Carceral (im)mobilities: theorizing mobility crises and state control

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Introduction

*Carceral (Im)Mobilities* explores the intersections between the regulation, control, and punishment of movement. The regulation of space and human mobility is deeply embedded in prescriptive western political theory, descriptive liberal statist order, and pedestrian moments of everyday life. From border enforcement and prison cells to compulsory schooling and designated free speech zones, states use force to restrict and channel movement for some while maintaining the right to move for others. This ordering often correlates with the social frames of nationality and citizenship that are mediated through vectors of hierarchical stratification and include indices of race, ethnicity, class, gender, religion, and sexuality. An emergent issue – within and between countries across the Global North/South divide – is how the causes and consequences of contemporary migration flows impact how states govern through the regulation of space and mobility. The prevalence of regime instability, repressive modes of formal social control, and resource scarcity have contributed to contemporary human migrations that are likely to be exceeded by the ecological, political, and socio-cultural consequences of phenomena associated with climate change (Martin 2010). In western liberal contexts, these structural conflicts are increasingly handled not through civic or administrative governance, but via carceral infrastructure that conditions the simultaneous empowerment and
disempowerment of mobility. This carceral infrastructure increasingly represents a rationalized system of formal social control of that instrumentally renders people and objects both physically and political immobile so that other peoples and objects may continue exercising freedom of movement. We refer to these modalities of governance as *carceral (im)mobilities* – capturing the political, legislative, and legal infrastructure that governs the movement of people.

The conceptual platform of Carceral (Im)Mobilities can help advance both theory and empirics in two ways. First, it identifies how carcerality, space, and movement coalesce to shape the criminalization of mobility. There is a contradiction at carceral mobility’s core; whereas individual survival may depend on mobility, the state’s ideological and political ‘survival’ rests on the capacity for containment. Second, it can empirically unpack how state strategies fail to address the roots of mobility crises that currently exist and are projected to continue as a direct function of resource-related and climate-related conflicts.

Including mobilities that occur in across two-dimensional geographic planes, we also extend this framework to incorporate those levers of social control that impact civic, economic, social, and political mobilities. We offer a forward-looking transdisciplinary research programme with immediate policy import to tap the full potential of pushing carceral (im)mobilities outside of traditional disciplinary silos. A diversity of expertise is necessary for understanding global mobility crises that are expected to highlight fractures in inter- and intra-national systems of governance.

**Revisiting Political Theory and the Regulation of Movement**

Western liberal states both mobilise and immobilise people, products, and processes. Human movement, if it is anything, is a right to exercise autonomy—whether for the sake of self-actualization or for survival. Curtailing this autonomy via the restriction of movement is embedded in formal and informal modes of punishment and control. The parent banishes the
misbehaving child to their bedroom; the teacher isolates the disruptor in the corner; the police officer handcuffs the suspect; and the judge sentences the convict to prison. Serving as means towards identifiable ends, the disempowerment of movement for some can be part-and-parcel to the empowerment of movement for others. The existence of gated communities (Dinzey-Flores 2013), like the functions and features of industrial barbed wire (Razac 2003), appear to provide the dual messages of admonition and empowerment, signalling which peoples, products, and/or processes may exist here or shall no longer exist there. These signals also reflect broader distribution of law, order, and power. Immobility thus not only controls and penalises in isolated cases but does so in furtherance of patterned configuration of liberal statist rationality. The legally codified refugee seeks sanctuary behind an imposing wall; the political dissident petitions for a permit for having the ability to organise a collective grievance in public space; the legally codified asylee risks death by swimming the Mediterranean’s turbulent waves; and the procedurally criminalized illegal alien is deported upon detection by authorities. Countless other biographical trajectories unfold at the nexus between the movement of people to freely move across – or merely exist in – geographic space and the imperative to control – and thus restrict – such movements.

The legislative, political, and social factors that both a) prompt or exacerbate migratory flows and b) condition the responses to such migrations, are inseparable from a political economy where (im)mobility controls are required.¹ Whereas prescriptive legal frameworks – like Article Thirteen of the Universal Declaration of Human Rights – suggest that there are substantive protections from inhibitions against the right to navigate space, such claims are

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¹ For example, in world systems analyses, some scholars highlight how “market globalization destabilizes entire societies and uproots huge populations, many of whom are people of color [who are] thrown into global migration in search of economic survival” (Allen 2005: 7). Deportations can thus be viewed as part of a spectrum of strategies for states to temporarily reconcile the contradiction inherent in a political economy that requires the free movement of capital but the geographic segmentation of labor (see Faist 2017).
consistently superseded by claims of liberal statist sovereignty. It is here, where these two competing imperatives meet, where the contradiction is most plainly visible: on one hand, to exercise freedom, to assert autonomy, to escape bondage or certain death, and maybe to flourish, we \textit{mobilise}; on the other hand, to govern, to order, and to regulate, states \textit{immobilise}.\footnote{A foremost contradiction exists between ostensibly inalienable natural rights, which are claimed to exist universally and for all human beings, and civil rights, which are contingent on nation-state citizenship (Arendt 1951). The human rights of refugees, internally displaced populations, and stateless peoples lose their meaning “when pitted against the sovereignty of the states that would host them” relegating natural rights as fictional abstractions when facing legitimised nation-state exclusion in the form of militarized border controls and restrictive migrant legal status designations (see Bosworth and Guild 2008; Taran 2002).}

The physical and conceptual meeting place of these dual imperatives is unequivocally \textit{carceral}.

\textbf{Carceral (Im)mobilities and Emergent Issues}

Traditional thinking has been shaped by contemporary thinking on the centrality of movement in the mechanics of control, punishment, and the geographic distribution of the body politic. Intellectual discourse is steadily expanding outside of academic subfields and silos. Carceral geography, for example, has provided the intellectual scaffolding for bridging disciplinary divides and integrating both theory and empirics traditionally associated with geography, criminology, and prison sociology (Moran 2017, Moran et al. 2016; Turner & Peters 2017). Additional examples include recent examinations of the interstices of penalty, migration, and citizenship (Hernández 2015; Loyd 2015; Miller and Stuart 2017; van der Woude et al. 2017); the absorption of penal control over movement within civil regulatory frameworks (Aas & Bosworth 2013; Melossi 2015; Stumpf 2006), and the more critical wings of carceral studies examining de facto apartheid regimes and the militarization of nation-state borders (Besteman 2018; Loyd 2015).

While these are ongoing developments, it remains the case that carceral studies, like carceral geography, border criminologies, or the coloniality of social control, reflect packages of concepts and phenomena of interest that are conceptualized and studied along the discipline- and subfield-specific conventions. Consequently, we are poised to extend this burgeoning
literature to think beyond merely the trappings of ‘the penal’ and broaden these perspectives beyond the well-studied contexts of prison institutions, migrant detention facilities, and symbolic interactionist perspectives on formal social control. Rather than offer specific ways in which our proposal is inter- or multi-disciplinary, we offer (im)mobility and its inherent dilemmas and contradictions as a transdisciplinary intellectual home in its own right. It is precisely the motivation to frame carceral (im)mobility as a globally consequential issue that animates this framework.

**Climate Change and Carceral Infrastructure**

In this working paper, we focus on two broad categories of migration-specific phenomena and their relationships to one another: 1) consequences of climate change; and 2) carceral infrastructure. Rather than assert that we are drawing from our primary fields, these two broad topics require inter- and multi-disciplinary engagement so as to avoid replicating the fragmentation of audiences and stakeholders. For example, if examined only from the vantage point of geography, the use and significance of coercive state tools, unusual exceptions of due process, and confinement in responding to migration could easily be overlooked. If addressed only from the standpoint of criminology and criminal justice, the real economic, social, and environmental concerns that necessitate movement or the smuggling of goods could similarly be overlooked. We nevertheless build upon the important contributions of discipline-specific scholarship, which includes recent work on carceral citizenship (Miller and Stuart 2018), the contradictions of human rights in western liberal democracies (Arendt 1951; De Genova 2019; Gibney 2013), and the criminalization of migration (Bosworth et al. 2018; Menjivar et al. 2018)

Although specific disciplines have produced a wealth of insights on criminal law policy as a

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3Trandisciplinarity refers to “research efforts conducted by investigators from different disciplines working jointly to create new conceptual, theoretical, methodological, and translational innovations that integrate and move beyond discipline-specific approaches to address a common problem” (Harvard Transdisciplinary Research in Energetics and Cancer Center, web).
tool for addressing social problems, we argue for a fundamentally transdisciplinary and highly visible approach to the intersectional territory of space, movement, and carcerality. Where we are most innovative is on the unequivocal prioritisation of the matrices connecting climate-related conflicts, human migrations, and carceral infrastructure, and doing so in an integrated policy-relevant manner.

Global climate change will increasingly correlate with socio-political conflicts and disruptions to existing distributive justice frameworks (Martin 2010). Moreover, climate change stands to create conditions favourable to voluntary and involuntary migrations in both inter- and intra-jurisdictional settings. There is no shortage of data and policy-relevant arenas where these trends have immediate import. In housing alone, a growing number of island nations are increasingly faced with dilemmas concerning the viability of their physical existence amidst rising sea levels and extreme weather events, and how institutions of governance allocate resources to provide (or fail to provide) relief. By way of example, since 2014, select portions of the Fiji population have resettled in the face of rising sea levels and the resultant flooding that made their traditional community residences unsustainable (McNamara & Des Combes 2015). Fiji is not unique; up to 1.7 million persons are expected to flee from Pacific Island nations – whether voluntarily or otherwise – as a direct function of climate change by 2050 (Mulkern 2013).

Rising sea levels will affect numerous islands and likely coastal continental cities, or perhaps even entire states, as is the case with Micronesians constituting the largest contemporary migrant group in Hawai‘i (Hiraishi 2018). While there have been some efforts to address sea level rise in terms of emissions reductions and clean energy programs, European and American-centric discussions of the social management of climate-threatened islands have been dominated by the “Western mythologies of island laboratories” (Farbotko 2010). While this discourse positions islanders as existentially disposable, they appear rhetorically valuable
as cautionary tales to instruct in the dangers of climate change; as if coastal cities in the Global North are exempt from the consequences of a) climate-change and b) these same migratory patterns.

Whereas the lives and livelihoods of people in seemingly remote oceanic locales may seem too far removed, a salient policy-relevant arena is that of real estate markets. Housing markets are already central to policies that might exist at the nexus of climate change, migration, and carceral controls. Residential housing projects (e.g., public housing) has long served to explicitly “lock in” and “lock out” communities along robustly maintained configurations of race, class, and civic worth (Dinzey-Flores 2013; Vesselinov 2008). Climate gentrification – or the real estate pressures and corresponding governmental policies that facilitate the forcible movement of some so that others might monopolize a physical space – is in active motion in cities like Miami (Harris 2018; Nathan 2018), and globally reputable media outlets are increasingly normalizing the purchasing of properties – both domestically and internationally – that are perceived as being less vulnerable to anticipated climate-related stressors (see Carville 2018; Krueger 2018; Pierre-Louis 2019).

The interdependencies between ecological systems and human social organization is profound, and climate change is expected to exacerbate disruptions to food and water systems. The distribution of extreme weather events (e.g. prolonged droughts, intensifying precipitation patterns) is challenging the viability of water distribution systems as they currently exist (see Leahy 2018; Parker 2016) and the integrity of food and agricultural systems will increasingly condition how migratory patterns emerge and the ways in which nation states respond to both domestic and international developments. Policy-relevant preparations have already been long underway, evidenced by public-private partnerships like the 2015 “Food Chain Reaction”
simulation that included FEMA\(^4\), Cargill, MARS, and the World Wildlife Fund to model how governments and corporations would respond to global food crises (see Food Chain Reaction, web). Climate-related migration into and throughout Europe is likely to increase, and European political leaders are actively reaching for the tools of security and risk to respond to anticipated migratory flows. The dominant discourse is one that pre-emptively legitimises carceral interventions via “securitization of climate change” discourse (Goff, Zarin and Goodman 2012: 198). Analogous to the “politics of the armed lifeboat” (Parenti 2011), such pre-emptive framing reflects the expectation that a paramilitary framework is a justifiable mode of accounting for survival-oriented migration. It is here where an industrial and militarized wall along the US-Mexico border would presumably be legitimized.

At a moment when “climate refugee” is not a legally recognized term (McDonnell 2018), the carceral infrastructure that restricts mobility among those seeking to adapt to ecological and human conflicts will require a new paradigm for studying the forthcoming trends in migration and formal social control. To that end, we seek to first ask and then answer fundamental questions that include, how else can states respond to climate migration? Does it make sense to think of current developments as carceral?

**Carceral (Im)Mobilities and Social Policy**

At the broadest level of abstraction, liberal statist governance fundamentally requires the paradoxical empowerment and disempowerment of mobility. Liberal statist governance is not, of course, a monolithic or coherent entity that does things, and it is at the level of public policy and its operationalisation that we can best audit activities attributed to the state. For example, from Germany’s gang injunctions to Blair’s benighted Anti-social Behaviour Orders to Dutch sex offender restraining orders, mobility has been the focal flashpoint for a new

regulatory order that steps beyond what had been construed as narrowly carceral. We might examine how rights of citizens rest on specific police practices applied to non-citizens; how free trade agreements fundamentally rest on the geographic segmentation of labour; how Homestead Acts reflect settler-colonial intentions and outcomes; and how the use of the term “illegal alien” is empirically connected to support for deportation powers. In short, the intersections between carceral (im)mobilities and public policy is robust. We aim to enter into conversation with existing perspectives on carceral (im)mobilities and their relationship to social policy, while also extending them beyond to include a range of social and political problems that that may not have been conventionally viewed as carceral, but in fact may well be so.

Our prioritisation of climate change and its related effects is by no means exclusive, and we aim to incorporate pressing issues that have global ramifications for carcerality and migration, irrespective of their immediate salience to climate-related phenomena. By way of example, what is Brexit, other than a response to the inherently contradictory aim of desiring the free movement of goods but not of people? In essence, select segments of the British population want the benefits of geographically segmented labour (e.g., cheaper goods) but do not want “those” laborers as neighbours, much less so refugees of any kind, from any place. The fruits of one’s labor should travel freely; the physical constitution of the labourer? Not so much. The implications of a No-Deal Brexit is one of immediate carceral relevance, as it threatens to jeopardise the tenuous arrangement that allowed for the movement of goods and people between mainland Europe, Northern Ireland, and the United Kingdom. A reconfigured carceral infrastructure remains a real possibility as Brexit creates a liminal and contested border space on Ireland that will be the site of hardened physical borders, police restrictions, smuggling, international disputes, and potentially ad-hoc customs arrangements, all of which will disrupt—if not demolish—the broader peace agreement framework (McCrudden 2017).
We thus underscore the salience of innovating on the ways in which we examine critical social and political conflicts through this carceral (im)mobilities framework.

**Conclusion**

The United States, among other Western liberal states, confronts problems of mobility, punishment, policing, and security. For example, the current American administration has sought to drastically curtail the admission and grant of asylum seekers in the United States. Formally, asylum proceedings are civil matters adjudicated by bureaucrats under the Immigration and Naturalization Act. However, the restriction of movement involved in curtailing asylum has seen the growth of a massive carceral complex -- constructed on what was already a capacious system of border enforcement and policing -- including infamous child and family detention centres and removal proceedings for children conducted in the absence of lawyers. Asylum seekers claiming the necessity of movement to protect themselves from political violence or instability thus enter a liminal space where they are ostensibly engaged in a civil bureaucratic process, quite possibly while being kept in confinement, watched by armed guards, and arrested by police forces. Does it make sense to think of this process as carceral? We offer Carceral (Im)mobilities as a framework for answering this question in the affirmative, and set a research programme that organizes the disparate but interconnected conflicts that are characterized by the expanding and contracting the ways in which persons, peoples, and processes move across space.

*Carceral (Im)Mobilities* speaks to these social issues and to others that sit at the intersection of space, movement, freedom, and security. States have increasingly reached for repressive and police-oriented tools to respond to what they perceive as uncontrolled movement, but changing global conditions will only make movement more necessary for growing numbers of people to migrate for survival and human self-actualization. An intersectional analysis of carceral immobilities is necessary to understand the multiple forces
and responses that inform these issues, and to enable diverse cohorts of scholars – veteran and novice alike – to co-generate new policy ideas and paths forward for responding to pressing social crises.

References


