

# Transcending the Migration Security Dilemma:

A Critical Emancipatory Analysis of

Irregular Economic Migration Policy

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## Abstract

The phenomena of undocumented migrant labor, or irregular economic migration, has become a contentious topic in migration studies and global migration policy. Within International Relations, liberal and realist mainstream approaches to irregular economic migration focus on ways to reduce the irregular flow of labor between borders, especially low-skilled labor, on the basis of prioritizing state-security. This research aims to firstly apply the critical concept of emancipation and emancipatory security to the context of irregular economic migration in order to highlight the security needs of migrants. Additionally, the research applies constructivist concepts, especially that of 'discipline,' to problematize the behavior of state and intergovernmental institutions towards irregular economic migrants. Based on a review of the literature in critical security studies and critical constructivism in regards to migration, this research finds alternatives to state-essentialist approaches to migration that view emancipation of migrants as mutually beneficial for both them and state citizens.

## Table of Contents

Introduction	<b>4</b>
Part1: Review of the Literature in Migration Studies and Critical Theory	<b>16</b>
Part 2: Problematizing Migration Management	<b>30</b>
Part 3: Emancipatory Security Theory & Alternatives to Disciplining Migration	<b>49</b>
Conclusion	<b>66</b>
Reference List	<b>70</b>

## Introduction

About a year and a half ago, a woman named Alia changed how I thought about immigration policy when she showed me an eighteen-year-old, tattered manila folder. Within this folder contained three different work contracts and nearly two decades worth of printed email exchanges between four different immigration lawyers and the Belgian Office des Étrangers. This woman, who I presume still remains an undocumented immigrant in Brussels, explained to me over the course of two hours her lifetime spent searching for authorized stay in Belgium. Her status was not uncommon for a client of SAMPA (*Service d'aide aux Molenbeekois primo-arrivants*), the immigration services organization I had been interning at. The organization was founded and funded by the Belgian government in 2000 to help process the case of undocumented migrants living in Molenbeek who were applying for a regularization amnesty program at the time.<sup>1</sup> About fifty percent of the clients who came to SAMPA were undocumented migrants who lacked regular, consistent and authorized stay in Belgium.

The organization also helped undocumented migrants applying for a similar amnesty program in 2009. SAMPA continued to receive funding from the state to help both documented and undocumented migrants with free social services such as offering juridical assistance on migration legislation, French classes, and socio-professional development among many others. Unfortunately, most of SAMPA's undocumented clientele has and will continue to be

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<sup>1</sup> European Commission, "Migrant Integration Information and Good Practices," European Website On Integration (Europa, August 18, 2010), <https://ec.europa.eu/migrant-integration/intpract/sampa-service-daide-aux-molenbeekois-primo-arrivants?pdf=1>

undocumented until another regularization program is implemented. However, the fact that Alia had remained undocumented for nearly two decades despite the odds, having many of the “right” qualifications to migrate, did astound me. In uncovering her case, I became entrenched in the flaws, hypocrisies and arbitrariness of modern immigration policy in regards to undocumented migration.

Before Alia arrived at SAMPA, I was beginning to realize that working at an immigration services organization lacked much of the humanitarian glory I once expected. Whether Belgian or American, I expected immigration law to be fair and just, even though I did not see the law as such in regards to other social and political issues. As I would learn, in the case of Belgium immigration law and policy had been complicated by the conservative head of the immigration bureau, Théo Francken. Francken’s tenure at the Office des Étrangers can be summarized as doing everything one can to reduce both the number of staff employed in the Office as well as the allowed amount of migrants and refugees allowed into the country. As a result, the law became increasingly unwilling to meet the complicated realities of most migrants and refugees. Asylum seekers had to navigate seeking sanctuary in Belgium while avoiding being thrown into asylum detention centers that have continuously come under the scrutiny of the European Court of Human Rights for being unlawful and inhumane.<sup>2</sup>

For migrants moving undocumented or “irregularly” to Belgium for labour and economic-security purposes, the only way to regularize their stay upon arrival was either through an application for regularization or an application for medical stay. The application for regularization requires undocumented migrants to prove that they cannot apply for authorized stay in their home country, but does not elaborate on the specific documentation required to do

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<sup>2</sup>Global Detention Project, “Belgium Immigration Detention,” Global Detention Project | Mapping immigration detention around the world (Global Detention Project)

so. An application for a medical visa requires applicants to prove why they cannot stay or return to their country of origin to receive medical treatment but likewise gives minimal direction as to how to prove that beyond superfluous documentation by medical personnel.<sup>3</sup> Both of these processes have about a 2-3 percent acceptance rate for applicants.<sup>4</sup> Even still, approval may come after an extraneous appeals process that requires time and resources migrants would not have without pro-bono legal support and free social services from organizations like SAMPA.

As a result, the majority of lawyers, civil servants, social workers, and advocates who work in immigration services cannot actually provide the direct and immediate help migrants and refugees need. Instead, they are often only able to present them with the option to choose the lesser evil of a handful of bureaucratic processes. Furthermore, as the number of migrants and refugees allowed entry decreases, the actual difference between rejected and approved applications remains minimal. The civil administrators in charge of approving and rejecting immigration applications often struggle to apply the law to the complicated and evolving lives of undocumented migrants and refugees, making the rationale of their decisions arbitrary. In my first week of interning, I encountered a young family with a tourist visa who had applied for a medical visa after they discovered that their toddler son had late stage cancer. Their first application for a medical visa was rejected and went through an appeals process that took a whole year and cost their son valuable time away from medical care. After two failed attempts at applying for a medical visa, they applied for a regularization visa. They received approval within three months of applying and two months after their son's death. Another case from that same first week involved a man of Palistinian descent who was stateless and was attempting to appeal

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<sup>3</sup> ADDE, "Fiches Pratiques - Travail"

<sup>4</sup> Myria - Centre Fédéral Migration, "La Migration En Chiffres Et En Droits 2017," p.140

a negative decision for an application of regularization. In his letter of rejection, the Office des Étrangers stated it was possible to fulfill an application for authorized stay in his home country..

What Alia solidified in my mind with her manila folder of contracts, rejection letters, and frantic email exchanges is the fact that migration policy has nothing to do with migrants' real lives and everything to do with how states think the lives of migrants should be. In 2009, Alia applied for regularization after living eight years undocumented in Belgium under a temporary law that allowed authorized stay for undocumented migrants who had been living in the country for over five years.<sup>5</sup> These periods of “regularization” are not new in Belgian history, considering the one that had already occurred earlier in 2000.<sup>6</sup> They are often used by prime ministers who are dodging committing to actual immigration policy reform. Before applying for authorized stay, migrants first had to have a work permit, which then further required migrants to have a work contract.<sup>7</sup> Alia, having obtained a work contract, had her application for a work permit denied on the basis of a mechanical error: the name of her employer had been misspelled on her contract.

What ensued was a several months appeals process in which she was allowed to have the decision by the Office des Étrangers annulled. Unfortunately for her, this decision came too late as the period for regularization ended several months early due to a federal judicial ruling deciding the period for regularization should last no more than three months.<sup>8</sup> The fact that many like her had already obtained work contracts and were on the verge of applying for work permits

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<sup>5</sup> Rédaction RTBF, “25 000 Personnes Régularisées Depuis L'accord Sur Les sans-Papiers,” RTBF Info (RTBF, July 19, 2011), [https://www.rtf.be/info/belgique/detail\\_25-000-personnes-regularisees-depuis-l-accord-sur-les-sans-papiers?id=6475273](https://www.rtf.be/info/belgique/detail_25-000-personnes-regularisees-depuis-l-accord-sur-les-sans-papiers?id=6475273))

<sup>6</sup> Amanda Levinson, “Why Countries Continue to Consider Regularization,” Migration Policy Institute (Migration Policy Institute, July 19, 2019), <https://www.migrationpolicy.org/article/why-countries-continue-consider-regularization>)

<sup>7</sup> ADDE, “Travail,” ADDE (Association pour le droit des étrangers), accessed February 27, 2020, <http://www.adde.be/ressources/fiches-pratiques/travail/le-travailleur-etranger>)

<sup>8</sup> Rédaction RTBF, “25 000 Personnes Régularisées Depuis L'accord Sur Les sans-Papiers.”

would mean nothing and thousands would be thrown back into insecurity and silence. All the same, the differences between undocumented migrants who were able to gain authorized stay and those who were thrown back into limbo by the sudden judicial declaration are literally as insignificant as a mechanical error on a work contract. The Belgian government felt no accountability or responsibility to understand what would happen to the migrants who had been living in Belgium well over five years and would once again have to play the waiting game.

At the end of day, Alia became one of thousands of undocumented migrants who slid between the cracks of hasty political maneuvering and state bureaucracy. Like many migrants, she was told that the possibility of another period of regularization existed, but wouldn't come until another decade, maybe two. Personally, it seems so unacceptable to allow any other population of people to live in such ambiguous and insecure circumstances. Nonetheless, the precarity undocumented migrants lived in became a casually accepted fact by many I encountered working immigration advocacy groups and state bureaucracies. Furthermore, the odds were nowhere in Alia's favor for another period of regularization to occur in the 2020's. In my time in Brussels, Francken had announced ambitious plans to open more detention centers and commitment to more bilateral agreements to limit migration in spite of public disapproval.<sup>9</sup> My second to last week in the city was seized by political insecurity as Prime Minister Charles Michel collapsed the government because the conservative, Flemish party of Nieuw Vlaamse Alliantie (N-VA), which held a majority in the legislature, refused to sign the UN Compact on Migration.<sup>10</sup> With the temporary collapse of the government, Michel swiftly fired Francken, a

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<sup>9</sup>Belga, "Francken Aux Albanais: 'Venez Dépenser Votre Argent Avenue Louise Mais Pas Demander L'asile,'" La Libre.be (La Libre, April 20, 2018),<https://www.lalibre.be/belgique/politique-belge/franck-en-aux-albanais-venez-depenser-votre-argent-avenue-louise-mais-pas-demander-l-asile-5ad8bea4cd702f0c1aef12c3>)

<sup>10</sup> La Libre, "Le Roi a Accepté La Démission Des Ministres Et Secrétaires D'Etat N-VA: Voici Le Nouveau Casting Du Gouvernement," La Libre.be (La Libre, December 9, 2018),<https://www.lalibre.be/belgique/politique-belge/le-roi-a-accepte-la-demission-des-ministres-et-secretaires-d-etat-n-va-voici-le-nouveau-casting-du-gouvernement-5c0cd775cd70e3d2f7269427>)



member of the N-VA, from his position. Within the blink of an eye, the migration crisis had brought Belgian politics to an unexpected and grinding halt.

But the country was hardly alone in the world in its grappling to understand its cultural and national identity in the face of such cultural and economic changes. Between December of 2018 and January of 2019, I had moved from one government collapse to another. On December 22nd of 2018, the longest government shutdown that I or the United States had ever seen began as a result of an impasse on budget funding for a 5.7 billion dollar wall.<sup>11</sup> The construction of a wall along the US-Mexican border was so essential to legitimize Trump's presidency that it was worth holding the American political system hostage. The foundation of Trump's campaign was built on the myth of the Mexican migrant as a criminal; deportation, even at the cost of dehumanization, was to be the supreme security concern. Yet, if all undocumented migrants were to be deported, including those that make up the 50 percent of all hired field and crop workers,<sup>12</sup> surely Trump's re-election campaign would be hurt by the economic crisis that would create.

Even in Europe, undocumented migrants are not expendable. Like in the US, they are less than a percent of the population as there are an estimated 1.8-3.3 million irregular migrants in any given year, about which seventy percent are employed.<sup>13</sup> They also tend to work in key medium to low-skilled industries - such as agriculture, construction, and service jobs - which are vital to sustain daily life in Europe but are not attractive industries to the local populace.<sup>14</sup>

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<sup>11</sup> Julie Hirschfeld Davis and Michael Tackett, "Trump and Democrats Dig In After Talks to Reopen Government Go Nowhere," *The New York Times* (The New York Times, January 2, 2019), <https://www.nytimes.com/2019/01/02/us/politics/trump-congress-shutdown.html>

<sup>12</sup> "Undocumented Immigrants: How Immigration Plays a Critical Role," *New American Economy*, February 19, 2020, <https://www.newamericaneconomy.org/issues/undocumented-immigrants/page/2/?type&state>

<sup>13</sup> Global Migration Data Portal, "Irregular Migrant Workers in the EU and the US," *Migration Data Portal* (International Organisation for Migration, November 11, 2017), <https://migrationdataportal.org/blog/irregular-migrant-workers-eu-and-us>

<sup>14</sup> Stephen Castles, Magdalena Arias Cubas, Chulhyo Kim, and Derya Ozkul, *Irregular Migration: Causes, Patterns, and Strategies* (Dordrecht, 2012), p. 127

However, populist rhetoric by leaders in the EU, as well as in the UK, profit off of exaggerated numbers of migrants arriving in Europe and the myth of a “migrant invasion” in order to legitimize their own authority.<sup>15</sup> The sensationalization of migration of undocumented migrants has real and dire consequences. In April of 2016, two months ahead of the vote to stay or leave the European Union, about 47 percent of British citizens rated immigration as the nation’s number one priority. Furthermore, the topic of immigration came second behind the economy as a deciding factor of whether to stay or leave during the vote.<sup>16</sup> Even though a slight majority of British voters were not hardline anti-immigrationists, an ardent Remain campaign was able to convince enough voters to prioritize migration restrictions over the economic repercussions of leaving the European Union.

Attempts to integrate undocumented migrants throughout European countries have been met with extremist and popular rhetoric, even when they eventually get approved of. In 2007, a proposal for a regularization program in the Netherlands was temporarily stalled when a former immigration minister warned it would attract over “300,000 irregular migrants.” In reality, when the program was implemented only 1,500 migrants applied for residency.<sup>17</sup> Due to the fact that few countries in the EU have appropriate ways of quantifying the amount of undocumented migrants living and working in the region, the actual amount of undocumented migrants becomes easily inflated by populist politicians and media. As a result, it becomes easier for politicians like Theo Francken to justify spending more on deportation programs, detention centers, and border security. The human rights and labor security of undocumented migrants

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<sup>15</sup> Anna Triandafyllidou, “Irregular Migration in Europe: Myths and Realities” (London: Routledge, 2016), p. 292

<sup>16</sup> Will Somerville, “Brexit: The Role of Migration in the Upcoming EU Referendum,” migrationpolicy.org, March 2, 2017, <https://www.migrationpolicy.org/article/brexit-role-migration-upcoming-eu-referendum>

<sup>17</sup> Anna Triandafyllidou, p. 293

becomes lost in conversation in the face of an irrational and false public fear of migrants importing terrorism and economic disparities.

Undocumented migrants, also known as “irregular migrants” because of their inconsistent, unauthorized stay and travel between and within states, are increasingly being seen as a state security risk in current public policy debates on migration.<sup>18</sup> Little focus is given to the positive social and economic impacts irregular migrants bring to their host countries and countries of origin. There is an even more scarce discussion of migrants’ social and political rights even when they are living undocumented. Within American and European publics and politics, there is a conflation of the relationship between security and immigration, which in turn leads to prioritizing state security-centric ideas in migration theory and policy. In reality, less than seven percent of the undocumented population in the US are felony and misdemeanor offenders, and about one percent are currently serving time in prison.<sup>19</sup> Likewise in Europe, the correlation of migrants as potentially dangerous terrorists is nonexistent. In fact, if pathways and channels for migration are expanded and permit economic development locally and globally, then the correlation is that more migration decreases the risk of terrorism.<sup>20</sup> The world needs new ideas that promote the welfare of migrants and recognize their existence as beneficial social and economic contributors and not existential threats. In other words, migrants need to be seen as promoters of state-security, not antagonists of it, and the threats to their personal security must not be seen as something that comes at the cost of risking the personal security of citizens.

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<sup>18</sup> Triandafyllidou, p. 9

<sup>19</sup> Leisy Abrego et al., “Making Immigrants into Criminals: Legal Processes of Criminalization in the Post-IIRIRA Era,” *Journal on Migration and Human Security* 5, no. 3 (2017): p. 694

<sup>20</sup> Ishaan Tharoor, “There's No Real Link between Immigration and Terrorism, Study Finds,” *The Washington Post* (WP Company, February 17, 2016), <https://www.washingtonpost.com/news/worldviews/wp/2016/02/17/ theres-no-real-link-between-immigration-and-terrorism-study-finds/>

Therefore, the argument of the following thesis cannot be anything other than a critical emancipatory analysis. Within International Relations theory, “emancipation” or “emancipatory politics” is a concept developed by scholars of critical theory and critical security studies to discuss the ways in which people are threatened not only by violent conflict but political, social and structural oppression as well.<sup>21</sup> While the term “emancipation” has Marxist roots, it has been more commonly associated with two critical scholars from the Frankfurt School, Theodor Adorno and Max Horkheimer, who argued that emancipation is always historically and socially situated.<sup>22</sup> Later, critical scholar Jürgen Habermas expanded that emancipation is achieved when there is no longer any restraints to communication, dialogue, and expression between peoples.<sup>23</sup> As such, those oppressed achieve emancipation when they are allowed to take part in the decision-making mechanisms and processes that control their lives.<sup>24</sup> As it stands, all decision making about immigration policy in regards to undocumented immigrants is overwhelmingly written and proposed by non-immigrants. Mainstream liberal and economic-nationalist views of migration actively exclude migrants’ narratives from debates on immigration policy. Thus, immigration policy needs to be reoriented so as to make the lives and experiences of migrants and the real economic factors that motivate migration the crux of policy decision making.

Furthermore, the concept of emancipation in relation to security was first developed under Ken Booth’s “Security and Emancipation” (1991) to realize that security is the absence of all threats, including oppression.<sup>25</sup> In his observation security and emancipation are not

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<sup>21</sup> Sorpong Peou, *Human Security Studies: Theories, Methods and Themes* (Singapore: World Scientific, 2014), p. 129

<sup>22</sup> K.M. Fierke, “Critical Theory, Security, and Emancipation,” *Oxford Research Encyclopedia of International Studies*, 2017, <https://doi.org/10.1093/acrefore/9780190846626.013.138>, p.16

<sup>23</sup> Fierke, p. 10, 16

<sup>24</sup> Peou, p. 145

<sup>25</sup> Ken Booth, “Security and Emancipation,” *Review of International Studies* 17, no. 4 (1991): pp. 313-326, <https://doi.org/10.1017/s0260210500112033>, p.319-20

antithetical, but rather we are all collectively secure when we choose to treat each other “not as means but as ends.”<sup>26</sup> In taking the spirit of Booth’s understanding of emancipation as security, my argument cannot be anything else besides a careful, critical approach to human security. Human security-approaches emphasize securing individual people’s “freedom from fear and want” over protection of the state through military force and defense measures.<sup>27</sup> When critical theory is applied to human security, the dichotomy of state security vs. human security is transcended to realize that the emancipation of the oppressed does not endanger the security of the non-oppressed.

In the context of undocumented migrants, their emancipation does not jeopardize the security of states or the citizens they protect. Migrants and non-migrants can both benefit from policies that expand channels and pathways towards legal migration as opposed to current policies that either favor mass deportation and detention or turn a blind eye to migrants living in economically insecure situations. If the debate on undocumented migration is to be reconstructed, it must be transcended from its foundations of seeing migrants’ security as antithetical to state and human security. If future political crises on issues of migration is to be avoided, then we must think of new and creative ways of incorporating migrants into society without fear of their exploitation and detention.

Therefore, my research seeks to answer this question: what alternatives are there to state-centric viewpoints of irregular economic migration that prioritize the security of migrants and see their emancipation as a precedent to establishing the security of all migrants and citizens? Furthermore, this question should be answered specifically in the geographical context of the EU and US where state-centric viewpoints of irregular economic migration have facilitated the

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<sup>26</sup>Booth, p. 319

<sup>27</sup>Peou, p.1

exploitation and torture of all migrants. The Western, populist infatuation of closing borders and limiting the amount of foreign workers allowed to enter will only continue to insecure the lives of migrants and have reverberating and damaging results on the state. Therefore, one cannot view the end of migration as a solution, especially when globalization makes that reality entirely impossible. The solution will express the emancipatory right of all and look to foster greater avenues of inclusion and make migration more accessible and secure.

The first part of this thesis will be a literature review which discusses critical views on the role of neoliberal policies in expediting irregular migration as well as global and regional militarization policies that put migrants in insecurity. The scope of this overview will speak generally about trends in state responses to irregular migration but will look more critically at the responses of the US and EU to it. After synthesizing critical perspectives within forced migration studies on the role of the state and global political economy, I will move towards discussing the theoretical sources I used to develop the argument from my thesis. The literature review will look specifically at the main sources I will be using to contextualize my argument from not only a critical, human-security approach but specifically from an emancipatory security studies and critical constructivist perspective as well. Overall, the literature review will serve as an introduction to understanding the main motivators for irregular economic migration and how the state has failed to address migration in a humane, ethical way over the course of the twentieth and twenty-first century.

The second and third parts of my thesis will be the discussion component of my argument and where I look to synthesize and analyze the perspectives of my theoretical and policy discussion sources. The second part will look at problematizing how the EU and US have responded to irregular economic migration and how the way they manage migration reflects

miscomprehension of the political and economic factors that motivate it. This section will offer as well a historical contextualization of irregular economic migration in these regions starting from the late nineteenth century until the post-9/11 era. The third part will speak further into how migrants overall are made insecure by militarization of borders and securitization of migration policy. Furthermore, this part will explore how states can be transformed by emancipatory norm-building and migration policy can work towards irregular economic migrants' emancipation through alliance building between them and civil society movements. Lastly, I will conclude my thesis with an overview of the main points raised throughout my argument as well as a brief discussion of the implications of emancipatory reform in migration policy.

## Part 1: Review of the Literature in Migration Studies and Critical Theory

Among the many crises that beset the age of globalization, undocumented and irregular migration is one of those most least understood by the press, public, and political sphere. These types of migrants that strive for both economic mobility and personal security are often referred to as “migrant labourers” but will be referred to here on out as “irregular economic migrants.” These migrants come from backgrounds similar to Alia’s in which they are fleeing their countries of origin due to labour shortages, exploitation, and other types of socio-economic stress. Despite socio-economic hardships they face, migrants are not guaranteed humanitarian or protected status under international or national law. Their movement and labour migration is considered problematic within the United States and the countries of the European Union because of the security dilemma they create and challenges they pose to reorganizing certain labour intensive industries.<sup>28</sup> Even though their movement has come especially under scrutiny in the post-9/11 era, the terms “irregular migrant,” “undocumented immigrant,” and “sans-papiers” all begin to appear within the late 1970s as the US and the EU. Criminalization of irregular

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<sup>28</sup> “Undocumented Immigrants: How Immigration Plays a Critical Role,” *New American Economy*



economic migrants crossing borders without work permits or visas began shortly after in the mid-1980s in both the US<sup>29</sup> and the EU<sup>30</sup>.

These changes signal the end of an era in which migrants had easier access to international labor via bilateral agreements initiated between the US and EU and migrant-exporting countries. However, irregular economic migration continues to flourish in spite of the criminalization of border crossings and unauthorized residence due to economic hardships at home and opportunities to participate in the informal economies of host countries.<sup>31</sup> This thesis will explore alternatives to militarization within realist security theory and immigration policy as well as discuss how liberal and neoliberal economic structures within the US and EU create economic strife abroad and facilitate irregular economic migration. The choice of using a critical, human security approach is to accomplish this through examining the untold effects of neoliberal economics and securitization of migration on the security of irregular economic migrants.

Scholars broadly associated with critical theory and human security have identified that the political criminalization and public demonization of irregular migrants reveals a glaring paradox within the age of neoliberalism and globalization: as restrictions between trade, finance, and capital are removed, restrictions on the free movement of people around the world are only tightened.<sup>32</sup> In other words, goods and the demand for goods are allowed free movement but the people who produce those goods are not.<sup>33</sup> In the US and the EU, public policy and the market demands are essentially incompatible with each other, and this incompatibility is what stimulates

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<sup>29</sup> Leisy Abrego et al., "Making Immigrants into Criminals: Legal Processes of Criminalization in the Post-IIRIRA Era," *Journal on Migration and Human Security* 5, no. 3 (2017): p. 697

<sup>30</sup> Triandafyllidou, p.9

<sup>31</sup> Khalid Koser, "Irregular migration, state security and human security." (Geneva: GCIM, 2005), p.2

<sup>32</sup> Piyasiri Wickramasekara, "International Migration and Development: Myths and Facts," (SSRN Electronic Journal, 2014), p. 6

<sup>33</sup> Stephen Castles, Magdalena Arias Cubas, Chulhyo Kim, and Derya Ozkul, "Irregular Migration: Causes, Patterns, and Strategies" (Dordrecht, 2012), p.118

irregular economic migration. Since the late 1970s, labor changes within the US and EU have meant that industrial jobs and traditional factory work have been outsourced to other countries within the Global South. However, this has not meant that all low-skilled labor has been exported outside the country - construction, agriculture, and service jobs remain integral to the economies of the Global North.<sup>34</sup> Nonetheless, these sectors are also characterized by their difficulty to hire labor within their home countries as the labor force becomes increasingly more attracted to high-skilled labor. Thus, informal or “shadow” economies have developed as a result of certain industries within the US and EU becoming dependent on undocumented labor.

Migrants are, however, not protected or accepted in their host countries because of their work in the informal economy. Migrants are faced with abuse on all sides: they’re not only at the mercy of security personnel but by employers within the informal economy who exploit their labor because they have no protections in host countries. Leaders of the US and EU continue to approach irregular migration as a security issue rather than a domestic labour, global economic development, and human rights issue. In order to arouse and appeal to populist electorates, political leaders and actors have conflated both the number of irregular economic migrants and the threats they pose to domestic economies in order to create suspicion against irregular economic migrants and legitimize the militarization of immigration policy.<sup>35</sup> However, a humane and effective approach to migration regards irregular migration through a critical lens that challenges the state-security lens of modern policy makers while demonstrating how the security of the state would be supported by a human-security approach.

The layout of this literature review goes into current directions within irregular migration, irregular migration and human security, and irregular migration as examined by scholars of

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<sup>34</sup> Piyasiri Wickramasekara, “International Migration and Development: Myths and Facts,” p.9

<sup>35</sup> Castles, Cubas, Kim, and Ozkul, p.119

critical security studies. This literature review begins with an overview of how irregular migration, human-security, and critical theory have traditionally been written independently from one another. Eventually, the review will transition into how scholars, activists, and some political figures within the past decade have developed approaches to migration and development that incorporate all three of these elements. Current directions within critical theory and critical security studies suggest a need to define itself as different from liberalism while also becoming interdisciplinary with other theories outside the International Relations mainstream. As a result, some scholarship within critical security studies has approached the topic of irregular economic migration not as a security issue, but as a symptom of global inequality that will continue to endure as long as these global disparities exist.<sup>36</sup> As a result, migration and its management is quickly becoming a growing topic of debate among critical scholars and activists. The scope of this research is meant to include a variety of sources from critical IR theory, critical security studies, immigration policy journals, civil society organizations and more in order to create both a theoretical and empirical argument for a human-security approach to migration policy.

Critical theory and its security-centered counterpart, critical security studies, have undergone radical changes since emerging into the twenty-first century as the issues they were based on - colonialism, class hierarchy - have evolved. What has endured in the field of critical studies and theory are the concepts of “power” and “emancipation.” These changes and continuities are highlighted in an article written by a scholar at the University of Westminster entitled “Has Critical Security Studies Run Out of Steam?” This article in particular has been transformative in how I have thought about adapting critical assumptions of security to the context of irregular migration. In his article, author Miguel Olivares establishes the two primary ways in which the field of critical security studies is adapting to contemporary realities. These

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<sup>36</sup> Castles, Cubas, Kim, and Ozkul, p.120

two ways include: 1) allowing for greater dialogue and overlap with other theories outside the mainstream IR discourse, and 2) allowing for critical concepts (especially that of “emancipation”) to be adaptable to certain political contexts instead of demanding the universality of critical concepts.<sup>37</sup>

Essentially, the essay was written in order to demonstrate the hypocritical direction certain sects of critical studies were taken by being exclusionary to other non-mainstream theories of IR while becoming included into mainstream global politics. As Olivares points out, critical security has been mainstreamed in global politics through advocating and normalizing human security in cases of conflict. While this normalization indicates some significant feat made by critical theory, the parts of it accepted by mainstream political theory emphasize human security in cases of violence and catastrophe but not in reducing the global factors that exaggerate global inequality which make violence much more likely. As a result, critical security studies has hit a roadblock in that it lacks self-reflection at a global level, especially in non-Western academic and political contexts. Therefore, I shall be conscious of maintaining a critical perspective that emphasizes a human security approach and uses emancipation as a synonym for liberation of people from what puts them in positions of insecurity. As a result, the critical ideas I might approach in this thesis may be interdisciplinary in that they are ideas shared with other theories outside the mainstream (such as feminism and poststructuralism), but will build its foundation off of scholarship within critical constructivism. Altogether, this thesis will center on the emancipation of irregular economic migrants through taking critical security studies approach that is historically and geographically contextualized.

In researching further into how to apply the concept of emancipation to both human security and migration, several works became critical to the theoretical basis of my paper. These

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<sup>37</sup> Olivares, Miguel. “Has Critical Security Studies Run Out of Steam?”

sources have included David Chandler and Nik Hynek's *Critical Perspectives on Human Security: Rethinking Emancipation and Power in International Relations*, Peou Sorpong's *Human Security Studies: Theories, Methods and Themes*, Martin Geiger and Antoine Pécoud's *Disciplining the Transnational Mobility of People*, and Ali Bilgiç's *Rethinking Security in the Age of Migration: Trust and Emancipation in Europe*. The former books by Chandler and Hynek and excerpts from Sorpong helped me create a basis for establishing critical theory within human security. The books written by Pécoud and Geiger as well as Bilgiç became foundational in developing a critical constructivist approach to the politics of migration while using human-security language. For the purpose of my thesis, I draw on Sorpong's definition of human security: a shift away from focusing on "the threat, use and control of military force with the aim of securing states and their peoples" to focusing on securing "people's freedom from fear and want."<sup>38</sup> As will be demonstrated later, the people in need of "freedom from fear and want" are irregular economic migrants with the "securitization" of immigration policy in the EU and US being a source of insecurity for them.

Sorpong's book offers as a collection of different theoretical approaches to human security, however, the author summarizes well the general opinion critical theorists take on approaching human security. While critical theorists are not in agreement about a singular critical approach to human security, there exists a consensus that all types of insecurity originate from the structures of the modern, globalized and capitalist state.<sup>39</sup> With that said, in order to achieve "emancipation" in a human security context, the capitalist structures that cause insecurity must be dismantled and transformed. As postulated by Chandler and Hynek in *Critical Perspectives on Human Security*, the traditional realist and liberal approaches to human security

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<sup>38</sup> Sorpong Peou, *Human Security Studies: Theories, Methods and Themes* (Singapore: World Scientific, 2014), p.1

<sup>39</sup> Peou, p.20

do not pinpoint the structure of the modern, neoliberal political economy as the source of conflict and strife. Within the literature on liberal approaches to human security, there is an oversaturation of texts focusing on humans suffering from natural catastrophe or human rights abuses in the Global South.

What liberal scholars have neglected in their research is that human security needs to expand its dimensions through focusing on global economic inequality as the greatest source of insecurity in the current world. In critical theory, the security of the individual also takes into account the boundaries of their social agency as well as local and global mobility.<sup>40</sup> Lastly, critical security theorists do not see a dichotomy between state security and human security as many speak of the “collective” security, not the security of the abstract individuals competing against each other as liberal security theorists have focused on. The truth of this tenement in the context of migration means that the emancipation of migrants does not necessarily come at putting non-migrants in environments of insecurity.

Furthermore, as proposed in *Critical Perspectives on Human Security*, the greatest sources of insecurity in the modern political economy come from the globalization of neoliberalism. Generally speaking, the globalization of neoliberalism has caused socio-economic problems that have disproportionately affected countries in the Global South. As a result, migration is seen as a symptom of globalization, not just an independent phenomenon, as migrants leave struggling or “failed” states to move North to find opportunity and freedom from fear or want. Thus, globalization has created new patterns in migration in that there is greater movement from “periphery” states in the South to “core” states in the North.<sup>41</sup> According to the text, there are three types of institutional arrangements that core host countries can adapt to as a

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<sup>40</sup> David Chandler and Nik Hynek, *Critical Perspectives on Human Security: Rethinking Emancipation and Power in International Relations* (London: Routledge, 2012), p. 3

<sup>41</sup> Chandler and Hynek, p.62

reaction to immigration - assimilation, exclusion or multiculturalism.<sup>42</sup> Exclusion means complete refusal of migrants into society, assimilation implies migrants have to lose their cultural and national identity in order to migrate, and multiculturalism means migrants are accepted for the whole of their individual identity.

However, I believe that states can apply two or all three types of institutional arrangements depending on the classification of the migrant. Since the post-9/11 era, many Western states have abandoned multicultural institutions; immigrants who gain authorised stay and entry often face threats to assimilate or fear being excluded. In the case of irregular economic migrants, their exclusion has become the undisputed norm. This is a result of not only a changing security context, but the fact that many irregular economic migrants find themselves coming and moving into conditions and environments that are always in the periphery. The threat is not only that they are coming from periphery-states, but that they are the periphery of periphery-states and pose a challenge to the social and economic organization of core states. This challenge creates a crisis of identity for liberal political institutions who enforce neoliberal structures that do not prioritize the security of migrants as beneficially important as the security of their own citizens.

As a result, liberal states in the West, mostly in the US and countries of the EU, have adopted the practice of “disciplining” irregular economic migrants. As uniquely postulated in Geiger and Pécoud’s *Disciplining the Transnational Mobility of People*, the method of “disciplining” refers to the various ways states attempt to control human migration and mobility and the extent to which the need for control supersedes the need to protect migrants from

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<sup>42</sup> Chandler and Hynek, p.62-3

exploitation and violence.<sup>43</sup> In regard to irregular migrants, Geiger and Pécoud and the various authors included in the book touch upon the ways in which irregular migrants have become the main targets of disciplining. Irregular migrants are coerced and threatened by receiving states for disobeying norms of the interstate system in which qualifications for refugee and asylum status is increasingly narrow. As the threats to their security are deemed unworthy by states, states seek to “discipline” irregular migrants for taking advantage of immigration and asylum procedures.<sup>44</sup>

If Chandler and Hynek identified the anxiety of Western core-states who have become receivers of migrants, Geiger and Pécoud put into focus the irrationality of their reactions as a result of this anxiety. Together, they identify that global immigration policy is affected by the “migration management” mentality; states are seeking an ideal mobility regime that optimizes control over human movement.<sup>45</sup> Not only is it an impractical endeavor that could dangerously lead to developments in surveillance technology that facilitate the tracking of people’s movement<sup>46</sup>, but, it denies any possibility of migrants being able to self-advocate and testify to the sources of their insecurity. The act of “disciplining” becomes an exclusionary tactic to all migrants in vulnerable situations. As disciplining is defined as an international norm, the authors define their argument through a critical constructivist lens that highlights international and national actors’ shared behavior to pursue control at the cost migrants’ emancipation.

With that said, a theoretical approach that looks into the validity and viability of emancipation in migration policy is brought into the argument. Bilgiç’s *Rethinking Security in the Age of Migration* applies Emancipatory Security Theory to the issue of irregular protection-seeking migration of African migrants in Europe. Emancipation Security Theory as described by

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<sup>43</sup>Martin Geiger and Antoine Pécoud, *Disciplining the Transnational Mobility of People* (Houndmills, Basingstoke, Hampshire: Palgrave Macmillan, 2014), pg. 2-3

<sup>44</sup> Pécoud, pg. 3

<sup>45</sup> Pécoud, pg. 2

<sup>46</sup> Pécoud, pg. 7



Bilgiç includes four main directions: (1) analyze aspects of the system that lead to abuses of freedom and cause oppression; (2) identify that subjects of emancipation are those “insecured” by oppression; (3) recognize that the emancipation of one group does not come at the expense of another; and (4) emancipation is a process, not an endpoint.<sup>47</sup> In the case of irregular protection-seeking migrants, migrants are explained as those insecured both by strife and conflict in home states and criminalization and imprisonment by host states. As Bilgiç concludes in his theoretical research, the beginning of their emancipation comes at the decriminalization of their movement and development of new political avenues for their agency.

Like the aforementioned critical and critical constructivist perspectives, Bilgiç develops a human-security approach to migration that contrasts itself to traditional state-security approaches. However, he identifies the current security order as being a mix of state-centrism (individuals and institutions affiliated with state have authority on migration policy) and state-professionalism (individuals and organizations affiliated with the private sector of defense have authority over migration management). In his research within the EU, Bilgiç questions the essentialism of state-centrism and state-professionalism in security studies as well as the motives certain state-centrist EU officials and private defense organizations (ie. Frontex) have in controlling authority over migration management.<sup>48</sup> Like Pécoud and Geiger, Bilgiç identifies how the way in which one conceives security is “constructed out of the assumptions (however explicitly or implicitly articulated) that make up one’s own theory of world politics.”<sup>49</sup> There is a liberating assumption made in this viewpoint that security can be examined through different lenses and does not need to be dependent on the existential assumptions of state-centrists and

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<sup>47</sup> Ali Bilgiç, *Rethinking Security in the Age of Migration: Trust and Emancipation in Europe* (Milton Park: Routledge, 2018), p.9

<sup>48</sup> Bilgiç, p.6

<sup>49</sup> Bilgiç, p.8

state-professionals about migration management. The manner in which Bilgiç problematizes the current security order and offers an emancipatory viewpoint to transform current political structures is analyzed in this thesis in finding alternative security approaches to irregular economic migration.

Altogether, the aforementioned chapters and books on critical theory, critical approaches to human-security, and critical perspectives on immigration serve to highlight how irregular migrants are not a product of a migration issue but are a people problematized by international norms against interstate labor mobility. I begin with Olivares, Sorpong, and Chandler and Hynek to give a foundation of how critical theory's central tenement of "emancipation" is realized in innovations to human-security approaches. I will develop an argument from Pécoud and Geiger as well as Bilgiç's critical constructivist viewpoints on migration and state-security approaches in order to synthesize current directions to immigration reform outside the mainstream theory of security and international relations. Altogether, I intend to develop a theoretical approach to irregular economic migration that challenges the state-centric essentialism of modern security theories and prioritizes the security and emancipation of migrants so as to find innovative solutions that not only decriminalize their movement but develop new avenues for their mobility and agency.

In addition to my critical approach to human-security theory in the context of irregular economic migration, a variety of novels, journals, and publications by policy institutes on migration and human security were included to buffer my research with empirical evidence. The role of these sources are to serve as the reality for which I am applying my critical constructivist theoretical lens to. I chose these sources based on their methodology on collecting public data on irregular economic migrants which uphold the dignity of migrants and even include migrant

perspectives in their research. One book I will be using extensively to talk about irregular migration in the US is *Undocumented Lives: The Untold Story of Mexican Migration*, which was written by a historian on labor relations, Ana Raquel Minian, who collected over 250 oral histories from migrants living currently in both the US and Mexico.<sup>50</sup> Another book I am using to present data on irregular migration in Europe is *Irregular Migration in Europe* by Anna Triandafyllidou. This book takes a strict public policy view of irregular migration but still highlights how the lives of migrants will continue to be put in danger due to detention, deportation, and developments in border security in the Mediterranean Sea and cybersecurity.<sup>51</sup>

Additionally, the journals and online publications selected for the thesis align themselves with critical thought on security studies and migration management, even if some of the authors have different or multiple IR theories they align with than critical or constructivist theory. These journals and publications include but are not limited to the work of researchers at the Migration Policy Institute and the Center for Migration Studies's *The Journal on Migration and Human Security*). The methodology and research of these articles varies but in general look historically at the United States's and European Union's reaction to irregular migration and their similar approaches to migration management. Specific articles, such as Janice Fine and Gregory Lyon's "Segmentation and the Role of Labor Standards Enforcement in Immigration Reform" and Jonathan Portes's "The Economics of Migration" look into the economic forces and developments within host countries that facilitate exploitation of migrant labor. Altogether, the publications I have chosen to expand the methodology and empirical research of the thesis look critically at community, national, and international responses to irregular economic migration.

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<sup>50</sup> Ana Raquel Minian, *Undocumented Lives: The Untold Story of Mexican Migration* (Cambridge: Harvard University Press, 2020), p.12

<sup>51</sup> Anna Triandafyllidou, *Irregular Migration in Europe: Myths and Realities* (London: Routledge, 2016), p.33-35

Having considered the scope of the theoretical and empirical evidence for the thesis, the important limitations of the research to consider include the relative newness and regionalization of literature on irregular economic migration. As mentioned before, the concept itself of “irregular economic migration” focuses on the roles and lives of undocumented laborers and their families. However, a majority of the research on irregular migration lumps irregular economic migrants with rejected and undocumented asylum seekers who find residence or labor in host countries. This is due to the fact that as asylum processes become more restrictive, the pool of migrants excluded by these policies grow bigger and become more diverse in terms of motivations for migration. To be consistent with labels in the field of migration, “irregular migration/irregular migrants” will refer to all undocumented or rejected migrants while “irregular economic migration/migrants” will refer to undocumented or rejected migrants who migrate for labor or economic security. The motivations behind focusing specifically on irregular economic migration is to eventually highlight how labor and economic structures in the US and EU are dependent on the exploitation of irregular migrant labor and how to make labor migration more accessible, regulated, and humane for these migrants.

Furthermore, as irregular migration is a concept that began to be addressed as a security concern in American and European public policy and opinion in the 1980-90s, generational research done on irregular migrants affected by the securitization of migration is limited. Most critical research on the securitization of migration dates to the post the 9/11 era around the mid to late 2000s. What this signifies is that critical theory and political viewpoints on irregular economic migration are still fluid and in development and this thesis presents only a singular critical look at the phenomena. Lastly, the research of this thesis on irregular economic migration is mostly regionalized, coming primarily from policy institutes and universities in Europe and the

Americas. The Western profile of the research institutions focused on is partially countered by the international profile of the authors themselves. Nonetheless, it should still be counted as a regional limitation.

In essence, the purpose of this thesis is to reject state-essentialism in security theory as well as discuss the neoliberal structures of the US and EU that create economic strife abroad and facilitate irregular economic migration. The choice of using a critical, human security approach is to accomplish this through supporting the untold stories and effects of neoliberal economics and securitization of migration on irregular economic migrants. What makes this approach unique is that it asks migrants to change nothing of their own situations but asks NGOs, private businesses, international governmental organizations, and state bureaucracies to reexamine how they view migrants. As mentioned before, the scope of this research is both diverse in the perspectives offered to support this thesis while still being limited by newness and regionalization. Ultimately, the goal of this thesis for the audience is to consider an alternative image of undocumented migrants than the one they see portrayed to them everyday by politicians and reporters on a television screen. While the trauma of irregular migrants and the supposed crimes they commit are put on display for the world to see regularly, so rarely is their stories told in such a way that dignifies their life and work and challenges the global economic order that thrives on their strife. If the audience can think critically about a phenomena that has been so misconstrued by media, policy, and society, then the work of this thesis is considered complete.

## Part 2: Problematizing Migration Management

### *Defining Irregularity in the 20<sup>th</sup> Century*

Migrants do not make themselves irregular, the state does. As mentioned in the previous section, having status as regular or irregular is dependent more on the socio-political context of the state rather than the qualifications and background of the migrant. With the advent of the republican nation-state in Europe and the expansion of the United States territories further west in the late nineteenth century, the desire to manage people as they moved across borders became paramount. Immigration policy was being developed at the same time that American and European countries were establishing norms of states as ethnically and culturally homogenous political actors.<sup>52</sup> Therefore, before the foreign citizen was scanned for potential security threats, states first defined who was a citizen versus who was a foreign “other.”<sup>53</sup> Depending on the state and geographical location, citizenship was granted to those who demonstrated social and linguistic cultural norms in line with the identity of the state. Those who crossed borders or resided without authorization in a host territory were subjected to punishment from a legal authority as a threat to the homogenous national identity.

In the years leading up to the world wars, the free movement of people across borders was increasingly seen as a “deviant” behavior and phenomenon that required state intervention.<sup>54</sup> However, the free and rapid movement of individuals was welcomed up until the late nineteenth

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<sup>52</sup>Martin Geiger, “The Transformation of Migration Politics,” *Disciplining the Transnational Mobility of People*, 2013, pp. 15-35, <https://doi.org/10.1057/9781137263070.0005>, p.16

<sup>53</sup> Geiger, p.17

<sup>54</sup> Geiger, p.17

century in both the United States and Europe as a result of the Industrial Revolution. From 1871-1920, about 26.2 million people arrived in the United States from various parts of Europe and East Asia in order to work in key industrial jobs - low-skilled factor work and construction (railroads).<sup>55</sup> These migrants did not go through the same immigration application processes that modern day migrants do in that they gained work permits and authorization of residency upon entering the territory. Likewise in England, foreign workers were accepted upon arrival in the early nineteenth century as industrial employers scrambled to find urban factory workers. Geiger notes that the link between open borders and economic development may be what Karl Marx saw as “the dependence of capitalism on the availability and flexibility of deliberately coercible ‘industrial reserve armies.’”<sup>56</sup> Immigrants were at the frontlines of Western domestic development, and when the demand for labor decreased they became expendable.

By the mid-nineteenth century, there were already certain programs being developed within Europe to limit the entry and stay of foreign migrants. Prussia became the first state to both institute a mandatory seasonal return requirement for its foreign workers as well as carry out deportation of foreign workers who did not follow the rules.<sup>57</sup> The state also imposed bans on family reunification for seasonal workers and prohibited marriage between foreign workers and citizens. Many other Western European states began to follow suit as the global economy slowed down in the late nineteenth century. In the United States, immigration quotas were established to limit the number of foreign residents working and residing in the country. First with the Chinese Exclusion Act in 1882 and later with the immigration quota laws of 1921 and 1924, the United

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<sup>55</sup> David A. Gerber, *American Immigration: a Very Short Introduction* (Oxford: Oxford University Press, 2011), p.35

<sup>56</sup> Geiger, p.18

<sup>57</sup> Geiger, p.18-9

States moved from an open migration scheme to a hierarchical system which established elitist and racialized criteria for which immigrants were acceptable.<sup>58</sup>

In order to regulate migration and determine which migrants disobeyed immigration policies, state bureaucracies were created to both normalize forms of citizenship identification (passports) and documents authorising work and residence (work permits and visas). Immigrants were being racialized and politicized as nationalist fervor swept through Western Europe and the United States. Immigrants' cultural, religious, social, and linguistic differences were seen as grounds for skepticism as nationalist politics looked to breed discontent towards multiculturalism. In the United States, populist and nationalist reactionary politics towards the new immigrants led to a resurgence of the Ku Klux Klan during the 1920s which helped lobby for immigration quotas.<sup>59</sup>

Additionally, a head tax was put on Mexicans entering the country for purposes of labor and family reunification for fear that they would “become dependent on public assistance.” Even individuals who migrated from colonized territories were subject to detainment and deportation as was the case with Fillipino laborers working in canaries and agriculture on the West Coast.<sup>60</sup> Within Western Europe specifically, the development of the welfare state was contingent on the state's ability to provide social security to its citizens. Foreign workers were discouraged from integrating via bureaucratic limits on their access to welfare and certain civil rights that were only afforded to citizens.<sup>61</sup> As a result, inter-European migration was discouraged, and migration

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<sup>58</sup> Gerber, p. 39, 43

<sup>59</sup> Gerber, p. 37

<sup>60</sup> Gerber p. 30

<sup>61</sup> Gieger, p. 20



between Europe and other continents consisted of Europeans displacing non-Europeans through imperialism.<sup>62</sup>

Just as immigrants were demonized in the late nineteenth century and interwar period, they were just as easily prized again in the post-WWII era which recreated the demand for surplus foreign labor. In the United States, the 1952 McCarran-Walter Act and the 1965 Immigration and Nationality Act helped dismantle the quota system in favor of finding labor to service the postwar economy.<sup>63</sup> While racist and ethnocentric biases that permitted the quota system did not disappear, they were temporarily re-adapted to favor economic development and answering the moral imperative to relocate millions of displaced Europeans. A shortage of agricultural labor and cannery workers reversed restrictions on visas for Mexican nationals and bilateral agreements between the US and Mexico established the *Bracero* program. Through this program, Mexicans were allowed to migrate through the conditions of temporary work permits.<sup>64</sup>

Within Europe, post-war migrations also took place in the context of bilateral agreements in which “sending” countries “exported” migrants to work in large factories in “receiving countries.” Migrants were integrated into the Fordist system of production within the steel and car industry as well as in mines. These migrant “importing” countries consisted of Northern European countries (France, the United Kingdom, Germany, Sweden, etc.) while the migrant exporting countries consisted of Southern European countries (Spain, Italy, Greece and Portugal) as well as parts of North Africa and Central Asia (mostly Morocco and Turkey).<sup>65</sup> Within the context of whether irregular migration existed in Europe in the post WWII era, Triandafyllidou states:

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<sup>62</sup> Chandler and Hynek, p. 62

<sup>63</sup> Gerber, p. 46, 50

<sup>64</sup> Gerber p. 30

<sup>65</sup> Triandafyllidou, p. 9-10

Irregular migration was largely unknown at the time, not only because much of the economic migration movement took place under bilateral agreements and recruitment schemes but also because there was a genuine need for a migrant labour force, making it thus relatively simple even for people who arrived without papers to legalize their stay and work status upon arrival and the presentation of a job offer.<sup>66</sup>

The phenomenon of immigration or irregular migration is not ahistorical; states have tolerated and accepted migration via irregular entry and irregular residence based on the socio-economic context. Thinking back to Alia, there is little difference between how she traveled to and resided in Belgium and how another migrant a generation or two before her might have done so. Therefore, it is counter-productive and counter-intuitive to ask why migrants choose to live, travel and work irregularly when their status as irregular or “illegal” is given by the state which will afford them regularization under certain economic conditions. Within the past century, the state has gone from being one of many actors responsible for cross-border mobility and migration to the only actor through the political bureaucratization of migration. In times of political crisis or sustained economic growth, the state perceives cross-border migration as a threat to the concept of the ethnocentric nation-state.<sup>67</sup> When it is economically convenient, migrants are incorporated but only through a strict hierarchical and race-oriented social structure that veers towards assimilation over multiculturalism.

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<sup>66</sup> Triandafyllidou, p.10

<sup>67</sup> Gieger, p. 20-21

*Intergovernmental Institutions & Norm-Building in Migration Policy*

It is contradictory to assert that the legitimacy of irregular economic migrants' security needs should be judged by intergovernmental institutions - the United Nations High Commission on Refugees (UNHCR), the International Labour Organization (ILO), and the International Organization for Migration (IOM) - when these organizations were not designed to protect them or represent their interests. By the beginning of the twentieth century, states were coming to a consensus that due to the effects of nationalist movements across Europe and World War I, some institutional arrangements needed to be made to ensure protection for victims of "forced migration."<sup>68</sup> The 1922 Nansen Passport System and the League of Nations' 1933 *Convention Relating to the International Status of Refugees* identified the state as the actor responsible for providing protection against persecution and developed interstate institutional mechanisms for migrants to make the first asylum cases.

However these institutional arrangements, and the many that would precede afterward, would have to bargain for states' cooperation by assuring that migration would never undermine the states' monopoly over sovereignty.<sup>69</sup> States have often lacked urgency in responding to the needs of victims of forced migration and have restricted migration through differentiating political refugees from "economic refugees." This was the case for Jewish refugees fleeing Germany before WWII who were seen not as victims of political persecution but "economic hardship."<sup>70</sup> From an early age, states have foregone responsibility to protect migrants in vulnerable situations through deeming political and economic strife as phenomena that occur separate from each other. Furthermore, socio-economic motivations have continuously been seen as less legitimate to political and civil motivations for migrating. To realize the legitimacy of

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<sup>68</sup> Bilgiç, p. 39

<sup>69</sup> Bilgiç, p. 40

<sup>70</sup> Bilgiç, p. 54

economic motivations for migrating would mean to eventually implicate economically developed countries, such as the US and those in the EU, as perpetrators of regional and global inequality.

As a result, intergovernmental organizations such as the ILO, UNHCR and IOM often deal with competing interests and realities: those of migrants looking for socio-economic and political security, those of states adhering to strict interpretations of sovereignty, and those of private actors who benefit from certain types of migration flows. The ILO was the first intergovernmental organization to advocate for workers rights, including those of migrants and their families, beginning after WWI in 1919. However, the ILO faced challenges to legitimacy and authority over migrant workers' rights in a historical setting plagued by strong protectionist and nationalist politics.<sup>71</sup> After WWII, the UNHCR and the IOM were established to help coordinate protection of refugees, asylum seekers, and certain migrant populations with states and private actors.

The UNHCR specifically has grown from being an European refugee rights agency to a global refugee and asylum organization within half a century. As such, the organization has had to balance the large scope of its refugee work with its limited funding capabilities, which come from state and non-state actors with differing views on migration. From the original 1951 Convention to its successive protocols, the UNHCR has had to continually define personal persecution as a political act committed by state actors. This definition of persecution does not encompass the wide array of ways in which non-state actors are also responsible for war and poverty. Any such measures to address forced migrations due to socio-economic reasons, such as the *International Convention on the Protection of the Rights of All Migrant Workers and*

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<sup>71</sup> Gieger, p. 20-21

*Members of Their Families*, have failed to be signed and ratified by countries outside migrant-exporting countries in the Global South.<sup>72</sup>

The IOM, which emerged from the Geneva Refugee Committee, has like the UNHCR become a major player in migration politics which has to balance competing ideas on how migration should be “managed.”<sup>73</sup> Before the 1990s, the IOM had to compete with regional organizations and forums for inclusion in migration debates and policies. This was more relevant with regional organizations in the Global North such as the “Trevi” Group formed by the European Community and the Intergovernmental Consultations on Migration, Asylum and Refugees which held scattered representation from Europe, North America and Australia.<sup>74</sup> As new refugee and migration trends began to develop after the end of the Cold War, states began to realize that complete control over human movement was becoming less and less feasible. By the 1990s, regional bodies began to turn towards the IOM for authority on the new dilemma of “migration management.”

The IOM, along with the UNHCR and the ILO, became the responsible actors in hosting intergovernmental debates and forums on migration. The schema of “migration management” is two-fold: preserve the original foundations of the ethnocentric and state hegemony over border policy while somehow “depoliticizing” migration.<sup>75</sup> The depoliticization of global migration has meant outsourcing debates on migration from public and parliamentary debates to intergovernmental bureaucracies with roots in “international organizations and security-concerned think tanks rather than academia.”<sup>76</sup> As a result, states have maintained rigid control over border policy and intergovernmental bodies have moved away from promoting migrant

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<sup>72</sup> Bilgic, p. 44

<sup>73</sup> Gieger, p. 22

<sup>74</sup> Gieger, p. 23

<sup>75</sup> Gieger, p. 26

<sup>76</sup> Gieger, p. 27

voices. In essence, the juggling act they perform with competing private and public ideas on migration management has led them developing irregular “solutions” to irregular migration.

*The Role of Neoliberal Globalization in Irregular Migration*

The new world order of migration management fails to meet and address the needs of migrants moving due to the desire for socio-economic stability and mobility. For many migrants, the economic crises they are confronting are often chronically linked to political crises in which the state cannot meet the security needs of the people.<sup>77</sup> However, these mixed circumstances do not always align with international norms of what “persecution” is supposed to look like. Broadly speaking, irregular migration has increased over the past thirty years due to two reasons: the first is a result of the end of the Cold War allowing greater movement and mobility for individuals. The second is states’ inability to govern “effectively” and secure the socio-economic rights of their citizens in light of the new challenges presented by neoliberalism and globalization.<sup>78</sup> The latter of these two reasons elaborates on the underlying instability that migrants are attempting to flee from.

Globalization increases human migration firstly by providing the technological means, economic opportunities, and cultural basis for mobility that allow “transnational communities” to develop across borders. While states and intergovernmental organizations focus on establishing political control over migration, “...migrants may follow the logic of globalized labor markets and transnational relationships.”<sup>79</sup> As mentioned previously, a common misbelief about globalization is that it has outsourced all low-wage and low-productivity forms of employment to the Global South. However, where labour must be performed in proximity to consumers -

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<sup>77</sup> Bilgiç, p. 91

<sup>78</sup> Gieger, p. 23

<sup>79</sup> Castles, Cubas, Kim, and Ozkul, p.120

construction, agriculture, and service tasks - these industries have continued to thrive in the North. Labour market deregulation in the US and certain countries in the EU has facilitated the growth of the informal economy in these sectors. In the UK and Germany where immigration policies are more stringent, the informal economy has been able to expand due to the growth of subcontracting as well as casual and temporary employment.<sup>80</sup>

In the US, states with the least amount of labour regulation laws related to workers' compensation in low-skilled labour have the highest amounts undocumented workers in those industries.<sup>81</sup> Deregulation has allowed private firms to shift the burden of losses incurred by economic crises to low-skilled and undocumented workers rather than the profits of the firms themselves. As concluded by critical labour segmentation theorists:

...migration will flow uncontrollably, fluctuating in accordance with episodic economic expansions and contractions characteristic of capitalist economies.<sup>82</sup>

Secondly, the neoliberal model of globalization has increased global disparities through the misimplementation of trade liberalization policy and economic development programs. These economic changes have increased disparities in wealth between the poorest and the richest countries, allowing 1.3 billion people in the world's poorest nations to live in extreme poverty. This rapid increase in poverty and global inequality breeds violence and conflict that further

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<sup>80</sup> Castles, Cubas, Kim, and Ozkul, p.120

<sup>81</sup> Janice Fine and Gregory Lyon, "Segmentation and the Role of Labor Standards Enforcement in Immigration Reform," *Journal on Migration and Human Security* 5, no. 2 (2017): pp. 431-451, <https://doi.org/10.14240/jmhs.v5i2.92>, p.433

<sup>82</sup> *Ibid.*, p. 436

endanger lives and motivate others to migrate.<sup>83</sup> The US and countries in the EU cannot expect to have a secondary labour market for undocumented migrants while global inequalities continuously persist while and still be confused as to how irregular economic migration continues to exist.<sup>84</sup> It is unilaterally agreed upon among migration policy experts that as long as states tolerate global inequality, people will always have a reason to migrate.<sup>85</sup>

The neoliberal foreign policy agenda that the US and the EU have been building through interstate trade and development has also increased irregular migration to these areas. For example, in the case of NAFTA and the US, one of the side effects of trade liberalization as a result of the deal has been increasing the amount of migrants moving from Mexico to the US in search of agricultural labor. Because the trade deal lifted tariffs on US agricultural products in Mexico, local Mexican farmers could not compete with the lower prices of American produce and were put out of business. Furthermore, throughout the 1990s, the administration of Mexican president Carlos Salinas de Gortari reduced subsidies for farmers and stopped guaranteeing output prices.<sup>86</sup> Afterwards, the price of corn per ton became more than double in Mexico than it was in the United States where farmers are still subsidized by the government. Importation of cheaper American corn came at the cost of wiping out farmers in that produce sector. Farmers who had previously been working in corn fields either had the option of switching to other produce sectors specific to Mexico - such as avocado - or migrating north to work in corn fields in the US.<sup>87</sup>

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<sup>83</sup> Francesca Vietti and Todd Scribner, "Human Insecurity: Understanding International Migration from a Human Security Perspective," *Journal on Migration and Human Security* 1, no. 1 (2013): pp. 17-31, <https://doi.org/10.1177/233150241300100102>, p.24

<sup>84</sup> Triandafyllidou, p. 13

<sup>85</sup> Castles, Cubas, Kim, and Ozkul, p. 137

<sup>86</sup> Minian, p. 217

<sup>87</sup> Minian., p. 218



Among countries in the EU, European foreign policy has focused on coercing states into “limiting” migration from their countries while negotiating trade deals and development projects. While the freedom of movement is open to any citizen in the European Union, countries in Eastern Europe and in the Mediterranean have to make negotiations with the union for the visa facilitation of their citizens.<sup>88</sup> This “carrot-and-stick” approach to migration means that the European Union reserves the authority to halt trade negotiations or enforce stricter visa requirements for nations that “export” too many irregular migrants.<sup>89</sup> This policy plays an indidious role through the European Neighbourhood Policy (ENP) that restricts financial assistance to states in North Africa, the Middle East, and Eastern Europe who cannot “manage” the movement of migrants to and from their countries.<sup>90</sup> However, there is only so much trade and development restriction that EU Member states can enforce before they indirectly increase the domestic economic factors that motivate migrants to leave their countries of origin.<sup>91</sup> In essence, the European Union becomes its own worst enemy in its attempts to control and manage irregular migration to the region.

### *‘Disciplining’ Migration and Mobility*

In the face of a changing historical and economic context around the movement of migrants, states can either choose to discipline or emancipate migrants that move by irregular means. As mentioned before, when there is no need for surplus labor, states in the West see the movement of low-skilled industrial or agricultural migrant labor as problematic. There is a lack of self-reflection by the states to understand how it sees foreign labor as expendable and how

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<sup>88</sup> Triandafyllidou, p. 31

<sup>89</sup> Bilgiç, p. 121

<sup>90</sup> *Ibid.*, p. 111

<sup>91</sup> Triandafyllidou, p. 31

Western states manipulate domestic policies in other countries which in turn facilitate irregular migration. As described by Pécoud and Geiger, the disciplining of irregular migrants plays into the crux of the migration management scheme: the control of migration is about the legitimacy of the ethnocentric state to secure its borders and control the movement of people.<sup>92</sup>

In a critical constructivist perspective, this norm then legitimizes the state's so-called "rational" response to manage migration when it is virtually impossible to control the movement of every single person in the world.<sup>93</sup> The categorization of migrants - from refugee versus irregular migrant versus internally displaced peoples - becomes over-determined.<sup>94</sup> It is no longer about the migrant but about the state as it arbitrarily determines which migrants are genuinely in need of protection and security and which are allegedly "abusing the system." As long as these norms around disciplining migrants continue, the option to emancipate migrants by taking a human-security approach to migration will never be realized.

Pécoud, Geiger, and Bilgiç all note that the linking of immigration policy with security policy and treating irregular migrants as criminals is historically and geographically founded due to key events that happened over the course of the twentieth and twenty-first century. These key events include the implementation of free movement across the European Union, the changing socio-economic developments in the southern United States, and the events of 9/11. These events led to what Bilgiç describes as states in the EU and the US to make the "fatalist" choice of adopting immigration policy goals centered around the militarization of borders.<sup>95</sup> The securitization of migration in the US and in the EU is founded on the growing belief that migration is not just a threat to the identity of the ethnocentric nation-state but to the security of

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<sup>92</sup> Pécoud, p. 2

<sup>93</sup> Pécoud, p. 7

<sup>94</sup> Pécoud, p. 8

<sup>95</sup> Bilgiç, p. 122

it as well. As a result, the desire to control the movement of migrants shifts in a direction that disregards their fundamental security needs.

*Militarizing Borders, Seas & Policies*

Since the 1990s, countries within the EU have been moving towards a collective approach to immigration policy through the standardization of asylum and visa procedures. In this time, the Union was moving towards the complete and unabated movement of European citizens in order to facilitate economic integration. In the 1998 Palma Document which solidified the right to free movement for European citizens, it was outlined in policy that the realization of free movement would be contingent on the strengthening of Europe's external borders.<sup>96</sup> For direction on how border and migration policy would be implemented harmoniously throughout the union, the EU set out to establish common security and migration policy goals. These goals would be outlined first in 1999 in the Tampere Presidency Conclusions and the second later in the 2004 Hague Programme.<sup>97</sup> The Tampere document was the first collective agreement to commit the EU to the objective of migration management through collectivizing goals on ending human trafficking, modifying asylum procedures, and "[controlling] illegal immigration."<sup>98</sup> The usage of the term "illegal" here is used to signify for the first time that irregular migration is not only a problem, but a crime that migrants can be legally reprimanded and detained for. Interestingly enough, the Tampere document also stated that the freedom of movement would not always be limited to European citizens as that would be a "contradiction with Europe's

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<sup>96</sup> Bilgiç, p.106

<sup>97</sup> Bilgiç, p.105

<sup>98</sup> Triandafyllidou, p. 26

traditions to deny such freedom to those whose circumstances lead them to justifiably seek access to [the territory].”<sup>99</sup>

There is a clear shift in tone between the Tampere conclusions and the Hague Programme as the events of 9/11 permitted states to orient immigration policy with counterterrorism policy. In the Hague document, border checks and the “fight on illegal migration” is prioritized above redesigning legal pathways towards migration.<sup>100</sup> The freedom of all who move and migrate is replaced with language signifying freedom for “our citizens.”<sup>101</sup> State-centrism in migration policy becomes firmly rooted as all those migrating through irregular means are seen as security threats. The security of migrants is assumed to come at the expense of European citizens’ own security as European states accept the possibility that any migrant could be a terrorist. Bilgiç defines the Hague document as the moment of solidifying the “self-other dichotomy” in migration policy. However, he further makes conclusions about how migration still has as much to do with state identity as it does with state security: if free movement of people allowed for the construction of a common European identity then what would it mean if non-Europeans were also to participate in that identity construction.<sup>102</sup>

The EU has largely sought to extinguish or at least better manage irregular migration through offloading asylum procedures and externalizing its borders to other countries. As part of the ENP, EU countries have helped establish Regional Protection Areas with North African and Sub-Saharan countries. The purpose of these camps is to offer local spaces where migrants seeking asylum can apply within their own or neighboring countries in order to reduce irregular

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<sup>99</sup> Bilgiç, pg.106-7

<sup>100</sup> Triandafyllidou, p. 26

<sup>101</sup> Bilgiç, p.107

<sup>102</sup> Bilgiç, p.109-10

migration.<sup>103</sup> These camps originally came under sharp criticism by agencies such as the UNHCR, but have tolerated them over time to help the EU fulfill its “counterterrorism strategies” on the condition that these asylum camps would not replace applying for asylum in host countries.<sup>104</sup> While migrants are still allowed to apply for asylum in desired host countries, the EU can justify criminalizing rescue at sea and contracting private military contractors from Frontex in order to enforce overseas management of asylum procedures.<sup>105</sup> Furthermore, human rights abuses towards migrants in asylum camps can be dire in countries who have not ratified the 1951 Geneva Convention, such as in Libya in which there were over 20 camps before the Libyan Civil War. Even for countries that have ratified the 1951 Convention, such as Morocco and Tunisia, migrants’ rights are violated in the form of inhumane and excessive detention, expulsion, and deportations which are horrifyingly characteristic of asylum facilities in Europe as well.<sup>106</sup>

In the same manner that the EU was securitizing its borders in order to “guard” the free movement of people in Europe, the US was enacting the same plan of militarizing its southern border in order to further facilitate inter-American economic integration. In 1964, the US suddenly ended the bracero program that had employed around 4.5 million Mexican agricultural guest workers to the states. A year later, a federal law was passed, the 1965 Immigration and Nationality Act, which for the first time in history put a numerical limit on the amount of immigrants from Latin American countries.<sup>107</sup> The logic behind the end of the program and the reinstatement of a quota system had less to do with the literal number of jobs in agriculture in the US but more to do with wanting to employ more Americans in the agricultural sector. The

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<sup>103</sup> Bilgiç, p.115

<sup>104</sup> Bilgiç, p. 112, 116

<sup>105</sup> Bilgiç, p.118

<sup>106</sup> Bilgiç,p.117

<sup>107</sup> Minian, p. 3-4

American federal government hoped cutting off access to cheap foreign workers would improve employment prospects and push up wages for Americans.<sup>108</sup> However, in the face of rising production costs and weakening profit margins, American agricultural businesses continued to employ Mexican migrant workers - now undocumented - in order to keep worker wages low and avoid paying competitive wages for Americans.<sup>109</sup> Agricultural businesses that did switch from hiring Mexican to American workers reduced staffing by switching crops or investing in new farming technologies.<sup>110</sup>

The “illegal immigrants” that began crossing the Mexican-American border in the post-bracero era were continuing to do the work and labour the American economy demanded but now in more insecure and politically hostile circumstances. Justifications against regularization of migrant workers includes perpetuating the myth of the burden they would pose on the American welfare system.<sup>111</sup> Furthermore, the lump of labor fallacy - the belief that there are a certain quantity of jobs and one immigrant’s gain is an American citizen’s loss - is widespread in American labour and immigration policy debates and is effective in silencing arguments around how immigration can expand local and state economies.<sup>112</sup> The state has had to back up its irrational and false claims on labour and migration through the criminalization of migrants who cross the US’s southern borders and “steal” American jobs. Serious action against restricting irregular migration came in 1986 with the Immigration and Reform and Control Act which criminalized hiring of undocumented workers and increased border patrol funding for the

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<sup>108</sup> Portes, Jonathan. “The Economics of Migration.” Contexts Magazine. American Sociological Association, June 10, 2019.

<sup>109</sup> Gerber, p. 59

<sup>110</sup> Portes, Jonathan. “The Economics of Migration.”

<sup>111</sup> Minian, p.194

<sup>112</sup> Portes, Jonathan. “The Economics of Migration.”

Immigration and Naturalization Service (INS).<sup>113</sup> Immigration was married to state security as the law ensured the Reagan administration's security in goals during the War on Drugs era.

However, in 1996 two critical laws were passed that define crossing the border as an aggravated felony over a misdemeanor and later justified excessive border security after 9/11. The Antiterrorism and Effective Death Penalty Act and the Illegal Immigration Reform and Immigrant Responsibility Act were passed within months of each other and expanded on the state's right to use imprisonment as a punishment for undocumented entry after removal. The 1996 laws also permitted and justified using local law enforcement agencies in the enforcement of immigration law as irregular migration was seen as a security threat in the post-9/11 era.<sup>114</sup> The powers local authorities had to investigate immigration-related cases and make immigration-related arrests, even for civil immigration violations, were expanded upon through the Trump administration's 2017 executive orders entitled "Border Security and Immigration Enforcement Improvements" and "Enhancing Public Safety in the Interior of the United States."<sup>115</sup>



The alignment of immigration policy goals with state-security goals create resounding negative effects not only to the security of migrants but on the states themselves. The over-determination of the state to criminalize all irregular migrants expands in the long run the size of the informal economy and leads to greater demand for cross-border smuggling.<sup>116</sup> The imprisonment and detention of migrants who have committed minor misdemeanors puts them in

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<sup>113</sup> Leisy Abrego et al., "Making Immigrants into Criminals: Legal Processes of Criminalization in the Post-IIRIRA Era," *Journal on Migration and Human Security* 5, no. 3 (2017): pp. 694-715, <https://doi.org/10.14240/jmhs.v5i3.105>, p.697

<sup>114</sup> Leisy Abrego et al., p. 698

<sup>115</sup> *Ibid.*

<sup>116</sup> Castles, Cubas, Kim, and Ozkul, p.136; Bilgiç, p.122

the path of others who have committed more violent crimes looking to expand criminal networks.<sup>117</sup> The affiliation of antiterrorism policy with immigration policy has enabled local security forces to break up families and deport migrants at a rate that destroys the social ties of the communities they inhabit. Migrant boats are allowed to sink and capsize at sea, which kills thousands of them every year, and means that those among them who could have obtained refugee status are seen as justifiable losses to the state.<sup>118</sup>

Simply put, treating all migrants and refugees as if they are criminals and terrorists will always create avenues for collateral damage to the security and moral conscience of the state. If a state-security approach cannot save them, then a human-security approach to migration cannot be dismissed if it provides alternative but genuine means of securing both migrants and the state's citizens. In this way, it becomes obvious how focusing on protecting migrants and expanding pathways towards migration, especially for low and medium-skilled labor, can lead to collective emancipation. The US as well as the states of the EU need to become self-reflective about their role in migration management and the transnational level of trauma and damage it has created in the lives of migrants. Through thinking about new, innovative, and humane approaches to treating irregular economic migrants, we can expect a new migration scheme to emerge that adequately aligns with the realities of all migrants.

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<sup>117</sup> Leisy Abrego et al., p. 698-9

<sup>118</sup> Bilgiç, p.123



## Part 3: Emancipatory Security Theory & Alternatives to Disciplining Migration

### *Insecuritizing Migrant Lives*

I think back to Alia who remains one among thousands in irregular and precarious conditions in Belgium, and one among millions in the world who may never obtain regularization in her host country. The fundamental dilemma of irregular economic migrants for the state is one of trust: how much can you trust someone to not “steal jobs,” to not be a terrorist, and to integrate into the host society. Drawing on Bilgiç’s formula of fatalist versus transcender logic in security theory, states and their citizens who feel obligated to use fatalist logic will always be trapped in this dilemma. However, to quote Bilgic and Marek Kohn, utilizing trust and emancipatory security theory is possible because “...life is never so ordered or choices so forced that the need for trustworthiness can be eliminated.”<sup>119</sup> The hegemony of state essentialism and state-centric approaches to migration and security theory restrict both our understanding of migrants’ real lives and the choices we have to address those realities. Having worked in the civil society end of immigration policy and rights, I am aware of my sympathetic feelings to migrants like Alia who have their economic and security choices restricted by their own host and home states. Let this serve as the strength to which I conclude my final analysis on.

As we have touched upon, the reasons irregular economic migrants leave their homes does not always fit into our static, binary (immigrant versus refugee) approach to immigration. Bilgiç and Minian both conducted interviews on irregular economic migrants and asylum seekers

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<sup>119</sup> Bilgic, p.99

in order to construct their discussions on the incompatibility of migration policy with migrants' security. In his interviews with protection-seeking migrants from Sub-Saharan Africa, Bilgiç found that "insecurity" is frequently used to describe the mixtures of war, poverty and famine that migrants are fleeing from. One interviewed migrant from his study noted:

It's not just bullets and bombs that make you flee. There are other reasons that can make you go even further. If you're just fleeing bullets, you just have to leave for a while, until things have calmed down, then you can come back home. If it's poverty that's chasing you, it's like you've got fire behind you, and you just keep going.<sup>120</sup>

As a result, Bilgiç makes reference to the fact that migration cannot be thought of as political or economic; reasons for migration can exist in a politics-economy nexus. The factors for instability are both endogenous (civil war, political corruption, etc.) and exogenous as demonstrated by the effect of neoliberal economic policy of development and trade. In summary:

Irregular migration cannot be reduced to voluntary economic migration because economic structures in relation to political structures sometimes force people to search for protection in other parts of the world.<sup>121</sup>

While war and poverty does not turn every person into a migrant; what matters is if individuals have the option to migrate without fear of persecution or "discipline.". Like Bilgiç, I enforce a view of migrants that does not present them solely as victims of external factors, a

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<sup>120</sup> Bilgiç, p. 48

<sup>121</sup> *Ibid.*

narrative which frequently pervades Forced Migration Studies and displaces the migrants' own sense of agency. Those who choose to migrate between continents have to have some level of financial independence and capability in order to do so, they are not completely powerless.<sup>122</sup> What is of interest is the state's choice to problematize that decision and discipline it, effectively gaslighting irregular economic migrants in dictating that their sources of insecurity are not as severe as those who are granted asylum status.<sup>123</sup> For states, the decision to discipline migrants stimulates and is stimulated by the fatalist logic to generalize all irregular migrants as potential security threats.

Minian also discovered through her own interviews with Mexican migrants across different generations in the United States is that the interplay of different political and economic structures can complicate both irregular stay and irregular migration. In the aftermath of the *Bracero* program, Mexican migrants that continue to work undocumented in the US have little choice but to stay as the Mexican-American border becomes more militarized. Not only is there a greater fear of being caught by border patrol while visiting family in Mexico, but in certain cases Mexican border officials were encouraged by their state to force Mexican migrants back into the US.<sup>124</sup> While their work is demanded for in the American informal economy, their migration can only be a one-way trip because of increasing hostile border patrols. In a study by the Migrant Border Crossing Study of repatriated Mexican migrants, it was found that: 1) around twenty-seven percent of them had been living in the US a decade or longer, with the average median for repatriated migrants being 6.5 years; 2) a majority were released into towns and communities

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<sup>122</sup> Bilgiç, p. 50

<sup>123</sup> Pécoud, p. 5-6

<sup>124</sup> Minian, p. 208

they didn't know; and, 3) one in four migrants have identifying documents taken away and not given back.<sup>125</sup>

The the nickname for the US that some Mexican migrants now often use is *juala de oro*, or “the cage of gold.”<sup>126</sup> Those who attempt to cross the border via smuggling routes become at greater risk to death or harm by physical abuse or environmental exposure. Furthermore, as many as six in ten undocumented migrant women are sexually assaulted during their migration.<sup>127</sup> Mixed-status families are at greater risk of living below the poverty line when family members are deported indefinitely. This is especially the case for American children who are separated from older siblings and parents and are financially and psychologically burdened with their family’s detention and deportation. Criticism in the US over family-separation policies in immigration enforcement has come over the lack of humanity the policy implies as well as the weak argument behind why these policies are necessary to the security of the state. Initiatives to incorporate local and state police into immigration enforcement are indicative less of the threat irregular migrants pose on local security and relate more “to the criminalization of immigration as a form of ‘social control’ of immigration.”<sup>128</sup>

### *Dismantling the Migration-Development Nexus*

Within the realm of migration policy, most experts and researchers in the field can attest that militarization and securitization are having adverse effects on both migrants and the state and fail to address the actual causes of irregular migration. As mentioned previously, militarization does not stop migration, but it does increase the risks and the need for smugglers.

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<sup>125</sup> Abrego et al., p. 700

<sup>126</sup> Minian, p. 209

<sup>127</sup> Vietti and Scribner, p. 26

<sup>128</sup> Abrego et al., p. 704

This in turn makes migrants more susceptible to human trafficking and slavery.<sup>129</sup> Additionally, it increases the size of the informal economy that facilitates exploitation of migrants in the labor and housing market.<sup>130</sup> Lastly, neoliberal policy structuring in countries of origin instigate insecurity at home and facilitate migration in a way host countries, specifically in the EU and US are hesitant to admit.<sup>131</sup> However, policy experts in migration are often confronted with two dilemmas when developing approaches to ameliorating irregular migration. Firstly, they are prohibited from articulating ideas that can be interpreted as treading on a state's right to sovereignty which is "under attack" by irregular migrants, regardless of whether they are employed by state or interstate organizations.<sup>132</sup> Secondly, they are limited in the extent they can critique state and interstate institutions' failure to address neoliberalist state and corporate policy on increasing the wealth disparity between Global North and Glocal South.<sup>133</sup>

As a result, current solutions proposed by "experts" on migration offer short-term solutions to minimize irregular migration and stay without addressing long-term structural changes that also need to be modified in order to sustainably protect irregular migrants. These solutions focus on the migrant as the agent for international development through ameliorating remittance and regularization policy. The logic of mass regularization as a means of international development policy implies that regularization helps increase remittances sent to countries of migrants' origin.<sup>134</sup> The "migration-development-nexus" conveniently side-steps broader political economic reasons that lead to migration within a narrative that emphasizes the migrant's right to agency. While regularization and remittance programs are beneficial to the physical and

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<sup>129</sup> Koser, p. 12; Wickramasekara p. 16; Castles et al., p. 123

<sup>130</sup> Koser, p. 12

<sup>131</sup> Castles et al., p. 120; Sorpong, p. 143

<sup>132</sup> See Koser p. 2

<sup>133</sup> Sorpong, p. 138

<sup>134</sup> Castles et al., p. 121, Rother. p. 43

financial security of migrants and their families, it cannot be expected that migrants be the sole bearers of their origin nation's development over the actual government.<sup>135</sup> Other programs such as assisted voluntary return programs are also proposed as possible solutions despite the fact that few migrants ever choose to participate in these programs.<sup>136</sup> In essence, these liberal ideas which focus on migrants' agency in development and voluntary return do nothing to actually address the norms around migration management. Once again a burden is placed on migrants in migration discourse for not facilitating the development of their home countries where their own governments and foreign aid have failed to do so.<sup>137</sup>

*Liberal Reconciling of Migration and Westphalian Sovereignty*

While protecting the human rights of migrant workers and residents is at the center of these liberal solutions to irregular migration, there is minimal engagement with how Westphalian notions of sovereignty are used to justify militarization in migration policy. There is an expectation that intergovernmental institutions represent equally the intentions of the international community despite the fact that states and private institutions in the Global North represent the major stakeholders of these institutions.<sup>138</sup> Whether the IOM, the UNHCR or the ILO, these organizations cannot superimpose new policies on nations without addressing the norms the Westphalian state system functions by. Critical perspectives on human security find that "liberal discourse on human security serves to reinforce state control, since it does depart from national security."<sup>139</sup> Furthermore, if it is the modern state that is the greatest source of insecurity, why is it that it is a major stakeholder of providing security? A question for critical

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<sup>135</sup> Wickramasekara p. 17

<sup>136</sup> Castles et al., p. 138

<sup>137</sup> Rother. p. 44

<sup>138</sup> See Vietti and Scribner, p. 26

<sup>139</sup> Sorpong, p. 139

scholars in all fields of IR is to what degree notions of liberal intervention can facilitate the emancipatory projects of marginalized groups.<sup>140</sup>

States believe they can absolve themselves of responsibility to protect migrants through programs that protect more “worthy” migrants in insecure positions, usually refugees and asylum-seekers. However irregular economic migrants who are targeted most by deportation and detention programs cannot altogether be differentiated from those formally looking for political protection. Furthermore, it is impossible and irrational to expect every asylum seeker and refugee to know where to find and apply for asylum at a refugee facility in a neighboring or nearby country. Thus, one cannot bar irregular entry into a country without making it harder for asylum seekers and refugees to enter and it would be against international asylum law to prevent them to do so altogether. These continuities and discontinuities between asylum and immigration policy highlight a false narrative certain countries have in controlling and manipulating migration. The mindset of voluntary return programs is in itself the desire to control the mobility of individuals and discredit their sources of insecurity while presenting itself as a tool to aid migrants.<sup>141</sup>

In the US, there is virtually no difference in the treatment of irregular economic migrants between the Reagan and Obama administration. While zero-tolerance policies within immigration enforcement are often associated with Republican presidencies, Democratic administrations are just as likely to be disciplinary. In July of 2015, the Obama administration put into effect the Priority Enforcement Program which prioritized the deportation of recent border crossings. It allowed Department of Homeland Security advisors to give discretion to not remove individuals who would be applicable for DACA (Deferred Action for Childhood

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<sup>140</sup> Sorpong, p. 146

<sup>141</sup> Pécoud, p.3

Arrivals) or DAPA (Deferred Action for Parents of Americans).<sup>142</sup> This example from the US serves as another example of how migrants' mobility and protections are both secured and eroded at the same time.

### *Emancipatory Trust in Migration Policy*

Thinking back to Olivares's points on how critical securities studies can reinvent itself outside the mainstream, it is imperative that critical security theorists let go of liberal and realist interpretations that we can protect some migrants and punish others. Emancipation is a collective mission - it is impossible to use a binary understanding of migration to solve migration crises without collective damage. If critical security studies as a field is to evolve and have any transformative impact on the field of migration, it is to recognize and normalize this fact. The current order of migration management which is saturated with ethnocentric, state-centric and state-professionalist concepts needs to be more strongly problematized. In place of migration management, we must develop new concepts to how society can achieve its full potential through emancipation of migrants and promoting solidarity between migrants and citizens.<sup>143</sup> We need new norms that represent these values.

Bilgiç shows how this is possible in *Rethinking Security in the Age of Migration* where he outlines how emancipation and human security can be normalized in critical security studies through understanding the transformative power of trust. Critical approaches in IR have generally looked with skepticism at the concept of "security" because security studies is populated with state-essentialist concepts.<sup>144</sup> The only way for critical security studies to develop

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<sup>142</sup> Abrego et al., p. 709

<sup>143</sup> Bilgiç, p. 57

<sup>144</sup> Bilgiç, p. 76



its own theories and approaches in IR is to explore the concept of “trust” in security thinking.<sup>145</sup> Bilgiç asserts that it is not the field of security studies that is problematic but the ideas that pervade it and encourage a “mentality of destruction, exclusion and fear.”<sup>146</sup> He establishes an approach which builds off of Wendtian social constructivism and McSweenian social identity theory that trust is not against the interest of states but is their interest. Trust is developed between migrants and citizens when each can learn to respond to each other’s behaviors in a way that allows for further mutual understanding and permits for the construction of a mutual identity.<sup>147</sup> In this manner, cultural barriers between migrants and citizens - and ethnocentrism in security studies - are disregarded as inhibitors to the formation of trust.<sup>148</sup> As he explains:

Communitarianism, when fed by cultural essentialism, cannot constitute a strong ground for trust-learning in world politics...[Transcending] security dilemmas in world politics requires a type of trust that can go beyond the essentialist communities towards the construction of wider communities inclusive of so-called ‘enemies’. The argument here is certainly not that trust in national and/or cultural communities is undesirable, but that it is incomplete.<sup>149</sup>

In the case of irregular economic migration, it is integral to understand how exclusionist ideas within political economy undermine the very belief to which the field of political-economy is built on - how to create a society that emphasizes harmony and cooperation. To apply Bilgiç’s own conceptualization to trust in irregular economic migration, we cannot treat migrants as security and economic threats, especially if we have testimonies and data that prove otherwise.

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<sup>145</sup> Bilgiç, p.77

<sup>146</sup> Bilgiç, p.87

<sup>147</sup> Bilgiç, p.81

<sup>148</sup> Bilgiç, p.82

<sup>149</sup> Bilgiç, p.86

The labor should not be focused on developing new innovations to exclude certain types of migrants we are economically dependent on and subject to exploitation in our communities. Rather, it is how we reinvent new norms in domestic society and migration that foster their inclusion and make realities of their insecurities bare to the public. Migrants need to be decriminalized both in legislature and public discourse. It is a perpetual dilemma in our society to realize that it is impossible to overcome the self-other dilemma by sufficiently excluding the other; the other is only properly annihilated when it becomes the self.<sup>150</sup>

Fatalist thinking in migration and security policy, as identified by Bilgiç, is comprised of four key ingredients which we have already discussed: zero-sum approaches to security, ethnocentrism, instrumental rationality (private security contracting and displacing refugee camps outside Europe), and ‘worst-case forecasting.’<sup>151</sup> While these characteristics of fatalist thinking are applied in the case of EU migration and security policy, these ways of thinking are endemic of many other countries, including the US. Zero-sum approaches to security imply that a migrants’ security gain is always a citizens’ security loss and ‘worst-case forecasting’ facilitates criminalization of migrants through seeing them all as threats. Ethnocentrism is the cornerstone of populist interpretations of security policy, however, it is also present in liberal policies in times of economic collapse or despair in which economic migrants are put at the bottom of the labour totem pole. Lastly, instrumental rationality is the logic used to militarize borders with the aid of state institutions and private actors.<sup>152</sup>

As demonstrated in the previous section, fatalist ways of thinking about migration policy will take militarization of security policy to its logical extreme. These traditional ways of state-centric thinking have not only jeopardized the security of migrants but have also created false

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<sup>150</sup> Bilgiç, p.86

<sup>151</sup> Bilgiç, p.93

<sup>152</sup> Bilgiç, p.93-4

norms that citizens are more secure when there are less migrants. In place of fatalist thinking, Bilgiç develops a plan for emancipation through embracing the “transcender” choice of choosing to trust migrants. The labor for this has already been done through problematizing migration management and recognizing the current definitions of “legitimate” migration no longer work for migrants and citizens. The next step is the development of new norms and language around irregular migration (a step that may require the elimination or reconstruction of the concept itself).<sup>153</sup> Lastly comes the step of implementing emancipation within migration and security policy at the local, state, and eventually global level.

In constructing solutions to ameliorating irregular migration, it is important to note where Bilgiç’s model for emancipation differentiates from Pécoud and Geiger’s suggestions for dismantling discipline in migration management. Bilgiç’s theory and methodology for his model of emancipation is developed from Frankfurt School conceptualizations of the term and classical social constructivist beliefs that systemic change comes with dismantling and reconceptualizing norms.<sup>154</sup> Therefore, the possibilities for transformation come from both the system (of states and intergovernmental institutions) and within civil society. Whereas Bilgiç might see himself as a social constructivist developing new concepts of emancipation in critical security studies, Pécoud and Geiger identify as critical constructivists who are more skeptical of states’ and institutions’ internal capabilities for transformation. For them, transformation at the state and institutional level is inhibited by the fact that private corporations and military contractors are no longer extensions of these entities but are in fact new stakeholders in their security.<sup>155</sup> They do not necessarily disagree that policy and norms need to be rethought at the state level as Bilgiç proposes. However, they favor giving more attention to transnational civil society movements

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<sup>153</sup> Bilgiç, p.101

<sup>154</sup> See Bilgiç, p. 8, 57, 81-6, 101

<sup>155</sup> Geiger, p. 34

and migrant rights activists that are already performing that discourse outside of states and intergovernmental institutions.<sup>156</sup> In essence, Bilgiç and Geiger and Pécoud offer different but not altogether contrasting views to top-down and grassroots approaches to remodeling international norms on migration and global migration policy.

With these two perspectives in mind, it is concluded that civil society movements, intergovernmental organizations, and the state play different roles in developing new proposals to migration management. The state - as made clear by the intentions of the US and the EU - is interested in cutting off the flow of irregular migration by militarizing spaces of passage (ie. borders). Intergovernmental organizations balance the security needs of migrants with state and private economic and security interests. While they generate concern over the well-being of all migrants, they do not revolutionarily challenge how the state's vision of fixed and eventually ceasing irregular migration does not fit with the lives of irregular migrants or the new dilemmas developed from globalization. Civil society, in regard to migrant activist movements and organizations, often holds the most credible wisdom on the security needs of migrants. However, because the realm of migration has become securitized, their insight and activism is disregarded at best and seen as traitorous or anarchist at worst. All the same, civil society movements have shown the greatest potential for emancipatory change in migration policy.

### *Emancipatory Trust-Building and Norm-Entrepreneurship*

Civil society movements in the past decade have shown the most transformative abilities for change in public policy, most particularly at the local level. As part of his research, Bilgiç identifies key civil society movements in the United Kingdom, such as the the City of Sanctuary, Time Together, and the Mentoring and Befriending Foundation, that have made strides to

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<sup>156</sup> Geiger, p. 34-5

dismantling the citizen-migrant dichotomy through developing social and economic mentorships and partnerships between the two groups.<sup>157</sup> While these organizations have traditionally focused on the protection and mobility of asylum seekers and grantees, similar programs could be established in order to render the experiences of irregular economic migrants more publicly visible and align their economic goals with those of local labour unions in Europe. The growth of these movements has already progressed in the US where migrant activist groups work to report wage theft by employers who underpay migrants by registering them as independent contractors rather than salaried workers.<sup>158</sup> Throughout the US, migrant activist groups have begun to ally with religious and humanitarian organizations in enforcing ethical labor standards in construction, agriculture, and the service industry. In states such as California and Oregon where the undocumented population is among the highest in the country,<sup>159</sup> government administration and public policy makers have been able to build bridges with these civil society coalitions and permit lawsuits against corporations guilty of wage theft without jeopardizing the residence or employment of migrants who report.<sup>160</sup>

Civil society movements and organizations also facilitate emancipatory reform on a transnational level as opposed to a national level. Stefan Rother, a contributing author to Pécoud and Geiger's *Disciplining the Transnational Mobility of People*, identifies transnational migrant activist groups that work to both be incorporated in global migration policy decision making and protest against it. He develops a comparative analysis between two migrant advocacy organizations, the People's Global Action on Migration, Development and Human Rights (PGA) and the International Assembly on Migrants and Refugees (IAMR), and their effect in

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<sup>157</sup> Bilgiç, p.152-3

<sup>158</sup> Fine & Lyon, p. 441

<sup>159</sup> Fine & Lyon, p. 439

<sup>160</sup> Fine & Lyon, p. 441-4

contributing to global migration policy “from below.” In particular, Rother identifies how the PGA establishes its goals in wanting to promote migrant perspectives in global migration policy through integration into the UN-based Global Forum on Migration and Development (GFMD).<sup>161</sup> The IAMR, on the other hand, sees the GFMD as an “ideological and policy tool of neoliberalism,” and has on multiple occasions protested outside GFMD proceedings.<sup>162</sup>

What is important to note is that both these organizations are “norm entrepreneurs” in how they construct migrant narratives outside the immigrant-refugee binary.<sup>163</sup> In this way, grassroots transnational organizations act as both “watchdogs” and “deliberators” for migration policy that transform norms on migration through providing pressure inside and outside the room where decisions are made.<sup>164</sup> The IAMR and PGA represent examples for organizations that incorporate emancipatory thought in global policy discussions on migration and mobility. In addition to greater economic mobility for migrants, there is still discussion to be had on their livelihood and security. Bilgiç calls for greater EU monitoring of migrant and refugee camps in North Africa in order to ensure human rights are being respected. While monitoring is already being done by Frontex, it is only to ensure that smugglers don’t have access to the camps.<sup>165</sup> The EU can work with NGOs in observing the conditions of camps and ensuring that migrants are not being mistreated or punished by the conditions of the camp.

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<sup>161</sup> Stefan Rother, “A Tale of Two Tactics Civil Society and Competing Visions of Global Migration Governance from Below,” in *Disciplining the Transnational Mobility of People.*, ed. Antoine Pécoud and Martin Geiger, n.d., pp. 41-62, p.41-2

<sup>162</sup> Rother, p. 52

<sup>163</sup> Rother, p. 47

<sup>164</sup> Rother, p. 48

<sup>165</sup> Bilgiç, p.131

*Emancipatory Regularization Reform*

Above all, what needs to be prioritized is regularization reform that would enhance legal pathways for all irregular economic migrants to migrate and reside in host countries without fear of deportation, persecution or exploitation. The once-in-a-decade regularization programs in Belgium are not an anomaly, in fact, they're the norm. Regularization programs have been used since the 1980s as a common last resort for states in the European Union and the United States as a way to decrease the size of their undocumented populations. Regularization programs, while they are the most common form of amnesty for irregular economic migrants, are used by the state as a means of "regulating the underground economy, and 'wiping the slate clean' for future immigration enforcement."<sup>166</sup> These programs are often used with the intention that they will decrease irregular migration in the short-term and long-term. However, after periods of regularization, the irregular migrant population grows back because they usually do not tackle exploitation of migrants in the informal economy. Due to the fact that there is a shortage of labour inspectors, as well as a tolerance of irregular labour, countries in the Mediterranean region (Spain, Italy, Greece)<sup>167</sup> as well as the US fail to actually address the dependence and exploitation of irregular migrants in their economies.<sup>168</sup>

While each country has their specific criteria for which irregular migrants get chosen for regularization programs, almost all of them have a labour component that requires a work contract. How often states choose to use regularization programs is defined by two models: the Southern European model (regularization programs are frequent but offer short-term humanitarian and work visas) the French-American model used in northern European countries and the US (regularization programs are used infrequently but allow migrants to obtain long-

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<sup>166</sup> Amanda Levinson, "Why Countries Continue to Consider Regularization"

<sup>167</sup> Triandafyllidou, p.19

<sup>168</sup> Amanda Levinson, "Why Countries Continue to Consider Regularization"

term residency permits).<sup>169</sup> Each model has its noted failures: countries that use the Southern European model end up regularizing the same migrants more than once and irregular economic migrants can become subject to employment discrimination as a lack of labor inspectors means employers can fire them if they apply for regularization programs. On the other hand, countries that use the French-American model often lack the bureaucratic capacities and publicity in migrant communities in order to make them truly effective.<sup>170</sup>

Therefore, regularization programs will demonstrate little benefit for either states or migrants until the states that utilize them can muster the resources into enforcing labour inspection policies. Additionally, immigration bureaucracies need to have open communication with migrants and migrant organizations in order to communicate regularization programs more thoroughly to migrant workers and families. Altogether, it needs to be understood that regularization programs are a result of the state's inability to reconcile strict and militarized migration policies with the domestic economic and labour demands that helps perpetuate irregular migration. If the state is to authentically engage with this reality in a way that leads to greater trust for migrants, there should be a prioritization of regularization mechanisms, not regularization programs.<sup>171</sup> Regularization programs are massive but one-off, regularization mechanisms are expansions of legal pathways<sup>172</sup> for irregular economic migrants who work in key industries (construction, domestic service, agriculture, etc.) to regularize their labor and residence. These mechanisms do not necessarily imply that migrants abide by traditional circular migration schemes that demand migrants stay and work seasonally or temporarily. In essence, regularization mechanisms would hold the state accountable for labour rights enforcement where

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<sup>169</sup> Amanda Levinson, "Why Countries Continue to Consider Regularization"

<sup>170</sup> Amanda Levinson, "Why Countries Continue to Consider Regularization"

<sup>171</sup> Bilgiç, p. 140

<sup>172</sup> Bilgiç, p. 141



economic immigrants work with private companies and civil society for a more humane integration of migrants into society.



Emancipation must come from accepting the space irregular economic migrants hold in American and European economic, social and cultural life. The dynamics of the relationship between the state, private actors and corporations, and civil society permit either the rejection or acceptance of irregular economic migrants. In terms of norm-building, civil society organizations and movements establish the future rules of security policy that facilitate the emancipation of migrants on a global scale. It is up to state and private actors to accept new emancipatory norms or continue to make the same fatalist choices that increase securitization of immigration policy which both risk the security of migrants and inadvertently increase irregular migration and the informal economy. Emancipatory security theory is the most sustainable solution for dissolving the disciplinatory migration management regime. In doing so, a new world system is established that recognizes the agency and security of irregular economic migrants and view them as complimentary, not threatening, to the security of citizens.

## Conclusion

Ultimately, the intentions in writing this thesis were to discover how to make life easier for the individuals I got to know at SAMPA. I could not, and still cannot, make sense of the arbitrary cruelty of their circumstances. Even knowing that part of their current status was their own choosing, the complete misunderstanding and mismanagement of their cases by the state continuously struck me as unbearably torturous and unfathomably pointless. Furthermore, it is not only Belgium, but other states in the European Union and my home country of the United States, that treat low and medium-skilled migrant labourers with such disregard. I sought to problematize the populist and state-centric hegemony of migration debates that citizens in these areas have become too accustomed to. In doing so, I uncovered the myriad of ways states and intergovernmental institutions will tolerate the suffering of irregular economic migrants than work to undo the structures that put them in places of insecurity.

This research sought to answer the question of what alternatives to state-centric viewpoints on migration could be developed that adequately address the security of irregular economic migrants. In doing so, a vision of applying emancipatory security theory to resolve the dilemmas created by migration management were proposed to develop a critical, human-security approach to migration. At the core of this research has been the understanding that a zero-sum approach cannot be applied to migration: one migrant's security does not lead to one citizen's insecurity. In fact, the two are interdependent and can only individually reach security when it is done they do so together as a coalition. This research makes three key observations in the factors

that insecure the lives of irregular economic migrants and make coalition building citizens and migrants difficult:

Firstly, the hegemony of state-centric ideas in migration policy confounds, often erroneously, that immigration is a security issue. Treating every migrant that passes through borders in an irregular fashion as a security threat denies the security claims of migrants and the state's responsibility to treat them humanely. Not only is state-centric, fatalist logic inhumane but also counterintuitive: the factors that supposedly prevent migration often increase it. Higher border walls means it's harder for migrants to enter but it also means it's harder for migrants already in the country to leave. Militarizing seas means it's harder for migrants to travel by water, and therefore makes air travel more popular for those who can afford it, and smuggling more popular for those who cannot.

Secondly, neoliberal globalization has both made the means of migration more accessible globally as well as exaggerated the inequalities that motivate migration in the first place. A huge gap in state-level discussions on migration is the recognition that people will continue to choose to migrate so long as global inequality exaggerates the conditions of war and poverty around the world. Focusing on the migrant's own agency in the matter and disregarding the structure that lead to their insecurity and exploitation absolve law makers in the US and the EU of the role they play in making neoliberalism hostile to people around the world. These particular regions in the West need to comprehend how neoliberal economic and trade policy hurts domestic growth for states in the Global South and work to close the wealth gap between the regions.

Thirdly, intergovernmental institutions, such as the aforementioned UNHCR, IOM and ILO, cannot be depended on to give the final word on which migrants qualify for protection. Even if these organizations do believe in the security of all migrants, they are bound to uphold

the priorities of all the states and private institutions they receive funding from. So long as the state is looking for an end to migration, or looking to make low-skilled migration temporary, intergovernmental institutions' ability to dignify the lives and work of all irregular migrants will be restrained.

In considering these problems, if solutions are to be found it is within civil society movements agitating for emancipatory change through norm-building. Civil society movements are growing actors in migration policy and migration studies as agents for change through both protest and coalition building with local governments. While change is possible for state policy and intergovernmental debates, it is not endogenous to them. Norm-building is often exogenous to state institutions, rising from the bottom at the civil society before working its way to the state-level.

My thesis has worked to bridge the gap between critical security studies and the phenomena of irregular economic migration. In understanding how migrant workers are intentionally made invisible by the economic structures that exploit them and the political structures that detain them, irregular economic migration becomes a space in which global oppression continues under the guise of a supposedly just migration system. Therefore, my findings not only challenge state-centrism in American and European migration policy but also render visible the oppressive and systemic structures that thrive when they are not acknowledged. Truthfully, some limitations were encountered in the development of this research, such as losing access to some articles after leaving Goucher's campus during the coronavirus outbreak (such as Chandler and Hynek). However, this research does ultimately do justice to the intentions of the thesis in culminating a critical, human security approach to irregular economic migration.

In conclusion, what makes this research unique within the landscape of migration policy briefs is that it does not actually seek a solution to migration. I am not looking to restrict or restrain irregular economic migrants' pathways towards regularizing their stay. I believe they exist not because they are intentionally looking to break the law but because they are needed and wanted by their host communities. While ideally states and intergovernmental institutions should strive to reduce the factors of violence and inequality that motivate migration in the first place, it should not be done with the hope of one day closing all borders. All labor, whether low-skilled or high-skilled, needs to be dignified and for low-skilled labor especially there needs to be greater mechanisms for regularization and pathways to migration. In essence, the money, will and manpower put into increasing border security could all be put into expanding pathways for migration. In this way, security is more authentically achieved for all actors and stakeholders at a significantly reduced financial and human cost.

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