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Immigration Laws And The
Expanding Ins Jail Complex**
Detained

*Immigration Laws
And The Expanding
Ins Jail Complex*

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This important collection examines deportation as an increasingly global mechanism of state control.

Anthropologists, historians, legal scholars, and sociologists consider not only the physical

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expulsion of noncitizens but also the social discipline and labor subordination resulting from deportability, the threat of forced removal. They explore practices and experiences of deportation in

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regional and national settings from the U.S.-Mexico border to Israel, and from Somalia to Switzerland. They also address broader questions, including the ontological significance of freedom of movement; the

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**historical antecedents of
deportation, such as
banishment and exile; and the
development, entrenchment,
and consequences of
organizing sovereign power
and framing individual rights**

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**by territory. Whether
investigating the power that
individual and corporate
sponsors have over the fate of
foreign laborers in Bahrain,
the implications of Germany's
temporary suspension of**

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**deportation orders for
pregnant and ill migrants, or
the significance of the
detention camp, the
contributors reveal how
deportation reflects and
reproduces notions about**

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**public health, racial purity,
and class privilege. They also
provide insight into how
deportation and deportability
are experienced by
individuals, including Arabs,
South Asians, and Muslims in**

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the United States. One contributor looks at asylum claims in light of an unusual anti-deportation campaign mounted by Algerian refugees in Montreal; others analyze the European Union as an

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entity specifically dedicated to governing mobility inside and across its official borders. The Deportation Regime addresses urgent issues related to human rights, international migration, and the extensive

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**security measures
implemented by nation-states
since September 11, 2001.
Contributors: Rutvica
Andrijasevic, Aashti Bhartia,
Heide Castañeda , Galina
Cornelisse , Susan Bibler**

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**Coutin, Nicholas De Genova,
Andrew M. Gardner, Josiah
Heyman, Serhat Karakayali,
Sunaina Marr Maira,
Guillermina Gina Nuñez, Peter
Nyers, Nathalie Peutz, Enrica
Rigo, Victor Talavera, William**

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**Walters, Hans-Rudolf Wicker,
Sarah S. Willen**

**The seventh edition of
Textbook on Immigration and
Asylum Law continues to
provide students with expert
coverage of case law and**

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legislation, along with dynamic analysis of the political context and social impact of the law, and a strong focus on human rights. Including key case summaries, chapter questions and further reading,

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the book deftly guides the reader through this fascinating and constantly developing area of law, using clear and accessible language throughout. An ideal guide for all students of the subject.

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This book is accompanied by an Online Resource Centre, which contains the following resources designed to support the book: - Updates providing easy access to changes and developments in the law -

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**Problem questions to test
knowledge and develop
analytical skill - Guidance on
how to answer the end-of-
chapter questions - A selection
of web links to support
additional research**

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In recent years states across the world have boosted their legal and institutional capacity to deport noncitizens residing on their territory, including failed asylum seekers, “illegal” migrants, and

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convicted criminals. Scholars have analyzed this development primarily through the lens of immigration control. Deportation has been viewed as one amongst a range of measures designed to

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**control entrance,
distinguished primarily by the
fact that it is exercised inside
the territory of the state. But
deportation also has broader
social and political effects. It
provides a powerful way**

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through which the state reminds noncitizens that their presence in the polity is contingent upon acceptable behavior. Furthermore, in liberal democratic states immunity from deportation is

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**one of the key privileges that
citizens enjoy that
distinguishes them from
permanent residents. This
book examines the historical,
institutional and social
dimensions of the relationship**

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between deportation and citizenship in liberal democracies. Contributions also include analysis of the formal and informal functions of administrative immigration detention, and the role of the

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European Parliament in the area of irregular immigration and borders. The book also develops an analytical framework that identifies and critically appraises grassroots and sub national responses to

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migration policy in liberal democratic societies, and considers how groups form after deportation and the employment of citizenship in this particular context, making it of interest to scholars and

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international policy makers alike. “It is commonly surmised that the increased flows of goods, ideas, finance and people are slowly leading to the dissolution of boundaries between nation-

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states. However, as the varied and excellent chapters in this collection demonstrate, the enforcement of state power through detention and deportation is still a real and growing feature of

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**contemporary political life.
Expulsion has always been a
moral sanction (think of Adam
and Eve being banished from
the Garden of Eden or the
ostracism directed against
dissidents in ancient Athens,**

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who were forced to leave for ten years). As the editors suggest, deportation remains a means of enforcing a normative order ('a community of values'), while the authors and editors of this book have

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**expanded the subject-matter
to include the deportees'
perspectives and the effects of
deportation on families, other
potential victims and on those
whose social inclusion has
been affirmed by the exclusion**

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**of others. These studies will
enrich and enlarge the study
of the more naked forms of
state power.” - Robin Cohen,
Professor Emeritus of
Development Studies,
University of Oxford “This**

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**wide-ranging, well-researched,
and highly informative work is
a major contribution to the
growing body of scholarship
examining the harsh
consequences of deportation
around the world. The editors**

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have gathered an impressive group of scholars who craft an eclectic view of how deportation has evolved, what it may signify, and how it now works in various settings. With its inclusion of historical,

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**institutional, comparative, and
finely-textured, sensitive
experiential studies, this book
offers an important--if
frequently
distressing--overview of
phenomena that deserve our**

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**full attention.” - Daniel
Kanstroom, Professor of Law
and Director, International
Human Rights Program,
Boston College Law School
A straightforward discussion
of the issues surrounding**

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immigration U.S. immigration has been the subject of furious debates for decades. On one side, politicians and the media talk about aliens and criminals, with calls to “deport them all.” On the other side,

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some advocates idealize immigrants and gloss over problems associated with immigration. Dialogue becomes possible when we dig deeper and ask tough questions: Why are people in

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other countries leaving their homes and coming here? What does it mean to be “illegal”? How do immigration raids, prisons, and border walls impact communities? Who suffers and who profits from

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our current system—and what would happen if we transformed it? The Politics of Immigration: Questions and Answers goes beyond soundbites to tackle these concerns in straightforward

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language and an accessible question-and-answer format. First published in 2007, this updated and expanded edition is an effective tool to confront current stereotypes and disinformation. Those who

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believe immigrants take jobs from citizens, don't pay taxes, strain public services, and threaten the dominant culture will find their assumptions challenged with compelling arguments and hard data.

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**Ideal for classroom use, The
Politics of Immigration
provides those who are
undecided about immigration
with the facts and clear
reasoning they need to
develop an informed opinion.**

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Questions and Answers
Social, Legal and Economic
Precariousness
Controlling Immigration
Through Criminal Law
Alternatives to Immigration
Detention of Families and

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Children

Dreams and Nightmares

The New Deportations

Delirium

Unequal Justice Under Law:

Effects of Immigration

Detention on Removal Case

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Outcomes

The UK has some of the largest immigration detention facilities in Europe, holding as many as 3000 individuals at any point in time. Foreign nationals

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are held under immigration powers in a variety of circumstances including on arrival pending examination, whilst an asylum claim is considered in the Detained Fast Track, and pending

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***administrative removal or
deportation. The routine use
of detention powers,
particularly in relation to
foreign national offenders,
has increased dramatically
in the years since 2006.***

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***Advising individuals
detained under immigration
powers is no longer a niche
field. An increasing number
of practitioners need access
to a clear reference guide
when faced with cases which***

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touch on this issue.

***Detention under the
Immigration Acts: Law and
Practice is the only text to
provide a comprehensive and
detailed account of the
statutory powers***

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***underpinning immigration
detention and the
limitations on those powers
afforded by the common law,
the European Convention on
Human Rights and the law of
the European Union. It is an***

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***invaluable resource not only
for those working
predominantly in
immigration but also
practitioners whose work
may touch on this
increasingly complex area,***

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***whether from a civil or
criminal perspective, as well
as the judiciary and
government officials with a
need for clear legal
guidance. Taking a practice
focused approach, the work***

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***addresses the procedural
aspects of litigation
challenging detention, from
bail applications in the
Tribunal through judicial
review claims in the
Administrative Court, to civil***

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***claims before the County
Court and the Queen's
Bench Division of the High
Court. It offers unparalleled
coverage of the many
hundreds of domestic cases
on the subject, saving***

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***practitioners valuable time
in their legal research. It
also examines, in more
detail than has ever been
done before, the case law of
the European Court of
Human Rights and the Court***

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***of Justice of the European
Union and suggests
arguments to challenge
detention and seek damages
that have not so far been
used in domestic courts.
Written by an author team***

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***representing both claimant
and government interests,
key issues are considered
from a neutral perspective,
providing a balanced and
detailed exploration of the
common law and policy***

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***based principles governing
the exercise of immigration
detention powers.***

***How migrants became the
scapegoats of contemporary
mainstream politics From
the 1960s the UK's***

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immigration

***policy—introduced by both
Labour and Tory
governments—has been a
toxic combination of racism
and xenophobia. Maya
Goodfellow tracks this***

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***history through to the
present day, looking at both
legislation and rhetoric, to
show that distinct forms of
racism and dehumanisation
have produced a confused
and draconian immigration***

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***system. She examines the
arguments made against
immigration in order to
dismantle and challenge
them. Through interviews
with people trying to
navigate the system, legal***

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***experts, politicians and
campaigners, Goodfellow
shows the devastating
human costs of anti-
immigration politics and
argues for an alternative.
The new edition includes an***

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***additional chapter, which
explores the impacts of the
2019 election and the
ongoing immigration
enforcement during the
coronavirus pandemic.
Longlisted for the 2019***

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Jhalak Prize

Immigration is among the most prominent, enduring, and contentious features of our globalized world. Yet, there is little systematic, cross-national research on

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why countries "do what they do" when it comes to their immigration policies. Rights, Deportation, and Detention in the Age of Immigration Control addresses this gap by examining what are

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***arguably the most contested
and dynamic immigration
policies—immigration
control—across 25
immigrant-receiving
countries, including the U.S.
and most of the European***

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Union. The book addresses head on three of the most salient aspects of immigration control: the denial of rights to non-citizens, their physical removal and exclusion from

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***the polity through
deportation, and their
deprivation of liberty and
freedom of movement in
immigration detention. In
addition to answering the
question of why states do***

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what they do, the book describes contemporary trends in what Tom K. Wong refers to as the machinery of immigration control, analyzes the determinants of these trends using a

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combination of quantitative analysis and fieldwork, and explores whether efforts to deter unwanted immigration are actually working.

Pre-trial detention refers to the period when a person,

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after being arrested, is detained so as to determine the nature of the offences and the characterization of the charges. This notion is part and parcel of the legal proceedings of a criminal

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***investigation and aims at
striking a fragile balance
between protecting the State
and respecting individual
freedoms. Lots of examples
can be quoted to illustrate
the various pre-trial***

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***detention modalities in
common law and civil law
traditions, including the
duration of custody; custody
rights; right to silence; right
to the presence of a lawyer;
modalities and control of pre-***

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***trial detention; and
procedures in case of
wrongful detention. This
book makes an important
contribution to the newly-
researched topic of pre-trial
detention from a theoretical***

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and empirical point of view. Papers alternatively consider various issues: they analyse the philosophical principles and policies underlying pre-trial detention and look at the different forms it takes

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***according to several
countries; on a more
technical and pragmatic
level, they raise the question
of the use of an appropriate
terminology and the problem
of translation that may arise***

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***from the differences
between the studied legal
systems. Finally, they
consider the checks and
balances mechanisms put in
place to limit the negative
effects of the measures***

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***restricting liberty. This
volume contains a selection
of contributions by
academics specialized in law
and comparative criminal
procedure, political science,
history, sociology,***

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linguistics, and legal translation, and offers a comparative analysis of countries with differing legal traditions.

Critical perspectives

A Discussion Paper

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***The migration of a policy
and its human impact
Detention, Deportation, and
Border Control
Detained
Interdisciplinary Responses
A Handbook for Preventing***

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***Unnecessary Immigration
Detention (revised Edition)***

*US immigration policy has
deeply racist roots. From
his rhetoric to his
policies, President Donald
Trump has continued this*

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*tradition, most
notoriously through his
border wall, migrant
family separation, and
child detention measures.
But who exactly supports
these practices and what*

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*factors drive their
opinions? Our research
reveals that racial
attitudes are fundamental
to understanding who backs
the president's most
punitive immigration*

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*policies. We find that
whites who feel culturally
threatened by Latinos, who
harbor racially resentful
sentiments, and who fear a
future in which the United
States will be a*

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*majority-minority country,
are among the most likely
to support Trump's actions
on immigration. We argue
that while the President's
policies are unpopular
with the majority of*

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Americans, Trump has grounded his political agenda and 2020 reelection bid on his ability to politically mobilize the most racially conservative segment of whites who back

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*his draconian immigration
enforcement measures.*

*Arizona's controversial
new immigration bill is
just the latest of many
steps in the new
criminalization of*

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immigrants. While many cite the presumed criminality of illegal aliens as an excuse for ever-harsher immigration policies, it has in fact been well-established that

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*immigrants commit less
crime, and in particular
less violent crime, than
the native-born and that
their presence in
communities is not
associated with higher*

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*crime rates. Punishing
Immigrants moves beyond
debunking the presumed
crime and immigration
linkage, broadening the
focus to encompass issues
relevant to law and*

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*society, immigration and
refugee policy, and
victimization, as well as
crime. The original essays
in this volume uncover and
identify the unanticipated
and hidden consequences of*

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immigration policies and practices here and abroad at a time when immigration to the U.S. is near an all-time high. Ultimately, Punishing Immigrants illuminates the nuanced

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*and layered realities of
immigrants' lives,
describing the varying
complexities surrounding
immigration, crime, law,
and victimization.*

Podcast: Susan Bibler

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*Coutin, on the process and
effects of deportation
–Listen here.*

*Since 1996, when the
deportation laws were
hardened, millions of
migrants to the U.S.,*

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*including many long-term
legal permanent residents
with "green cards," have
experienced summary
arrest, incarceration
without bail, transfer to
remote detention*

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*facilities, and
deportation without
counsel—a life-time
banishment from what is,
in many cases, the only
country they have ever
known. U.S.-based families*

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*and communities face the
loss of a worker,
neighbor, spouse, parent,
or child. Many of the
deported are “sentenced
home” to a country which
they only knew as an*

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*infant, whose language
they do not speak, or
where a family lives in
extreme poverty or
indebtedness for not yet
being able to pay the
costs of their previous*

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*migration. But what does
this actually look like
and what are the systems
and processes and who are
the people who are
enforcing deportation
policies and practices?*

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The New Deportations
Delirium responds to these
questions. Taken as a
whole, the volume raises
consciousness about the
complexities of the issues
and argues for the

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*interdisciplinary dialogue
and response. Over the
course of the book,
deportation policy is
debated by lawyers,
judges, social workers,
researchers, and clinical*

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*and community
psychologists as well as
educators, researchers,
and community activists.
The New Deportations
Delirium presents a fresh
conversation and urges a*

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*holistic response to the
complex realities facing
not only migrants but also
the wider U.S. society in
which they have sought a
better life.*

The events of 2016

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catapulted immigration policy to the forefront of public debate, and Donald Trump's administration has signaled a harsh turn in enforcement. Yet the deportation, detention,

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and border-control policies that North American and European countries have embraced are by no means new. In this book, sociologists David C. Brotherton and

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*Philip Kretsedemas bring
together an
interdisciplinary group of
contributors to reconsider
the immigration policies
of the Obama era and
beyond in terms of a*

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*decades-long "age of
punishment." Immigration
Policy in the Age of
Punishment* takes a
*critical,
interdisciplinary, and
transnational look at*

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*current issues surrounding
immigration in the U.S.
and abroad. It examines
key features of this age
of punishment, connecting
neoliberal governance,
global labor markets, and*

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*the national obsession
with securing borders to
explain critical research
and theory on immigration
enforcement. Contributors
document the continuities
between presidential*

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*administrations and across
countries from many
perspectives, with
chapters discussing
Canada, Australia, France,
the UK, the Dominican
Republic, and Mexico in*

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addition to the U.S. They offer macro-level analyses of deportations and border enforcement, analyses of national policy and jurisprudence, and ethnographic accounts of

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*the daily life experience
of the prison-to-
deportation pipeline, the
making of deportability,
and post-deportation
transitions for
noncitizens. This book*

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*highlights new directions
in critical immigration
policy and enforcement and
deportation studies with
the aim of problematizing
the age of punishment that
currently reigns over*

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*borders and those who seek
to cross them.*

*Policy, Politics, and
Injustice*

*Protecting Migrant
Children*

American Gulag

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*Inside U.S. Immigration
Prisons*

*Welcome to Britain: Fixing
Our Broken Immigration
System*

*Textbook on Immigration
and Asylum Law*

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*Race, Citizenship, and
Social Control*

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access to the full experience including: lifetime access to the online ebook with highlight, annotation, and search capabilities, plus an outline tool and other helpful resources. This innovative casebook approaches immigration

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law and policy from a public interest perspective with a special emphasis on issues of social justice. Along with cases and statutory material, Immigration Law and Social Justice employs a variety of materials from appellate

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cases, client examples, article excerpts, and hypotheticals. These materials not only provide the basic framework for immigration law, but also engage students with the greater social, political, and economic context necessary to

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understand the movement of immigrants to the United States, as well as the human impact of immigration law enforcement and administration. Through examples, notes and questions that raise the social, racial, and political questions

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of admission and enforcement, as well as discussion of public interest lawyers ' strategies, this casebook advances students ' understanding of the creative approaches used in the field. Ultimately, this book encourages students to think

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broadly about relevant social, economic, and political forces. New to the Second Edition: Supreme Court decisions on expedited removal and DACA Analysis of the Trump administration approaches to relief from removal, judicial

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review, and the rights of noncitizens
Major Supreme Court decisions,
including Trump v. Hawaii (Muslim
ban) and Dimaya v. Sessions
(2018) (aggravated felonies)
Administrative decisions such as
Matter of A-C-M- (material support

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bar), Matter of A-B- (domestic violence and particular social group) Developments in how immigration courts define convictions Additional/updated material on: History of U.S. immigration laws Race-conscious

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lawyering; racial justice and
immigrant rights New ICE
enforcement guidance under the
Biden administration; U.S. v.
California (upholding California ' s
sanctuary policies) Citizenship for
orphans; renunciation of citizenship

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Public charge grounds and Title 42
COVID exclusions; I-601A waiver;
firearms offenses; crimes involving
moral turpitude Restrictions on
bond hearings imposed by the
Trump administration; monitoring of
children ' s detention centers under

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Flores settlement; Zepeda Rivas v. Jennings (requirements on ICE detention facilities in light of COVID-19) Border wall and related litigation; Operation Streamline; worksite enforcement; state and local cooperation Pereira v.

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Sessions and Niz-Chavez v.
Garland (defective Notice to Appear
and eligibility for cancellation of
removal); cancellation of removal
Examination of right to counsel for
minors and for non-detained
respondents with mental

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challenges; ineffective assistance
of counsel; restrictions imposed by
Trump administration on
immigration court continuances;
problems with distance
videoconference hearings New
refugee numbers under the Biden

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administration; past persecution;
membership in particular social
groups Professors and student will
benefit from: Deep background on
the social context of immigration
law and its enforcement in the
context of a sophisticated

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examination of the technicalities of relevant statutory and administrative law Materials encouraging students to learn relevant law with an eye toward potential advocacy, including litigation strategies, and which

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challenge students to evaluate
critically the mutually constitutive
work of race and immigration law
Contextual background to
understand immigration and
immigration enforcement Unique
focus on immigration and social

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justice, as well as public interest
immigration lawyering Focus on
issues of contemporary relevance,
highlighting some of the most
contentious areas of immigration
law and policy Materials designed
to facilitate student understanding

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of the letter of immigration law, and
to encourage students to think
creatively about possible reform
Integrated critical materials
exploring the role of race, class,
religion, gender, and disability in
immigration law and policy

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Problems designed to encourage active learning and application of law

International migration has been described as one of the defining issues of the twenty-first century. While a lot is known about the

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complex nature of migratory flows, surprisingly little attention has been given to one of the most prominent responses by governments to human mobility: the practice of immigration detention. Intimate Economies of Immigration

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Detention provides a timely intervention, offering much needed scrutiny of the ideologies, policies and practices that enable the troubling, unparalleled and seemingly unbridled growth of immigration detention around the

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world. An international collection of scholars provide crucial new insights into immigration detention recounting at close range how detention ' s effects ricochet from personal and everyday experiences to broader political-economic, social

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and cultural spheres. Contributors draw on original research in the US, Australia, Europe, and beyond to scrutinise the increasingly tangled relations associated with detention operation and migration management. With new theoretical

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and empirical perspectives on detention, the chapters collectively present a toolbox for better understanding the forces behind and broader implications of the seemingly uncontested rise of immigration detention. This book is

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of great interest to those who study political economy, economic geography and immigration policy, as well as policy makers interested in immigration.

“ A must-read ” – Maya Goodfellow

“ Highly readable ” – Joshua

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Rozenberg QC “ Brilliant and
urgently necessary ” – Amelia
Gentleman “ Incisive and
compelling ” – The Secret Barrister
*** How would we treat Paddington
Bear if he came to the UK today?
Perhaps he would be a casualty of

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extortionate visa application fees;
perhaps he would experience a
cruel term of imprisonment in a
detention centre; or perhaps his
entire identity would be torn apart at
the hands of a hostile environment
that delights in the humiliation of its

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victims. Britain thinks of itself as a welcoming country, but the reality is very different. This is a system in which people born in Britain are told in uncompromising terms that they are not British, in which those who have lived their entire lives on these

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shores are threatened with deportation, and in which falling in love with anyone other than a British national can result in families being ripped apart. Now fully updated to include the Nationality and Borders Bill, in this vital and

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alarming book, campaigner and immigration barrister Colin Yeo tackles the subject with dexterity and rigour, offering a roadmap of where we should go from here as he exposes the injustice of an immigration system that is

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unforgiving, unfeeling and,
ultimately, failing.

In this article-based dissertation, I
present three distinct but
interrelated articles to expose the
harms that immigration detention
inflicts on immigrants, their families,

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and communities. My dissertation,
"Life Under Detention:
Understanding the Consequences
of Heightened Immigration
Enforcement on Immigrants,
Families, and Communities,"
analyzes 34 months of

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ethnographic data and 95 qualitative interviews with detainees and their family members to investigate how the legal construction of "illegality" has been weaponized against immigrants in the contemporary United States.

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The dissertation's introduction frames the rise of "crimmigration" and engages with previous literature on the construction of immigrant exclusion and legal violence against immigrants. This chapter also presents the research

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questions, introduces the theoretical innovations of the empirical chapters, summarizes the research methodology, and outlines the structure of the dissertation. Chapter two chronicles the experiences of former detainees

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and how they were able to acquire (or not acquire) justice through multiple means. I argue that immigrants are routinely denied access to justice within the immigration legal system because they are deprived of fundamental

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support including legal counsel, language translation, and access to the law library. To win their freedom from detention, immigrants engaged in precarious legal patchworking, where they haphazardly cobbled together legal

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resources and assistance from multiple sources including pro-bono aid, jailhouse lawyers, and other detainees. In chapter three, published in the journal of Law & Society Review, I address the question: How do immigrant

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families experience the
indeterminate confinement of
detained loved ones under the
intensified threat of deportation? I
find that family units endure
collateral consequences when they
are suspended in a heightened

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state of liminality due to their loved one's indeterminate detention. A conceptual contribution of this chapter is the development of collective liminality to show how being suspended in this state of purgatory harms both detained

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immigrants and their loved ones. In chapter four, published in the Journal of Ethnic and Migration Studies, I demonstrate how intensive state surveillance creates a condition of "extended punishment" that shapes the daily

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experiences of immigrants shackled to an electronic monitor (EM). The EM marks its wearer with a criminal stigma, leading that person to become shunned, including by previously supportive members of their co-ethnic community. Under

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this regime, EMs become tools of legal violence that yield a new axis of stratification among immigrants. Because EMs unequally allocate autonomy, privacy, and resources, wearers find themselves more vulnerable and constrained than

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other immigrants. In chapter five, I conclude by synthesizing the analyses, reflecting on the contributions and implications of the dissertation, and offering directions for future research. Foremost, I am proud to give voice to immigrant

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detainees and their families whose experiences are important for future scholarship. Overall, my research finds that life in and after detention continues to be shaped by the apparatus of immigration detention. Former detainees suffer the

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repercussions of trauma and material hardship long after release, and the harms of detention radiate out to many more people than just the detained.

Inside Immigration Detention
A Practical Handbook on Law,

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Procedure, and Practice for
Lawyers, Immigration Consultants,
and Law Students

Immigration Law and Practice

Detained Without Trial

A Survey of Immigration Act

Detention

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Immigration Detention and Human
Rights

Immigration and the Law

**This book offers a unique
comparative assessment of
the evolution of immigration
detention systems in
European Union member**

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states since the onset of the “refugee crisis.” By applying an analytical framework premised on international human rights law in assessing domestic detention regimes, the book reveals the extent to which EU legislation has led

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to the adoption of laws and practices that may disregard fundamental rights and standards. While emphasizing policies and laws adopted in response to the “refugee crisis,” the volume also shows how these policies have

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evolved—and in many cases grown more restrictive—even as the “crisis” has begun to recede from the borders of many European countries. To sharpen awareness of contrasting developments across the region, the book’s

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country chapters are organised into geographic sections that reveal how variations in migration pressures have in some cases resulted in contrasting detention practices even as the EU directives have sought

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to harmonise immigration laws. A critical focus of the book are the evolving domestic norms related to grounds for detention, length of detention, non-custodial "alternatives to detention," the treatment of children, and

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conditions of detention. With its systematic and comparative assessment of immigration detention regimes across the EU, the book will be helpful for both academics and practitioners who seek a comprehensive

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**guide to the evolution of one
of today's more important
human rights
dilemmas—states' efforts to
control global migration.
Before the turn of the
century, few states used
immigration detention. Today,**

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nearly every state around the world has adopted immigration detention policy in some form. States practice detention as a means to address both the accelerating numbers of people crossing their borders, and the

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populations residing in their states without authorisation. This edited volume examines the contemporary diffusion of immigration detention policy throughout the world and the impact of this expansion on the prospects of protection

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for people seeking asylum. It includes contributions by immigration detention experts working in Australasia, the Americas, Europe, Africa and the Middle East. It is the first to set out a systematic comparison of

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immigration detention policy across these regions and to examine how immigration detention has become a ubiquitous part of border and immigration control strategies globally. In so doing, the volume presents a

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**global perspective on the
diversity of immigration
detention policies and
practices, how these
circumstances developed, and
the human impact of states
exchanging individuals' rights
to liberty for the collective**

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**assurance of border and
immigration control. This text
will be of key interest to
scholars, students and
practitioners of immigration,
migration, public
administration, comparative
policy studies, comparative**

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**politics and international
political economy.
Each year, the UK detains
around 2,000 children with
their families for the purposes
of immigration control. Many
of these families are here to
seek asylum, some have**

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overstayed their visas and others are victims of trafficking. The decision to detain these children is an administrative one and does not require any judicial sanction -- their detention is subject to neither

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independent scrutiny nor time limit. Many of these families have complex immigration or asylum cases, and have experienced trauma and distress. Their children's health, education, and emotional needs are rarely

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met in detention centres. This policy makes a mockery of child rights legislation. The detention of these children runs contrary to the United Nations Convention on the Rights of the Child (UNCRC) -- though the Government's

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**existing reservation to the
UNCRC in relation to
immigration means that
children are excluded from its
protection. Furthermore, the
Government's stated aim in
its flagship children's policy,
Every Child Matters, is for**

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"every child, whatever their background or their circumstances, to have the support they need to: be healthy; stay safe enjoy and achieve; make a positive contribution; achieve economic well-being."

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Contrary to government assurances that this also applies to asylum-seeking children, it is clear that in some cases not every child matters. There is a broad consensus that locking children up with their families

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is inherently harmful and to be avoided wherever possible. The UK's Children's commissioners, the UK's Chief Inspector of Prisons, international and national non-governmental organisations and community groups have

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**all spoken against the policy
or conditions of detention.
Public support is evident: the
recent No Place for a child
campaign was backed by
more than 13,500 members of
the public, and by early July
2006, 137 MPs from across**

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the party spectrum had signed an Early Day Motion calling for an end to the detention of children. The Home Office is not working efficiently, nor is it working in line with its own guidelines or with the best interests of

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children in mind. The Government claims that detention is a last resort and detained families are held for a few days at most, immediately prior to removal. However, there are many cases of children detained for

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**long periods of time,
including when departure is
not imminent because of
outstanding appeals or issues
in their country of origin.
There are also cases of
families being released from
detention only to be detained**

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again at a later date. The Government is failing to consider alternatives and is using detention as the default option rather than the last resort. Furthermore, locking up families who have committed no crime is poor

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**use of taxpayers' money,
costing millions of pounds
each year. There is no
evidence to suggest families
abscond when the threat of
detention or removal looms.
However, there is a growing
body of evidence that more**

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**families return to their
country of origin of their own
accord when they can trust
that the system protects
those who need protection
and where more support and
information is available to
families planning return. The**

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**experience of the Swedish
model, the Canadian Failed
Refugee Project and,
particularly, Hotham Mission
in Australia demonstrates
that supporting families to
make sure their protection
needs are met and helping**

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**them to plan for return works.
these models could be applied
in the UK. We strongly
recommend that the Home
Office pilots a supportive
casework model as an
alternative to detention for
children and families. This**

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report explores the current practice of detention in the UK. We do not oppose the removal of failed asylum-seekers, but we are opposed to an unfair, inconsistent and often arbitrary system where immigration control is put

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before the need to protect children. It is the responsibility of the Government to design and implement a national system that protects and upholds the rights of children and meets the protection needs of those

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who seek asylum here. This report comes at a time when the Government is reviewing its asylum and immigration policy. We hope that this paper will help to inform the debate on behalf of some of the UK's most vulnerable

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children.

**On any given day nearly 3000
foreign national citizens are
detained under immigration
powers in UK detention
centres alone. Around the
world immigrants are
routinely detained in similar**

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conditions. The institutions charged with immigrant detention are volatile and contested sites. They are also places about which we know very little. What is their goal? How do they operate? How are they justified? Inside

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Immigration Detention lifts the lid on the hidden world of migrant detention, presenting the first national study of life in British immigration removal centres. Offering more than just a description of life behind bars of those

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**men and women awaiting
deportation, it uses staff and
detainee testimonies to
revisit key assumptions about
state power and the legacies
of colonialism under
conditions of globalization.
Based on fieldwork conducted**

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in six immigration removal centres (IRCs) between 2009 and 2012, it draws together a large amount of empirical data including: detainee surveys and interviews, staff interviews, observation, and detailed field notes. From

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this, the book explores how immigration removal centres identify their inhabitants as strangers, constructing them as unfamiliar, ambiguous and uncertain. In this endeavour, the establishments are greatly assisted by their

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**resemblance to prisons and
by familiar racialized
narratives about foreigners
and nationality. However, as
staff and detainee
testimonies reveal, in their
interactions and day-to-
daylife women and men find**

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many points of commonality. Such recognition of one another reveals the goal and effect of detention to be incomplete. Denial requires effort. In order to minimize the effort it must expend, the state governs at distance",

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via the contract. It also splits itself in two, deploying some immigration staff onsite, while keeping the actual decision-makers (the caseworkers) elsewhere, sequestered from the potentially destabilizing

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**effects of facing up to those
whom they wishto remove.
Such distancing, while
bureaucratically effective,
contributes to the uncertainty
of daily life in detention, and
is often the source of
considerable criticism and**

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**unease. Denial and familiarity
are embodied and localized
activities, whose pains and
contradictions inhere in
concrete relationships."**

**Detention Under the
Immigration Acts
Life Under Detention**

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**Understanding the
Consequences of Heightened
Immigration Enforcement on
Immigrants, Families, and
Communities**

Immigration Laws and Rules

...

In Search of Best Practice

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**Intimate Economies of
Immigration Detention
Sovereignty, Space, and the
Freedom of Movement
Immigration Policies Affect
INS Detention Efforts : Report
to the Chairman,
Subcommittee on**

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**International Law,
Immigration, and Refugees,
Committee on Judiciary,
House of Representatives**

The IDC identifies 250
examples of positive
alternatives to immigration
detention in 60 countries,

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that respect fundamental human rights, are less expensive and equally or more effective than traditional border controls. Advocate effectively for detained immigrants at the Immigration and Refugee

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Board of Canada Every year in Canada, thousands of immigrants are detained in holding centres and jails, and the numbers continue to grow year over year. Immigrants can be arrested without warrant and held

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indefinitely without charge,
but all detainees are
entitled to regular
detention reviews. If you
work with immigrant
detainees, you need to know
how to present an effective
case at detention review

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hearings to secure their release. This one-stop resource presents a comprehensive overview of the detentionreview process administered by the Immigration Division, a branch of the Immigration

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and Refugee Board (IRB) of Canada. More than just a summary of the law that governs detention reviews, this guide outlines practical steps that can help you to secure a detainee's release. Through

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an in-depth case study,
immigration lawyer Raj Napal
examines every stage of the
detention review process,
from drafting a suitable
retainer agreement to
presenting a case and
questioning witnesses in

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front of an IRB tribunal.

Drawing on more than 20
years of experience
advocating for immigrants at
the IRB, Raj covers
everything you need to know
to prepare for a detention
review and maximize your

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chance of securing your client's release. Anyone working in immigration law—including lawyers, paralegals and immigration consultants—needs this book. This practical handbook covers: - Essential grounds

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for detention, the
legislation, the case law
and the procedural protocol
of the Immigration Division.
- Tactics to present your
case effectively before the
board. - Creating effective
release plans for detainees.

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- Dealing with detained children. - Recent developments and precedents that affect detention reviews, including the 2017 Laird Report and the 2019 amended Chairperson's Guideline on Detention.

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Practices of immigration detention in Europe are largely resistant to conventional forms of legal correction. By rethinking the notion of territorial sovereignty in modern constitutionalism, this book

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puts forward a solution to the problem of legally permissive immigration detention.

A critical look at the mechanisms, beliefs, and ideologies that govern U.S. immigration laws, and the

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social impacts of their
enforcement--Provided by
publisher.

The Politics of Immigration
(2nd Edition)

Rethinking Territorial
Sovereignty

Detention Reviews in Canada

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Immigration Detention and
the Rule of Law
Rights, Deportation, and
Detention in the Age of
Immigration Control
Immigration Control
How Immigrants Became
Scapegoats

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**Introduction / Gian Luigi
Gatta, Valsamis
Mitsilegas and Stefano
Zirulia -- Assessing
migration management
and the role of criminal
law / Elspeth Guild -- The**

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**criminalisation of
migration in the law of
the European Union :
challenging the
preventive paradigm /
Valsamis Mitsilegas --
Global trends in**

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**'cimmigration' policies :
from the EU to the USA /
Gian Luigi Gatta -- The
connections between
migration, crime, and
punishment : historical
and sociological**

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questions / Dario Melossi

**-- Current trends,
numbers and routes in EU
migrations : is existing
legislation creating more
irregularity? / Maria
Giovanna Manieri --**

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**Crimmigration in Spain /
José A Brandariz --
Ethnicity based
immigration checks :
crimmigration and the
how of immigration and
border control / Maartje**

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van der Woude --

**Crimmigration in Greece :
a story of exceptional
derogations from the rule
of law within a permanent
situation of emergency /
Nikolaos Chatzinikolaou**

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**-- Immigration detention
between law and practice
in Italy : managing the
border through arbitrary
detention / Francesca
Cancellaro -- Detention as
a tool of immigration and**

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**asylum enforcement in
the EU / Justine N
Stefanelli -- Is that a
smuggler? : the blurring
line between facilitating
illegal immigration and
providing humanitarian**

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**assistance at the
European borders /
Stefano Zirulia --
Reversing the perspective
: criminal responsibility
of Italian authorities for
human rights violations**

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in Libya? / Luca Maserà.
**"Details how American
immigration law and
policy have increasingly
relied on incarceration,
locking up thousands of
immigrants not because**

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**they pose any real
danger, but as a collective
expression of moral panic
and hostility toward
perceived outsiders."**

David Cole [back cover].

Unprecedented numbers

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of children are crossing international borders seeking safety. Framed around compelling case studies explaining why children are on the move in Africa, the Americas,

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Asia, Europe, the Middle East and Oceania, this book explores the jurisprudence and processes used by nations to adjudicate children's protection claims. The

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**book includes
contributions from
leading scholars in
immigration, refugee law,
children's rights and
human trafficking which
critically examine the**

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**strengths and weaknesses
of international and
domestic laws with the
aim of identifying best
practice for migrant
children.**

"In 2009, the US

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**Immigration and Customs
Enforcement agency
(ICE) held between
380,000 and 442,000
people in some 300 US
detention facilities, at an
annual cost of \$1.7**

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**billion. These people are
not imprisoned as
punishment for criminal
offenses, but rather are
detained for civil
immigration violations.
Many will be deprived of**

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**their liberty for months,
some for years. And many
are being held
unnecessarily, at great
cost to themselves, their
families, and US
taxpayers. At least since**

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1996, ICE has enjoyed relatively unchecked powers to sweep non-citizens into detention. This report is one of a series looking at flaws in current immigration

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**policy that can be
remedied through
specific administrative
and legislative
actions."--Human Rights
Watch website.**

Flaws in US Immigration

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Detention Policy
Immigration Laws and
the Expanding I.N.S. Jail
Complex
Pre-trial detention in
20th and 21st Century
Common Law and Civil

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Law Systems

**Entrapping Asylum
Seekers**

Law and Practice

**Immigration Policy,
Youth, and Families**

Race and Immigration

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Policy in the Trump Era

Exposes the harsh conditions that exist within the cruel system of immigration detention, bringing to light realities such as illegal beatings and inhumane conditions inside the secret and repressive prisons run by

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the U.S. Immigration and
Naturalization Services.

Dreams and Nightmares takes a
critical look at the challenges and
dilemmas of immigration policy and
practice in the absence of
comprehensive immigration reform.

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The experiences of children and youth provide a prism through which the interwoven dynamics and consequences of immigration policy become apparent. Using a unique sociolegal perspective, authors Zatz and Rodriguez examine the

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mechanisms by which immigration policies and practices mitigate or exacerbate harm to vulnerable youth. They pay particular attention to prosecutorial discretion, assessing its potential and limitations for resolving issues involving parental

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detention and deportation,
unaccompanied minors, and
Dreamers who came to the United
States as young children. The book
demonstrates how these policies and
practices offer a means of
prioritizing immigration

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enforcement in ways that alleviate harm to children, and why they remain controversial and vulnerable to political challenges.

This paper examines whether and how being detained may affect the outcome of an immigrant's removal

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case. Prior research has shown that the government often fails to provide a meaningful and individualized reason that an immigrant should be detained.

Given the arbitrariness of who is and is not detained during their

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immigration proceedings, one would expect that being detained should have no effect on the outcome of the court case. To examine the effects of detention on removal case outcomes, I use a public dataset containing case-level information

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about individuals in removal proceedings. I use these data to estimate several models using ordinary least squares regression to attempt to isolate the effects of detention and detention-related factors on case outcomes. The

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results of these regressions demonstrate that being detained during any part of the removal proceeding, and particularly at the time their case is decided, makes the individual more likely to be removed. In all models, individuals

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detained at the time their case is decided are at least 20 percentage points more likely to be removed than someone who was never detained. These results suggest that the existing immigration detention and court systems do not provide

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equal access to justice and due process to both detained and non-detained immigrants.

On any given day nearly 3000 foreign national citizens are detained under immigration powers in UK detention centres alone. Around the

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world immigrants are routinely detained in similar conditions. The institutions charged with immigrant detention are volatile and contested sites. They are also places about which we know very little. What is their goal? How do they operate?

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How are they justified? Inside Immigration Detention lifts the lid on the hidden world of migrant detention, presenting the first national study of life in British immigration removal centres. Offering more than just a

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description of life behind bars of those men and women awaiting deportation, it uses staff and detainee testimonies to revisit key assumptions about state power and the legacies of colonialism under conditions of globalization. Based

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on fieldwork conducted in six immigration removal centres (IRCs) between 2009 and 2012, it draws together a large amount of empirical data including: detainee surveys and interviews, staff interviews, observation, and detailed field notes.

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From this, the book explores how immigration removal centres identify their inhabitants as strangers, constructing them as unfamiliar, ambiguous and uncertain. In this endeavour, the establishments are greatly assisted

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by their resemblance to prisons and by familiar racialized narratives about foreigners and nationality. However, as staff and detainee testimonies reveal, in their interactions and day-to-day life women and men find many points of

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commonality. Such recognition of one another reveals the goal and effect of detention to be incomplete. Denial requires effort. In order to minimize the effort it must expend, the state 'governs at distance', via the contract. It also splits itself in two,

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deploying some immigration staff onsite, while keeping the actual decision-makers (the caseworkers) elsewhere, sequestered from the potentially destabilizing effects of facing up to those whom they wish to remove. Such distancing, while

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bureaucratically effective,
contributes to the uncertainty of
daily life in detention, and is often
the source of considerable criticism
and unease. Denial and familiarity
are embodied and localized
activities, whose pains and

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contradictions inhere in concrete
relationships.

Immigration Policy in the Age of
Punishment
Hostile Environment
Walls, Cages, and Family
Separation

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The Deportation Regime

European and Comparative
Perspectives on "Crimmigration"
Immigration Detention
In the Shadow of the "Crisis"

This book is an interdisciplinary
attempt to understand the

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contemporaneous human condition of asylum seekers through analysis of their entrapment and the resultant new forms of resistance that have emerged to combat it. Based on qualitative research data, the

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chapters support the claim that asylum seekers are entrapped in social, legal and economic precariousness amidst the complex relationship between individual agency and social structure. By exploring the

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practices and lived experiences of asylum seekers and other parties involved in their migration and reception, the authors explore the structural and individual agency factors that entrap asylum seekers in precarious livelihoods and lead

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to marginalization and social exclusion. A bold and timely study, this edited collection will be essential reading for academics and students of criminology, sociology, anthropology, urban studies and social policy.

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There Are Alternatives
The Social, Political and Historical
Contours of Deportation
Immigration Offenses
Costly and Unfair
Immigration Detention in the
European Union

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Immigration Law and Social Justice
Punishing Immigrants