

Revista Latinoamericana de Estudios sobre Cuerpos, Emociones y Sociedad.
N°15. Año 6. Agosto 2014 - Noviembre 2014. Argentina. ISSN: 1852-8759. pp. 83-98.

Securitization of Migration: an Australian case study of global trends*

El aseguramiento contra la migración: Un estudio de las tendencias globales a partir del caso australiano

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Abstract

Post September 11 migration has increasingly been framed as a security problem. In the 2010 Australian election campaign migration was connected to security (defense of our borders, terrorism and social cohesion) and to related issues of insecurity about the future (population size, sustainability and economic growth). This framing of migration as a national security issue overlooks the reality that Australian immigration is part of the global flow of population. Migration is an international issue experienced by states as a national question of border control and sovereignty seeking to manage the consequences of global inequality and mobility. This paper analyses the 'security turn' in migration debates in Australia and the North and the way the securitization of migration signifies the transformation of security from the problem of producing national order to the problem of managing global disorder resulting in the merging of national and international security strategies.

Keywords: Migration; Securitization; Hypergovernance; Australia; Transnationalization.

Resumen

Luego de los acontecimientos del 11 de Septiembre, la migración se ha enmarcado cada vez más como un problema de seguridad. En la campaña electoral australiana en 2010, la migración estaba conectada con la seguridad (defensa de nuestras fronteras, terrorismo y cohesión social) y con cuestiones vinculadas con la inseguridad sobre el futuro (tamaño de la población, sostenibilidad y crecimiento económico). Este tratamiento de la migración como un asunto de seguridad nacional pasa por alto la realidad de que la inmigración australiana es parte del flujo global de población. La migración es un asunto internacional experimentado por los Estados como una cuestión nacional de control de las fronteras y la soberanía que busca gestionar las consecuencias de las desigualdades mundiales y la movilidad. Este trabajo analiza el 'giro de seguridad' en los debates sobre migración en Australia y el Norte, y las formas en que el aseguramiento contra la migración significa la transformación de la seguridad desde el problema de producir un orden nacional al problema de la gestión del desorden global que resulta de la fusión de estrategias de seguridad nacionales e internacionales.

Palabras clave: Migración; Securitización; Hiper-gobernanza; Australia; Transnacionalización.

* An earlier version of this paper was published as Humphrey, Michael. 2013. "Migration, security, insecurity." *Journal of Intercultural Studies* 34(2):178-195.

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Introduction

After the international terrorist attacks on 11 September 2001 international migration has increasingly been framed as a security problem in the West. Borders and entry have become first and foremost an issue of security. At national borders immigration services no longer merely scrutinise the validity of documents and grant permission to enter but provide 'border protection' by assessing the risk of passengers as potential criminals, terrorists or visa over-stayers based on their documents, security profiling, biometrics and matrix of databanks. Internationally North borders are increasingly militarised to control unwanted entry. The Australian government's military operations to 'stop the boats' on the high seas (Morrison, 2013), the Texas governor's deployment of the National Guard in response to the arrival over a period of 6 months 57,000 minors from Central America¹ and Frontex's militarization of the Mediterranean to contain migration from Africa are all examples of the enhanced militarization of North borders. The security function of the state has expanded beyond national defense through military preparedness to encompass the protection of citizens through the intensification of surveillance of our organizationally and technologically complex societies to manage public anxiety about uncertainty. Agencies whose functions were once regarded as marginal to state security (immigration, customs, ambulance) have now become integral to it and their officers/officials increasingly publicly encountered as security-like in their ready-for-action dress. Security has become a pervasive discourse of

governments to frame and give priority to public policy targeting existential threats (Buzan et al., 1998: 25).

The securitization of migration, the construction of migration as risk, is an expression of the globalization of security to manage the new threats of international crime and terrorism post-September 11. Securitization is 'a political technique of framing policy questions in logics of survival with a capacity to mobilize politics of fear in which social relations are structured on the basis of distrust' (Huysmans, 2006: xi). Securitization policy is state-centric and reflects the rationality of political elites and security professionals (Karyotis, 2012). It has become emblematic of the anxieties of state sovereignty seeking to manage migration as an expression of globalization - control borders, plan population growth, promote social cohesion and support (middle class) sustainability. Each of these issues refers to the national capacity to order and regulate the population and, integral to that, to derive legitimacy from being seen to care for and protect citizens and determine entitlement. Framing migration as a 'security' issue gives it political priority and justifies extraordinary legal, policing and policy measures to manage it (Leonard, 2007). By making migration a security problem migrants are constituted as the object of policies directed at managing risk. It misrecognizes structural issues such as refugee flows, urban riots, crime, unemployment and welfare dependency as the attributes of migrants which need to be policed and regulated. Blaming migrants becomes a strategy of governance to produce social cohesion, mobilize political support and claim political legitimacy. Moreover at the margins cultural and racial difference are used to define sovereignty and delineate a state of exception for those seen not to deserve the same protection of the law.

Securitization frames migration as a national issue concerned with determining 'who comes here'

¹Texas Governor Rick Perry to deploy 1,000 troops to Mexican border', *The Guardian* 22 July 2014 <http://www.theguardian.com/world/2014/jul/21/texas-governor-rick-perry-troops-mexico> (accessed 22 July 2014).

(controlling borders), enforcing visa requirements (locating overstayers), selecting the 'best' migrants, and policing social categories as risk management. However in reality migration, the large scale transnational flow of populations, is an international issue challenging the capacity of individual states to manage the impact of big structural questions: global inequality, transnational social mobility and displacement of the most vulnerable as a result of economic crisis, environmental degradation and war. The 'security turn' in relation to migration signifies the transformation of security from the problem of producing national order to the problem of managing global disorder. Nationally governance has combined security (policing, surveillance) with the management of citizen insecurity and public perceptions of danger. Transnationally, the state has outsourced security to other states, to security professionals, corporations, international agencies and NGOs (Bigo, 2008) for them to manage unwanted immigrants through containment. This includes interception and detention *en route* as well as trying to keep people at home through 'human security' oriented development policies. This is referred to as the 'externalization' of migration control (Paoletti, 2010). Securitization extends governmentality beyond national borders by providing a common language to connect diverse fields and create a shared political project by 'shaping political identities and subjectivities' (Risley, 2006: 28).

This paper examines the securitization of migration and migrants as a national and transnational project seeking to manage global disorder by firstly, creating a transnational border in the North through transnationally shared policies, laws and agency cooperation to manage international migration as risk, secondly by turning particular kinds of migrants into transnational categories for transnational management – e.g. Muslim immigrants and refugees – and thirdly, the hypergovernance of migrants along migration routes or in countries of origin by externalization through outsourcing sovereignty to other states and NGOs to intercept them on the way or keep (unwanted) migrants at home. Hyper-governance refers to the transnational management of populations, the ability of some states to intervene in and shape other states and societies as a neo-imperial project through military action, humanitarian relief and NGOs organization of civil society to stop conflict, bring development and support state building (Bhatt, 2007).

The aim of this paper is to develop a conceptual framework to bring into focus transnationally emer-

gent patterns of governmentality revealed in the securitization of migrants and migration. It considers the Australian experience of the securitization of migrants and migration through a focus on Muslims migrants and refugees as transnationalized categories and identifies parallel processes targeting these same migrant categories in Europe. The paper draws on the author's extensive research on Muslims and Islam in Australia as well as comparative research on Australia and Europe (Humphrey, 1998; 2000; 2002; 2005; 2007; 2009; 2010). While the empirical focus is on Australia the policies and practices of the securitization of migration are found at all North-South borders. Theoretically the paper extends Watson (2011)'s insight about the emergence of securitization as signifying a crisis in institutionalized forms of security by tracing the externalization of security with respect to migrants and migration.

Securitization and Governance

Securitization of migration is not merely a strategy of policing and risk management it has become a mode of governance. Securitization combines dispersed self-disciplining through surveillance (Foucault, 1977) with collective disciplining through citizen-spectatorship, and the management of fear (Debord, 1977). Policing becomes less about repression and more about constituting the politically visible through the mediatization of society (Feldman, 2004). As Feldman argues, "the new surveillance/public safety regime requires the labor of spectator-citizenship (2004: 77)". Policing through the panopticon, the surveillance of all under the state's gaze, shifts towards the ban-opticon, the constitution of risk objects by profiling under the gaze of the citizen-spectator (Bigo, 2008). The ban-opticon is characterized by the "exceptionalism of power (rules of emergency and their tendency to become permanent), by the way it excludes certain groups in the name of their future potential behavior (profiling), and by the way it normalizes the non-excluded through its production of normative imperatives, the most important of which is free movement (the so-called four freedoms of circulation of the EU: concerning goods, capital, information, services and persons)" (Bigo, 2008: 32).

The ban-optic security lens institutes a form of governmentality based on state management of unease and by providing a "reassuring and protective pastoral power" (Bigo, 2008: 33). It moves away from

trying to guarantee order to proactive policies designed to target risk categories, to anticipate future risk scenarios and to manage the population's feelings of insecurity. The state's aim is not primarily to make people feel safe by guaranteeing order but to govern by managing their feelings of insecurity which in turn becomes the basis of unity through exclusion of the Other. The political technique of the ban-opticon displaces political order based on the social contract for "misgiving as a mode of ruling" concentrating fear on a difficult to identify adversary (Bigo, 2002: 81). It makes risks legible in the categories it constructs and identifies as the "enemy" (Krasmann, 2007). These social categories are produced through laws and policies which identify the dangerous/subversive behavior attributed to them and then made visible through policing social surfaces in the media witnessed by the citizen-spectator. "This form of policing emerges with the disappearance of enforceable physical national borders and compensates for the loss of tangible borders by creating new boundary systems that are virtual, mediatized such as electronic, bio-metric, and digital surveillance nets" (Feldman, 2004: 74).

Securitization involves the expansion of proactive preventive measures and practices beyond the state which draw on a wide range of agencies that manage risk which include insurance companies, private investigators, retail superstores, banks and public welfare institutions. Internationally, security becomes decentralized through outsourcing responsibility to other states, international agencies, private companies and NGOs. New technologies of surveillance facilitate the emergence of transnational bureaucratic networks and databanks created by the activities of security professionals managing fear and risk (Bigo, 2008). Their professional activities and knowledge transnationalize the security field; as the categories of their surveillance and policing are themselves transnationalized.

The securitization of migration has increasingly become the securitization of migrants whose bodies are made surrogate borders culturally and politically. The effect of securitization is to diminish the rights of those profiled as risk categories and to racialize or culturalize the justification for treating particular transnationalized categories differently.

Securitized Muslims and Islam in Australia

Before 11 September 2001 Muslims in Australia

were stigmatized as a culturally problematic and socially marginalized immigrant community (Humphrey, 1998; Dunn, 2004; Dunn et al., 2007). According to the 2006 census, Muslims are 1.7% of the Australian population (340,393, 2006 census) and rapidly becoming a second-generation Australian born population (38%, 2006 Census).² The Muslim population is culturally and geographically diverse with communities from the Middle East, South Asia, South East Asia, East Asia and Africa. However the impact of September 11 was to transform Muslims from an ethnic/religious minority in a multicultural society to a transnational risk category, potential sources of religiously inspired extremist violence (Humphrey, 2005).

The securitization of Muslims made them a focus for targeted policing as dangerous encultured bodies nationally and transnationally (Humphrey, 2010; 2007). Although implemented nationally securitization is the product of transnational harmonization of policies and law around counter-terrorism, immigration and integration to manage Muslims and Islam as a transnational risk category across Western states. In general counter-terrorism measures have provided exceptional powers to the state and seen Muslims targeted as a risk category, immigration policy has made it harder for Muslims to visit, migrate and in some cases become citizens of Western countries and integration policies have policed cultural difference by supporting 'moderate' and rejecting 'extremist' forms of Muslim culture, religious leadership and community organization.

After 11 September 2001 44 new anti-terror laws were introduced under the Howard Coalition government between 2001 to 2007 covering "(...) everything from banning speech through to new sedition laws to detention without charge or trial to control orders that permit house arrest to closing down courts from public view" (Williams, 2009). The political effect of anti-terrorism laws has been to create a perpetual state of emergency (reflected in the national terrorist alert status) and engender fear in Australian citizens (Aly and Green, 2010). These emergency laws define terrorism is broadly, proscribed political groups deemed terrorist, allows detention without trial and criminalizes association with anyone belonging to a proscribed terrorist organiza-

² Muslims in Australia – a snap shot, Department of Immigration and Citizenship, http://www.immi.gov.au/media/publications/multicultural/pdf_doc/Muslims_in_Australia_snapshot.pdf (accessed 6 August 2010).

tion, lock-down entire suburbs to conduct searches without judicial approval, and to permit the rapid deportation of non-citizen residents considered security risks (Rix, 2006).

In the introduction to the National Security Legislation listed on the Australian Attorney-General's website the government frames the legislation as part of international counter-terrorism efforts – "Australia has long played a leading role in the development of laws to combat terrorism" (cited in Rix, 2006: 431). Yet because Australia has previously had limited experience with terrorism it had limited anti-terrorism legislation, although colonial control orders regulating the Australian Aboriginal population shared similar features of detention, separation and sedition (Davis and Watson, 2006). Because of the lack of anti-terrorism laws Australia borrowed anti-terrorism laws mainly for the United Kingdom (Lynch, 2008). However international terrorism has been a catalyst for the growing international harmonization of anti-terrorism laws changing its status as a normal crime under national law to being an illegal act under international law (Nuotio, 2006). This has occurred through the replication of laws and through its Global Counter-Terrorism Strategy launched in 2006 - however the Convention on International Terrorism is still being negotiated.³

The harmonization of counter-terrorism laws produces a securitized transnational space which facilitates global surveillance, policing and prosecution which is reinforced by the ban-optic global media witnessing of Western publics of terrorist events. The current extent of global mass surveillance has been revealed by whistle-blowers – Julian Assange through Wikileaks and Edward Snowden a former employee of the US National Security Agency.⁴ Local-global mediation of terrorist events, even at a large geographical distance, constantly remind Western spectator-citizens (us) that they (we) are potential targets thereby tying the national space into a transnationally securitized shared space. In Australia the Dr Haneef case highlighted the way this securitized transnational space was activated and made visible by a terrorist event in the United Kingdom. The attempted car bom-

dings by Dr Bilal Abdulla and Safeel Ahmed against targets in London and Glasgow on 30 June 2007 resulted in the detention of Dr Mohammed Haneef, a second cousin of Safeel Ahmed, in Brisbane under Australian anti-terrorism laws.⁵ The kinship connection, the alleged evidence of a mobile phone SIM card connecting the cousins, the close working relationship between Australian and UK police and intensive Australian media witnessing of this UK terrorist event created the public perception that it was as if the event had taken place in Australia. Eventually all charges were dropped against Dr Haneef but the case highlighted how counter-terrorism policing could use a highly visible spectacle of terrorism to exercise highly secretive and broadly unaccountable powers to hold Dr Haneef in detention and, even after the case was dismissed, continue his detention through the legal capacity of the Minister for Immigration to withdraw his residency visa on character grounds (Pickering and McCulloch, 2010).

Parallel with the securitization of Muslims in Australia is their domestication. While securitization essentializes Muslims as a transnational risk category domestication establishes the line between acceptable and unacceptable migrants. In Australia the public scrutiny of migrant 'performance' – fitting in, making an effort to adjust – has gone hand in hand with a mass migration program whose aim was to select the 'best' migrants. For some time, Muslim migrants have been judged to be problem immigrants- unwilling to work, too bound by tradition, too controlling of their women, too slow to learn English and, most recently, too unwilling to integrate and become Australian (Humphrey, 1998). However this Australian national discourse on migrant 'performance' has become transnationalized in the form of 'citizenship tests' now fashionable in the North America, EU and Australia (Löwenheim and Gazit, 2009). These tests constitute a neo-liberal citizenship, a citizenship that has to be earned (Van Houdt and Schinkel, 2011).

But the moral panic around terrorism means that social inclusion is not determined merely by 'citizenship tests' but by the successful performance of being recognized as a 'good Muslim' (Humphrey, 2007). Muslim identity and Islam are made the margins of citizenship. The 'homegrown' terrorist attacks in London in 7 July 2005; terrorism attacks by British Pakistanis put integration at the top of the political management of Muslim communities in Australia and the EU. Muslim cultural difference was increasingly constructed as cultural resistance and signified poten-

³ See UN Action to Counter Terrorism. <http://www.un.org/terrorism/instruments.shtml> (accessed 20 June 2012).

⁴ The NSA Files, The Guardian, <http://www.theguardian.com/world/the-nsa-files> (accessed 6 August 2014).

⁵ 'Haneef related to UK terror suspect' ABC On-line News, 6 Fri 2007, <http://www.abc.net.au/news/stories/2007/07/06/1971334.htm?section=justin> (accessed 28 August 2010).

tial 'extremist' views. In 2006, the former Prime Minister John Howard explicitly targeted Muslims for their unwillingness to integrate accusing them of being unwilling to learn English and not adopting Australian values especially in regard to treating women equally (Duffy, 2006). In a similar vein Mr Peter Costello,⁶ the former Treasurer and Deputy Leader of the Liberal Party, declared there would be no 'Shari'a' in Australia making *Shari'a* signify a very essentialized view of Islam as culturally backward, intolerant and separatist. For Australian Muslims the actual practice of *Shari'a* generally means the religious law concerned with family law and inheritance (Humphrey, 1998).

The domestication of Islam and Muslims in Australia, and in Europe, has sought to produce 'national' Islams- in President Sarkozy's phrase "to be Muslims of France practicing an Islam of France" (Bowen, 2004: 43) - and thereby build moderate Islamic leadership and institutions. Post 7 July 2005 London bombings domestication aimed at preventing Islamic radicalization amongst Muslim immigrants and their children. As a cultural classification by Western governments the term 'moderate Islam' is primarily a political judgment about loyalty and values (Modood and Ahmad, 2007; Aly, 2005). Firstly, a 'moderate Muslim' is anti-terrorism and against the use of Islam as a militant political rhetoric. Secondly, a 'moderate Muslim' is also one who holds modern and progressive views on the religious interpretation of the *Qur'an* and *Hadith*. The idea of a Euro-Islam, a secularized Islam informed by human rights, would be viewed as the most progressive position (AlSayyad and Castells, 2002). Thirdly, while it may appear to mark out a middle ground from a Western perspective the term moderate is pejorative for many Muslims. It be interpreted as meaning a Muslim who is co-opted and represents no-one or even worse is so secular that more religious members of the Muslim diaspora would regard them as lapsed 'Muslims'.

Domestication of Islam in Australia has been particularly focused on Islamic religious leadership and organizations. The Australian state has tried to create more centralized and authoritative national Islamic organizations to counteract the historical absence of a church like structure in Islam and the pattern of ethnic fragmentation of religious organizations and structures in Australia (Yusuf, 2005). The Australian Federal government appointed a Muslim

Advisory Council to regulate the appointment of Islamic clerics, especially those from overseas, and the position of Mufti. The Council's first task was to review the suitability of the incumbent Mufti Tajad-din al Hilali, a controversial Muslim leader based in the influential Lebanese Muslim community, to continue in his national religious leadership role (McGrath, 2006). The Australian government also supported the creation of an Australian National Imams Council (ANIC) to create a register of imams, promote the local training of imams and to make them more accountable to the ANIC than their mosque communities.

As in Europe Muslim women have been a prominent focus of domestication in Australia. The focus on women continues an earlier colonial pattern of intervention in Muslim societies which viewed Muslim women as vehicles for cultural change (Massell, 1974; Abu-Lughod, 2002). Laws and policies targeting Muslim women have invariably been justified on the grounds of gender protection and human rights. The veil viewed as a symbolic marker of Muslim gender oppression has been a constant focus of Australian domestication practices, however unlike Europe veiling (*hijab*) has been legislated against, in Australia the veil is 'tolerated' but nevertheless widely regarded as an oppressive symbol of Muslim patriarchy (Yaxley, 2005). Other Muslim gendered cultural practices of Muslim immigrants that have been criminalized include legislation against female genital mutilation (FGM) (Crimes Act 1900 –Sect 45) and arranged/forced marriage (Mercer, 2005). Even though these laws are culturally neutral they are popularly understood to as targeting oppressive Muslim practices against women and designed to protect Muslim women and support their fuller integration into Australian society (Family Law Council, 1994).⁷

A critical aspect of the present securitizing of Islam and Muslims is the way 'culture' is being constructed under globalization. The nation-state is seeking to manage Islam as a transnational cultural system within a national imaginary which is re-emphasizing cultural singularity to reassert sovereignty and unity. The focus on the radicalization of Australian Muslims (home grown)⁸ only reinforces the construction of a shared transnational category, now conceived as even

⁶ABC News Online, 2006. "Costello defends Muslim Citizenship comments", February 24, <http://www.abc.net.au/news/stories/2006/02/24/1577268.htm> (accessed 06/06/09).

⁷ Given there are first generation migrants from Egypt, Somalia, Ethiopia, and Sudan, African countries with some of the highest levels of FGM, the practice certainly continues in Australia (Mathews, 2011).

⁸ See the Building Identity and Resisting Radicalization (BIRR) Initiative, <http://www.birr.net.au/about/about.html>

more dangerous and increasing the risk of terrorism (Schmitt, 2013). Paradoxically the Salafist project to recreate the Islamic Caliphate engages in the same essentialized transnational culture project but with very different political goals of dismantling nation-states not defending them (Bhatt, 2014). Securitizing Islam represents a bureaucratic response of classification to try to manage potential threats to disorder. Hence current racism towards Muslims (coined as Islamophobia in Europe) is not just a legacy of orientalism reawakened by international jihadist violence but has become integral to the processes of governance as risk management. Securitization only reinforces the essentialization of cultural difference as a strategy to make threats legible and to provide a target for public anxieties. Muslim resistance to this bureaucratic project of cultural essentialization has provoked its counter essentialization in the defense of authenticity and reauthorizing of tradition including Muslim revivalist and neo-fundamentalist projects of the recovery of 'pristine' Islam (Werbner, 2004).

Hypergovernance of borders

Integral to the national securitization of migration at home has been the risk management of transnational migration flows to prevent the arrival of illegal immigrants, asylum seekers and unwanted cultural and political influences from diasporas. Hypergovernance of migration is increasingly taking a militarized turn by not just securitising migrants and potential migrants but by making them targets of "state counterinsurgency" of "ungoverned space" (Bhatt, 2014). The thrust of transnational management of unwanted migration has been to stop migration flows arriving at their borders through deterrence, interception and intervention. Deterrence seeks to prevent people leaving home by implementing a restrictive and harsh policies which shrink asylum rights under the Refugee Convention, interception seeks to prevent their arrival at the border through detention and immediate return policies and intervention seeks to "stabilize" local communities of origin through security, state building and development to produce local 'stabilization' to prevent departure. When the Australian Prime Minister Julia Gillard in 2010 announced Labor's new regional policy to process 'illegal boat arrivals off-shore' ["A boat ride to Australia would just be a ticket back to the regional processing centre,"] (Levy, 2010) she was imitating,

not just the Coalition's tough line of reintroducing the "Pacific Solution"⁹ (force the processing of asylum claims off-shore in an excised migration zone or neighbouring country) but the EU's complex system of treaties, agreements and practices erecting new kinds of borders/barriers to prevent the movement of people towards Europe. The securitization of migration flows constructs 'illegal migrants' and 'refugees' – those not arriving through the normal regulated channels - as a problem of 'border protection' which in Australia has been as much about managing the number of illegal boat arrivals as it is managing public worrying about too many boats arriving. In Australia, as has occurred in North America and Europe, the securitization of asylum seekers as potential terrorists has only served to raise the bar to be granted asylum status.

In Europe the securitization of migration was linked to the political project of EU integration. Immigration emerged as a major focus of EU harmonization of policy and laws from the early 1990s. The Dublin Convention (1990), the Treaty of Amsterdam and European Council (Tampere) Common Asylum Policy (2000) all aimed at the harmonization of EU asylum and migration policies to create a common border. Harmonization of immigration and asylum policies inside was complemented by transferring border controls to non-European states thereby distancing the problem from EU borders (Humphrey, 2002). The consequence of outsourcing was the creation of a series of concentric borders. The first circle was the EU, 'fortress Europe.' The second circle consisted of the states aspiring to join the EU—that is, Central and Eastern Europe (CEE countries). The third

⁹ 'In September 2001 Parliament passed the *Migration Amendment (Excision from Migration Zone) Bill 2001* and *The Migration Amendment (Excision from Migration Zone) (Consequential Provisions) Bill 2001*, giving legislative effect to the Pacific Solution. The Bills amended the *Migration Act 1958* to excise Christmas, Ashmore, Cartier and Cocos (Keeling) Islands from the migration zone. As a result, any unlawful non-citizen attempting to enter Australia via one of these islands was now prevented from making a valid application for a protection visa unless the Minister for Immigration determined that it was in the public interest for that person to do so. On 19 September 2001 Australia signed an Administrative Agreement with Nauru to accommodate asylum seekers for the duration of the processing of their applications. This was replaced by a Memorandum of Understanding (MOU) signed on 11 December 2001. Australia also signed an MOU with Papua New Guinea on 11 October 2001, allowing the construction of a processing centre to accommodate and assess the claims of asylum seekers on Manus Island. The centres were managed by the International Organization for Migration (IOM)' (Phillips and Spinks, 2010).

circle encompassed the former Soviet Union (CIS), Turkey and North Africa. The designated role of these states was to enforce European border laws at their own borders. The fourth circle was the “Middle East, China and Black Africa” where EU policy sought to eliminate ‘push factors’ for migration and refugee flows through a combination of security intervention and development assistance programs.

The first three concentric circles involved outsourcing border controls to non-EU governments, agencies and businesses to manage the transit of migrants towards Europe. For example, the European Commission entered into an agreement with the Libyan government to establish detention centers with the UNHCR acting as a mediator to assure their humanitarian management. Financial sanctions have been imposed against haulage contractors transporting people with invalid documents (up to US\$ 630,000) and the obligation to return those intercepted to the point of departure. The EU agency Frontex is an example of the decentralization of control “beyond any democratic oversight, and it also enables European countries to evade the obligations that apply to their territory because of commitments made to fundamental rights” (Morice and Rodier, 2010: 8). Interception of illegal boat arrivals has become a ‘push-back’ and not a rescue exercise. The Italian navy either redirects boats away from shore under their ‘push back’ policy or transfers passengers to boats of a collaborating country – until recently onto Libyan vessels (CPT Report, 2010: 15; Paoletti, 2010).

Since the 1990s, Australian governments have managed asylum seekers through a combination of harsh onshore deterrence policies designed to undermine their rights under the Refugee Convention and a series of regional agreements denying asylum seekers access to onshore processing and Australian courts. The features of both Coalition and Labor party immigration and asylum policies closely resemble current EU practices: long term detention of ‘illegal arrivals’ and asylum seekers, slowdown in asylum processing of particular categories,¹⁰ increased use of the deportation of ‘illegals’, the enlistment of neighbouring countries in border controls, the negotiated creation of detention centers in neighbouring countries with UNHCR officials assuming responsibility for

asylum assessment, the transfer of boats arrivals to neighbouring countries, and the adoption of a ‘push-back’ policy for ‘illegal boat arrivals’. The arrival of boats engenders a political crisis and justifies tougher controls, a phenomenon Mountz (2010) has also observed in Canada. However the removal of processing offshore denies asylum applicants the right to appeal to Australian court and also renders them politically invisible to the Australian public and therefore beyond compassion. Their individual human stories of personal suffering are unheard and their claims for protection as refugees are subordinated to combating international crime. In Orwellian speak combating international crime is constructed as an ‘humanitarian’ policy in which ‘stopping people smugglers’ making money out of the misery of asylum seekers by endangering their lives (Humphrey, 2002). Just as has occurred in the EU, the Australian government has made illegal migrants and refugees “the target of a discourse that justifies combating them in order to help them” (Morice and Rodier, 2010: 8).

In the fourth concentric circle of regions - Middle East, China and Black Africa –EU policy has focused on the containment of unwanted migrants and unwanted politics (terrorism) in their places of origin. From the early 1990s, the EU identified migration and refugee flows as a key security issue in post Cold-War Europe. Since then, wars and international terrorism have only reinforced this perception and intensified hypergovernance of migration and refugees – e.g. the impact of the breakup of former Yugoslavia, the ongoing wars in the Middle East (Iraq, Iran, Afghanistan, Syria) and Africa (Somalia, Sudan), the September 11 attacks, military intervention in Afghanistan and Iraq, international jihadist terrorists attacks in Europe and the political fallout of the Arab Spring throughout the Middle East. For this outer circle, the Action Plans recommended a comprehensive approach to migration policy through political, human rights and development agendas which included alleviating poverty, creating employment, improving living conditions, preventing conflict, consolidating democracy and strengthening the rule of law and addressing the rights of minorities, women and children. By targeting the main ‘refugee-producing’ countries the EU aimed at alleviating ‘push factors’ on the one hand and establishing the opportunity for repatriation of rejected asylum seekers on the other.

The major thrust of EU containment policy is framed by the development and security paradigm. Secretary of State, Hillary Clinton summed up this pa-

¹⁰ ‘Australia stops accepting refugee claims from Sri Lanka and Afghanistan’ *The Guardian*, 9 April 2010, p.12. <http://www.guardian.co.uk/world/2010/apr/09/australia-refugees-afghanistan-sri-lanka> (accessed 1 September 2010).

radigm in the recent statement: “Development... today is a strategic, economic and moral imperative – as central to advancing American interests and solving global problems as diplomacy and defense. It is time to elevate development as a central pillar in all we do in foreign policy (Bunting, 2010: 19)”. The equation for peace is based on the proposition that “poverty causes conflict and development brings peace” and “modern warfare is not fought around people but among them” (Bunting, 2010: 19).

After September 11, security took priority over development and “narrowed on strategic regions, sub-populations and programs with a direct security outcome; including helping ineffective states to better police their borders and peoples” (Duffield, 2004: 3). However, rather than the recovery of state authority, human security is increasingly the outcome of a new “assemblage of governance” which seeks “to promote choice and opportunity for the world’s peoples through intervening, acting upon and regulating the economic, social and political contingencies of life” (Duffield, 2004: 5). But, as Duffield (2004: 5) asks, “How do you secure humans in an insecure world?” The expansive nature of the human security project can be gauged by the International Commission on Intervention and State Sovereignty’s report *The Responsibility to Protect* combining humanitarian intervention with “complex forms of global coordination and centralization necessary to regulate the conflict, post-conflict, migratory, economic, health and educational contingencies of life” (Duffield, 2004: 5).

The development and security paradigm is designed to prevent further population flows and to permit the repatriation of rejected asylum seekers to their countries of origin after they have been made safe through Western intervention. One dimension of Australian government participation in the wars in Iraq and Afghanistan as a member of a US led coalition and the NATO force respectively was the opportunity it presented to halt the refugee flows from these two key ‘refugee generating’ countries by regime change and “stabilization” through state-building, democratic government and the rule of law. It added military-humanitarian intervention as an instrument in Australia’s refugee containment and repatriation strategies. By joining in the war to overthrow the Taliban government in Afghanistan, and subsequently Saddam Hussain in Iraq, the Australian government expected to simultaneously eliminate the ‘push’ factors for Afghan and Iraqi refugees and closedown the transnational terrorist sanctuaries of

groups threatening to export the “new terrorism”.

Hypergovernance of the border has increasingly seen the security lens eclipse the human rights lens. The militarization of interception and the discourse of ‘stop the boats’ (as if they represented an invasion) has resulted in increased state to state cooperation, even with the state refugees are seeking asylum from. In response to the ongoing arrival of Tamil refugees by boat during 2009 with the end of the civil war in Sri Lanka the Australian Labor government entered into an agreement with the Sri Lankan government designed to stop the refugee flow at source. The asylum claims of the Tamil refugees were transformed into a problem of states cooperating to combat people smugglers. The agreement also committed Australia to help with postwar rehabilitation and reconstruction.¹¹ Asylum policy and illegal boat arrivals is a hot button policy issue in Australian politics however symbolic importance of ‘stopping the boats’ to assert territorial sovereignty is far greater than the impact of the actual numbers arriving. Between 2006 and 2011 around 11,000 asylum seekers arrived by boat and around 850,000 arrived as permanent settlers making asylum seekers about 1.4% of arrival in that period if all asylum claims are accepted.¹²

The current Abbott government has gone a step further and militarized its off-shore management of asylum seekers placing an Australian Army general in charge and calling it ‘Operation Sovereign Borders’. As a consequence information about boat arrivals and asylum seeker processing have been declared military ‘operational matters’ and therefore secret. The humanitarian logic of asylum seeking to save life has been completely inverted: instead of saving people from persecution by their state it is now about saving them from drowning at sea as a result of exploitation at the hands of people smugglers selling them passages on unseaworthy boats. Humanitarianism has been securitized and turned into a problem of ‘people smuggling’ – i.e. an international criminal activity. Stopping the boats has been framed as breaking the ‘business model’ of the people smugglers (Morrison, 2014). Following this inverted logic which turns asylum seeking into the need for protection from international human traffickers the Australian government has

¹¹ The Hon Stephen Smith, Australian Minister for Foreign Affairs and Trade, Joint Ministerial Statement, 9 November 2009. http://www.foreignminister.gov.au/releases/2009/fa-s091109_js.html (accessed 1 August 2011).

¹² See the Australian Department of Immigration and Citizenship 2012 <http://www.immi.gov.au/settlement/>

sought assistance of the Sri Lankan Navy, providing them with patrol boats, to help stop the postwar flow of Tamil refugees by boat from Sri Lanka.¹³ Controversially the government handed over 41 Tamil asylum seekers it had intercepted on a boat directly to the Sri Lankan Navy (Knott, 2014) but were prevented from handing over another 153 Tamil asylum seekers by an Australian High Court injunction to determine government's obligations of non-refoulement, the principle under international law that a victim cannot be rendered to their persecutor (Shanahan, 2014). The government now explicitly links security and markets arguing that the "border" is a "national asset" which must efficiently regulate the legal flow of people and goods. In a speech announcing the creation of the Australian Border Force, a new government agency combining immigration and customs, the Minister for Immigration and Border Protection declared the border was now even greater 'national asset' because the recent free trade agreements with Japan and South Korea, and China still under negotiation (Morrison, 2014).

The Australian Agency for International Development (AusAID) projects in Afghanistan highlight the connection between security (military patrols and training), development assistance and the solution for refugee flow.¹⁴ Australia participates in military operations in Afghanistan under the United Nations mandated International Security Assistance Force (ISAF). Australian military involvement has been in Oruzgan Province with the mission of "improving agriculture and rural development, improving basic service delivery, supporting good governance and supporting vulnerable populations."¹⁵ An important development outcome mentioned in the report is the successful repatriation since 2002 of more than 5 million Afghan refugees from neighbouring Pakistan and Iran under the UNHCR's voluntary repatriation program and the return home of around 500,000 internally displaced Afghans. Nevertheless over 2.6 million registered Afghan refugees remain in Pakistan and Iran.

The hypergovernance of the border has also led to the convergence of the domestication and securi-

tization of Muslims and Islam at home and abroad. The increasing racialization and criminalization of "illegal" boats arrivals in public discourse and anti-radicalization policy aimed at policing the diaspora for extremism. In Australia the term 'refugee' has become code for 'Muslim' because the overwhelming majority of illegal boat arrivals have been Muslims from Afghanistan, Iraq, Iran and Pakistan.¹⁶ The arrival of Tamils from Sri Lanka between 2010-2012 has been the exception. The logic of the 'war on terror' was to reestablish political order in failed states by dismantling of radical Islamist militias, in particular al Qaeda, in order to prevent further terrorist attacks in the cities of the North. In the "ungoverned space" of failed states civil society is not seen as part of the solution but part of the problem until it "becomes substituted by visible and policy comprehensible INGO governance" (Bhatt, 2014: 824).

After the 7 July 2005 attacks against the London transport system conducted by radicalized "homegrown" British Pakistan Muslim youth counterterrorism began to target the export of radical jihadist politics, especially radical preachers and recruiters in the Muslim diaspora. Military intervention abroad to defeat Islamic militants in conflict zones became part of the expanded hypergovernance of migrants at home. The perceived increased risk of radicalization of diaspora Muslims has only intensified the securitization and domestication of young Muslim males as a terror risk category. The geographical focus of state "anti-radicalization" programs is on "jihadi corridors", the space linking diaspora and homeland politics constituted by the experience of training, ideological indoctrination and fighting for Islamist causes (Kashmir, Afghanistan, Chechnya, Bosnia) by different *jihadi* militias (Bhatt, 2010).

The link between 9/11 and state failure in Afghanistan has come back to haunt the West. Hypergovernance through military intervention in Iraq and political support for Arab Spring democracy movements against authoritarian regimes has not delivered "favoured governments". The growing influence and power of Sunni Islamist militias in Syria, Iraq and Libya and the loss of state territorial sovereignty through armed rebellion has renewed fear of diaspora radicalization in the West. Recruitment of 'jihadis' for these

¹³ 'Scott Morrison urged to visit war-torn north during trip to Sri Lanka', Guardian Sunday 6 July 2014 <http://www.theguardian.com/world/2014/jul/06/scott-morrison-to-head-to-sri-lanka-amid-row-over-fate-of-asylum-boat> (accessed 23 July 2014)

¹⁴ AusAID Programmes, Afghanistan <http://www.ausaid.gov.au/country/country.cfm?CountryID=27886219&Region=AfricaMiddleEast> (accessed 1 September 2010).

¹⁵ AusAID Programmes, Afghanistan <http://www.ausaid.gov.au/country/country.cfm?CountryID=27886219&Region=AfricaMiddleEast> (accessed 1 September 2010).

¹⁶ Submission to the Joint Select Committee on Australia's Immigration Detention Network September 2011, Department of Immigration and Citizenship <http://www.immi.gov.au/media/publications/pdf/2011/diac-jscaidn-submission-sept11.pdf> (accessed 1 June 2012).

conflicts by radical clerics and cyber appeals from ‘jihadis’ at the front for “brothers” to join them has led to much higher recruitment from the Muslim diaspora in the West as well as other Muslim countries.¹⁷ The response of Western governments has been the coordinated intensification of Muslim domestication, securitization and hypergovernance to prevent further radicalization and recruitment at home, to stop jihadi recruits leaving, to monitor the activities of their “nationals” in conflict zones and, on their return, to investigate them for criminal activity – e.g. consorting with proscribed terrorist groups overseas. The fear is that participation in jihadist militias will increase the risk of terrorist attacks at home on their return. The border is used to quarantine recruits to either prevent them from leaving to join jihadist militias by suspending their passports or detaining and prosecuting them under anti-terrorism laws on their return to limit the contamination of the diaspora at home and possibly initiating terrorist actions on their return. Transit countries such as Turkey and Lebanon are also cooperating in the anti-radicalization containment strategy fearing the consequences of radicalization amongst their own populations. The Australian government has already cancelled passports of those seeking to fight in Syria and Iraq (Cox, 2014).

As the hypergovernance of postcolonial states in crisis becomes more difficult so the international agenda for peacekeeping, peacemaking and nation-building becomes more expansive. LakhdarBrahimi, an Algerian statesman and veteran UN envoy to Afghanistan, commented: “[the plans] become more ambitious and multifaceted, seeking to promote justice, national reconciliation, human rights, gender equality, the rule of law, sustainable economic development, and democracy, all at the same time. From day one, now, immediately, even including in the midst of conflict” (Rashid, 2008: 402). Hypergovernance as a strategy of transnational governance of populations appears to be becoming more complex and never-ending. The unresolved project of state building in Iraq and the souring of the Arab Spring, especially in Libya, Egypt and Syria, as a non-jihadist route to regime change and social change has witnessed the intensification of securitization and hypergovernance of migrants/diasporas. Interception, detention and

repatriation through the recycling displaced and transient populations through local deals with states of origin or transit ones where ungoverned spaces resist ordering the emergence of the new military technologies, such as drones and robots, have opened up the opportunity for perpetual war. In the militarized hypergovernance of these ungoverned spaces the distinction between combatant and civilian collapses and “the moral indifference to civilian deaths becomes part of the rationality of war, as does the outrage at the death of a soldier” (Bhatt, 2014: 821). As governed spaces, such as the EU area of “freedom, security and justice” (AFSJ),¹⁸ become more harmonized and intensively regulated ungoverned space becomes the target of militarized hypergovernance and stripped of “freedom, security and justice”.

Conclusion

The patterns of securitization, domestication and hypergovernance pursued by the Australian state in the contemporary management migrants and migration are embedded in a web of international practices emerging in the North. Australia not only borrows laws and policies from the North and extends transnational governance through the adoption of UN conventions and treaties, it shares the transnationalized security objects – especially Muslims and refugees – and the produces the collective gaze of Australian spectator-citizens. While migration is usually strongly framed as a national question it is increasingly being managed in the North as an international one along an imaginary transnational border between the North and South.

Nation-states are increasingly confronting the limits of their sovereignty in managing the impact of globalization. The securitization of migration and migrants represents a strategy by which states in the North now seek to manage population flows from the South and to internally police the impact of migration on their own societies and to intervene in others. The bodies of migrants have been made surrogate borders on which the state inscribes its sovereignty through inclusion or exclusion. As social control, securitization involves a shift from the punishment to the prevention of crimes, from a panoptic lens (the logic of totalitarian control under the gaze of the

¹⁷ ‘Up to 11,000 foreign fighters in Syria; steep rise among Western Europeans’, 17 December 2013, International Centre for the Study of Radicalization <http://icsr.info/2013/12/icsr-insight-11000-foreign-fighters-syria-steep-rise-among-western-europeans/> (accessed 22 July 2014).

¹⁸ European Area of Freedom, Security and Justice. <http://freegroup.eu> (accessed 5 August 2014).

state) to a ban-optic lens (the management of threats under the gaze of the citizen spectator). But securitization of migration also represents a mode of governance based on policing social categories of threat and risk to produce social cohesion/consensus as a way to manage the problems of globalization.

The securitization of migration has emerged as a political project of spatial integration through the harmonization of policy and laws managing risk across states of the North. As Watson (2010) argues, securitization is best thought of as being at one end of the security spectrum between non-institutionalized and institutionalized practices. But as Karyotis (2012) argues the securitization of migration is a fallacy because of its complexity and uncertainty. The emergence of securitization is an expression of the inadequacy of institutionalized forms of international and national security to manage new risks and threats that have emerged with globalization. Perhaps securitization represents an emergent pattern to be institutionalized? Yet the very shift from panoptic to banoptic forms of disciplining suggests this is the new pattern of transnational security which prioritizes policy, and with it politics, on the latest risk objects. Even humanitarianism has assumed this form of prioritizing discourse for urgent political attention on the referent object of human suffering (Watson, 2011).

The transnationalization of migration policy in the North constitutes a sphere of overlapping sovereignties. The transnational management of migration and migrants has been an important mechanism for EU political integration through the harmonization of laws and policies. Securitization has reinforced the EU project of integration but it has also led to a wider harmonization of laws and policies as a shared project of the North. Securitization has accelerated the process of constituting a form of transnational governance focused on risk management by producing transnational categories for shared regulation – refugees, irregular migrants, terrorists and Muslims. In the area of migration the Inter-Governmental Consultations (IGC) on Asylum, Refugee and Migration Policies in Europe, North America and Australia is a good example of high-level discussion and forum for policy transfer and harmonization (Humphrey, 2002). The bureaucratic exchange of policies and laws is also referred to as “best practice” (Mountz, 2010). Securitization has emerged as a mode of governance to produce social cohesion/consensus around a threat. It combines technologies of surveillance, states scrutinizing the conduct of risk categories, with technologies of nor-

malization, the policing of social surfaces through the mediated circulation of images watched by spectator-citizens. The profiling of risk categories has led to cultural essentialization to make risks/threats legible and thereby gain political legitimacy by visibly policing them. Racism is being entrenched by the optical logics of securitization.

Securitization is an expression of hypergovernance, the transnational management of populations beyond state borders to contain threats at a distance. In the case of migration this has involved intercepting unwanted migrants – illegals and asylum seekers – before they arrive at the border and trying to keep them at home. States in the North have consistently sought to distance asylum seekers victims from voters by dehumanising them, denying their rights through exceptional laws (especial deny them access to national jurisdictions), criminalising them by association (their resort to people smugglers), and even producing a discourse claiming to save them in the name of combating people smugglers by denying them their rights. In other words, interception beyond the border makes refugees and asylum seekers politically and legally invisible and allows the state to avoid legal and moral responsibility to address asylum claims. It becomes a strategy of secrecy thereby spatially delimiting the international legal obligations and avoiding democratic scrutiny.

Reaching beyond the state also involves the outsourcing of sovereignty by getting other states, NGOs and private companies to assume responsibilities for managing migration flows. States from the North are increasingly negotiating the abdication of their responsibilities towards refugees and asylum seekers (treaty obligations, international law) by unloading responsibilities onto to others on the basis of coercion or inducement - accession to the EU; development loans; trade benefits; regional security agreements. But, as the situations in Afghanistan and Pakistan reveal, it is no longer enough to keep problems at a distance by exporting development and security programs. ISAF's hypergovernance of a failed state like Afghanistan is in practice contested by Islamic forms of hypergovernance projected by religious movements connected to the Saudi state's regional ambitions for influence (Humphrey, 2012). There are competing patterns of the franchising of sovereignty to Western secular as well as Islamic religious NGOs (Bhatt, 2007). What is at stake is not just local disorder or the reach of *salafi jihadist* millenarianism but the very future of postcolonial states in crisis. In Afghanistan state building and stabilization turned into a pro-

ject of generating support for a predatory state which only generated “violent ‘tribal’ militia” (Bhatt, 2012:825).

The impact of the securitization of migration in the 21st century is on course to intensify with the growing anxiety in the North about the South. By juxtaposing national order with global disorder, the impetus

for intervention at a distance, hypergovernance, will increase resulting in the reconfiguration of societies and states, but unlike in the era of western domination, contested by new counter imperialisms. If this is the scenario unfolding we will see greater displacements and more large-scale migrations.

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Citado.

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Plazos.

Recibido: 01/07/2014. Aceptado: 26/08/2014.