



Grad 451/551: Selected Topics in Forced Migration
Identity, Movement and Control
July-August 2009

Course Coordinator:

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**Tuesdays and Thursdays 10am-12am,
120 South West Engineering**

Consulting hours:

Tuesdays and Thursdays 8-10am or by appointment

Course Description and Objectives

This course draws on Political Science, Geography and Anthropology to examine changes in the global governance of human migration. In the first section we review a range of theories about state powers to control migration. By exploring the phenomena of sovereignty, national identity and state territoriality we develop concepts, themes and historical schemes to critically examine the manner in which states regulate mobility. The second section applies these theories in discussions of the various policy instruments that contemporary states deploy to regulate the movement of people: borders, ID documents, arrests, detention, deportation and extradition agreements. In these sessions, we will seek to develop new ways of understanding and explaining some policies that we ordinarily take for granted. To help this process along, we will be using and critically examining data on migration governance in South Africa. The course concludes by examining the challenges of governance, the meaning of sovereignty, and the nature of society and politics in an era of global migration. Instead of providing answers to specific policy issues, course participants will develop a nuanced understanding of the relationships among migration, space, and power by causally and conceptually integrating movement within broader social scientific debates.

Structure and Assessment

The course is divided into twelve, two-hour seminars. Unless approved in advance, attendance is mandatory and active participation is expected. To ensure a common ground for our discussions, all readings **must** be finished before the class meeting. Be prepared to answer questions, make assertions, and defend your positions. Marks will be awarded on the following criteria:

- *Online forum*: Over the course of the term, students are required to participate in an online forum [see handout]. This will be an interactive ‘space’ where students will discuss and critically debate the week’s required readings, linking them back to the course’s primary questions and themes. Additional readings or research are not required, although they may be drawn on. (20% of final mark).
- *Research Paper*. All students will be expected to write a 5000-word research paper (3000 for Hons) critically engaging with the course themes. Further details will be provided during the course. (30% of final mark). All students are expected to have the topic approved before session seven;
- *Examination*: There will be a **synthetic** take-home exam that requires students to integrate course materials. The exam will be loosely based on the course’s primary questions, and students will be given sample questions in advance. Final marks on the exam will be determined by students’ understanding and synthesis of the readings and course themes; evidence of critical thinking; and clear, well-argued responses to the questions posed. Preparation for the exam will require a familiarity with *all* of the course’s topics and themes (50% of final mark).

Time Line

Event	Dates and Times
First class meeting	14 July, 10am.
Study/ essay writing week	10-14 August
Essay due	14 August, 5pm
Take home exam pick up	7 September 9am
Take home exam submit	11 September 5pm

Topics and Readings

Part I: Theories of Immigration Control

Session One: Introduction – Field Trip to Carlton Centre
14 July

Session Two: States, Sovereignty and Monopoly: Who Controls Migration?
21 July

Immigration policy-makers often tell us that all they have the right to decide who moves across state borders. In one sense, this claim acknowledges a simple fact about contemporary politics and one which is unlikely to change in the immediate future: sovereign states control their borders. At the same time, this claim also ignores the fact that the state's right to control the movement of people is a contested product of a range of historical developments that took place over the course of the twentieth century. When we go back and examine the process whereby early modern states first developed the means to decide what sorts of movement were legitimate, we begin to realise that this 'sovereign' claim has always been contested by other actors, international organisations, norms, and migrant peoples. In this discussion, we will attempt to develop a critical perspective on state controls over human mobility by relating state sovereignty to theories on the development of organised crime, cartels and monopolies. This approach will set the stage for the remainder of the course, by encouraging us to question the idea that state controls are inevitable, natural and unchangeable.

Required Reading

Tilly, C. (1985). War making and State Making as Organized Crime. *Bringing the state back in*. P. B. Evans, D. Rueschemeyer and T. Skocpol. Cambridge, Cambridge University Press.

Torpey, J. (1998). 'Coming and going: On the state monopolization of the legitimate 'means of movement'.' *Sociological Theory* 16(3): 239-259.

Further Reading

Attempt to bring questions of sovereignty and migration together:

Demo, A. (2005) 'Sovereignty discourse and contemporary immigration politics'. *Quarterly Journal of Speech* 91 (3): 291-311.

Normative Readings of Sovereignty:

Hall, Rodney Bruce (1997) 'Moral authority as a power resource'. *International Organization* 51 (4): 591-612.

Linklater, Andrew (1998) *The transformation of political community: ethical foundations of the Post-Westphalian era*. Cambridge: Polity Press.

Reus-Smit, Christian (1999) *The moral purpose of the state: culture, social identity, and institutional rationality in international relations*. Princeton: Princeton University Press.

Critical Perspective on Sovereignty – Goes Fairly Hard Against the Normative Theorists:
Krasner, Stephen D. (1999) *Sovereignty: organized hypocrisy*. Princeton: Princeton University Press.

Sovereignty in Africa:

Jackson, Robert H. (1990) *Quasi-states: sovereignty, international relations, and the Third World*. Cambridge: Cambridge University Press.

Following on from Tilly – the long term evolution of states in Europe:

Rosenberg, Justin (1994) *The empire of civil society: a critique of the realist theory of international relations*. London: Verso.

Spruyt, Hendrik (1994a) *The sovereign state and its competitors: an analysis of systems change*. Princeton: Princeton University Press.

Teschke, Benno (2003) *The Myth of 1648: Class, Geopolitics and the Making of Modern International Relations*. London: Verso.

Vigneswaran, Darshan (2007) 'The Territorial Strategy of the Italian City-State'. *International Relations*.

Some (including me) think these guys are incomprehensible, but they continue to be cited:

Bartelson, Jens (1995) *A genealogy of sovereignty*. Cambridge: Cambridge University Press.

Walker, R. B. J. (1993) *Inside/outside: international relations as political theory*. Cambridge: Cambridge University Press.

Session Three: Identity and Homeland: The Ties that Bind 23 July

The most powerful idea supporting the construction of sovereign, territorial states is the notion that human beings share an innate bond to a specific national homeland. This idea is inscribed into many modern understandings of citizenship and many representations of migrants as outsiders. It is supported by an extensive history of literature, art and high culture, while being consistently hammered home by more banal processes of media and pop culture. This idea is also consistently used to concoct threatening images of 'waves' of foreigners inundating the native people or impure non-nationals 'infecting' the indigenous body politic. In this week's discussion we will interrogate this idea by examining the various processes by which linkages between the national people and homeland have been established and inscribed on the popular consciousness.

Required reading

Falzon, M. A. (2003) 'Bombay, our cultural heart': Rethinking the relation between homeland and diaspora'. *Ethnic and Racial Studies* 26 (4): 662-683.

Malkki, Liisa (1992) 'National Geographic: The Rooting of Peoples and the Territorialization of National Identity among Scholars and Refugees'. *Cultural Anthropology* 7 (1): 24-44.

Renan, Ernest (1882) 'What is a Nation?'

Further reading

On Nationalism (my favourites, the list, of course is endless):

Anderson, Benedict R. O'G (1983) *Imagined communities: reflections on the origin and spread of nationalism*. London: Verso.

Billig, Michael (1995) *Banal nationalism*. London: Sage.

Hobsbawm, E. J., and T. O. Ranger (1983) *The Invention of tradition*. Cambridge: Cambridge University Press.

On the nation and Migration:

Demaria, Laura. 2004. Recounting the nation from the border. *Journal of Latin American Cultural Studies* 13, (1) (Mar): 3-19.

Leo Chavez. 1991. Outside the imagined community: Undocumented settlers and experiences of incorporation'. *American Ethnologist*(18): 257-78.

On citizenship and its attendant rights - Marshall is the classic:

Barbalet, J. M. (1988) *Citizenship : rights, struggle, and class inequality*. Minneapolis: University of Minnesota Press.

Brubaker, Rogers (1989) *Immigration and the politics of citizenship in Europe and North America*. Lanham: University Press of America.

Held, David (1989) Citizenship and autonomy. In *Social theory of modern societies: Anthony Giddens and his critics*, edited by D. Held and J. B. Thompson. Cambridge: Cambridge University Press.

Mann, Michael (1987) 'Ruling Class Strategies and Citizenship'. *Sociology* 21: pp. 339-54.

Marshall, T. H. (1950) *Citizenship and social class, and other essays*. Cambridge: Cambridge University Press.

Miller, D. (1999) Bounded citizenship. In *Cosmopolitan citizenship*, edited by K. Hutchings and R. Dannreuther. Houndmills: MacMillan.

On space and our intimate attachments to it:

Bachelard, Gaston, and M. Jolas (1994) *The poetics of space*. Boston: Beacon Press.

Manzo, Lynne C. (2003) 'Beyond house and haven: Toward a revisioning of emotional relationships with places'. *Journal of Environmental Psychology* 23 (1): 47-61.

Pred, Allan Richard (1983) 'Structuration and place: on the becoming of sense of place and structure of feeling'. *Journal For The Theory Of Social Behaviour* 13: 45-68.

Proshansky, Harold M., Abbe K. Fabian, and Robert Kaminoff (1983) 'Place-identity: physical world socialization of the self'. *Journal of Environmental Psychology* 3: 57-83.

Tuan, Yi-fu (1974) *Topophilia: a study of environmental perception, attitudes, and values*. Englewood Cliffs: Prentice-Hall.

— — — (1977) *Space and place: the perspective of experience*. Minneapolis: University of Minnesota Press.

Twigger-Ross, Clare L., and David L. Uzzell (1996) 'Place and identity processes'. *Journal of Environmental Psychology* 16: 205-220

Session Four: Territory and Territoriality: More than Just Borders

28 July

When immigration policy makers want to increase the defences against undocumented migrants they talk about 'closing the borders'. When migrant rights activists want to question this type of policy they plea for an 'open border policy'. This discussion rightly identifies that the border is a crucial component of most immigration regulation regimes. However, it misses the fact that immigration control has always taken place at other places than the border itself, as countries a) reach far beyond their jurisdiction to stop migrants from coming and b) police societies within their borders to ensure that unwanted migrants go home. When we begin to look at the multiple ways in which states have controlled the movement of people throughout history, we also begin to realise that state territoriality is a far more 'contoured', variegated affair, involving multiple complimentary and contradictory spatial techniques and practices. By exploring this diversity of approaches we open up the discussion for the remainder of the course, which looks in detail at the nature and purpose of each of the ways in which states control people by controlling space.

Required reading

- Bigo, Didier (2002) 'Security and Immigration: Toward a Critique of the Governmentality of Unease'. *Alternatives* 27 (Special Issue): 63-92
- Bloch, A., and L. Schuster (2005) 'At the extremes of exclusion: Deportation, detention and dispersal'. *Ethnic and Racial Studies* 28 (3): 491-512.
- Coleman, M. (2007) 'Immigration geopolitics beyond the Mexico-US border'. *Antipode* 39 (1): 54-76.
- Ruggie, John Gerard (1993) 'Territoriality and beyond: problematizing modernity in international relations'. *International Organization* 47 (1): 139-174.

Further Reading

Following Ruggie: on the difficulties of studying territoriality:

- Agnew, John (1994) 'The territorial trap: the geographical assumptions of international relations theory'. *Review of International Political Economy* 1 (1): 53-80.
- Brenner, N. (1999) 'Beyond state-centrism? Space, territoriality, and geographical scale in globalization studies'. *Theory and Society* 28 (1): 39-78.

Classic studies:

- Duchacek, Ivo D. (1986) *The territorial dimension of politics within, among, and across nations*. Boulder: Westview Press.
- Sack, Robert David (1986) *Human territoriality: its theory and history*. Cambridge: Cambridge University Press.
- Sidaway, James Derrick (1997) 'Mastering space: Hegemony, territory and international political economy - Agnew,J, Corbridge,S'. *Transactions of the Institute of British Geographers* 22 (1): 130-132.
- Soja, Edward W. (1971) *The political organization of space*. Washington: Association of American Geographers Commission on College Geography.

The 'new' territoriality of migration control:

- Guiraudon, Virginie, and Gallya Lahav (2000) Comparative Perspectives on Border Control: Away from the Border and Outside the State. In *The wall around the West : state borders and immigration controls in North America and Europe* edited by P. Andreas and T. Snyder. Lanham: Rowman & Littlefield.
- Lahav, Gallya (2000) The Rise of Non-State Actors in Migration Regulation in the United States and Europe: Changing the Gatekeepers or "Bringing Back the State"? In *Immigration research for a new century : multidisciplinary perspectives*, edited by N. Foner, R. G. Rumbaut and S. J. Gold. New York: Russell Sage Foundation.
- Lahav, Gallya (1998) 'Immigration and the State: The Devolution and Privatisation of Immigration Control in the EU'. *Journal of Ethnic and Migration Studies* 24 (4): 675-694.
- Vigneswaran, Darshan (2008) 'Enduring Territoriality: South African Immigration Control'. *Political Geography* 27: 783-801.

Kinda whacko argument that territorial borders produce tolerance:

- Williams, John (2002) 'Territorial borders, toleration and the English School'. *Review of International Studies* 28: 737-758

PART II: TECHNIQUES OF CONTROL

Session Five: The Border: A Site of Power

30 July

The border seems to be the most straightforward and easily understood aspect of an immigration control system. It is the proverbial 'line drawn in the sand', with lots of symbolic messages saying 'do not cross', often backed up by a range of security technologies and personnel. Hence, the border seems to be a good place to begin our critical investigation of the state, identity and territoriality. This week's readings will suggest that often, the simple act of checking a person's documents or categorising people into 'fast-lanes' and 'slow-lanes' can be seen as profoundly political acts. As Coplan and Coleman suggest, broader systems of power and inequality find their expression in everyday acts of border-crossing. Sometimes, as Flynn's work suggests, borders can become the locus of communities themselves.

Required Reading

Adey, P. (2008) 'Airports, mobility and the calculative architecture of affective control'. *Geoforum* 39 (1): 438-451.

Coplan, David B. (2001) 'A river runs through it: the meaning of the Lesotho-Free State border'. *African Affairs* 100: 81-116.

Flynn, Donna K. (1997) "'We are the border': Identity, exchange, and the state along the Benin-Nigeria border'. *American Ethnologist* 24 (2): 311-330.

Heyman McC, Josiah (2004) 'Ports of Entry as Nodes in the World System'. *Identities-Global Studies in Culture and Power* 11 (3): 303-327

Further Reading

On 9/11 and its aftermath:

Adelman, Howard (2002) 'Refugees and border security post-september'. *Refuge* 11 (4): 5-14.

Anderson, James (2002) 'Borders after 11 September 2001'. *Space and Polity* 6 (2): 227-232.

On fatalities at the border:

Carling, Jorgen (2007) 'Migration Control and Migrant Fatalities at the Spanish-African Borders'. *International Migration Review* 41 (2): 316-343.

On representations in film:

Dell'Agnese, Elena (2005) 'The US-Mexico Border in American Movies: A Political Geography Perspective'. *Geopolitics* 10: 204-221.

More on the bureaucratic process:

Gilboy, Janet A. (1991) 'Deciding Who Gets In: Decisionmaking by Immigration Inspectors'. *Law and Society Review* 25 (3): 571-600.

Heyman McC, Josiah (1998) 'State Effects on Labor Exploitation: The INS and undocumented immigrant at the Mexico-United State border'. *Critique of Anthropology* 18: 157-180.

——— (1999) 'United State Surveillance over Mexican Lives at the Border: Snapshots of an Emerging Regime'. *Human Organization* 58 (4).

Critical Explorations of the Meaning of the Border:

Houtum, Henk van, and Anke Struver (2002) 'Borders, Stranger, Doors and Bridges'. *Space and Polity* 6 (2): 141-146.

Vila, Pablo (2003) 'Processes of identification on the U.S.-Mexico border'. *The Social Science Journal* 40: 607-625.

Walters, William (2006) 'Border/Control'. *European Journal of Social Theory* 9 (2): 187-203

South-African Bantustans:

Ramutsindela, Maano (2007) 'Resilient geographies: land, boundaries and the consolidation of the former bantustans in post-1994 South Africa'. *The Geographical Journal* 173 (1): 43-55.

For a comprehensive bibliography on borders see:

<http://www.qub.ac.uk/cibr/BordersBiblio01.htm>

Session Six: Identity documents and systems

4 August

Passports and ID documents are currently seen as essential mechanisms for verifying identity and deciding who should be 'in' and who should be 'out'. As we move through an age of a global War on Terror, new technologies for securing these documents and ensuring their integrity are seen as essential to our collective security. More importantly, these documents are seen as the ultimate marker of nationality, defining, once and for all, who has the right to be considered a citizen of a particular state. However, when we look at the various ways in which these documents have been invented – through the 20th century movement by states to develop a system of passports – and reinvented – through the various means of acquiring legitimate documents – the many power relations that produce travel documents come into view. In this class we seek to explore how IDs have been manipulated from above and below to shape global patterns of movement and identification.

Required Reading

Neumayer, E. (2006) 'Unequal access to foreign spaces: how states use visa restrictions to regulate mobility in a globalized world'. *Transactions of the Institute of British Geographers* 31 (1): 72-84.

Salter, M. B. (2006) 'The global visa regime and the political technologies of the international self: Borders, bodies, biopolitics'. *Alternatives* 31 (2): 167-189.

Wang, H. L. (2004) 'Regulating transnational flows of people: An institutional analysis of passports and visas as a regime of mobility'. *Identities-Global Studies in Culture and Power* 11 (3): 351-376.

Further Reading

Documents feature across all of the readings but these three books cover most of the main issues:

Caplan, Jane, and John Torpey, eds (2001) *Documenting individual identity: the development of state practices in the modern world* Princeton: Princeton University Press.

Salter, Mark B. (2003) *Rights of passage: the passport in international relations*. Boulder: Lynne Rienner.

Torpey, John C. (2000) *The invention of the passport: surveillance, citizenship, and the state*. Cambridge England ; New York: Cambridge University Press

For something that looks at fraud:

Rudner, M. (2008) 'Misuse of passports: Identity fraud, the propensity to travel, and international terrorism'. *Studies in Conflict & Terrorism* 31 (2): 95-110
Shaw, Mark. (2002) 'West African Criminal Networks in South and Southern Africa', *African Affairs*, 101, pp. 291-316.

Session Seven: 'Ring-fencing' access to Social Rights
6 August

Once migrants have entered a state's territory, it is difficult to find out where they have gone. In order to account for this deficiency, most states adopt a range of strategies to encourage or force people to leave. Over the next two sessions we'll look at the two main techniques states tend to employ: 'ring-fencing' rights and policing the population. 'Ring-fencing' involves a range of strategies for limiting migrants' access to services. This may include denying access to basic healthcare, primary education, hotels and accommodation to those without proper documentation. Unlike most other control policies, this type of approach demands broad incorporation of a variety of government bodies and non-state actors. These policies are politically popular, particularly because they tend to speak to a common perception that undocumented migrants are a fiscal burden on the state. However, they also bear a range of risks involved with exclusionary social policies, including increased homelessness, the spread of disease, social dislocation etc. It is not really clear whether they encourage illegal migrants to go home, and in inner-urban areas where large proportions of the population are illegal, these approaches may have the perverse outcome of alienating entire islands of territory from the state's control.

Required Reading

Burman, E., and K. Chantler (2005) 'Domestic violence and minoritisation: Legal and policy barriers facing minoritized women leaving violent relationships'. *International Journal of Law and Psychiatry* 28 (1): 59-74.
Faist, T. (2009) 'The Transnational Social Question Social Rights and Citizenship in a Global Context'. *International Sociology* 24 (1): 7-35.
Van der Leun, J. (2006) 'Excluding illegal migrants in the Netherlands: Between national policies and local implementation'. *West European Politics* 29 (2): 310-326.

Further Reading

Cunningham, J., and S. Cunningham (2007) "No choice at all': Destitution or deportation? A commentary on the implementation of Section 9 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004'. *Critical Social Policy* 27 (2): 277-298.
Gorodzeisky, A., and M. Semyonov (2009) 'Terms of exclusion: public views towards admission and allocation of rights to immigrants in European countries'. *Ethnic and Racial Studies* 32 (3): 401-423.
Plascencia, L. F. B., G. P. Freeman, and M. Setzler (2003) 'The decline of barriers to immigrant economic and political rights in the American states: 1977-2001'. *International Migration Review* 37 (1): 5-23.
Poppelaars, C., and P. Scholten (2008) 'Two worlds apart - The divergence of national and local immigrant integration policies in the Netherlands'. *Administration & Society* 40 (4): 335-357.
Raijman, R., and M. Semyonov (2004) 'Perceived threat and exclusionary attitudes towards foreign workers in Israel'. *Ethnic and Racial Studies* 27 (5): 780-799.
Weber, L., and B. Bowling (2008) 'Valiant beggars and global vagabonds - Select, eject, immobilize'. *Theoretical Criminology* 12 (3): 355-375.

Session Eight: Policing the streets
August 18

In addition to preventing outsiders from accessing key services, many states attempt to detect where migrants are and to discover which migrants are not allowed to remain in the country. In some cases like the United States, this job is performed by specialist Immigration Police Services. In most other cases, responsibility is shared with ordinary police forces. The use of the state's crime prevention capacity to police migration internally draws significant support from a common, and often mistaken perception that migrants tend to increase crime. However, in some cases these policies have the paradoxical result of turning crime-fighting forces into divisive xenophobic machines. In other cases, Immigration policy makers struggle to encourage the police to help them find and arrest illegal foreigners. This lesson's readings surveys the wide variety of interactions between police officials 'on the beat' and ordinary migrants. At stake is both the capacity of the state to impose itself within its own borders as well as the basic right for all people to move freely within a nation's borders.

Recommended Reading

Culver, Leigh (2004) 'The impact of new immigration patterns on the provision of police services in midwestern communities'. *Journal of Criminal Justice* 32 (4): 329-344.
Klaaren, Jonathan, and Jaya Ramji (2001) 'Inside illegality: Migration policing in South Africa after Apartheid'. *Africa Today* 48 (3): 34-47.
Romero, Mary (2006) 'Racial Profiling and Immigration Law Enforcement: Rounding Up of Usual Suspects in the Latino Community'. *Critical Sociology* 32 (2-3): 447-473

Further Reading:

On ethnic profiling:

Adler, R. H. (2006) "'But they claimed to be police, not la migra!' - The interaction of residency status, class, and ethnicity in a (Post-PATRIOT Act) New Jersey neighborhood'. *American Behavioral Scientist* 50 (1): 48-69.

On the migration crime hypothesis:

Quassoli, F. (2004) 'Making the neighbourhood safer: Social alarm, police practices and immigrant exclusion in Italy'. *Journal of Ethnic and Migration Studies* 30 (6): 1163-1181.

On exploitation:

Gulcur, L., and P. Ilkkaracan (2002) 'The "Natasha" experience: Migrant sex workers from the former Soviet Union and Eastern Europe in Turkey'. *Womens Studies International Forum* 25 (4): 411-421.

On police/immigrant relations:

Kittrie, O. F. (2006) 'Federalism, deportation, and crime victims afraid to call the police'. *Iowa Law Review* 91 (5): 1449-1508.
Lewis, P. G., and S. K. Ramakrishnan (2007) 'Police practices in immigrant-destination cities - Political control or bureaucratic professionalism?'. *Urban Affairs Review* 42 (6): 874-900.
Phillips, S., J. M. Hagan, and N. Rodriguez (2006) 'Brutal borders? Examining the treatment of deportees during arrest and detention'. *Social Forces* 85 (1): 93-109.
Torres, S., and R. E. Vogel (2001) 'Pre and post-test differences between Vietnamese and Latino residents involved in a community policing experiment - Reducing fear of crime and improving attitudes towards the police'. *Policing-an International Journal of Police Strategies & Management* 24 (1): 40-55.

Wachholz, S., and B. Miedema (2000) 'Risk, fear, harm: Immigrant women's perceptions of the "policing solution" to woman abuse'. *Crime Law and Social Change* 34 (3): 301-317.

On policing trafficking:

Mameli, P. A. (2002) 'Stopping the illegal trafficking of human beings - How transnational police work can stem the flow of forced prostitution'. *Crime Law and Social Change* 38 (1): 67-80.

On bringing the police on board with Immigration policing:

Maya, T. W. (2002) 'To serve and protect or to betray and neglect?: The LAPD and undocumented immigrants'. *Ucla Law Review* 49 (5): 1611-1653.

Session Nine: Detention: Procedure or Punishment?

20 August

Over the past decade we have seen many states construct new centres to detain undocumented foreign nationals. Often, these places are presented as 'temporary holding centres' where asylum seekers stay prior to processing and determination of appropriate status or where illegal foreigners are held prior to deportation. However, increasingly we find migrants staying in detention centres for long and sometime inordinate periods of time and the conditions in the centres provoke questions about the true nature and/or intent of these sites and/or the way they relate back to the states claim to sovereignty, territory and identity. This week's readings attempt to reflect on the multiple ways of interpreting detention centres as places. Are these simply sites where the state processes people to determine who is allowed to stay and who must go or are we seeing the emergence of a newly punitive form of political power and authority?

Required Reading

Dauvergne, Catherine (2007) 'Security and migration law in the less brave new world'. *Social and Legal Studies* 16 (4): 533-549.

Lee, Maggy (2008) 'Policing Chinese migrant sex workers in Hong Kong'. *International Migration* 46 (3): 95-121.

McLoughlin, Pauline, and Megan Warin (2008) 'Corrosive places, inhuman spaces: Mental health in Australian immigration detention'. *Health and Place* 14 (2): 254-264.

Rajaram, PK, and C Grundy-Warr (2004) 'The irregular migrant as homo sacer: Migration and detention in Australia, Malaysia, and Thailand'. *International Migration* 42 (1): 33-64.

Further Reading

There is a ton of lit on the legality of detention – here is a sample:

Capitaine, Victoria (2001) 'Life in Prison Without a Trial: The Indefinite Detention of Immigrants in the United States'. *Texas Law Review* 79 (3): 769-789.

Indefinite Detention of Immigrant Parolees: An Unconstitutional Condition? '. (2003) *Harvard Law Review* 116 (6): 1868-1888.

O'Rourke, K. (2002) 'Deportability, detention and due process: An analysis of recent Tenth Circuit decisions in Immigration Law'. *Denver University Law Review* 79 (3): 353-377.

Slocum, Brian G. (2006) 'The War on Terrorism and the Extraterritorial Application of the Constitution in Immigration Law'. *Denver University Law Review* 84.

On detention as punishment:

Dow, M. (2007) 'Designed to punish: Immigrant detention and deportation'. *Social Research* 74 (2): 533-546.

On children:

Fekete, Liz (2007) 'Detained: foreign children in Europe'. *Race & Class* 49 (1): 93-104.

Critical explorations of detention:

Poole, Susanna 'Voicing the non-place: precarious theatre in a women's prison'. *Feminist Review* 87: 141-152.

Welch, Michael, and Lize Schuster 'Detention of asylum seekers in the UK and USA'. *Punishment and Society* 7 (4): 397-417

Session 10: Deportation: Final Act or Last Resort?

25 August

Deportation is both the 'final act' in the sequence of control oriented processes and the ultimate objective of many of the procedures we have reviewed thus far. States often attempt to represent this process as a mere administrative procedure, that reflects the realisation of its will to exclude. It is somewhat surprising then when we realise that states face many difficulties in trying to physically remove people from their territory. They are contested, by unwilling migrants, laws of protection and family union, and countries of origin that don't want to welcome deportees home. In some respects, and particularly in liberal states, governments simply can't stomach the thought of physically forcing people to move. As a result, often it is only certain categories of people, those whom states have labelled as undesirables, who are ultimately deported. This gap between intention and result forces us to question what the deportation system is really about and how useful it is as a means of controlling migration as opposed to its utility of filtering populations.

Required Reading

Chan, W. (2005) 'Crime, deportation and the regulation of immigrants in Canada'. *Crime Law and Social Change* 44 (2): 153-180.

De Genova, N. P. (2002) 'Migrant "illegality" and deportability in everyday life'. *Annual Review of Anthropology* 31: 419-447.

Ellermann, A. (2005) 'Coercive capacity and the politics of implementation - Deportation in Germany and the United States'. *Comparative Political Studies* 38 (10): 1219-1244

Further Reading

On the morality of deporting:

Hing, B. O. (2005) 'Deporting Cambodian refugees: Justice denied?'. *Crime & Delinquency* 51 (2): 265-290.

Zimudzi, T. B. (2007) 'Spies and informers on campus: Vetting, surveillance and deportation of expatriate university lecturers in colonial Zimbabwe, 1954-1963'. *Journal of Southern African Studies* 33 (1): 193-208

On the difficulties of deportation:

Gibney, M. J. (2008) 'Asylum and the expansion of deportation in the United Kingdom'. *Government and Opposition* 43 (2): 146-167.

On return after deportation:

Hagan, J., K. Eschbach, and N. Rodriguez (2008) 'US deportation policy, family separation, and circular migration'. *International Migration Review* 42 (1): 64-88.

On the state of exception:

Peutz, N. (2007) 'Out-laws: Deportees, desire, and "the law"'. *International Migration* 45 (3): 182-191.

On the general condition of 'deportability':

Khosravi, S. (2009) 'Sweden: detention and deportation of asylum seekers'. *Race & Class* 50 (4): 38-56

Session Eleven: International Agreements and External Controls
27 August

Until now, most of our readings have covered immigration controls which take place on the border or within state territory. In this final class we look at how states are tentatively reaching beyond their borders to establish control over migration flows. Readmission agreements may appear to simply be an extension of the state's attempt to exert its sovereign right to deport foreign nationals. However, it is less clear what we should make of extraterritorial processing and detention centres, the application of controls at sea or the use of carrier sanctions. In this attempt to reach out and develop transnational systems of regulation, are we finally witnessing the establishment of a truly global regime of migration control?

Required readings

A. Roig and T. Huddelston, EC Readmission Agreements: A Re-evaluation of the Political Impasse, *European Journal of Migration and Law*, vol. 9, no. 3 (2007), pp. 362-387.

P. Minderhoud and S. Scholten, 'Regulating Immigration Control: Carrier Sanctions in the Netherlands', *European Journal on Migration and Law*, vol. 2 (2008), pp. 123-147.

S. Kneebone, C. McDowell, and G. Morrell, 'A Mediterranean Solution? Chances of Success', *International Journal of Refugee Law*, vol. 18 (2006), pp. 492-508.

M. Pugh, 'Drowning Not Waving: Boat People and Humanitarianism at Sea', *Journal of Refugee Studies*, vol. 17, no. 1 (2004), pp. 50-69.

Further Readings

On readmission:

D. Bouteillet-Paquet, Passing the Buck: a critical analysis of the readmission policy implemented by the European Union and its Member States, *European Journal of Migration and Law*, vol. 5, no. 3 (2003), pp. 359-377.

M. Schieffer, Readmission and Repatriation of Illegal Residents, in B. Martenczuk and van S. Thiel (eds), *Justice, Liberty and Security: New challenges for EU External Relations* (Brussels: VUB Press, 2008).

N. A. Abell, The Compatibility of Readmission Agreements with the 1951 Convention relating to the Status of Refugees, *International Journal of Refugee Law*, vol. 11, no. 1 (1999), pp. 60-83.

I. Kruse, EU Readmission Policy and its Effects on Transit Countries: The Case of Albania, *European Journal of Migration and Law*, vol. 8 (2006), pp. 115-142

On Carrier sanctions:

V. Guiraudon, 'Before the EU Border: Remote Control of the "Huddled Masses"', in K. Groenendijk, E. Guild, and P. Minderhoud (eds), *In Search of Europe's Borders* (The Hague: Kluwer Law International, 2003), pp. 191-214.

F. Nicholson, 'Implementation of the Immigration (Carriers' Liability) Act 1987: Privatising Immigration Functions at the Expense of International Obligations?', *International Comparative Law Quarterly*, vol. 46 (1997), pp. 586-634.

On extra territorial Processing:

O. Lynskey, 'Complementing and Completing the Common European Asylum System: A Legal Analysis of the Emerging Extraterritorial Elements of EU Refugee Protection Policy', *European Law Review*, vol. 31, no. 2 (2006), pp. 230–250.

G. Noll, 'Visions of the Exceptional: Legal and Theoretical Issues Raised by Transit Processing Centres and Protection Zones', *European Journal of Migration and Law*, vol. 5 (2003), pp. 303–341.

On Interception at Sea:

R. Barnes, 'Refugee Law at Sea', *International and Comparative Law Quarterly*, vol. 53, no. 1 (2004), pp. 47–77.

R. Weinzierl and U. Lisson, *Border Management and Human Rights. A Study of EU Law and the Law of the Sea* (German Institute for Human Rights, February 2008).

Session Twelve:

Summary and exam revision

28 August