INTRODUCTION

In spring 2014 the campaigns for the European Elections in May entered a critical stage. While Andreas Mölzer, the front runner of the right-wing Freedom Party of Austria (FPÖ), had to step down after referring to the European Union (EU) as a 'conglomerate of niggers',[1] the leader of Britain's UK Independence Party (UKIP), Nigel Farage, continued to lament 'uncontrolled immigration' and 'the downgrading of Christianity in our national life'.[2] Simultaneously, Cypriots nourished hopes that the long-standing conflict between the Greek- and Turkish-speaking populations would be resolved as nationalist politicians in Hungary intensified their antiziganistic rhetoric and stirred up conflicts surrounding the so-called Szekler minority in Romania.

These four examples from different parts of the former British and Habsburg empires aptly demonstrate that dealing with ethnic heterogeneity in a peaceful and agreeable manner is still quite a challenge. In some places around the world, attempts are still being made to evade this seemingly insurmountable task by opting for outright discrimination and exclusion on the basis of ethnicity instead. Given the pressing nature of problems associated with European integration and global migration, however, these questions of how polities with ethnically diverse populations could and should deal with heterogeneity are of paramount importance. Although this book does not intend to offer ready-made political advice, it investigates the ways in which ethnic diversity has been handled in the past, and thereby hopes to contribute to a thorough re-evaluation of this issue in contemporary politics.

Rather than focusing on the supposedly more modern and democratic context of the nation-state, it looks at two empires over the course of the last third of the long nineteenth century. While attempts to create or maintain an ethnically

homogeneous nation or people within the framework of the nation-state have received quite a lot of scholarly attention over the last decades, imperial states such as Britain and Austria have largely, yet undeservedly, fallen under the radar. Nonetheless, these empires are a promising empirical prism for analysing the legal and administrative handling of ethnic heterogeneity, especially because of the characteristic entanglement of ethnic difference and asymmetrical power relations inherent within their structures. That said, however, such constellations are not merely a feature of the imperialist past as they still apply to the contemporary world. Consequently, this comparison between the British and the Habsburg empires in the late nineteenth and early twentieth centuries traces the imperial roots of present-day issues by outlining the strategies with which legislatures, governments and administrations addressed similar problems, thereby offering a new dual perspective that speaks to historical as well as contemporary circumstances.

Nationality and Citizenship as Concepts

In order to maintain a manageable scope, this book focuses on questions of nationality and citizenship in relation to the handling of ethnic heterogeneity. Nationality laws determine who belongs to a polity and who is excluded. Within this national polity, citizenship laws define the rights and duties of members – by regulating suffrage, for example. If the two legal concepts of nationality and citizenship are examined together, which historians have seldom done, not only external boundaries become apparent, but also grades of differentiation within a polity itself. Moreover, nationality and citizenship laws reflect the degree to which ethnic identities and differences have played a role in external as well as internal processes of inclusion and exclusion. These two concepts thus offer an ideal perspective for analysing the political, legal and administrative handling of ethnic heterogeneity.

This study of the lines of differentiation present within imperial constellations in the late nineteenth and early twentieth centuries therefore promises to enrich our general understanding of the role of ethnicity in imperial contexts. To start with, empires are by definition ethnically and politically heterogeneous.[3] They rule over diverse populations, and they employ different regimes of control and governance that are often marked by highly asymmetrical constellations of power. It is particularly challenging, yet equally rewarding, to trace the ways in which ethnic diversity was woven into and simultaneously formed by this complex web of power relations. This is especially true for the period around 1900, when the rise of nationalism and demands for democratic participation signalled and propelled significant changes and shifts within imperial formations. As different as these two empires may seem

at first glance, both were faced with the question of how they could and should mediate between their imperial structures and rising demands for national homogeneity and democratic equality at the turn of the twentieth century.[4] Furthermore, this comparison makes it possible to critically reassess what has almost become an unquestioned dichotomy within scholarship between allegedly 'modern' liberal solutions for dealing with this issue in the western half of Europe and the supposed 'backward' approaches shaping policies in the eastern half of the continent.[5]

Within this framework, examining the significance of ethnic difference in terms of nationality and citizenship certainly promises to enrich existing scholarly perspectives. Who was a national? Everyone who was born within the borders of the empire or all those whose parents were nationals of the empire? Was it the place of birth (*ius soli*) – or rather descent (*ius sanguinis*) – that mattered? To what extent did these regulations affect processes of inclusion and exclusion? What happened to the legal status of nationals who married foreigners, or foreigners who married nationals? What role did ethnic identities and differences play in terms of immigration laws and naturalization practices? How was the right of suffrage regulated? Who profited from social welfare provisions such as health insurance and pension schemes, but also who was denied access to these systems? Were there different types of citizenship that conferred more rights and duties than others? Alongside these rather legal questions, this study also looks at the cultural underpinnings behind the different approaches to dealing with ethnic heterogeneity. What bases of knowledge and concepts did these approaches rest upon, and how were they justified?

This analysis focuses primarily on the political and administrative elite, and seeks to outline the perspectives and principles that guided these actors in dealing with ethnic diversity. As a result, it leans heavily towards a macrohistory perspective 'from above', only touching on microhistoric questions related to subaltern actors in passing. This, of course, also correlates with the source base for this study. The primary sources consulted consist mostly of laws and regulations, parliamentary debates and administrative records produced by state institutions. For the British case, the Home Office, the Colonial Office, the Foreign Office and the India Office were the key organs of state; the major players in the Habsburg Empire were the Cisleithanian Interior Ministry and the Austro-Hungarian Foreign Ministry. In addition, contemporary publications, especially those of a legal nature, were consulted. The insights gleaned from these sources only minimally reflect perspectives 'from below'. Yet, the sometimes wilful strategies that individual actors employed in conflicts with the law and government administration, as well as dealings with ethnic diversity in everyday life, do come to light within certain empirical examples. Thus, on multiple levels, this study improves our historical understanding of the ways in which both of these empires dealt with ethnic heterogeneity.

Nation-State, Statist and Imperialist Approaches?

Using three idealized interpretative models, this book traces a cohesive analytical thread through the sometimes overwhelming abundance of sources and scholarship on ethnic heterogeneity in these empires. The well-researched ways in which nation-states dealt with this issue serve as a springboard for further investigation within an imperial context. The nation-state approach combines internal homogenization in terms of citizenship with a sharpening of external borders on the basis of nationality.[6] Within its boundaries, the extension of political and social rights as well as the enforcement of duties, mostly military in nature, ensured legal equality.[7] Simultaneously, the determination of who belonged to this community of equals became all the more precise over time. These inclusive and exclusive mechanisms affected migrants in general, but especially those seeking naturalization, as well as individuals who were married to foreigners. Often, the ethnic identity of those in question determined whether they would be excluded or admitted.[8] Within this national community, ethnic differences were either eliminated through homogenizing assimilation processes or – in the case of multi-ethnic states – patched together into a heterogeneous national entity. In sum, the nation-state approach sought to achieve the integration of the members of the nation.

In contrast to the emphasis on individuals within the nation-state framework, the statist approach followed a territorial principle that stressed the need for congruency between the resident population and the citizens of the state.[9] This was supposed to make it easier for the state administration to manage and exert control over its nationals. The core of this statist logic was the enlightened-absolutist notion that all those residing in the country should be equal in the eyes of the state. Correspondingly, this resulted in a tendency towards processes of legal equalization. However, the end goal was not necessarily to integrate the entire community, but rather to enable the state to pursue its political, military and economic interests without hindrance. In this respect, ethnic differences were characteristically irrelevant within the statist framework; laws related to nationality as well as citizenship therefore strove for ethnic neutrality. However, if ethnic identities proved to be a source of potential conflict that threatened to disrupt domestic peace, the statist government could take on the role of a supra-ethnic referee. As such, it then sought to ensure a peaceful and equal coexistence of different groups through the recognition of difference.[10]

The imperialist approach, in contrast, rested on a discriminatory process of differentiation according to ethnic criteria within the community of nationals. It privileged one group at the expense of others. The imperialist model became highly significant in colonial contexts,[11] as it brought the question of who was to enjoy privileges and who was to be excluded from them to centre stage. Issues of nationality tended to recede into the background because the question was not

necessarily who belonged to the already heterogeneous community of nationals but rather where the line of discrimination was to be drawn internally between those entitled to the privileges of citizenship and those denied them. Whereas the imperialist model rested on a hierarchy established on the basis of ethnic criteria, the statist approach promoted the egalitarian coexistence of individuals or ethnic groups, and the nation-state model sought to integrate all those who belonged to the national community.

Correspondingly, these three different approaches were tightly linked to three methods of dealing with ethnic heterogeneity. First of all, the law and administrative praxis could be ethnically neutral, meaning that all individuals regardless of their ethnicity were to be treated equally. Or, secondly, they could differentiate between different ethnic groups and acknowledge them in order to endow them, as collective entities, with equal rights.[12] Within this model of recognition, so-called positive discrimination measures represent a special case because they aim to better the status of less privileged groups.[13] Such policies of neutrality or recognition were typical of the statist model. The imperialist approach, in contrast, was defined by a kind of negative discrimination in which certain ethnic groups within the community of nationals enjoyed fewer privileges. The nation-state model, on the other hand, chiefly discriminated against those who were not considered to be part of the nation. These individuals were either supposed to be integrated into the national community through cultural assimilation processes, or excluded from the community of nationals as foreigners.[14]

It is important to note that these three models corresponded, generally speaking, with three forms of political organization – the nation-state, the state and the empire – but they were by no means always inherently congruent. This is most clearly the case with the imperialist model. Although it mostly appeared within imperial contexts, the reverse was not true as not every imperial formation was marked by imperialist mechanisms of discrimination. As this book will show, statist and nation-state approaches were also effective within imperial frameworks. Which of these three models shaped how ethnic heterogeneity would be dealt with in certain parts of each empire depended on whether a territory was directly or indirectly subject to imperial control, and whether it was located at the centre, on the periphery, or somewhere in between. Accordingly, this analysis looks at the specific combinations of nation-state, statist and imperialist approaches, and the conflicts between advocates of different policies, to help to explain shifts in ways of dealing with ethnic heterogeneity.

The Contours of Ethnicity Defined

A comparison between the British and Habsburg empires necessitates the use of a broad definition of ethnicity that can encompass different forms of ethnic

identification and differentiation in both imperial contexts.[15] For this reason, it is important to clarify how the terms 'ethnic' and 'ethnicity' are to be defined for the purposes of this book with respect to the extensive scholarly debates on these notions.[16] Neither term should be misunderstood as describing a primordial or essentialist category, or as defining fixed and unchangeable lines of demarcation between different groups of people. Assuming that ethnic identities are inherent and static would harbour the danger that racist patterns of thought could reappear, merely cloaked in a different 'language' of terminology.[17]

In order to avoid an essentialist understanding of ethnicity, this analysis emphasizes that the building of ethnic groups does not necessarily depend on objective criteria; rather, what is important is whether or not individual actors consider themselves as belonging to a specific ethnic community.[18] According to widely accepted sociological and anthropological theories, the foundation for such a sense of ethnic unity lies in cultural, religious and linguistic commonalities that are channelled into an ethnic identity through the construction of a shared history and ancestry. Ethnicity, therefore, is less culturally determined than it is socially constructed. The so-called instrumentalist approach therefore focuses on the processes of interaction that lead to the formation of ethnic groups and the social groups that foster them (i.e. ethnicization through elites 'from above' or as a social movement 'from below'), as well as their economic and political interests. However, some scholars have emphasized that the construction of ethnic identities on the basis of shared interests by no means occurs in a vacuum, because pre-existing cultural traditions and institutions are also key to these processes.[19]

A focus on the boundaries between groups serves as another safeguard against the assumption of ethnicity as a primal and unchangeable phenomenon.[20] According to this concept, an ethnic group is not comprised through identity and homogeneity within, but rather through the creation of differences and alterity with respect to other groups along its boundaries. In this respect, ethnological approaches emphasize the symbolic communication processes and the dynamic nature of patterns of ethnic identification and differentiation that have to be continually adapted and incorporated by those involved. One advantage of these theories is that they can account for heterogeneity within ethnic groups. At the same time, however, these approaches are problematic because – taken to the extreme – they reject the existence of any criteria for determining ethnicity, turning the concept into a general and vague description of differences between 'us' and 'them'.

A third way to argue against an essentialist definition of ethnicity is to work from the assumption that ethnic differences cannot be clearly delineated and fixed. Post-structuralist and post-colonial theorists point out that the imperial differentiation between colonial rulers and colonial subjects was ambiguous in nature, often producing hybrid subjects.[21] This questioning of ethnic difference goes further than the concept of multiple identities in other theories of ethnicity

that postulate, for example, the simultaneous and compatible nature of a Styrian, Austrian and European sense of belonging. The post-colonial approach with its theories of difference, on the other hand, pleads for the possibility that seemingly contradictory identities can coexist within a single subject.

When woven together, these three strains of critique against the objective truth, invariability and clarity of ethnic identities make for an approach that understands ethnic differences as constructed, dynamic and unstable.[22] Accordingly, this book refers to ethnic differences and ethnic identities primarily when lawmakers and government offices attributed certain groups with a shared identity that went beyond religious or linguistic commonalities. The assumption of a shared ancestry or feelings of belonging often played a significant role in this respect, but it must be said that most historical actors perceived of these identities as pre-existing and unquestionable matters of fact.

Owing to the fact that this book focuses on legislation and administrative praxis, its working definition of 'ethnic' and 'ethnicity' is mainly associated with the production of ethnicity 'from above'. Accordingly, the emergence or reproduction of ethnic identities vis-à-vis individual actors only comes into view peripherally or as part of individual examples. In contrast, the degree to which state involvement and government activities shaped the establishment of patterns of ethnic difference will be closely examined. Interestingly, some of the questions that are still relevant for scholarly debate today were already being hotly discussed in government offices over a hundred years ago. In Austria, for example, statisticians and politicians were debating whether the determination of ethnicity should be based on a subjective sense of belonging or rather on objective criteria.

The working definition of ethnicity used here therefore emphasizes that the specific points of reference for the formation of ethnic differences varied case by case. In this respect, the discrepancy between ethnocultural and 'race-based' differences came into play. The latter relied on the assumption of biological differences that were usually considered to be phenotypically apparent or discernible.[23] Whereas an ethnocultural identity could be considered as learned or acquired and therefore malleable, 'race' was seen as hereditary and therefore static. Distinctions made according to 'race'-based criteria were often linked with colonial hierarchies and pejorative categorizations that refused to acknowledge equality for the 'other race'.[24] Such 'race'-based differentiation tended towards racism, discriminating against the group perceived to be the 'other'. This biological understanding of 'race' corresponds to that of most of the contemporary actors in question. This analysis, however, works from the contradictory premise that 'racial' differences are just as constructed, malleable and unstable as ethnic identities.[25] Consequently, it sees 'racial' difference as a specific manifestation of 'ethnic' difference.[26]

Lastly, a distinction must be made between nationality and ethnicity.[27] The major difference between the two is that the concept of nationality is more

closely linked to the political sphere and the state.[28] In some cases, nations may be congruent with an ethnic group, but in others supra-ethnic national integration occurs;[29] however, it would be entirely misleading to define ethnic groups as deficient nations. Such an understanding emerges if one accepts that a dichotomy exists between the 'backward' nationalism without a state, typical of Central Europe, and the 'modern', state-based nationalism characteristic of the west of the continent. The qualitative difference between ethnicity and national-ity is not one of superiority or inferiority. There is no necessary or irreversible path leading from an ethnic to a national identity-building process. Rather, what is more interesting in this respect is the question of when, under what cir-cumstances and on which levels nationalization processes took place. When did opposing tendencies appear that depoliticized ethnic identities? And when were transitional forms of ethnonational identification established? Especially within the context of empires, the relationship between ethnicity and nationality often proved to be far more complex than is suggested by linear narratives that trace a line of development from the building of ethnic identities to demands for politi-cal autonomy that ultimately led to national emancipation.[30]

Empires and Nations

When viewed from such teleological perspectives, the achievement of national self-determination was judged to be a decisive step on the path to a better future, for example in the American War of Independence or the decolonialization processes of the twentieth century. Accordingly, the nation-state was seen as a guarantor of modernity, in contrast to the empire as a rather antiquated form of political organization.[31] Given the predominance of this perspective, historical research on nationality and citizenship has largely focused on nation-states. Only in recent years have transnational and global history perspectives gained ground. These studies have brought the stateless people who fall outside the system of national belonging, and whose number increased dramatically in the twenti-eth century as a result of wars and catastrophic displacement policies, into the picture.[32] These changing perspectives have also prompted a growing scholarly interest in nationality and citizenship in imperial formations.[33]

Analyses that move beyond the fixation with the nation-state have shown that the nation was by no means the only relevant point of reference for historic development in the nineteenth and twentieth centuries. Even today, imperial forms of governance continue to shape political, social and cultural develop-ments throughout the world. The ubiquity of empires becomes entirely clear if one considers the fact that Switzerland is the only European nation-state that has neither been a metropolitan nor a peripheral part of an imperial structure over the last two hundred years. Broader transnational perspectives, moreover, have

not only pointed out how firmly national units were embedded within alternative structures of power and communication, but have simultaneously exposed the fictional character of the mostly implicit and unquestioned assumption of the ethnic homogeneity and unity of nation-states. If the imperial complexity of the interactions between metropolis and the periphery is taken into account, it quickly becomes apparent that a strict distinction between the homogeneity of the nation-state and the heterogeneity of the empire cannot hold. Nation and empire may sometimes have collided as opposites, but they could also be symbiotic and inseparably entangled.

Studies of imperial forms of state that often swing between two extremes in their appraisals present dangers quite similar to those of analyses of the nation-state. On the one hand, some scholars paint the nation-state as the glory and culmination of historical development, as well as the political form most compatible with a cosmopolitan spirit (*Weltgeist*). On the other hand, the majority of historians now launch harsh critiques, depicting the nation-state as the origin of all evils, ranging from war to the exploitation of the working classes to the exclusion of minorities. Empires face similar accusations regarding the devastation left in their wake. From this perspective, empires rest on problematic asymmetrical power relations, making it justifiable to hold them accountable for wars, exploitation and discrimination.

Given this negative balance sheet, it seems all the more surprising that an increasing number of positive interpretations of empires have appeared in recent years, although it must be said that they differ quite markedly in their approaches. Some emphasize the modernizing and ordering power of imperial structures in keeping with 'traditional' discourses. They celebrate the successes of imperial endeavours and recommend the empire as a model for contemporary neo-conservative world politics.[34] This book clearly distances itself from any such blatantly affirmative arguments. Others draw on post-colonial theories and employ analytic approaches that welcome the hybridity produced by imperial formations. Some studies on British nationality interpret the existence of ambiguous legal statuses as an advantage because they supposedly allowed for multiple forms of belonging and were therefore inclusive.[35] This book does not deny the fact that subaltern actors benefited from the spaces of negotiation provided by such productive ambiguities,[36] but their problematic dimensions must not be forgotten. For example, in most cases, they strengthened hegemonic hierarchies in which those with a hybrid status were denied any kind of protection and were often subject to extralegal mechanisms of discrimination.

When analysing empires – just like nation-states – a balanced perspective is needed that takes into account positive as well as negative dimensions. Which features of a specific imperial order unfurled within processes of discrimination, equalization or recognition? As exaggerated praise and demonization undoubtedly detract from the usefulness of a historical analysis, this study not only

considers the seemingly unavoidable collapse and decline of the two empires, but also their chances of survival and their potential for integration. In doing so, it provides a basis for dealing with imperial legacies fairly, neither celebrating nor condemning them altogether, and it paves the way for a cogent assessment of present-day imperial tendencies.

Likewise, the use of the broader concept of 'imperial formations' as opposed to the narrower notion of 'empire',[37] and the consistent distinction between the imperial and imperialist exercise of power also serve this purpose. Not all dimensions of imperial rule rested in equal measure on hierarchies and asymmetrical constellations. Such differentiations make it possible to compare the British Empire as a prototypical western European colonial empire with the Habsburg Empire as a typical continental central European imperial example. However, this book quite consciously seeks to undermine a number of East–West dichotomies.

The Pitfalls of an East–West Dichotomy

The distinction between maritime colonial empires (e.g. the British, French, Dutch or Portuguese) and contiguous continental empires (e.g. the Habsburg, Russian or Ottoman) is part of the standard repertoire of scholarship on empires.[38] Akin to the differentiation between liberal and authoritarian forms of rule, or between politically inclusive or ethnically exclusive nationalism, this scholarly field tends to align itself with the historic schema that divides the European continent into a 'progressive' western half and a 'backward' eastern half. The perhaps unusual comparative constellation of this book seeks to question these dichotomies without denying the fact that there were indeed significant differences between the two empires in question. Through a mindful examination of the similarities and differences, as well as the use of refined analytical categories, it pulls at the anchors of this East–West dichotomy to offer a fresh perspective that moves beyond existing scholarly assumptions.

Without a doubt, there were indeed major differences between the British and Habsburg empires in terms of geographic scope and the rate of expansion in the nineteenth century. Moreover, as this study will show, the mechanisms involved in the establishment of ethnic differences and identities also varied, thanks in part to these factors. Likewise, there were lines of contrast between the two empires in terms of economics and politics. These differences resulted in divergent self-images that were at least partly constructed explicitly in opposition to the respective other. At the same time, both empires competed in the same international or inter-imperial arena to preserve their prestige as global powers. Domestically, both faced similar demands coming from national movements, such as those of Irish, Indian, Czech and South Slavic origin. As a result, the

significance of ethnonational differences and the degree of political heterogeneity grew in both cases. In 1867, which marks the beginning of the period in question here, both the British and Habsburg empires underwent a reorganization of their political structures with the British North America Act and the Austro-Hungarian Compromise, respectively. With the advent of the First World War, the endpoint of this book's analysis, disintegration processes were set into motion that led to the catastrophic collapse of the Habsburg Empire and the slow decline of the British Empire, which began with the partition of Ireland and dragged on well into the second half of the twentieth century.

Given these commonalities, the two empires should not be cursorily categorized as mutually exclusive types of imperial rule. Rather, shared phenomena and developments that resulted from transfers and reciprocal dynamics must also be taken into account. Nuanced analytical categories that make it possible to tease out the gradual differences related to particularities and individual territories of both empires are necessary for such an undertaking. If one considers 'the extent of inequality between center and periphery',[39] for example, it becomes apparent that Bosnia's underprivileged position in the Habsburg context was not that dissimilar from the situation of some British colonies than it may seem at first glance.[40] Additionally, a look at the relationship between 'incorporation and differentiation'[41] or the 'degrees of tolerance, of difference, of domination, and of rights'[42] exposes parallels and gradients where otherwise only categorical differences could be detected. Such similarities in terms of the ways in which both empires dealt with demands for autonomy, or shifted between discrimination and recognition, will reappear throughout this book.

Yet another element of the East–West dichotomy has been the distinction often made between authoritarian, police-state modes of exercising power in the Habsburg 'prison of nations', and liberal, democratic forms of rule in the British 'empire of rights'.[43] It is quite apparent that this opposition rests on a number of oversimplifications. On the one hand, it glosses over the colonial-imperialist dimensions of the British Empire; on the other hand, it blocks out the constitutional character of Habsburg rule. Furthermore, this simplified dichotomy between the authoritarian East and the liberal West ignores the complex differences that emerged out of the varying traditions of codified Roman law and precedence-based common law.

The goal of this analysis goes beyond the mere inversion of the conventional schema by pointing out the illiberal aspects of the British Empire and the quasi anti-authoritarian character of the Austro-Hungarian Empire, as it criticizes the liberal–authoritarian dichotomy itself.[44] In doing so, it draws on theories that contrast older forms of sovereign power over life and death with more recent structures of biopower and governmentality that aim to preserve and foster life.[45] Whereas sovereign power subjugates the individual person as a legal entity, biopower sees the population as a biological species and a public entity that can

be assessed and managed through demographic and prognostic methods such as birth counts, migration statistics and opinion polls.[46] Unlike sovereign rule, which imposes its will on the unformed nature of its subjects, the biopolitical or governmental exercise of power rests on population dynamics, perceived as natural or spontaneous, that it strives to use or channel to its own ends. This understanding of biopower clearly differs from other prominent theories.[47] Instead of emphasizing the exploitation and the suffering experienced in concentration and other camps as the 'biopolitical paradigm of the modern', it highlights the decisively less abysmal and unsettling role that systems of health insurance and old-age provision played within the framework of governmentality.

The rather abstract distinction between sovereign power and biopower is useful in terms of an analysis of the ways in which heterogeneity was dealt with as it can describe concrete power techniques that either regulate, discipline and rule in a sovereign fashion or govern by encouragement and incentives in a biopolitical laissez-faire manner.[48] Following this line of thought, this book will differentiate between prohibitive and promotive mechanisms of power. In contrast to the authoritarian–liberal dichotomy, which traces a progressive development with increasing degrees of freedom, the distinction between prohibition and promotion suggests that 'liberal' forms of government did not necessarily reduce the quantitative extent of the exercise of power, but rather they changed its qualitative modus.[49] From this perspective, the implementation of liberal demands did not lead to more freedom, but rather to the establishment of new, promotive techniques of government. These appeared alongside the older prohibitive mechanisms, which led to the conflict-ridden coexistence of both in Habsburg as well as British migration policies, for example. Ultimately, an analysis of these dynamics is decidedly more productive than insisting upon a general dichotomy between the liberal West and the authoritarian East.

The alleged contrast between the backward, ethnically exclusive nationalism characteristic of Eastern Europe and the progressive, politically inclusive notions of the nation in Western Europe is closely connected to this assumption. This has been a critical distinction for research on nationality and citizenship. Older, mostly legal history approaches were predominantly interested in the relationship between the state and its constitutive people in modern Europe and the transition from territorial understandings of the state to notions that rested on the idea of a community of people.[50] Building on this foundation, more recent studies have looked at how states have gathered information about and controlled their subjects with the help of documents and registration apparatuses.[51] At the same time, sociohistorical scholars have also shifted their gaze to look at ways of dealing with ethnic differences. As part of this endeavour, Franco-German comparisons of nationality in particular have emphasized the contrast between the legal principles of *ius sanguinis* (i.e. the descent-based model predominant in modern Germany) and *ius soli* (i.e. the territorial-based model

generally followed in France); in theory at least, a German national was an individual born to a German national, while a French national was an individual born in France. Whereas the German principle of descent corresponded with an ethnically exclusive understanding of the nation, as the argument is usually put forth, the French principle of birthplace reflected a politically inclusive concept of the nation.[52] This rather cursory dichotomy has not gone unchallenged. On the one hand, critics have suggested that the German *ius sanguinis* was initially a component of statist strategies that primarily served the interests of the state for purposes of clarity and control, and that only took on ethnically exclusive dimensions in the early twentieth century.[53] On the other hand, they emphasize the fact that French laws based on *ius soli* could and did have ethnically exclusive ramifications.[54]

Merely looking at the formal legal distinctions between nationals and non-nationals, however, does not suffice as it is important to question who enjoyed the rights of citizenship and who was excluded from its privileges in part or whole. Whereas liberal-leaning historical narratives of citizenship operate from the premise that an increasing portion of the population came to enjoy civic, political and social rights through processes of integration in the nation-state,[55] critical studies point to the dialectic of inclusion and exclusion, as well as the fact that the integration of marginalized groups often went hand in hand with the marginalization of other groups defined on the basis of gender, social status or ethnicity.[56] This study takes up with such critical perspectives to the extent that it emphasizes the concurrence of legal equality with the establishment of administrative mechanisms of discrimination as well as the paradoxical logic of inclusive exclusion. The comparison between the British and Habsburg empires also contributes to a revision of the schematic juxtaposition of the principle of descent as ethnically exclusive and the principle of birthplace as politically inclusive. In the British case, if one takes into account the entire imperial context, including its colonial dimensions,[57] even a cursory look reveals that the *ius soli* proved to be compatible with the discrimination against and exclusion of certain ethnic groups; however, the Habsburg *ius sanguinis* by no means ruled out the possibility of inclusive policies resting on the recognition of differences.[58] Accordingly, this book offers a critical re-examination of the dichotomy between 'modern', politically inclusive nation-states in Western Europe and 'backward', ethnically exclusive nations in Eastern Europe.

Comparing Empires

Without a doubt, comparisons between countries have indeed contributed to the establishment of such dichotomies. They have often reinforced the assumption of timeless differences, but, unfortunately, this has not discouraged historians

from constructing pithy contrasts in order to put forth more trenchant theses. This means that historians constantly face the historiographical task of unmasking such exaggerated contrasts in order to challenge the arguments that emerge from them. Comparisons can, however, also be used as a tool for dismantling such assertions when they consciously seek to tease out differences as well as similarities, without losing sight of the dynamic interplay between national contexts and cross-border processes in turn.[59] Just like everything that has a history, even firmly established contrasts can change or even evaporate. For this reason, this book does not intend to confirm the common assumptions of either British modernity or Habsburg backwardness, nor does it simply want to overturn this dichotomy by painting the Austro-Hungarian Empire as the 'true' modern imperial formation. Rather, its goal is to analyse the different forms of imperial modernity found within both empires, shedding light on beneficial as well as detrimental aspects. British law resulted in discriminating as well as empowering effects that made it possible for marginalized groups to make their voices heard. Conversely, policies of recognition in the Habsburg case coexisted with strongly exclusive mechanisms. Without denying the existence of differences, this book by no means intends to establish new dichotomies or reinforce old ones.

Accordingly, this study is not structured around contrasts. Indeed, despite the seemingly apparent differences between land-based and maritime empires, more recent scholarship has exposed a myriad of commonalities between these two types of imperial formations.[60] These similarities are the subject of the first three chapters, which examine the ways in which ethnic heterogeneity was dealt with in specific parts of both empires on a theoretical as well as practical level. The territories selected for this analysis not only reflect the political heterogeneity of both imperial formations, but also they each depict one of the three approaches to dealing with ethnic differences. Chapter 1, for example, outlines the nation-state approach that prevailed in the largely self-governing dominion of Canada and in the so-called Transleithanian or Hungarian portion of the Habsburg Empire, whose government enjoyed a great deal of autonomy in terms of its domestic affairs. In conclusion, this chapter illuminates the complex relationship between nation and empire in imperial formations. Chapter 2 directs its gaze to the Austrian half of the empire located on the other side of the Leitha River, and compares the statist approach of its mostly autonomous government with the approaches that emerged in the colonial context of India the larger part of which was directly subject to British rule. The last section of this chapter discusses the extent to which censuses and other forms of the imperial production of knowledge contributed to the creation and determination of ethnic identities and differences. Chapter 3 investigates the imperialist policies effective within the British protectorate of East Africa, whose legal and administrative status differed little from that of a 'true' colony, and the (quasi-)colonial territory of Bosnia-

Herzegovina, which was occupied by the Austro-Hungarian Empire in 1878 and annexed in 1908. It concludes with some thoughts on the relationship between imperial policies and different forms of racism.

This focus on individual territories within these empires makes it possible to trace local elements of large-scale developments as well as to investigate mutual interdependencies, not only between the metropolises and peripheries but also between different peripheral spaces. Likewise, this approach overcomes the typical focus on the metropolises or the metropolitan effects of peripheral developments characteristic of much new scholarship on the history of empires by suggesting a multipolar perspective.[61] Chapter 4 builds upon this line of thought by emphasizing the particularities of the United Kingdom that do not seem to fit clearly into any one of the three models, and concludes with a look at the interplay between ethnic and religious as well as social and gender differences. Chapter 5 then analyses both imperial formations at large, and questions how the ways of dealing with ethnic heterogeneity were moulded and changed at the level of the joint government of Austria–Hungary and the entire British Empire. It ends with a discussion of the relationship between biopower and ethnicization. The conclusion offers a summary of the answers to the questions posited at the outset of the book, as well as a brief overview of further developments in the twentieth century.

Notes

1. D. Griesser, 'Schwarze haben kaum Vertrauen in heimische Behörden', *derStandard.at* (16 April 2014). Retrieved 2 May 2014 from http://derstandard.at/1397520714967/Schwarze-haben-kaum-Vertrauen-in-Behoerden.
2. N. Farage, 'Flip-flopping Cameron is beginning to sound like my little echo', *The Daily Express* (25 April 2014). Retrieved 2 May 2014 from http://www.express.co.uk/news/uk/472409/Flip-flopping-Cameron-is-beginning-to-sound-like-my-little-echo-says-Nigel-Farage.
3. C. McGranahan and A.L. Stoler, 'Introduction: Refiguring Imperial Terrains', in A.L. Stoler, C. McGranahan and P.C. Perdue (eds), *Imperial Formations* (Santa Fe, NM: School for Advanced Research Press, 2007), 8–11; H. Münkler, *Reich, Nation, Europa: Modelle politischer Ordnung* (Weinheim: Beltz, Athenäum, 1996); C. Pierson, *The Modern State* (London: Routledge, 1996); S.N. Eisenstadt, *The Political Systems of Empire* (New York: Free Press, 1969); U. v. Hirschhausen and J. Leonhard, 'Beyond Rise, Decline and Fall: Comparing Multi-ethnic Empires in the Long Nineteenth Century', in J. Leonhard and U. v. Hirschhausen (eds), *Comparing Empires: Encounters and Transfers in the Long Nineteenth Century* (Göttingen: Vandenhoeck & Ruprecht, 2011), 12. On the British Empire, see J. Darwin, 'Britain's Empires', in S. Stockwell (ed.), *The British Empire: Themes and Perspectives* (Malden, MA: Blackwell, 2008), 1–20. On the Habsburg Empire, see H.-C. Maner (ed.), *Grenzregionen der Habsburgermonarchie im 18. und 19. Jahrhundert: Ihre Bedeutung und Funktion aus der Perspektive Wiens* (Münster: Lit, 2005).

4. D. Lieven, 'Dilemmas of Empire 1850–1918: Power, Territory, Identity', *Journal of Contemporary History* 34(2) (1999), 165; K. Barkey and M. v. Hagen, 'Conclusion', in K. Barkey and M. v. Hagen (eds), *After Empire: Multiethnic Societies and Nation-Building* (Boulder, CO: Westview Press, 1997), 182; McGranahan and Stoler, 'Introduction', 7.

5. D. Gosewinkel, *Schutz und Freiheit? Staatsbürgerschaft in Europa im 20. und 21. Jahrhundert* (Berlin: Suhrkamp, 2016), 24.

6. E. Nathans, *The Politics of Citizenship in Germany: Ethnicity, Utility and Nationalism* (Oxford: Berg, 2004). D. Gosewinkel, 'Citizenship, Subjecthood, Nationality: Concepts of Belonging in the Age of Modern Nation States', in K. Eder and B. Giesen (eds), *European Citizenship between National Legacies and Postnational Projects* (Oxford: Oxford University Press, 2001), 17–35; T.H. Marshall and T. Bottomore, *Citizenship and Social Class* (London: Pluto Press, 1992); P. Weil, *Qu'est-ce qu'un Français? Histoire de la nationalité française depuis la Révolution* (Paris: Grasset, 2002); D. Gosewinkel, *Einbürgern und Ausschließen: Die Nationalisierung der Staatsangehörigkeit vom Deutschen Bund bis zur Bundesrepublik Deutschland* (Göttingen: Vandenhoek & Ruprecht, 2001); R. Brubaker, *Citizenship and Nationhood in France and Germany* (Cambridge, MA: Harvard University Press, 1992).

7. T. Hippler, *Citizens, Soldiers and National Armies: Military Service in France and Germany, 1789–1830* (London: Routledge, 2008); G.Q. Flynn, *Conscription and Democracy: The Draft in France, Great Britain, and the United States* (Westport, CT: Greenwood Press, 2002); G. Finlayson, *Citizen, State, and Social Welfare in Britain, 1830–1990* (Oxford: Clarendon Press, 1994); C. Conrad and J. Kocka, 'Einführung', in C. Conrad and J. Kocka (eds), *Staatsbürgerschaft in Europa: Historische Erfahrungen und aktuelle Debatten* (Hamburg: Ed. Körber-Stiftung, 2001), 9–28.

8. Gosewinkel, *Einbürgern und Ausschließen*, 178–90, 278–302. On British nationality from a legal perspective, see L. Fransman, *Fransman's British Nationality Law*, 3rd edn (London: Bloomsbury Professional, 2011). On British law between liberal inclusiveness and ethnic exclusiveness, see K. Schönwälder and I. Sturm-Martin (eds), *Die britische Gesellschaft zwischen Offenheit und Abgrenzung: Einwanderung und Integration vom 18. bis zum 20. Jahrhundert* (Berlin: Philo, 2001); A. Fahrmeir, *Citizens and Aliens: Foreigners and the Law in Britain and the German States, 1789–1870* (New York: Berghahn Books, 2000). M.P. Baldwin, 'Making British Subjects: The Development of British Nationality Law, 1870–1939'. (Ph.D. dissertation, University of London, 2003); D. Cesarani, 'The Changing Character of Citizenship and Nationality in Britain', in D. Cesarani and M. Fulbrook (eds), *Citizenship, Nationality and Migration in Europe* (London: Routledge, 1996), 57–73; A. Dummett, *Citizenship and Nationality* (London: Battley, 1976). On exclusion in the Canadian context, see P.E. Roy, *A White Man's Province*: *British Columbia Politicians and Chinese and Japanese Immigrants, 1858–1914* (Vancouver: University of British Columbia Press, 1989). On the Habsburg context, see H. Burger, *Heimatrecht und Staatsbürgerschaft österreichischer Juden: Vom Ende des 18. Jahrhunderts bis in die Gegenwart* (Vienna: Böhlau, 2014); U. v. Hirschhausen, 'Von imperialer Inklusion zur nationalen Exklusion: Staatsbürgerschaft in Österreich-Ungarn 1867–1923', WZB Discussion Papers (Berlin: Social Science Research Center Berlin, SP IV 2007–403), retrieved 22 February 2017 from http://hdl.handle.net/10419/49610. On other case studies, see O. Trevisiol, *Die Einbürgerungspraxis im Deutschen Reich 1871–1945* (Göttingen: V&R unipress, 2006); D. Müller, *Staatsbürger*

auf Widerruf: Juden und Muslime als Alteritätspartner im rumänischen und serbischen Nationscode. Ethnonationale Staatsbürgerschaftskonzepte 1878–1941 (Wiesbaden: Harrassowitz, 2005).

9. A. Fahrmeir, 'Nineteenth-Century German Citizenships: A Reconsideration', *Historical Journal* 40(3) (1997), 27f., 67f. On the conflict between statist and nation-state modi in the German case, see Gosewinkel, *Einbürgern und Ausschließen*.

10. On dimensions of recognition in Austrian citizenship laws, see G. Stourzh, 'The Multinational Empire Revisited: Reflections on Late Imperial Austria', *Austrian History Yearbook* 23 (January 1992), 1–22; idem, *Die Gleichberechtigung der Nationalitäten in der Verfassung und Verwaltung Österreichs 1848–1918* (Vienna: Verlag der Österreichischen Akademie der Wissenschaften, 1985); D. Baier, *Sprache und Recht im alten Österreich: Art. 19 des Staatsgrundgesetzes vom 21. Dezember 1867, seine Stellung im System der Grundrechte und seine Ausgestaltung durch die oberstgerichtliche Rechtsprechung* (Munich: Oldenbourg, 1983); A. Wandruszka and P. Urbanitsch (eds), *Die Habsburgermonarchie 1848–1918*, vol. 2, *Verwaltung und Rechtswesen* (Vienna: Verlag der Österreichischen Akademie der Wissenschaften, 1975). For critical perspectives on the highly stylized multicultural portrayal of Habsburg politics, see A. Komlosy, 'Habsburgermonarchie, Osmanisches Reich und Britisches Empire: Erweiterung, Zusammenhalt und Zerfall im Vergleich', *Zeitschrift für Weltgeschichte* 9(2) (2008), 20. See also J. Kusber, 'Grenzregionen, Randprovinzen, Vielfalt der Peripherie im Habsburgerreich: Zusammenfassende Anmerkungen und Ausblick', in H.-C. Maner (ed.), *Grenzregionen der Habsburgermonarchie im 18. und 19. Jahrhundert: Ihre Bedeutung und Funktion aus der Perspektive Wiens* (Münster: Lit, 2005), 235–43. On the 'principled tolerance of religious, cultural, and linguistic variations', see also McGranahan and Stoler, 'Introduction', 22.

11. T.K. Oommen (ed.), *Citizenship and National Identity: From Colonialism to Globalism* (New Delhi: Sage, 1997); Gosewinkel, *Einbürgern und Ausschließen*, 303f.; L. Wildenthal, 'Race, Gender, and Citizenship in the German Colonial Empire', in F. Cooper and A.L. Stoler (eds), *Tensions of the Empire: Colonial Cultures in a Bourgeois World* (Berkeley, CA: University of California Press, 1997), 263–83; E. Saada, *Les Enfants de la colonie: Les métis de l'Empire français entre sujétion et citoyenneté* (Paris: La Découverte, 2007). On discrimination according to 'racial' criteria in the Indian context (with a focus after 1945), see A.N. Sinha, *Law of Citizenship and Aliens in India* (London: Asia Publishing House, 1962).

12. C. Taylor, 'The Politics of Recognition', in idem, *Multiculturalism and 'the Politics of Recognition': An Essay*, edited by Amy Gutman (Princeton, NJ: Princeton University Press, 1992), 25–74; G. Alderman (ed.), *Governments, Ethnic Groups and Political Representation* (Aldershot: Dartmouth, 1993); Conrad and Kocka, 'Einführung'; G. Britz, *Kulturelle Rechte und Verfassung: Über den rechtlichen Umgang mit kulturel-ler Differenz* (Tübingen: Mohr Siebeck, 2000); R. Bauböck, A. Heller and A.R. Zolberg (eds), *The Challenge of Diversity: Integration and Pluralism in Societies of Immigration* (Aldershot: Avebury, 1996); F. Cooper, *Citizenship between Empire and Nation: Remaking France and French Africa, 1945–1960* (Princeton, NJ: Princeton University Press, 2014), 11, 24. For a critical perspective on recognition, see R.J.F. Day, *Multiculturalism and the History of Canadian Diversity* (Toronto: University of Toronto Press, 2000), 216–22.

13. M. Galanter, *Competing Equalities: Law and the Backward Classes in India* (Berkeley, CA: University of California Press, 1984).

14. Such dynamics of assimilation could also play a role in imperial contexts; see S. Belmessous, *Assimilation and Empire: Uniformity in French and British Colonies, 1541–1954* (Oxford: Oxford University Press, 2013), 2.

15. Carsten Wieland justifies using a broad definition of ethnicity because it allows for his comparison between Bosnia and South Asia; see C. Wieland, *Nationalstaat wider Willen: Politisierung von Ethnien und Ethnisierung der Politik: Bosnien, Indien, Pakistan* (Frankfurt am Main: Campus, 2000), 35.

16. On the debate over ethnicity, see for example R. Jenkins, *Rethinking Ethnicity: Arguments and Explorations* (London: Sage, 1997); M. Guibernau and J. Rex (eds), *The Ethnicity Reader: Nationalism, Multiculturalism and Migration* (Cambridge: Polity Press, 1997); J. Hutchinson and A.D. Smith (eds), *Ethnicity* (Oxford: Oxford University Press, 1996); T.H. Erikson, *Ethnicity and Nationalism: Anthropological Perspectives* (London: Pluto Press, 1993); H. Esser, 'Ethnische Differenzierung und moderne Gesellschaft', *Zeitschrift für Soziologie* 17(4) (1988), 235–48. According to Robert Young, the term 'ethnicity' was first used in English in 1941; see R.J.C. Young, *The Idea of English Ethnicity* (Malden, MA: Blackwell, 2008), X.

17. C. Giordano, 'Ethnizität und das Motiv des mono-ethnischen Raumes in Zentral- und Osteuropa', in U. Altermatt (ed.), *Nation, Ethnizität und Staat in Mitteleuropa* (Vienna: Böhlau, 1996), 25.

18. M. Weber, 'Wirtschaft und Gesellschaft: Die Wirtschaft und die gesellschaftlichen Ordnungen und Mächte', in H.G. Kippenberg, P. Schilm and J. Niemeier (eds), *Nachlaß* (Tübingen: Mohr, 2001), vol. 2, *Religiöse Gemeinschaften*, 172f.

19. A.D. Smith, *The Ethnic Origins of Nations* (Oxford: Blackwell, 1986).

20. A.P. Cohen (ed.), *Signifying Identities: Anthropological Perspectives on Boundaries and Contested Values* (London: Routledge, 2000); F. Barth (ed.), *Ethnic Groups and Boundaries: The Social Organization of Culture Difference* (Boston, MA: Little, Brown & Company, 1969).

21. M. Wieviorka, *Kulturelle Differenz und kollektive Identitäten*, trans. R. Voullié (Hamburg: Hamburger Edition, 2003); H.K. Bhaba, *The Location of Culture*, reprint (London: Routledge, 1994). With respect to nationality law, see S. Conrad, 'Doppelte Marginalisierung: Plädoyer für eine transnationale Perspektive auf die deutsche Geschichte', *Geschichte und Gesellschaft* 28 (2002), 167f. On the question of to what extent post-colonial approaches can be applied to Austria-Hungary, see J. Feichtinger, U. Prutsch and M. Csáky (eds), *Habsburg postcolonial: Machtstrukturen und kollektives Gedächtnis* (Innsbruck: Studien-Verlag, 2003).

22. In response to such definitions of ethnicity and other identities, see the critique in R. Brubaker and F. Cooper, 'Beyond "Identity"', *Theory and Society* 29(1) (2000), 1–47, which argues that the 'soft' lines of ethnicity may blur the 'hard' effects of ethnic attribution, and proposes the alternative terms 'identification' and 'groupness'.

23. M. Banton, *Racial Theories*, 2nd edn (Cambridge: Cambridge University Press, 1998); W. Conze, 'Rasse', in O. Brunner, W. Conze and R. Koselleck (eds), *Geschichtliche Grundbegriffe*, reprint, vol. 5, *Pro–Soz* (Stuttgart: Klett-Cotta, 1994) 135–78.

24. However, ethnocultural patterns of difference could also be marked by privileges and hierarchies. For this kind of argument in relation to the Habsburg context, see D. Hoerder, 'Revising the Monocultural Nation-State Paradigm: An Introduction to Transcultural Perspectives', in D. Hoerder, C. Harzig and A. Shubert (eds), *The Historical Practice of Diversity: Transcultural Interactions from the Early Modern*

Mediterranean to the Postcolonial World (New York: Berghahn Books, 2003), 3; Kusber, 'Grenzregionen', 240.

25. Even 'physical features' can be seen as cultural constructs. M. Nash, *The Cauldron of Ethnicity in the Modern World* (Chicago, IL: University of Chicago Press, 1989), 10f. See also Day, *Multiculturalism*, 5; M.M. Smith, *How Race Is Made: Slavery, Segregation, and the Senses* (Chapel Hill, NC: University of North Carolina Press, 2006). On the debate over racism, see also C. Geulen, *Wahlverwandte: Rassendiskurs und Nationalismus im späten 19. Jahrhundert* (Hamburg: Hamburger Edition, 2004), 15–19, 42–47. Owing to the desire to maintain an analytical distance from biologist concepts, the terms 'race' and 'racial' are placed in quotes throughout this book, as are other problematic terms such as 'native' and 'European', which were often used by contemporaries in a racist sense.

26. On the distinction between 'race' and 'ethnicity', see also Young, *English Ethnicity*, Xf., 42.

27. On the debate over the concepts of nation and nationalism, see, among others, M. Hroch, *European Nations: Explaining their Formation*, trans. by K. Graham (London: Verso, 2015); H. Kriesi and K. Armingeon (eds), *Nation and National Identity: The European Experience in Perspective* (Chur: Rüegger, 1999); R. Koselleck, 'Volk, Nation, Nationalismus, Masse', in O. Brunner, W. Conze and R. Koselleck (eds), *Geschichtliche Grundbegriffe: Historisches Lexikon zur politisch-sozialen Sprache in Deutschland*, vol. 7, *Verw–Z* (Stuttgart: Klett-Cotta, 1992), 141–431; E.J. Hobsbawm, *Nations and Nationalism since 1780: Programme, Myth, Reality* (Cambridge: Cambridge University Press, 1991).

28. Erikson, *Ethnicity*, 6, 99.

29. On interesting examples of multi-ethnic nation-states, see R. Argast, *Staatsbürgerschaft und Nation: Ausschließung und Integration in der Schweiz 1848–1933* (Göttingen: Vandenhoeck & Ruprecht, 2007), on Switzerland; as well as Day, *Multiculturalism*, and E. Winter, 'Neither "America" nor "Québec": Constructing the Canadian Multicultural Nation', *Nations and Nationalism* 13(3) (2007), 481–503, on Canada.

30. R. Emerson, *From Empire to Nation: The Rise to Self-Assertion of Asian and African People* (Cambridge, MA: Harvard University Press, 1967); R.L. Rudolph, 'Nationalism and Empire in Historical Perspective', in R.L. Rudolph and D.F. Good (eds), *Nationalism and Empire: The Habsburg Empire and the Soviet Union* (New York: St. Martin's Press, 1992), 3–12; R.R. Pierson and N. Chaudhuri (eds), *Nation, Empire, Colony: Historicizing Gender and Race* (Bloomington, IN: Indiana University Press, 1998).

31. For an unfavourable comparison between imperial asymmetries and equality in nation-states, see T.H. Parsons, *The Rule of Empires: Those Who Built Them, Those Who Endured Them, and Why They Always Fall* (Oxford: Oxford University Press, 2010), 3, 15. For a critique of this over-simplified contrast, see Cooper, *Citizenship*; S. Berger and A. Miller, 'Nation-Building and Regional Integration, c. 1800–1914: The Role of Empires', *European Review of History* 15(3) (2008), 317–30; Hirschhausen and Leonhard, 'Beyond Rise', 9. On the growing interests in empires, see H.-H. Nolte (ed.), *Imperien: Eine vergleichende Studie* (Schwalbach: Wochenschau-Verlag, 2008); C. Layne and B.A. Thayer, *American Empire: A Debate* (New York: Routledge, 2007); H. Münkler, *Imperien: Die Logik der Weltherrschaft: Vom Alten Rom bis zu den Vereinigten Staaten*, 2nd edn (Berlin: Rowohlt, 2005); G. Steinmetz, 'Return to Empire: The New U.S. Imperialism in Comparative Historical Perspective', *Sociological Theory* 23(4) (2005), 339–67; J. Osterhammel, 'Imperien im 20. Jahrhundert: Eine Einführung', *Zeithistorische*

Forschungen 3(1) (2006), 4–13, retrieved 23 February 2017 from http://www.zeithistorische-forschungen.de/1-2006/id=4627.

32. M. Rürup, 'Lives in Limbo: Statelessness after Two World Wars', *Bulletin of the German Historical Institute* 49 (Fall 2011), 113–34; M. Stiller, *Eine Völkerrechtsgeschichte der Staatenlosigkeit: Dargestellt anhand ausgewählter Beispiele aus Europa, Russland und den USA* (Vienna: Springer, 2011).

33. F. Cooper, 'From Imperial Inclusion to Republican Exclusion? France's Ambiguous Postwar Trajectory', in C. Tshimanga, D. Gondola and P.J. Bloom (eds), *Frenchness and the African Diaspora: Identity and Uprising in Contemporary France* (Bloomington, IN: Indiana University Press, 2009), 91–119; J. Burbank, 'An Imperial Rights Regime: Law and Citizenship in the Russian Empire', *Kritika* 7(3) (2006), 397–431; Weil, *Qu'est-ce qu'un Français?*; Saada, *Les enfants de la colonie*; Wildenthal, 'Race, Gender, and Citizenship'.

34. N. Ferguson, *Empire: The Rise and Demise of the British World Order and the Lessons for Global Power* (New York: Basic Books, 2002). For a critique of Ferguson's argument, see Parsons, *Empires*, 3; J. Leonhard and U. v. Hirschhausen, '"New Imperialism" oder "Liberal Empire"? Niall Fergusons Empire-Apologetik im Zeichen der "Anglobalization"', *Zeithistorische Forschungen* 3(1) (2006), 121–28, retrieved 9 December 2015 from http://www.zeithistorische-forschungen.de/1-2006/id=4525.

35. R. Karatani, *Defining British Citizenship: Empire, Commonwealth, and Modern Britain* (London: Frank Cass, 2003); cf. D. Gorman, *Imperial Citizenship: Empire and the Question of Belonging* (Manchester: Manchester University Press, 2006); K. Grant, P. Levine and F. Trentmann (eds), *Beyond Sovereignty: Britain, Empire and Transnationalism, c.1880–1950* (Basingstoke: Palgrave Macmillan, 2007); Cooper, *Citizenship*.

36. L. Benton, *A Search for Sovereignty: Law and Geography in European Empires, 1400–1900* (Cambridge: Cambridge University Press, 2010); S.B. Kirmse, 'Law and Empire in Late Tsarist Russia: Muslim Tatars Go to Court', *Slavic Review* 72(4) (2013), 778–801 (doi: 10.5612/slavicreview.72.4.0778).

37. C. McGranahan, A.L. Stoler and P.C. Perdue (eds), *Imperial Formations* (Santa Fe, NM: School for Advanced Research Press, 2007).

38. On this distinction, see E.J. Hobsbawm, 'The End of Empires', in K. Barkey and M. v. Hagen (eds), *After Empire: Multiethnic Societies and Nation-Building* (Boulder, CO: Westview Press, 1997), 12–16; Lieven, 'Dilemmas of Empire', 164. On the critique of such contrasts, see A. Miller, 'The Value and the Limits of a Comparative Approach to the History of Contiguous Empires on the European Periphery', in K. Matsuzato (ed.), *Imperiology: From Empirical Knowledge to Discussing the Russian Empire* (Sapporo: Slavic Research Center, Hokkaido University, 1997), 20.

39. C. Tilly, 'How Empires End', in K. Barkey and M. v. Hagen (eds), *After Empire: Multiethnic Societies and Nation-Building* (Boulder, CO: Westview Press, 1997), 3; cf. Komlosy, 'Habsburgermonarchie', 57.

40. M. Koller, 'Bosnien und die Herzegowina im Spannungsfeld von "Europa" und "Außereuropa": Der Aufstand in der Herzegowina, Südbosnien und Süddalmatien (1881–1882)', in H.-C. Maner (ed.), *Grenzregionen der Habsburgermonarchie im 18. und 19. Jahrhundert: Ihre Bedeutung und Funktion aus der Perspektive Wiens* (Münster: Lit, 2005), 200; Komlosy, 'Habsburgermonarchie', 10, 28f.; K. Kaps and J. Surman, 'Postcolonial or Post-colonial? Post(-)colonial Perspectives on Habsburg Galicia', *Historyka: Studia Metodologiczne* 42 (2012), 20.

41. F. Cooper, 'Empire Multiplied: A Review Essay', *Comparative Studies in Society and History* 46(2) (2004), 269.

42. C. McGranahan and A.L. Stoler, 'Preface', in A.L. Stoler, C. McGranahan and P.C. Perdue (eds), *Imperial Formations* (Santa Fe, NM: School for Advanced Research Press, 2007), XI.

43. L. Péter, *Hungary's Long Nineteenth Century: Constitutional and Democratic Traditions in European Perspective*. Collected Studies, edited by M. Lojkó (Leiden: Brill, 2012), 281–305; F. Lindström, *Empire and Identity: Biographies of the Austrian State Problem in the Late Habsburg Empire* (West Lafayette, IN: Purdue University Press, 2008).

44. Burbank, 'Imperial Rights', 399; Geulen, *Wahlverwandte*, 37f.

45. M. Foucault, *Histoire de la sexualité*, vol. 1, *La volonté de savoir* (Paris: Gallimard, 1976); idem, *Security, Territory, Population: Lectures at the Collège de France, 1978–79*, ed. M. Senellart, trans. G. Burchell (Basingstoke: Palgrave Macmillan, 2007); T. Lemke, 'Eine Analytik der Biopolitik: Überlegungen zu Geschichte und Gegenwart eines umstrittenen Begriffs', *Behemoth – A Journal on Civilisation* 1(1) (2008), 80. The relevance of this approach for the analysis of developments in nationality and citizenship is stressed in Argast, *Staatsbürgerschaft*, 16, 46–60.

46. Foucault, *Security, Territory, Population*; idem, *The Birth of Biopolitics: Lectures at the Collège de France, 1978–79*, ed. M. Senellart, trans. G. Burchell (Basingstoke: Palgrave Macmillan, 2008). This emphasis on the population in the context of biopower corresponds with the fundamental transition from an understanding of the state focusing on territory to a form of statehood focusing on population and membership. See R. Grawert, *Staat und Staatsangehörigkeit: Verfassungsgeschichtliche Untersuchung zur Entstehung der Staatsangehörigkeit* (Berlin: Duncker & Humblot, 1973). See also D. Schmidt, *Statistik und Staatlichkeit* (Wiesbaden: Verlag für Sozialwissenschaften, 2005).

47. Lemke, 'Analytik der Biopolitik', 73; J. Gledhill, 'The Power of Ethnic Nationalism: Foucault's Bio-power and the Development of Ethnic Nationalism in Eastern Europe', *National Identities* 7(4) (2005), 347–68; Geulen, *Wahlverwandte*, 374.

48. Lemke, 'Analytik der Biopolitik', 80. On this distinction, see also Argast, *Staatsbürgerschaft*, 20, 324f., 332.

49. 'So, comparing the quantity of freedom between one system and another does not in fact [make] much sense. And we do not see what type of demonstration, what type of gauge or measure we could apply' (Foucault, *Birth of Biopolitics*, 62f).

50. Grawert, *Staat und Staatsangehörigkeit*.

51. J. Caplan and J. Torpey (eds), *Documenting Individual Identity: The Development of State Practices in the Modern World* (Princeton, NJ: Princeton University Press, 2001); J. Torpey, *The Invention of the Passport: Surveillance, Citizenship and the State* (Cambridge: Cambridge University Press, 2000).

52. Brubaker, *Citizenship and Nationhood*. Uri Ra'anan draws the border between the 'national' West and the 'ethnic' East along the Rhine. U. Ra'anan, 'Nation and State: Order out of Chaos', in U. Ra'anan, M. Mesner, K. Armes, and K. Martin (eds), *State and Nation in Multi-ethnic Societies: The Breakup of Multinational States* (Manchester: Manchester University Press, 1991), 3–32. On this dichotomy, see also Gledhill, 'Power of Ethnic Nationalism'; F. Meinecke, *Weltbürgertum und Nationalstaat: Studien zur Genesis des deutschen Nationalstaates* (Munich: Oldenbourg, 1908); H. Kohn, *Nationalism: Its Meaning and History* (Princeton, NJ: Van Nostrand, 1955); T. Schieder, 'Typologie und Erscheinungsform des Nationalstaats in Europa', *Historische Zeitschrift*

202(1) (1966), 58–81. For arguments against this dichotomy, see K. Barkey, 'Thinking about Consequences of Empire', in K. Barkey and M. v. Hagen (eds), *After Empire: Multiethnic Societies and Nation-Building* (Boulder, CO: Westview Press, 1997), 108. Even Brubaker later distanced himself from too rigid contrasts between 'ethnic' and 'civic nationalism'; R. Brubaker, *Ethnicity without Groups* (Cambridge, MA: Harvard University Press, 2004).

53. Gosewinkel, *Einbürgern und Ausschließen*.

54. G. Noiriel, *Etat, nation et immigration: Vers une histoire du pouvoir* (Paris: Gallimard, 2001).

55. Marshall and Bottomore, *Citizenship*. For a critical perspective, especially in relation to the developments in the British dominions, see D. Pearson, 'Theorizing Citizenship in British Settler Societies', *Ethnic and Racial Studies* 25(6) (2002), 989.

56. I.C. Fletcher, L.E. Nym Mayhall and P. Levine (eds), *Women's Suffrage in the British Empire: Citizenship, Nation and Race* (London: Routledge, 2000); B. Bader-Zaar, 'Women's Suffrage and War: World War I and Political Reform in a Comparative Perspective', in I. Sulkunen, S.-L. Nevala-Nurmi and P. Markkola (eds), *Suffrage, Gender and Citizenship: International Perspectives on Parliamentary Reforms* (Newcastle: Cambridge Scholars Publishing, 2009), 193–218; S. Dudink, K. Hagemann and A. Clark (eds), *Representing Masculinity: Male Citizenship in Modern Western Culture* (New York: Palgrave Macmillan, 2007); Pierson and Chaudhuri, *Nation, Empire, Colony*; N. Piper, *Racism, Nationalism and Citizenship: Ethnic Minorities in Britain and Germany* (Aldershot: Ashgate, 1998); Y.N. Soysal, *Limits of Citizenship: Migrants and Postnational Membership in Europe* (Chicago, IL: University of Chicago Press, 1994); J. Spinner, *The Boundaries of Citizenship: Race, Ethnicity, and Nationality in the Liberal State* (Baltimore, MD: Johns Hopkins University Press, 1994).

57. For a critique of lop-sided comparisons between the British and Habsburg empires, see Komlosy, 'Habsburgermonarchie', 26f.

58. Burger, *Heimatrecht und Staatsbürgerschaft*; Hirschhausen, 'Von imperialer Inklusion'.

59. On comparison as a historical method or perspective in general, see H. Kaelble, 'Die interdisziplinären Debatten über Vergleich und Transfer', in H. Kaelble and J. Schriewer (eds), *Vergleich und Transfer: Komparatistik in den Sozial-, Geschichts- und Kulturwissenschaften* (Frankfurt am Main: Campus, 2003), 469–93; M. Werner and B. Zimmermann, 'Vergleich, Transfer, Verflechtung: Der Ansatz der Histoire croisée und die Herausforderung des Transnationalen', *Geschichte und Gesellschaft* 28(4) (2002), 607–36; M. Middell, 'Kulturtransfer und historische Komparatistik: Thesen zu ihrem Verhältnis', in M. Middell (ed.), *Kulturtransfer und Vergleich* (Leipzig: Leipziger Universitäts-Verlag, 2000), 7–41; C. Lorenz, 'Comparative Historiography: Problems and Perspectives', *History and Theory* 38(1) (1998), 25–39; H.-G. Haupt and J. Kocka, 'Historischer Vergleich: Methoden, Aufgaben, Probleme: Eine Einleitung', in H.-G. Haupt and J. Kocka (eds), *Geschichte und Vergleich: Ansätze und Ergebnisse international vergleichender Geschichtsschreibung* (Frankfurt am Main: Campus, 1996), 9–45; T. Welskopp, 'Stolpersteine auf dem Königsweg: Methodenkritische Anmerkungen zum internationalen Vergleich in der Gesellschaftsgeschichte', *Archiv für Sozialgeschichte* 35 (1995), 339–67; J. Matthes, 'The Operation Called "Vergleichen"', in J. Matthes (ed.), *Zwischen den Kulturen? Die Sozialwissenschaften vor dem Problem des Kulturvergleichs* (Göttingen: Schwartz, 1992), 75–99; D. Cohen and M. O'Connor (eds), *Comparison and History: Europe in Cross-National Perspective* (New York: Routledge, 2004). A comparative

European analysis of nationality is offered in D. Gosewinkel, 'Staatsangehörigkeit und Nationszugehörigkeit in Europa während des 19. und 20. Jahrhunderts', in A. Gestrich and L. Raphael (eds), *Inklusion/Exklusion: Studien zu Fremdheit und Armut von der Antike bis zur Gegenwart* (Frankfurt am Main: Peter Lang, 2004), 207–27.

60. Miller, 'The Value and the Limits', 19, cf. 23–26; J. Burbank and F. Cooper, *Empires in World History: Power and the Politics of Difference* (Princeton, NJ: Princeton University Press 2010); Kaps and Surman, 'Postcolonial or Post-colonial?'. On the need for comparisons that question the dichotomy between West European and Central/East European empires, see Komlosy, 'Habsburgermonarchie'; McGranahan and Stoler, 'Introduction'; C. Ruthner, '"k.(u.)k. postcolonial"? Für eine neue Lesart der österreichischen (und benachbarter) Literatur/en', in W. Müller-Funk, P. Plener and C. Ruthner (eds), *Kakanien revisited: Das Eigene und das Fremde (in) der österreichisch-ungarischen Monarchie* (Tübingen: Francke, 2002), 93–103, retrieved 9 December 2015 from http://www.kakanien.ac.at/beitr/theorie/CRuthner1.pdf; Barkey and Hagen, 'Conclusion'; B. Gammerl, 'Der Vergleich von Reich zu Reich: Überlegungen zum Imperienvergleich anhand des britisch-habsburgischen Beispiels', in A. Arndt, J.C. Häberlen and C. Reinecke, *Vergleichen, Verflechten, Verwirren? Europäische Geschichtsschreibung zwischen Theorie und Praxis* (Göttingen: Vandenhoeck & Ruprecht, 2011), 221–42; T.R. Weeks, 'Nationality, Empire, and Politics in the Russian Empire and USSR: An Overview of Recent Publications', *H-Soz-Kult* (29 October 2012), retrieved 9 December 2015 from http://hsozkult.geschichte.hu-berlin.de/forum/2012-10-001. Alexander Morrison has put forth an initial empirical study along these lines in: A.S. Morrison, *Russian Rule in Samarkand 1868–1910: A Comparison with British India* (Oxford: Oxford University Press, 2008).

61. A. Thompson, *The Empire Strikes Back? The Impact of Imperialism on Britain from the Mid-Nineteenth Century* (Harlow: Pearson Longman, 2005); A. Burton (ed.), *After the Imperial Turn: Thinking with and through the Nation* (Durham, NC: Duke University Press, 2003); L. Colley, *Captives: Britain, Empire and the World, 1600–1850* (London: Jonathan Cape, 2002).