

# Capitalism and Immigration Control: What Political Economy Reveals about the Growth of Detention Systems

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## About the Global Detention Project

The Global Detention Project (GDP) is a non-profit research centre based in Geneva, Switzerland, that investigates the use of detention in response to global migration. The GDP's aims include: (1) providing researchers, advocates, and journalists with a measurable and regularly updated baseline for analysing the growth and evolution of detention practices and policies; (2) facilitating accountability and transparency in the treatment of detainees; and (3) encouraging scholarship in this field of immigration and refugee studies.

## About the author

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# Capitalism and Immigration Control: What Political Economy Reveals about the Global Spread of Detention

By Matthew B. Flynn

**Abstract:** Political economy offers unique tools and perspectives for analyzing the growth of immigration detention systems. It highlights changing economic structures, the winners and losers of policy changes, and the motives of social actors involved in affecting political decisions. Ultimately, assessments of the political economy of detention point to a key challenge that is common to countries across the globe: how economic insecurities of host populations translate into xenophobia and ethno-nationalist demands for more deportations, detentions, and walls. On the other hand, similar factors that have undermined the rationale for private prisons may also empower efforts to limit the growth of immigration detention—namely, the high cost in both monetary and social capital of locking up people who could otherwise be productive members of society.

## Introduction

Political economy offers a unique set of tools and perspectives for understanding a variety of social phenomena, including immigration detention. While this interdisciplinary approach is difficult to categorize into a specific field of study, scholars focus on the mediating links between economic interests, political processes, and social structures. According to Stilwell (2006), the key questions asked by political economists include: What is happening and why? Who benefits? Who loses? Does it matter? If so, what can be done to address the problem? And, who is likely to act to defend or reform the issue? Political economy thus offers insights into the interplay between economic systems and the rules governing those systems. More specifically, it looks into how resource flows and the structure of labor markets influence policies that, in turn, affect profit-making activities. Underlying the feedback systems between politics and economic systems are ideologies that legitimate power structures and uphold the unequal benefits between winners and the losers. Given the exercise of authority over people, political economists thus also consider the normative justifications for policies.

There are no systematic studies using the lens of political economy that specifically address the proliferation of immigration detention across the world. Instead, most studies take a macro-level approach to immigration or a meso-level analysis of immigration detention systems. The extensive literature on immigration at the level of the macro-economy examines the various efforts and interests that seek to facilitate or restrict foreign-born laborers, especially as a means to regulate domestic labor markets. In contrast, writers who have focused on immigration detention systems have analyzed the social actors, the web of interests across the state and private sector, involved in the management of people classified as illegal or unauthorized. Even more literature comes from criminologists who have taken a political economy angle in order to understand the rise in “law-and-order” policies, increased

incarceration rates (even towards foreigners), and trends in privatization of prisons; however, they only address administrative detention of immigrants as a side issue.

This article draws from these various streams of literature in order to contextualize immigration detention into the wider structural changes affecting the global economy and to describe the key political actors involved in immigrant-detention policies. The objective is to delineate how large-scale processes of economic globalization intersect with national economies that result in increasing proliferation of immigration detention around the world by specifying different levels of analysis. At the broadest, most macro-level is the international political economy of migration. Next, the national level of analysis focuses on the intersection of neoliberalism and diverse national institutions and histories in order to understand the use of immigration detention as a method of policing migrants. Lastly, scholarly work on detention systems highlights the material interests of social actors involved in sub-contracting services and lobbying for policies related to management and control efforts. The article concludes with a summary of the political economy perspective and insights into what contributions that political economy perspectives may add towards challenging immigration detention.

## **The International Political Economy of Migration**

At the global level, political economy would attempt to unveil how international economic forces in recent years have led to harsher penalization towards immigrants. While demographic factors, political instabilities, and economic insecurities have always contributed to migrant flows, globalization including trade and financial integration, new information-communication technologies, cheaper transport options, and more expansive transnational social networks have made led to a qualitative change in the global economy. Such economic transformations drive immigration more than war and persecution. UN agencies estimate that roughly 8% (or 19.5 million) of all international migrants are political, that is, refugees and asylum seekers (UN Population Division, 2016). In total, migrant workers, or what could be called economic refugees or irregular migrants, account for 150.3 million of the world's estimated 232 international migrants (ILO, 2015).<sup>1</sup> Here, political economic analysis – understanding changing economic systems – plays a central role in understanding the push-pull affecting immigrants seeking to sell their labor.

Scholars differ in the mechanisms that link economic structures with migratory patterns. The neoclassic model argues that immigration results from wage differentials between countries. Those looking to sell their labor, based on rational calculation of highest returns for their efforts, will migrate to countries that pay higher salaries (Harris & Todaro, 1970; Hollifield, Martin, & Orrenius, 2014; Todaro, 1976). As long as there is economic inequality between countries, then workers will migrate to those places that pay the highest wages. The neoclassical solution to curb migration will be either to increase the costs and penalties facing job seekers (for example, deportation and detention), or promote investment in less developed economies in order to raise the standard of living. The model, despite its prevalence

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<sup>1</sup> Data about migration stocks and flow are not without problems. One major challenge is estimating the number of undocumented or unauthorized immigrants (see Rajagopalan, 2015)

in policy circles, faces empirical shortcomings as to why migrant outflows vary considerably for countries at comparable levels of develop, or why individual migrants make different cost-benefit decisions faced even when facing similar options (see Portes & Rumbaut, 2014 chp. 2).

Alternative theoretical approaches see migration resulting from increased risks faced by disadvantaged households seeking to diversify income supports in the face of uncontrollable economic changes in their communities (Castles, Haas, & Miller, 2013; D. Massey, 2003, 2009; Portes & Rumbaut, 2014 Chp. 2; Sassen, 1988, 2014). Here, migration results not necessarily from economic inequality and poverty that development could solve but from the development process itself. Massey (2009, p. 27) summarizes:

Studies consistently show that international migrants do not come from poor, isolated places that are disconnected from world markets, but from regions and nations that are undergoing rapid change as a result of their incorporation into global trade, information, and production networks. In the short run, international migration does not stem from a lack of economic development, but from development itself.

Instead of investment to underdeveloped regions reducing migration, as if often suggested as a remedy to curb out-migration, Sassen (1988, 2014) traces how foreign direct investment promotes emigration through the disruption of traditional work structures, population “expulsions” resulting from environmental impacts of development, and formation of new labor pools.<sup>2</sup>

Historically, restrictions on immigration and efforts to repatriate foreign workers increase during economic slowdowns as countries seek ways to address rising unemployment (King, Massoglia, & Uggen, 2010). Immigration detention, along neoclassical models of individuals as rational actors, can thus be seen as an effort to increase costs on migrant workers and their families (D. S. Massey, Durand, & Pren, 2016). However, there is little evidence to support the efficacy of immigration detention as a deterrent or other punitive sanctions in the face of larger structural changes impacting sending countries and demand for cheap labor in host countries (Castles, 2003, 2004; Dunn, 2014; Hollifield et al., 2014; D. Massey, 2009; D. S. Massey et al., 2016; Wong, 2015). In fact, more restrictive policies often leads to unforeseen consequences: migrant communities opt to remain in the host country due to increased obstacles to circular migration. Moreover, a clandestine industry arises to service the continuous demand to cross national borders as migrants take greater, life-threatening risks to reach their destinations (Dunn, 2014; Golash-Boza, 2012; D. S. Massey et al., 2016).

There is now increasing debate about how restrictive immigration policies appear disconnected from business cycles (Castles, 2004; Hollifield et al., 2014; Talani & McMahon, 2015). Nowadays, the new global economy appears to have structural reliance of cheap, immigrant labor regardless of the economy. One trend is the

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<sup>2</sup> There are multiple additional factors at work. Hollifield et al. (2014) also state that push-pull factors include demographics, whereby the Global North encounters a fertility crisis and the Global South faces continued population pressures as well as the rights embedded in democratic regimes, and Castles et al. (2013) emphasize transnational networks of immigrant communities.

“persistent demand in receiving-country economies for low-cost, flexible labor—a structural demand that has become decoupled from the business cycle—and for highly skilled workers who provide much-needed human capital in an increasingly competitive global market,” claims Hollifield et al., (2014, p. 26; see also Pellerin, 2011). An example of this new structural situation in labor markets of the Global North is his estimated that 10 percent of the US work force is unauthorized, a number that rises to 50-60 percent in some industries (see also Papadopoulos, 2011 for EU sectoral distribution of foreign workers). Wealthy countries have become dependent on cheap, easily exploitable labor for low-end service jobs in health care, agriculture, construction, domestic work, and low-end manufacturing such as in food processing, among others. This marks a structural change from previous history of migration flows and illustrates the new policy environment associated with globalization.

Countries face a paradox, claims Massey (2009, p. 33): “while the global economy unleashes powerful forces that produce larger and more diverse flows of migrants from developing to developed countries, it simultaneously creates conditions within developed countries that promote the implementation of restrictive immigration.” The spread of neoliberal policies that promote global trade, capital flows, and “development” in the developing world have also increased the economic risks and structural unemployment in the developed world (Harvey, 2005). The “great risk shift” away from secure jobs, solid pensions, and government welfare supports that were characteristic of Fordist-based economies has increased economic insecurities amongst the middle-class and lesser skilled workers since the 1980s in the US and elsewhere (Hacker, 2008). In its place, neoliberal globalization has led to the creation of more “flexible” labor markets and has resulted in the increasing growth of a transnational “precariat” (Standing, 2011), that is to say, economically insecure and subordinated “global labor force” (León & Overbeek, 2015).

The breakdown of secure work positions has shaken racial and ethnic hierarchies. White males in the Global North had previously enjoyed the benefits and status of working in large, unionized companies, while smaller firms paying lower wages and offering fewer benefits relied on the labor of women, teenagers, ethnically distinct out-groups, and immigrants (Portes & Rumbaut, 2014 chp. 2). In the context of de-industrialization and rise in social inequality, lower-skilled, native-born workers from the racial majority face the prospect of working in menial, lower-status jobs that had been the reserve for easily exploitable and ethnically distinct minorities and migrant groups. Lower-class whites in the United States, for example, now face not only precarious job prospects but also loss of white privilege status associated with better occupations. Despite the rhetoric about immigrants stealing jobs that appeals to disenfranchised native workers, most economists agree that immigration provides a small positive effect on domestic labor markets in the long run (Costa, Cooper, & Shierholz, 2014). Regardless of the facts, polls in the Global North reveal that the unemployed, less educated, and those more dependent on social assistance tend to be less open to immigration (Héricourt & Spielvogel, 2010).

The emergent economic order based on creating international labor markets also involves a new punitive character of the state aimed at minority groups such as migrants (Barker, 2012a; Garland, 2002; Gilmore, 2007; Giorgi, 2010; Golash-Boza,

Tanya Maria, 2015; Melossi, 2015; Wacquant, 1999, 2010). As such, the economic insecurities described above express themselves through ethnonational frames as state priorities shift from welfare towards law-and-order policies aimed at minority out-groups. In his study of government policies towards the black underclass in the United States and postcolonial migrants in Europe, Wacquant (2010, p. 198) argues that there is a link between welfare retrenchment, joblessness, and an expanding penal system aimed not at a rise in crime but towards increasing social insecurity. While Wacquant's focus is on the poor and racial/ethnic minorities, the same penalizing logic applies to immigrant groups and the undocumented (Wacquant, 1999). Similarly, Giorgio (2010) argues that punitive immigration policies play a functional role in a capitalist economy that needs to discipline and control labor, especially the reserve army of laborers required for hyper-exploitation, necessary for a post-Fordist economic system. Migrant detention thus functions as disciplining mechanism for highly exploitative labor. In other words, "the most marginalized fractions of the proletarian class will accept any level of exploitation in the capitalist labor market, as this will be in most cases preferable to being punished for refusing to work at the given conditions" (Giorgi, 2010, p. 149).

In sum, the rise of detention follows broad, large-scale changes sweeping the international political economy since the 1980s. The spread of market forces and economic transformations in developing economies has increased out-migration as households seek to diversify revenue streams and states see remittances as a development strategy (McMichael, 2012). At the same time, changes in the political economies of wealthy economies, especially in the United States and Western Europe, through welfare cutbacks and job insecurity has increased calls for nationalist and nativist policies. In response, policymakers and state bodies have turned towards punitive sanctions directed at immigrants (especially undocumented workers) who stand out due their ethnic distinctiveness. These broad macro-sociological pressures point towards a policy convergence across countries (Hollifield et al., 2014) of increasing "crimmigration" defined by Stumpf (2006, p. 377) as "the confluence of criminal and immigration law" increasingly deployed in order to police culturally distinct migrant labor.

## **Varieties of National Crimmigration**

While a perspective of international political economy of migration and domestic insecurities describe the forces shaping countries across the world, these macro-sociological changes do not determine policies at the national level. Instead, using the levels of analysis framework, global economic forces are mediated through national political politics and institutional legacies. Historical experiences with immigrants and migrant labor, including colonial past and racist beliefs, will affect national attitudes and subsequent policies that classify migrants as worthy and accepted or as unwanted and unauthorized. A comparative political economy perspective at the national level thus identifies different forms of capitalist organization, state institutions, and immigrant/migrant labor legacies as shaping the punitive turn towards foreign workers. The objective of this section is to develop meso-level theories and typologies that are neither too totalizing as in theories of globalization nor too detailed into the unique histories of each country.

Massey (2009) delineates four categories of countries based on state autonomy, rights institutionalization, and immigration experiences for examining the spectrum of immigration policies. The states with the harshest immigration policies are the Gulf state monarchies where there are few checks on centralized power, no history of migration, and the least rights protections. Although playing a crucial role in these countries' economies, migrants have no right to asylum, no residence without a job, no family reunification, no guaranteed social benefits, and no appeal process—all permitting easy detention and deportation (see also M. Flynn & Grange, 2015). Next, countries in Western and South Europe, as well as in East Asia, have varying degrees of bureaucratic power and strong rights protections but no immigrant legacy. Compared to the Gulf States, migrants in this region have important legal recourse and protections given an independent judiciary and treaty obligations. Lastly, countries founded by immigrants, such as Canada, the United States, and Australia, have infrastructural supports and strong traditions of rights protections for migrants. Surprisingly, these countries founded by immigrants have enacted increasingly restrictive policies. Massey argues that this situation represents a paradox but an explicable one. Since these states remain integrated into global trade and capital and not interested in addressing root causes of migration, they have resorted to symbolic efforts to curtail migration, through deportations and detention—all of which are ineffectual but popular with electorates (see also Martin, 2014).

Another comparative approach highlighting the differences in labor markets, capital-labor relations, and social policies across countries that, in theory, should affect efforts to control labor through criminalization is the literature on the varieties of capitalism (Hall & Soskice, 2001; Piore & Sabel, 1984) and varieties of welfare regimes (Esping-Anderson, 1990). Accordingly, we should find variation of migrant penalty across what are considered Liberal (Anglo-Saxon), Social Democratic, European Corporatist (including Northern or Southern variants), East Asian, and Arab Gulf State forms of capitalism. The United States, the United Kingdom, and Australia best illustrates Liberal capitalism noted for limited welfare nets, flexible labor markets, weak trade unions, high levels of social inequality, and an individualistic ethos. As a result, there are more job opportunities for immigrants but fewer social protections and programs geared towards social integration (G. P. Freeman, 2004). Liberal capitalism best resembles the neoliberal penalization directed towards unauthorized labor while remaining committed to open trade and capital flows described in the previous section.

The political economies of the other European countries vary according to social inclusion, penal philosophy, and immigrant integration (Lacey, 2008; Papadopoulos, 2011). Social Democratic countries like Sweden, Denmark, and Finland contrast with the Anglo-Saxon countries. These Nordic countries have an expansive view towards social rights based on a collectivist and egalitarian values. They have the most generous state-sponsored, welfare-regimes; the least income inequality; and the strongest trade unions. Their penal regimes stress social rights that result in lower prison rates for its citizens. While these countries remain open to immigration and formal inclusion of migrants, questions remain regarding the number of opportunities for immigrants in their labor markets.



Similar to Social Democratic regimes but with more stratified and less universalistic welfare benefits are the Northern Corporatist economies of continental Europe, including Germany, France, and the Netherlands. Trade unions participate in economic decision making through tripartite boards that include industry and the state, yet their allowance for occupational hierarchies also result in higher levels of social inequality compared to Social Democratic states. Their penal philosophy tends more towards rehabilitation and reintegration. Recently, their increasing reliance on migrants for domestic labor and relative openness towards legal migration has resulted in an increasingly dual labor market (i.e. formal vs. informal) common to Liberal economies. Southern Corporatist economies (e.g. Spain, Italy, and Portugal) resemble their Northern Corporatist neighbors but with weaker unions, less robust state-coordinated vocational training and education systems, and more recent experience as target countries for international migrants. These countries tend to have a large number of irregular immigrants working in low-skilled, precarious occupations.

The state plays a large role in directing economic production in East Asian countries (i.e. Japan, South Korea, and Taiwan) where welfare benefits tend to be private-based, through firms and social networks. These economies are marked by paternalistic bureaucratic structures and feudal values of duty that emphasize social harmony amidst hierarchical rankings. Penal ideologies stress apologies and reintegration for nationals but present stronger barriers and obstacles for foreigners. The Arab Gulf States have become recent targets for migrant labor due to the major transformation of their economies based on oil wealth. Migrant workers in these countries, as mentioned above, tend to have the fewest rights and minimal welfare benefits.

Using such a variety of capitalism typology, scholars argue that there are qualitative differences in the ways countries treat foreigners and immigrants. Lacey (2008) argues that European Corporatist economies offer more social protections for citizens and fewer options for foreigners to enter into the formal labor market compared to the more Liberal economies of the United Kingdom and United States. Consequently, the continental economies have a higher number of foreign nationals in jail compared to other countries. Even Sweden, with its ethno-cultural conception of citizenship and weaker claims to universal individual rights, places outsiders at greater risk of deprivation and exclusion, despite its well-known principles of social solidarity (Barker, 2012b).

Table 1 explores the varieties of capitalism approach by grouping data around states' political economies. Most of the information comes from the website of the Global Detention Project (GDP), except for estimates of irregular migrant populations.<sup>3</sup> The number of international migrants detained per 100,000 is based on

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<sup>3</sup> Most of the data throughout dates from 2012 to 2015, unless noted, and comes from Global Detention Project, except for estimates of the number of migrant detentions in Kuwait (<http://www.migrant-rights.org/2016/01/detention-of-migrant-workers-at-kuwait-central-prison/>). Data on estimates of irregular migrants come from OECD (2009), except for Denmark and Finland, <http://irregular-migration.net/>; Taiwan, (<http://www.chinapost.com.tw/taiwan/national/national-news/2010/10/13/276009/Reward-upped.htm>); Saudi Arabia, (<http://www.regionalmms.org/index6258.html?id=21>); United Arab Emirates, (<http://www.migrationpolicy.org/article/labor-migration-united-arab-emirates-challenges-and-responses>); and Kuwait ([http://gulfmigration.eu/media/pubs/exno/GLMM\\_EN\\_2014\\_09.pdf](http://gulfmigration.eu/media/pubs/exno/GLMM_EN_2014_09.pdf)).

the number of immigration detainees divided by the total of number of international migrants. The time period is from the most recent available data. For example, GDP numbers on annual detainees date from 2012 to 2015. The years for percentage of foreign prisoners vary even more, from 2003 for Kuwait to 2016 for Portugal. The most problematic data concern estimates of irregular migrants (see Rajagopalan, 2015). The table provides point estimates of irregular migrants from the OECD and news sources. Despite these shortcomings, the table offers a useful cross-sectional view for examining the degree in which immigrant detention regimes correspond with typologies of national political economies and related scholarly claims.

**Table 1: Political Economies, Immigrant Populations, and Incarceration Rates**

	Country	International Migrants	International Migrants (% of Population) (2015)	Estimated Irregular Migrant Population	Irregular Migrants (% of Migrant Population)	Foreign Prisoners (% of total all prisoners)	Number of Immigration Detainees	Detainees (per 1,000 immigrants)	Detainees (per 1,000 Irregular Migrants)
Liberal (Anglo-Saxon)	United States	45,785,100	14.5	11,350,000	24.8	5.5 (2013)	440,557	9.6	38.8
	United Kingdom	7,824,100	13.2	440,000	5.6	11.6 (2014)	30,365	3.9	69
	Australia	6,468,600	28.2	46,500	0.7	19.70 (2012)	15,694	2.4	337.5
	Canada	7,284,100	21.8	200,000	2.7		10,419	1.4	52.1
Northern European Corporatist	Germany	9,845,200	14.9	600,000	6.1	27.1 (2015)	4,309	0.4	7.2
	Austria	1,333,800	17.5	75,000	5.6	50.9 (2014)	4,171	3.1	55.6
	Netherlands	1,964,900	11.7	129,100	6.6	23.2 (2013)	2,728	1.4	21.1
	Belgium	1,159,800	12.3	100,000	8.6	42.9 (2015)	6,285	5.4	62.9
	France	7,439,100	12.1	300,000	4.0	21.7 (2014)	38,266	5.1	127.6
Southern European Corporatist	Italy	5,721,500	9.7	712,500	12.5	33.2 (2015)	6,016	1.1	8.4
	Spain	6,466,600	12.7	412,500	6.4	12.6 (2016)	9,020	1.4	21.9
	Greece	988,200	11.3	300,000	30.4	53.8 (2015)			
	Portugal	893,800	8.1	109,000	12.2	17.6 (2016)	196	0.2	1.8
Social Democratic	Sweden	1,519,500	16.8	31,000	2.0	30.7 (2014)	3,201	2.1	103.3
	Denmark	556,800	10.1	3,000	0.5	27.9 (2015)			
	Finland	293,200	5.7	10,000	3.4	15.3 (2015)	444	1.5	44.4
	Norway	741,800	14.2	18,196	2.5	35.2 (2015)	2,939	4.0	161.5
East Asia	Japan	2,437,200	1.6	200,800	8.2	5.7 (2014)			
	South Korea	1,232,200	2.6	210,492	17.1	2.3 (2014)			
	Taiwan	483,900	0.02	1,000	0.2	0.9 (2012)	10,025	20.7	10025
Arab Gulf States	Kuwait	2,866,100	73.6	78,453	2.7	13.5 (2003)	2,500	0.9	31.9
	United Arab Emirates	8,095,000	88.4	65,000	0.8	92.2 (2006)			
	Saudi Arabia	7,288,900	32.3	2,500,000	34.3	72 (2009)	250,000	34.3	100

The United States has the largest number of migrants in absolute terms. However, when seen as a percentage of the total population, the amount is roughly the same with Germany and even outstripped by several other Liberal countries including Australia and Canada. The largest percentages of migrants are in the Arab Gulf States with a few of the smaller Gulf States having close to or over three-fourths of their population comprised of migrants. The countries with the fewest international migrants on a per capita basis are East Asian countries—an important factor when considering the rest of the data on the table. With regard to the number of irregular migrants, the US also has the largest absolute number followed by Saudi Arabia. The United States also has one of the highest percentages of irregular migrants as a proportion of their total migrant population at 24.8%, but the amount is still less than Greece (30.4%) and Saudi Arabia (34.3%). We should expect more easily-exploitable labor (i.e. irregular migrants) in the Liberal economies compared to other types of economies. Once again, care should be taken when interpreting the number of irregular migrants given the data reliability.

When comparing the percentage of foreign prisoners compared to the percentage of international migrants, most countries tend to have a larger proportion of foreigners relative to citizens in their jails. The notable exceptions are the Liberal economies along with Kuwait. Only Spain and South Korea witness some parity between the numbers of foreign-born versus domestic population in jail. That most European corporatist countries have a much larger percentage of foreigners in jail compared to Liberal economies provides some support to the observations by others (see Lacey, 2008; Melossi, 2015).

When we look at the number migrant detainees, the picture tends to evade simple typologies based on similar political economies. Whereas most foreigners end up in national jails as the result of criminal offenses, immigrants are in detention due to status offenses. In the lead with the largest number of immigrant detainees are the United States (440,557) and Saudi Arabia (250,000). On a per capita basis, these two countries also rank at the highest but also joined by Taiwan (20.7 detainees per 1,000 migrants), between the US (9.6) and Saudi Arabia (34.3). Unfortunately, scarce data for the rest of East Asia and the Gulf States limit any further claims about the political economies of these regions. The rest of the countries defy easy classification. Apart from the countries mentioned in this category, those with higher rates of immigration detention (greater than 2 detainees per 1,000 immigrants) are the United Kingdom (3.9), Australia (2.4), Austria (3.1), Belgium (5.4) France (5.1), Norway (4.0) and Sweden (2.1). All the South European countries tend to have lower rates of detention along with Canada, Germany, the Netherlands, and Finland.

Similarly, the proportion of detainees relative to the estimated size of irregular migrants also defies easy classification based on political economy, although admittedly the data becomes fuzzier. Taiwan has 10,025 people in detention compared to an estimated an 1,000 irregular migrants, thus illustrating problems with the data and/or the large number of asylum seekers and political refugees behind bars. If detention is to serve as a penalizing logic for making labor more exploitable, then the highest rates should be found in the Liberal economies. In this point, Australia leads all the countries in the

study (except Taiwan) with 337.5 detainees per 1,000 irregular migrants. The United States with one of the largest proportions of irregular migrants (or perhaps due this fact) only detains 38.8 per 1,000. Countries exceeding the US with over 100 detainees per 1,000 irregular migrants are France (127.6), Sweden (103.3), Norway (161.5), and Saudi Arabia (100). On the other extreme are countries with the fewest detainees relative to estimated number of irregular migrants: Germany (7.2), Italy (8.4), and Portugal (1.8). Overall, there appear some similarities amongst the Nordic and Southern European countries, as opposed to the Northern European and Liberal countries which tend to have the most variation.

An issue that clearly follows the comparative capitalism approach but not included in table one concerns the use of private, for-profit corporations to manage detention centers. Menz (2009, 2011) argues that new administrative philosophy privilege outsourcing of state responsibilities previously under government control, but governments vary in their susceptibility to being influenced by private actors in designing migration control policies according to their degree of incorporating neoliberal policies:

Cost shifting, blame avoidance, the end of state monopoly service provision in this area, the alleged efficiency and flexibility gains associated with private sector involvement and ideological preference for private sector providers all play roles in the outsourcing of direct control functions.... (Menz 2011: 119)

The Liberal political economies of the United States, United Kingdom, and Australia are the only countries that been more open to the influence of private, for-profit firms in the operation of immigration detention centers.

There are no systematic studies of the privatization specific to immigration detention in the United States, but criminologists have analyzed the factors associated with the prison privatization in general (Jing, 2010; Wood, 2007). The statistical analysis by Jing (2010) shows that US states that are politically conservative and more inclined towards law-and-order social control, such as those states in the in the South and the West, have been more willing to out-source correctional facilities. Wood (2007, p. 230) adds that for-profit prisons are concentrated in the US South due to the regions' particular economic and racial legacy:

A history of racial oppression, a racially structured regional accumulation strategy and a commitment to the lowest levels of taxes and spending on social services that are politically feasible has made the South fertile ground for both a racialized prison system and a willingness to see prisoners as commodities to be exploited for profit.

Wood brings a racial dimension to the topic of privatization that also applies to increased animosity towards migrants. In fact, the model for economic growth of the US South that he develops has a close resemblance with the model of neoliberal globalization that has increased antagonism towards immigrants worldwide. Overall, the comparative political economy approach provides partial explanations for understanding the varieties of crimmigration. Apart from data limitations, especially in

the case of East Asia and the Gulf States, there are few similarities across states within the same type of political economy. Liberal countries tend to have fewer foreigners in jail compared the rest of their populations and use more private corporations to manage detention centers. And southern European countries appear to have the fewest detainees relative to their immigrant and irregular migrant populations. Still, there are notable outliers: Germany and Portugal have the lowest detention rates across all the countries in this study. Analyzing immigration detention using the nation-state as the unit of analysis sheds some light on the political and economic forces shaping the practice, but a large degree of variation that escapes easy classification based on varieties of capitalism typology remains.

### **Social Actors Managing and Challenging Immigration Detention Systems**

A look at the social actors pushing and challenging detention provides a different political economic lens that can address some of nation-state particularities, especially at the local level, as well as the draw attention to the cross-border practices seeking to control migrant flows. These social actors include state agencies and private interests pushing for detention as well as the activists groups contesting its growth. Here, political economy analysis considers the material and political interests driving these actors and their relations. The focus is less on large-scale changes in the global economy or variation across national welfare regimes and labor markets, and instead views immigration detention systems as comprised of all the social actors and processes involved in making the transportation, processing, and management of immigrants into a revenue-generating or profitable enterprise. Douglas and Sáenz (2013) describe this “immigration detention complex” as the combination of bureaucratic, political and economic interests that drive the expansion of detention centers predicated on a discourse of fear towards foreigners.<sup>4</sup>

Many scholars have considered the role of immigration detention systems for understanding the growth and expansion of immigration detention (Ackerman, 2005; Bacon, 2005; Douglas & Sáenz, 2013; Feltz & Baksh, 2013; M. B. Flynn, 2016; Wood, 2007). Seeing the organizations involved in immigrant detention through the lens of “bureaucratic capitalism” offers a unique set of analytic tools for analyzing their interests, strategies, and relationships through the diverse range of possible situations (M. B. Flynn, 2016). Formal organizations, as social actors, develop their specific rationalities, loyalties, and interests to secure resources for their growth, reproduction, and protection. They involve mechanisms for delegating responsibilities, secrecy systems to protect corporate interests, and efforts to increase efficiency. Understanding the organizational matrix of a detention system provides insight into lobbying of and sub-contracting by government officials, and in doing so “see immigration detention centers as a means to profit from the active creation of vulnerable racial and ethnic groups as exploitable commodities” (M. B. Flynn, 2016, p. 80). Key organizations

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<sup>4</sup> Additional labels includes the “migration industry” (Gammeltoft-Hansen & Sørensen, 2012; Hernández-León, 2008), the “illegality industry” (Andersson, 2014), the “xénophobie business” (Rodier, 2012), and the “immigration industrial complex” (Fernandes, 2011).

involved in detention include for-profit corporations, municipal governments, non-profit organizations, and intergovernmental agencies.

Private, for-profit corporations play a large role in immigration detention especially in the United States, United Kingdom, and Australia. The largest players include the Corrections Corporation of America (CCA), Wackenhut (now the Geo Group), G4S, Serco, and Management and Training Corporation (MTC), among others. According to the GDP's 2015 data on the United States (Global Detention Project, 2016), for-profit companies accounted for 62 percent of the 33,400-bed capacity to house immigrant detainees. As of June 2015, they held 23,000 individuals at an average cost of US\$119 per day, translating into an annual gain of US\$985 million. These same companies, along with others, operate facilities in the United Kingdom where they share in the £135 average daily cost of housing the country's 32,466 detainees (Global Detention Project, 2016). A study of Australia's government contracts for managing and servicing detention facilities by *The Guardian* (Evershed, 2014) found US\$10 billion awarded to private interests Serco Australia, Transfield Services, International Health and Medical Services, G4S Australia, among others, between 2007 and 2014.

The private sector has also played a key role in lobbying for increased detention through the "corporate-state nexus" (M. B. Flynn, 2016).<sup>5</sup> This complex web includes politicians, bureaucrats, professional groups, and investors who operate through many different channels of influence. First is the revolving door between the state and corporate sector. In fact, CCA's executives included directors from the US Federal Bureau of Prisons. Second is direct lobbying at the federal and state levels. In the US, the sector's industry association, the Association of Private Correctional and Treatment Organizations, spent over \$20 million on lobbying between 1999 and 2009 to expand the use of private prisons and maintain contracts with the Immigration and Customs Enforcement (ICE). Lobbying efforts even succeeded in introducing mandatory daily bed quotas, which in 2015 stood at 31,000. A third strategy includes the use of policy-making networks like the American Legislative Exchange Council (ALEC) in the United States and the Adam Smith Institute in the United Kingdom to provide legislative blueprints and sponsor stakeholder meetings to push a privatization agenda.

For-profit corporations are not the only organizations who see lucrative opportunities through warehousing asylum seekers and other migrants, so too have local governments and municipal jails in the United States. Economically depressed communities have looked to immigrant detention as an economic development strategy by issuing debt to acquire and construct facilities and then leasing those facilities to private operators (Bernstein, 2008). When the number of detainees decline or contractors decide to move operations, municipalities often face bankruptcy. In Texas, nine of 21 counties who had issued \$1.3 billion in municipal bonds to build detention facilities defaulted after apprehensions of migrants declined and immigrant flow decreased (Etter, 2015). Municipal jails have also sought lucrative government contracts to take advantage of unused jail space and shore up declining tax revenue.

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<sup>5</sup> Several other scholars have written on this topic (see Ackerman, 2005; Douglas & Sáenz, 2013; Wood, 2007).

The GDP lists 419 active detention facilities called a “jail”, “prison”, or “penitentiary” in its database, 228 of which are in the United States. While not all these facilities are operated by local governments, housing detainees allows their organization do draw upon material resources.

While most research has looked at the role of private corporations and state agencies, private charities and humanitarian groups have also obtained lucrative contracts to manage immigrant detention facilities (M. Flynn & Cannon, 2009; Tyler, Gill, Conlon, & Oeppen, 2014). The Italian Red Cross operates a number of “Identification and Expulsion Centers” throughout the country in partnership with local prefectures. While the organization says it does not process migrants and only services human needs, it cashes in on the €45 daily rate it costs to detain someone (Global Detention Project, 2016). In Australia, the Red Cross affiliate obtained four contracts worth \$1.17 billion over a seven-year period, and the Salvation Army received \$113 million to provide “welfare and support services” for offshore detention and for people in community detention (Evershed, 2014). Child rights defender Save the Children also had a contract to service offshore child detainees and even had to sign confidentiality agreements despite witnessing abuses (Morning Edition, 2016).

Lastly, international organizations (IOs) have become key actors in international migration management initiatives (Flynn, Michael 2016). One example is the International Centre for Migration Policy and Development (ICMPD), a Vienna-based international organization comprised of 15 Member States. The entity partnered with Caritas Lebanon, the UN High Commissioner for Refugees, and Lebanon state security agencies to bolster the Middle East country’s capacity to interdict and detain irregular migrants and refugees. Also, the International Organization for Migration, a non-treaty based IO, has helped “manage offshore detention facilities for Australia, provided capacity-building initiatives for detention officials in numerous countries, and worked with the EU to fund detention operations in countries on the periphery of Europe” (M. Flynn, 2016, p. 20).

There are important social actors also seeking to curb and restrict the use of detention. While the growth of immigrant detention and tough-on-crime policies has created many jobs in the sector with one of the highest union densities, Chang and Thompson (2002) say that organized labor through the American Federation of State, County, and Municipal Employees (AFSCME) has worked against privatization seen as a strategy to reduce union power and lower wages while paying higher salaries to executives. In fact, most of the alleged cost savings through privatization occur through wage cutbacks (Chang & Thompkins, 2002; Jing, 2010). Still, workers from closed detention facilities who face uncertain futures can become political actors by mobilizing their representatives to push for the continued operation of their facilities (Chessum, 2015). Needless to say, the most important coalition members fighting immigration detention include human rights activists, advocacy-oriented NGOs, and ethnic/racial minorities that have been target of crimmigration (Hollifield et al., 2014; D. Massey, 2009). In fact, the August 2016 decision by the US Bureau of Prisons in to phase out contracts with private prisons (amounting for 16 percent of the federal prison population) demonstrates



the ability of progressive forces to contest concerted private interests. Whether such political efforts are successful in changing the US Department of Homeland Security's contracting policies to the private sector remains to be seen.

## **Conclusion**

Political economy highlights the economic forces shaping globalization and affecting national societies, as well as emphasizes the material interests of various social actors involved in immigration detention systems. At the global level, political economists contend that neoliberal globalization stratifies classes transnationally between the professionals who enjoy rights, privileges, and social protections versus racially oppressed working classes vulnerable to superexploitation and repressive forms of social control. This article has argued that more than just attempting to protect wage differentials between countries the rise of immigration detention witnessed in recent decades is associated with neoliberalization globalization (Golash-Boza, Tanya Maria, 2015; Harvey, 2005; Robinson, 2004). Such forces have increased economic insecurities in developing countries as households seek ways to diversify income streams but also in developed countries where disempowered groups become susceptible to entho-nationalist frames maligning migrants and contending threats to state sovereignty.

The view of large-scale economic forces leading inexorable towards increasing criminalization of migrants paints a bleak picture for progressive activists. Nonetheless, it directs attention towards the need for increased international solidarity and understanding, as well as the importance of integrating economies in order to provide for human needs as opposed to increasing economic insecurities. And even if there is a trend towards immigration detention across the world, these macro-processes do not determine policy outcomes at the national level. As Lacey (2008, p. 164) contends, "the structuralist, non-comparative nature of these approaches is insufficiently sensitive to individual country differences both at the institutional level and at the level of the kinds of migration that have been experienced." Cross-national variations of neoliberal crimmigration persist due to historic and new forms of political economies and immigrant legacies.

The variety of capitalism approach provides a useful heuristic for grouping similar Persian Gulf States, East Asian countries, and Liberal-market economies together to identify comparable treatment towards migrants. "The kafala sponsorship scheme," in the Gulf countries where a migrant's employer is responsible for work visas and residency, "has been criticized for the immense power that it gives to employers and described as a form of modern-day slavery," (Global Detention Project, 2015). The United States stands out for the large number of irregular migrants and the largest number of detainees on an immigrant per capita basis compared to other Western countries. Whether other countries will follow the US's lead in the extensive use of detention or even in the use of for-profit entities to manage facilities (as adopted by the UK and Australia) remains to be seen. Currently, there remains a significant degree of

variation of detention practices among European economies. More interdisciplinary work that brings in attitudes towards foreigners, role of right-wing parties, post-colonial legacies, and policies of multiculturalism, to name a few potential factors, are needed to better analyze differences across these countries, as well as understand the uniqueness of countries like Portugal and Germany that appear less restrictive.

Looking at the various social actors involved in detention policies, immigration detention systems, and their impacts on local economies highlights the winners and losers in detention practices. The concept of “bureaucratic capitalism,” for example, draws attention not only to the for-profit corporations who benefit but also the numerous NGOs and intergovernmental organizations who obtain lucrative contracts. Since these entities are social actors that ultimately depend on public’s legitimacy, they are susceptible to shaming techniques. Activists’ efforts highlighting conflicts of interest, rights abuses, and treaty non-compliance can play a key role in disrupting these detention systems. Identifying the varied material interests of social actors involved in the politics of migration can also shed light on possible political coalitions, who Freeman and Kessler (2008) remind us, often involve “strange bedfellows.” Restrictionist coalitions include native unskilled workers, local authorities, classic exclusionists, unions in declining industries, as well as taxpayers’ alleging welfare abuse. Pro-immigrant groups encompass ethnic groups, high-skilled workers, fiscal conservatives, and liberal cosmopolitans.

The political economy of immigration detention appears to be related to an inevitable force of globalization, one that leads to economic insecurity and xenophobia, as well as punitive anti-migrant policies that benefit private sector interests. But as Wood (2007) cautions, privatized incarceration remains a limited and experimental policy subject to change, as was recently evidenced when the U.S. Justice Department announced that it will end the use of private prisons. So, too, current trends in immigration detention are not etched in stone and may be reversed. If the growing push back against the costs associated with high rates of criminal incarceration can be extended to immigration detention, then there is the possibility that policymakers may recognize the social harm of building and maintaining prisons for non-citizens who can be productive members of society. The key challenge that must be overcome, however, is the degree to which the economic insecurities of host populations translate into xenophobia and ethno-nationalist demands for more deportations, detentions, and walls.

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