

The Construction and Implementation of Migration Practices in Europe and America

Written by Natasha Colvine

This PDF is auto-generated for reference only. As such, it may contain some conversion errors and/or missing information. For all formal use please refer to the official version on the website, as linked below.

The Construction and Implementation of Migration Practices in Europe and America

<https://www.e-ir.info/2020/07/18/the-construction-and-implementation-of-migration-practices-in-europe-and-america/>

NATASHA COLVINE, JUL 18 2020

Migration is the movement of people from one place to another (Crawley and Skelparis, 2018). It is a fundamental part of Europe and America's histories and demographics, however, in the past few decades, migrants have been increasingly framed as security threats, and policies have been put into place to prevent migrants from entering and remaining in Europe and America (Huysmans, 2000). However, while there are many similarities between the construction and implementation of Europe and America's migration practices, there are also many differences. This essay will argue that both Europe and America have constructed migration as a security threat, however, America has framed it as a national security issue and Europe as a societal security issue. Furthermore, both Europe and America prevent migrants from crossing their external borders, however America, to a greater extent than Europe, has also focused on expelling migrants already in their territory. This essay will first examine the construction of migration practices. It will show that migration has been securitised through national security justifications such as terrorism and criminality, and societal security justifications, such as cultural homogeneity. It will subsequently examine the implementation of migration policy, showing how Europe and America use external methods of border enforcement, their enforcement efforts which take place at their borders, and the internal enforcement of their borders.

Constructivism will form the theoretical basis for this essay. It argues that the world is socially constructed. There is no such thing as an objective reality, as actors and structures do not naturally exist but are co-constituted through interaction. It recognises that change is difficult but possible, and focuses on the importance of identity and context in shaping interests and therefore actions (Hopf, 1998).

The Construction of Migration Practices

It is important to explain the distinction between construction and implementation. Construction refers to the framing of an issue, determining how an issue is perceived by actors. Implementation refers to the policy and practices put into place in response to an issue. Therefore, construction and implementation are inextricably linked: the way an issue is constructed will impact policy and practices (Boswell, 2007).

The theory of securitisation was developed by Waever (1995). He argues that security threats are socially constructed through discourse, where they are dramatised and prioritised. This takes place through speech acts by securitising actors with the institutional or political authority to present an issue as an existential threat to an audience which accepts it as such. Therefore, securitisation is based on an intersubjective understanding between a speaker and an audience. An issue cannot be securitised in itself: it can only become a security issue. Therefore, constructing an issue as a security threat will have implications for the practices and policies that are used to address it, giving the securitising actor power to use exceptional measures to gain control over it (Doty, 1998).

Doty (1998) argues that there are three ways that security can be understood. Firstly, national security is linked to the territorial integrity of a nation-state. An issue is securitised when the survival of the nation-state is threatened. Secondly, societal security recognises the importance of identity: an issue is a security threat if it threatens the identity and essential character of a society. Finally, human security is concerned with the security and welfare of

The Construction and Implementation of Migration Practices in Europe and America

Written by Natasha Colvine

individuals as humans, regardless of their society or state. All three securities are interlinked and have implications on the securitisation of migration. However, this essay will focus on national and societal security.

Many scholars have argued that migration has been securitised (Doty, 1998; Huysmans, 2000; Bigo, 2014). Especially since 9/11, migrants are perceived as security risks to states, as potential terrorists and criminals, as threats to cultural identity, as dangerous outsiders, regardless of evidence that this may not be the case. They are security threats because they have been constructed as such (Dauvergne, 2007). This section will argue that both the US and Europe have constructed migration as a security threat, however, have done so for different reasons. The US has primarily justified the securitisation of migration for reasons of national security, while the EU has primarily done so for societal security.

National Security

9/11 was a critical juncture for US migration policy, as migrants, especially Muslim migrants, became subjects of suspicion and fear. A sign that migration has been inextricably linked to terrorism in the US is the placement of immigration policy within the Department of Homeland Security (DHS) (Diven and Immerfall, 2018), created in response to 9/11 with the explicit aim “to secure the nation from the many threats we face” (DHS, 2020). This ensures that immigration is explicitly tied with security. It has also led to a radicalised securitisation, where Muslim migrants are more likely to be framed as potential terrorists (Innes, 2013). During the Syrian refugee crisis, Obama’s call to resettle 10,000 Syrian refugees was blocked by the House of Representatives who accused it of allowing ISIS to infiltrate the US (Carrier, 2016). Furthermore, Trump’s executive order banning entry to citizens of seven Muslim states was justified by the necessity “to ensure that we are not admitting into our country the very threats our soldiers are fighting overseas” (Totten, 2017, p.359). Therefore, any non-Western migrant attempting to enter the US is automatically framed as a potential terrorist and threat to national security.

However, 9/11 did not have the same impact on the securitisation of migration in Europe. Indeed, Boswell (2007) argues that it affected neither discourse nor practice regarding migration. Immediately after 9/11, European actors did link the threat of terrorism to migration control, resulting in a temporary suspension of Schengen (the area comprising 26 European countries that have officially abolished forms of border control), and calls to reinforce Europe’s external borders. However, within months, references to terrorism were rare in debates about European migration, which were instead focused on the social and economic impact of migrants. In fact, around this time, many European states such as the UK, Spain and Germany were liberalising their migration policies to facilitate the regularisation of illegal migrants and encourage high-skilled labour migration.

Furthermore, there was a lack of securitisation by European institutions. The creation of an EU border agency was discussed immediately after 9/11, but there was a lack of urgency. Indeed, the current European border control agency, Frontex, was only established in 2004. Its US counterpart, the DHS, was set up in 2002 with a far greater sense of urgency. In fact, it can be argued that Frontex followed standard EU procedure, so regardless of 9/11 would have come about as a natural step in the EU integration process. Furthermore, even after the 2004 Madrid bombings, the EU never called for increased border security or suggested a need to curb migration (Neal, 2009). Undoubtedly, recent terrorist attacks in Europe have led to the creation of a migration-terrorism nexus in the EU, where migrants have become risky bodies and potential terrorists (Abbas, 2019), notably since the 2015 Paris terrorist attacks. However, overall, this is a more recent phenomenon compared to the US which has historically used terrorism more than Europe to justify the exclusion of migrants.

Furthermore, the US has also strongly associated migrants with criminality, especially South and Central American immigrants. This is exemplified in the US’s racialised discourse about Mexican immigrants, which associates them with criminality, docility and a lack of American values (Flores, 2003). They become undesirable, disturbing US internal security. They are also criminalised because of their decision to migrate, and their agency is emphasised rather than denied. They are perceived as not “getting in line” to migrate legally, instead choosing illegal immigration and a life of criminality (Innes, 2013). Therefore, an immigrant population is constructed as an automatically criminal, disruptive and dangerous presence in the US. They are potential terrorists or criminals, treating US national security. While national security has influenced Europe’s securitisation of migration, especially in recent years, overall, it has

The Construction and Implementation of Migration Practices in Europe and America

Written by Natasha Colvine

been impacted more by a need for societal security.

Societal Security

The EU has primarily constructed migration as a threat to societal security. Migration is framed as a threat to the cultural composition and unity of Europe (Huysmans, 2000). Indeed, the EU securitised its migration policy to regulate belonging to the European community by labelling the migrant as a cultural alien. This creates a 'Clash of Civilisations' (Huntington, 1993), where multiculturalism is an existential threat to society, weakening national homogeneity. Therefore, there is a need to exclude the dangerous and culturally different migrant 'other'. By accepting migrants, the state is accepting the demise of the political community.

Contributing to this is the construction of migrants as outsiders, illegitimately seeking to benefit from European welfare and social security. Welfare and social security are important elements in the construction of national identity in European countries. Indeed, it implies a caring relationship between a state and its citizens (Huysmans, 2000). Migrants are portrayed as having no right to welfare assistance or social security. They become rivals to citizens when welfare is scarce. This results in "welfare chauvinism" (ibid, p.753) defined as when national citizens are privileged over 'illegitimate' non-citizens in the distribution of welfare. Social security is framed as a magnet attracting migrants to the EU who seek to illegitimate benefit from them. This is an element of the politics of belonging, whereby cultural identity becomes a criterion in belonging, enabling legitimate access to welfare and to membership of the European community (ibid). Therefore, welfare chauvinism is linked to cultural homogeneity and is a factor in the creation of a common European "we" constructed in opposition to an illegitimate migrant "other".

This can be tied to the very concept of the nation-state, defined by Smith as existing when "the boundaries of a state's territory and those of a homogenous national community are coextensive, and that all inhabitants of a state possess an identical culture" (1986, p.229). Nations are imagined communities; they only exist when there is a common culture and identity. Migrants, with their different cultures, threaten the cultural homogeneity of a nation, therefore threaten the nation-state itself (FitzGerald et.al, 2018). However, this is of greater concern to Europe than to America. The EU integration process is a form of supranational state-building, and its desire for an ever-closer union requires maintenance and deepening of a collective European identity. The ultimate aim is to ensure that the EU remains an incontestable and integral part of the European continent with common European community. This is already challenging given that it is composed of 27 different states, all with varying identities and cultures, therefore migrants risk disturbing this already fragile common European identity. On the other hand, the US, as a long-established and stable state has already constituted this sense of nationhood, has less work to do than the EU to preserve its nationhood. Furthermore, it is described as a demographic 'melting pot', which has successfully integrated and assimilated immigrants throughout its history (Gilbert, 2007).

Nevertheless, societal security and the desire for cultural homogeneity are also a factor in the US's securitisation of migration. Indeed, demographic changes in the US's population and its increasing racial diversity has led to calls from many Americans to preserve America's identity as a white, Christian nation. This contributes to the racialisation of migration policies and the privileging of migrants from traditionally white, Western, English-speaking and Christian states (Martinez, 2017). The EU is also more lenient with migrants from Western states with similar cultural backgrounds, with its admissions procedures significantly more lenient with migrants from OECD countries. This desire for cultural homogeneity is further reflected in the assumptions hidden in language: 'immigrants' are assumed to be individuals from poorer non-White and non-Western states, while White, wealthy migrants from Western countries are named 'expats', a term associated with neither national nor societal security threats (Doty, 2011). Therefore, while in both America and Europe, the non-Western migrant is constructed as a threat to societal security, this is more important in the EU who pursues greater integration within its relatively heterogeneous member states.

Therefore, both Europe and America have constructed migration as a security threat. However, they have justified this through different means. The US has framed migrants as threats to national security, especially in light of 9/11. They are potential terrorists and criminals. Europe, due to its desire to construct a sense of shared identity and nationhood, and due to welfare chauvinism implying a caring relationship between Europe and its citizens rather than an illegitimate outsider, has framed migrants as threats to societal security. However, there have been similar

The Construction and Implementation of Migration Practices in Europe and America

Written by Natasha Colvine

racialised securitisations in both Europe and America, whereby non-Western migrants are constructed as less desirable than migrants from similar Western backgrounds. However, how has this securitisation impacted the implementation of migration practices? How are these similar and different in Europe and America?

The Implementation of Migration Practices

By constructing migrants as security threats, both Europe and America have used policy and practices to prevent migrants from crossing their national borders in order to protect their national and societal security. While there is a wide range of practices related to the implementation of migration practices, this essay will principally focus on how borders have been enforced to control migration. Indeed, scholars have identified twin processes of the internalisation and externalisation of the border. Externalisation pushes borders outwards, through strategic partnerships, or the outsourcing of migration controls to countries of origin or transit. Internalisation involves the shifting of borders inwards, within the nation-state, for example, through the policing of migrants already in a state through detection, detention and deportation (Iliadou, 2019).

Menjívar (2014) argues that there are two main strategies that states can use to manage their borders to exclude migrants. Firstly, there is the “island model of border enforcement”, using externalisation to prevent migrants from crossing external borders. Secondly, there is the “interior model”, which concentrates migration enforcement within a state, emphasising the internalisation of the border and the return of immigrants to their home countries. In between these two models, states can also concentrate their migration prevention efforts at their physical external borders. This essay will argue that while both the US and Europe have followed the “island model” and enforcement at their physical borders to implement migration practices, the US has also closely followed the “interior model”, unlike Europe.

The Island Model of Border Enforcement

Both the US and Europe have placed great emphasis on protecting their external border (ibid). There are two main ways they have done this: by preventing migrants from reaching their borders through the outsourcing border controls and creation of strategic partnerships with other states, and by intercepting and returning migrants.

Firstly, both Europe and America have used outsourcing and partnerships to prevent migrants from reaching their external borders. A notable example is US-Mexico partnerships for preventing migration from South America to the US via Mexico. Mexico has set up checkpoints to intercept migrants travelling to America and reinforced infrastructure and security along borders, including Mexico’s southern border. Therefore, the US is using Mexico’s position as a transit country to prevent migrants from reaching the US. In return, they have signed a Partnership for Prosperity, promoting economic cooperation (Menjívar, 2014). Similarly, Europe’s many partnerships with southern states, including Libya, Sudan and Ethiopia aim to prevent migrants from reaching Europe (Llewellyn, 2018). During the Syrian refugee crisis, the EU-Turkey deal was signed, allowing irregular migrants who had travelled through Turkey into the EU to be returned. In exchange, the EU would relocate one Syrian refugee from Turkey and provide financial aid, access to the Schengen zone for Turkish citizens and a promise to ‘re-energise’ talks about Turkey’s bid to join the EU (Dastyari and Effeney, 2012). Therefore, both the EU and US have used promises of economic and political benefits to develop partnerships with transit countries in order to prevent migrants from entering their territories.

Furthermore, both America and Europe have failed to respect the principle of non-refoulement, enabling them to prevent migrant from entering their territories. This principle is one of the strongest protections in the 1951 Refugee Convention, prohibiting the forcible repatriation of migrants and asylum seekers to countries where their life or freedom would be at risk (Goodwin-Gill and McAdam, 2007). However, the EU is engaging in refoulement by returning migrants to home or transit countries without investigating their individual situations or considering the dangers they may face (Hyndman, 2008). This was particularly the case during the Syrian refugee crisis, where many EU states intercepted migrants crossing the Mediterranean and sent them to partner states such as Libya, Senegal and Turkey. This is despite court rulings that “migrants intercepted in the EU’s territorial waters could not be sent back directly and had to access the EU territory and . . . if intercepted in the high seas, migrants are under the

The Construction and Implementation of Migration Practices in Europe and America

Written by Natasha Colvine

jurisdiction of the state where the intercepting vessel is registered, and should enjoy the same rights as any person under this state's jurisdiction" (Martin, 2014, p.16).

The US has similarly engaged in the refoulement of migrants. A notable example is Reagan's Migrant Interdiction Program, created in 1981 in response to the Haitian refugee crisis. Initially, intercepted migrants would have their asylum claim analysed, however from 1992, Haitian refugees intercepted at sea were sent directly back to Haiti without individual evaluations of the dangers they faced, thereby preventing them from claiming asylum (Mitchell, 1994). Alternatively, they were sent to immigration detention facilities in Guantanamo Bay. No migrant detained there is resettled into the US (Dastyari and Effeney, 2012), and these centres have been reported to provide very poor conditions for migrants, with reports of ill-treatment and beatings (Goodwin-Gill, 2011). Therefore, through refoulement and offshore detention centres, the US is failing to guarantee that intercepted migrants will be returned or resettled to a safe environment and renouncing responsibility for them. Both the detention facility and the Migrant Interdiction program are still operational and used to intercept and detain any migrant attempting to reach the US by sea (Dastyari and Effeney, 2012).

Therefore, both Europe and America have followed the island model of border enforcement. They have respatialised asylum to prevent migrants from reaching their external borders through partnerships with transit countries, and by intercepting migrants in transit and breaching the principle of non-refoulement, returning them to their home countries, transit countries or offshore detention facilities.

Implementation at the Border

If despite these measures, migrants succeed in reaching their external borders, both the US and Europe have strengthened their external borders to prevent migrants from entering. Firstly, both have developed stringent criteria to determine who is legally able to cross their borders. This is enforced through strict screenings of travellers crossing borders. However, both the EU and US have developed immigrant selection policies which disproportionately target immigrants coming from non-Western countries, and especially Muslim countries. Indeed, borders are more or less permeable for different people (Huysmans, 2000). For example, US President Donald Trump introduced travel bans from seven Muslim countries (Martinez, 2017). Furthermore, under President Barack Obama, there was a congressional ban on Syrian refugees entering the country until it could be guaranteed that they did not pose a security threat (Carlier, 2016). However, it has also disproportionately focused its migration prevention efforts on the US-Mexico border rather than its Canadian border. Menjivar (2014) argues that this is because immigrants from Central and South America are assumed to be unwilling to integrate, to have cultural backgrounds and languages which are incompatible with American culture. This is not the case for Canadian immigrants, who are assumed to have close cultural ties with the US and speak the same language, therefore, to integrate into American society more easily.

Europe's migration practices also reveal a preference for immigrants from culturally similar states. While there is a less explicit exclusion of immigrants from Muslim and non-western states than in America, Europe have introduced screenings which implicitly discriminate against non-Western applicants. Most European states have introduced screenings determining migrant's admissibility, which involve language and cultural knowledge tests. For example, the Netherlands tests includes images of topless women sunbathing on a beach, and two men kissing in a park, and Germany includes questions about values such as forced marriage and patriarchy. These have unofficially been referred to as "Muslim tests", as they are designed to discourage applications from non-Western and particularly Muslim states without explicitly naming them (FitzGerald et al., 2018). Furthermore, nationals of many Western states or states who are culturally close to Europe are exempt from tests and visas, notably nationals of the US, Australia, Canada, New Zealand, Japan and South Korea (ibid). Therefore, Europe, like the US, has used screenings to make it more difficult for non-Western migrants to cross their external borders, albeit less explicitly than the US. This can be linked to their desire for societal security, to have a culturally homogenous nation-state (ibid).

Furthermore, both Europe and the US have used technology to prevent migrant from crossing their external borders. The EU has databases such as the Schengen Information System compiling lists of all illegal and inadmissible immigrants and Eurodac, a fingerprint database of all asylum seekers and migrants who have illegally crossed the

The Construction and Implementation of Migration Practices in Europe and America

Written by Natasha Colvine

border (Marion, 2010). These are linked to a European Smart Border Package which registers “entry and exit data and refusal of entry data of third-country nationals crossing the external borders of the Member States” (European Parliament, 2017). Individuals whose data is found in these databases are refused entry. America uses similar databases to profile migrants before they reach US soil (Currier, 2019). It also uses technology such as motion detectors and drones to detect people crossing the border illegally, thus allowing personnel to intercept the migrant before they cross the border. (Heyman, 2008) Therefore, migration in Europe and America is managed through technology, databases and algorithms, allowing migrants to become simple bodies linked to data points rather than humanised individuals. Borders have been “virtualised”, creating invisible walls, complementing the physical border in order to increase their effectiveness and prevent people from crossing them illegally (Bigo, 2014).

Finally, both the US and Europe use their border zone’s naturally hostile geographies as spaces of exception where migrants are reduced to bare life, therefore are left to die. Agamben (1995) argues that sovereign power abandons some of its subjects, stripping them of their identities and depoliticising them, thus rendering them bare life. This creates a state of exception, where these subjects are unprotected by law so can be abused and killed without consequence or punishment. Doty (2011) and Dines et al. (2015) argue that migrant crossing the US and EU’s external borders are reduced to bare life. This is facilitated by remote and hostile environments border landscapes, such as deserts and seas.

Indeed, a large area around the US-Mexico border is a hostile and arid desert which has claimed the life of many migrants. This area has deliberately been left relatively unpatrolled because the “logic of US immigration policy was that if the major gateways such as the El Paso and San Diego areas could be controlled, ‘geography would do the rest’” (Doty, 2011, p.609). Similarly, the halting of Operation Mare Nostrum and its search and rescue function means that migrants crossing the Mediterranean are no longer rescued. It is estimated that over 19,000 asylum seekers died in the Mediterranean during the Syrian refugee crisis. However, the US and EU are provided with moral alibis: they distance themselves from responsibility for migrants in these border zones by constructing them as spaces of exception, blaming deaths on natural causes such as the sea or extreme heat. Thus, by failing to provide patrols or search and rescue operations, the US and Europe are using geography not only to prevent migrants from surviving border crossings but also to deter other migrants from attempting these dangerous crossings.

Therefore, if migrants reach their external borders, the US and EU have both used technology and screening mechanisms which explicitly or implicitly discriminate against non-Western migrants, thus preventing them from crossing borders in order to preserve culturally homogenous societies. Through this, they have created virtual walls detecting and denying entry to illegal migrants. They have also used their hostile geographies to turn migrants into bare life, thus allowing them to die when crossing borders. Therefore, there are clear similarities in the US and EU’s externalisation of migration practices. However, the US, to a much greater extent than the EU, has additionally used the island model of border enforcement to complement this external enforcement.

The Interior Model of Border Enforcement

Since the 1990s, the US has increasingly complemented preventative external border enforcement with the interior model, whereby immigration control moves inwards, targeting migrants who have already entered the country, creating an “everywhere border” (Coleman, 2007). This is notably done through lawmaking and policing, leading to detection, detention and deportation of migrants (Menjivar, 2014). Firstly, the US has severely restricted the rights of migrants: they are denied access to state-funded health insurance, certain states have banned migrant from receiving any non-essential treatment, and in certain areas it is a criminal offence for illegal migrants to rent a house (Doty, 2011). Furthermore, the US has severely restricted the right to family unification, and there have been calls by policymakers calling for the repeal of birth-right citizenship for children of illegal immigrants (Menjivar, 2014). This creates an insecure existence for migrants within the US, which puts pressure on them to return to their home states.

Coupled with this is the increasing criminalisation of migrants, for example, through the 2001 Patriot Act allowing imprisonment on immigration grounds, without legal review or public disclosure of charge (Coleman, 2007). New laws have classed even minor crimes such as speeding as aggravated felonies if committed by migrants, thus making them deportable offences. This means that it is easier to class migrants as dangerous criminals, thus

The Construction and Implementation of Migration Practices in Europe and America

Written by Natasha Colvine

reinforcing the construction of migrants as criminals and threats to national security (Innes, 2013). This contributes to turning the migrant into a risky, threatening figure and serves to justify their exclusion from national territory. The US has the world's largest immigration detention system and deports between 600,000 and 700,000 immigrants (Diven and Immerfall, 2018). Therefore, the US has associated illegal presence in the US with a lack of rights, criminality and deportation. They are using internal measures to send migrants back to their home countries by making life in the US difficult through a lack of rights, or by making migrants deportable through a criminalisation of migrants.

The EU has placed far less emphasis on internal enforcement than the US. In fact, there has been an increase in rights accorded to migrants, legal and illegal. Migrants are entitled to the same rights as citizens in six of the seven chapters of the EU Charter of Fundamental Rights. This guarantees the same level of access as citizens to healthcare, education, employment and other essential services. Furthermore, the EU has recognised that family ties constitute a right to lawfully remain in the EU, thus protecting many from deportation. Indeed, stricter conditions have been placed on detention and deportations, and member states have been given the option to grant migrants a right to remain under compassionate grounds instead of deporting them. This is reflected in much lower deportation rate of around 150,000, significantly lower than the US's 700,000. (Desmond, 2016).

Overall, there are significant similarities between the US and EU in the implementation of migration practices. Both have used the "island model" of border enforcement to prevent migrants from reaching and breaching their external borders. They have done this by externalising their borders through outsourcing and partnerships with other states, and by not respecting non-refoulement, intercepting migrants and returning them to transit or home countries, or to offshore detention centres. If despite these measures, migrants manage to reach their external borders, then strict screenings and technologies are used to prevent migrants from crossing their borders. However, the US also relied on the "interior model" more than the EU to deter, detect and deport migrants who have already entered the state on a large scale through the criminalisation of immigration, and by pressuring migrants to leave by restricting their rights.

However, the US's migrant policy is significantly more impacted by its political context than the EU. This may be explained by the US's lack of embeddedness in a supranational body comparable to the EU, that is strong enough to constrain it through international norms, institutions and laws (Diven and Immerfall, 2018). Indeed, European states' refugee policy is subject to fewer and slower changes over time due to the EU's norms, rules and institutions which constrain them. Indeed, the EU has a culture of compromise, veto-holding actors and a Court of Justice, all of which contribute to the development of a common EU migration policy. To significantly change the EU's migration policy would take significant time as member states and institutions would need to reach a consensus to agree to this change. This is not the case for the US who unconstrained by these rules is freer to change its policy according to its political climate or interests. Consequently, the US has used migration as a tool for foreign policy and statecraft. Totten (2017) identifies three foreign policy objectives which migration policy can contribute to: pleasing, harming, and bargaining. For example, the US accepted thousands of refugees fleeing communism during the Cold War as a tool to harm the Soviet Union to demonstrate the failures of communism. However, the US refused 98% of Haitian refugees immediately after the Cold War, in 1992 as they had no political interest in them (Doty, 1998). Therefore, a final difference between Europe and America's implementation of migration practices is its variability.

Conclusion

This essay has shown a range of similarities and differences between migration practices being constructed and implemented in Europe and America. Both Europe and America have constructed migration as a security issue, however, have justified this securitisation for different reasons. The US has primarily done so for reasons of national security. 9/11 had a significant and immediate effect on the US's conception of migrants, and especially non-Western, Muslim migrants who became potential terrorists, therefore threats to national security, and as criminals threatening the internal security of the US. While terrorism has also impacted the EU's securitisation of migration, they have primarily constructed it as a threat to societal security. The EU, whose sense of common culture and heritage is already challenged by the cultural heterogeneity of its 27 member states, is seeking to maintain and deepen its sense of nationhood in order to facilitate its integration process. Migrants, as culturally different challenge cultural homogeneity, therefore, threaten the nation. This is not as great a concern in the US as it is a single state

The Construction and Implementation of Migration Practices in Europe and America

Written by Natasha Colvine

with a relatively strong sense of nation.

This securitisation has impacted both the US and Europe's desire to prevent migrants, and the security threats they bring, from reaching and crossing their external borders. Both have used the 'island model', externalising their borders through outsourcing and partnerships and breaking the principle of non-refoulement to intercept and prevent migrants from reaching their external borders. They have also both strengthened their borders through screenings which disproportionately target non-western migrants who may threaten societal security, by using technology to create 'virtual' borders, and by using their naturally hostile geographies to remove a moral responsibility for the deaths of migrants attempting to cross their borders. However, the EU and US differ in their internal enforcement, with the US placing far more emphasis in their targeting of migrants who have already entered the state, through restriction of rights, criminalising migrants thus facilitating deportation. Furthermore, the US, unlike Europe, is unconstrained by a supranational body. This allows the nation to change their migration practices based on migrants' political usefulness.

References

- Abbas, M.S. (2019) Conflating the Muslim refugee and the terror suspect: responses to the Syrian refugee "crisis" in Brexit Britain. *Ethnic and Racial Studies* 42(14), 2450-2469.
- Agamben, G. (1995). *Homo Sacer: Sovereign Power and Bare Life*. California: Stanford University Press.
- Bigo, D. (2014). The (In)Securitization Practices of the Three Universes of EU Border Control: Military/Navy – Border Guards/Police – Database Analysts" *Security Dialogue*, 45(3), 209-225.
- Boswell, C. (2007). Migration Control in Europe After 9/11: Explaining the Absence of Securitization. *Journal of Common Market Studies*, 45(3), 589-610.
- Carlier, M. (2016). Explaining Differences in the Canadian and American Response to the Syrian Refugee Crisis. *Virginia Policy Review*, 9(2), 56-82.
- Coleman, M. (2007). Immigration Geopolitics Beyond the Mexico–US Border. *Antipode*, 39(1), 54-76.
- Crawley, H. and Skelparis, D. (2018). Refugees, migrants, neither, both: categorical fetishism and the politics of bounding in Europe's 'migration crisis'. *Journal of Ethnic and Migration Studies*, 44(1), 48-64.
- Currier, C. (2019). *Pushing Out The Border: How The U.S. Is Waging A Global War On Migration*. Retrieved from: <https://theintercept.com/2019/08/03/migration-empire-borders-book>
- Dastyari, A. and Effeney, L. (2012). Immigration Detention In Guantánamo Bay (Not Going Anywhere Anytime Soon). *Shima: The International Journal of Research into Island Cultures*, 6(2), 49-65.
- Dauvergne, C. (2007). Security and migration law in the less brave new world. *Social & Legal Studies*, 16(4), 533-550.
- Department for Homeland Security. 2020. *About DHS*. Retrieved from: <https://www.dhs.gov/about-dhs>
- Desmond, A. (2016). The Development of a common EU migration policy and the rights of irregular migrants: A progress narrative? *Human Rights Law Review*, 16, 247-272.
- Dines, N. Montagna, N. and Ruggiero, V. (2015). Thinking Lampedusa: border construction, the spectacle of bare life and the productivity of migrants. *Ethnic and Racial Studies*, 38(3), 430-445.
- Diven, P.J. and Immerfall, S. (2018). Hospitality or hostility? Explaining the German and U.S. Responses to the

The Construction and Implementation of Migration Practices in Europe and America

Written by Natasha Colvine

- Syrian Refugee Crisis. *Zeitschrift für Vergleichende Politikwissenschaft* 12(4), 189-209.
- Doty, R.L. (1998). Immigration and the politics of security. *Security Studies*, 8(2-3), 71-93.
- Doty, R.L. (2011). Bare life: border-crossing deaths and spaces of moral alibi. *Environment and Planning D: Society and Space*, 29, 599-612.
- European Parliament (2017). *Regulation (Eu) 2017/2226 of the European Parliament and of the Council*. Retrieved from: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32017R2226>
- FitzGerald, Cook-Martín D., García, A.S and Arar, R. (2018). Can you become one of us? A historical comparison of legal selection of 'assimilable' immigrants in Europe and the Americas. *Journal of Ethnic and Migration Studies*, 44(1), 27-47.
- Flores, L.A. (2003). Constructing Rhetorical Borders: Peons, Illegal Aliens, and Competing Narratives of Immigration. *Critical Studies in Media Communication*, 20(4), 362-387.
- Gilbert, L. (2007). National identity and immigration policy in the u.s. and the European union. *Columbia Journal of European Law*, 14(1), 99-144.
- Goodwin-Gill, G.S and McAdam, J. (2007). *The Refugee in International Law*. Oxford: Oxford University Press.
- Goodwin-Gill, G.S. (2011). The Right to Seek Asylum: Interception at Sea and the Principle of Non-Refoulement. *International Journal of Refugee Law*, 23(3), 443-457.
- Heyman, J.M. (2008). Constructing a Virtual Wall: Race and Citizenship in U.S.-Mexico Border Policing. *Journal of the Southwest*, 50(3), 305-333.
- Hopf, T. (1998). The Promise of Constructivism in International Relations Theory. *International Security*, 23(1), 171-200.
- Huntington, S.P. (1993). The Clash of Civilizations? *Foreign Affairs*, 72(3), 22-49.
- Huysmans, J. (2000). The European Union and the Securitization of Migration. *Journal of Common Market Studies*, 38(5), 751-771.
- Hyndman, J. (2008). Another Brick in the Wall? Neo-Refoulement and the Externalization of Asylum by Australia and Europe. *Government and Opposition*, 43(2), 249-269.
- Iliadou, E. (2019). Safe Havens and Prison Islands: The Politics of Protection and Deterrence of Border Crossers on Lesbos Island. *Graduate Journal of Social Science* 15(1), 62-88.
- Innes, A.J. (2013). International Migration as Criminal Behaviour: Shifting Responsibility to the Migrant in Mexico-US Border Crossings. *Global Society*, 27(2), 237-260.
- Llewellyn, S. (2019). *Extending borders: What are the consequences of the EU externalising its migration management?* Retrieved from: <https://transatlanticpuzzle.com/2018/09/18/extending-borders-what-are-the-consequences-of-the-eu-externalizing-its-migration-management/>
- Marion, A. (2010). Security of the EU Borders in the Post-Cold War Era. In Basil Germond, B., Hanhimäki J.M. and Soutou G.H. (Eds.) *The Routledge Handbook of Transatlantic Security*. New York: Routledge.
- Martin, M. (2014). *Prioritising Border Control over Human lives Violations of the Rights of Migrants and Refugees at*

The Construction and Implementation of Migration Practices in Europe and America

Written by Natasha Colvine

Sea. Retrieved from: https://www.refworld.org/pdfid/56fccbcbd.pdf%22%20%5Ct%20%22_blank

Martinez, J. (2017). Immigration, President Trump, and Christian Visions of the United States. *Journal of Latin American Theology*, 12(1), 65-77.

Menjívar, C. (2014). Immigration Law Beyond Borders: Externalizing and Internalizing Border Controls in an Era of Securitization. *Annual Review of Law and Social Science*, 10, 353-369.

Mitchell, C. (1994). U.S. Policy toward Haitian Boat People, 1972-93. *The Annals of the American Academy of Political and Social Science*, 534, 69-80.

Neal, A.W. (2009). Securitization and risk at the EU border: The origins of frontex. *Journal of Common Market Studies*, 47(2), 333-356.

Smith, A.D. (1986) State-making and nation-building. In Hall, J.A. (ed.) *States in History*. Oxford: Basil Blackwell.

Totten, R.J. (2017) Statecraft and Migration: A Research Note on American Strategies to Use Immigration in Foreign Policy from the Founding Era through the Early Twenty-First Century. *Diplomacy & Statecraft*, 28(2), 344-370.

Wæver, O., (1995). Securitization and desecuritization. In R.D. Lipschutz (ed.) *On security*. New York, NY: Columbia University Press.

Written at: University of St Andrews

Written for: Dr. Faye Donnelly

Date written: April 2020