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THE AUTONOMY OF THE CITY

THE AUTONOMY OF THE CITY:
RE-IMAGINING POLITICAL BELONGING AND AGENCY

By

JENNIFER VERMILYEA, B.A., M.A.

A Thesis Submitted to the School of Graduate Studies in Partial Fulfilment of the Requirements for the Degree Doctor of Philosophy

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DOCTORATE OF PHILOSOPHY (2012) McMaster University
(Political Science) Hamilton, Ontario

TITLE: The Autonomy of the City: Re-Imagining Political Belonging and Agency

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SUPERVISOR: Professor Peter Nyers

NUMBER OF PAGES: V, 191

Abstract

This dissertation examines the apparently conflicting dynamics of movement and control. It does so by taking a unique approach to exploring these dynamics of movement and control by de-centering the state as the assumed site of authority of such dynamics. While traditional IR approaches situate the state as the authority for controlling and facilitating movement across borders, this study – which focuses on the movement of refugees and asylum seekers – de-stabilizes that authority by considering the ways in which other actors and spaces influence and resist these dynamics. Specifically, I consider the ways in which cities and migrants themselves might shape the apparently 'global' or 'state' processes of determining who enters and belongs in a particular political community. By de-centering – but not dismissing – the authority of the state in these matters, it becomes evident that definitions of political community are not only highly ambiguous but also somewhat autonomous from the state. The city emerges as a fundamentally different sort of political space from the state. The city – though not *separate* from the state – exceeds the state and opens up different possibilities for belonging politically than those made possible by 'seeing like a state'

These theoretical issues are contextualized in this study through the case study of the MV Sun Sea, a ship which arrived off the coast of Vancouver Island, Canada in August 2010 carrying 490 Sri Lankan asylum seekers. This case is explored from three angles – 'seeing like a state', 'seeing like a city', and 'seeing like a refugee' – in order to consider the dynamics of movement and control and the ways in which the autonomies of cities and migrants themselves reshape political space and subjectivities.

Acknowledgements

This project would not have been possible without the continued support, encouragement and engagement of friends, family and colleagues. I am extremely grateful for the financial support of the Social Sciences and Humanities Research Council of Canada as well as the Institute on Globalization and the Human Condition. Furthermore, I consider myself fortunate to have been a part of the supportive environment at McMaster University and thank my many colleagues for their productive feedback throughout this dissertation process. I would like to especially thank Dr. Marshall Beier and Dr. James Ingram for their thoughtful comments and suggestions for my work.

Above all, however, I would like to thank Dr. Peter Nyers, my supervisor, who read several drafts of my dissertation and always provided encouraging and productive feedback that pushed me to develop as a researcher. Without your support this dissertation truly would not have been possible.

I would also like to thank my family, especially my parents and my sister Diane, for their encouragement over the last four years and their continual interest in my studies.

Finally, I want to thank my husband, Rory, for his loving support and comical relief during those times when I felt overwhelmed and for providing encouragement when it was much needed.

Table of Contents

Introduction …1

Chapter 1: Historicizing Powerful Dualisms … 18

Chapter 2: The City as a Site of Global Politics … 57

Chapter 3: 'Seeing Like a State': Helpless or In Control? ... 86

Chapter 4: 'Seeing Like a City': Autonomy and Political Belonging … 115

Chapter 5: 'Seeing Like a Refugee': The Autonomy of Migration … 147

Conclusion ... 168

Works Cited … 176

INTRODUCTION

This study begins with a seemingly simple problem: how do we understand the apparently conflicting dynamics of movement and control? In the context of International Relations (IR), this question has taken on renewed importance in relation to debates concerning the ability of states to control movement across their borders in an era of globalization. Much academic literature – including some IR and Globalization discourses – portray an 'either/or' scenario of states' ability to control these global movements: *either* states are completely helpless to control the waves of various global movements *or* they are increasingly securitizing such movements with the implementation of ever-increasing border practices. This study – which focuses on the movement of refugees and asylum seekers – argues that both of these phenomena are occurring in tandem: states are exceedingly attempting to regulate certain types of global movement and this has manifested in the implementation of various new borders and border technologies operating increasingly inside the state itself. However, states' ability to control movement comes up against the fact that certain levels of autonomy exist – both in respect to migration and the characteristic flows of the city itself – which cannot be fully captured by the state.

This study takes a unique approach to exploring these dynamics of movement and control by de-centering the state as the assumed site of authority of such dynamics. While traditional IR approaches situate the state as the authority for controlling and facilitating movement across borders, this study de-stabilizes that authority by considering the ways in which other actors and spaces influence and resist these

dynamics. Specifically, I consider the ways in which cities and migrants themselves might shape the apparently 'global' or 'state' processes of determining who enters and belongs in a particular political community. By de-centering – but not dismissing – the authority of the state in these matters, it becomes evident that definitions of political community are not only highly ambiguous but also somewhat autonomous from the state. The city emerges as a fundamentally different sort of political space from the state. The city – though not *separate* from the state – exceeds the state and opens up different possibilities for belonging politically than those made possible by 'seeing like a state'[1].

The objectives of this dissertation are three-fold. The first is to situate my study of the city in the context of the discourses and debates of the field of International Relations. Standard IR approaches – including Realism, Neorealism, Liberalism, Neoliberalism and some Critical literatures – assert that the task of controlling global movement is a defining characteristic of sovereign state power. However, cities have historically contested this assumed association. Indeed, cities have some – and at times considerable – autonomy in the way they control or facilitate movement. Moreover, there is a certain 'global-ness' to the city today which is characterized by high levels of 'movement and flow': financial transactions, capital movement, tourism, cross-cultural exchanges, transnational solidarity movements etc. By investigating the relationship between the city and the state through a genealogical approach, we see that the assumed subordination of the city to the state is far from complete. This first objective, therefore,

[1] The phrase, 'Seeing like a State' was coined by James C. Scott in his book *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed*, 1998. This notion of 'Seeing like a state' will be developed in Chapter 3.

is to loosen the tightly held assumptions about the role of the city and the state in world politics and to provide a historical context for why this assumption of subordination is problematic.

The second objective is to theorize the city as a site of global politics. Rather than reproduce the exclusionary dualisms inherent in 'seeing like a state' – such as inside/outside, movement/fixity, here/there, us/them etc – I will argue that we need to see the city as a site of both increasing movement *and* control. It is, following Warren Magnusson, a place where any overarching sovereignty breaks down. But it is also increasingly becoming a space of surveillance and control. Importantly, the city is a site of multiple and often conflicting authorities. Indeed, if 'seeing like a state' depends upon the assumption of sovereignty, we might say that 'seeing like a city' depends upon sovereignty breaking down. In theorizing the city as a site of world politics, this study resists the characterization of the city as a smaller version of the state and instead offers an understanding of the city that gains its 'identity' through its outward rather than inward looking characteristics: it exists not as a bounded territorial entity but rather as a *network* through which various movements and identities are shaped.

The third objective is to consider what types of political belonging become possible by 'seeing like a city' rather than 'seeing like a state'. I argue that 'seeing like a city' is a practice that is, above all, ambiguous. In contrast to 'seeing like a state' – which is a highly ambiguous and contradictory practice but nonetheless has the intended effect of unity through sovereignty – 'seeing like a city' opens up the possibility for ambiguous political belongings, blurred boundaries, and conflicting identities. As will

become clear through my case study on the MV Sun Sea that arrived off the coast of Vancouver Island in August 2010 – which will be outlined in further detail below – the state is not the only or ultimate arbiter of human movement across borders. Indeed, the city not only participates in a variety of securitizing practices, but also acts as a space where such practices can be contested and non-state forms of political belonging can be created. The city is in some ways *autonomous* from the state and so, too, are the movements which cross state borders and frequently find their belonging in city spaces. Connected to this final objective of exploring the autonomy of the city, therefore, is exploring the autonomy of migration. I argue that migration and city space function together with certain levels of autonomy from the state. Indeed, the movements and flow of migration and city space exceed attempts by states to order such movement and ultimately open different possibilities for political belonging. This is demonstrated through the analytic of 'seeing like a refugee', which I explore in the final chapter of this study.

Autonomy and Sovereignty

Throughout this dissertation, I make reference to cities and migrants possessing a certain degree of 'autonomy' from the state. Unlike liberal and standard IR accounts of autonomy which invoke an understanding of autonomy-as-sovereignty, the account proposed in this dissertation – which will be further developed in chapter one – is fundamentally about *relations*.

It is difficult to imagine what autonomy means if not sovereignty. For instance, liberal accounts of autonomy characterize what are thought to be the conditions under which sovereign individuals might coexist peacefully in society. This version of autonomy – exemplified by David Held in *Models of Democracy* (1996) – proposes that in order for individuals to coexist as free and equal subjects, they must possess a certain degree of *autonomy* from the state but nonetheless act according to social norms and obligations. This version of autonomy positions the individual as sovereign, yet obligated to, the state. It is, moreover, a version of autonomy that relies upon the notion of an enclosed, sovereign subject, distinct from other rational beings and spaces.

Similarly, the standard IR version of autonomy-as-sovereignty – which will be developed in chapter one – relies upon an understanding of distinct 'levels' of enclosure. For instance, the 'local' level is thought to be fundamentally distinct from the 'national' and 'international' levels. Importantly, the 'autonomy' of the national level is prioritized in IR so that whatever variations that occur within states – i.e. at the 'local' level – are not important to the wider politics of IR. In this reading, the 'local' and 'international' levels are accountable to the 'national' level. Indeed, the 'local' and 'international' levels have, as their condition of possibility, the 'national' level. There would be no 'above' (international) or 'below' (local) without the national/state level serving as the centre, and as the measure against which all other levels are evaluated. Put another way, the autonomy of the state level is explained through sovereignty. It is an understanding of autonomy that relies upon a politics of *enclosure*: politics is said to occur within a

defined territorial space – the state – and everything that goes on within that space can be subsumed within the 'enclosed' space of state sovereignty.

If we follow this line of thinking of autonomy-as-sovereignty, then the logical way to think about the autonomy of the city and the autonomy of migration is through a politics of enclosure. That is, if we understand autonomy to be akin to sovereignty then the autonomy of the city can only be understood as state politics of a smaller scale, and the autonomy of migration can only be understood as the individual sovereign subject. Both understandings of autonomy rely upon enclosure characterized by a complete subject or space that is separate from other discrete subjects or spaces. The city would be understood as 'sovereign' over its bounded territory and composed of individual sovereign subjects.

In contrast to the versions of autonomy described above, I am proposing an account of autonomy that is fundamentally about *relations*. The autonomy of the city is *not* meant to imply state sovereignty on a smaller, local level nor is the autonomy of migration meant to imply an individual sovereign subject who is distinct from outside forces, relations and flux. Rather, the conceptualization of autonomy that I wish to put forward in this dissertation is one which *exceeds* these politics of sovereign enclosure. The autonomy of the city, then, should not be thought of as akin to sovereignty on a smaller, local level but should be understood as a sort of 'juncture' through which various localities and movements come into contact with one another and which cannot be – at least exclusively – controlled or defined by the state. Indeed, we should imagine the urban as "always [passing] beyond itself, sometimes flowing in the channels of the state

but usually spilling over the boundaries that contain it geographically and functionally" (Magnusson 1996: 23). In this way, the autonomy of the city is characterized by that which escapes the ordering principles of state sovereignty and resists the exclusionary dualisms inherent in 'seeing like a state'. Similarly, to conceptualize the autonomy of migration – or the 'see like a refugee' – is not to argue that migrants are *separate* from or uninfluenced by state processes of control but rather that migrants and their movements frequently escape such politics of enclosure.

Case Study – The MV Sun Sea

In order to explore the theoretical problems outlined above, I focus on a specific case study which highlights these tensions of movement and control and in turn exposes the autonomy of cities and migrants. Specifically, this study focuses on the case of the Sun Sea migrant vessel which arrived off the coast of Vancouver Island, Canada, on August 13, 2010 carrying 490 Sri Lankan asylum seekers. The ship had been monitored by multiple state authorities for several weeks prior to its arrival and was eventually intercepted and boarded by HMCS Winnipeg before being brought into shore at the Esquimalt naval base on Vancouver Island. There, temporary tent structures were set up to hold and interview the asylum seekers. Images of over-crowded boats and headlines of human smuggling and terrorism concerns quickly swarmed the media. Discourse in the media focused on the migrant body as diseased and malnourished as well as the asylum seekers' potential links to terrorism. The asylum seekers were characterized as 'queue jumpers', 'bogus refugees' and 'security threats'. To date, only two of the

migrants have been found inadmissible to Canada due to their possible terrorist connections and, while all were detained on arrival, only three men remain in detention and 20 have been issued deportation orders.

This case was selected because it illustrates the often conflicting dynamics of movement and control along with the autonomy of the city and migration by focusing on a particular question: to what extent do state policies and border practices mange to curb migration? The discourse in the media following the arrival of the Sun Sea was largely focused on the need to reform policies so that Canada could gain more control of migration. While much of the media acknowledged the lack of control and preparedness that Canada had for the Sun Sea, the solution to this was presented as a matter of policy reform. My research illustrates that, although the Canadian state exercised significant mechanisms of border control both prior to and upon arrival of the Sun Sea, Canadian authorities were in large part helpless to stop the ship from arriving and were similarly helpless in determining who belongs as a member of the Canadian polity and under what conditions.

My research explores this case from three different 'angles' in order to highlight the various workings of movement, control, political autonomy, and space. In particular, I view this case through the lenses of 'seeing like a state', 'seeing like a city', and 'seeing like a refugee'.

When we see the phenomenon of the MV Sun Sea 'like a state', the predominant concerns become protecting Canadian citizens from terrorism, disease, and job-loss. The asylum seekers were identified before they arrived as 'terrorists', 'outsiders', 'economic-

migrants', 'bogus-refugees', and 'diseased'. Their possibilities for political membership in the Canadian polity were again already pre-determined as either 'member' or 'non-member', and they were assumed to be unworthy of membership in the political community. Thus to see the phenomenon 'like a state' is to see it at a distance, and according to stark categories of member/non-member, legitimate/illegitimate, refugee/economic migrant, inside/outside etc. The sovereignty of the state and its borders are understood to be the predominant means by which to define and secure the 'inside' from these 'outside' threats. 'Seeing like a state' also involves the element of wanting to see these asylum seekers deported – the state wants to 'see' the back of irregular migrants, to see them go. The processing and deportation of the Tamil refugee claimants is a power that is unique to the state and one which – however much it fails at its stated aim – should not be dismissed[2]. To 'see like a state' in the context of irregular migration, therefore, is to strive to control the movement of such migration in very particular ways and according to very specific principles of inside/outside, legal/illegal, member/non-member etc.

The central question of this dissertation – that is, 'how is movement controlled and facilitated?' – appears relatively simple when viewed 'like a state'. To 'see like a state' is to view the control and facilitation of movement from a single sovereign locus – the state. However, 'seeing like a city' renders this question of movement and control much more complicated. If 'seeing like a state' presents itself as unambiguous through the desire of unity and stark categorizations, 'seeing like a city' involves a high degree of

[2] See Walters 2002.

ambiguity. To be clear, 'seeing like a state' is in fact no less ambiguous than 'seeing like a city'. The distinction being made here is that the *attempt* at unity made through 'seeing like a state' is fundamentally different from the fluid boundaries in the city – the desire of ordering a political community through the lens of the 'state' has always been to enact a unified 'inside' against an unknown and threatening 'outside'. Cities, in contrast, are often understood to gain their identity through multiplicity and diversity. The desire for 'one-ness' inherent in 'seeing like a state' visibly falls apart on the ground in cities where an array of often conflicting authorities come into contact, with no one authority rightfully claiming a 'sovereign' position. Through examining the case of the MV Sun Sea, this ambiguity becomes apparent: on the one hand, the 'state' worked through the city through a variety of securitization techniques manifesting in 'everyday space'. However, these practices of state-focused securitization were by no means sovereign in the city. What becomes apparent in the case of the Sun Sea is that various other authorities – including state agencies, activist groups, church organizations, local political authorities, and the asylum seekers themselves – all worked to shape the formation of political belonging for these asylum seekers. The terms of political belonging for these Tamil refugees were by no means pre-determined and they involved, above all, a certain degree of autonomy from the state.

Finally, I explore the case of the MV Sun Sea 'like a refugee' in order to draw attention to the agency and autonomy – however partial or momentary – that these refugees had in negotiating their movement. What becomes evident when we see the phenomenon of the MV Sun Sea 'like a refugee' is that the ambiguity of state

categorizations become further problematized along with the classification of the refugees on board as either passive victims or potential terrorists. Moreover, this specific case highlights an interesting aspect of the autonomy of migration because of the means of travel used by the asylum seekers. Indeed, the fact that the asylum seekers arrived by ship worked to create a particular problem for international law and state processes of control. In contrast to the apparently unambiguous laws governing the processing of refugees and human smuggling operations on land, the international laws regarding the interception of migrant vessels are much less obvious. As will become clear, this puts states in an ambiguous position as to whether they can and should intercept migrant vessels. Indeed, the MV Sun Sea evaded state capture, not because of the swiftness or technological prowess of its movement but because it moved in a way that was somewhat autonomous from state control. The authority to decide who should enter the state and under what conditions was destabilized by the movements of these asylum seekers who demonstrated a degree of autonomy in their movement.

Methodology

This study relies upon a single case study analysis in combination with genealogical and interpretative policy approaches. To begin the theoretical analysis of my research problem, I used a genealogical approach in order to contextualize and problematize the apparently ahistorical subordination of the city to the state. I choose to use the term genealogy rather than history here to emphasize, following Michel Foucault, that history does not present itself to us in a straightforward, linear line of progression (Foucault

1994). Rather, we can understand it as a process of 'starts and stops', of inconsistencies and multiple 'truths'. While an historical analysis of the emergence of the modern city may emphasize the gradual demise of municipal autonomy and the rise of state power, a genealogical approach would emphasize that this demise of municipal autonomy – while in one sense being 'true' – is never complete and is continually contested and interrupted.

Thus, a genealogical approach seeks to understand *how* a particular way of doing things was capable of becoming accepted at a certain moment as natural and self-evident. In discussing his choice of method in *Discipline and Punish,* Foucualt suggests, "It's a matter of shaking this false-evidence, of demonstrating its precariousness, of making visible not its arbitrariness but its complex interconnection with a multiplicity of historical processes, many of them of recent date" (Ibid: 225). The point of a genealogy, then, is to show that a given system of thought – in this case the subordination of the city to the state and the inevitability of state sovereignty – came about not as a result of a grand historical inevitability but through a multiplicity of complex and often mundane circumstances. Rather than assuming such a system of thought emerged through some rational inevitability, a genealogy would investigate how such a system emerged through particular, contingent turns in history.

In conjunction with this genealogical approach, I use interpretative policy analysis to examine the ability of states to control immigration in the context of my case study. This approach – which is explained in further detail in chapter three – can broadly be summed up by an understanding that there is not a single locus of meaning: "It does not reside solely in legislative language; enacted interpretations of written texts are just as

important to analysis, and meaning may also be created in interactions among written texts, legislators' intent, and others' constructions of one of both of these" (Yanow 2003: 232). Interpretative approaches therefore share a set of philosophical presuppositions that begin with an understanding that knowledge is situated and cannot be removed from the 'knower' (See, e.g., Chock 1995; Colebatch 1995; Gusfield 1963, 1981; Hofmann 1995; Maynard-Moody and Stull 1987; Pal 1995; Rein 1983; Rein and Schon 1977; Schmidt 1993).

This recognition of the necessity to situate policy within particular contexts of meaning highlights the fact that a policy's meaning and relevance shifts according to different populations, communities, and cultures. Rather than assuming that the 'truth' of a policy resides in its written words, interpretative approaches argue that a policy's 'truth' is context dependant and shifts according to its particular application. There is a 'gap' therefore between policy intention and its actual effect in a local context. In policy terms, "this translates into believing that what implementers do, rather than what the policy 'says' in its explicit language, constitutes the 'truth' of policy intent" (Yanow 2003: 240). In the context of the MV Sun Sea, this means studying policy in terms of the gap between intention and application: as we will see, the policy intentions of Canadian authorities – which were to stop or control the movement of the Sun Sea asylum seekers – fell apart in practice.

The 'interpretative' approach which I take in this dissertation – and in particular in chapter three – is therefore one that highlights the importance of policy but approaches such policy with a cautious and context-specific lens. I argue that there is something to

be gleaned by exploring the gap between the *intentions* of policies and their enactment in specific contexts. Furthermore, policies and mandates have real effects on the ground, even if these are not necessarily the intended effects of such policies. This study will thus employ interpretative methods to unpack the ways in which the intended affects of policy unfold in practice.

Outline of Study

This study has been divided into five chapters, with chapters one and two focusing on the theoretical problems outlined above and chapters three, four, and five examining these problems through my case study of the MV Sun Sea.

Chapter 1: *Historicizing Powerful Dualisms* provides context for my study within the wider literature of IR and explores the relationship between the city and state through the genealogical approach outlined above. I argue that the relationship of subordination of the city to the state – which has taken on an ahistorical sense of inevitability in IR – is not only historically problematic but also far from complete. I engage with the work of Engin Isin, Warren Magnusson and Gerald Frug to illustrate that, long before the invention of the modern state, the city held autonomous powers of local self-government that derived from the people within the locality rather than from some higher authority. I also unpack the notion of 'autonomy' in terms of how it is understood in IR and liberal discourses and contrast these notions of autonomy to the one I am proposing in this study. Finally, I introduce the notion of the city as a site of world politics and consider how its assumed subordination to the state needs to be problematized today.

Chapter 2: *The City as a Site of Global Politics* develops the idea of the city in world politics from its introduction in chapter one. This chapter explores the city as a site of both increasing *movement* and *control*. Rather than assuming that cities are becoming either increasingly globalized and fluid *or* that they are becoming the site of various security practices, this chapter argues that both of these processes are occurring in tandem. The first section explores the argument that cities are becoming 'global'. Here I engage with the 'global cities literature' and problematize its tendency to localize various global processes within the jurisdictional boundaries of the city. I argue that, rather than assuming that various global flows come together in the jurisdictional boundaries of the city, we should understand cities as being global in the sense that they act as links to various global processes which frequently exceed the boundaries of the city and indeed the state. The second section of this chapter explores the 'securitized city'. Here I argue that, while cities are indeed becoming increasingly 'global', we should be careful not to overemphasize movement and glow within the city. To understand the city as a space of movement and flow in contrast to the sate as a space of fixity problematically assumes a neat distinction between the city and the state and fails to understand how the borders of the state are increasingly working through cities themselves.

In Chapter 3: *'Seeing Like a State': Helpless or 'In Control?'*, I move into my case study in order to explore what it means to 'see like a state' in the context of movement and control. This chapter begins with a brief discussion on methodology followed by background and a media analysis of the arrival and processing of the MV Sun Sea. I discuss the role of the media in framing the arrival of the Sun Sea as a

spectacle and fostering fears that the migrants were a threat to the Canadian state and the ability of states to control immigration. I argue that the fact that the refugees arrived by ship added to the spectacle of the event: the slowness of their arrival in an era of globalization, where speed of travel and information are expected, seemed not only outdated but also contributed to the 'spectacle of these refugees'. Indeed, the slowness of the arrival – which was anticipated long before the ship made its appearance off Vancouver Island – enabled the media spectacle to emerge into a sort of meta-narrative about the *expected* threat that the asylum seekers posed to the Canadian state. This meta-narrative is unpacked in relation to the various themes of helplessness and threat that emerged following the arrival of the Sun Sea. Finally, I give an overview of official Canadian immigration and refugee policies in order to illustrate that attempts to map and order the dynamic processes of immigration are widespread and are in fact built into the fundamental principles of Canada's immigration system.

Chapter 4: *'Seeing Like a City': Autonomy and Political Belonging*, explores what it means to 'see' the event of the Sun Sea 'like a city'. I argue that what becomes clear when we see the event of the Sun Sea 'like a city' is that a multitude of authorities – rather than simply 'the state' were involved in controlling and facilitating the movement of these refugees. Moreover, these authorities – which included a variety of state and non-state institutions, authorities, activist groups, and the 'global economy' – were often conflicting and sovereignty proved to be infinitely deferred. Without an overarching sovereign authority, then, the question emerges as to what other possibilities for political belonging are possible once we 'see like a city'? The second section of this chapter

engages with this question by considering the relationship between the autonomy of citizenship and the autonomy of the city. I argue – following the work of Engin Isin and Henri Lefebvre - that there is something specific about the space of the city which opens up possibilities of autonomy for both individuals but also communities – or cities – themselves. Thus, political belonging becomes in some ways autonomous from formal state structures once we 'see like a city'.

Finally, Chapter 5: *Seeing Like a Refugee: The Autonomy of Migration*, explores what it means to 'see' the phenomenon of the Sun Sea 'like a refugee'. I begin with a brief overview of the literature on 'autonomous migration' which highlights that migration is more that just a result of 'push' and 'pull' factors beyond the individual agency of the migrants themselves. I then consider this literature in relation to the practice of human smuggling and human trafficking and ask what it means to stand against these practices in the context of autonomous migration. Finally, I consider the way in which the means of travel of the refugees – a ship – contributed to the autonomy of their movement and their ability to evade state processes of control.

CHAPTER 1:

Historicizing Powerful Dualisms

When the MV Sun Sea arrived off the coast of Vancouver Island, Canada, in August 2010, Canadian authorities quickly responded by detaining the asylum seekers and potential human smugglers on board and probing them for information regarding their origin and journey to Canada. In the months and years to follow, the Canadian state has indeed played an important role in regulating the movement of these asylum seekers and determining the extent to which they 'belong' in the Canadian political community. However, as this dissertation will argue, this reading of the journey, arrival, and response to the MV Sun Sea misses the autonomy of other political sites and subjectivities involved in the movement and belonging of these asylum seekers. The stark dualisms invoked by Canadian authorities following the arrival of the Sun Sea – including illegal/legal, legitimate/illegitimate, member/non-member etc. – were blurred and contested in part through city spaces. Far from existing as a mere subordinate to the state, the city acted as an important site where the dualities of state-centric political belonging were both contested and also reified. Above all, the city emerged as an important site through which the control and facilitation of these asylum seekers' movements occurred. What this suggests is that the apparent subordination of the city to the state – where the city exists safely within the secure boundaries of the state – needs to be problematized. This chapter will critically engage with this relationship of subordination and the stark dualisms of 'levels' that it implies.

Contemporary theories of International Relations (IR) predominantly structure modern politics around a series of dualities: inside/outside; citizen/non-citizen; sovereignty/anarchy; global/local and so on. These dualities are not mere analytical tools for the purpose of theoretical inquiry; rather, they are the fundamental building blocks upon which modern politics is constructed (Walker 2010). One of the most prominent expressions of these dualities in IR is that between the state and the state system: it is only by studying the state – the story tells us – that we can understand politics as they occur *within* states and relations as they occur *between* states. Key to this understanding of politics is a clear separation between an inside and an outside. As R.B.J Walker suggests, "Modern politics is spatial politics. Its crucial condition of possibility is the distinction between an inside and an outside, between the citizens, nations, and communities within, and the enemies, others and absences without" (Walker 1993: 306). The bounded territory of the nation state provides a spatial resolution to political order, as it is only within the secure borders of the state that legitimate sovereign power can be exercised.

This version of IR, however, has been challenged by a number of critical scholars who argue that there is a possibility for politics *beyond* the state. The argument made is that state sovereignty is perhaps not the necessary precondition for politics but that a more universal, cosmopolitan, or global form of politics is possible and indeed *necessary* to confront the challenges of our times. While these arguments are extremely diverse and could include reference to environmental problems beyond the state, claims to universal humanity etc., these narratives "increasingly run up against the multiple ways in which

our authoritative expressions of political engagement are firmly located in a particular somewhere: within and between the spatial boundaries of modern states" (Walker 2010: 25).[3] Thus, while critical theories of IR are now increasingly challenging the conventional account that politics must occur within the sovereign state, these critiques nonetheless rely upon a series of dualities to imagine another world *beyond* the state: the world is opposed to the international, the universal to the particular, and the global citizen to the state citizen etc. (Ibid). What this illustrates is just how deeply embedded these dualities have become to contemporary theories of IR. Indeed, to move *beyond* the state fundamentally relies upon reifying the state itself.

The purpose of this introduction on the dualities in contemporary theories of IR is to highlight their extraordinary power in shaping the conditions for modern political life. This language of dualities is one which underpins the fundamental problem of this thesis: namely, how can we imagine the autonomy of the city in a way which does not rely upon the local/national and national/international dualities? The danger in relying upon these dualities will become clear as this thesis progresses but it is suffice to say here that these dualities reify a reality that is in fact highly ambiguous. And yet, it is so deeply embedded in our ontological narrative of political life that it is extremely difficult to imagine otherwise. Indeed, one of the most naturalized distinctions in IR is perhaps that between the state and the city which is a distinction clouded in a discourse of subordination. Statist thinking assumes a hierarchical relationship between state politics and local government which posits that serious or 'high' politics be reserved for the

[3] For instance, see Held, McGrew, Goldblatt and Perraton 1999; Held, Archibuci, and Kohler eds. 1998; Scholte 2000; Cheah and Robbins, eds. 1998; Linklater 1998; Keene 2003; Hardt and Negri 2000.

former. As Warren Magnusson argues, "Statist thinking convinces us that the locality can only be a place within the state, at the bottom of a territorial hierarchy of authority. Local self-government can only mean control over rather trivial matters, since the character of the locality can only be controlled by forces that operate in the wider world" (Magnusson 1996: 62). Thus, the same discourse which separates the bounded community of the state from relations outside the state assumes that all politics within the state can be properly enclosed within its territory. Furthermore, theories of the modern state commonly posit local government as a 'creature of the state' which is subordinate to, and derives its power from, the state (Magnusson 1996; Frug 1980).

As naturalized as this understanding of local politics has become, this assumed subordination of the local is neither historically accurate nor entirely convincing as an account of modern politics. Indeed, a brief look at the history of the city reveals that the subordination of the city to the state is a modern invention that is never entirely complete. Not only have cities existed as self-governing entities long before the modern state existed, but history is full of examples of local governments that have subverted this relationship of subordination and assumed powers of self-government. Moreover, sovereign state politics would be more convincing if state sovereignty actually worked in the way in which it claims. As Magnusson notes, "The assumption of inevitability about the state in contemporary discourse seems curious when we consider the mounting evidence regarding the insufficiency of states as political communities" (Magnusson 1996: 52). This is not just a matter of states being too large in an Aristotelian sense; there is also the very significant sense in which states are too *small* to deal with the most

pressing political problems of the day: the protection of the environment, the movement and dislocation of peoples, the management of the economy, the control of military violence, the redistribution of resources and so on (ibid). Indeed, what is at stake here is that the politics of enclosure of the modern state does not provide a convincing account of the realities of (post?)modern politics.

This chapter is divided into three parts. I begin with a discussion of the concept 'autonomy'. This concept is central to my dissertation and will emerge through my empirical work in the coming chapters. In this chapter, I will unpack what I mean by the term 'autonomy' and attempt to distinguish it from the standard IR version of autonomy-as-sovereignty. The IR version of autonomy is manifested through an autonomy of 'levels' which is dependent upon – and indeed productive of – sovereignty. I discuss this 'levels of analysis' thinking in IR in order to distinguish my own understanding of autonomy from that of standard IR. I will also provide a critique of liberal readings of autonomy which I argue rely upon a similar assumption of sovereignty. In the second section of this chapter I examine how this hierarchy of the state in relation to the city has been produced and contested over time. Here I rely primarily upon the early historical work of Engin Isin as well as the work of Warren Magnusson and Gerald Frug to illustrate that, long before the invention of the modern state, the city held autonomous powers of local self-government that derived from the people within the locality rather than from some higher authority. Moreover, a series of historical examples show that this subordination was never complete and has been consistently challenged by various local authorities. Finally, I introduce the idea of the city as a site of world politics today. I

follow Arjun Appadurai to argue that there is increasingly an implosion of so-called global politics into and through the urban. This implosion or 'cascade' effect has the potential to produce highly unequal and contentious spaces – or zones of exclusion – within the city itself. There is also the potential, however, that these spaces of exclusion can be contested in ways that may not be possible through the state. The city is indeed becoming a key site of world politics with a certain degree of autonomy from the 'apparatus of capture' of the state.

Theorizing Autonomy

Throughout this dissertation, I make reference to the city possessing a certain level of 'autonomy' from the state, an 'autonomy' that is eclipsed from standard accounts of international relations. This section will develop the concept 'autonomy' – as it is used in this dissertation – through an analysis of competing versions of autonomy. Specifically, I will explore the version of autonomy-as-sovereignty as it is used in 'levels of analysis' thinking in IR as well as liberal accounts of autonomy. Through this discussion, it will become clear what accounts of autonomy I am arguing *against* and, conversely, which version of autonomy I am proposing in this dissertation. This concept of autonomy will be further developed empirically in chapters three, four, and five.

Perhaps the best pathway into exploring autonomy-as-sovereignty is to consider the 'levels of analysis' theory of IR. Through this discussion, it will become clear that the assumption of an autonomy of levels is highly dependant upon – and indeed productive of – sovereignty. As Nicolas Onuf notes, the term 'level' is now an integral

feature of contemporary international relations discourse (Onuf 1995). While David Singer introduced levels of analysis as a methodological problem in 1961, the assumption that there exists distinct 'levels' with discrete forms of politics has long pervaded the study of international relations. The methodological problem – namely, which 'level' best suits which form of research – already assumes an ontological answer to what politics *is* and *where* it can properly occur. In other words, it is just as telling – if not more so – to consider which 'levels of analysis' are left *out* of our methodological 'options' in IR as it is to consider which ones are included. This section will briefly outline the levels of analysis problem as exemplified by David Singer and presumed by Kenneth Waltz.[4] I will then go on to argue that the city as a 'level' is bracketed out of methodological consideration by a prior ontological assertion of what international relations *is* and is *not*. This move is made possible, moreover, by the assumption of autonomy-as-sovereignty: within the state, there can only be state-sovereign autonomy and any internal variations within the state can be properly subsumed within the higher 'level' of state authority.

In 'The Level of Analysis Problem in International Relations', Singer explores the methodological advantages and disadvantages of proceeding from different 'levels of analysis' in the study of IR. Singer's methodological 'choices' are limited to two levels – the systemic (international) and the sub-systemic (national) level. Rather than prescribe which level is more promising for the study of IR, Singer suggests that each level offers

[4] For further discussion on 'levels' in IR as well as examples of IR scholarship which implicitly or explicitly assume 'level of analysis' thinking see: Buzan 1995, Buzan and Little 1993; Hollis and Smith 1990; Giplin 1981, 1984; Keohane 1983, 1989; and Keohane and Nye 1993

different advantages and disadvantages, depending on one's research objectives. Although Singer acknowledges that it is not possible to get a one to one representation of the 'thing' in question – i.e. the state or the system – the goal of theory is to get as close to the phenomenon as possible and thus achieve as accurate of a description as can be attained through the faculties available to the human mind. Indeed, Singer notes that the primary purpose of theory is *explanation* and when descriptive and explanatory requirements are in conflict, the latter ought to be given priority, even at the costs of some representational inaccuracy (Singer 1961:79). Thus, Singer assumes that even though it may not be possible to get a perfect representation of our 'level', it is still possible to proceed toward a scientific explanation of that level. Indeed, clarifying levels of analysis would enable the field of IR to become a science, in the best positivist sense of the term (Onuf 1995: 41).

Singer asserts that the systemic level of analysis is a 'highly promising' point of focus and indeed the most comprehensive of the levels available, "encompassing the totality of interactions which take place within the systems and its environment" (Singer 1961: 80). For Singer, the advantage of a systemic level is that it allows for a comprehensiveness that is necessarily lost when our focus is shifted to a *lower* and more partial level (Ibid). However, the disadvantage of such a level of analysis is that it does not allow us to see the differences among the nations that make up the system. A sub-system level of analysis, by contrast, allows us to observe 'significant differences' among our actors in the international system and perhaps better understand the goals and motivations of nations. However, Singer notes that "the descriptive and explanatory

advantages are achieved only at the price of considerable methodological complexity" (Ibid: 88). Thus, Singer appears to be relatively open to which level of analysis a researcher chooses but only demands that the choice be carefully considered for its ability to provide the best *explanation* of international processes.

The important point here is that Singer identifies two levels of analysis as the potential sites for analyzing political processes in international relations. Prior to any methodological consideration of which level best captures international relations, Singer has made an ontological claim about what counts as a serious site of political inquiry and what does not. The question of what the international system *is* or if the nation actually exists is not open to theoretical inquiry. These entities are taken as a given and the task of theoretical inquiry is to achieve the best possible description and subsequent explanation of events. Note that what is *not* considered to be a relevant level of analysis is the city – nowhere is Singer's analysis does this 'level' even appear. It is possible to assume that the reason for this neglect of the city is due to the very structure of the 'levels of analysis' approach itself. Assumed in this approach is a vertical progression of levels with each level subsuming the one beneath. Indeed, Singer describes the sub-system level as necessarily being a *lower*, more partial level than the systemic level (Singer 1961: 80). It can be inferred then that the 'local level' would be a *lower* and more partial level still than the sub-state level which would provide little significance in the higher politics of international relations.

Thus, while Singer posits the problem of levels as a methodological choice for the researcher, the important ontological questions are already assumed. Indeed, Singer is

not only assuming that the important 'levels' of analysis are either the state or the state system, but in positing the very possibility of 'levels', he is assuming a neat distinction between the state and the state system, the domestic and the international, at least for the purposes of theoretical inquiry. Moreover, in bracketing out the question of the local level, he is both assuming that this 'level' has no significant implications for a 'system' or 'sub-system' analysis and that it can be properly contained within its higher level – the state.

Like Singer, Kenneth Waltz relies upon a distinction between separate 'levels' to arrive at conclusions about the nature of the state system. Waltz's *Man, State, and War* emerged as the level of individual behavior, the level of state and society, and the level of the interstate system. For purposes of methodology, however, Waltz adopted a two level scheme which was elaborated in *Theory of International Politics.* Waltz' primary concern in *Theory* is to develop a '*systems* analysis' of world politics that centers on the composition of the international *structure* while leaving a focus on the units within the system, what Waltz terms mere 'process', analytically distinct. For Waltz, the key difference between an 'analytic' and a 'systems analysis' is that the former examines the whole by a breakdown and reference to its parts whereas the latter is necessarily free from reference to the parts (or units) which make up the system (Waltz 1979). In international politics, these units are states, and key to Waltz' structural analysis is the ability to treat these units as like parts with standard identities and interests – sovereign, rational actors pursuing national security (Ibid). Thus because states can be analyzed as unitary and like-minded actors and because there is no higher authority than each state's

sovereignty in the international realm, world politics is, by definition, a condition of anarchy in which conflict and competition are the norm and where the driving interests of states is their respective national security.

This 'levels of analysis' thinking has proliferated in recent years in IR scholarship and has moved well beyond the national/international levels that Singer and Waltz identify. Thus, for instance, there is increasing reference to the 'global', 'local', 'transnational' or 'regional' levels of analysis and these 'levels' frequently take on their own programs of study in IR. However, despite this proliferation of 'levels', sovereignty remains the ordering concept at work here: all of these 'levels' – whether global, regional, transnational etc. – are either above or below the sovereign state.

R.BJ Walker argues that, while this sort of typological thinking seems all-pervasive in international relations, it has been subjected to very little critical appraisal (Walker 1993: 131). Indeed, while it may appear that these categories are relatively straightforward and uncontentious – a tool used to avoid analytical confusion – Waltz uncritically leaves out most of the world from his typology (Ibid). Thus, Walker asks, "What precisely are we to make of all those categories that this typology manages to ignore so effectively, categories of class, nation, gender, and ethnicity, or categories based on religion and locale?" (Ibid). As Onuf notes, however, Waltz would likely claim that he has already accounted for these categories: "class, nation, and ethnicity were, or could be, included in the category 'state'; gender in the category 'man'; region and locale, depending on their definition, in 'state' or 'system' (Onuf 1995: 41). It is highly unlikely, however, that Walker would be satisfied with this response. Indeed, Waltz's

apparently 'straightforward' account of levels of analysis has the effect of homogenizing the world into simple levels of the 'state' and the 'state system':

> Inside, the possibilities are reduced to the usual liberal options: the sovereign state and the sovereign individual. Within this ideological universe, categories of culture, class, and gender have been repeatedly excised, and Waltz's typology merely confirms this excision. Outside, there are states in a states-system, the anarchical distribution of forces in space, amenable to structural rearrangement but not historical transformation (Walker 1993: 134).

Thus, while Waltz would not claim that states are internally identical to one another, he is making the claim that whatever internal variations may exist among states – and whatever politics may occur in the 'domestic' realm – can be safely separated from international relations. Clearly, in Waltz's account, the local belongs and remains at its proper local level – safely accounted for within the state – and does not have any significant implications for international relations.

Of particular importance for this dissertation is the way in which various 'levels' in IR are assumed to exist as discreet entities, at least for the purpose of theoretical inquiry. Specifically, the 'autonomy' of the national 'level' is exemplified in these theories by the assumption that whatever variations occur within the state are not important to the wider politics of IR. In other words, the autonomy of the state level and its distinctiveness from other levels can be explained through the fact that it has sovereign authority over any occurrences within its borders. This is a version of autonomy that relies upon the sovereign politics of 'enclosure': politics is said to occur within a defined territorial space – the state – and everything that goes on within that space can be subsumed within the 'enclosed' space of state sovereignty.

If we were to follow this line of thinking – namely that politics proper can only occur within a well-defined and secure territorial 'enclosure' – then the logical way to think about the autonomy of local politics is as a sort of state-writ-small. That is, if we think through the lens of autonomy-as-sovereignty, then local politics can only be state politics of a smaller scale. We would then say that the city is 'sovereign' over its territory and the way to act politically through this space is to engage in a politics of citizenship at the local level. Warren Magnusson argues that the logic of the state is very similar to what we generally think of as the logic of the 'polis': "both point toward enclosure or privacy as the technique for creating a secure space in which politics proper can occur" (Magnusson 1996: 64).

I want to briefly explore another version of autonomy here because of its prevalence in contemporary Western political thought. The liberal version of 'autonomy' – exemplified by David Held in *Models of Democracy* (1996) – is one which similarly relies upon autonomy-as-sovereignty, albeit in a slightly different form. Liberalism as a political theory is preoccupied with establishing the conditions under which sovereign individuals can live as free and equal citizens in society. In order to coexist as free and equal subjects, individuals must possess a certain degree of *autonomy* from the state but nonetheless act according to social norms and obligations. Thus, "the development of autonomous spheres of action, in social, political and economic affairs, became a (if not *the*) central mark of what it was to enjoy freedom and equality" (Held 1996: 300). The 'principle of autonomy' can be stated as follows:

> persons should enjoy equal rights and, accordingly, equal obligations in the specification of the political framework which generates and limits the opportunities available to them; that is, they should be free and equal in the determination of the conditions of their own lives, so long as they do not deploy the framework to negate the rights of others (Ibid: 301)

This version of autonomy fundamentally characterizes what is thought to be the conditions under which modern sovereign individuals might coexist peacefully in society. Like the autonomy of levels described above, this version of individual autonomy relies upon – and is productive of – sovereignty. In this case, the individual is sovereign – yet obligated to – the state. Moreover, it is a version of autonomy which fundamentally reifies the distinction between different 'levels' – the sovereign individual, the sovereign state etc. It is a version of autonomy which relies upon *enclosure* – the autonomous individual can be understood as sovereign, rational being distinctive from other autonomous individuals.

While the accounts of autonomy explained above rely upon autonomy-as-sovereignty, the version of autonomy proposed in this thesis is fundamentally about *relations*. It is difficult to imagine what autonomy means if not sovereignty. However, this version of autonomy-as-sovereignty – expressed in different forms through levels-of analysis and liberalism – is fundamentally what this thesis is arguing *against.* What if we were to imagine local autonomy as being something other than autonomy-as-sovereignty? What would it mean to resist the politics of 'enclosure'? The conceptualization of autonomy that I wish to put forward in this dissertation is one which resists these politics of sovereign enclosure and instead sees urban politics as "always [passing] beyond itself, sometimes flowing in the channels of the state but usually

spilling over the boundaries that contain it geographically and functionally" (Magnusson 1996: 23). That is, rather than repeat the 'solution' of enclosure at a different level, the autonomy of the city needs to be thought of as an autonomy that frequently transcends the enclosed space of the urban itself. Thus, the autonomy of the city should not be conceived as akin to the sovereign autonomy of the state only on a smaller, local level but should be understood as a sort of 'juncture' through which various localities and movements come into contact with one another and which cannot be – at least exclusively – controlled or defined by the state. Indeed, a politics that simply privileges the local over the global or the state only serves to reproduce the problem of enclosure and the neat distinctions characteristic of statist thinking. Rather, I follow Deleuze and Guattari who argue that "The town exists only as a function of circulation and of circuits; it is a singular point on the circuits which create it and which it creates… It is a phenomenon of transconsistency, a network because it is fundamentally in contact with other towns" (Deleuze and Guitarri 1987: 197). What is perhaps most intriguing about a city-centered perspective to politics is that it forces us to do away with an understanding of sovereignty that emanates from a *single* centre and instead see this political space as a juncture between various localities and movements that must be understood simultaneously as local and global, universal and particular (Magnusson 1996).

It is from this understanding of the local – not as an enclosure of sovereignty on a smaller level but as a site where sovereignty perhaps breaks down – that this dissertation begins. This is not to suggest that the state is withering away – in fact, the borders of the state remain a compelling site of power relations for the control of various movements

and identities. Furthermore, it is not as though the city exists entirely separate from the state: any autonomy that the city possesses is always in contest and negotiation with the state. However, rather than assuming this account of political space is natural or inevitable, this chapter will argue that state sovereignty is an historically specific account of political space that is continually *produced* and is never complete. Indeed, a history of the modern state reveals that there has been and continues to be a great deal of contestation over this assumed site of politics – state sovereignty.

The Emergence of the Modern City as a Corporation

This section will provide a brief historical overview of the modern city from an autonomous *de facto* corporation with rights deriving from and connected to the rights of its inhabitants, to the modern city as a *de jure* corporation with rights and obligations derived from the state.[5] While there is not space here to provide a comprehensive overview of this transformation, the key objective of this section is to illustrate that the apparently natural subordination of the city to the state – a subordination supposedly due to the fact that the city is a 'creature of the state' – rests upon a sort of historical amnesia toward the historical autonomy of the city, an autonomy that long predates the emergence of the modern state.

This section will first explore the medieval city as 'cities with citizens' (Isin 1992) which held the status of *de facto* corporations existing in a space of overlapping claims of authority. I will then consider how the early modern city and the modern city

[5] For further reading on the history of the city see Dean 1999; Eaton 1900-01; Federation of Canadian Municipalities 2003; Frug 1999; Magnnusson 1985, 2005 and McQuillin 1911.

emerged in England as a *de jure* corporation, subordinate to the state and ultimately made *useful* as a site of state governance. Finally, I will briefly explore how the city as a corporation emerged in America and in British North America.

I will be relying primarily on Engin Isin's book *Cities Without Citizens* in which he argues that the city has shifted from being an entity that was connected to and derived its powers from, its inhabitants to a corporation created as a legal entity distinct from its citizens. I will also invoke the work of Gerald Frug who argues that the powerlessness of the city can be traced to the emergence of the liberal world view which understood the world in terms of a series of dualities – one of the most significant being the sovereign state and the sovereign individual. The city, acting as a sort of 'intermediary' between the sovereign individual and the sovereign state, occupied a puzzling space for liberal theorists. Indeed, the city "Failed to fit neatly into liberal theory which sought to allocate all aspects of social life to one of the poles of its dualities, in this case either to the sphere of the state or to that of the free interaction of individuals within civil society" (Frug 1980: 1976). It will become clear that the modern conception of the city can be understood only within the context of, and in contrast to, the rise of the autonomous city in the eleventh and twelfth centuries.

The Autonomous Medieval English City

The birth of the city as an autonomous corporation in England can be traced to the eleventh and twelfth centuries. Key to understanding the medieval city is that citizenship was not associated with the rights of the sovereign individual but was articulated through

an association with other people. The medieval city was formulated as an expression of its members rather than a prescription of supreme law or authority (Isin 1992: 18). The city in late medieval centuries, then, was a *de facto* corporation which means that the principle of unity resides in its actual members and is endowed with a *group personality*. This is in contrast to the modern city as a *de jure* corporation, meaning that unity is imposed from outside and above and its personality is actually a 'persona ficta' – a corporate person which is a fiction of the law. The medieval city was not an artificial entity separate from its inhabitants; it was a group of people seeking protection against outsiders and for the interests of the group as a whole (Frug 1980: 1084).

As Frug notes, the medieval city was primarily an economic association of merchants who created the city "as a means of seeking relief from the multiplicity of jurisdictional claims to which they, and their land, were subject" (Ibid). Thus, the city was not the only form of authority in medieval times, nor did it have complete and sovereign jurisdiction over its territory. The *de facto* autonomous city was in conflict with surrounding feudal lordships, kingdoms and other jurisdictions. The charters that were issued by kings, princes, and lords to medieval cities were meant to recognize these autonomous cities but did not create them (Isin 1992: 16). Rather, these charters were designed as contracts to respect each authority's powers and limits. While these competing and overlapping authorities may seem problematic from a modern sovereigntist lens, political space simply was not organized in late medieval centuries from a central, overarching authority. And while the notion of a city with a *group personality* may likewise seem odd given the modern understanding of the sovereign

individual, the medieval city was foreign to the notion of an individual whose interests could be contrasted to those of society. Indeed, "the rights of the group were not distinguishable from the rights of the individuals within the group" (Frug 1980: 1084).

Early Modern De Jure Corporations

As Frug argues, the move toward *de jure* corporations – which began in the thirteenth and fourteenth centuries in England – grew with the idea that individual and community interests may stand in opposition (Frug 1980: 1088). Indeed, it was only when this liberal world view became accepted that is was possible to conceive of the King's attempt to control the towns as liberating, and not restricting, the individual (Ibid). Thus, "Instead of seeking to understand the harmonious working of the whole, liberalism separated out from each aspect of life an individual interest as contrasted with a group interest and, at the same time, consolidated all elements of social cohesion into the idea of the nation-state" (Ibid). Put another way, the sovereignty of the individual and the sovereignty of the state became the only acceptable autonomy (Gierke, quoted in Isin 1992: 25). The city, which came to be seen as a sort of mediator between the sovereign individual and the sovereign state, simply did not fit into this picture. Thus, entities like the medieval town, formed as an association of citizens with autonomous powers for the unity as a whole, could gradually become mere locations for individuals and sheer 'creatures of the state' (Frug 1980: 1089). Indeed, the 'interest of the city' was bracketed out once the only legitimate interests were those of the state and the individual. After this

was established, "the increasing power of the state over the towns was understood as simultaneously advancing both state and individual interests" (Ibid).

Yet, there is another side to this move towards the city as a *de jure* corporation with established powers and responsibilities set by the state, and it is equally tied up with this emerging notion of sovereignty. As Magnusson notes, "the establishment of 'sovereignty' involved a radical simplification of the earlier pattern of divided, overlapping, and essentially contested jurisdictions, which had different origins, different histories, and different conceptions of political space" (Magnusson 1996: 82). According to sovereigntists, the only way to resolve these competing claims to authority that were characteristic of medieval society was to "establish an agreed-upon hierarchy of authority that locates sovereignty in a definite place" (Ibid). Thus, the city not only had to have well defined powers and obligations defined by a sovereign authority – the state – but it could not compete with the authority of the state, or other overlapping authorities for that matter. Rather, the city was to be both created by, and subordinate to, the state.

It was not until the fifteenth to late seventeenth centuries, however, that the strategy of the English state administration was to force corporations to surrender their old charters and accept new charters of incorporation. These first incorporated cities were closed corporations – that is, the state-appointed governing body of the corporation was empowered to co-opt members to perpetuate itself rather than through popular elections (Isin 1992: 33). This was a move that effectively divorced the city as a corporation from its citizens. The new *de jure* corporations were closed, oligarchic bodies of governing elite who performed duties as officials of the state (Ibid). By the end

of the seventeenth century, cities in England became subordinate to the state and were separated from the citizens who had originally made up both the governing body and the 'group personality' of the city itself.

Early Modern Cities as Mechanisms of Governance

During the sixteenth and seventeenth centuries in England, increasing concerns with obedience, discipline, and governing of *populations* led to cities playing an important role in state administration (Isin 1992:38). One of the first examples of this use of the city for the purposes of state governance can be seen in the Poor Laws. As Isin notes, the Poor Laws were closely associated with the issue of governing the masses and were different from poor relief that was administered through the churches (Isin 1992). Rather than focusing on poor relief, the Poor Laws "operated through an elaborate state administration to wage battles against vagrancy, idleness, and impotence" (Ibid: 38). The city played a key role in carrying out the Poor Laws and proved to be useful for the purposes of state governance. Thus, rather than simply restricting city powers, the city became endowed with certain governing objectives. Crucially, these objectives were to be defined by the state and administered for the purpose of more efficient and disciplined populations (Dean 1991). The city then became a key site of intervention in which "repressive command as a means of control shifted toward calculated, coherent legislation" (Isin 1992: 44).

The Municipal Corporation Act of 1835 gave cities a new and uniform constitution with delegated powers and liabilities to undertake the governance of citizens

of the state. To appreciate this emergence of the city as a site of state governance we must understand the emerging liberal critique on centralist policies of state administration. As Isin notes, liberalism did not question governance; it questioned governance by command (Isin 1992). Instead, "government through institutions was the pillar of a new concept of power; to govern meant that those invested with authority established laws, rules and regulations to direct and steer the actions or conduct of citizens of the state" (Ibid: 56). The modern city was one of the fist institutions to come under this form of liberal governance.

The Emergence of the Corporation in Colonial America

Key to understanding the history of the thirteen colonies in America – a history that spanned a period from the seventeenth to late eighteenth century – is that by the time the colonial apparatus appeared, the towns in the corporate colonies had already developed communal attributes and were *de facto* corporations (Isin 1992: 67). The first corporate colonies were established by grants from the English state to companies that transferred limited power to the company with petitioners given the right to trade and to establish settlements. Early on, these companies remained in England and were essentially trading companies. However, the Massachusetts Bay Company was the first example of a company that transferred locations from London to the colony itself and was established for the purposes of settlement. As Isin notes, this would bring significant consequences for the corporation (Ibid: 71). One of the most important consequences was to be a shift in the definition of 'freemen'. When the company was located in England, the freemen

were considered the adventurers, "a body of persons who were incorporated and conferred with the power of engaging in trade and exploration" (Ibid: 72). However, with the transfer of the company to the colony, the freemen became the settlers or citizens of the corporation, much like in the medieval corporations. Thus, the colony was faced with the problem of representing the settlers within the corporation.

Since corporate colonies could not create other corporations – in early modern English law, a corporation was not empowered to create another corporation – the principle of representation was instituted through the creation of towns. Because the town was not under prescribed authority of the English state, it operated as a *de facto* corporation where there was no separation between the city and the citizens (Ibid). The town operated as a fiscal centre of the colony, a unit of military organization, and as the area of representation in the general court of the colony. Thus, it is crucial to recognize that when cities were first established in the colonies, they operated as *de facto* corporations with communal attributes. As Frug notes, although towns were originally subordinate to the colonial government, "they increasingly established their power on the basis of the direct popular sovereignty exercised in town meetings" (Frug 1980: 1098). Unlike English cities at the time, colonial towns did not have a formal corporate structure. Instead, they could be viewed as bearing a resemblance to the kind of associations that created the medieval towns, and thus their power could have been perceived as based on the freedom of association rather than on corporate rights" (Ibid: 1097).

However, when the British colonial apparatus was formed, it determined that colonies should exist for the benefit of the mother country and *de facto* autonomy was deemed detrimental. The problem of 'government at a distance' became central to colonial administration (Isin 1992). Thus, cities as *de jure* corporations began to form. Originally, this was done through granting colonies to proprietors who were empowered to erect *de jure* corporations within their colony. However, the emphasis on proprietary colonies eventually shifted to royal colonies, which operated through royal governments and received their appointment and instructions from the English state. Thus, the royal colonies were governed through the British colonial apparatus which was "determined to coordinate and centralize settlements, incorporate towns, and establish territorial institutions such as townships as part of the instruments of government" (Isin 1992: 81). In royal colonies, there was considerable interest in establishing cities as they were seen as sites in which the colonial apparatus could be administered more effectively through disciplining subjects, inculcating useful habits in settlers, and promoting trade (Ibid). Yet, there was an understanding in royal colonies that the city had to be subordinate to the state.

However, the cities in royal colonies soon became the target of rebellions as they were seen to be against the spirit of the American Revolution. Once the colonies rebelled against the state, the British colonial apparatus largely blamed its failure to create *de jure* corporations (Isin 1992: 91). Thus, it was thought that the state's failure to create *de jure* corporations at the outset had made the colonies difficult to 'tame': "once liberty and rights of *de facto* corporations were in place, it was difficult to encroach upon them"

(Ibid: 88). As we will see, this recognition of the dangers of *de facto* corporations and the belief that they led to the rebellion of the colonies played a key role in the formation of colonies in British North America.

One final point to note about the emergence of cities in colonial America is that, once the early American republic was established, those cities that rebelled for independence were subordinated to the state legislature after the rebellion. Thus, the city was to emerge in the American republic as a subordinate 'creature of the state'. Central to this subordination was the legal doctrine known as Dillon's Treatise of 1872 which established that cities were subject to state authority. In articulating the power of the state over the city, John Dillon, the endorser of the treaty argued, "State power is supreme and transcendent: it may erect, change, divide, even abolish, at pleasure, as it deems the public good to require" (Dillon, note 309; cited in Frug 1980: 1111). As Frug notes, this curb on city power emerged largely from a 'mistrust' of the kind of democracy practiced in the city and a belief that private and individual interests needed to be protected from the 'public' nature of the city (Frug 1980: 1110). As Isin argues, Dillon's Treatise – which effectively legitimated the subordination of the city to the state – became the core of the modern doctrine of the corporation (Isin 1992: 91).

Cities in British North America

Unlike cities in colonial America, cities in BNA originated as 'cities without citizens' and were never allowed to develop *de facto* status as corporations. As noted above, this was due largely to the experience of the British colonial apparatus with *de jure* corporations in

colonial America. Instead, BNA colonies were constituted as royal colonies, with governing boards appointed by the colonial apparatus. This close administration of the colonies emerged largely from the fear of another rebellion (Isin 1992). Thus, the colonial government and councils formed an oligarchy and exercised unchecked power which resulted in an extreme centralist and statist constitution in BNA between the 1760s and 90s (Ibid).

However, between the 1780s and 1830s, there was a tension between this strong central government and potential local autonomies. On the one hand, there was an antagonism towards towns which were seen to make possible the emergence of 'different and undesirable loyalties' and *de facto* citizenship (Ibid: 101). On the other hand, however, there was the recognition of the necessity of governing *through* towns in order to induce loyalty and obedience amongst the subjects (Ibid). Beginning in the 1840s, there was a recognition that incorporated towns and cities were a means to govern colonies effectively. Indeed, the 1830s rebellions made evident that without incorporated towns, the population and territory could not be organized or governed effectively (Ibid). Unlike the rebellions in colonial America – which were attributed to too *much* autonomy at the local level – the rebellions in BNA were attributed to the absence of any form of local authority that could effectively govern the population.

Thus, after the rebellion, it was clear that it would be necessary to incorporate subjects in order to govern the colonies (Ibid: 140). Beginning in the 1830s and 1840s, we see the emergence of the municipal corporation in BNA. The Municipal Corporations Act of 1849 "established all inhabitants of villages, townships, towns, counties, and cities

as a body politic and corporate with certain conditions and endowed them with essential attributed corporations" (Ibid: 169). The tension between the desire for a centralist state power and the recognition that cities need to be utilized as sites of state governance was solved, then, by the creation of *de jure* corporations which would produce colonies that would be useful to the state.

As this brief historical overview of the city as a corporation has demonstrated, the modernization of the city as a corporation historically meant its incorporation into state administration as a site of governance. However, it should also be clear that, far from emerging as a 'creature of the state', the city originally existed in quite a different form as a sworn association amongst its members that had nothing to do with the delegation of power from a higher authority. It is easy to read this history of the city as a corporation as a gradual demise of local autonomy and the ever increasing powers of state administration and governance. While this is true on one level, it is important to note that this loss of local autonomy did not occur without considerable local resistance. Moreover, the subjugation of the city to the state is by no means 'complete' as we will discover in the final section of this chapter and later chapters. However, before we consider alternative theories of the city that problematize the statist characterization of its subordination, I will briefly explore some of the more prominent and visible movements of local resistance against the state as discussed by Magnusson in his book *The Search for Political Space.*

Municipal Resistance

In *The Search for Political Space,* Magnusson provides various examples of municipalities subverting their subordinate status in relation to the state. While I will not discuss these examples in detail here, I will briefly highlight a few examples that are particularly significant. Throughout the book, Magnusson discusses the ways in which the Labour Left in Britain was able to mobilize its strength in local government to challenge the policies associated with Thatcherism (Magnusson 1996). As Magnusson argues, "given the weakness of the Labour party nationally, it was not hard to believe that the *real* opposition to the Conservatives was not in parliament but among the local authorities, where an increasingly radical Labour party exercised its influence" (Ibid: 19). Indeed, while the Conservatives were focused on dismantling the welfare state, privatizing industry, deregulating capital, and rearming the country for a new round of the Cold War, the Labour councils, which were in power in most of the major cities in Britain, were moving in the exact opposite direction (Ibid). Thus, municipalities organized through local support to challenge Thatcher's foreign policy, oppose nuclear arms and energy, and "began to articulate concerns about race, gender, and the environment that were associated with the new social movements" (Ibid). Although many of the local initiatives which directly challenged the policies of the Thatcher government were eventually shut down by the central government, the challenge that these local initiatives provided to Thatcher's governing ability should not be underestimated. Indeed, "The British experience suggests that even tightly centralized

and strongly led governments like Margaret Thatcher's can run into serious difficulties in trying to impose its policies on determined local authorities" (Ibid: 269).

In the chapter entitled 'Municipal Foreign Policy', Magnusson discusses how municipalities in the United States and Britain effectively challenged and took control of an area traditionally associated with state authority – foreign policy. The first example discussed is the creation of 'free zones' or 'sanctuary movements' at the local level. The sanctuary movement in the United States began within religious congregations, which invoked the ancient principle that churches and temples are spiritual temples that should be respected by the secular authorities (Ibid: 262). The argument made by these religious congregations was that they were required to provide help and shelter to anyone who sought protection. Eventually, this religious movement shifted to a wider sanctuary movement at the local level and when municipalities got involved, they appealed not only to principles of morality but also to their rights and duties under international law to provide protection and refuge to those seeking it (Ibid). Moreover, municipalities often made, and continue to make, an appeal to public health and welfare, claiming that it is to the benefit of society that illegal immigrants feel safe to access health care and social services. By mid 1989, there were twenty-nine declared sanctuary cities in the United States. This practice of municipal sanctuary is a growing phenomenon, with several cities across Canada, the United States, and Britain actively defying the policies of the state in order to provide refuge to individuals or groups who may otherwise be deported.

As Magnusson argues, the resistance activities of the sanctuary movement in many ways paralleled the activities of the antinuclear and disarmament movements (Ibid;

264). The 'nuclear-freeze' campaign in Britain and the United States waged an effective challenge to states, with various localities banning the testing, manufacturing, or deployment of nuclear weapons within their borders. To protect themselves, "local authorities usually tried to claim that they were acting within the limits of their traditional responsibilities for health, safety, and economic well-being" (Ibid: 265). As Magnusson argues, the nuclear-freeze campaign provided an important site of resistance to national politics and proved that determined local authorities could effectively challenge and disrupt even the most centralized governments, as in the case of Britain. However, "conservative courts and state officials still take the view that matters of foreign and defense policy are properly within the jurisdiction of the national government" (Ibid: 269).

These examples are not meant to argue that local authorities can simply overturn the policies of the national government at their pleasure. Rather, these examples are meant to illustrate that the subordination of local government is never complete and that even tightly centralized governments can face significant challenges in trying to impose its policies upon determined local authorities. Moreover, the history of municipal subordination cannot be properly captured by a linear line towards a greater increase in state authority and the demise of local authority. Rather, the relationship between state and local authority is in constant tension and there are various examples of local initiatives which have effectively challenged state policies. As Magnusson argues,

> Local authorities are obviously at a disadvantage in relation to the state in terms of their legitimacy. The deficit in this regard is both formal and political. However, there are limits on a central government's capacity to

> endow its own acts with legitimacy, and these limits can be exploited by the local authorities (Ibid: 240).

Thus, it can be argued that a central government's ability to be effective rests on its perceived legitimacy. Where there is popular discontent at the local level toward national policies, the local authorities can use this discontent to challenge the central government. However, Magnusson argues that the authority of the local government rests upon a political culture that recognizes local government as a political unit that is equal to the nation: "The implication seems to be that local governments can protect themselves from a central government only when a political culture has been created that legitimates the locality as a political unit with a dignity that is equal to the nation's" (Ibid: 240). Crucial to effective local resistance, then, is a political culture that values and legitimates the local as a key site of political action.

The City: A Site of Global Politics

A central claim of this thesis is that the city possesses a sort of 'autonomy' from the state but that such autonomy needs to be thought of through a different political space than that claimed by sovereign state authority. The question remains, however, as to what sort of political space is opened up by thinking through a city-centered perspective of local politics. The last section of this chapter will introduce the idea of the city as a site of global politics. In the next chapter, I will further expand upon this notion and unpack the idea of the city as a site of flows and localities.

I want to make the claim here, following Arjun Appadurai, that we are increasingly witnessing an implosion of global and national politics into the urban world

(Appadurai 1996). Rather than conceiving of the city as an enclosed place within the state, I will consider how the city operates as a *translocal* juncture between localities and movements.[6] Furthermore, I will consider how so-called 'spaces of exception' that are typically thought of through border sites or refugee camps *outside* a 'proper' political community, are increasingly emerging within cities themselves, largely as a result of this 'translocal' urbanism.

In "Sovereignty without Territoriality: Notes for a Postnational Geography", Arjun Appadurai argues that "the modern nation-state as a compact and isomorphic organization of territory, ethnos, and governmental apparatus is in a serious crisis" (Appadurai 2003: 338). Appadurai argues that we are now living in a 'postnational geography' where states can no longer claim the privileged position as the guarantors of the territorial organization of markets, livelihood, identities, and histories (Ibid: 342). Instead, "they are now to a very large extent arbiters of various forms of global flows" (Ibid). In this postnational order, the production of locality – as a dimension of social life, as a structure of feeling, and in its material expression in lived 'copresence' – faces two challenges: "On the one hand, the production of locality challenges the order and orderliness of the nation-state. On the other hand, human motion in the context of the crisis of the nation-state encourages the emergence of tanslocalities" (Ibid: 338). Thus, human movements that are characteristic of the contemporary world are as much a threat to the identity and orderliness of the nation-state as they are to localities. The city, in this

[6] For further reading on the urban as a political space see Judge, Stoker, and Wolman 1995; Knox and Taylor 1995; Isin 2000, Scott 2001; Amin and Thrift 2002; Sassen 2002; Smith 2001; Parker 2004; and McAllister 2004.

instance, must be understood not as a space where postnational identities exist in an enclosure, but as a site where these identities are formed and reformed and come into conflict with one another. The locality acts no more as a 'container' for postnational identities than does the nation-state.

Appadurai argues that the movements and flows characteristic of the contemporary world have produced 'postnational cartographies' as the sites through which these movements and flows come into contact with one another. Such postnational cartographies – usually cities – tend to be weakly associated with their national environments and are, rather, "integrally involved with transnational allegiances and interests" (Ibid: 343). While nation-states continue to make efforts to exercise strong control over these cities, "such efforts will no longer be able to rely on the common sense that there is a national territory to which these cities and their inhabitants naturally belong" (Ibid). Thus, the assumed association between national identity and sovereign territory is increasingly disjunct. These 'translocal' sites thus exercise some *autonomy* from the national spaces in which they are supposedly enclosed. Indeed, this assumed association between national identity and sovereign territory is being challenged by these 'translocalities' which *exceed* the regulating powers of the state in their autonomy. This is a networked form of autonomy that stands in contrast to the statist 'enclosure' form of autonomy-as-sovereignty outlined earlier in this chapter. It is becoming exceedingly difficult for states to regulate the types of loyalties and identities that emerge in these 'postnational cartographies'. While these loyalties and identities may be partly formed in the city, they are increasingly autonomous and *translocal* in the sense that the locality

acts as a juncture of various ties, loyalties, movements, and identities that often overflow its territorial borders.

As Stephen Graham argues, "Just as it is no longer adequate to theorize cities as local, bounded sites that are separated off from the rest of the world, so, similarly, political violence is now fueled and sustained by transnational networks that can be global and local at the same time" (Graham 2010: 6). The city thus becomes a site of world politics where 'new' urban wars "take their energy from macro events and processes…that link global politics to the micro politics of streets and neighborhoods" (Appadurai 1996: 152-3). In *Modernity at Large*, Appadurai argues that macro events or 'cascades' both shape and are shaped by local processes and imaginings. Thus, local interactions and day to day politics are shaped by broader regional, national, and global events and forces just as so-called 'macro-events' are informed by 'local' processes. The implications of this 'cascade' effect are profound. As Appadurai suggests, "The worst kinds of violence in these [new urban] wars appear to have something to do with the distorted relationship between daily, face-to-face relations and the large-scale identities produced by modern nation-states and complicated by large-scale diasporas" (Ibid: 154). Thus, we are witnessing a deep categorical treachery that comes to define how disagreements and contestations are shaped in and through cities, that is, "treachery about group identity defined by states, censuses, the media and other large-scale forces" (Ibid: 154).

The city, then, should be thought of not as a state writ small but as a site of world politics where various 'translocal' processes become shaped and contested through the

city. An important effect of this 'translocal' urbanism is the emergence of so-called 'spaces of exception' within the city itself. As Kim Rygiel and Engin Isin argue, such spaces of exception within cities can be thought of as 'zones' in which "various subjects are dispersed but then live under conditional freedom and surveillance" (Rygiel and Isin: 193). Such spaces may include refugee camps, detention centers, or even dispersed spaces in which failed asylum seekers 'disappear'. Rather than existing in a secured border space 'out there', spaces of exception – or what Rygiel and Isin call 'abject spaces' – exist alongside spaces of citizenship in and through cities:

> Rather than a system of sovereign, contiguous, discrete and exclusive nation-states, we are witnessing the reemergence of a patchwork of overlapping spaces of greater and lesser degrees of rights and rightlessness, abject spaces and spaces of citizenship being nestled within each other (Ibid: 199).

Thus, rights-bearing citizens increasingly exist alongside 'abject' subjects who are rendered invisible and inaudible through such zones of exception within cities themselves (Ibid).

One prominent example of a 'zone' of exception is the growing presence of refugee 'transit camps' within cities. For instance, the unofficial open-air transit camps in Calais France operate as a space for asylum seekers to stay in France before crossing the Channel to seek asylum in Britain. In 2002, the official Red Cross Sangette center near Calais was shut down. This center had provided shelter for up to 2000 people and since its closure, the situation for asylum seekers in the Calais region has reached a crisis

point.[7] Without a place to sleep free from the fear of arrest or deportation, thousands of asylum seekers are forced to live in woods near the ferry port known as 'The Jungle' (Ibid). The asylum seekers find an occasional meal through the Salvation Army but fear staying over night for fear of police harassment (Rygiel and Isin 2008).

While the example of Calais may seem to be an 'exceptional' case of a zone of exception within the city, we might also consider how more seemingly mundane practices operate as zones of exception in the city. An example that will be considered in this dissertation is detention centers for asylum seekers. As will be explored in chapter three, when the Tamil asylum seekers landed off the coast of Vancouver Island in August 2010, they were immediately placed in detention centers in Greater Vancouver and held for questioning. This is increasingly becoming a seemingly 'standard' practice in these sort of large-scale asylum cases – Canada's model for asylum detention is modeled after Australia's, and there are current legislative initiatives which seek to make these detention rules more strict and invasive. These centers are located in the city, and yet they don't seem to properly 'belong' in the city. They are spaces where asylum seekers are in a sort of 'state of transit' – they are not yet citizens of the host country but cannot return to their 'home' country. In a sense, they do not 'belong' inside or indeed outside the state.

Thus, zones such as the 'jungle camps' in Calais and detention centers in Vancouver – and indeed many parts of the world – illustrate the ways in which spaces of exception exist not simply at the border or in camps 'out there' but exist alongside spaces

[7] 'Breaking the Law of the Jungle', London No Borders http://london.noborders.org.uk/node/177

of citizenship within cities themselves. In a sense, the zones do not properly 'belong' in the city but are spaces 'outside' the city and yet inside at the same time (Ibid). Such zones include detentions centers which range from 'asylum hotels' or 'inductions centers' to 'accommodation centers' and 'removal centers' (Ibid). As I suggested above, however, these zones of exclusion can also exist through dispersed sites in which failed asylum seekers are forced to live underground, without access to the rights associated with citizenship. As Rygiel and Isin suggest, "What is particular to abject spaces nestled within cities is the way states use these spaces to make the failed asylum claimants 'disappear' into the streets by rendering them invisible, inaudible, and ultimately inexistent, thus limiting their access to may of the citizenship rights that become available by virtue of being in and of the city" (Ibid: 198).

Crucially, we cannot understand the politics of such 'zones' without looking beyond the border of the city itself. Moreover, we must also look beyond the physical border of the state in order to understand the ways in which such spaces emerge, are managed, and contested. These 'zones of exception' are illustrative of what Appadurai calls the 'implosion of regional, national, and global events' into the urban world (Appadurai 1996). Large-scale understandings and fears of refugees and illegal migrants – which are in part produced by modern nation-states and complicated by large scale diasporas (Ibid: 154) – shape the day-to-day interactions between these refugees, 'illegal' migrants, and 'proper' citizens in and through the city itself. Thus, the city acts as a key site of world politics where various 'macro-level' processes are played out and come into conflict with one another.

Conclusion:

The aim of this paper has been to challenge the conception of the city as a 'creature of the state' whose politics have little to do with broader international and global processes. As I argued in the first section of this paper, the city is frequently bracketed out of conventional IR analyses. This is largely to do with the pervasive 'levels of analysis' framework which assumes that the city can be properly contained within the 'state level' and has no broader significance for the study of IR. It has become somewhat commonsense to argue that the city has little relevance in terms of 'global politics' and that its position as a 'creature of the state' simply makes sense both historically and in the contemporary world. However, this chapter has argued that – far from existing as a historical inevitability – the subordination of the city to the state emerged out of a particular set of practices informed by a liberal world view which privileged the sovereignty of the state and the sovereignty of the individual. Moreover, the city emerged *not* as a creature of the state but as a sworn association of citizens whose rights and powers were organized collectively and delegated by the members of the city themselves. To assert that the city exists as a 'creature of the state' is to erase the history of the city as a *de facto* corporation with rights and obligations and the principle of unity deriving from its members.

Yet, it is difficult to deny that, in a legal sense at least, the city exists today as an entity whose rights and obligations derive from the state and whose governing objectives are often meant to assist the purposes of state administration. However, even on this account, the subordination of the city is by no means complete. As argued in this paper,

there are various examples – a few of which are mentioned in this chapter – of cities actively challenging the policies of the central government. As Magnusson argues, these challenges by local authorities are most effective when there is substantial support at the local level, not only for local policies but also in the broader sense of recognizing the locality "as a political unity with dignity that is equal to the nation's" (Magnusson 1996:240).

If we take seriously the contention that the city cannot be thought of as a 'creature of the state' and an enclosed space within the bounded territory of the nation, then we can begin to explore the city as a site of world politics. In this chapter, I have only briefly introduced the ways in which we might imagine the city as a site of world politics. In the following chapter, I will expand upon theories of the city and focus in particular on what makes the city a unique and critical site of politics today. What is clear is that a simple reversal of the analytical hierarchy where we might privilege the city *over* the state would serve to reproduce the 'either/or' dualities of statist logic. What is significant about the city as a political space – or an ontological condition, as Magnusson suggests – is that what is 'here' is not distinct from what is 'there' (Magnusson 1996). The sovereign logic which operates as a central authority potentially breaks down in the city, where a multiplicity of authorities and movements are continually coming into contact and contradiction with one another. Rather than being a cause for concern, this lack of sovereignty is perhaps one of the most promising aspects of the city

CHAPTER 2:

The City as a Site of Global Politics

In the journey, arrival and response to the MV Sun Sea, state sovereignty proved to be simultaneously flourishing – through the detention of these asylum seekers and the proposed legislation of stricter punishments and detentions for human smuggling operations in response to the MV Sun Sea – and also up for contestation. The notion that sovereignty emanates from a single state centre is challenged by the case of the Sun Sea, where we see a multiplicity of often overlapping and conflicting authorities who worked in part through city space. In the case of the MV Sun Sea, the space where the asylum seekers were received, detained, interrogated, screened, excluded, and also welcomed was the city. Indeed, as we will see, it was in the city that the asylum seekers faced trials, interacted with authorities, had access to lawyers and health services, received home visits by border agents, but also experienced possibilities for political membership that did not rely upon a member/non-member divide. In other words, the city acted as a site of both movement *and* control. It is this dual dynamic that is examined theoretically in this chapter and contextualized through a deeper consideration of the MV Sun Sea in chapter four.

The idea that sovereignty – or more specifically, the question of authority in a particular territory – can be left unresolved and messy constitutes a fundamental problem

for the field of International Relations. To 'see like a state'[8], as Warren Magnusson argues, is to assume that state sovereignty is the necessary condition for order within a given territory: without sovereignty, there is chaos, lawlessness, and violence (Magnusson 2008). In order to live in a world where peace can flourish and law and order can prevail, the story tells us, we must accept the fact that sovereignty is an inevitable and necessary condition for world order. Unfortunately – or perhaps, fortunately – the world does not fit so neatly into the sovereignty paradigm. Not only is state sovereignty a recent invention that never really worked the way in which it claimed, but state sovereignty is coming under increasing scrutiny as various forms of globalization continue to call its authority into question.

The argument of this chapter is different from ones which claim that state sovereignty is withering away in the face of various global flows and movements.[9] Rather, I argue that state sovereignty is simultaneously flourishing *and* being challenged. While this might seem like a contradiction in terms, my analysis will explore how this process is unfolding through an examination of the city. I choose to focus on the city for a number of reasons, the first being the basic fact that cities *matter* and we cannot avoid the reality that the world is becoming increasingly urbanized. Today, 3.3 billion urban residents constitute more than half of the world's population. By 2030, world urbanization is projected to rise to nearly 5 billion and sixty percent of people will live in cities (UN Population Fund 2007). More interestingly, however, I focus on the city

[8] The term 'seeing like a state' was coined by James C. Scott (1998). It is a term that will be developed in Chapter three and contrasted in Chapter four with what Warren Magnusson terms 'seeing like a city' (2010).
[9] See, for example Ohmae 1995, 2005.

because it is a key site for understanding global politics. I follow Warren Magnusson (1996) who argues that there is something distinctive about the city as a political space which problematizes a variety of political assumptions about the nature of authority, space, borders, mobility, and political agency.

Rather than reproduce the exclusionary dualisms inherent in 'seeing like a state' – such as inside/outside, movement/fixity, here/there, us/them etc – I will argue that we need to see the city as a site of both increasing movement *and* control. It is, following Magnusson, a place where any overarching sovereignty breaks down. But it is also increasingly becoming a space of surveillance and control. Crucially, however, these attempts to control and manage movement in the city frequently fall short of their stated aim. There is something 'global' to the city that escapes the sovereign authority of any one particular state. Furthermore, because of its nature as a site of multiple and contesting authorities, there is room to challenge the exclusionary politics of citizenship that may not be possible by appealing to a legal state-centric framework.

This chapter draws upon the work of multiple urban theorists including Michael Peter Smith, Engin Isin, Ash Amin and Nigel Thrift, Saskia Sassen and Warren Magnusson, among others. I argue that much urban theory, including some of the 'global cities' literature, reproduces many of the exclusionary dualisms that it is trying to critique. Cities are presented as either helpless localities that need to be protected against dynamic global forces or as sites of unchecked movement and flow.

I have divided this chapter into two parts. The first section explores the argument that cities are becoming 'global'.[10] While this can be analyzed in a variety of ways, I will argue that, rather than assuming that various global flows come together in the jurisdictional boundaries of the city, we should understand cities as being global in the sense that they act as links to various global processes which frequently exceed the boundaries of the city and indeed the state. The argument that cities act as sites of economic competitiveness is problematized in favor of a more networked understanding of cities and economies. Following Magnusson (1996), I argue that the greatest potentials of the city are in its outward rather than inward-looking properties, as a site of various movements and localities. The second section of this chapter argues that, while cities are indeed increasingly becoming 'global', we should be careful not to overemphasize movement and flow within the city. The argument that the city is a space of movement and flow while the state is a space of fixity problematically assumes a neat

[10] The language of the 'global' can easily fall into the same trap of dualities we see between the 'local' and 'national' or 'national' and 'international'. The 'global' is frequently understood to be different from the 'international' and thus a 'global'/'international' duality emerges. R.B.J Walker discusses this distinction in relation to international/world politics. There is a danger and tendency to treat these terms as *either* synonyms *or* antonyms. Walker argues, "To treat international relations and world politics as synonyms is to invite a seductive leap into discourses of universality and universalization. To treat them as antonyms is to invite an equally seductive leap into discourses of specificity and plurality" (Walker 2010: 23). Thus, to discuss 'world politics' in contrast to 'international politics' is to imply a shift from the particular and contingent to something more enlightened, universal, and cosmopolitan. To treat these terms as both synonym and antonym, however, is to demand greater clarity about how these distinctions work to sustain claims about modern political life (Ibid: 24). Indeed, as I argue in chapter one, the desire to go *beyond* the particular and to the universal in fact sustains the logic of sovereignty in the process. This is a move which – in its desire to move *beyond* the particular of the international or the national to the 'world' or the 'global' – fails to see that the world can never be fully included in any imagination of modern politics. Thus, while this chapter does indeed refer to the city as a site of 'global' politics, I am cautiously aware of the danger inherent in this term. This is a problem that cannot be easily overcome; however, my intention is not to present the 'global' in contrast to the 'international', or in the case of this chapter, the 'local'. Rather, as will become apparent through this chapter, I am arguing for an understanding of the global that is *both* 'synonym and antonym'. In other words, I am not claiming to move *beyond* this dualities but rather to consider how this duality in fact works through a logic of 'both/and' in and through the city.

distinction between the city and the state. Indeed, the borders of the state are increasingly being moved into cities themselves in order to regulate certain types of movement. Such borders don't necessarily work through stopping movement altogether but rather work *through* movement itself.

The Global City

One of the primary challenges in trying to conceptualize global cities is to avoid the comfortable distinctions between different spatial scales. While there is a great deal of literature on global cities with varying specifications on the financial, cultural, informational, and migratory circuits that constitute a 'global city', the tendency here is to localize these processes within the jurisdictional boundaries of the city. Significantly, economic factors are given a privileged position when considering the status of a global city and its position in the 'global hierarchy' of cities (see Friedman 1986). Initially this was measured in terms of TNC headquarters, then in terms of financial markets (particularly capital and equity markets, and most recently in terms of a broader range of advanced producer services, such as credit rating, multi-jurisdictional law and risk management (see, e.g., Friedmann, 1986; Beaverstock et al., 1999; Taylor, 1997; Short and Kim, 1996). In these accounts, cities are positioned as place-based, bounded economic units. Specifically, cities are conceived of as competitive sites of agglomeration, akin to a state that is trying to gain an advantage in the world economy. I want to suggest that, instead of seeing cities as bounded economic entities, we should

think of them as assemblages of distanciated economic relations whose networks stretch globally and across several spatial scales.

Perhaps the most well-known theorist of global cities in recent years is Saskia Sassen. Her influential book, *Global Cities: New York, London, Tokyo*, has incited a rich discussion on the nature of cities in a globalizing world. Sassen's primary argument in 'Global Cities' (2001) is that key structures of the world economy are *necessarily* situated in cities (Sassen). Indeed, as the economy becomes increasingly globalized, its central functions also become agglomerated in relatively few sites, that is, global cities (Ibid). Sassen thus sees cities as not only nodal points in the coordination of economic processes, but as particular sites of production for both manufacturing and services. The implicit move here is thus to localize a whole series of dynamic processes within cities themselves. It is undeniable that in some sense this is 'true': cities are increasingly becoming the sites where various global processes come together and interact. However, the danger of over-emphasizing the local scale in these processes is that it reifies the local rather than considering how these processes occur at multiple scales simultaneously.

For many theorists of global cities (see, for eg., Duffy: 1995; Oatley: 1998; Kresl: 1995), the success and competitiveness of a city depends upon its internal characteristics. For instance, Deas and Giordano (2001, p. 1413) emphasize this by insisting that the primary source of urban competitiveness is the "initial stock of assets present in a geographical unit" and that this outcome is "the result of firms' ability to exploit these assets". Similarly, local politicians and business communities frequently attempt to promote 'their city' as a favorable environment for business and commerce through a

requisite series of promotional pamphlets, videos, and websites, communicating selective images of the city as an attractive, hospitable and vibrant international city in which to live and work (Doel and Hubbard 2002). What is also increasingly evident is that this marketing of the city is seldom restricted to promoting the existing virtues of a given city, but is manipulated to "re-invent the city as an innovative, international technopole by providing spaces designed to foster the sharing of tacit and codified knowledge among an intellectual, innovative elite" (Ibid: 360). Mega-events such as World Expos and the Olympic Games (where even the bidding process has become a major stage to advertise the 'global-ness' of a city) underline the emphasis placed on city infrastructure as a fundamental means by which a city can gain a competitive advantage in the global economy (Short: 1999, cited in Doel and Hubbard).

Ash Amin and Nigel Thrift (2002) criticize the global cities literature for its tendency to position cities as entities against other cities in the world economy. While much of the work on global cities acknowledges the role of cities as relay stations in a world of flows, still, it falls back on a language of clustering, agglomeration and localization. Amin and Thrift argue that we should be careful not to over-emphasize the role that agglomeration plays in the competitive advantage of cities. The traditional argument for agglomeration is that proximity contributes to productivity by reducing transport and transaction costs for goods, people and ideas; urban density allows for labour pooling, product specialization, technological spillovers and further growth through cumulative causation (Glaeser 1998 quoted in Amin and Thrift 2002). In short, the argument goes, "the competitiveness of firms is enhanced by cost savings, and

knowledge gains and complementarities associated with industrial agglomeration" (Ibid 2002). However, Amin and Thrift argue that the evidence that firms locate in particular cities in order to gain competitive advantage skates on thin ice. While it may be the case that some businesses – such as financial and professional services or retailing and leisure – benefit from shared intelligence, customer attraction and interaction potential, for the majority of firms, "agglomeration is shown to be of no significance for business performance, and indeed, in some instances, a threat in the form of labour poaching and raised competition" (Ibid: 58).

Global cities need to be thought of not as bounded economic phenomenon, forming 'islands of economic competitiveness' (Amin and Thrift 2002), but as networked sites which extend far beyond the boundaries of the city itself. The alternative is to "see each individual city as necessarily open to a constitutive outside and perpetually in process" (Doel and Hubbard 2002: 362). Indeed, the notion of city competitiveness becomes problematized when one stops thinking of cities as fixed, bounded spaces but instead starts thinking of them as 'spaces of flow' (Ibid). Here, the urban economy can no longer be understood through its local infrastructure and resources; indeed, this conception of the economy becomes nonsensical once it is recognized that the urban economy necessarily stretches far beyond its spatial boundaries and *depends* upon connections with other localities. It makes little sense to talk about these flows benefiting one city to the detriment of all others when these various "'centers of calculation' do not primarily compete with each other since there needs to be collaboration and a division of labor for the global space economy to work" (Ibid: 362).

Amin and Thrift thus propose that "instead of conceiving cities as either bounded or punctured economic entities, we see them as assemblages of more or less distanciated economic relations which will have different intensities at different locations" (Ibid: 52). Rather than viewing cities as structured houses of competitiveness, Amin and Thrift argue that cities should be seen as institutional settings and as sites of economic circulation. Thus, rather than suggest that cities thrive or fail based on their success as economic units, it is the institutional settings – i.e. the density of informal institutions such as meeting places, or formal institutions offering business services and know-how – that gives cities a certain stake in the global economy. It therefore seems more accurate to suggest that firms compete, often *through* cities, rather than suggest that cities compete as economic units. Instead of a place-based politics of competition, cities need to be thought through a "distributed politics of flow whose degree of concentration, dispersion, consistency and efficacy will be both contingent and context dependent" (Doel and Hubband: 365).

Michael Peter Smith similarly argues that it is much more fruitful to think of networks and circuits as operating through multiple scales, often simultaneously, rather than either through the city, the nation, or the global. Smith uses the term 'transnational grassroots politics' to refer to practices which transcend both the 'urban' level of analysis and the nation-state bounded discursive practices in which citizenship, civil society, political representation, and national and urban politics are ordinarily cast (Smith 2001). Smith has written extensively on the transnational or 'translocal' character of the city. Smith's critique of much urban literature – namely the work of Manuel Castells and

David Harvey, as will be discussed below – is that there is a tendency to romanticize the local as a space of 'everyday life' and place-based identities (Ibid). Indeed, Smith argues that "the local has been frequently represented as the cultural space of embedded communities and, inversely, as a political space of collective resistance to disruptive processes of globalization" (Ibid: 1). Thus, the local becomes privileged (while also marginalized) in discourses of globalization, where the local is seen as helplessly trying to defend the practices of 'everyday life' and local culture and identity from the destructive processes of globalization (Ibid). This dualism between the local and the global ignores the various ways in which 'networks of power and meaning' are formed and reformed in a way that is simultaneously local and global (Ibid: 6). Smith critiques both David Harvey and Manuel Castells on this point and argues that both theorists reify the global/local distinction, "privileging (while marginalizing) the local as the place of culture or 'community', while marking the global as the dynamic economic space of capital and information flows" (Ibid: 3).

In *The Condition of Postmodernity*, David Harvey argues that capital – as a global *flow* – has threatened the once stable cultural space of community place-based organization. As Harvey argues,

> Movements of opposition to the disruptions of home, community, territory, and nation by the restless flow of capital are legion.... Yet all such movements, no matter how well articulated their aims, run up against a seemingly immovable paradox. ...[T]he movements have to confront the question of value and its expression as well as the necessary organization of space and time appropriate to their own reproduction. In so doing, they necessarily open themselves to the dissolving power of money as well as to the shifting definitions of space and time arrived at through the dynamics of capital circulation. Capital, in short, continues to dominate, and it does so in

> part through superior command over space and time (Harvey 1989: 238-239)

Smith argues that 'capital' is positioned in this narrative as occupying a superior command over resources and is able to reorganize time and space to fit its needs. This 'flow' of capital is opposed to the "disorientation of defensive 'local' social movements representing the interests of home, community, place, region, and even nation" (Smith 2001: 3). Thus, these defensive place-based movements are reified as cultural totalities, defending identities and movements that are entirely 'place-based' in a world of dynamic capital flows that exist entirely outside their purview (Ibid). There is very little sense of agency in Harvey's account and indeed the role of people is very much absent in this grand narrative except as 'nostalgic romantics or cultural dupes' (Ibid).

This tendency to romanticize 'local' 'village' life against the global or even against the city is highly problematic. Indeed, for the vast majority of 'villagers', the village is a representation of poverty, malnutrition, infant mortality and reduced life spans (Saunders 2010). The nostalgic images often placed upon rural villages make assumptions about the drives and ambitions of people living in those villages. In fact, the greatest migrations that will occur in this century are from the village to the city (Ibid). These migrations do not occur simply because of 'push' or 'pull' factors beyond the agency of the migrants themselves; they occur because there are more opportunities for education, health, and careers in the city (Ibid). The dramatic declines in poverty at the turn of the century, with 98 million people leaving poverty between 1998 and 2002 and the world poverty rate falling from 34 percent in 1999 to 25 percent in 2009, were caused entirely by urbanization: People make better livings when they move to the city

and send funds back to the village (Ibid: 32). The 'local' is thus not a defenseless place-based container fighting against the dynamic forces of capital and flow; it is very much a part of such forces and flows.

Smith argues that Manuel Castells also falls into this trap of representing the local as a cultural place in contrast with the global flows of money, power, and information (Ibid: 5). Castells' work highlights the ways in which late modernity has become a 'space of flows', characterized by accelerated global financial and informational linkages and is consistently threatening and dominating local processes of cultural meaning (Castells 1984). Thus, for Castells, "while the space of flows is a global space of economic and technological power, the space of cultural meaning and experience remain local" (Smith 2001: 5). It is in opposition to these global structural flows that local resistance emerges. Thus, "resistance to globalizations are tied not to the agency of specific actors confronting unique historical conjunctures but to the very structural dynamic of the technological revolution which threatens to render local 'tribes' irrelevant to the new informational world that has come into being" (Ibid). Local culture exists in this sense in a sort of static space of romantic nostalgia, living entirely outside the global flows of money, power, and information.

In both of these accounts, the agency of ordinary people is reduced to a structural reaction to processes which exist outside and beyond their control. Smith argues that so-called 'ordinary people' need to be treated "as socially and spatially *situated* subjects – i.e. as members of families; participants in religions or locality based networks; occupants of classes, gendered, and racialized bodies, located in particular nationalist

projects, state formations, and border crossings" (Smith 2005). Thus, Smith argues that agency-oriented, 'translocalized' research can help to avoid the characterization of global processes as a purely *structural* phenomenon. However, Smith also cautions against approaching translocal agency with 'rose covered glasses' because "in forming their own sense of agency, people are always already positioned subjects, occupying multiple social locations, and subject to the inner tensions and conflicts derived from their multi-positionality" (Ibid: 6). Thus, we should be cautious of accounts of globalization that posit either an account of people and localities as helplessly dominated by the structural flows of globalization or as active agents divorced from global power relations. Rather, an account of translocal agency must situate people and localities within the various networks of power and meaning that consistently shape and transform subjects and spaces.

In these ways, Smith argues that the 'urban' needs to be conceived not as an enclosed container where social relations *happen* in isolation to processes outside of its borders but as a node through which various localities and movements take shape. However, despite his efforts to resist the false distinctions between the local and the global, Smith's work threatens to nonetheless reproduce these dualisms:

> Since human agency operates at many spatial scales and is not restricted to 'local' territorial or sociocultural transformations, the very concept of the "urban" thus requires re-conceptualization as a social space that is a pregnant meeting ground for the interplay of diverse *localizing* practices of regional, national, transnational, and even global scale actors, as these wider networks of meaning, power, and social practice come into contact with more purely locally configured networks, practices, meanings, and identities (Smith 2001: 9)

While Smith urges us to think of the city as a mediator of various flows – not just capital but also social – he nonetheless maintains a distinction between the 'local and the global', or between the 'immediate and particular' on the one hand, and the 'transcendent and the universal', on the other. Thus, although Smith is attuned to the 'translocal' character of the city, he nonetheless relies upon at least a conceptual distinction between the various spatial scales at work in the city.

The City – Global *and* Local; Universal *and* Particular

The reading of the city that I wish to advance here is thus one which avoids the neat distinctions between different spatial scales and the tendency to characterize the city as a bounded economic unit. Rather, the advantage of a city-centered perspective is that it allows us to think simultaneously at several different spatial scales: the city is a meeting ground for various so-called 'global' movements that exceed any particular spatial scale and any single authority. As Magnusson puts it, the city is a meeting ground, or 'juncture' for various locatilies and movements (Magnusson 1996). To focus on this juncture is to open two analytical dimensions: "first, *locality* as the place where movements arise and where they meet; and second, *movement* as the mode of action that redefines political community and thereby connects localities to one another" (Ibid: 73).

Magnusson resists any account of the city as a political enclosure and insists that the real promise of the city is in its outward rather than inward looking properties (Magnusson 1996). Indeed, the city's "real promise is as an organizational node in the flow of critical and creative social movements" (Ibid: 115). Magnusson's approach to the

city is largely informed by the practices of social movements and a focus on the 'global city' rather than the state system and the actors within it. Although Magnusson does not claim that the state is withering away, he argues that we need to understand the state "as a particular *social movement* interacting with other social movements in the domain of world politics" (Ibid: 281, emphasis added). Thus, rather than assuming the state exists as a sort of historical inevitability, Magnusson asserts that the state system itself emerged from a complex set of social movements – movements which proved to be particularly powerful – and that various other social movements, many of which come into contact and conflict with one another in the global city, are consistently challenging and rearticulating political space.

Magnusson argues that there is something distinctive about what Louis Wirth calls 'urbanism as a way of life' (Wirth 1938). Indeed, according to Magnusson we should think of the urban ontologically, rather than spatially or temporally (Magnusson 2005). To think of the urban ontologically means "To think of ourselves *as* urban…caught up in relations and movements that have always been present but that become more apparent to us as we *think* the urban in more comprehensive and inclusive ways" (Ibid: 107). That is, there is nothing particularly new about the global city except that we are now witnessing an intensification of global flows. In this way, there is something distinctive about the city as a political space whose promise "is as an organizational node in the flow of critical and creative social movements" (Magnusson 1996: 115). However, we should not confuse urbanism as a juncture for movements and localities with the idea that urbanism itself is just another social movement among many.

According to Magnusson, "to argue that urbanism itself is simply another movement *within* modernity or postmodernity would be to mistake the ideology of urbanism for the phenomenon itself" (Ibid: 294). Indeed, the experience of the city is in some sense 'always with us': "The city is here and now: where we live, when we live. Its presence is local and global, particular and universal, and its politics connects us to a particular time and place, while carrying us into the world where problems are created and occasionally resolved" (Ibid: 295). There is something significant and unique to the city as a political space that is inherently tied up with its characteristic as an organizational node of various movements and localities. Indeed, Magnusson argues that it is within social movements that people come closest to "constituting their lives in political freedom [as] each social movement constitutes its own space and time" (Ibid). It is within the city where these movements interact and thus, it is through urbanism as a way of life that we come closest to experiencing political freedom.

Perhaps the most distinctive feature of the city is that it is *not* governed by a single centre. Rather, the city – as a site where multiple *translocal* movements are variously produced, reproduced, and contested – is a site where sovereignty potentially breaks down. Indeed, "city life is where state sovereignty – and the complementary principles of individual sovereignty – falls apart in the complexities of human existence" (Ibid: 285). What this breakdown of sovereignty might suggest is that, rather than attempting to reverse the analytical hierarchy which subordinates the city to the state, we should be moving away from a conception of political space that distinguishes between a 'here' and a 'there'. What is distinctive about the city, according to Magnusson, is that,

rather than operating through a logic of 'either/or', we can imagine a politics that operates through a 'both/and' (Ibid). In this way, the move away from statist thinking should not be a move toward a smaller scale of statist thinking, nor should it be a move toward civil society, as this simply replicates the 'either/or' dualities of statist logic. Instead, the shift to the city "enables us to move away from the state/society distinction as well as other distinctions (such as politics/economics and business/culture) that seem to flow from it" (Ibid: 291). What is 'here' is not distinct from what is 'there' in the global city, as every domain of activity is relative to others.

Engin Isin is another urban theorist who argues that there is something distinctive about the city as a political space. In "Recasting the Social in Citizenship", Isin argues that the city as a 'site of the social' does not only refer to its actual form in a spatially enclosed structure – what Isin calls *urbs* – but also includes its "virtual form as relations, symbols, imaginaries, representations, categories, ideas, and ideals (*civitas*)" (Isin 2008: 266). Isin argues that it is only the city that exists as both an actual and a virtual space – *urbs* and *civitas* (Isin 2007: 212). Indeed, "all other bodies such as states, nations, empires, leagues, and federations [exist] not as actual but only as virtual spaces that exist in ephemeral, fluid, impermanent and transient states" (Ibid). These virtual bodies are assemblages that are "kept together by practices organized around and grounded in the city" (Ibid). Unlike the city, these virtual spaces – which exist only through representation and affects – can always collapse over a relatively short or long period of time. The actual space of the city, however, "cannot collapse and disappear even when it is totally destroyed and even when its virtual space collapses" (Ibid). To say that a body

such as a nation or state only exists as virtual does not mean that it has no real existence. Indeed, the virtual body of the state "is realized through borders, walls, checkpoints, taxation, education, passports, and other real means and effects but the state as an actual entity does not exist" (Ibid: 221). To say, then, that the state exists only in a virtual form is not to deny the real effects of the state itself, but only to say that there is nothing tangible to the state that we can grasp or locate in a particular place. Isin argues that it is only in and through the city that the state and its sovereignty are enacted and come into being via various symbolic and material practices (Ibid). In this way, there is no state without the city (Ibid).

Thus, there is something distinctive about the city as a political space that distinguishes it from the virtual assemblages of states. Isin's understanding of the city is very much in line with Magnusson's characterization of the city as an outward site of various movements. For Isin, "the city is not a container in which social relations happen…[it is] a site through which social relations are produced, reproduced, and transformed" (Isin 2008: 266). Thus, the city as a 'site of the social' is key to understanding how political space and political subjects are formed: "The city is the site through which the lives of people are organized, assembled together, and rendered meaningful. The city is the site through which socialization into various identities occurs, and it is the site through which individuals develop both their individuality and their collectivity" (Isin 2008: 266). The city, then, acts as both the physical space in which we live out our daily existence, but also the virtual space *through which* political subjectivity – citizenship – is formed and transformed.

The Securitized City

While cities are increasingly characterized by movements of various kinds – whether migratory, economic, informational or otherwise – they are also becoming key sites where such movement is managed and controlled. The common assumption in much globalization literature is that states represent fixity and borders while cities represent movement and flow. However, such an assumption is highly problematic: such stark dualisms are not only misleading, but the borders of the state are exceedingly working *through* cities themselves to regulate certain types of movement.

In recent years, practices of risk management have increasingly transcended national boundaries to involve authorities of various kinds – both public and private – working together across national state borders. Both the 'enemy,' and the management of risk associated with that enemy have become exceedingly 'post-national' in the sense that risk increasingly corresponds to transnational threats which seep across borders. Furthermore, the very term 'enemy' becomes problematized through new practices of risk management and risk profiling as understandings of 'enemies' begin to expand. With risk society, there is a proliferation of 'enemies': so called 'risk subjects' include migrants, 'illegals' and 'over-stayers', foreign born citizens, racialized communities, and even particular types of activists.

The implications of this are twofold. On the one hand, risk has become somewhat de-territorialized in the sense that it cannot be located in a particular state 'out there' but is potentially everywhere. Thus, mainstream media in the 'West' now talk endlessly of 'the enemy within' Western cities (Klaidman et al. 2002). On the other hand – at some

level – risk remains attached to geographical space. What this 'post-national' risk management suggests is that cities – in both the 'West' and the so-called 'global south' – are becoming important sites where potential risks are both imagined and policed. Indeed, the city is a key site through which strategies of risk management are put into practice and where competing conceptions of what constitutes a 'risk' are at tension with one another. Such 'risks' to urban security commonly include immigration; pandemics; populations growth; environmental degradation, and global terrorism.[11]

While these security practices are generally studied as a product of 'national' policies and objectives, they work to constitute and border urban space in complex but poorly explored ways (Graham 2007). Urban space and planning are becoming increasingly 'militarized' and 'securitized' as cities become understood as key targets in the 'war on terror'. In the wake of 9/11 and other catastrophic terrorist acts in the last few years, "the design of buildings, the managements of traffic, the physical planning of cities, migration policy, or the design of social policies for ethnically diverse cities and neighborhoods, are being brought within the widening umbrella of 'national security'" (Graham 2004: 11). As Stephen Graham argues, there is increasingly a blurring of military and policing functions in the city as militarization creeps inside cities and policing extends beyond borders (through international events such as sporting events and the G8 summits, for instance) (Graham 2010). Whereas under the Westphalian system policing was largely – though not exclusively – mobilized inside societies and military power was projected outside, there is now evidence that these functions are

[11] The World Urban Forum 2006, Vancouver Working Group Discussion Paper, "The Secure City" http://www.cscd.gov.bc.ca/lgd/intergov_relations/library/wuf_the_secure_city.pdf

blurring along with the stark division of an inside and an outside (Ibid). Increasingly, risk society challenges the national border as borders become exceedingly virtual and organized through surveillance systems (Ibid).

While critical IR scholars who employ securitization theory tend to use it in a very state-centric manner – i.e., it is state institutions and actors which work to securitize national space – my argument here is somewhat different. I want to suggest that urban space is securitized not only by the 'state' and its actors and institutions but also by another set of actors who may only have an ambiguous relationship to the state. These may be risk management companies working to organize urban space in a way that 'designs out' threats or they may be neighborhood watch groups at work in gated communities. The significant point here is that this 'securitization' of urban space – which will be developed empirically in the coming chapters – is not exclusively a product of the 'state'. Rather, urban space is increasingly becoming securitized by a variety of actors both within and beyond the city and the state, many of which do not have a direct relationship to the state itself.

While there is perhaps nothing *new* about the city as a site of security practices – in pre-modern times, "cities were built for defense as well as being dominant sites of commerce, exchange, and political, religious, and social power" (Graham 2004: 2) – what *is* new is the intensification of various forms of surveillance and stratification *within* cities as well as the use of pre-emptive risk analysis to monitor 'risky' and 'undesirable' individuals and populations (Amoore 2007). This is often done through 'intelligent' surveillance systems, checkpoints, bordered and stratified urban design, and intensifying

security (Lyon 2004; Coaffee 2004, Marcuse 2004). The goal of much urban planning is to 'design out' threats, ranging from the implicit redefinition of the city – most notably the ever-advancing surveillance technologies – through to explicit 'securitization' – such as the construction of gated communities, security cordons or 'rings of steel' (Coaffee 2004). This securitization can also occur in less seemingly explicit ways. In Vancouver, BC, for instance – which will be a key site of investigation in the following three chapters – the design of the city is very much based upon keeping the downtown eastside out of view of the business districts of the west end and the popular residential districts of Kitsilano, English Bay, Coal Harbor, and Yaletown. The downtown eastside is being pushed further and further east, away from these districts, to keep the appearance of a world-class city in the rest of Vancouver. The design of city space is therefore very revealing of the ways in which the city wants to portray itself to the outside world and to control particular types of movement in the city.

Examples of the securitization of city space can be found in cities all over the world. Jeremy Nemeth's study (2010) on the securitization of city space in New York City, Los Angeles and San Francisco reveals just how widespread these 'architectures of fear are' (Nemeth 2010). For instance, in New York City, Los Angeles, and San Francisco, "landmarks have been cordoned off since 2001, entire blocks are still open to only those with security clearance, and pedestrians and automobiles are subject to search at major checkpoints throughout certain districts like Lower Manhattan" (Ibid: 2505). Security concerns justify the closure or limited use of over 20% of all publicly accessible space in these cities, and this is clearly witnessed via "the extensive walls, gates, and

other fortifications surrounding City Halls, Federal Courthouses, and high-profile financial institutions" (Ibid). It is also important to note, however, that this phenomenon of securitizing city space is global in character, with cities in the 'global south' pursuing such policies as much as those in 'West'. The military suppression of dissent occurring on the ground, in cities – as seen in various countries during the 'Arab Spring' – is just one example of the securitization of city space in the so-called 'global south'.

We should be careful, however, not to over-emphasize the effectiveness of such security initiatives to control movement in cities. As Graham argues, "cities are far too complex, porous, and multidimensional to be somehow 'programmed' by computers and surveillance systems (Graham and Marvin 2001). Yet, it is precisely the fact that cities are so resistant to being 'programmed' and known through surveillance systems which makes them targets for such securitization. More precisely, the 'diasporic' nature of the global city is being problematized through an appeal to an imaginary, domesticated, singular, and spatially fixed community with the objective of protecting the 'domestic' community from the "supposed terrors ready to destroy them at any instant from the 'outside' world" (Graham 2007). In these times of intensifying globalization, urban centers are crucial nodes of heterogeneous mixing. As Stephen Graham argues, "Increasingly, the differences, tolerances, and hatreds of the globe are inseparably related to, and constituted through day-to-day encounters, and cosmopolitan accommodations (and frictions) in the streetscapes, schools, city halls, and neighborhoods" (Graham 2004: 9).

Susan Buck-Morss (2003) argues that, on the one hand, the 9/11 terrorist attacks, and the subsequent catastrophic terrorist attacks in recent years, can be seen as part of a fundamentalist, transnational war by radical Islamic movements against pluralistic and heterogenous mixing in (capitalist) cities. Indeed, this loosely affiliated network of terrorist organizations is one form of the many social movements against what Castells calls the 'new global order' (Castells 2004). The heterogeneous mixing of ethnicities and religious groups, characteristic of many contemporary urban spaces, is fundamentally at odds with '*umma'*, the transnational fundamental Islamic space that these movements are struggling to establish (Ibid). Martin Coward argues that the ever-increasing attacks on cities and their critical infrastructure are not neutral but are attacks on a particular way of life (Coward: 2009).[12] Indeed, if we consider the recent targets chosen by global terrorist networks, it becomes clear that such attacks are highly symbolic attacks on the city itself: "The trains, busses, and skyscrapers [that have come under attack] are symbolic of a particular way of life. This is a way of life that is secularized, beholden to capital, and reliant on technological infrastructure" (Ibid: 405). Coward argues that, whilst historically 'terror' represented a limited form of war that is often played out within the city, "al-Qaeda's terror comprises an unlimited war against the city" (Ibid). Such acts of

[12] Attacks on critical infrastructure in the city are not an entirely new phenomenon. Indeed, with industrialization and urbanization in the 19th and 20th centuries, the city became the primary site through which railways, roads, and telegraph/communication lines were established. Consequently, in times of war, such communication lines were frequently targeted: "undermining an enemy's capacity to deliver communications, intelligence, personnel, munitions, and other supplies to the battlefield became an important tactical means for realizing strategic aims in modern warfare" (Coward 2009: 405). In this sense, then, attacks on critical infrastructure should not be seen as entirely *new* or in terms of a break from modern warfare. However, such attacks on critical infrastructure were highly practical and strategic rather than symbolic of an attack on urbanism itself. While these practical and strategic reasons still carry weight, attacks on critical infrastructure today are largely conducted as a symbolic attack on a specific way of life that is urban, heterogeneous, secular, and capitalistic.

terror are often deployed through everyday objects of urban living. This is thus not a war that is waged on the city from above and beyond its boundaries. Rather, this is a form of war that is waged from within the city, in an often elusive fashion.

Modern forms of warfare thus specifically target cities and their critical infrastructure in highly symbolic attacks on urban cosmopolitanism. However, contemporary security strategies associated with the 'war on terror' also problematize such urban cosmopolitanism (Graham 2004). If the city is, following Isin, a 'difference machine', then contemporary security strategies have responded to acts of terror by seeking to manage, separate, and monitor such difference. The production of a 'domestic front' can be understood as a 'cracking down on diaspora' that works to produce binaries between the 'civilized' and 'savage' throughout the social circuitry and a constant scrutiny of those who bear the sign of 'dormant' terrorist (Howell and Shyrock 2003). Indeed, the security strategies associated with the war on terror serve to rework the imaginative geographies of contemporary urban spaces in important ways (Graham 2007). These strategies work to "shift the emphasis away from complex and mobile diasporic social formations, sustaining large metropolitan areas through complex transnational connections, towards a much clearer mapping which implies stark, essentialized geographies of entitlement and threat" (Ibid). These 'imagined geographies' work to separate those citizens who are deemed to warrant value and deserve the full protection of citizenship from those who are deemed to be threatening and potential targets for the blossoming national security state (Ibid). Thus, we can understand this production of the 'domestic front' in the war on terror as a discursive

move – with real and devastating consequences for those deemed to be targets of this deepening surveillance apparatus – that potentially works to divide and border the city in ways which disrupt the variety of movements and localities that characterize much urban space. Indeed, the 'hybrid', transnational identities of many neighborhoods and communities in cities, shaped by generations of transnational migration and diasporic mixing, are becoming problematized (Ibid). Inevitably, such spaces and groups are "stretched across the resurgent 'them and us' or 'home and foreign' binaries that are being imposed" (Ibid: 11). Contemporary warfare is thus endemic to urbanization in two inter-related ways: both as a repeated series of attacks on the symbolic structures of the city itself and as the securitization of urban planning in the city.

An important effect of these security strategies associated with the so-called 'war on terror' is that a whole series of issues have become understood through the umbrella of 'national security'. As has been argued (Graham 2004, 2007; Wekerle and Jackson 2005; Williams 2003; Gregory 2003), the fear of potential threats to the 'domestic' community post 9/11 as well as the security apparatuses designed to manage such threats, have a 'spill-over' effect to other issues that may be only tenuously related, at best, to the question of controlling terrorism. Wekerle and Jackson refer to this as 'hitchhiking', that is, "when a critical issue, in this case, responding to the terrorist attacks on the World Trade Center towers, is linked through language or policies to other issues that may be only tenuously or not previously connected" (Wekerle and Jackson 2005). One way in which this 'spill-over' effect occurs is by branding social dissent as acts of 'terrorism'. As Derek Gregory argues, "Without defined shape, or determinate roots, the mantle of

'terrorism' can now be cast over *any* form of resistance to sovereign power" (Gregory 2003: 219, original emphasis). Those experiencing frequent 'terrorist' labeling by national governments or sympathetic media since 9/11 include "anti-war dissenters, critical researchers, anti-globalization protestors, anti-arms trade campaigners, ecological and freedom of speech lobbyists…" (Graham 2007). Thus, there are a vast array of issues that become connected to the often times separate issue of terrorism and become, above all, *delegitimized* in the process (Ibid).

Of particular interest to this dissertation is the ways in which fears over terrorism are informing anti-immigration and asylum sentiments in many cities. As Graham argues, "as part of the 'cracking down on diaspora'…many nations have brought repressive legislation against asylum seekers directly into their 'anti-terror' strategies" (Graham 2004: 17). Graham refers to this as the 'weaponization of migration' where migration ceases to be the target of humanitarian care and is increasingly becoming the target of military force (Graham 2010). This burgeoning preoccupation with security combined with a sense of 'economic protectionism', following the current economic crisis, has the potential to brand migrants and asylum seekers of various forms – both 'legal' and 'illegal' – as an increasing threat to the 'domestic' community. In the following chapter, I will explore how the recent example of Tamil refugees seeking asylum in Canada illustrates the prominence of this security-mobility nexus. Indeed, early reactions to the refugees expressed fears that these people could be bogus refugees or terrorists.[13]

[13] CBC news, October 19, 2009.

While it is common within the field of International Relations to assume that such movements are primarily policed at the border of the state, this is simply not the case. Indeed, the control of movement does not only exist at the physical border of the nation state but also circulates through a variety of processes both discursively and physically within the city itself. As William Walters puts it, "there is a new political imagination preoccupied with the play of mobilities, and populated by elusive persons (terrorists, asylum seekers, smugglers, and mercurial things)…that are able to move about almost undetected, exploiting the smooth, networked spaces, but also the seemingly ungoverned borderlands of a 'global' world" (Walters 2008(a): 163). The city – being a central site for such 'networked spaces' – thus becomes key to understanding the ways in which movement is both facilitated and controlled.

A quote from the from the 'Vancouver Working Group Discussion Forum' on the 'Secure City' – a part of the UN World Urban Forum 2006 – is revealing in this sense: "Although [cities] are the place where human security is most deeply challenged, cities nevertheless represent our best hope for achieving the highest level of security for the greatest number of people". This statement underlines two prominent themes present in contemporary world politics: cities represent a space of heterogeneous mixing, of global flows which are potentially elusive and not controlled by any one particular state. On the one hand, then, cities signify danger, insecurity, and unknowability. On the other hand, however, it is only by living the 'civilized' life, through cities, that we can hope to attain any degree of security. In short, the story goes, we need the city but yet it threatens us.

Conclusion

Cites are often characterized as *either* sites of increasingly movement and flow *or* as sites of control where certain types of movement and subjects become securitized through multiple surveillance strategies. My argument in this chapter has been that – while both of these arguments carry some 'truth' – cities can only be properly understood as sites of both increasing movement *and* control. Indeed, as various types of movements exceedingly shape city-space, so too does control of particular types of movement. Movement and control are thus intimately connected: it is *because* of the uncontrollability of the city, its elusiveness, and its inability to be governed by a single sovereign authority that it becomes the target of such securitization practices.

And yet – as I will argue in chapter four – these controls frequently fall short of their stated aim. This is not to suggest that securitization strategies have no effect in the city or that movements – if they are really determined – are necessarily free to roam as they will. Rather, contemporary securitization strategies have real and devastating consequences for many of the people under their control. However, there is something *autonomous* to the city that frequently exceeds the regulatory aims of the state. It is on the ground in the city where state practices are both actualized and problematized: they are realized through various practices of bordering, surveillance, taxation, education etc; and yet they also fall apart in the messiness of city space. This is not just because of the many different and often conflicting authorities at work in the city; it is also the result of the anonymity of the city, of the ability to cross borders and be creative even where these borders are strictly policed.

CHAPTER 3:

'Seeing Like a State': Helpless or In Control?

A recurring argument in many theories of globalization is that states are either becoming increasingly helpless to control various global movements or they are becoming increasingly powerful through various security and border practices, operating both beyond and within the state**.** A central argument of this dissertation is that both of these phenomena are occurring in tandem. States are exceedingly attempting to regulate certain types of global movement and this has manifested in the implementation of various new borders and border technologies operating increasingly inside the state itself. However, states' ability to control movement comes up against the fact that certain levels of autonomy exist – both in respect to migration and the characteristic flows of the city itself – which cannot be fully captured by the state.

In the first and second chapters of this dissertation, I laid out the groundwork for understanding the city as a site of global politics. I argued that cities are increasingly becoming key sites through which various global movements are both managed and facilitated. However, my argument has not been that we should forget about the state and focus instead on the city. Rather, I argue that the city acts as a site of global politics in part through its interaction with the state. Indeed, we should not understand the city and the state as distinct entities: any autonomy that cities possess in managing or facilitating global flows needs to be understood in relation to the state. It must not be lost that the state is still responsible for dictating official immigration policies and practices. It is

therefore pertinent to explore some of these policies and how they are challenged or complicated on the ground in cities.

In the following three chapters, I investigate some contextualized enactments of the problems I have dealt with in theoretical terms in the previous two chapters. In particular, I will be focusing on a single case study, viewed through three separate lenses. I will be exploring the case of the MV Sun Sea, a ship which arrived off the coast of Vancouver Island in August 2010 carrying approximately 490 Sri Lankan asylum seekers. This chapter explores what it means to see the phenomenon of the Sun Sea 'like a state', while chapter four explores this case study 'like a city' and chapter five, 'like a refugee'. Following the theoretical framework of James C. Scott in *Seeing like a State* (1998), I argue that to see 'like a state' is to see at a distance with an appeal to 'unity' or 'one-ness' inside the state. Moreover, with the case of the Sun Sea refugees, seeing 'like a state' involves operating through stark categories of 'member/non-member', 'legitimate/illegitimate', 'refugee/economic migrant', 'inside/outside' etc. Above all, seeing 'like a state' is a process which seeks to present a highly ambiguous reality as though it is unambiguous.

This chapter begins with a brief discussion on methodology followed by background and a media analysis of the arrival of the MV Sun Sea. The media played a particularly important role in framing the arrival of the asylum seekers as a spectacle. This not only incited a great deal of public debate on the asylum seekers but also laid the groundwork for the government to introduce new policies to combat human smuggling. I

then explore the official state response to the Sun Sea and in particular consider the extent to which the state was in 'control' of the arrival of this ship. While much media analysis and official discourse following the Sun Sea was focused on the need for national policy reform in order to gain more control of immigration, I argue that the lack of preparedness of the Canadian state cannot be fixed simply through policy reform. There is a bigger problem with the ability of states to control migration and in particular human smuggling operations which is tied up with the differences between the ways states and smugglers see and utilize geography and local knowledge (Mountz 2010). Furthermore, even though the Canadian state did have knowledge of the arrival of the Sun Sea, it was constrained to act because of national and international laws. Finally, I give an overview of official Canadian immigration and refugee policies in order to illustrate that attempts to map and order the dynamic processes of migration are widespread and are in fact built into the fundamental principles of Canada's immigration and refugee system.

Methodology

The methodology employed in this chapter is loosely premised upon interpretative policy analysis. While interpretative approaches vary, they can broadly be summed up by an understanding that there is not a single locus of meaning: "It does not reside solely in legislative language; enacted interpretations of written texts are just as important to analysis, and meaning may also be created in interactions among written texts, legislators' intent, and others' constructions of one of both of these" (Yanow 2003: 232).

Interpretative approaches therefore share a set of philosophical presuppositions that begin with an understanding that knowledge is situated and cannot be removed from the 'knower' (See, e.g., Chock 1995; Colebatch 1995; Gusfield 1963, 1981; Hofmann 1995; Maynard-Moody and Stull 1987; Pal 1995; Rein 1983; Rein and Schon 1977; Schmidt 1993).

Interpretative policy approaches argue that a policy's meaning and relevance shifts according to different populations, communities, and cultures. Furthermore, interpretative approaches explore the tension between what a policy 'says' and its actual effect in a local context. In policy terms, "this translates into believing that what implementers do, rather than what the policy 'says' in its explicit language, constitutes the 'truth' of policy intent" (Yanow 2003: 240). In immigration policy terms, this may translate into a policy that does not take into account the meaning of family and community to many immigrant populations. For instance, the renewed focus on temporary foreign worker programs by the Canadian state creates problems for those workers who are not allowed to bring over family members while they are working. Without access to family reunification, workers are stuck between two places and cultures and often face immense difficulties with social isolation in the host society (Saunders 2010). Interpretative policy analysis would be attuned to these subtleties of the local context in which such policies are applied.

While the methodological divide of 'quantitative versus qualitative' is frequently referenced in the social sciences, Dvora Yanow argues that the term 'interpretative' is

more appropriate (Yanow 2003). Firstly, the language of 'interpretation' underscores the link between methods and their underlying philosophical presuppositions: "the ways we go about accessing and analyzing data derive from and reflect prior suppositions as to the reality status and knowability of the subject of our research" (Yanow 2003: 242). The term 'interpretative' more accurately reflects the methodology at hand. Further, there is also a historical reason for using the term 'interpretative': the term 'qualitative' emerged to distinguish a set of non-statistically based methods from 'quantitative' ones; but since 'qualitative' researchers also make use of statistics and numbers, the distinction captures in those terms is increasingly meaningless (Ibid).

The 'interpretative' approach which I take in this chapter is therefore one that highlights the importance of policy but approaches such policy with a cautious and context-specific lens. I also wish to emphasize the importance of approaches that seek to 'ground' or 'embody' the state (Mountz 2004, 2010). In particular, Alison Mountz considers the ways that social scientists often theorize 'the state' as an abstract concept (Mountz 2004, 2010).[14] Mountz attributes the 'myth' of the state with autonomous power to the tendency of some theoretical approaches to underestimate the role that people play in its enactment (Mountz 2004). Mountz therefore takes an ethnographic approach in her research and highlights the decision-making powers of everyday bureaucrats. She argues that the abstract and mythical 'state' becomes realized only through the interaction of the daily practices of such civil servants and bureaucrats (Ibid).

[14] For further discussion on the abstraction or disembodiment of the state see Philip Abrams 1988; Timothy Mitchell 1991; Michael Taussig 1997.

In her critique of the disembodied state, Mountz seems to undermine the role of policy in day-to-day practices. She argues, "Policies and mandates represent the more superficial expressions of the nation-state, perhaps the most visible narratives of state activity. Written policies, however, tell only partial stories – idealized versions of what *might* be or what *should* happen" (Mountz 2010: 40). Mountz's dismissal of policy in this sense is precisely why I am interested in its enactment: I argue that there is something to be gleaned by exploring the gap between the *intentions* of policies and their enactment in specific contexts. Furthermore, policies and mandates have real effects on the ground, even if these are not necessarily the intended effects of such policies. This chapter will thus employ interpretative methods to unpack the ways in which the intended affects of policy unfold in practice.

To begin an analysis of media discourse following the arrival of the Sun Sea, I used a combination of mainstream media newspapers, – *The National Post, The Globe and Mail* and *The Vancouver Sun* – online video coverage, as well as blogs to explore the how the event was presented from a variety of perspectives. I emphasize mainstream media in this chapter simply because I want to understand the dominant ways in which the arrival of the ship was presented to Canadians. My use of non-mainstream blogs make a larger appearance in chapter four when I explore this event 'like a city'.

In order to analyze mainstream media, I used the Factiva database to search for articles between the dates of August 13 2010 – December 31 2010. Articles were chosen from three Canadian newspapers, selected not only for their wide circulation but also for their audience, location, and political positions. The first, *The National Post*, is a national

paper catering to a right-wing readership and corporate elite and has one of the largest circulations in Canada. *The Globe and Mail* is also a highly-circulated national paper but caters to a more moderate readership. Finally, *The Vancouver Sun* has the largest circulation in British Columbia, and was chosen because it would offer a more local perspective on the media coverage of the Sun Sea. The keyword 'Tamil' was used to search the three newspapers with a date range of August 13th 2010 – December 31st, 2010, when the interest in and media coverage on the Sun Sea started to disappear from public debate. In total, 106 articles were found, with 41 removed due to their lack of relevance. From these articles, 14 were selected for the purposes of this research which captured the overall themes from the media analysis of this event. This relatively small selection of articles allowed for a more in-depth and rigorous analysis of the texts.

Media Coverage of MV Sun Sea

On August 13th 2010, the MV Sun Sea arrived off the coast of Vancouver Island carrying 490 asylum seekers. The ship was intercepted and boarded by HMCS Winnipeg before being brought into shore at the Esquimalt naval base. There, temporary tent structures were set up to hold and interview the asylum seekers. Images of over-crowded boats and headlines of human smuggling and terrorism concerns quickly swarmed the media. Discourse in the media focused on the migrant body as diseased and malnourished as well as the asylum seekers' potential links to terrorism. The asylum seekers were characterized as 'queue jumpers', 'bogus refugees' and 'security threats'.

This prominent coverage in the media played an important role in shaping the symbolic imagery of the refugee ship as a threat to the nation state, and of the refugees as a threat to public health and national security. More broadly, the symbolism of the refugee ship played on the fears of the porosity of international borders and the loss of control by the Canadian state over its national borders. Importantly, the media also played a key role in creating the image of the ship as a 'spectacle'. The numbers of refugees entering by ships are relatively insignificant in comparison to Canada's overall acceptance of refugees per year: in 2008, for example, approximately 36,000 people made refugee claims within Canada or at a Canadian port-of-entry with about 45 percent of these claims receiving a positive decision (Maytree 2009). They are also relatively insignificant in relation to the number of refugees settling in various Canadian cities per year: in 2006, for instance, 8,814 refugees settled in Toronto and 577 settled in Vancouver.[15] Moreover, there were 441,300 refugee claims in the 'industrialized world' in 2011.[16] Thus, the 490 asylum seekers on board the Sun Sea represent a very small proportion of these overall refugee claims. However, their arrival was portrayed in the media as an especially significant threat to the Canadian state. How can we understand what Appadurai (2006) calls the 'fear of small numbers'? As we will see in the media analysis below, these refugees threatened to challenge Canada's national narrative of social cohesion and unity. There was something overly threatening about these 'small numbers' which perhaps stemmed from the fact that they represented that 'outside threat'

[15] Immigration Overview: Permanent and Temporary Residents, *Citizenship and Immigration Canada*. Available at http://www.cic.gc.ca/english/resources/statistics/facts2010/temporary/21.asp
[16] "Asylum Claims in Industrialized Countries Up Sharply in 2011", *UNHCR*. Available at http://www.unhcr.org/4f7063116.html

that served as a reminder of the incompleteness of national unity on the 'inside'. For these reasons, media analysis is crucial for understanding how both the public and government response to migrant ships is shaped.

The initial headlines on the arrival of the Tamil refugees were crucial to the discursive presentation of the event. All three newspapers presented a skeptical view of the asylum seekers, as little was known about them or the ship at the early stages of reporting. *The Vancouver Sun* and *The National Post* both reported on 'human smuggling' and fears that the refugees were 'diseased':

> "Canadian soldiers board Tamil migrant ship; Federal minister says those on vessel include 'suspected human smugglers and terrorists" (Spencer and Stone 2010).
>
> "Hospital quarantine planned for migrants; Tuberculosis, other infectious diseases *expected* to be found" (Coyne 2010, emphasis added).
>
> "Authorities intercept, board migrant vessel; Fears Of Tb; Ship *expected* to reach land by today" (Carlson and Spencer 2010, emphasis added).

What is especially interesting about these early headlines is the ways in which they functioned on speculation. Indeed, the means of arrival of the ship contributed to the fostering of fears and anxieties about the asylum seekers (i.e. the 'expectation' of their diseases, threats, etc.). In an era of globalization, where speed of travel and information are expected, the arrival of asylum seekers by ship seems not only outdated but also contributes to the 'spectacle' of these refugees. Indeed, the slowness of the arrival – which was anticipated long before the ship made its appearance off Vancouver Island – enabled the media spectacle to emerge into a sort of meta-narrative about the *expected* threat that the asylum seekers posed to the Canadian state. Images of the over-crowded

boat accompanied most newspaper headlines and television coverage illustrating the importance of this visual imagery in consolidating this spectacle.

Early headlines thus portrayed the asylum seekers as both security and health threats to the Canadian public. While the fears of 'terrorism' and 'disease' proved to be greatly exaggerated in the weeks and months to come, these initial headlines worked in powerful ways to paint a picture of the refugees as dangerous and untrustworthy. It is worth considering how these fears of 'disease' and 'terrorism' were influenced by racialized understandings of the 'Other'. Indeed, the prevalence of these discourses surrounding the refugees' potential links to terrorism and the threat of their apparently diseased bodies were in part conditioned upon the fact that they were not 'white'. These headlines worked to shift attention away from humanitarian and human rights concerns towards a focus on national security through racialized discourse.

In addition, early headlines in all three newspapers placed the state's authority and actions at the center of debates, while the refugees were portrayed in a passive position. With some exceptions, the headlines that did focus on the refugees did so largely in a negative way – discussing, for instance, their connections to crime, terrorism, and their threats to public health. The headlines also made reference to the rumored $50,000 fee that these asylum seekers paid to be smuggled into Canada. For instance, *The Globe and Mail* referenced the rumored $50,000-per-pasenger fee as fact and tied it to 'illegal' aid:

> "RCMP eye Canadian financial ties to Tamil ship; $50,000-per-passenger fee raises questions over illegal aid to pay for migrants' voyage" (LeBlanc and Youseff 2010).

The apparent fee that the refugees paid to make the journey was used as evidence for the lack of legitimacy to their refugee claims. Headlines such as the one above latently imply that the Tamils are migrants of an economic capacity, seeking to abuse the benefits of the refugee system and the Canadian economy. The effect of such headlines is to ignore the complicated ways in which asylum seekers might become indebted to the smugglers, sacrificing a great deal to make a refugee claim.

An analysis of the articles surveyed reveals a number of themes in the media coverage surrounding the arrival of the migrant ships. I have divided these into three overall themes. The first theme that emerged in several of the articles is that of the helplessness of the Canadian state. There is a sense that, even though Canada knew about the impending arrival of the MV Sun Sea months before its actual arrival in Canadian waters – unlike the Ocean Lady a year earlier – Canadian officials were helpless to stop the boat. Canada is restricted by national and international laws which effectively makes Canada 'powerless' in international waters: if Canadian officials intercepted the boat, it would be forced to rescue it and provide refugee processing (Chase, Youseff, and Lindell 2010). Tied into this theme of helplessness is the anxiety over the Canadian response to the arrival of the boat. Several articles cited the argument made by Public Safety Minister Vic Toews that human smugglers are watching Canada's response to the Sun Sea in order to judge its degree of leniency compared to other nations. An article in *The National Post* expresses these themes of helplessness and the importance of a hard-line Canadian response:

> Tamil human-smugglers are testing Canada: the more welcoming they find our shores for their mortal payload, the more ships full of Sri Lankans

> they can send. It is, says one source, a fate that, under current laws, Canada is helpless to prevent. The only alternative, he says, is to change the system (Libon 2010).

Canada's response to the Sun Sea was thus seen as a sort of 'test case' for future human smuggling operations. As one *National Post* article suggests, a 'warm welcome means more ships' (Libon 2010). In order to avoid being 'the new Australia in dealing with Tamil migrants', we should learn from Australia's refugee mistakes (Ibid). In other words, if Canada wants to avoid having to process future refugee boats, it must take a hard-line policy on human smuggling operations.

The second theme that emerged from the media articles is that the migrants on board the ship were not 'legitimate' refugees. This was expressed in the repeated arguments that the refugees are 'queue jumpers' who should have to wait in line like every other refugee. Despite the fact that this phrase 'queue jumper' was consistently tossed around in the weeks and months following the arrival of the Sun Sea, it actually makes little sense to use such a term when describing refugees. Indeed, the whole concept of 'refugee' guarantees that people fleeing persecution have the right to go to another country and seek asylum. Henceforth, there can be no queue for refugees – we cannot expect refugees to 'wait their turn' to seek asylum.

However, the refugees on the Sun Sea were characterized as 'illegitimate' largely because they came by boat and used human smugglers to make their journey to Canada. The spectacle of the boat overshadowed the fact that many – maybe most – refugees have used smugglers to get to Canada (Canadian Council for Refugees 2011). This is true whether they came by plane, land or boat. The fact that this particular arrival of refugees

was so visible and publicized, however, somehow makes it more of a threat to the Canadian state and makes the refugees' claims less legitimate. These highly visible interceptions of smuggling operations tend to play out as contemporary crises. In turn, the escalated media coverage surrounding such operation heightens public fears about sovereign control of migration (Mountz 2010). What is in reality standard practice, both historically and contemporarily, becomes seen as a reason to disregard the legitimacy of the refugee claimant – human smuggling is now code word for 'crime' and 'queue jumping'.

The final theme that emerged in the news articles was that the refugees were a threat to the Canadian state. They were a threat not only because of their reported health risks – which turned out to be greatly exaggerated; in fact the majority of the refugees were in good health – but because they posed an apparent terrorist threat. The media and politicians repeatedly reported that the smugglers and their passengers might have connections to the Tamil Tigers, which is listed as a terrorist organization. While these allegations were potentially true, the media focused solely on the security-risk aspect of the refugees, ignoring the humanitarian side of the story, that the passengers might also be traumatized refugees who had just made a harrowing journey. Again, while no one knew what the 'true' story of the migrants was at the time, the media played a powerful role in inciting public fear over the refugees. Opinion polls showed a dramatic drop in support of refugees following the arrival of the Sun Sea (Showler 2011). In fact, to date, only twenty of the asylum seekers have been served deportation orders due to their

possible terrorist connections and, while all were detained on arrival, only three men remain in detention.

This perception of threat, however, extended beyond the apparent health and security risks of the refugees. Indeed, what developed was a perception of a sort of 'meta-threat' to not only the Canadian state but the 'policy' of asylum itself. Thus, it was not just Canadian citizens who were potentially at risk, but government policies and laws as well. This is evident in the headlines about the helplessness of the Canadian state, which will be developed in the following section. Moreover, the idea that the arrival of the Sun Sea was a 'test case' to see how government policies and laws would react illustrates the notion that this perceived threat ran much deeper than a question of security.

The media thus played an important role in shaping public perception of the refugees and in turn influenced the calls for policy reform to stop future large-scale human smuggling operations into Canada. A freedom of information request sent out in 2010 illustrates that government officials with the Canadian Border Services Agency (CBSA) kept an extremely close eye on the media coverage of the refugees' arrival – and of every single reporter's question they received (Skelton 2010). They were also extremely calculated in their responses to the media, with every response having to go through a higher chain-of-command before getting cleared. What this illustrates is that the CBSA saw great importance in the way that their response to the Sun Sea was portrayed by the media.

Helpless or 'In Control'?: Canada's Response to Human Smuggling

As the above media analysis illustrates, there was a very real sense of anxiety over the helplessness of the Canadian state to stop human smuggling operations from arriving on its shores. This sense of helplessness was contrasted with a hard-line stance from Canadian authorities stating the necessity of Canada to appear firm with these smugglers in order to deter future human smuggling operations to Canada. A closer examination of Canada's response to the MV Sun Sea indeed illustrates the degree to which Canadian authorities were helpless to stop the boat even with prior knowledge of its impending arrival.

An article published in *The National Post* just over a week after the arrival of the Sun Sea, titled "Canada missed chances to stop Tamil migrant ship", illustrates this helplessness to stop the refugee boat. According to the article, Canadian authorities were alerted to the boat and had information that it was likely heading to Canada before it left South Asian waters. In late March/early April, Canadian officials were hearing that vessels were gathering in Thailand and that they could be destined for Canada (Bell and Carlson 2010). By mid-April, Canada got word that two vessels were located around the gulf of Thailand and that they could be headed for Canada. Australia then alerted Thailand to the vessel, and the Royal Thai Navy proceeded to monitor the activities of the vessel but did not board the ship – the navy detected the ship within Thailand's 200-mile exclusive economic zone but it was outside Thailand's 12-mile territorial limit and therefore could not be boarded (Ibid). As one Royal Thai Navy official said, "I presume that we had no authority to search the vessel, as we would have had to receive a request

by the flag state. At the time the ship was carrying no flag at all (Ibid). This point illustrates a strategy used by smugglers – that of remaining anonymous by not identifying with a particular state – that makes them harder to detect and capture, particularly in international waters.

When the Sun Sea appeared off the coast of BC in August 2010, few in the Canadian government were caught by surprise (Ibid). Although Canadian authorities were continually notified about the likelihood of the ship moving towards Canada, repeated chances to prevent the migrant boat from reaching Canada were lost, "illustrating the apparent inability of governments to stop human smuggling" (Ibid). The *National Post* article quotes a Canadian official as saying, "There's no doubt that we, Australia and a lot of people knew about this ship and were it not for legal constraints, could have seized the ship. Everyone felt powerless by the current legal regime to do anything about it" (Ibid). Canada, then, was unable to do more than prepare for the ship's arrival. While several authorities in South-east Asia were alerted to the arrival of the boat, they had little to gain by intercepting the ship. If they did, they would be obliged to take responsibility for the hundreds of refugees on board.

As the above information illustrates, human smugglers are – from the perspective of the state – fluid transnational actors that exploit the division between foreign and domestic spaces to undermine state regulation. As Alison Mountz argues, human smugglers are able to utilize geography and fluctuating mobile transnational spaces in ways that states aren't (Mountz 2010). Whereas human smugglers are able to operate fluidly and relatively quickly, states are constrained by an administrative gap between

policy and practice. James C. Scott (1998) uses the metaphor of vision to explore the gap between the administrative centers of states and the policies which they attempt to implement. Scott argues that states perpetually attempt to impose order on chaotic realities that far exceed the state's capacity for ordering. For instance, in their programs to manage international migration, state bureaucracies must categorize distinct and ever-changing transnational flows. They must do so at a distance "characterized not only by geography but by bureaucracy and social location" (Mountz 2010: 40). Mountz argues that civil servants "face constraints posed by international borders, law, financial concerns, and a multitude of jurisdictional boundaries" (Ibid). As a result, they behave reactively – as illustrated above with the inability of Canadian officials to do anything to stop the arrival of the Sun Sea even with prior knowledge of its impending arrival on Canadian shores. Bureaucracies are inherently slow, large, and work through a compartmentalization of labor which often inhibits their ability to act efficiently (Mountz 2010). Furthermore, bureaucrats operate in political contexts which are constantly shifting depending on the political and popular will for a certain policy or mandate.

Smugglers, however, are able to work at a more intimate scale with local geography in order to escape the bureaucratic vision of a nation-state that imposes grids, borders, and order upon the landscape from a distance (Scott 1998). Without the constraints of bureaucracy, smugglers can alter their smuggling routes and methods faster than nation-states are able to adapt their investigative or preventative strategies. In other words, "It is easier for smugglers to elude the law than it is for governments to enforce it" (Mountz 2010: 42). While Canadian authorities were alerted to the smuggling operations

of the MV Sun Sea, these alerts emerged momentarily and partially. Not only was the Sun Sea able to evade interception due to gaps between international and domestic policies, they were able to move quicker than any nation-state was willing to act. Furthermore, the Sun Sea was not marked by any symbol of national belonging which allowed it to maneuver through international waters and remain unknown through the bureaucratic categories of states. Smugglers' use of local knowledge and their wider intelligence of international weaknesses in regimes of migration control pose a particular problem for states whose methods of migration management are largely dependant upon bureaucracies.

The official Canadian response of urging tougher policies and a hard-line stance against smuggling needs to be seen in the context of these deeper differences between the ways in which human smugglers and states are able to use geography. Canadian authorities recognized the need to increase transnational efforts to combat human smuggling operations, and venture into roles and arenas in which CIC officials do not usually work. The *Multiple Borders Strategy*, introduced following 9/11, is one way that Canada aims to work transnationally to combat human smuggling and other national security issues. This strategy represents a move from a traditional concept of the 'land' border to a 'multiple border' approach which "views the border not as a geo-political line but rather a continuum of checkpoints along a route of travel from the country of origin to Canada". [17] The idea behind this strategy is that, at every checkpoint along the travel continuum – visa screening, airport check-in, points of embarkation, transit points,

[17] http://www.cic.gc.ca/english/department/laws-policy/smu/smu-ins-dos.asp

international airport and seaports – there is an opportunity to intercept persons traveling under false documentation or who pose security concerns.

As part of this initiative to 'push the borders out', the Canadian Border Services Agency employs 'Migration Integrity Officers' in 'key locations' abroad in order to gather local intelligence on 'high-risk' people traveling to Canada. In 2009, the CBSA increased the number of these officers from 44 to 55 and they are now stationed in 45 locations. The primary aim of these officers is to work with local authorities to train them to identify and intercept high-risk and improperly documented people. With the understanding that borders do not just exist at the physical land border of the Canadian state, but are 'at every check point along the travel continuum', the CBSA has a mandate to work transnationally in order to extend its grasp beyond the traditional land border to multiple borders and check-points around the world.

This strategy is significant for understanding human smuggling operations because it is a key way in which states are attempting to use geography from the perspective of the smuggler. Through actions abroad, including interdiction, intelligence gathering, and diplomacy, "the state operates as a transnational actor; traditional boundaries to sovereign territory dissolve as enforcement practices extend abroad" (Mountz 2010: 48). The CBSA is attempting to work with local authorities, to glean information on local geography, and extend its operating mandates transnationally in order to combat a phenomenon which cannot be understood through traditional sovereign space. 'Seeing like a state' will no longer be – if it ever was – an effective way to combat human smuggling operations. States must operate much more fluidly and transnationally

– perhaps 'like a city' – in order to gain any advantage in the dance between human smugglers and the state. Alison Mountz argues that, in some ways, these officers abroad are able to behave more like smugglers: to operate beneath the radar, to become more adept at seeing the local, to acquire knowledge that translates quickly into power (Mountz 2010).

Even so, these advantages may be only partial and momentary as smugglers have proved that they are able to adapt their travel patterns, using local knowledge of geography, quicker than states and their bureaucracy are able make effective interceptions. Furthermore, the policy intention of the Migration Integrity Officers – which is to identify persons traveling with false documentation or of a high-security threat to the Canadian state – arguably incites more people to seek the services of smugglers. If the determination is there for a person to migrate to another country – whether it be for refugee purposes or otherwise – greater enforcement may only lead to the increase use of clandestine methods. Indeed, refugee advocates argue that increased interception abroad of refugees traveling with false documentation pushes those seeking asylum to employ the services of human smugglers (Mountz 2010).

Following the arrival of the MV Sun Sea in August 2010, the government introduced bill C-49, the Preventing Human Smugglers from Abusing Canada's Immigration Act. The bill was meant to deter future human smuggling operations by implementing harsh penalties for anyone participating in smuggling operations. The bill – which did not pass parliament – was highly criticized by opposition members and by refugee advocates for the way in which it targeted refugees. Indeed, the real targets of

the proposed bill were not human smugglers but rather those who come to Canada using human smugglers, whether these people are 'genuine' refugees or not. The penalties include: un-reviewable detention for periods of one year or longer, limits on rights to appeal refugee determinations, and for successful claimants a bar on obtaining either temporary or permanent status in Canada for a five-year period. While the bill did not pass, the Harper government recently re-introduced the bill, this time called Bill C-4, and it is currently being debated in parliament.

Several refugee advocates and lawyers wrote a letter entitled "Legislation Won't Stop Refugees Using Smugglers", expressing their concern over the bill and arguing that such enforcement measures would only lead to the use of more clandestine methods to enter Canada. The letter states that "The government appears to believe that Canada currently lacks enforcement tools to prevent human smuggling. In fact, Canada already does everything in its power to prevent asylum seekers from getting here" (Rehaag et al. 2010) For instance, Canada imposes visas on nationals of all major source countries, employs Migration Integrity Officers abroad, denies entry to anyone it thinks might make a refugee claim, and works with transportation companies to prevent embarkation of anyone with suspect documentation. Furthermore, "mandatory minimum sentences in the proposed legislation will not stop human smuggling" (Ibid). The letter argues that if the possibility of tough penalties could stop human smuggling, surely the life imprisonment currently faced by smugglers – the most serious punishment under Canadian law – would have deterred them. Moreover, the experience of other countries illustrates that such increased enforcement measures do not have the intended effect of stopping human

smuggling operations, but simply drive up the cost that human smugglers can charge and push smugglers to use even more dangerous routes.

However, these enforcement practices are a key aspect of 'seeing like a state'. The state wanted to 'see' the back of the refugees, to 'see' them go. Indeed, to date, Canadian authorities have issued twenty deportation orders to the Sun Sea asylum seekers on the basis of their apparent connections to terrorism. This power of deportation is something that is unique to the state and is in fact one of the few powers that the state has in relation to combating human smuggling operations such as the Sun Sea. As we saw, the state was unable to stop the ship from arriving and, upon arrival, Canadian authorities were required by international laws to process their refugee claims. While it is clear that the desire of the state would be to 'see' many of these refugees go, they are nonetheless restricted in their ability to do so.

Thus, efforts to control human smuggling operations face a number of constraints and cannot be resolved through 'tougher enforcement' practices alone. There is clearly a much bigger issue concerning the fact that mobile populations will continue to migrate to Canada despite such enforcement measures – whether this be through human smuggling operations or 'legitimate' methods of immigration. The way in which the Canadian government chooses to manage this migration will have crucial importance for the social, economic, and political structure on the ground in cities. The following section gives a brief overview of Canada's official immigration policy in order to illustrate that the effects of 'seeing like a state' are widespread in Canada's immigration ad refugee system.

Canada's Migration Policies – Problems in Practice

Official discourse frames migration policy as efficient and effective because it facilitates the arrival of legitimate immigrants and refugees whilst protecting the country against unwanted migration. CIC's 'vision for a stronger Canada' is a county that is safe and secure, supports humanitarian traditions, and attracts the best immigrants in the world (CIC 2011). The current policy framework was introduced with the 2002 Immigration and Refugee Protection Act (IRPA), which replaced the 1976 Immigration Act. The 1976 Act implemented important changes: First, it introduced the 'points system' as a basis for selecting the most qualified and desired immigrants based upon education and occupational qualifications as well as investment potential. Second, it removed earlier source-county and regional criteria that expressed a racialized and racist hierarchy of immigrants. While this blatant racism was institutionally removed, however, the 'points system' in fact has the effect of privileging immigrants from certain countries and economic classes of the world.

Built-in to Canada's immigration and refugee system is a clear distinction between legal and illegal. The categories used to describe legal entrance to Canada include temporary residence, family sponsorship, immigration as a skilled worker/professional, Canadian experience class, immigration as an investor, entrepreneur, or self-employed person, and entry as a nonresident tourist or visitor, which in many cases requires a visa. Temporary residents – which are among the most vulnerable status class in Canada – fall into four categories: foreign workers, foreign students, humanitarian cases (refugee claimants and those granted residence on

humanitarian and compassionate grounds) and other cases (CIC 2010). The temporary foreign worker category includes domestic workers (Live-in-Caregiver Program), agricultural workers (Seasonal Agricultural Workers Program) and highly skilled workers (NAFTA).

While the above categories carve out a clear distinction between legal/illegal forms of entry and residence, the distinction between legal and illegal status is in fact much fuzzier. Indeed, even if a person enters Canada legally, they may continually move through various levels of legality/illegality. Luin Goldring, Carolina Berinstein and Judith Bernhard argue that, rather than focus on 'undocumented' or 'illegal' status – as is the case in much literature regarding the large amounts of undocumented migrants in the US – the focus in Canada should be on *precarious* status (Goldring, Berinstein and Bernhard 2009). Canada's immigration policies produce a confusing array of uncertain or 'less than full' migration statuses (Goldring and Berinstein 2003). Even if a person's status is not by definition 'illegal', they may be in a 'precarious' position of falling into an 'illegal' status. Goldring, Berinstein, and Bernhard use the term 'precarious' to "draw attention to (1) variability in configurations of 'less than full' or precarious status and (2) the possibility of movement between gradations of such status" (Goldring, Berinstein, and Bernhard 2009: 240). The authors suggest that precarious status is marked by the absence of any of the following elements that are typically associated with permanent residence and citizenship in Canada: " (1) work authorization, (2) the right to remain permanently in the country (residence permit), (3) not depending on a third party for one's right to be in Canada (such as a sponsoring spouse or employer), and (4) social

citizenship rights available to permanent residents (e.g. public education and public health coverage)" (Ibid). These forms of precarious status are associated with many 'legal' methods of entry or residence in Canada, meaning that a person may be in a legal position to reside in Canada but nonetheless face the vulnerability of slipping into an 'illegal' status.

While the phenomenon of 'undocumented' or 'illegal' migration in the United States is well documented and analyzed, in Canada it is much less so. The size of the undocumented population in the US is estimated to be 12 million (Kiely 2007) which illustrates not only the magnitude of this population but also the extensive efforts to study and document such data. Unlike in the US, there is no large-scale data in Canada about people with undocumented or confusing migratory status. Estimates, however, range from 200,000 to 500,000 (Ibid). While undocumented migration is a hot political topic in the United States, there is very little political discussion of the topic in Canada, except when large-scale 'crises' occur, as in the arrival of migrant ships. Goldring, Berinstein, and Bernhard argue that the 'language of 'crisis' used in covering unauthorized entry supports the contention that unauthorized migration is understood as an occasional aberration, and not as a pervasive and structural feature of Canadian society and economy (Goldring, Berinstein, and Bernhard 2009: 240). Indeed, also unlike the US, there are no large-scale studies about the importance of unauthorized workers in specific markets or industries, such as the construction or agricultural industry (Ibid). However, rather than suggesting that undocumented migration is a non-issue in Canada, the lack of knowledge and resources devoted to this phenomenon suggest that perhaps something else is going

on. Indeed, instead of exploring the number of so-called 'illegals' in Canada, we should focus on the number of people in *precarious* positions, who may not enjoy the benefits of full Canadian citizenship or permanent residence.

The number of people living in precarious migratory status in Canada is much higher than an examination of 'official immigration policy' might suggest. While it appears that there are several clear pathways to legal citizenship or permanent residence in Canada, in reality these pathways are much messier. Furthermore, the intended effects of immigration policies often become distorted in practice. For instance, with the introduction of the 'points-based' system, the Canadian government attempted to 'weed-out' the less educated, less skilled and generally rural-origin immigrants from entering Canada. Only those who score highest on linguistic aptitude, post-secondary education, specialized skills or pledged investments are admitted entry. While the intention of this policy was to attract a more middle-class group of immigrants, it has not only failed in its policy attempt, but it has side-stepped a serious problem (Saunders 2010). Indeed, labor shortages tend to be in low-skilled or semi-skilled areas (such as trades), not in the areas in which these 'elite' and highly skilled immigrants would be seeking work. In Canada, an astonishing 60.1 percent of immigrants with university degrees were working in occupations which required an apprenticeship or less – 1.5 times the over-qualification rate of Canadian born workers (Ibid: 92).

As such, this points–based system not only sidesteps the real problem of labor shortages, it also has the unintended effect of still attracting low-skilled, rural immigrants. In fact, a large number of low-skilled rural immigrants are still managing to

immigrate into Canada as relatives of the 'skilled migrants'. The reality is that many of the 'skilled migrants' are often single members of a much larger, often rural family who bring with them this network of spouses, children, parents etc (Saunders 2010: 92). Officially, 57 percent of Canada's 250,000 annual immigrants are 'economic class' – mainly high-skilled and semi-skilled workers and 'business immigrants'. However, in 2005, of the 133,746 immigrants in this category, only 55,179 were the principal applicants – that is the 'highly-skilled' or 'semi-skilled' immigrants successful through the points-based system (Ibid). The result is that only 23 percent of Canada's immigrants are those admitted through the 'points-based' system. While this result was not the intention of the 'points-based' government policy, it has actually worked in the government's favor to admit low-skilled or semi-skilled immigrants. Indeed, the 'uneducated' relatives of the 'highly-skilled' migrants have fared much better economically in Canada than the original migrants themselves: "high-skilled primary immigrants are 18 percent more likely to fall into low-income poverty than their low-skilled family-class counterparts" (Ibid: 93).

As the above information illustrates, 'seeing like a state' involves stark categorizations of legal/illegal and it imposes a framework or grid on a system that is extremely fluid in practice. The purpose of this brief discussion on Canada's immigration and refugee policies is to demonstrate that the attempts to map and order the dynamic processes of migration are widespread and are in fact built into the fundamental principles of Canada's immigration and refugee system. Moreover, attempts by the Canadian government to control or channel certain types of migration are in many cases

highly unsuccessful, illustrating a certain level of autonomy that these movements have from state processes of control.

Conclusion:

This chapter has argued that migration policy – specifically the ways in which the state seeks to manage, categorize, and control migration – plays an important role in shaping the way that migration unfolds on the ground. However, official policy often unfolds with many unintended effects: migration policy is frequently challenged not only because of its inability to be enforced – as with the continual human smuggling operations such as the MV Sun Sea – but also because it seeks to categorize and manage processes which are much more fluid and dynamic than such policies would allow. An immigration and refugee system which fails to take into account the effect of its policies on the migrants themselves and the communities in which they settle, will only further increase the use of clandestine operations and social isolation in migrant communities. Thus, while migration policies have enormous effects on the way in which migration is managed and experienced, such policies do not in fact have the ability to control whether or not migration *happens* or even what sorts of migrations will occur. In fact, a variety of migrations will continue to occur, largely into big cities such as Vancouver and Toronto, despite efforts by Canadian authorities to limit migration to highly-skilled or semi-skilled elites.

The case study of the MV Sun Sea has served to illustrate these points and specifically highlight the ways in which 'seeing like a state' operates through stark categorizations of 'legal/illegal', 'member/non-member', 'legitimate/illegitimate',

'refugee/economic migrant' etc. The predominant concerns in this sense become protecting the 'inside' – the Canadian citizens – from terrorism, disease, and job-loss. More than this, however, the case of the MV Sun Sea represents a sort of meta-threat to the Canadian state in that it highlights a sense of helplessness by Canadian authorities and apparently threatens to undermine Canada's refugee and immigration policies themselves. In many ways, the MV Sun Sea illustrates the ambiguity of policies which present themselves as highly unambiguous. As we will see in the following chapter, 'seeing like a city' brings these ambiguities to the fore and challenges these dualisms that are so pervasive to 'seeing like a state'.

CHAPTER 4:

'Seeing like a City': Autonomy and Political Belonging

Perhaps more than any other cross-border flow, undocumented migration highlights the anxieties of state borders and citizenship in an age of globalization. As argued in chapter three, the arrival of the MV Sun Sea off the coast of Vancouver Island in August 2010 represents a highly symbolic example of such anxieties, as fears of 'waves' of migrants became the focus of this anti-migration spectacle. When we see the phenomenon of the MV Sun Sea 'like a state', the predominant concerns become protecting Canadian citizens from terrorism, disease, and job-loss. The asylum seekers were identified before they arrived as 'terrorists', 'outsiders', 'economic-migrants', 'bogus-refugees', and 'diseased'. Their possibilities for political membership in the Canadian polity were again already pre-determined as either 'member' or 'non-member', and they were assumed to be unworthy of membership in the political community. Thus to see the phenomenon 'like a state' is to see it at a distance, and according to stark categories of member/non-member, legitimate/illegitimate, refugee/economic migrant, inside/outside etc. The sovereignty of the state and its borders are understood to be the predominant means by which to define and secure the 'inside' from these 'outside' threats.

But what happens if we instead view the phenomenon of the MV Sun Sea 'like a city'?[18] What immediately becomes evident is that this 'event' and the response to it

[18] To see 'like a city' is a phrase coined by Warren Magnusson in his book "Politics of Urbanism: Seeing Like a City" (2011), in which Magnusson argues that 'seeing like a city', rather than 'seeing like a state' is the key to understanding modern politics.

become highly ambiguous.[19] On the one hand, as discussed in chapter two, cities are now becoming sites where various security practices are unfolding. For instance, it was in the city that the migrants were detained, experienced home visits by border agents, and underwent extensive health screening. In this sense, the city actively participates in and embodies state practices of securitization. On the other hand, however, when this phenomenon is viewed 'like a city', it becomes clear that sovereignty – and with it the stark divisions of inside/outside, member/non-member, etc. – is infinitely deferred. Rather than supposing that there is one sovereign authority controlling the movement and status of these individuals, a multitude of authorities and possibilities of political belonging come into play. Therefore, a question which is central to this dissertation – that is, 'how is movement controlled and facilitated?' – becomes much more complicated when we 'see like a city'. The movement of these asylum seekers was not simply controlled or facilitated by the 'state'; a variety of state and non-state institutions, authorities, activist groups, and the 'global economy' come into play here. Suddenly it is not as easy to pin 'the state' as the single authority responsible for controlling or facilitating the movement of these asylum seekers. When we 'see like a city', a multiplicity of authorities come into play which operate more fluidly, at times temporarily, contradictorily, and transnationally than 'seeing like a state' would permit.

[19] To argue for the ambiguity of 'seeing like a city', however, is not to suggest that state sovereignty is unambiguous. In fact, state sovereignty is a highly ambiguous and contradictory practice. However, the intended effect of sovereignty is unity. By contrast, cities are often seen as gaining their identity through diversity and multiplicity. There is not the same appeal to 'one-ness' and the stark divisions of inside/outside become more blurred. At the same time, the contribution of cities to border-policing is rarely examined. This ambiguity is at the heart of what it means to 'see like a city'.

The arrival of the MV Sun Sea and the events following thus become, above all, highly ambiguous when viewed through the city, and the notion of a single sovereign authority governing movement and membership becomes decidedly problematic. For the purposes of this dissertation, two questions are particularly pertinent. First, how might we understand the control and facilitation of the MV Sun Sea through the city? I have already stated that the answer to this question is highly ambiguous in that we see the city as a space where various practices work to both securitize and potentially resist the exclusionary dualisms of state sovereignty. In the first section of this chapter, I will expand upon what specific strategies and practices were employed to control and facilitate the movement of these asylum seekers. I will develop the argument that a multiplicity of authorities, rather than simply 'the state' was responsible for regulation of this movement, and in particular I will expand upon the notion that the state both operates through the city but is also resisted in such spaces.

Second, the question emerges as to what other possibilities for political belonging are possible once we 'see like a city'? Much has been written on the potential of 'non-citizens' to participate in the political community, such as the literature on 'acts of citizenship', which starts from the principle that citizenship and non-citizenship should not be seen as variations in *legal* status, but as *practices* that are 'up for the taking' (see Nyers 2008; Isin and Nielson (Eds) 2008). This emphasis on citizenship as a *practice* is, I argue, one that becomes possible once we 'see like a city' rather than through the stark dualisms of member/non-member. This emphasis on 'practice' or 'acts' of citizenship opens up space for investigating the *autonomy* of citizenship beyond the legal framework

of national political belonging. However, I argue that the space in which these 'acts of citizenship' occur is particularly important and opens up the possibility for a similar sort of autonomy from state structures. In the second half of this chapter, I will explore autonomy in a dual sense: the autonomy of non-citizens and the autonomy of the city itself. By considering the literature on the 'right to the city' – through the work of Henri Lefebvre and Engin Isin – we see that there is something specific about the space of the city which opens up possibilities of autonomy for both individuals but also communities – or cities – themselves. Thus, political belonging becomes in some ways autonomous from formal state structures once we 'see like a city'.

'Seeing like a city' – the MV Sun Sea arrival and response

When the MV Sun Sea arrived in Victoria BC on August 13th, 2010, there were a multitude of responses. The 'official' state response, which was largely intertwined with popular media representations of the migrants, was that the ship and the individuals aboard symbolized a multi-faceted threat to the Canadian state and its citizens. As discussed in chapter three, assumptions about the migrants' identities – which centered on arguments that they were 'bogus refugees', 'terrorists', 'diseased' etc – were determined ***prior*** to the arrival of the ship itself. In other words, there was a need to ***know*** the Other, to label and classify her and to define her in opposition to the Canadian political community.

This 'official' state response is one that often works through ***embodying*** the nation-state as a coherent entity (Mountz 2004). Images of migration – such as the one produced by the arrival of the MV Sun Sea – often depict a story of the 'emasculated

state': ''one that is rendered powerless by flows depicted as out of control, embodied by migrants who materialize in discourse driven by metaphors of invasion, flood, and waves'' (Ibid, 326). As a result, the image of the state as a coherent body politic circulates in opposition to the threatening, unknown forces outside its control: the state is conceptualized as one body (Ibid, see Gatens 1991). However, as Mountz notes from her study of the 1999 arrival of the Fujian migrants in Victoria BC, 'the state' does not in fact contain or enact a unified agenda: state practices encompass rather a series of diverse interests and bodies that are often themselves in conflict (Mountz 2003: 325). I argue that by 'seeing like a state', these diverse and conflicting interests have a way of appearing unambiguous in the interests of 'unity'. The most important concern when we 'see like a state' is to separate a legitimate 'inside' from the 'illegitimate' threats of the outside. This is precisely what we see in both the media coverage and the official state response to the MV Sun Sea arrival. It is not until we 'see like a city' that these diverse and often conflicting and overlapping interests and agendas become visible.

In the case of the MV Sun Sea, the space where the asylum seekers were received, detained, interrogated, screened, excluded, and also welcomed was the city. Indeed, it was in the city that the asylum seekers faced trials, interacted with authorities, had access to lawyers and health services, received home visits by border agents, but also experienced possibilities for political membership that did not rely upon a member/non-member divide. These various interactions did not occur from a unified agenda; indeed, many of the ways in which the asylum seekers' movements were controlled and facilitated were in conflict with one another. The city acted and continues to act as a space where these asylum seekers were excluded and securitized, but also a space of

potential resistance to these exclusions. I have divided this section into two parts: the first part considers the practices that work to securitize the asylum seekers in the city; the second part examines the variety of practices that continue to challenge these exclusionary dualisms and open other possibilities for political belonging in the city.

Upon arrival of the MV Sun Sea, the first points of contact for the asylum seekers on board were CBSA agents, members of the RCMP, and Health Canada officials (Chase 2011). In these first moments of contact, the asylum seekers were examined in terms of their eligibility to apply as refugees, evidence was collected, and the migrants were then moved to detention centers where they awaited their refugee hearings (Ibid). The asylum seekers were all detained in the Greater Vancouver area, with the women and children detained at the Burnaby Youth Custody Services Centre and the men detained at the Frasier Regional Correctional Centre.[20] Here the asylum seekers had access to legal council. It is important to note the geography of where the asylum seekers were detained and underwent their trials. When the Fujian asylum seekers arrived in 1999, their hearings were held in provisional tribunals established within the prison in Prince George. Because Prince George – which is a remote community approximately 800km north of Vancouver – is more isolated and less accessible for lawyers and various other communities of support, the asylum seekers received poorer access to lawyers and as a result were less successful in their refugee claims (Mountz 2003). By contrast, the asylum seekers on board the MV Sun Sea have much better access to lawyers as well as migrant rights groups and translators, largely due to their geographical positioning within

[20] While the children were not officially detained, many of them stayed in their care of their mothers in detention. Others were taken into care by the Ministry of Children and Families

Vancouver. Thus, the geography of their processing mattered in determining the potential outcomes they would face as refugee claimants.

Almost two years later, approximately three asylum seekers remain in custody near Vancouver, while twenty have been ordered deported. The remaining asylum seekers have been released from detention and are at various stages in their refugee claims. Most have settled in either Vancouver or Toronto and it is in their daily lives in the city where they are both securitized and 'welcomed'. One highly publicized example of such securitization was the home visits carried out by CBSA agents. In early 2011, the agents showed up unannounced at the homes of many Tamil asylum seekers from the MV Sun Sea, in some cases going into their homes and searching their bedrooms (Vancouver Sun 2011). Government officials claimed that these home visits were organized to make sure that the refugee claimants were complying with the terms and conditions of their release from detention (Ibid). However, Gabriel Chand, a lawyer who represented several of the Sun Sea migrants said the agents 'went too far' and demonstrated 'an appalling abuse of power' (Ibid). Moreover, the agents did not bring interpreters which meant that the refugee claimants often did not understand what was going on and could not ask the agents to leave. This process was not carried out 'from afar' by the state, but was performed in the everyday spaces where these refugees lived. Furthermore, the objectives were questioned and resisted by many – including lawyers and activists – who felt the process was an abuse of power.

These surprise home-visits by border officials are similar in strategy to the well-documented workplace raids whose occurrence was especially frequent during 2009 in southern Ontario. The raids continue to be carried-out in everyday life at work, in the

home, and at shopping centers. People who are found to be without 'adequate documentation' during these raids are typically placed in an immigration detention center without access to full legal council (No One Is Illegal Toronto, 2010). The workplace raids immediately elicited acts of protest throughout the city, including action by activist groups such as No One Is Illegal, but also condemnation by the Ontario Public Service Employees Union (OPSEU). The point here is that the home visits carried out by CBSA officials in the case of the Tamil asylum seekers were not isolated incidents of everyday life becoming subject to surveillance and securitization. Rather, such practices are becoming more and more prevalent in the everyday sites of cities, particularly for undocumented migrants[21]. However, such acts of securitization do not occur without considerable protest and opposition from a variety of groups within the city. As we saw above, it was not only activist groups who condemned these practices; lawyers and unions, among other groups, denounced such practices of securitization and the infringements they made upon everyday life.

This process of securitization and criminalization is not, however, simply a result of official state practices that manifest in cities. Indeed, the citizens and local politicians in the two major cities where the majority of Tamil refugee claimants settled upon their release from detention – Vancouver, BC and Toronto, ON – have a great impact on their degree of inclusion in the political community in which they settle. From this perspective, we see a wide array of responses. On the one hand, there are many citizens within the city – including activist groups, church groups, and established Canadian-

[21] Many of the passengers on board the MV Sun Sea were 'undocumented', meaning that they did not possess the documents required to enter Canada 'legally', including a visa and passport. This, combined with their mode of transport and their association with human smuggling, contributed to their 'irregularity'.

Tamil groups – that have supported the Tamil migrants even before their arrival on Canadian shores. These groups will be discussed further on. On the other hand, we see a variety of groups and local politicians in Vancouver and Toronto who are fundamentally opposed to the Tamil migrants settling in 'their' city. Concerns range from the drain the migrants place on the social and economic sectors in the city to fears that they may be linked to terrorist groups.

Toronto mayor Rob Ford – who was at the time a mayoral candidate for the city – famously opposed the arrival of the Tamil migrants in Toronto, stating that Toronto is simply 'too full'. At a mayoral debate in August 2010, Ford argued, "We can't even deal with the 2.5 million people in this city. It's more important that we take care of the people now before we start bringing in more". The implicit statement here is that Toronto is a city in chaos, it is 'crumbling at the seams' and adding more refugees to the mix would only exhaserbate the problems. These types of statements are often linked to fears over the economy and loss of jobs due to immigrants. In Vancouver, there were fears that the approximately 200 Sun Sea Tamil migrants who settled in Vancouver would take away from the welfare, health, and education services of the 'tax-paying citizens' (O'Regan 2010). Underlying these statements is a very distinct usage of the 'us' versus 'them' mentality. For instance, Rob Ford has argued since 2003 that there should be a freeze on allowing more refugees into Toronto. He condemned the Tamil protest that blocked the Gardiner Expressway in Toronto in 2009, saying "enough is enough…I know that if I brought my kid on the Gardiner, I'd be arrested and the Children's Aid would take my kid" (quoted in Cole 2010). Ford's argument implicitely suggests that the refugees

received 'special' treatment and privilages and "is a reference to the us/them dynamic that thrives even in a city that has 'welcomed' more Tamil migrants and refugees than any place outside south Asia" (Ibid).

The city is thus increasingly becoming a space where official state policies of surveillance and securitization are performed and realized. It was in the city where the asylum seekers from the MV Sun Sea faced their initial screenings and interrogation, followed by detention and eventually – in most cases – where they were 'welcomed'. As we see, however, this 'welcome' was not uniform and certainly comprised of a great deal of skepticism and outright 'othering' of the refugee claimants. Above all, however, what is noteworthy about the way in which the Tamil asylum seekers were securitized, is that this was not carried out through a singular agenda, but rather through a variety of authorities working both 'on the ground' and 'from above' within and beyond the city. As we will see, resistance to such practices of securitization is likewise formulated through a multiplicity of authorities and voices, creating a complex web of security practices and resistance. Michael Shapiro argues that our conventional understanding of 'war' must be understood in broader terms than what is covered in the discourses of inter-state violence to include the variety of security practices that occur in the everyday spaces of cities: "[when this is achieved], cities are major, and indeed increasingly, the primary venues for official policies of surveillance, coercion, and security as well as being sites of resistant tactics by those seeking to survive such policies" (Shapiro 2010: 50).

Resistance in the City

Examples of these resistance tactics can be seen in the chorus of cities who continue to fight to 'let them stay'. Shortly after the arrival of the Tamil migrants in August 2010, cities such as Victoria, Vancouver, Toronto, Kitchener-Waterloo, Ottawa, and the unsurrendered Wet'suwet'en terrritory staged rallies and demonstrations in support of the Tamil asylum seekers. In the Wet'suwet'en territory, information pickets were held and solidarity was expressed with the migrants: "We understand how the so-called First World and G8 countries dominate peoples from the Third World and Indigenous people all over. We know the consequenses of racist and classist governments displacing our families and peoples from homelands…We support the Tamil refugees and stand in solidarity with No One Is Illegal" (quote from No One Is Illegal 2010).

In Toronto, a forty feet by six feet banner reading 'Toronto Welcomes Tamil Migrants' was dropped over the Gardiner Expressway near the neighbourhood of Roncesvalles. Similarly, in Kitchener-Waterloo, a banner was dropped that read 'Welcome Tamil Migrants' and activist groups demanded that the Tamil refugee claimants from the MV Sun Sea be immediately released from detention. In Victoria, nearly one hundered people marched in protest to the detentions, shouting slogans of welcome and respect for the refugees. In Ottawa, large crowds of immigrants, Indigenous people and allies rallied outside the Citizenship and Immigration Canada offices. Pierre Beaulieu-Blais, an Anishnabe member of NOII-Ottawa said, "From one community of resistance to another, we welcome you…as people who have also lost our land and been displaced because of colonialism and racism, we say Open All The Borders! Status For All" (Ibid).

In Vancouver, the rallies of support were wide-spread, with No One Is Illegal Vancouver holding weekly demonstrations at detention centers where the refugee claimants were detained. 'Noise rallies' were held at the detention centeres to 'let [the Tamil refugees] know that there are people here that care about them and support them and want them to stay (Alex Mah, NOII Vancouver). Banners were held so that the refugees could see, reading, "We welcome you, we support you". Dozens of other community groups held demonstrations showing support for the detained Tamil asylum seekers. According to the South Asian Network for Secularism and Democracy,

> We condemn the Government of Canada's hypocritical use of the discourse of human rights and its current racist fear-mongering against Tamil refugees. We demand fair and humane treatment for the refugees who have come on the Sun Sea and all people who seek Canada as a refugee to rebuild their lives following the cynical and brutal abuse of human rights by their governments and/or the devastations of war (NOII Toronto press release 2010).

Similarly, the Canadian Peace Alliance, Canada's largest peace network, urged the government to respect the human rights of the Tamil asylum seekers. But it was not just activist groups who showed their support. Within greater Vancouver, two church congregations – St. Catherine's Anglican and Trinity United churches – stepped up to assist the Tamil families as they settle in Vancouver by helping them with their rent payments and linking them to local social services.

I want to suggest that this mode of orientation towards the Tamil refugee claimants is fundamentally different from the possibilities of political community when we take state sovereignty as the starting point. An important point of contention in many of the mainstream debates over the 'legitimacy' of the Tamil migrants' refugee claims was the need to first establish *who* these migrants were. Were they 'legitimate' refugees,

'bogus' refugees, 'economic migrants', 'terrorists', or a combination? While there were many different theories about the identity of these asylum seekers, the important point is that their *true* identity needed to be established before any 'welcome mat' might be placed. In contrast, the popular slogan of support for the Tamil refugee claimants – 'let them stay' – made no such attempt to discern the identity of the asylum seekers before they were welcomed. Rather than working through the 'neat' distinctions between the 'self' and the 'other', these rallies of support demonstrated the unconditional welcoming of the other and a recognition of the processes of violence which went into such a separation between 'us' and 'them'. For instance, the statements of support from Indigenous groups highlighted the shared experience of displacement by colonial forces.

Recall that when viewed 'like a state', the dominant questions concerning the passengers of the Sun Sea were preoccupied with determining *who* the refugees were and *where* they were from. It is these most basic questions – who are you; where are you from – which have extremely violent ramifications for those outside the defined limits of citizenship. Indeed, the same question which functions as the basis for granting rights of hospitality also functions to deny the most basic of rights. For instance, the passport – which is symbolic of the very question 'who are you; where are you from' – at once enables the rights of citizenship and hospitality and simultaneously disables any pathway to hospitality that is not already situated within the state. Arguably, the purpose of these questions is to establish a form of hospitality devoid of risk. The question which determines where one is from - and who precisely one is - limits hospitality to the terrain of the safe, the knowable.

I wish to now briefly turn to Jacques Derrida's conception of 'unconditional hospitality' (2000) to explore the differences between the forms of hospitality offered above.[22] Derrida argues that the conception of hospitality that attempts to limit, if not eliminate risk, is deeply problematic. To be meaningfully hospitable it is not enough to simply accept the guest only upon a prepared invitation, but also to be open to the unexpectedness of a stranger. As Derrida suggests:

> Pure unconditional or infinite hospitality cannot and must not be anything else but an acceptance of risk. If I am sure that the newcomer that I welcome is perfectly harmless, innocent that [s]he will be beneficial to me…it is not hospitality. When I open my door I must be ready to take the greatest of risks" (Derrida, quoted in Rosello: 11-12)

Of course, many may argue that hospitality without limits is unrealistic and threatening; however, hospitality conditioned by the elimination of risk masks even greater violences. Or as Derrida suggests, "unconditional hospitality is always a risky endeavour, hospitality without risk usually hides more serious violence." (quoted in Nyers 2006: 73) Indeed, our borders function to deny refugees based on the dangers they may impose upon 'us' which thereby legitimates the potentially violent outcome of the refugee returning to their homeland.

In contrast to the above orientation towards the passengers of the Sun Sea, we might consider the acts of solidarity demonstrated by the 'let them stay' campaign and the Wet'suwet'en terrritory to be a form of what Derrida (2000) terms 'unconditional hospitality'. Rather than focus on the identity of the passengers on the Sun Sea, the

[22] Note that much of the following discussion concerning Derrida's conception of 'unconditional hospitality' is derived from a previous co-authored paper I wrote with Jennifer Bagelman entitled "The Blind Spot of Hospitality", 2006.

above examples extend a form of hospitality based upon the fundamental right to *move* and *stay* – exemplified in the No One Is Illegal Slogan, No One Is Illegal! Freedom to Move! Freedom to Stay! Freedom to Return! – and on a shared sense of struggle between the Indigenous populations 'here' and displaced populations over 'there'. While it may seem problematic to suggest that the above examples illustrate 'unconditional hospitality' – for instance, what if the 'refugees' on board the Sun Sea were in fact terrorists or freedom fighters; would hospitality still be extended? – Derrida himself would argue that hospitality is in fact always somewhat conditional. Indeed, what is being argued for is not a pure form of 'unconditional hospitality' but rather a critical awareness of the always present conditions imposed on hospitality practices and the potential violences inherent in such conditions of law. That is, there is a fundamental difference in the orientation towards the Other when we 'see like a state' versus the examples noted above. The possibilities for political community, moreover, become much more fluid when we problematize the neat distinctions between 'us' and 'them' and the subsequent requirement for complete knowledge of the Other.

Elizabeth Dauphinée, in her book *The Ethics of Researching War*, discusses the violence that goes into the 'neat' representations of the self and the other. Dauphinée frames much of her book through the philosophy of Emmanuel Levinas to explore the question of responsibility and ethics which runs throughout the book. Underpinning responsibility at every turn is a refusal to work within the neat – and violent – representations that make understanding the 'self' and the 'other' *legible* and *knowable.* Dauphinée argues that there is 'no possibility for pure non-violence' and it is only in

recognizing our own position in this violence that we can begin to see the responsibility we must *always already* have for the Other and for the neat divisions that go into separating the self from the Other (Dauphinée, 2007). Dauphinée urges us to ground all questions of responsibility and violence in particular, everyday engagements and to put a human face to what might otherwise become an abstract, knowable fixed identity. This form of responsibility is not possible through a state centric framework which demands to know the identity of the migrant before any conditional offer of acceptance is provided – it makes abstract, fixed, and knowable both the 'we' and the 'refugee'.

Responsibility, following Levinas, cannot be equated with a universal principle that can then be un-problematically translated into law to be carried out by autonomous individual agents. Rather, responsibility is derived from a relation of proximity to the Other that is not based upon a spatial metaphor that would divide the world into sovereign states, but is a *relation* of proximity that one always already has towards the Other (Doty, 2006). Thus, responsibility here does not stem from a duty or moral obligation, but from a 'promise' that is never closed or complete but always open to the future (ibid). In saying 'Let them stay', there is an explicit refusal of the assumed sovereign spatial boundaries of responsibility. It is a form of responsibility that might be in line with Derrida's 'unconditional hospitality' in that the identity of both the self and the other is unclear in this formulation: there is no call to identify the Other as a refugee before the 'we', the 'citizen' can engage in a responsibility to the Other.

Thus far I have argued that we need to be attuned to the multiplicity of authorities – other that simply 'the state' – which worked and continue to work to facilitate and/or control the movement of these Tamil refugee claimants. In particular, we should recognize that many processes of securitization in fact unfold on the ground in cities. Rather than unfolding through an 'embodied state', the notion of 'the state' becomes much more fluid, localized, and at times contradictory. At the same time, it becomes apparent that the resistance to these processes of securitization and surveillance also unfold on the ground in cities, and what we are left with is a multiplicity of authorities, with no single authority having the final 'say' in regulating or facilitating movement. Before I move onto the next section of this chapter, however, there is one other 'authority' which needs to be explored.

Migration is often documented as a process determined by 'push' and 'pull' factors – meaning that there are a variety of forces that 'push' migrants to leave their origin and migrate, or be 'pulled' towards their destination. While this explanation of migration will be critiqued in the next chapter for its failure to give any agency of movement to the migrants themselves, I am noting this 'push' and 'pull' argument here because it is the 'push' and 'pull' of the global economy which is often cited as one of the major factors in determining migration patterns. Moreover, it is often economic factors which underlie arguments made for or against the acceptance of migrants into the city. As Anne McNevin argues, "By far the most prominent case made by irregular migrants for legal residence and political equality rests on their economic role" (McNevin 2009: 170). While it is undoubtedly a less prominent issue in Canada than in the United States, where

a vast amount of research has gone into examining the importance of immigrant labour – both 'documented' and 'undocumented' – it is now well recognized that whole industries and economies are heavily dependant on the work of irregular migrants (Ibid). This economic dependence on the work of migrants has thus become the basis of many political struggles for regularization and acceptance into the political community.

Anne McNevin explores how this economic argument is used in relation to irregular migration in Australia. McNevin argues that irregular migrants in Australia – and particularly those arriving by boat – face increased measures of securitization and thus find it difficult to leverage the 'economic' argument for their integration (Ibid). She argues that, 'given their low numbers and the mandatory detention to which many asylum seekers are subject, any informal labor has not impacted on the structure of the economy" (Ibid: 171). Thus, asylum seekers' claims for permanent residence have largely been framed according to humanitarian pleas. In the case of the Tamil asylum seekers in Canada, their 'acceptance' in Canadian cities was in fact conditioned on this economic argument, with many people and media articles stating that the migrants would be a drain on the resources in the city. Thus, their potential contribution – or in the case of the Tamil asylum seekers, their perceived lack of potential contribution – appears to greatly condition the degree to which refugees will be accepted into the political community.

McNevin notes, however, that "attempts to gain some measure of security for asylum seekers and refugees have sometimes been won on grounds of their *potential* contribution to the Australian community and measured through market rationality" (Ibid: 171). Indeed, just as there have been criticisms of the Tamil asylum seekers in

Canada for taking advantage of the social security system, there have been responses by the refugee claimants themselves stating that they are eager to become contributing members of society (Moran 2010). For instance, Ahilan, a recently immigrated Tamil activist who lives in the Greater Toronto Area, argued – in response to Rob Ford's comments about the drain of refugees on the city – that "The perception that immigrants just feed off the government is totally wrong. Immigrants, such as myself, want to come to a city that accepts others from around the world in order to make money and contribute to economic growth" (Moran 2010).

The point of exploring this economic issue here is not to delve into what types of economic contributions these Tamil refugees can make in their new cities. Rather, it is to argue that the economy is not an independent force. It is in fact heavily dependent on local interpretation both by those wishing to use economic arguments for the purposes of drawing lines around the political community and those wishing to invoke an economic argument for the purposes of their inclusion into the political community. Thus, as was argued in chapter two, economic practices are increasingly unfolding in and through cities. It is in this sense that the economy becomes an active authority – not in a pre-given sense – in determining the conditions of inclusion in a given political community.

The Right to the City

Thus far, I have explored what it means to see the phenomenon of the MV Sun Sea 'like a city'. I have argued that what immediately becomes evident is that 'seeing like a city' is highly ambiguous: the search for an ultimate authority or sovereign becomes futile

once we see like a city because there are a multiplicity or authorities at work – including state officials, lawyers, international agencies, churches, activists, the economy, etc. – with no single authority prevailing. This ambiguity is extended in the sense that the city is increasingly becoming a site where various practices of securitization are played out but also a site where such practices are resisted.

It is this ambiguity that perhaps opens up the meaning of political belonging in the city beyond the stark dualisms of member/non-member invoked when we 'see like a state'. Before we consider the ways of belonging politically in the city, however, it is worth briefly discussing the notion of political belonging itself. As Anne McNevin argues (2009), political belonging can be thought of as an 'ordering principle' that structures the context in which we act politically in a given community. Historically, many different ways of political belonging have existed, each with their own definition of inside and outside. These particular modes of political belonging become deeply embedded in our spatial and temporal ontologies: "They contribute to how we perceive the context in which we act politically and the authority we have for doing so" (McNevin 2009: 165). Thus, to say one 'is' a citizen as opposed to a feudal subject or a tribal member is to invoke a very different understanding of what it means to act politically (Ibid). It also invokes a community of members in relation to the limits of that community – it establishes boundaries of particular identities and belongings.

Consider the reference made earlier in this chapter to the Wet'suwet'en territory. In expressing their solidarity with not only the Tamil refugees but also the Third World and Indigenous people all over the world, the Wet'suwet'en territory are invoking a

different understanding of political community, one which does not rely upon the privileging of citizenship and the neat distinctions between member and non-member. Rather, it is a type of political community expressed through a shared struggle and recognition of the complexity that goes into the dislocation and migration of communities of people. Instead of stating that the Tamil migrants are 'illegal', the Wet'suwet'en territory are expressing a much more fluid and interconnected concept of political community.

Indeed, citizenship is just one mode of political belonging among many – albeit it is the one which is currently hegemonic. This conventional form of political belonging – centered on the state/citizen/territory nexus – is both hegemonic but also increasingly subject to challenge. Thus, under this dominant scheme, membership in political communities at other scales – urban, regional, or global – are subordinated to membership in one's national political community. However, this dominant notion of political belonging is becoming increasingly uncertain – members may have multiple spatial and temporal loyalties that do not necessarily pertain to a national scale. Furthermore, it is now widely recognized that globalization – and the continual flows of both people and goods across and within borders – is threatening to disrupt the already unstable relationship between state, citizen, and territory.

Thus, the national scale of political belonging – in which an 'us' and 'them' mentality is used to differentiate member from non-member – is still very powerful. However, this form of political membership – while dominant – is not the only form of existing political membership. There is an increasing amount of literature on what Engin

Isin terms 'acts of citizenship' which theorizes the politics of citizenship beyond the realm of formal entitlements, rights, and laws (Isin 2008). To investigate acts of citizenship is to draw our attention to "acts that may not be considered political and demonstrate that their enactment does indeed instantiate constituents" (Walters 2008(a): 18). Thus, theorizing acts of citizenship opens up the space for considering political action beyond the member/non-member divide: even those individuals who are not formally recognized as members of a particular community are capable of *acting* politically like citizens. The emphasis on *acts* rather than, say, *habitus*, is to highlight that these acts are moments of interruption in the given order: these are moments when something, however small and seemingly marginal, is changed possibly for the first time (Ibid). Thus, this focus on *acts* serves to emphasize "not that which is repeated or ingrained but those singular moments when action manages to accomplish a 'rupture in the given'" (Ibid: 19). That is to say, theorizing acts of citizenship is not about contemplating world-wide revolution of the structure of citizenship; rather, it is about investigating those moments when non-citizens act politically as citizens and thus work to disturb the given order of things.

What this literature on 'acts of citizenship' might suggest, then, is that subjects lacking formal rights still maintain a certain degree of *autonomy* from the formal structures of citizenship that might seek to exclude them. Thus, subjects *act* as citizens even when they may not have the formal rights to do so; I am interested in investigating those 'acts' that take place within the context of cities. However, as I have argued throughout this dissertation, cities are not just backdrops where political events take

place; they are spaces *through* which these acts of autonomy occur. In this sense, we can extend our analysis of acts of citizenship beyond thinking of the autonomy of individual subjects and consider the ways in which communities or cities are in a formal position of subordination but nonetheless make claims of autonomy. More specifically, I want to challenge two very powerful logics – that of the subordination of non-citizens to citizens and the subordination of the city to the state – and suggest that these logics fail to recognize the claims of autonomy that unfold through the everyday spaces of the city. Throughout this dissertation, I have argued that the city is more than just a legal subordinate to the state – this position of subordination has not only been contested historically but it continues to be challenged in a multiplicity of ways. What I want to suggest here is that both individual subjects and cities *act* autonomously even when they may be in a formal position of subordination. It is *through* cities, moreover, that these acts of autonomy receive their most potential and it is this relationship of autonomy that I will explore in the final section of this chapter. I will draw upon the work of Henri Lefebvre – specifically his discussions on the 'right to the city' – and Engin Isin's work on 'acts of citizenship' to consider how we might theorize the autonomy of the city.

Henri Lefebvre's (1991) 'right to the city' is an argument that radically re-works dominant understandings of political belonging based upon membership in a national community. Rather than positioning national belonging as the defining feature of political community, Lefebvre prioritizes urban inhabitance as the primary determinant for political belonging. Thus, regardless of one's national citizenship status, one can be a member of a particular community – or city – solely on the basis of inhabitance in that

community. The right to the city is an argument for a profound reworking of both social relations of capitalism and the current structure of liberal-democratic citizenship. It is fundamentally an argument about the use of urban *space* which calls for power relations to be restructured in such a way that the production of urban space itself is put in the hands of urban inhabitants rather than capital and the state.

Since the notion of urban space figures so centrally in Lefebvre's argument for the right to the city, it is important to explore his understanding of space. In *The Production of Space*, Lefebvre argues that space is simultaneously a *spatial practice*, or perceived space (an externalized, material environment), a *representation of space,* or conceived space (a conceptual model used to direct practice), and a *space of representation*, or lived space (the lived social relation of users to the environment) (Lefebvre 1991). Perceived space can be understood as the relatively objective, concrete space that people encounter in their daily life. Conceived space, by contrast, is space as understood by power; it is "constructed by assorted professionals and technocrats" so as to carry signifiers and meanings upholding the hegemony of the dominant, capitalist, mode of production. It is engraved in "monuments and towers, factories and office blocks" (Merrifield 109). Lived space combines both perceived and conceived space and represents a person's actual experience of space in everyday life. The lived space of the city is not just a passive, pre-given backdrop upon which social life unfolds; it represents a vital element of social life (Lefebvre 1991: 39; Soja 1996; Purcell 2002). Thus, in contrast to perceived and conceived space, lived space arises from practice – "the everyday lived experience that is externalized and materialized through action by all

members of society, even rulers" (Gottdiener 1993: 131). Therefore, the production of urban space necessarily involves much more than the objective planning of such space from those in power; it involves the social relations and lived space that are inescapably bound together in everyday life.

Lefebvre's emphasis on the production of urban space separates his theories from other forms of urban enfranchisement. Unlike liberal-democratic theories of enfranchisement – which revolve around formal structures of citizen-participation such as voting, policies, etc. in which liberal-democratic citizens have an institutionalized voice in the decisions of the state – the right to the city radically expands enfranchisement to include *all* aspects of decisions that produce urban space. Similarly, unlike liberal-democratic enfranchisement – which is based upon national citizenship – the right to the city would give enfranchisement to all people who *inhabit the city*. Thus "because the right to the city revolves around the production of urban space, it is those who live in the city – who contribute to the body of urban lived experience and lived space – who can legitimately claim the right to the city" (Purcell 2002: 102). Furthermore, rather than base membership in the community upon an accident of birth or nationality, membership is earned by "living out the routines of everyday life in the space of the city" (Ibid).

The right to the city involves both the right to participation and the right to appropriation. By the right to participation, Lefebvre is referring to the right of *citadins* to play a central role in any decision the impacts the production of urban space. Again, unlike the indirect nature of liberal-democratic enfranchisement, the right to participation places urban inhabitants in a position to contribute directly to any decisions that produce

urban space in their city. The right to appropriation includes to the right of inhabitants to physically access, use, or occupy urban space, and this is the definition of appropriation most frequently invoked by urban theorists (see Capron 2003; Isin and Wood 1999; Mitchell and Stauheli 2006). However, Lefebvre's understanding of the right to appropriation goes much further than the right to physically access or occupy urban space. Rather, Lefebvre asserts that the right to appropriation must be understood on the level of the *production* of urban space; that is, it includes the right to produce – or appropriate – urban space so that it meets the needs of inhabitants. Thus, if appropriation is to give inhabitants the right to 'full and complete usage' of urban space in the course of everyday life (Lefebvre 1996: 179), space must be produced in a way that makes that full and complete usage possible.

Thus, we have an understanding of urban space that is radically different from the one proposed by the Westphalian system of nation states where the city is merely a legal subordinate to the state. However, a number of questions are raised when we prioritize urban inhabitance over belonging in a national community. The first issue that comes to mind is how do we define the city? Clearly, there is a physical component to the city – that is, there is the 'perceived' space of the city which is readily observable and concrete. There are also symbolic components of the city, which Lefebvre suggests are produced by those in power – the monuments, towers etc. but also the signs and practices which direct the flow of the city in particular directions. However, what is especially interesting about the city is its *lived* space, the space that is trickier to define or 'see' in practice, but which is always there in a sort of fluid composition. It is when we consider the *lived*

space of the city that it becomes much more difficult to define what the city *is*. If we were to follow the argument of this dissertation, however, we would consider that the city cannot be understood as a container but is in fact characterized by a multiplicity of flows that often work simultaneously at different levels. So, for example, some of the Tamil refugees that arrived in Vancouver in August 2010 ended up settling in Vancouver. However, their political belonging cannot be understood simply as 'Vancouverites'; rather, many will maintain complex connections with multiple identities that may be local, national, international, or otherwise. Similarly, the decisions that go into producing the urban space of the city cannot simply be understood through the container of 'Vancouver', for example. Whether it is a question about refugee rights, economic inequality, or even the intended use of public space within the city, these are questions that often extend beyond the confines of the borders of a particular city. Nonetheless, these political struggles often unfold on the ground in cities and it is in this sense the we must understand the city as at once local and networked.

Engin Isin picks up on this idea of the 'right to the city' by making a distinction between the rights *of* the city and the rights *to* the city. The rights *of* the city include the formal, legal rights of citizens in the city such as voting, civic participation etc. The rights *to* the city, however, are much more in-line with Lefebvre's understanding of the composition of urban space. As I explained in Chapter two, these rights include autonomy, appropriation, security, and difference, and they shed light on the way that the city acts as a site where social relations are produced and transformed. Again, like Lefebvre, Isin argues that we must appreciate the city beyond its formal legal definition

or we risk missing the autonomy and *lived* space that the city produces. Isin's central argument in "The City as a Site of the Social" is that the city must be thought of not as a territorial container but as a site of 'translocal' social relations that produce varying forms of citizenship. Isin argues that current structures and institutions are inadequate to understanding the city as a site of the social as they assume separate and distinct hierarchical levels within the state – with the city being at the bottom (Isin 2008: 278). What this form of policy-making ignores is that many policy problems cannot be addressed by focusing on a particular 'scale': "While local authorities constituted as territorial containers may serve to deliver certain services that are inherently local such as infrastructure, many other services are translocal in character" (Ibid). Thus, Isin argues that 'urban citizenship' needs to be expanded beyond the rights of the city – the legal rights that define citizenship within a bounded container – to include a form of translocal citizenship which places emphasis on the rights *to* the city: "rights that cannot be granted by the existing territorial jurisdictions" (Ibid).

By shifting our focus from the rights *of* the city towards the rights *to* the city, it becomes evident that the city is not a pre-given backdrop where social relations *happen.* Rather, there is something particular about the city as a 'site of the social' that perhaps allows for claims of citizenship to be made that do not align with either the formal, legal rights of citizenship or with the enclosed boundary in which this citizenship might apply. Rather, there is an autonomy to the city that cannot be captured by a prescribed territorial boundary and list of rights; this autonomy is much more fluid and 'translocal' in character. What becomes evident when we see the city through the 'rights to the city' is

that there is a sort of double autonomy at play in the city – the autonomy of non-citizens and the autonomy of the city itself. The ordering principle of sovereignty – which seeks a non-ambiguous, hierarchical structure of inside and outside – is in fact highly ambiguous and it is this ambiguity that comes to the fore in the city.

Let us consider the case of the Tamil refugees: immigration is considered a national policy problem, yet the contestation over the Tamil refugees' right to stay – and the conditions under which this settlement would unfold – were made in the city. For instance, the right to be free from detention, the right to housing, and the right to social services such as health care and education are all examples of rights claims that frequently surround issues of immigration. More specifically, the 'let them stay' campaign for the Tamil migrants argued for the basic right to safety, mobility, and protection. Thus, along with the call to 'let them stay', there were demands for the 'right to move' and the active agency involved in doing so (Bush 2010). However, if we are to see immigration through the eyes of national sovereignty – which is the way that the debate is most often framed – we miss the ways in which immigration policy necessarily transcends the national or local level. In fact, it is only by viewing immigration through the 'right to the city' – that is, the right of urban inhabitants to have a direct say in the *production* of urban space and the lived and social experience of this space in everyday life – that we recognize that these are "social demands, arising from social situations and producing social consequences" (Isin 2008: 277). The social aspect of immigration cannot be resolved or contained by a national policy; rather, it plays out on the ground in cities through 'translocal' connections and social demands.

Conclusion

This chapter has argued that 'seeing like a city' involves a high degree of ambiguity. This ambiguity manifests in a variety of ways but is highlighted here through the control and facilitation of movement in the city. To be clear, 'seeing like a state' is in fact no less ambiguous than 'seeing like a city'. The distinction being made in this chapter is that the *attempt* at unity made through 'seeing like a state' in fundamentally different from the fluid boundaries in the city – the desire of ordering a political community through the lens of the 'state' has always been to enact a unified 'inside' against an unknown and threatening 'outside'. Cities, in contrast, are often understood to gain their identity through multiplicity and diversity. The desire for 'one-ness' inherent in 'seeing like a state' visibly falls apart on the ground in cities where an array of often conflicting authorities come into contact, with no one authority rightfully claiming a 'sovereign' position. We saw this in the case study of the Tamil asylum seekers: in a sense the 'state' worked through the city through a variety of securitization techniques manifesting in 'everyday space'. However, these securitization techniques were by no means 'sovereign' in the city. Various other authorities – including state agencies, activist groups, church organizations, local political authorities, and the asylum seekers themselves – all worked to shape the formation of political belonging for these asylum seekers. The terms of political belonging for these Tamil refugees were by no means pre-determined. As we saw through the examples of 'noise-rallys' and public demonstrations, the definitions of 'member/non-member' were in fact highly contentions and above all, ambiguous.

It is only by recognizing this fundamental ambiguity inherent in 'seeing like a city' that we can begin to appreciate a type of political belonging that does not revolve around strict divisions of member and non-member. As we saw through the discussion of the 'right to the city', political belonging in the city involves the potential of a sort of *autonomy* from state structures of containment. Variations in legal status are in fact not the only determinants for political belonging in the city. Despite the desire for 'one-ness', for 'unity', the city exceeds these containers in practice and exercises an autonomy from the state that opens up the space for forms of political belonging that likewise exceed state structures. Crucially, however, these autonomies are not to be understood as separate or unrelated to the state. As I argued in chapter one, any autonomy that the city possesses is in constant contest and negotiation with the state – the city is in the way, not *separate* from the state. Indeed, as I illustrated in this chapter, one of the key spaces in which the state manifests itself is in fact the city. However, what this autonomy does suggest is that the city cannot be *captured* by the sate – its flows and networks exceed the state and it is in this sense that we say the city is *autonomous.* Despite its legal subordination, the city is in fact not defined or exclusively controlled by the state. Perhaps it is for this reason that the city manifests itself as the site for other related struggles of autonomy: the autonomy of non-citizens. It is by recognizing the city as a 'site of the social', as a space where rights are negotiated, that we see that the definition of membership in the city is in fact not pre-determined but is something that is 'up for the taking. Above all, this struggle is ambiguous and in many ways autonomous from strict definitions of inside and outside.

CHAPTER 5:

Seeing Like a Refugee: The Autonomy of Migration

In the previous two chapters, I explored the case of the MV Sun Sea from two distinct angles. In chapter three I considered what it meant to see the journey, arrival, and subsequent processing of the MV Sun Sea 'like a state'. I argued that to see this phenomenon 'like a state' was to present a highly complex and ambiguous process through stark categorizations of legal/illegal, member/non-member, legitimate/illegitimate, etc. The predominant concerns when 'seeing like a state' become protecting the 'inside' – the Canadian citizens – from terrorism, disease, and job-less,

which were all associated with the arrival of the MV Sun Sea. In chapter four, I argued that when we see the phenomenon of the MV Sun Sea 'like a city', what becomes clear is that the desire for 'unity' or 'one-ness' inherent in 'seeing like a state' falls apart. I highlighted the fact that cities indeed possess a certain degree of autonomy from the state and that the control and facilitation of movement is something that cannot be fully captured by state practices.

In this final chapter, I explore what it means to see the phenomenon of the MV Sun Sea 'like a refugee'. I am not aiming here to speak for any particular refugees aboard the MV Sun Sea; rather, I hope to draw attention to the agency and autonomy – however partial or momentary – that these refugees had in negotiating their movement. What becomes evident when we see the phenomenon of the MV Sun Sea 'like a refugee' is that the ambiguities of state categorizations become further problematized. Furthermore, the classification of the refugees on board as either passive victims or potential terrorists becomes open to contestation. Moreover, it becomes clear that we cannot view the practice of human smuggling in isolation from the ever-increasing and restrictive border practices which force many refugees to seek the aid of human smugglers. The story that emerges when we see the event 'like a refugee' is one that highlights the autonomy of the refugees' movement, which is connected not only to the act of migration itself but also to the means of their transport. Indeed, it will become clear that there is a sort of autonomy to the movement of the ship itself which evades capture by the state order of things.

In order to explore these problems mentioned above, I have divided this chapter into two parts. In the first part, I begin with a brief overview of the literature on 'autonomous migration' which highlights that migration is more that just a result of 'push' and 'pull' factors beyond the individual agency of the migrants themselves. Indeed, migration involves a certain degree of autonomy both from state processes that seek to eliminate certain types of migration and from the discourse of 'victim-hood' involved in representations of refugees. I argue that the autonomy of migration shares some important linkages with the literature on 'acts of citizenship' and the autonomy of the city that I discuss in chapter four. I will then consider this literature on the autonomy of migration in relation to human smuggling, and the specific case of the MV Sun Sea. In particular, I will consider the effect of the seemingly interchangeable usage of the terms 'human smuggling' and 'human trafficking' in the coverage following the arrival of the Sun Sea and the impact of such language on the agency of the refugees in negotiating their movement.

In the second part of this chapter, I consider the way in which the means of travel of the refugees – a ship – contributed to the autonomy of their movement and their ability to evade state processes of control. As I argued in chapter three, in an era of globalization, where speed of travel and information are expected, the arrival of asylum seekers by ship seems not only outdated but also contributes to the 'spectacle' of these refugees. Indeed, the slowness of the arrival – which was anticipated long before the ship made its appearance off Vancouver Island – enabled the media spectacle to emerge into a sort of meta-narrative about the *expected* threat that the asylum seekers posed to the

Canadian state. However, more than simply creating a spectacle, the arrival of the refugees by ship represented a sort of problem for international law. In contrast to the apparently unambiguous laws governing the processing of refugees and human smuggling operations on land, the international laws regarding the interception of migrant vessels are much less obvious. As we will see, this puts states in an ambiguous position as to whether they can and should intercept migrant vessels. What this means for 'seeing like a refugee' is that the movement of the ship itself represents a sort of autonomy from state processes of control, which in turn has important implications for the autonomy of migration.

The Autonomy of Migration: Agency and Human Smuggling

Recent analysis of 'autonomous migration' sheds light on how acts of migration can be rethought through the lens of migrant agency. In contrast to readings of migration that emphasize the objective forces that might 'push' or 'pull' a person to move, the debate concerning autonomous migration offers a somewhat more optimistic trajectory of migrant politics and resists the characterization of migrants as simply victims in need of assistance, care, or protection (see Mezzadra and Neilson, 2003: 22 and Walters, 2008 (a): 188). While recognizing the good intentions and 'noble motives' from which acts of assistance and care stem, Sandro Mezzadra insists that the characterization of migrants as mere victims to economic and structural forces misses the subjective nature of migration. For Mezzadra, migration is not simply an inevitable *response* to 'objective' structural forces, such as war, economics, or persecution, but

involves "an autonomous space of subjective action that can force significant institutional transformations" (Mezzadra and Neilson, 2003: 22). Importantly, autonomy here is not meant to imply that migration somehow exists *independently* of economic or structural forces, nor is it meant to imply a sovereign migrant subject that "in making the choice to move, is somehow the embodiment of a Kantian self-identical subject, making claims to cosmopolitan rights of hospitality" (Nyers, 2008: 170). Rather, autonomous migration is meant to emphasize the ways in which migrants' movements across borders actively defy measures by states to map and control such border crossings. Such defiance can be enacted in ways that are overtly political or at times imperceptible and silent.[23] These movements are not 'illegal', but simply autonomous – they are acts of 'state-free' migration, i.e., acts that "decenter the state as the regulator of human movements across international boundaries" (Rodriguez, 1996: 2).

Politically, the autonomy of migration has been taken up in various campaigns. Its most immediate demands include "the more or less unconditional regularization of undocumented migrants and the extension of their rights" (Walters, 2008(a): 189). However, more fundamentally, this is a politics which fights for the inalienable right to *move* and to *stay*. A starting point of this concept, as Helen Schwenken argues, is that undocumented migration exists all over the world, despite attempts by states to control and manage such migration (Schwenken, 2003: 7). As William Walters puts it, research in this vein often starts with a particular observation: "the apparent failure of even the most restrictive and concerted state strategies of migration control and border policing to

[23] See, for example Kim Rygiel 2011.

achieve their stated aim, namely the determination of who should enter the country, who should form bonds of community, and on what terms" (Walters 2008: 189). The authority to decide who should enter the country, who should be allowed to stay, and under what conditions, is destabilized by acts of autonomous migration. As Angela Mitropoulos argues, "the concept of the autonomy of migration is an insistence that politics does not need to be the property of the state and those who – however implicitly and by dint of a claim to belong to it, as the subject that is *proper to it* (its property) – can claim to reserve for themselves the thought and action that is deemed to be properly political" (Mitropolous 2006: 10). In these ways, autonomous migration challenges the sovereign statist definition of the proper *place* of political belonging – the state – and the proper *subjectivity* through which to participate in that community – citizenship.

Perhaps one of the best-known theorizations on the autonomy of migration is presented in Antonio Hardt and Michael Negri's book, *Empire.* Hardt and Negri present an understanding of autonomous migration that is defined through a 'historical purpose' and is the primary expression of the collective, potential subject they call the multitude (Hardt and Negri 2001). For them, autonomous migration needs to be understood within the context of capitalism and class struggle: capitalism is a force that exploits and restricts the mobility of its subjects, but their mobility ultimately exceeds the capture of capitalism. The autonomous movement of people around the globe, therefore, becomes for Hardt and Negri the primary driving force of global citizenship and the main causative force of resistance to capitalism.

However, as Walters argues, "Not all readings of autonomous migration burden it with quite the same degree of historical purpose or political expectation" (Walters 2008(a): 191). Following Walters, I want to advance an understanding of autonomous migration that is perhaps more modest. I wish to argue that the autonomy of migration – just like the autonomy of the city – should not imply a sort of sovereign position of the migrants, but rather that migrants are not simply objects of state control. In other words, autonomy here is not meant to imply that migrants can exist and dictate their movements in isolation of outside processes and controls. However, it is meant to imply that their movements frequently *exceed* such processes of control and cannot be exclusively captured or regulated by such processes. To argue for the autonomy of migration means looking at migratory movements and their conflicts in terms that prioritize the subjective practices of the migrants rather than the apparently 'objective' criteria which would classify their movements as either 'legal' or 'illegal'. Moreover, it means recognizing the simple fact that, despite attempts by states to map, control, and categorize migratory movements, these movements frequently escape such capture and continue to occur despite regulatory efforts by states.

The autonomy of migration shares an important linkage with the literature on 'acts of citizenship' and the autonomy of the city which I discuss in chapter four. The autonomy of migration – like the autonomy of the city, which functions in part through 'acts of citizenship' – is fundamentally about a right to *move* and *stay*. Moreover, it is about contesting the discourse of 'illegality' that characterizes the movement of 'irregular' migrants – a discourse that surrounded the movement of the asylum seekers on

board the Sun Sea. What these logics share in common is that they maintain that subjects lacking formal rights – who are deemed 'illegal' by the state – still maintain a certain degree of *autonomy* from the formal structures of citizenship that might seek to exclude them. By privileging the right to *move* and to *stay*, these literatures assert that these rights are not the sole purview of formal citizens. Indeed, subjects – including asylum seekers – can *act* as citizens even when they may not have the formal rights to do so.

If we follow the logic of Canada's refugee regime, we see that in order to come to Canada 'legally', many asylum seekers must obtain a visa and have proper documentation. Without this documentation – which is discussed below and is nearly impossible to obtain for many asylum seekers – asylum seekers are often forced to use the services of human smugglers or traffickers and their movements thus become 'illegal' in state terms. Another way to look at this predicament is that it is only 'citizens' who are able to *move* and *stay* legally: it is often only 'citizens' who have the proper documentation to travel 'legally' to a country and are able to stay 'legally' in that country for either a specific time period or permanently. What the autonomy of migration suggests is that migrants are able to *act* as citizens even when they may not have the formal rights to do so. In other words, they exercise this fundamental right to *move* and *stay* even where such actions may be deemed 'illegal' by the state.

With this understanding of autonomous migration in mind, I wish to consider how understandings of autonomous migration might unfold in the context of human smuggling or human trafficking. Before getting into this discussion, however, it is important to note that the refugees aboard the MV Sun Sea arrived in Canada as a result

of human smuggling, *not* human trafficking. The two terms – though often used interchangeably in the media coverage and political rhetoric surrounding the Sun Sea[24] – are in fact quite distinct. Foreign Affairs Canada defines human smuggling as a "business transaction between two willing parties involving movement across borders, usually by illegal means"[25]. Human trafficking on the other hand is "a violation of basic human rights…it starts when one party deprives another party of the freedom of choice by using threats, force, coercion, deception of fraud for the purpose of exploitation".[26]

Despite their differences, however, both human smuggling and human trafficking have taken on a negative connotation, both in general public discourse and in many activist and human rights circles. The issue in both instances is that the migrants are seen to be in a position of exploitation, even where a clear agreement between the smuggler and the migrant has occurred. Thus, efforts are increasingly being made by governments and human rights organizations to increase punishments for human smuggling and human trafficking, which are widely deemed as 'illegal' modes of migration. For instance, in Canada, Bill C-4 – which was discussed in chapter three and is currently under reading in the House – aims to inflict harsher penalties on human smugglers and mandatory detention for the refugees who arrive in Canada by means of human smuggling. The intended effect of this proposed legislation is to punish not only the smugglers but indeed the asylum seekers themselves not only by subjecting them to mandatory detention but by

[24] See, for example Bogart, 2012 http://www.globalnews.ca/top+5+human+trafficking+cases+in+canada/6442614181/story.html; Chase, Youseff and Lindell, 2010 http://www.theglobeandmail.com/news/politics/tamil-migrant-ship-is-a-test-toews-says-and-more-boats-are-on-the-way/article1319927/
[25] http://www.international.gc.ca/crime/human-traf-personne.aspx?view=d
[26] Ibid.

further criminalizing their movement. Nandita Sharma argues that by deeming these modes of migration 'illegal' or 'criminal', anti-trafficking campaigns are only exacerbating the conditions that cause harm to migrants (Sharma 2003). Sharma argues that, as a result of increasingly restrictive border practices, migrants often face no choice but to seek the assistance of smugglers or traffickers. Indeed, "Border controls – and the moral panics that drive them – have very little to do with stopping movements of people. Instead, they work to make those who *do* cross the line incredibly vulnerable *within* the spaces defined as 'belonging' to members of the 'nation' and protected by 'their state'" (Ibid: 56).

Refugees who wish to seek asylum often have no other choice but to use the services of smugglers or traffickers, and they make the decision to do so based upon the fact that the risk of remaining in their 'home' country outweighs the potential risks they may face in transit or upon arrival. Indeed, like most developed countries, Canada puts a lot of effort into blocking potential refugee claimants from arriving on its shores or at its airports. In order to come to Canada 'legally', people from most refugee-seeking countries must first obtain a visa, which requires proof that one is simply traveling to Canada to visit, work or study. Mitchell Goldberg, an immigration and refugee lawyer in Montreal, states, "If visa officers think there's any chance that a person might make a refugee claim in Canada, they have to deny them a visa…If someone goes to the Canadian embassy and says, 'I'm afraid I'm going to be killed, and I need refugee protection,' he will be refused" (Morris 2011). Thus, using the services of human smugglers or human traffickers is often the only chance that asylum-seekers have of

making a refugee claim. To deem these migrations 'illegal' or 'criminal' – however well intentioned – is to further exacerbate the already precarious conditions of their movements. Anti-trafficking and anti-smuggling campaigns in fact work to *restrict* the mobility of migrants, particularly undocumented movements of people (Sharma 2003).

Sharma argues that anti-trafficking campaigns need to be replaced with a political practice that actually listens to and privileges the standpoint of asylum seekers themselves. She states that "An approach that is grounded in the material lived realities of migrants makes for a far more transformative practice…than an emphasis on the abusive practices within criminalized networks of smuggling in persons" (Ibid: 54). Indeed, the more important political question should be concerned with why it is that asylum-seekers are put in the position of having to use the services of smugglers or traffickers. In ignoring the reasons for why people embark on these clandestine journeys and by focusing on 'getting tough on traffickers and/or smugglers', the complex web of reasons behind people's displacement – including economic, political, or social forces – remain eclipsed in favor of a brushstroke labeling of particular movements as 'criminal' or 'illegal'. These somewhat 'objective' forces, which play a role in influencing people's migrations, are engaged with subjectively by the refugees who make the decision to move by means of human smuggling.

For the refugees on board the Sun Sea, their movement depended upon the use of human smugglers. To criminalize the smugglers is therefore an act of criminalizing the movements of the refugees themselves. If we consider the movement and arrival of the Sun Sea refugees from the vantage point of autonomous migration, however, we would

recognize that these movements are not 'illegal', but simply autonomous – they are autonomous because they de-center the state as the regulator of human movement and in doing so assert a fundamental right to *move* and to *stay* which is not pre-conditioned upon state approval. Acts of support for this fundamental right to *move* and *stay* can be seen in the Non One Is Illegal slogan discussed in chapter four – 'No One is Illegal! Freedom to Move! Freedom to Stay! Freedom to Return!' If we view the right to move as a fundamental right – and a fact that is inevitable despite state efforts to impose strict limits or controls on such movement – then criminalizing smuggling and trafficking practices become problematic. If asylum seekers have no other means to seek refuge than by employing the use of smugglers or traffickers, then the focus on 'cracking down on human smuggling and trafficking' become questionable. Indeed, in criminalizing smuggling and trafficking operations in conjunction with intensified law and order practices at the border, states are effectively ensuring that clandestine migrations become more dangerous and lead to higher fees being charged by smugglers. Far from stopping migratory movements, such practices only exacerbate the dangerous conditions under which migrants must travel to reach their destination. The question is not whether migrants will continue to show up – and they will – but rather what methods they will be pushed to use to negotiate their movement.

Autonomy and the Sea

I began this chapter with a discussion on the autonomy of migration to not only argue that migration – just like the city – exceeds attempts by states to control it, but also to bridge

the way into a more in depth discussion on the means of transport of the Sun Sea refugees. The Sun Sea refugees present an interesting case of autonomous migration because, not only was their migration itself autonomous, but it was further heightened by the fact that the Sun Sea migrants traveled by ship. I want to argue in this section that migrant vessels pose a particular sort of problem for immigration control, one that is heightened by remnants of an ancient conception of the sea: an open space beyond the terrestrial mapping and control of states, a place where 'there were no limits, no boundaries, no consecrated sites, no sacred orientations, no law, and no property (Schmitt 2003:42, quoted in Walters 2008 (b)).

To begin an analysis into the autonomy of the migrant vessel as a means of movement for these refugees, let us consider the brief discussion in chapter three that was presented regarding the helplessness of various states to stop the MV Sun Sea. As will be recalled, an article published in *The National Post* just over a week after the arrival of the Sun Sea, titled "Canada missed chances to stop Tamil migrant ship", illustrates this helplessness to stop the refugee boat. According to the article, Canadian authorities were alerted to the boat and had information that it was likely heading to Canada before it left South Asian waters. In late March and early April 2010, Canadian officials were hearing that vessels were gathering in Thailand and that they could be destined for Canada (Bell and Carlson 2010). By mid-April, Canada got word that two vessels were located around the gulf of Thailand and that they could be headed for Canada. Australia then alerted Thailand to the vessel, and the Royal Thai Navy proceeded to monitor the activities of the vessel but did not board the ship – the navy detected the ship within Thailand's 200-mile

exclusive economic zone but it was outside Thailand's 12-mile territorial limit and therefore could not be boarded (Ibid). As one Royal Thai Navy official said, "I presume that we had no authority to search the vessel, as we would have had to receive a request by the flag state. At the time the ship was carrying no flag at all" (Ibid). This point illustrates a strategy used by smugglers – that of remaining anonymous by not identifying with a particular state – that makes them harder to detect and capture, particularly in international waters.

When the Sun Sea appeared off the coast of BC in August 2010, few in the Canadian government were caught by surprise (Ibid). Although Canadian authorities were continually notified about the likelihood of the ship moving towards Canada, repeated chances to prevent the migrant boat from reaching Canada were lost, "illustrating the apparent inability of governments to stop human smuggling" (Ibid). The *National Post* article quotes a Canadian official as saying, "There's no doubt that we, Australia and a lot of people knew about this ship and were it not for legal constraints, could have seized the ship. Everyone felt powerless by the current legal regime to do anything about it" (Ibid). Canada, then, was unable to do more than prepare for the ship's arrival. While several authorities in South-East Asia were alerted to the arrival of the boat, they had little to gain by intercepting the ship. If they did, they would be obliged to take responsibility for the hundreds of refugees on board.

The principle of *non-refoulement* is at the center of debates over the interception of migrant vessels at sea. This principle – which was originally enshrined in Article 33 of the 1951 Geneva Convention Relating to the Status of Refugees and is also included in

the 1967 Protocol and Article 3 of the 1984 Torture Convention – is the cornerstone of asylum and international refugee law. *Non-refoulement* reflects the commitment of the international community to ensure that all persons enjoy fundamental human rights, including the rights to life, to freedom from torture and cruel, inhumane or degrading treatment or punishment. These rights are threatened when a refugee is returned to persecution or danger.

The principle of *non-refoulement* arose in response to the international collective memory of the failure of nations to protect refugees fleeing from the Nazi regime in WW II. Canada was included in this collective shame of 'pushing-back' refugees fleeing the Nazi regime. For instance, in 1939, 938 asylum seekers – most of whom were Jews fleeing the Nazi regime – boarded the *St. Louis* transatlantic liner in order to flee persecution. The asylum seekers were denied refuge by Cuba, the United States and Canada until many of them were eventually accepted by several European countries. Four European countries – including Great Britain, the Netherlands, Belgium, and France – accepted the asylum seekers; however, approximately half of them died in the Holocaust.[27] This 'push-back' policy employed by Cuban, American, and Canadian authorities – which was effectively aimed to send these asylum seekers back to their death – is at the centre of why the principle of *non-refoulement* carries such weight in refugee and asylum policy today.

However, the principle of *non-refoulemet* has not developed without a great deal of debate over its specific application. One of the grey areas of law most hotly debated

[27] "Voyage of the St. Louis". *Holocaust Encyclopedia.* Available at, http://www.ushmm.org/wlc/en/article.php?ModuleId=10005267

within signatory circles is the interpretation of Article 33, or the principle of *non-refoulement.* Interdiction of potential refugee-transporting vessels on the high seas has been a common practice by the U.S. government in particular, raising the question of whether Article 33 requires a refugee to be within a country or simply within the power of a country to trigger the right against *refoulement*. The issue at question for states is that if they intercept a migrant vessel at sea, they will be obliged to then take responsibility for the ship and the refugees on board, or face violating the internationally recognized principle of *non-refoulement*. A recent European ruling on the interception of a migrant vessel off the coast of Italy represents this predicament well. In February 2012, the Grand Chamber of the European Court of Human Rights strongly and unequivocally condemned the Italian policy of intercepting migrants' boats in the Mediterranean Sea and returning their unidentified passengers to Libya.[28] The 'push-back' policy was seen as a flagrant violation of Italian and European obligations concerning international refugee protection from *refoulement* and several institutions had already unanimously expressed their concern (Messineo 2012). For instance, the United Nations High Commissioner for Refugees, the Council of Europe's Committee for the Prevention of Torture, the European Commission, Amnesty International, and Human Rights Watch had all previously argued that such 'push-back' operations in the high seas were illegal under both international refugee law and human rights law (*Hirsi,*[33]-[41]).

[28] *Hirsi Jamaa and others v. Italy,* 23 February 2012, available at http://hudoc.echr.coe.int/sites/eng/pages/search.aspx#{"dmdocnumber":["901565"],"itemid":["001-109231"; *Hirsi, hereinafter.*

The ruling by the European Court of Human Rights effectively argued that Italy violated international human rights laws when it intercepted migrants adrift in the Mediterranean in 2009 and returned them to Libya. On board the migrant vessel were approximately 200 migrants, who left Libya in 2009 on three boats bound for Italy. Their boats ran into trouble on the high seas, about 35 miles south of Lampedusa. Despite being within Malta's maritime search and rescue region, they were eventually intercepted by Italian customs and coastguard vessels (Vogt 2012). Italian authorities then returned them by ship to Tripoli, where they were handed over to Libyan authorities, without any efforts to identify them or offer them asylum procedures (Ibid).[29]

The ruling was particularly important because it established a precedent for the interception of migrant vessls on the high seas. While the Italian government argued that the applicants were not under the 'absolute and exclusive control' of Italy, and that the operation was one of 'rescue' at sea, not a 'maritme police operation' (*Hirsi*, [64-65]), the Court argued that the 'nature and purpose of the intervention of the Italian ships on the high seas' was wholly irrellevant to the application of the convention. Thus, once the Court ruled that the obligation of *non-refoulement* also applied in the high seas because the applicants were 'within the jurisdiction' of Italy, the case was decided in a straight-

[29] Italy argued at the time that it was acting within the EU principles for controlling 'illegal immigration' through partnerships with countries of origin and transit. Italy's then Prime Minister, Silvio Berlusconi, defended the interceptions arguing that they were in line with recently signed bilateral agreements with Libya (Ibid). The lawyers for the migrants, however, argued that the interceptions violated their rights to seek political asylum and exposed them to danger and torture upon return to detention camps in Libya, or to expulsion back to home countries where they risked further persecution. In fact, the refugees were placed in 'temporary' detention centers in Libya – which had no domestic asylum procedure – leaving them stuck in this temporary limbo or prison (Ibid). As a result of the ruling, each of the 22 migrants represented – which included eleven Somali and thirteen Eritrean nationals – were awarded €15,000 compensation in the judgment (Ibid).

forward manner. The court argued that Italian authorities 'knew or should have known that, as irregular migrants, [the applicants] would be exposed in Libya to treatment in breach of the Convetion and that they would not be given any kind of protection in that country' (*Hirsi*, [131]). Furthermore, it was well known that 'no rule governing the protection of refugees was complied with by Libya' in the period under consideration (*Hirsi,* [125]). The Court also established that there was a real risk that they would be returned to Eritrea and Somalia, where they would also be at risk of torture or inhuman/degrading treatment (*Hirsi*, [139-158]).

This ruling is especially significant because it stands in contrast with the notorious US Supreme Court judgment of 1993 (*Sale v. Haitian Centers Council., Inc.,* 509 US 155) which ruled that the principle of *non-refoulement* afforded in Article 33 of the Geneva Convention on Refugees was not applicable in situations of interception at sea. In this particular case, Haitian refugees were trying to make their way to the US when they were intercepted at sea and forcibly returned to Haiti wihout being allowed to make a refugee claim. Many commentators have since criticised this ruling which highlighted the uncertain nature of applying the principle of *non-refoulement* to the high seas (Messineo 2012). The recent ruling concerning Italy – while slightly different because it specifically concerned Article 3 of the European Court of Human Rights rather than Article 33 of the Geneva Convention – illustrates that the debate over international law concerning the responsibilities of states who intercept migrant vessels on the high seas is far from clear. What does seem evident, however, is that the *Hirsi* case will be used as an important authority in future debates (Messineo 2012).

This discussion on the case of Italy's 'push-back' policies and subsequent rulings by the European Court of Human Rights has served to illustrate that migrant vessels do in fact pose a different sort of problem for immigration control. Indeed, the sense of helplessness felt by not only the Canadian state but also Thai and Australian authorities to stop the MV Sun Sea from arriving at its destination was well-founded. In an era of globalization where everything seems to happen at high speeds, this slow, *expected* migrant vessel could not be stopped from reaching Canadian shores.

It is worthwhile to pause on this sense of 'helplessness' felt by states, and in particular, Canadian authorities in the case of the MV Sun Sea. What this sense of 'helplessness' boils down to is in fact a sense of frustration on the part of states over their inability to violate the international agreements – namely the principle of *non-refoulement* – to which they are commited. In effect, then, this frustration is over the inability of states to violate their own laws and deny refugees their human rights. This frustration with 'the system' is amplified in the case of these Tamil asylum seekers. The criticism leveld at the Sun Sea asylum seekers – which is not particular to this group of asylum seekers but is in fact widespread – is that their movements threaten to undermine the viability of a 'healthy' refugee regime. In other words, the accusation that these asylum seekers were 'bogus refugees' – which was widespread in the medea coverage following the Sun Sea (see chapter three) – hinged on the assumption that they were seeking to manipulate the 'generous' asylum policies of the Canadian state. And yet, as we can see with this sense of 'helplessness', the frustration of the Canadian authorities in this case stemmed precisely from the fact that these asylum seekers made refugee claims

and, under international laws, cannot be dismissed as 'bogus asylum seekers' but must be given due process to determine their refugee status.

In contrast to the apparently well-ordered and well-known laws governing refugee processing including human smuggling and traficking on land, therefore, the issues surrounding such processing on the high seas remain far from clear. One thing that is clear, however, is that the principle of *non-refoulement* has been proven to apply in the high seas and this served to exacerbate the sense of 'helplessess' and 'frustration' of the Canadian state in the case of the Sun Sea. As William Walters argues,

> However much the ocean may have been striated by the modern forces of commerce, geopolitics and international law, however much it has been rendered predictable, navigable, exploitable, etc. by these interventions, there exist circumstances under which the ancient idea of the high sea as a lawless space beyond sovereignty and justice is capable of being reactivated (Walters 2008(b): 5).

While the case of Italy discussed above does not exactly suggest a *lawless* aspect of the high seas – in fact it suggests that the international laws should be upheld in the high seas – it nonetheless represents a sort of space *beyond* the control of states. If states face penalties for intercepting and 'pushing-back' migrant vessels without processing their refugee claims, their ability to act as sovereign authorities over their territory comes into question.

Conclusion

This chapter has argued that 'seeing like a refugee' means being attuned to the autonomy that exists in movement and in particular the agency that migrants have in negotiating their movement. While various discourses surrounding the arrival of the MV Sun Sea

focused on criminalizing the movement of the refugees through the targeting of human smuggling operations, such discourses become problematized in the context of autonomous migration. As this chapter has illustrated, representing refugees as victims in need of salvation from human smugglers serves to undermine the subjective nature of their migration and fails to recognize the fact that migration increasingly requires the use of so-called 'clandestine' measures to be successful.

I have argued in this chapter that the autonomy of migration – just like the autonomy of the city – is not meant to imply a sovereign migrant subject who somehow exists independently of state or economic forces. Rather, autonomy should be understood as that which – through negotiation and struggle – escapes the totalizing power of the state. Rather than considering the Sun Sea refugees merely as either victims in need of state salvation or potential terrorists, we should consider the refugees in the context of the autonomy of their movement. In 'de-centering' the state as the regulator of international movement, the Sun Sea refugees actively defied measures by various states to halt or control their movement. Indeed, the MV Sun Sea evaded state capture, not because of the swiftness or technological prowess of its movement but because it moved in a way that was somewhat autonomous from state control. Thus, the authority to decide who should enter the country, who should be allowed to stay, and under what conditions, was destabilized by the actions of the MV Sun Sea refugees who demonstrated a degree of autonomy in their movement.

CONCLUSION:

This study began with a seemingly simply question: how do we understand the apparently conflicting dynamics of movement and control? From the vantage point of standard International Relations (IR) discourse, the answer to this problem appears relatively straightforward: the task of controlling global movement is a defining characteristic of sovereign state power. Indeed, states are thought to have exclusive jurisdiction over the question of immigration control for the purpose of determining who enters and belongs in the political community called 'the state'. This dissertation has

argued that this question of controlling and facilitating movement across borders is in fact infinitely more complicated than the practice of 'seeing like a state' would suggest.

This question of controlling and facilitating movement becomes complicated and ambiguous once we 'see like a city'. In contrast to the stark categorizations of inside/outside, member/non-member, legal/illegal etc. that characterize 'seeing like a state', the boundaries of space and definitions of political belonging become much more ambiguous when seen 'like a city'. What becomes evident is that the state-centric desire for one-ness and unity along with an assumption of a single sovereign centre is indeed highly problematic. In the city, sovereignty is infinitely deferred with a multiplicity of often conflicting authorities coming into play. The apparently 'neat' boundaries of political space that are so central to 'seeing like a state' become blurred and contested when we 'see like a city'. Moreover, state-centric understandings of who belongs in the political community – i.e. citizens – are problematized when we 'see like a city'.

In order to develop the arguments above, this study began by de-stabilizing the centrality of the state in IR and in particular the assumed subordination of the city to the state. Through a genealogical approach, I argued that the subordination of the city to the state – which is central to standard IR discourse – is not only historically inaccurate but also highly contested to this day. Indeed, the apparently natural subordination of the city to the state – a subordination supposedly due to the fact that the city is a 'creature of the state' – rests upon a sort of historical amnesia toward the historical autonomy of the city, an autonomy that both predates and coexisted with the emergence of the modern state. Far from emerging as a 'creature of the state', the city originally existed in quite a

different form as a sworn association amongst its members that had little to do with the delegation of power from a higher authority. Moreover, the city originally existed in the context of multiple and overlapping authorities, powers, and jurisdictions. It is easy to read this history of the city as a corporation as a gradual demise of local autonomy and the ever increasing powers of state administration and governance. While this is true on one level, it is important to note that this loss of local autonomy did not occur without considerable local resistance. Moreover, as I argued in chapter one, the subjugation of the city to the state is by no means 'complete' and is characterized – both historically and contemporarily – by a great degree of contestation.

In chapter two I developed the notion of the city as a site of world politics. In contrast to standard IR understandings of cities – which position them safely within the bounded territory of the state – I argued that cities are indeed becoming key sites for various forms of movement and flow along with intensified security practices. In this chapter, I investigated the city as a site of these competing dynamics: on the one hand, I argued, cities are becoming increasingly 'global' with a variety of global flows and movements passing through and developing in their networks. I explored the 'global cities' literature and argued that, while there is much to be gleaned from this literature, it ultimately mischaracterizes the city by positioning it as a bounded entity. My understanding of the global city was that it needs to be considered not as a space of agglomeration of global processes, but as a networked site whose processes extend far beyond the bounds of the city itself. The reading of the city that I advanced in this dissertation was one which avoided the distinctions between different spatial scales and

the tendency to characterize the city as a bounded economic entity. Rather, I argued that the advantage of a city-centered perspective is that it allows us to think simultaneously at several different spatial scales: the city is a meeting ground for various so-called 'global' movements that exceed any particular spatial scale and any single authority.

However, while cities are increasingly characterized by movements of various kinds – whether migratory, economic, informational or otherwise – they are also becoming key sites where such movement is managed and controlled. The common assumption in much globalization literature is that states represent fixity and borders while cities represent movement and flow. This study problematizes that assumption by arguing that city space is increasingly becoming the site of a variety of both state and non-state securitization practices. While critical IR scholars who employ securitization theory tend to use it in a very state-centric manner – i.e., it is state institutions and actors which work to securitize national space – my argument in this dissertation has been somewhat different. I argued that urban space is securitized not only by the 'state' and its actors and institutions but also by another set of actors who may only have an ambiguous relationship to the state. The significant point here is that these practices of securitization in the city do not impose a sovereign order on its space but instead often work through competing and conflicting demands. Understanding the city in this dual sense – as both a site of increasingly movement and flux as well as control and securitization – is central to the argument of this dissertation.

In the remaining three chapters, I explored these theoretical problems outlined in chapters one and two through my case study of the MV Sun Sea. In chapter three, I

explored the case of the Sun Sea 'like a state' and argued that, when viewed 'like a state', the question of controlling immigration is seen as a responsibility solely afforded to the state. This power of controlling movement across borders proved problematic, however, in the context of the Sun Sea. The case of the Sun Sea represented a sort of meta-threat to the Canadian state in that it highlighted a sense of helplessness by Canadian authorities and threatened to undermine Canada's refugee and immigration policies themselves. Indeed, Canadian authorities were helpless to stop the ship from arriving at its shores and equally helpless to 'see' the refugees leave Canada: to date, only twenty of the asylum seekers have been deported and, while all were detained upon arrival, only five men remain in detention. As discussed inn chapter five, this sense of 'helplessness' was really an expression of frustration over the inability of Canadian authorities to violate the international agreements that they have committed themselves to – specifically, the principle of non-refoulement. This chapter further argued that official immigration policy often unfolds with many unintended effects: immigration policy is frequently challenged not only because of its inability to be enforced – as with the continual human smuggling operations such as the MV Sun Sea – but also because it seeks to categorize and manage processes which are much more fluid and dynamic than such policies would allow. In many ways, the MV Sun Sea illustrates the ambiguity of policies which present themselves as highly unambiguous.

In Chapter four, I explored the case of the MV Sun Sea 'like a city' and argued that to 'see' the Sun Sea 'like a city' is to expose the ambiguity and autonomy of the practices of movement and control. In this context, controlling and facilitating the

movement of the Sun Sea refugees proved to emanate from a variety of authorities and institutions – both state and non-state – which were often in conflict with one another. The city was the space where the refugees were detained, questioned, faced trial, and ultimately where many of them settled. The city acted as a space where these refugees were securitized but also a space where such practices of securitization were contested. This chapter focused on these competing dynamics and argued that this ambiguity and autonomy seen on the ground in cities ultimately opens up understandings of political belonging that do not revolve around strict divisions of member and non-member. As we saw through the discussion of the 'right to the city', political belonging in the city involves the potential of a sort of *autonomy* from state structures of containment. Variations in legal status are in fact not the only determinants for political belonging in the city. Despite the desire for 'one-ness', for 'unity', the city exceeds these containers in practice and exercises an autonomy from the state that opens up the space for forms of political belonging that likewise exceed state structures. Perhaps it is for this reason that the city manifests itself as the site for other related struggles of autonomy: the autonomy of non-citizens. It is by recognizing the city as a 'site of the social', as a space where rights are negotiated, that we see that the definition of membership in the city is in fact not pre-determined but is something that is 'up for the taking'. Above all, this struggle is ambiguous and in many ways autonomous from strict definitions of inside and outside.

The final chapter of this thesis explored the event of the Sun Sea 'like a refugee'. While various discourses surrounding the arrival of the Sun Sea focused on criminalizing the movement of the refugees through the targeting of human smuggling operations, such

discourses become problematized in the context of autonomous migration. This chapter argued that the autonomy of migration – just like the autonomy of the city – should not be understood in terms of sovereignty of the migrant subject. Rather, I argued that autonomy should be understood as that which – through negotiation and struggle – escapes the totalizing power of the state. In the context of human smuggling and the Sun Sea, this means recognizing the agency that the refugees had in negotiating their movement rather than criminalizing or victimizing their movement due to its association with human smuggling. Moreover, I argued that the means of transport of the refugees itself contributed to the autonomy of their movement: the MV Sun Sea evaded state capture, not because of the swiftness or technological prowess of its movement but because it moved in a way that was somewhat autonomous from state control. Thus, the authority to decide who should enter the country, who should be allowed to stay, and under what conditions, was destabilized by the actions of the MV Sun Sea refugees who demonstrated a degree of autonomy in their movement.

Concluding Thoughts and Implications

This study has focused on a particularly significant problem for International Relations, one that is unlikely to go away any time soon. The issue of immigration – and particularly immigration into cities – is only one that is going to intensify in years to come. While public perception and many state policies may be opposed to high levels of global migration, cities rely upon such migrations to sustain themselves. 'Western' cities will experience high levels of both skilled and un-skilled labor shortages in the twenty-

first century and it is only by way of facilitating immigration into cities that such labor shortages will be curbed (Saunders 2010). Indeed, too much focus is given to what *should* be done to control immigration without the realization that immigration will continue to occur, in large part because of the nature of the global city itself. Today, 3.3 billion urban residents constitute more than half of the world's population. By 2030, world urbanization is projected to rise to nearly 5 billion and three of every five people will live in cities (UN Population Fund 2007).

Cities *matter* for International Relations, and *movement* into cities is particularly important. In this respect, this dissertation fundamentally challenges traditional or mainstream accounts of IR by reclaiming the city as an important site of world politics. I have illustrated that the apparently 'natural' subordination of the city to the state not only rests on an historical amnesia towards this contested relationship of subordination, but also fails to see how autonomy can mean something other than state sovereignty. What this dissertation shows is that the autonomy of the sovereign state is one particular form of autonomy that coexists with a different sort of autonomy of the city and of refugees. Indeed, the autonomy of the city and refugee – as illustrated through the case study of the MV Sun Sea – de-centers the idea that autonomy is only attached to the sovereign state. More than this, however, it de-centers the idea that autonomy can only mean 'sovereignty': both the autonomy of the city and the autonomy of refugees resist the sovereign logic of enclosure which is assumed in the account of 'autonomy-as-sovereignty'. In destabilizing this particular account of autonomy, we open room to

consider different understandings of political space and belonging that do not align with a politics of enclosure.

In addition to challenging mainstream account of IR, this thesis makes important moves to destabilize the assumptions of 'critical' IR approaches as well. While there is a common recognition in such literature of the need to question the assumed authority of the state, the focus nonetheless remains on the state itself. The result is the continued reification of the state as the primary – if problematic – site of politics in IR. This dissertation moves beyond this focus on the state to make a much more radical claim that other political forms – cities – and political actors – refugees – deserve focus as serious sites of world politics. Thus, in contrast to critical accounts which centre the state in their problematizations of world politics, this dissertation begins to ask what other forms of politics are already occurring which may only be weakly associated with the state.

One of the more unique contributions of this dissertation is the organizational and analytical move of examining the MV Sun Sea through the tripartite structure of 'seeing like a state', 'seeing like a city', and 'seeing like a refugee'. This move to privilege 'sight' was one that was made with the understanding that modern politics is preoccupied with vision and visibility. As this dissertation argued, to 'see like a state' is to know something through a particular frame of knowledge and at a distance. It is relatively easy to imagine who is doing the 'seeing' in this instance: the story of the embodied state is so prevalent in modern politics that it seems obvious that the sovereign state is the 'seeing' subject here. However, the question becomes much more complicated when we ask who is doing the 'seeing' when we 'see like a city' or 'see like a refugee'. Indeed, the very

moment that we ask '*who* is the 'seeing' subject', we are already presupposing sovereignty. The temptation to *know* the 'seeing' subject in the same way that we might 'know' the embodied state is a symptom of the desire to attach the same logic of sovereignty to the lenses of 'seeing like a city' and 'seeing like a refugee'.

In some ways, the use of the term 'seeing like a …' invites one to ask 'what is a city/refugee'? However, this dissertation has resisted defining the 'seeing' subject of the city and the refugee for good reason. Whereas the lens of the state was presented through an appeal to unity and sovereignty, the discussion on the city and the refugee was characterized by an intense ambiguity and a refusal to be held 'still'. The choice to maintain the lenses of 'sight' may therefore seem odd given that this dissertation disturbs the idea of a singular, sovereign, knowing subject. However, I selected to maintain this analytical structure in order to at once invite the desire to 'know' the 'seeing subject' of the city and the refugee and to refuse the ability to answer such questions. In other words, this focus on 'sight' illustrates the disjuncture between the lens of the state – for which we have a readily available answer to the question '*who* is the seeing subject'? – and the lenses of the city and the refugee. The very desire to attach a 'seeing subject' to the city and the refugee – which is purposefully invited through the use of such lenses – illustrates at once the prevalence of sovereignty and the inability to make sovereignty 'work' through the city and the refugee.

This decision to privilege the lens of sight, however, was not made without the sacrifice of silencing other potential senses such as hearing or speaking. Indeed, it would be a very interesting political question to ask what is means to 'hear like a city' or 'speak

like a refugee'. We often 'see' refugees, for instance, through pictures of their suffering, but we rarely 'hear' their voices and rights claims in ways that the state would recognize as political. Instead, refugees are often forced to have citizen-subjects speak on their behalf and in this way, speak the language of the state. Similarly, what would it mean to have the city 'speak' in a way which did not defer to the sovereignty of the state? It seems clear that the voices of cities and refugees can involve high political stakes in that they potentially subvert the state logic of *who* can speak – citizens – and *through* where – the state.

This study has illustrated that cities and refugees are acting politically in ways that specifically challenge this state-centric logic of what politics is and where it can occur. Movement is being facilitated and controlled through ways which are not directly associated with the state. Furthermore, what this study has argued is that, whether or not states sanction such movement, will have little impact on whether or not movement occurs. However, while movement into cities is inevitable, political belonging is open to contestation. If we follow the path of 'seeing like a state' what we will end up with is an increasingly large population living 'underground' in cities who were forced to use 'clandestine' measures for their arrival to the city and 'clandestine' measures to continue to live in the city. The big question for future research is how such populations will settle into the cities in which they occupy. It is in everyone's interest to avoid 'seeing like a state' in this matter and instead recognize that the question of who belongs in a particular

political community cannot be resolved by reference to stark categorizations[30]. Politically, this orientation to political belonging has been taken up in a variety of campaigns. Of particular interest are 'Cities of Refuge', which have been adopted in over fifty municipalities in the United States and a growing number of cities in Canada, including Toronto, Vancouver, and Montreal. 'Cities of Refuge' are an example of a local action in response to demands that confront and challenge the regulatory regimes of the state. These 'Don't Ask Don't Tell' campaigns aim to create a 'City of Refuge' where everyone has equal access to essential services, regardless of citizenship status, and without fear of arrest or deportation. It would seem that this initiative – and others like it – is not a claim to sovereignty but to a right to act and belong politically without formal state-level legal recognition of such rights. This study has highlighted that this contestation over political belonging is already occurring on the ground in cities with a degree of autonomy from the state. That the city offers us a point of view from which the state order of political belonging is ambiguous and contested is something that future research will surely want to explore.

[30] For examples of studies that are in line with this type of agenda, see Varsanyi 2006, Isin 2009, McNevin 2006, 2009.

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