Editors' Introduction to the Special Issue, "Critical Engagements with Borders, Racisms and State Violence"

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Over a decade ago, Aas (2014: 284) observed that “the criminological world is in motion,” highlighting how multiple, diverse mobilities and global transformations are changing the “traditional” objects and subjects of criminological inquiry. New and reconfigured institutions, methods and logics of social control are targeting what Bowling and Westetra (2020: 164) refer to as “the criminalized migrant”—“a globally recognized ‘folk devil’”—with “detection, capture, punishment, detention and banishment.” A wealth of criminological literature has emerged in recent years exploring transformations in criminal justice (e.g., Aliverti 2019), policing (e.g., Parmar 2020b; Weber and Bowling 2004) and penalty (e.g., Barker 2017; Bosworth, Franko and Pickering 2018a, b) under conditions of mass migration and globalization, along with the rapid growth of immigration detention (e.g., Bosworth and Turnbull 2015) and deportation (e.g., Golash-Boza 2015) and the internalization and externalization of borders (e.g., Aliverti 2015; Gerard and Pickering 2012).

Indeed, the current sociopolitical context characterized, among others, by Brexit, Britain’s “hostile environment,” President Donald J. Trump’s border wall fantasies, and states’ shoring up of borders and immigration policies in response to various racialized migration “crises” are raising important implications for critical criminological theories, methods and modes of engagement (Aas and Bosworth 2013; Bosworth et al. 2018a, b). The increasing criminalization of im/migrants, asylum-seeking and acts of solidarity, and the growing convergence of systems of immigration and criminal justice (Aas 2014; Bowling and Westetra 2020) exist alongside new, and often contradictory, types of resistance and action in response to state responses and controls (e.g., Gerard and Weber 2019). Both state and non-state reactions attest to the complex interconnections between bordering tactics, racisms and contemporary migration control and criminal legal systems, including the application of “law and order” logics to refugees and asylum seekers (Pickering 2005) and the expansion of systems of enforcement, detention and deportation that are increasingly punitive (Golash-Boza 2015). Various forms of violence are inherent to, and productive of, the ways in which migrants are governed differently—and subject to death and harm (Kalir 2019)—along lines of class, gender, race and other social relations of power (Bosworth et al. 2018a, b; Canning 2017; Sudbury 2005). As Kalir (2019: 3) argues, such violence

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must be understood as “deliberate acts and not as unintended consequences or byproducts of otherwise humane policies.”

The contributions to this special issue address a range of state responses to, and implications of, border and migration control: asylum regimes, deportability, gendered violence, immigration detention and imprisonment, as well as policing, courts and sentencing. Utilizing different theoretical and methodological approaches, the articles engage with an array of contexts and geographical sites (Australia, Spain and the United Kingdom (UK)). What unites them is a critical analysis of contemporary practices of bordering in which racisms and violence are endemic, underscoring the importance of critical criminological engagement with responses to border control and the criminalization of im/migration.

The first three articles in this special issue, written by Alpa Parmar (2020a), Claudia Tazreiter (2020) and Gemma Lousley (2020), respectively, address issues of representation, narrative and race in relation to practices of bordering. In her article, Parmar uses the metaphor of borders as mirrors to critically interrogate “the performative and productive capacity of borders” in relation to the maintenance of racial and colonial hierarchies. Drawing on empirical research on the policing of migration in the UK and the specific case of Operation Nexus, Parmar shows how racialized practices of bordering operate in conjunction with “the metaphors and rationalizations applied by police and immigration agents as they conduct daily work.” The conceptual framework that Parmar forwards and applies to her analysis of migration policing helps us to better understand how borders work to differently include and exclude along racialized lines, thus functioning to reproduce racial and citizen/non-citizen hierarchies at the ground level. The article also shows how practices of racialized surveillance by police and immigration agents are extended to racialized minority groups within the UK as these state actors use racial categories to determine citizenship and belonging. Parmar concludes by arguing that the metaphor of borders as mirrors may encourage processes of self-reflection and may change the harmful, racist narratives about borders and migration that pervade many societies.

Tazreiter’s article offers a critical race analysis of Australia’s “offshore” detention regime and its externalized borders through a case study of the artistic and literary interventions by the Kurdish-Iranian journalist Behrouz Boochani, who was detained on Manus Island, Papua New Guinea, and his collaborators. Drawing together key insights from critical race theory, Tazreiter analyzes how processes of racialization inhere in the violence of Australia’s immigration detention policies and practices, reflecting a hierarchization of human beings that underpins the warehousing of refugees and asylum seekers in remote island migrant “prisons.” Tazreiter outlines the punitive nature of offshore detention on Manus Island and Nauru (an island country in Micronesia) and the associated implications including how detainees are rendered invisible and often without “voice.” Using the case study of Boochani and his collaborators’ advocacy, as well as their artistic and literary works, Tazreiter traces how the lived experiences of detention, and the associated harms, are made visible through these interventions, countering the dehumanizing, hostile and racist political (and affective) rhetoric about asylum seekers that supports and enables Australia’s offshore detention regime and its asylum policies, more generally. Importantly, the article draws attention to “the potency of visual and literary culture” to expose the violence and harms produced and maintained by what Tazreiter terms Australia’s “border of disappearance.”

Like Parmar and Tazreiter, Lousley’s article focuses on racialized processes of bordering. Lousley considers how dominant “narratives of bordering” (i.e., the racialized and stigmatizing narratives about “unwanted migrants” spread by the British government and media) are seeping into sentencing hearings for migrants and non-citizens in the UK. Centering the analysis in her observations from Crown Courts in London,

Lousley examines how the border is "imprinting itself onto criminal justice processes" through the narratives used by legal professionals within the sentencing process to determine, negotiate and justify migrants and non-citizens' punishability. The analysis shows how the racialized narrative of the "immigration cheat" is mobilized to frame particular migrants as especially deviant and thus punishable. It is through this process that the border, immigration control and punishment are increasingly racist and racializing. "The court," Lousley concludes, "becomes a site for the discursive reinforcement of the border."

The next two articles by Dan Godshaw (2020) and Ana Ballesteros-Pena (2020) focus on carceral sites of border control and the lived experiences of non-citizens who are confined. In his article, Godshaw explores the experiences of "British" men who lost their permanent residency status due to criminal convictions and were subsequently detained and rendered deportable. Drawing on rich qualitative data, Godshaw traces his participants' early days in the UK, which were commonly marked by trauma, social exclusion and being taken into state care, to their racialized, gendered and classed encounters with the criminal justice system that transformed them from lawful residents into "foreign criminals" and thus as detainable and deportable subjects. The analysis also illuminates the painful "biographical rupture" for these men brought on by their detention and deportability, which challenged their sense of national identity and belonging, thus revealing what Godshaw terms "the exclusionary, racialized borders of Britishness." The article further examines how these "British" men coped with and resisted detention, the threat of deportation and their unraveling identities, largely through noncompliance, which consequently increased the gendered harms they experienced.

Ballesteros-Pena attends to the experiences of foreign national women imprisoned in Spain and subject to a recently implemented correctional regime, known as the "Respect Modules" (RMs), which stress prisoners' self-government and practices of responsabilization. Drawing on qualitative interviews with incarcerated foreign national women prisoners, Ballesteros-Pena outlines the various "pains of crimmigration imprisonment" (Ugelvik and Damsa 2018) that these women experience, while underscoring how citizenship, class, gender and race shape the lived experience of confinement. She highlights how the specific pains of discrimination, global poverty and self-government intersect in the operation of the RMs in which foreign national women can "choose" to participate, yet their participation is hampered and otherwise shaped by their non-citizen status and deportability. Importantly, Ballesteros-Pena shows how the lack of citizenship and the threat of deportation impact the rehabilitative and reintegrative process for foreign national women prisoners, with social exclusion as the most likely outcome.

The final two articles in the special collection, written by Victoria Canning (2020) and Monish Bhatia (2020), focus critically on Britain's problematic asylum regime. Canning's article examines various state-corporate harms experienced by women seeking asylum in the UK. Canning develops a conceptual framework on what she terms "corrosive control," which brings together the concepts of intersectionality and state-corporate harms and crime to help understand and critique the British state's enactment of gendered harms through its asylum regime. She points to the irony of the British government's recent concern around "coercive behavior" in the context of domestic violence as many of the behaviors identified in the law as "coercive" are "embedded or enacted in the lives of people seeking asylum." Canning draws on empirical research with women seeking asylum to illustrate how Britain's internal borders and key features of its asylum system produce a range of state-corporate harms as a consequence of the "corrosive control" enacted by the Home Office and its contractors. Thus, despite its duty to protect those in fear of persecution, the British

state's actions (and inactions) instead "mirror the intentions and actions of perpetrators of domestic violence."

The article by Bhatia centers on the state-produced violence and harms experienced by individuals seeking asylum in the UK in the context of Britain's hostile environment and the widespread racialization and criminalization of immigration and asylum. Using ethnographic research data and extending Lipsky's (2010) conceptualization of "street-level bureaucracy," Bhatia illustrates the ways in which state and non-state actors involved in migration control inflict harm upon asylum seekers as they apply the state's hostile immigration and asylum policies. Because these harms are endorsed and sanctioned by the state, Bhatia argues that they must be understood as forms of state racism and violence. Bhatia draws attention to a number of street-level bureaucratic actions and inactions that harm asylum-seeking individuals and negatively affect their mental and physical health, revealing a "culture of disbelief and denial" that influences decision-making among the actors and agencies tasked with their "care." Consequently, he argues, these actions and inactions are forms of state-sanctioned cruelty that are embedded in, and reflective of, state racism and violence.

Together, the articles comprising this special issue advance critical criminological thinking about various contemporary aspects and instances of bordering, racisms and state violence. Our current sociopolitical context underscores the urgent need for critical considerations of how state and non-state forces are engaging in border and migration control, primarily through racialized, gendered and classed processes of criminalization that cause immense harm, suffering and death.

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References

- Aas, K. F. (2014). Bordered penalty: Precarious membership and abnormal justice. *Punishment & Society*, 16(5), 520–541. <https://doi.org/10.1177/1462474514548807>.
- Aas, K. F., & Bosworth, M. (Eds.). (2013). *The borders of punishment: migration, citizenship, and social exclusion*. Oxford: Oxford University Press.
- Aliverti, A. (2019). Law, nation and race: Exploring law's cultural power in delimiting belonging in English courtrooms. *Social & Legal Studies*, 28(3), 281–302. <https://doi.org/10.1177/0964663918776486>.
- Aliverti, A. (2015). Enlisting the public in the policing of immigration. *The British Journal of Criminology*, 55(2), 215–230. <https://doi.org/10.1093/bjc/azu102>.
- Ballesteros-Pena, A. (2020). The prison trajectories of foreign national women in Spain: Intersections of citizenship, gender, race, and social class. *Critical Criminology: An International Journal*. <https://doi.org/10.1007/s10612-020-09516-2>.
- Barker, V. (2017). Penal power at the border: Realigning state and nation. *Theoretical Criminology*, 21(4), 441–457. <https://doi.org/10.1177/1362480617724827>.
- Bhatia, M. (2020). The permission to be cruel: Street-level bureaucrats and harms against people seeking asylum. *Critical Criminology: An International Journal*. <https://doi.org/10.1007/s10612-020-09515-3>.
- Bosworth, M., Parmar, A., & Vazquez, Y. (Eds.). (2018aa). *Race, criminal justice and migration control: Enforcing the boundaries of belonging*. Oxford: Oxford University Press.
- Bosworth, M., Franko, K., & Pickering, S. (2018b). Punishment, globalization and migration control: "Get them the hell out of here". *Punishment & Society*, 20(1), 34–53. <https://doi.org/10.1177/1462474517738984>.

- Bosworth, M., & Turnbull, S. (2015). Immigration detention, punishment and the criminalization of migration. In S. Pickering & J. Ham (Eds.), *The Routledge Handbook on Crime and International Migration* (pp. 91–106). Abingdon, Oxon, UK: Routledge.
- Bowling, B., & Westenra, S. (2020). "A really hostile environment": Adiaphorization, global policing and the crimmigration control system. *Theoretical Criminology*, 24(2), 163–183. <https://doi.org/10.1177/1362480618774034>.
- Canning, V. (2017). *Gendered harm and structural violence in the British asylum system*. Abingdon, Oxon, UK: Routledge.
- Canning, V. (2020). Corrosive control: State-corporate and gendered harm in bordered Britain. *Critical Criminology: An International Journal*. <https://doi.org/10.1007/s10612-020-09509-1>.
- Gerard, A., & Pickering, S. (2012). The crime and punishment of Somali women's extra-legal arrival in Malta. *The British Journal of Criminology*, 52(3), 514–533. <https://doi.org/10.1093/bjc/azr094>.
- Gerard, A., & Weber, L. (2019). "Humanitarian borderwork": Identifying tensions between humanitarianism and securitization for government contracted NGOs working with adult and unaccompanied minor asylum seekers in Australia. *Theoretical Criminology*, 23(2), 266–285. <https://doi.org/10.1177/1362480618819814>.
- Godshaw, D. (2020). Becoming an immigrant? Border harms and "British" men with previous convictions in British immigration removal centers. *Critical Criminology: An International Journal*. <https://doi.org/10.1007/s10612-020-09524-2>.
- Golash-Boza, T. (2015). *Deported: Immigrant policing, disposable labor, and global capitalism*. New York: New York University Press.
- Kalir, B. (2019). Departheid: The draconian governance of illegalized migrants in Western states. *Conflict and Society*, 5(1), 19–40. <https://doi.org/10.3167/arcs.2019.050102>.
- Lipsky, M. (2010). *Street-level bureaucracy: Dilemmas of the individual in public service*. New York: Russell Sage Foundation.
- Lousley, G. (2020). Sentencing "Unwanted" migrants: The border, racism, and narrating punishability. *Critical Criminology: An International Journal*. <https://doi.org/10.1007/s10612-020-09513-5>.
- Parmar, A. (2020a). Arresting (non)citizenship: The policing migration nexus of nationality, race and criminalization. *Theoretical Criminology*, 24(1), 28–49. <https://doi.org/10.1177/1362480619850800>.
- Parmar, A. (2020b). Borders as mirrors: Racial hierarchies and policing migration. *Critical Criminology: An International Journal*. <https://doi.org/10.1007/s10612-020-09517-1>.
- Pickering, S. (2005). Crimes of the state: The persecution and protection of refugees. *Critical Criminology: An International Journal*, 13(2), 141–163. <https://doi.org/10.1007/s10612-005-2389-5>.
- Sudbury, J. (Ed.). (2005). *Global lockdown: race, gender, and the prison-industrial complex*. London: Routledge.
- Tazreiter, C. (2020). The emotional confluence of borders, refugees and visual culture: The case of behrouz boochani, Held in Australia's Offshore Detention Regime. *Critical Criminology: An International Journal*. <https://doi.org/10.1007/s10612-020-09511-7>.
- Ugelvik, T., & Damsa, D. (2018). The pains of crimmigration imprisonment: Perspectives from a Norwegian all-foreign prison. *The British Journal of Criminology*, 58(5), 1025–1043. <https://doi.org/10.1093/bjc/azx067>.
- Weber, L., & Bowling, B. (2004). Policing migration: A framework for investigating the regulation of global mobility. *Policing and Society*, 14(3), 195–212. <https://doi.org/10.1080/1043946042000241802>.

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