

Before Borders: A Legal and Literary History of Naturalization by Stephanie DeGooyer

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Before Borders: A Legal and Literary History of Naturalization, by Stephanie DeGooyer. Johns Hopkins University Press, 2022. 216pp. \$34.95. ISBN 978-1421443928.

Let me begin with an unequivocal endorsement: anyone with even a passing interest in the fields of novels studies or law and literature will find Stephanie DeGooyer's *Before Borders: A Legal and Literary History of Naturalization* (2022) deeply rewarding reading. It's historically rich, rigorously researched, and confidently polemical in ways I'll elaborate below. But *Before Borders* should be of interest to scholars regardless of expertise as a pedagogical document, one that expertly models the rhetorical move of the scholarly intervention – what we sometimes call the “so what?” question of research work. What begins, in the book's first chapter, as an exegesis of underexamined seventeenth-century juridical documents that reimagined political subjectivity following the Union of the English and Scottish Crowns quickly coalesces across the manuscript's five chapters into a set of powerful claims that bear heavily on contemporary understandings of the novel, the nation, and the concept of naturalization in literary studies. Moving briskly between early modern legal theory (Blackstone, Locke, Bacon), canonical works of fiction (Richardson, Defoe, Burney, Mary Shelley), and contemporary criticism (Arendt, Barthes, Benedict Anderson, Jacques Ranciere), DeGooyer always keeps a keen eye on her study's high argumentative stakes.

As its title suggests, *Before Borders* seeks to complicate through historicization the modern narrative of the nation-state in crisis – a narrative diagnosed most acutely by Hannah Arendt (and explored by DeGooyer in her 2018 co-authored study *The Right to Have Rights*) wherein the consolidation of strict territorial borders in Europe at the end of the eighteenth century furnishes the political conditions for the mass denaturalizations and legalized statelessness of the twentieth. In *The Origins of Totalitarianism*, Arendt speaks obliquely of the “happier predecessors” of modern refugees whose mobility as political subjects had not yet been foreclosed by the juridical imbrication of human rights and citizenship status. *Before Borders* takes this unelaborated supposition as its starting point: what did the transit of persons across (and their integration within) pre-national communities actually look like, and how did novelists, philosophers, and legal theorists enact, support, and contest those conditions? DeGooyer is understandably less sanguine than Arendt on the “freedoms” of premodern immigration; *Before Borders* consistently underscores that trans-European mobility was almost exclusively the province of the wealthy, white, and able-bodied. Nevertheless, De Gooyer finds in early naturalization statutes a set of conceptual openings for rethinking dominant accounts of the linkage between subjectivity, belonging, and the work of cultural production.

What are these conceptual openings? First, early modern naturalization was remarkably indifferent to the issue cultural nationalism, which underwrites both contemporary immigration discourse and discussions of the early novel: “Rather than assimilate foreigners to the cultural narratives of the nation-state, naturalization sought to fictionally re-create natural allegiance for foreigners through a dispassionately bureaucratic process that had nothing yet to do with interiority or felt belonging” (34). Beginning with a debate over whether Scottish subjects could inherit property in England following unification in 1603, early legal theorists of naturalization answered the question “what did it mean to be English?” in surprisingly flat terms: it meant being treated *as if* one were born in England for legal purposes. Naturalization, in other words,

created new subjects, but it did so in a way distinct from the dominant narrative of subject formation that has traditionally grounded novel studies. Rather than appeal to realism's grammar of psychological depth, fellow feeling, and *bildung*-ish growth, naturalization invoked a mechanics of flatness, artifice, and historical erasure. Through the legal fiction of naturalization, one's identity was transformed irrespective of feeling, belief, or nativity.

Before Borders thus takes its place alongside recent work in novel studies including Sandra MacPherson's *Harm's Way*, D.A. Miller's *Jane Austen and the Secret of Style*, and Stephanie Hershinow's *Born Yesterday* that challenge the dominance of the reflexive, affectively attuned, self-disciplining liberal individual as both producer and product of the novelistic imagination. Unlike the term's usage in contemporary criticism, which inevitably denotes a process of mystification (the transformation of "history into nature," as Barthes put it), early modern naturalization was not a mechanism for rendering identities timeless or universal: both its artificiality and its contingency were always explicit, and the "nature" it created was not an ideological deception (although it certainly inaugurated the problem of multiple and duplicitous territorial allegiances) so much as a political and economic expedient.

Nowhere do these features of flatness, impersonality, and expediency converge in a more illuminating way than in DeGooyer's reading of *Robinson Crusoe* (1719), the liberal individual *par excellence* of novel studies. Her analysis begins with a fascinating opening gambit: what if the most important detail in Crusoe's narrative – one that not only guides his trajectory but gestures toward a theory of political subjectivity at odds with the novel's most canonical interpretations – is hiding in plain sight in its opening sentence, when Crusoe explains that his father is a German-born naturalized English merchant? DeGooyer makes a persuasive case for situating legal naturalization of the kind Crusoe himself undertakes when he becomes a Portuguese citizen in order to purchase the slave plantation that becomes the eventual source of his wealth as the novel's hitherto unarticulated political logic. Here, too, DeGooyer's instinct for rhetorical positioning is on fine display: to read Crusoe as a subject of naturalization – wherein identities bend to economic advantage, cross national boundaries, and are indifferent to questions of interiority or belief – is to read against the grain of much *Robinson Crusoe* scholarship, which has often positioned the novel as emblematic of both an emergent English cultural nationalism as well as the genre of the Protestant autobiography.

The opportunities for future scholarship that *Before Borders* encourages are compelling. While reading, I often found myself drawing connections between DeGooyer's descriptions of naturalization's hypothetical mode – ie. *we know you are not X but rather Y, yet you will nevertheless be treated as if you were always X without ever disavowing Y* – and Catherine Gallagher's influential account of fictional referentiality inaugurated by the novel form ("The Rise of Fictionality," 2006). For Gallagher, the novel's historical uniqueness is that it tells "believable stories that [do] not solicit belief" (340). Reading novels means simultaneously knowing that its referents are not real yet proceeding *as if* they were, and doing so does not compromise the form's referentiality but rather expand its parameters: in the words of Henry Fielding, novels represent "not men, but manners; not an individual, but a species." To accede to the criteria of novelistic truth is thus to accede to the test of verisimilitude: *is this character behaving in a way that conforms to its status as a particular species of individual?* A number of De Gooyer's readings argue for seeing novels as tools for naturalizing (in the sense of politically

authorizing) the perspective of groups previously excluded from the realm of credibility: poor servant girls in *Pamela* or “creatures” without legal status or nativity in *Frankenstein*. Legal naturalization and novelistic representation thus share a suspension of reference (*we know you are not actually English/ a real servant girl*) that is simultaneously a dilation of reference (*yet your provisional status as such expands the boundaries of who can potentially belong to that group in the first place*). It’s worth asking whether the novel’s unique representational mode – which Gallagher herself likens to the form of the “legal fiction,” a recognized untruth invoked for the purpose of convenience or expediency – shares a connection to legal naturalization beyond just analogy given that they seem to mobilize the same cognitive infrastructure.

There are certain moments in *Before Borders* where readers familiar with the primary sources may desire more engagement, specifically because the implications for DeGooyer’s arguments feel crucial. In the book’s final full chapter, DeGooyer offers an extended engagement with Mary Shelley’s *Frankenstein* (1818) to theorize what she calls “narrative naturalization,” whereby authors “use the genre of prose fiction itself to redress failures of legal naturalization to represent and incorporate religious and racial outsiders” (146). In contrast to recent biopolitical readings of the novel by scholars like Emily Steinlight, who see in *Frankenstein*’s machinations the ascendance of a “contraceptive futurism” that would preoccupy race theorists through the nineteenth and twentieth centuries, DeGooyer argues for the Creature’s ultimate *success* in establishing the grounds for its naturalization: “the Creature stages his membership in a national community by revealing the impossible logic that would try to reject him from it” (160). Yet if the ground of the Creature’s exclusion is indeed its “racialization,” as DeGooyer rightly notes, the status of race as a term in this section is slightly underdeveloped. In an earlier reading of Frances Burney, DeGooyer will concede that “race ultimately cannot be liberalized in the same manner as nationality,” and that “the idea that racial appearance confirmed biological and cultural inferiority would gain more traction in the late eighteenth and nineteenth centuries” (138). *Frankenstein* addresses this very shift in its account of the Creature’s education at the De Lacey cottage, where he learns of “the slothful Asiatics; of the stupendous genius and mental activity of the Grecians” (144), etc., and he consistently refers to himself in the colonialist language of immutable physiological difference. DeGooyer does not address these moments, leaving a reader to wonder how the failure of racial naturalization in Burney becomes successful in Shelley.

These opportunities for refinement are minor given the exciting inroads *Beyond Borders* makes at the intersection of novel studies and law and literature. It’s a text that demands reckoning with for its insights in immigration history, its theoretical contributions to the concept of naturalization, and its provocative interventions into dominant accounts of the connections between novels, nations, and the production of subjectivity.

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