of the strategic advantages of maintaining a position of autonomy and independence vis-à-vis outsiders of all kinds. Hence they much prefer to work for themselves than to be wage-slaves for others, and to avoid debt like the plague. However this certainly does not mean that they operate as radical individualists: rather they are acutely aware of the strategic value of reciprocity and mutual cooperation – but only within the context of the networks of trust available within their own self-constructed networks of mutual reciprocity. But in a remarkable paradox, the nominally parochial character of such networks is proving to be highly adaptive in the shrunken but highly competitive world of contemporary

globalisation: because they are readily translocally extendible, such networks actively facilitate ground-breaking forms entrepreneurially-motivated diasporic expansion.

The transgressive consequences of reverse colonisation

For several centuries after 1492 Western European activities in the remainder of the globe were essentially predatory. But for a few exceptions, such as along the length of the temperate Atlantic seaboard of North America, residential colony-construction was eschewed: instead the primary purpose of imperial policy was to maximise the transfer of wealth back to Western Europe. Only after several centuries of predatory accumulation – which served amongst other things to provide the capital with which to finance the industrial revolution – did mass settlement of the allegedly empty *terra nullius* of the New World take off, reaching its apogee towards the end of the nineteenth century. But whilst the vast majority of these settlers were also of rural origin, their situation differed in several significant ways from their contemporary European successors. In the first place they arrived with the might of empire behind them: hence even though the vast majority of the millions of immigrants who passed through the facilities on Ellis Island were poverty stricken, vis-à-vis the indigenous population of North America whose land they were about to seize such settlers were manifestly operating primarily 'from above'.

But if mass outward migration from Western Europe trickled to a halt during the first half of the twentieth century, it has since been comprehensively reversed, and in a manner which currently appears to be unstoppable. Despite the ever more desperate efforts of virtually all recipient states throughout the developed world to contain and control what is now widely perceived as an incoming flood, as well to halt the equally transgressive growth of the thriving non-European ethnic colonies within their borders, have proved nugatory. Hence despite the introduction of ever more draconian measures aimed at protecting the borders, and hence the prosperity, of the affluent North, the self-constructed initiatives of migrant workers emanating from the South have generated a process of reverse colonisation 'from below' whose dynamics are proving to be unstoppable.

Paradoxically enough, one of the central reasons for the interlopers' initial success has been a straightforward consequence of affluence. The more the northern indigenes began to take their comfortable lifestyles for granted, the more reluctant they have become to engage in hard, uncomfortable and menial forms of physical labour. Hence even though recent

development have led to the transfer of a huge range of manufacturing activity from Euro-America to East and South Asia as part and parcel of yet another dimension of successful transgressive entrepreneurship from below, the prosperous economies of the North have been left with an irreducible bedrock of tasks which it is infeasible either to mechanise or to export. These include the harvesting of agricultural produce, basic tasks in building and construction, provision of personal care to the elderly, the sick and the infirm, and a whole swathe of further services from catering through cleaning to the provision of overnight security. Not only is the demand for personnel in this sector of the labour market growing inexorably throughout the affluent world, but the wages and conditions of service associated with these jobs are now so poor that they no longer attract the now-affluent indigenes. Hence despite rising levels of indigenous unemployment in most parts of the affluent world, wherever one chooses to look all manner of essential tasks are routinely performed by migrant workers.

Reactions of the indigenes to their presence have varied over time. During periods of rapid economic expansion there was little opposition to their arrival, providing that they filled otherwise unfillable vacancies, and offered no significant competitive threat to the interests of the established population. However the moment these conditions ceased to be fulfilled, as was inevitably the case as soon as the settlers began to try to move upwards and outward, and/or because recession set in, hostility to their presence began sharply, so much so that it has now become endemic. As popular pressure mounted, all manner of legislative initiatives began to be introduced, firstly to curb the ability of such newcomers to gain access to citizenship, and subsequently efforts to prevent the entry of settlers from this source at all by means of the introduction of ever more draconian immigration controls². Not that border controls of this sort brought further immigrations to a halt, not least because the demand for hands to perform all manner of menial tasks at the bottom of the labour market remained as great as ever. Instead processes of so-called 'people smuggling' developed to enable those eager to take such jobs to evade the barriers of immigration control designed to prevent them from gaining access to them. As a result a significant proportion of the labour force throughout the developed world is composed of workers variously identified as 'illegal',

² Given their status as subjects of the (British) Crown, until the passage of the 1962 Commonwealth Immigration Act migrants from South Asia, like all other Commonwealth citizens, gained just the same nominal civil status as members of the indigenous population the moment they stepped ashore in the UK. Those rights have since been steadily stripped away, and disappeared entirely with the passage of the 1981 British Nationality Act.

'undocumented, *'sans-papiers'* whose presence is deemed to be illegitimate even though they fulfil a vital role in the local economy.

However if we reverse our perspective and examine these developments from below rather than from above, such new found systems of border controls appear in a very diffident guise: as yet another of the obstacles which entrepreneurs from below have to find some way of evading or circumventing as they press their way transgressively upwards from the bottom. It follows that from perspective by far the most effective basis on which to engage in what those viewing their activities from above are all too willing to dismiss as 'people smuggling' is to utilise their transnational networking capabilities to facilitate the transfer of their kinsfolk through, around or beneath the border controls which have become such a salient feature of the contemporary global order, to incorporate the newcomers into the ubiquitous ethnic colonies which have sprung up on the far side of such barriers, and to facilitate their further upward mobility in their new environment.

Global Networking – from above and below

Having laid out this groundwork I am at long last in a position to revert to my core theme: that of global networking. Whist the phenomenon of globalisation has attracted an enormous amount of public and academic attention in recent years, virtually such discussions have taken the view that globalisation is in essence a top-down, neo-colonial phenomenon, by means of which Europe, and even more so the United States, has taken the opportunity to further reinforce its position of global hegemony. In a world in which the oil majors teamed up with the US military and the neo-cons in the Bush administration to pursue their joint objectives, the reality of their efforts to further buttress the Euro-American elite's position of global hegemony privilege is (or at least was) undeniable. Nevertheless it has long been clear – at least to those whose eyes were blinkered by unilateral ideological presuppositions – that this was not the only game in town. A more objective view would suggest that countervailing forces had been gathering from below for at least a century, forcing one to ask some very serious questions. Could it be that the globally oriented neo-con adventures pursued with such enthusiasm by the Bush administration will prove with hindsight to be the last gasp of what had become a paper tiger, and marked the turning point in world history which the beneficiaries of the processes which were initially set in train as long ago as 1492 found themselves confronted at long last with the inevitability of nemesis?

In material terms the consequences of the gathering force of globalisation from below are plain to see. India and China have regained their position as workshops of the world, and in doing so have displaced Euro-America from the position of comprehensive superiority which it temporarily achieved as a result of developments which were set in train in the aftermath of 1492. In the course of so doing the shallowness of the foundations on which the Bush administration launched its most recent global adventures were dramatically exposed. Over and above the extraordinary levels of personal debt and fiscal deficit which now serve to underpin the levels of affluence which US citizens (and indeed those of the UK) have come to expect, the US economy was also hugely imbalanced in external terms, since it required a daily inflow of \$ 2 billion just to stay afloat, even before the current credit crunch set in. So far the US has been able to pull off its conjuring trick as a result of its fortunate position as the world's money-printer of last resort. But given that its economy is running on less than empty, it is unlikely to be able to sustain this confidence-trick for very much longer. Now that the masters of the universe on Wall Street have been comprehensively humiliated, and that most of the financial chips appear to be stacked up in the hands of China, Japan and the oil-rich states of the Persian Gulf, the transgressive impact of globalisation from below is plain to see.

But what has this got to do with transnational networks? Anthropologists do not normally ground their analyses in the context of a discussion of macro-economic developments. However I have done so here with good reason: there is no way in which the history, the dynamics or indeed the consequences of recent diasporic initiatives can be properly appreciated without taking careful cognisance of the *longue durée* within which they are set. There are two main reasons why this is so. Firstly large scale migratory movements, no less from below than above, have always played a salient role in all forms of globalisation: indeed there is a strong sense in which the two phenomena are coterminous; secondly, and just as importantly, processes of network-construction have always been a far more significant feature in the implementation of these processes than is commonly appreciated.

Nevertheless there are some sharp differences as between the two complementary exercises in trans-local network-construction currently organised. Those articulated from above – whether in the form of multinational corporations, military expeditions or programs of international assistance proffered by the World Bank or the IMF – are typically ordered on an impersonal, bureaucratic, contractual and hence a *formal* basis; by contrast the countervailing initiatives emanating from below are invariably ordered on a much more personal basis, such

that relationships of kinship and mutual trust, together with solidarities of ethnicity, sect, clan, caste and so forth play a much more explicit role in network construction. In consequence the initiatives emanating from below tend to be much more personalised, and hence *informal* in character than are their bureaucratically and contractually ordered counterparts emanating from above.

The dynamics of migrant networks

If this model holds good, its implications could readily be explored within a far wider range of arenas than can be addressed in a single journal article. Hence my analytical focus in this context is primarily on migrant networks recently emerged from below, albeit with a constant awareness of the wider arenas within which these developments have been set. Meanwhile my empirical focus is on the myriad of transnational networks which have emerged from South Asia – or more accurately from a number of specific localities and communities in the subcontinent during the course of the past half-century.

At one level any attempt to generalise about the growth of this global South Asian diaspora is a hopeless task. It is easy to see why: since those responsible for the construction of each highly localised component of the overall outflow have invariably developed their own distinctive elevator through which to implement the process of chain migration, such that the initial pioneers progressively enabled ever larger numbers of their kinsfolk to follow in the footsteps, there is an immense degree of variety in the destinations at which they touch ground, the character and income generating potential of the opportunities available at the specific points at which they did so, and in the size and character of the obstacles encountered by those on board in the process of doing so. Hence the speed with which traffic flows back and forth along each such escalator, as well as the degree of collective success enjoyed by those who travelled along it, varies enormously. But before considering the implications of the many underlying variables, as well as each set of migrants' varied responses to the challenges they encountered, we must first consider the character of the escalators themselves.

In the first place these structures are not just entrepreneurial in character, but *self-constructed by their users*. Contemporary migrants are relatively rarely directly recruited by their future employers: instead they invariably find – and self-finance – their way to their destinations. That is why kin-based chain migration plays such a salient role in the whole process: in each

case pioneers are not just pathfinders, but routinely draw on the use overseas experience and earnings to facilitate the passage of their kinsfolk along the escalator, not least by providing them with the financial and documentary wherewithal to enable them to do so. Secondly, and just as importantly, few if any of these escalators remain a one-way street. Rather virtually all develop in such a way as to facilitate *processes of transnational circulation* – no less of ideas, information and material assets than of persons – as between all the various points around the globe at which they physically touch ground. As a result each such escalator (or set of escalators) establishes a web of inter-connections as between its home base and a range of distant colonies.

It follows that the wider the range of locations in which any given network touches ground, the greater the opportunities for arbitrage will be opened up. By their very nature global networks – whether articulated from above or below – provide those involved with an opportunity to engage in global entrepreneurship.

But just what do such networks consist of? Grounded in relationships of mutual reciprocity, such networks have no legal or corporate existence, and generate next to nothing in the way of formal documentation. But just like their more formal counterparts operating from above, they operate in trans-jurisdictional space (Ballard in press). However because they operate on an informal rather than a formal basis, they are also acutely vulnerable to politico-legal persecution. Precisely because they operate ‘outside the box’ their critics can readily label them as ‘secretive’ ‘underground’ ‘mafia’ and ‘cosmopolitan’ conspiracies whose principal objective is to undermine the established order. This tactic has been widely deployed with considerable enthusiasm in the aftermath of 9/11, since all such networks with a substantial Muslim component can readily be represented as having been constructed with the deliberate intention of facilitating criminal and/or terroristic activities. But even if it is the case that informal networks provide ideal targets around which to whip up moral panics, three underlying questions still need to be addressed: just what licit purposes can such networks potentially serve, just what is it about them that leads us to label them ‘informal’, and how and why is it that their very legitimacy remains so open to challenge?

The strengths of reciprocity

The answer to these three interconnected questions is not difficult to find: in a widespread but by now deeply ideologically ingrained Euro-American inability to comprehend how it is that

substantial and stable social institutions can be constructed *around relationships of mutual reciprocity, guaranteed and underpinned by that most intangible potential characteristic of human relationships, trust*. By contrast contemporary Euro-Americans are much more individualistically minded, and deeply distrustful of mere trust as a reliable guarantor: hence they expect to make (and to receive) a written record of all their transactions, thereby rendering them contractual, and hence in principle enforceable in law. It follows that it is regarded as most unwise to enter into any transaction in the absence of a written record, and that all transactions made in the absence of such a record are regarded as ‘informal’ and hence inherently suspect.

Not that trust is entirely absent from transactions which are nominally guaranteed solely by contract: there is no way in which formally constituted systems could possibly operate as smoothly as they do if contracts were regularly disputed in court. Instead legal proceedings are little more than a rarely used backstop, since partners to such contracts expect – and indeed trust – that the terms of the contract will be fulfilled without demur. In other words trust remains a crucial, if hidden, component of the whole edifice. If banks have stopped lending to each other, let alone to the customers, in the midst of the recent credit crunch it is not for lack of formal contractual instruments on the basis of which to make such deals. The system has frozen up because no-one can be confident that their normally reliable partners have not been holed below the waterline by the impact of hidden toxic debt.

It follows that whilst banks – and indeed Euro-American institutions of all kinds – regularly play let’s pretend with formal contracts, no-one will actually sign one unless they trust the ability of the counterparty to fulfil its terms, institutions and organisations grounded in notions of reciprocity cut straight to the chase: unless one has established a prior relationship of trust with a prospective counterparty, a deal involving any kind of credit is unlikely to be done, since that would be regarded as far too risky. However in the context of a social arena where relationships between those involved are ordered in terms mutual reciprocity – as is the case as between members of translocal networks – deals which might otherwise have been regarded as dangerously risky can readily be implemented, on the grounds that the debtor will be subject to an intense moral obligation to return the favour as and when it is appropriate to do so. The translocal networks constructed by migrants as a means of facilitating their entrepreneurial initiatives are a classic example of arenas of this kind. Articulated around reciprocities of kinship, or failing that of quasi-kinship, otherwise parochial *biraderi*-based

networks have been the driving forces behind the vast majority of South Asian diasporic initiatives.

But if this is indeed the case, we also need to unpack the conceptual and organisational foundations around which such networks of reciprocity are constructed, as well as the extent to which the range and strength of the underlying bonds are further conditioned by further network-specific expectations and conventions.

Ristedari

From this perspective the kinship systems which best lend themselves to translocal, transnational, and indeed to trans-jurisdictional extension are those which give rise to *strongly corporate extended families*, and where such families are in turn located within strongly articulated networks patrilineal descent, and which a further reinforced and cross-cut by complementary ties of affinity generated by strategic marriage alliances: in other words precisely the kind of kinship system routinely deployed in many parts of the non-European world. But if kinship networks of this kind provide the foundation of the vast majority South Asian diasporic initiatives, the indigenous kinship conventions of Western Europe lie so far towards the opposite end of the spectrum of human kinship systems that those brought up within the context of a South Asian familial universe often doubt whether European onlookers have any notion of what they have in mind by *ristedari*³.

It follows that when talking of family life, Euro-Americans and South Asians can be seen to inhabit entirely different behavioural and conceptual universes. As far as contemporary Euro-Americans are concerned, it is ties of marriage rather than descent which lie at the heart of their favoured conceptualisation of what 'the family' is all about. For those familiar with no other conceptual universe, corporately structured extended families, together their attendant extensions into elaborately ordered patterns of reciprocity amongst both agnatic and affinal kinsfolk (or in other words the whole sphere of *ristedari* within which South Asians routinely operate) are quite literally beyond their ken.

It also follows whilst the processes of diasporic expansion which emanated from Western Europe were no less conditioned by considerations of kinship than those currently being

³ For an extended discussion of the issues, see Ballard (2008)

implemented by their South Asian counterparts, the resources of their underlying systems of kinship reciprocity available in each case differed radically. Hence whilst European settlers undoubtedly had, and made the most of, 'strong families' in a nuclear sense, their otherwise strongly articulated commitment to individualism did nothing to support the construction of cooperative, let alone corporate and kin-based initiatives as between nuclear families, or even collective initiatives stretching across several generations within a single family. In other words the cultural capital emigrants of European – and most especially of northern European – origin was ordered in such a way that their capacity for building extended networks of mutual reciprocity was relatively weak.

But in the event this deficiency did not significantly inhibit their entrepreneurial success, especially when it came to re-peopling the plains of North America, the *pampas* of South America, or the South African *veldt*. When colonists arrived hegemonically from above they could rely on the colonial state to facilitate the marginalisation of the indigenous population, no matter how much they may have sought to resist the arrival of the transgressors. By contrast contemporary migrants pressing upwards from below enjoy no such luxury. Not only are the natives frequently just as hostile, especially when recession sets in, but in the context of majoritarian democracies they can readily ensure that legislation is passed to defend their parochial interests, even if for forms' sake the exclusionary measures consequently introduced are hidden routinely hidden behind a smokescreen of commitments to anti-racism and the construction of a 'a Just, Safe and Tolerant Society'⁴. If settlers find themselves facing an up-hill struggle in these circumstances, they also have to be intensely self-reliant – no less collectively than individually, if they are to make significant progress. Hence in a manner akin to – but frequently considerably more elaborate than – the strategies used by Sicilian (and many other Southern European) settlers in North America, their contemporary counterparts emanating from even further 'below' regularly draw upon their own distinctive cultural resources to create and maintain translocal networks of inter-personal reciprocity they better to transcend the obstacles with which they find themselves confronted. The well ordered kinship driven migratory escalators developed by some of the most diasporically-successful groups a clear cut-example of the value, and indeed the effectiveness, of just this kind of initiative. It follows that there is nothing particularly 'mysterious' about these developments – other than that they draw on a source of cultural capital which beyond the

⁴ This phrase is to be found on all documents produced by the Home Office (the UK's Ministry of the Interior), the lead agency for all issues in this sphere.

experience of, and hence incomprehensible to, those trapped within the myopic limits of a narrowly Eurocentric experience.

Value transfers within global networks

At this point it is worth returning once again to the formal/informal distinction and its attendant consequences. But before doing so it is worth emphasising that is no part of my argument that formality is *of necessity* the foundation for the articulation of hegemonic initiatives from above, nor informality an intrinsic feature of transgressive activity from below – even if current global developments appear to manifest just such a correlation⁵. But despite the critical significance of this difference in the contemporary global order, there are nevertheless a remarkably wide range of parallels between the ways in which those using either methodology – whether deployed from above or below – set about reaching their respective strategic objectives.

Most contemporary observers of globalisation, and especially those committed to exposing its ‘evils’, point to transgressively trans-jurisdictional strategies of multi-national corporations as a cause for concern. As Baker (2006), Brittain-Catlin (2006) and many others have noted, such corporations, and most especially those which have gone offshore, owe a large part of their success, and above all their staggering profitability, to their ability to shift ideas, personnel, goods, assets (and hence the profits so generated) around the globe within the privacy of their own networks, hence rendering the full scope of their activities beyond the purview of nationally grounded authorities; and by operating in what Beck has described as a translegal arena, they have been able to

systematically exploit the cooperative advantages and hidden niches of different national legal systems for purposes of expanding global business power (Beck 2006: 72).

In other words by constructing formally constituted trans-jurisdictional networks on a global scale they have been able to transcend nation boundaries in the process of maximising corporate advantage, not least because the bulk of their profits can be made to appear in convenient offshore locations where corporate taxation is set at levels close to zero. Besides being grounded in relationships of contract, such networks are also formal in yet another sense: each such

⁵ In my view this correlation is almost certainly a further *longue durée* consequence of post-1492 developments, since these served to deliver those he carried a taken-for-granted commitment to individualism to a position of global hegemony.

edifice is constructed in the light of strategic advice from expensive corporate lawyers whose task is to ensure that all aspects of the operation fall just on the right side of legitimacy.

But if the essence of such corporate networks is to facilitate the global transfer of value to the advantage of its directors and shareholders, it is striking that the contemporary world’s innumerable diasporic escalators from below use exactly the same trans-jurisdictional strategies to advance their constructors’ collective interests. Moreover some of the most successful groups of all – such as the Gujarati Khojas, for example – have emulated the counterparts operating from above by moving offshore. As a result the centre of gravity of this Ismaili Muslim community has moved successively from its roots in Central Asia to the coast of Gujarat, then to British colonial East Africa and most recently to the west coast of North America, with a further range of smaller colonies scattered in all parts of the globe. Although their foundations are informal rather than formal, it follows that diasporic networks of this kind are no less transnational and trans-jurisdictional in character than are corporate entities such as Exxon, Nokia and Microsoft.

Nevertheless there are some equally striking differences between them. The diasporic networks which have been generated by migrant workers who have recently emerged from below may be far more numerous, but the capital assets held within them pale into insignificance alongside those of the average multinational corporation. Likewise the intrinsically licit character of formally constructed multi-national corporations places them in a position of immense strategic advantage in comparison with those engaged in developing involved in parallel initiatives ‘from below’. In so far as the corporate character of the latter is primarily grounded in informal, and hence invisible, ties of reciprocity, it can readily be suggested that in addition to having no formal legal status, further suspicion can be cast on all transactions amongst network members should also be regarded as intrinsically illicit, and indeed criminal, especially when they are implemented on a trans-jurisdictional arenas. By contrast formally constituted entities have no such problems: having instructed expensive corporate lawyers to ensure that all their operations can be represented as licit, multi-national corporations can readily establish a legal domicile behind door-plates in the Cayman Islands – or any other exotic location where taxes and regulatory imperatives impose minimal constraints on corporate profitability – to their own strategic advantage. By contrast when members of migrant networks seek to deploy similar strategies they can all too often find themselves subject to criminal prosecution.

Transgression and its consequences

Like all entrepreneurial activities, migration is a risky business. The travel agent's deal could prove to be a rip off, the boat on which one is travelling could sink, one can be denied permission to cross any one of innumerable international borders, and having reached one's desired destination one may well still be in danger of being thrown out for lack of appropriate documentation. But even if one can manage to establish a licit or semi-licit presence at one's destination, many more hurdles still lie ahead. The job to which one had hoped to gain access may have evaporated or have been redefined, the pay can turn out to be far lower than expected, or a recession can suddenly set in, causing all such opportunities to disappear; the natives often prove to be far from friendly, especially when recession sets in; and just when one has begun to achieve one's goals the overall political climate may change, such that one can find oneself deported back to square zero. On the other hand one's *kismet* may prove to be more favourable: by dint of hard work and all sorts of lucky breaks, someone with an identical background may make a fortune. But whilst no migrant can hope to get far in the absence of fortitude, flexibility, inventiveness and willingness to carry on no matter how serious the obstacles, there is one further vital resource which can play a vital role in keeping misfortune at bay: membership of a vigorously articulated trans-jurisdictional network.

However a further feature of settlers' success-stories is that any progress which they make – whether achieved on an individual or a collective basis – will invariably be perceived as having a transgressive impact on the interests, concerns and expectations of more established components of the local population. This is particularly so when recession sets in, and/or when their efforts have led to substantial material success. In such circumstances migrants, as well as their locally born offspring regularly find themselves faced with jealous hostility, and targeted as convenient scapegoats for all manner of ills for which they have no responsibility whatsoever.

It is also worth noting that such tensions between 'natives' and 'interlopers' regularly occur in contexts of all kinds, regardless of whether the settlers in question descend hegemonically from above or erupt transgressively from below. Nevertheless the outcomes differ sharply in each case. Those who descend from above are usually significantly wealthier than the indigenes, and in any event are invariably in a position to legitimate their activities by calling upon the resources of their own preferred legal systems – a strategy routinely deployed by

European colonists during their many exercises in diasporic expansion. By contrast no such options are available to their contemporary counterparts who have recently established a similar presence in Euro-America. From this perspective they are colonists who dare not speak their name, given that all efforts to organise their lives on their own preferred terms are promptly perceived as efforts to subvert the established order. Roles have been comprehensively reversed: now it is the natives who are the hegemon, the settlers the transgressive interlopers. However despite this reversal the terms of the ideological debate used to defend the resultant boundaries has remained largely unchanged: having been given an appropriate retread, the arguments which missionaries and evangelical administrators developed to legitimise their 'civilising mission' in the sub-continent during the late nineteenth are being rolled out once again in contemporary Britain, this time as a convenient means whereby the natives can rubbish the preferred personal and domestic lifestyles of the settlers as backward, uncivilised and oppressive. Moreover just as in nineteenth century, such perspectives are steadily being formalised in law, as progressively minded legislators have begun to take to take advantage every opportunity to render 'unacceptable' aspects of minority lifestyles as illicit, illegitimate and even criminal (Ballard 2009).

This brings me to the final stage in my argument. Whilst contemporary migrants' utilisation of the resources of their own indigenous cultural capital has been no less crucial to their entrepreneurial success than it was to their Euro-American diasporic predecessors, the natives have in this case taken advantage of their position of hegemony to attacking the worth, and indeed the very legitimacy, of the settlers' most effective capital resource: their capacity to draw creatively on the resources of cultural, conceptual, linguistic and religious alterity. As a result all manifest signs that the settlers are utilising such strategies readily attract the charge 'You don't belong', which carries an unspoken sub-text that those who order their behaviour on such an unacceptable basis have no legitimate place in the wider whole.

In such circumstances contemporary ethnic colonists have every reason to keep their heads down in the course of encounters with the natives, and to protest that they are doing nothing of the sort, thus strategically concealing their personal and domestic alterity. This has in turn made space for the construction of currently fashionable policies of community cohesion, whose basic premise is that members of migrant minorities cannot expect, and certainly do not deserve, to gain wholehearted social acceptance so long as they fail to adopt the cultural and social conventions of the indigenous majority. Such a strategy begs a crucial question. Is

community cohesion a project which offers the best means of advancing the interests of members of such minority groups, as its proponents insist? Or is it, to the contrary, a seductively labelled strategy which simply urges those who to bind themselves still further into the assumptions of majoritarian hegemony, so yet further undermining their capacity to resist its hypocritical embrace? Moreover there is yet a further dimension to this hall of mirrors. For whose ears are policies of ‘community cohesion’ designed? Could it be that their principal objective is not so much to change the behaviour of the settlers and their offspring, or rather to convince the increasingly unsettled natives that something is being done to contain the growing salience of ethnic plurality?

The contemporary dialectics of border control

Looked at as the outcome of a dialectic process transgression and resistance operating over the *longue durée*, no less so in global than in more local contexts, the current state of play should not be a cause for surprise; and precisely because the underlying disjunctions are political in character, it follows that moral arguments – no matter how elaborately honed – are most unlikely to provide a means of resolving the underlying contradictions. Both sides are equally capable of generating arguments by means of which to convince themselves of the righteousness of their own position, and of the unreasonable and illegitimate character of the arguments deployed by their opponents. In these circumstances the only viable analytical approach on the basis which to understand what is going on is one which seeks to tease out the premises, and the accompanying strategic moves, which those on either side have deployed as they have sought to defend and advance their contrary interests. An exploration of the contemporary politics of ‘border security’ serves to highlight the dialectics of these processes with particular clarity

During the course of the past century, and most especially in the years that have passed since 9/11, border security has become an increasingly pressing concern of most national jurisdictions, and most especially those in the developed world. This stands in sharp contradiction with developments associated with other dimensions of globalisation, which have led to progressive elimination of virtually all barriers to the movement of information, goods and capital across such jurisdictional boundaries. However precisely the opposite change has occurred with respect the mobility of people – or to be more precise, to the movement of people whose passports indicate that they are affiliated to the wrong state (almost always located in the South), and/or whose capital assets are insufficient for them to

be hustled through a loophole open only to the exceptionally wealthy. Moreover if passports are now a taken-for-granted prerequisite for international trans-jurisdictional travel, they are in fact a relatively novel invention, whose use did not become widespread until after the first global War.

Why should this be so? In previous eras Kingdoms and Empires invariably welcomed the prospect of population growth: more subjects generated more economic activity, which in turn produced a higher return to the state in the form of taxes. Moreover the formal incorporation of subjects into the Imperial order – as happened in India in the aftermath of the counter-hegemonic uprising against British domination in 1857 – was frequently deployed as a means whereby hegemonic interlopers could cast a cloak of legitimacy over their status of their overseas possessions. Hence one of the central elevation of Queen Victoria to the status of Empress in the aftermath of the violently-suppressed insurrection was to provided her newly incorporated British-Indian subjects with the right to roam as they wished through the length and breadth of her domain. Although this fit of imperial generosity may have been regarded as a purely nominal issue in the middle nineteenth century, it was not without its consequences. By the turn of the century the Governments of Canada, Australia and New Zealand began to take steps to exclude British subjects of Indian origin from their shores; and the issue became severely embarrassing to Her Majesty’s metropolitan Government in the middle of the following century later when what was perceived as an unwelcome flood of ‘New Commonwealth Citizens’ began to take advantage of their status as subjects of the Crown to fill come to Britain to fill the gaps in the burgeoning post-war labour market.

The result was a long succession of Commonwealth Immigration Acts which began by progressively reducing the rights of overseas-born British subjects to gain speedy access to UK citizenship, and eventually eliminated them altogether. One result of all this is that UK citizenship laws are not concerned, as is normally the case in republican contexts, of setting out the civil rights of citizens vis-à-vis the state. Instead they have a much narrower focus: they are concerned with establish who is, and above all who is not, entitled to enter Britain without the explicit permission of the Secretary of State. Since 9/11 Border Security has become a major industry, in which those charged with policing Britain’s borders have been granted unprecedentedly draconian powers.

Border control and the construction of criminal offences

Nevertheless the task of maintaining border security has become exceedingly tricky. In the first place the flow of persons, goods and capital across jurisdictional borders is now so huge that picking out ‘the bad guys’ – together with their goods and assets – has become a matter of searching for needles in haystacks. Secondly, the task of spotting such needles is rendered all the more challenging since a large number of people with identical ethnic characteristics to those whom the border controllers have been tasked to exclude have now gained rights of citizenship within jurisdiction whose boundaries they have been instructed to defend – which has rendered the challenge of distinguishing legitimate sheep from illegitimate goats yet more difficult still.

Not that this has significantly inhibited efforts to detect and exclude the goats: popular demands for action remain far too strong for democratically elected authorities to admit defeat. As policy makers soon began to appreciate, bringing the inflow of unwanted settlers was a far more complex than turning off a tap. Given the analysis presented here, it is easy to see why: what they were up against were migrants’ own thriving self-constructed transnational networks, amongst whose central purposes was the facilitation of the trans-jurisdictional circulation of ideas, assets – and, of course, network members themselves.

Although it would be idle to suggest that migration managers as yet appreciate fully appreciate the scale and sophistication of the Hydra which they have taken on. Given that English law prescribe the use of explicitly racist measures, the central thrust of the initiatives soon began to focus on the strategies which those riding escalators of chain migration were using to subvert (and from the migration managers’ perspective, to transgress) the established system of border controls; and to the extent that those strategies were largely grounded in the articulation of reciprocities of kinship and marriage, it has been on precisely these issues which immigration control measures have become ever more tightly focused (Brejal 2006, Hagelund 2008, Ballard 2008). In a further reprise of the trend noted earlier, efforts to discredit entrepreneurially inspired efforts to subvert the exclusionary border controls deliberately erected in their path have begun to focus ever more heavily on the alleged moral inadequacy – and hence the inherent illegitimacy – of the network-builders preferred conceptual and behavioural norms.

Terrorists and Money Launderers?

Radically increased levels of border security have by no means solely directed at containing the level of would-be settlers across them: most especially in the aftermath of 9/11 an equal amount of attention has been directed towards scrutinising two further dimension of their trans-jurisdictional networks, namely the flow of information through them, and even more importantly the way in which they were consequently being used to facilitate the circulation of financial value on a global basis. This had major institutional consequences. Border control came to be regarded as a matter of national security, with the result that specialist agencies – the Department of Homeland Security in the United States, and the Serious and Organised Crime Agency (SOCA) in the UK were set up to guard them. In both cases one of their principle tasks was cut the sinews of the trans-jurisdictional networks on which terrorists, drugs-smugglers and the participants in other forms of organised crime were believed to utilise to facilitate their nefarious activities.

But just how were such criminals and their activities to be identified? The first step was to use a process of elimination. So far as I am aware neither SOCA nor the Department of Homeland Security have ever taken any significant interest in the way in which the major international banks and their legal advisers facilitated the kind of activities described by Baker and Brittain-Catlin: namely the trans-jurisdictional transfer of billions of dollars into translegal space, so rendering it safe from the prying eyes of tax inspectors and other nationally rooted busy-bodies. Instead they have focused their attention on their informal counterparts emerging from below, and most especially (although by no means exclusively) those of an identifiably Muslim character. However both SOCA and Homeland Security were still faced with the problem of picking out the criminals whom they were tasked to catch: unfortunately they remained as elusive as ever to those legally confined to the use of network-inspection methodologies⁶. Their principal response in the midst of all this was to target the networks themselves, and then to charge those involved with what can best be described as surrogate crimes. Of these two have been particularly widely utilised and publicised: ‘people smuggling’ and ‘money-laundering’ – issues which take us straight back to the macroscopic issues sketched out at the beginning of this article.

⁶ Despite the excesses that took place in Guantanamo Bay and its archipelago of translegal rendition centres, there are strong indications that the CIA and MI6 have been much more successful terrorist-catchers than either the Department of Homeland Security or SOCA.

But just what did these offences involve? Charges of ‘people smuggling’ were not directed at illegitimate border crossers themselves (they were simply deported to some conveniently distant location), but rather at those who facilitated the border-crossers’ efforts to reach their goal. But just what was their goal? The answer, given the analysis I have presented here, was simply to extract themselves for conditions of comprehensive marginalisation in the deep South, and to take their place in the wide open spaces to be found at the bottom of the labour market in the prosperous North. Moreover they were prepared to pay the facilitators substantial sums – more often than not loaned by kinsfolk who had already established themselves on the far side of the border. But just what was criminal about such activities? Viewed from above, the answer is straightforward: ‘people smugglers’ are engaged in a conspiracy to breach the structures which serve to defend condition of material privilege enjoyed by the inhabitants of the global north. But viewed from the South they emerge in a very different life. As far as entrepreneurially minded migrants are concerned such ‘people smugglers’ provide a public service, since they facilitate their efforts to press their way upwards and outwards through a structurally unequal global order. From that perspective ‘people smugglers’ are committing the criminal offence of facilitating upward socio-economic mobility.

However these initiatives did not halt at people smuggling. Even more effort has been put into targeting the ability of trust-based trans-jurisdictional networks to facilitate the circulation of financial value on a global basis with a minimum of fuss or cost. Virtually all long-distance migrants have developed such IVTS (Informal Value Transfer System) as a means of facilitating the speedy and efficient transfer a substantial proportion of their overseas earnings to their kinsfolk back home. Whilst IVTS systems vary a great deal in their size and sophistication, those which have emerged in the Indian Ocean region, where their operators have been built on the foundations of ancient *hawala/hundi* system, have achieved a spectacular level of success. From a hub of major Exchange Houses in Dubai, networks operating on this basis operate what amounts to a global payments system through which the value associated with the remittances sent by millions of labour migrants Saudi Arabia, the Gulf, Western Europe and North America to their kinsfolk in South Asia, Indonesia, the Philippines and so forth are used to facilitate back-to-back swaps which generate hard-currency liquidity with which to settle all manner of commercial transfers in the Indian Ocean region on a multi-billion dollar basis (Ballard in press, 2006, 2005).

However in the aftermath of 9/11 this highly successful example of globalisation from below promptly became the focus of intense suspicion, on the grounds that there was every prospect that those responsible for the outrage must have been funded through this shadowy system of ‘underground banking’. Indeed within weeks of the attack the US treasury used its hegemonic position with the global financial system to engineer the closure of the Somali based al-Barakat network on the grounds that those involved fulfilled the role of “quartermasters of terror” – although it subsequently transpired that funds to support the attack on the twin towers were actually transmitted through accounts held in the Florida-based Suntrust Bank. However this was merely a one-off. By contrast a much more focussed and institutionally grounded effort to eliminate these ‘shadowy networks’ was included in the USA PATRIOT Act, whose full title was Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism, passed into law only six weeks after 9/11. A key component of the Act was a requirement that all financial operations which had anything to do with the US banking system should comply with the requirements of US-sponsored (Anti-Money Laundering and Counter the Financing of Terrorism) initiatives. AML/CFT can only be described as a blunderbuss which had, and was designed to have, global consequences.

The key to the success of this initiative was just a consequence of the fact that the USA had for some time been the world’s largest economy, but also that the US dollar had become the *de facto* global medium of exchange. The consequences of this were, and still are, far-reaching. Besides placing the New York Fed in the happy position of being able to print unlimited supplies of greenbacks, it also follows that banks located in all other financial jurisdictions use corresponding accounts with Wall Street banks to facilitate all their forex settlements. All this gave the US authorities an immense amount of power over the global financial system, of which the provisions of the Patriot Act sought to make the most: in addition requiring all US banks to comply with the requirements of AML/CFT, along with the additional recommendations of FinCEN (the Financial Crimes Enforcement Network, another brainchild of the US Treasury), it also required all overseas financial institutions who maintained corresponding accounts to comply with them as well if they wished to keep trading. The aim of these initiatives was quite clear: to establish border controls within the global financial order in such a way that all trans-jurisdictional financial transactions which through the compliant formal banking system could be deemed legitimate and above board, whilst all those passing through other channels – such as IVTS networks – could be deemed illicit and in all probability criminal. It followed that the Patriot Act was not just aimed at

Osama bin Laden and al-Qaida, as supporters of these draconian measures routinely suggest: rather it sought to cut the financial sinews of all those making ordered transgressive challenges to America's global interests and financed their activities. 'Homeland Security', in other words.

In other words the nominal target of the Patriot Act was terrorists and drug smugglers, the actual impact of AML/CFT regulations has gone far beyond these publicly announced goals. Indeed whether by accident of design, the new measures appear to have had very little impact on those whose activities the initiatives were nominally designed to curb. The scale of international drugs smuggling continues to grow, and there is no evidence that AML/CFT provisions have significantly hindered undermined terrorist activity. When terrorists and drugs smugglers have been caught, it is invariably a result of careful detective work focused on the targets themselves. That does not mean, however, that the new regulatory regime has had no impact whatsoever. As Passos (2006) argues in a well-informed article entitled *Fighting terror with error: the counter-productive regulation of informal value transfers*, the consequent targeting of such informal networks inherently criminal, have had far-reaching and largely negative consequences for long distance labour migrants. Arguing that the US authorities have engaged in 'fact free policy making', and that none of the many raids on Hawala operators made by ICE had resulted in terrorist charges, he goes on to conclude that

The sad point is that clearly *underserved* ethnic communities are now de facto deemed *undeserving* of access to indispensable financial services. The decision over who is and who is not to have such access is delegated to the private sector, including banks eager to participate in the massive immigrant remittance market and not troubled if some of the competition is eliminated.

From this perspective it is clear that developments in the financial sector mirror those found elsewhere. Just as a border controls now operate as a carefully structured sieve through which the globally privileged can pass without significant let or hindrance, whilst unwelcome interlopers from below are systematically excluded, so similar measures have been put in train in the world of finance. So it is whilst formally incorporated businesses and high net wealth individuals with direct access to the facilities of SWIFT can whisk multi-million dollar tranches of value around the globe with the click of a mouse, lesser mortals seeking to transfer sums of a few tens of thousands of dollars or less find themselves having either to pay the substantial fees commissions charged by formally incorporated financial institutions for implementing forex transfers, or to use swifter, cheaper and just as reliable services

available in the informal sector – in the hope that their funds will not be impounded by the authorities somewhere along the way on the grounds that they are part and parcel of a process of criminally-inspired money-laundering.

Conclusion

Trans-jurisdictional networks are an increasingly salient feature of the contemporary world, since they provide the institutional foundations of all forms of globalisation. Although all such networks serve similar purposes – namely to facilitate the circulation of persons, of assets and of information across jurisdictional boundaries – they are articulated in a wide variety of formats. The vectors of diversity which I have highlighted in this article are twofold: firstly as between those networks which are articulated on a formal contractual basis, as opposed to those which rely on more informal relationships of mutual reciprocity, often articulated in terms of kinship or quasi-kinship as a means of articulating their internal structure; and secondly as between those articulate those articulate from above as opposed to those articulated 'from below'. From this perspective the vast majority of contemporary South Asian diasporic networks are internally ordered on an informal rather than an informal basis, and have been articulated from below, rather than from above.

There is no reason to suppose that the processes set in train by the emergence of a multiplicity of such networks, whether they articulated from above or below, or a formal or an informal basis have zero sum consequences. Ever since the publication of Adam Smith's *Inquiry into the Nature and Causes of the Wealth of Nations*, economists have accepted that free trade across jurisdictional boundaries ultimately brings benefits to both parties to the transaction. But however true that may be in the long run, in the shorter run the free movement of goods and labour may well have deleterious consequences for some parties, especially when they find the livelihoods to which they have grown accustomed are in danger of being undercut by alien competitors who can fill the niche they have hitherto to occupied more cheaply and efficiently than they can themselves. It is in these circumstances that the strategies which economists identify as irrational protectionism begin to rear their heads.

Such irrational protectionism is a phenomenon familiar to every member of South Asia's many diasporic networks. They are likely to encounter it whenever they cross a jurisdictional boundary, and whenever they utilise their own informal channels to do business with one another. But whilst these diasporic networks have been growing exponentially in scale over

recent years, as have the wider processes of globalisation, there is little sign that these protectionist responses have been declining in strength. On the contrary the events of 9/11 provided the world's greatest hegemon with an opportunity of which it could not afford to fail to take advantage. From that perspective the intense concern with matters of national security which erupted in the aftermath of the collapse of the twin towers provided the US authorities with a long-awaited opportunity to launch the Patriot Act, and hence to introduce a battery of measures (many of which were ready and waiting on the shelf) whose objectives were deliberately discriminatory in character, and which could now be justified on the basis of National Security. Protectionism ceased to be irrational: it was now inscribed in law.

But even though the resultant measures were inscribed in law, they still had to be legally justified. How was this to be achieved? So far as can be seen it was done along two vectors. Firstly by recourse to notions of national sovereignty, and most especially to the premise that sovereign states have an absolute right to determine who is, and who is not a citizen, and to control the flow of aliens across their borders. It is for this reason that as the global south has become steadily more competitive, and hence more transgressive of the taken-for-granted privileges of the global north, passport and visa regimes have become steadily more salient. However the second component of the strategy has been more subtle – and also a great deal more wide-ranging. By refusing to accord legitimacy to informally constituted networks, such that they can readily be labelled as presumptively criminal, initiatives which nominally designed to cut the financial sinews of drugs-smugglers and terrorists threaten – at least in principle – to have just the same effect on the channels of informal reciprocity on which virtually all of South Asia's diasporic networks rely to sustain themselves.

But how far are these measures likely to bring success – in the sense of keeping the transgressors at bay? Viewed from the *longue durée*, such an outcome seems unlikely in the extreme, given that:

- these developments are part and parcel of the wider tectonic shifts as a result of which the centre of gravity of global wealth and power is shifting steadily from west to east
- despite the current recession, there are no signs that the demand for those willing to fulfil menial tasks at the bottom of the labour market will disappear
- entrepreneurially minded migrants such as those from South Asia routinely regard menial employment as a step towards better things, if not for themselves, then certainly for their children

- despite the efforts of border controllers, the trans-jurisdictional networks of reciprocity maintained by members of well-established ethnic colonies continue to facilitate further inward migration
- in the light of the collapse of the speculative pyramids precipitated by untrammelled contractual individualism, it is no longer self-evident that financial networks underpinned by formal contractual and credit-driven procedures are inherently superior to, let alone more stable than, those which rely on relationships of culturally grounded mutual trust to provide a foundation on which to implement entrepreneurial edifices.

All this raises major – and currently unanswerable – questions about future developments. With such considerations in mind, it is worth remembering that the currently conventional differential evaluation of the merits of 'formal' as opposed to 'informal' modes of trans-jurisdictional networking have little anything to do with the equally conventional contrast between innovative and hence financially efficient 'modernity' and slow-moving and hence non-entrepreneurial 'tradition'. Indeed in the midst of current developments in globalisation, there is a growing body of evidence that both these are mistaken.

In the mist of the implosion of the hitherto hegemonic Euro-American banking system, it is clear that however innovative the formal structures erected by clever financial engineers may have been, in the medium term they turned out to be no more stable than any other Ponzi scheme. By contrast those systems less affected by 'irrational exuberance' – or in other words those allegedly locked into allegedly slow-moving and non-entrepreneurial 'tradition' – have not only weathered the storm in much better shape, but also as Euro-America's creditors. In these circumstances it is not so much that formal systems are necessarily more efficient than those erected on less contractual foundations. It is simply that in Euro-American jurisdictions contractually grounded entrepreneurial initiatives, the vast majority of which are currently hegemonically articulated from above, are routinely viewed as licit, whilst more the 'informal' initiatives which emerge counter-hegemonically from below. But having identified the empirical source of the injunction it is also worth noting the specific character of the legal foundations on which this whole edifice has been erected.

As Brittain-Caitlin demonstrates in great and illuminating detail in his examination of the operation of the offshore banking industry, the key to the whole edifice derives from the capacity for the controllers of companies (who are ultimately real persons) to incorporate the edifices they have erected in such a way as to give them autonomous legal personalities.

Whilst this enables such corporate entities to do business *as if* they were real persons, the fact that they are legal fictions has far reaching consequences. They have none of the duties and responsibilities of real persons, can be fitted inside one another like Chinese boxes, and made to appear and disappear, and/or to relocate themselves as and when it suits their controllers. As such they are ideal entities within which to operate in trans-jurisdictional space: because least they have autonomous legal personalities transactions within the corporation can legitimately be designated as private, and hence of no concern to outsiders – including agents of any given jurisdictional entity. It follows that whilst multinational *corporations* are consequently free to operate on trans-jurisdictionally, and hence a trans-legally, on an entirely legitimate basis – to immense strategic advantage. In other words corporations can readily engage in activities which would be classed as illicit conspiracies if implemented within unincorporated networks such as those which characteristically emerge in diasporic contexts.

It is for precisely this reason that ‘informal’ networks – in other words those which are ordered in terms of relationships of mutual reciprocity rather than of formal legal contracts – find themselves so vulnerable in a world where relationships of contract, rather than reciprocity, occupy a position of legal dominance, and are hegemonically enforced. But for how much longer can this last? It is often noted that Marx’ prediction that capitalism would ‘collapse under the weight of its own contradictions’ failed to materialise, either in the nineteenth century with which he was familiar, or in the twentieth century which followed. But Marx had no inkling of the novel forms of globalisation which would emerge towards the end of the millennium, or that the irrational exuberance of Euro-American financiers would lead them to construct of contractually grounded shadow economy many times greater in size than the global GDP. Now that their Ponzi scheme has collapsed in chaos, there seems to be a very real prospect that Marx’ prediction may well come true – at least with respect to the current iteration of Euro-American capitalism.

But as the centre of gravity of economic and entrepreneurial activity shifts steadily back from west to east, it would be idle to presume the prospective collapse of Euro-American hegemony will necessarily be coterminous with the collapse of the global economy as a whole. Nemesis for any given imperial structure does not necessarily spell nemesis for the world as a whole. At present few of the beneficiaries of several centuries of hegemonic privilege appear to be aware of the fragility of their current position, let alone of the extent to which the transgressive successes of those who are busily undermining their positions of

privilege doing so much by slavishly copying their dominators’ ideas and practices, but rather by picking and choosing between them whilst also adding a huge dash of *masala* based on the creative utilisation of the resources of their own distinctive cultural heritages – all the better to outflank and confound their former hubristic hegemon.

Diaspora-construction is part and parcel of this process. Moreover it is in many respects the last frontier in the development of globalisation. The latter part of twentieth century witnessed the ever greater penetration of all national jurisdictions by inflows of goods, of services – and of course of capital – emanating from extra-jurisdictional resources. ; and however much the indigenes in any given jurisdiction may be hostile to the pluralising consequence of the growth of diasporic inflows from below, there appears to be no greater prospect of their being able to halt these developments than did wise old King Canute when he showed that his followers than no matter great his regal powers might be, he was in no position to halt the rising tide. Despite the current global tendency to intensify the salience of jurisdictional boundaries as a means reinforcing national integrity – a phenomenon which is just as manifest as between the sub-continent’s jurisdictions as it is elsewhere – we live in a plural universe. In such a world all hegemonic efforts to enforce uniformity can only be expected to fail – at least in the *longue durée*.

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