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RESEARCH ARTICLE

Thickening the border: a transnational sovereign assemblage and the privatization of sovereignty

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Abstract

Australia, the United States, and the European Union enact bordering mechanisms to armor themselves against people who seek asylum transferring the burden of enforcement and containment to countries from the Global South. This configuration reinscribes a regime of limited mobility for certain subjects that reproduces a neocolonial order. The measures developed by these regions to keep people who seek asylum away from their territories thicken the border by effectively creating an overarching transnational sovereign zone that is not country-specific but rather an assemblage of Western countries' buffer zones. Although the result is a fairly monolithic barrier for refugees, this assemblage is not homogeneous in structure but is instead composed of differently balanced, dyadic relations between countries, heterogeneous dehumanizing narratives prevalent among domestic publics, externalization measures, confinement practices, and other deterrence mechanisms, with different degrees of reach and success. Using a transnational feminist lens and a Critical Border Studies framework, this article shows how the border externalization measures that uphold this assembly rely on public-private partnerships that governments establish with private corporations; and agreements with third countries. The privatization of sovereignty then become the necessary conditions to exercise transnational sovereignty.

Keywords

transnational feminism, refugees, bordering mechanisms, transnational sovereign assemblage, border externalization, Critical Border Studies, neoliberalism

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Plain language summary

This article evidences how neocolonialism is very much alive today through the study of how regions from the Global North (in particular Australia, the European Union, and the United States) engage in border management. It is no longer useful to study border regimes country by country, rather, we need to look at the bordering measures the Western region enacts as a whole to avoid the reception of people who seek asylum/refugees. In order to exercise these measures, border practices have been privatized thanks to neoliberalism. This article is important because it evidences our racist and hypocritical system. Racist because those who seek asylum are non-white populations (with the recent exception of Ukrainian refugees); hypocritical because Global North countries not only exploit populations and resources from countries in the Global South but also because these Global North countries are signatories of international agreements that mandate the protection of refugees.

Introduction

Borders are not just geopolitical boundaries situated between nation-states that one needs to cross to reach a new country but are rather an assemblage of different moving parts that constitute a whole. Following the nuanced analysis of borders in critical border studies, these parts together are what I refer to as bordering mechanisms (Johnson *et al.,* 2011; Parker & Adler-Nissen, 2012; Yuval-Davis *et al.*, 2019). They are formed by a collection of practices—route surveillance by officers, confinement at the border and elsewhere, outsourcing the management of detention centers, and so on—combined with dehumanizing discourses enacted by states, political actors, and private corporations. This ensemble of bordering mechanisms—material and discursive—that states and other actors implement to make it arduous for refugees to reach their shores result in what I call the 'thickening of the border'. This thickening results not only from state mechanisms of border control geographically located at the territorial frontier of the states but also from geopolitical efforts to contain people in other nations (Conlon *et al.*, 2017, 8; Parker & Adler-Nissen, 2012, 776). The thickening of the border takes place by increasing the legal, material, and symbolic distance between the state and the refugee. The measures developed by these Western regions to keep those who seek asylum away from their territories thicken the border by effectively creating an overarching transnational sovereign assemblage that is not country-specific but rather an assemblage of Western countries' buffer zones.

This article examines how the border externalization measures that uphold the thickening of the border create a transnational sovereign assemblage that relies on public-private partnerships that governments establish with private corporations and agreements with third countries. These two conditions become necessary to deploy the externalization measures that allow countries to exercise transnational sovereignty. The result of these bordering measures is an increase of the vulnerability of refugees and a transfer of the 'burden' of enforcement and containment to countries from the Global South that in fact receive the bulk of displaced people (UNHCR, 2021). In this paper, I analyze how this configuration reinscribes a regime of limited mobility for certain subjects. A transnational feminist lens allows us to see how this regime reproduces a neocolonial order where the Global North can both profit from labor exploitation in the Global South and from vulnerable-made undocumented workers in the West. This assemblage spatially confines displaced populations in the Global South and should be properly understood as transnational, as opposed to national. Although the result is a fairly monolithic barrier for refugees—the Global North as a whole becomes inaccessible for those who seek asylum—, this assemblage is not homogeneous in structure but is instead composed of differently balanced, dyadic relations between countries, heterogeneous dehumanizing narratives prevalent among domestic publics, externalization measures, confinement practices, and other deterrence mechanisms, with different degrees of reach and success.

A note on terminology: First, given that the recognition of a person as a refugee is a legal and rhetorical event, making a distinction—outside legal discourse—between people who seek asylum, migrants, and refugees runs the risk of legitimizing the perspective of the state while it unintentionally contributes to reinforcing the status difference in detriment of the people seeking protection (Luker, 2015, 103). Therefore, in this piece I will be using migrants, people who seek asylum, refugees, and people who cross borders indistinctively. Second, in this article I use the broad and contested term 'Global South' mainly to describe former colonies (for a full discussion on the meaning of Global South see *The Global South Journal* Vol.11 No2. 2017 especial issue: 'The Global South as Subversive Practice'). Similarly, I use 'Global North' or Western countries, to refer to former colonial powers—in particular, Australia, the European Union (EU), and the United States (US).

This article contributes to the growing body of work on bordering mechanisms within critical border studies and migration studies. It focuses on the ways in which borders in different regions need to be considered as whole—rather than looking at smaller regional demarcations. Additionally, it complements existing literature on the relationship between borders, externalization measures, and sovereignty, which deals almost exclusively with single countries or the EU region. Similarly, through the analysis of the delegation of border control to non-state and/or third actors, it illuminates the complex ways in which neoliberalism is connected to sovereignty and exercised through border externalization. Unlike much work that considers neoliberalism as opposed and always escaping sovereignty (Brown, 2010, 22), or profiting from state-led regimes of deportation (Golash-Boza, 2015), I argue that neoliberalism aims to occupy realms formerly reserved to the state also when it comes to sovereign border control. This means that just as neoliberalism can profit from low-cost labor in the Global South, and from irregular labor in the West, it also aims to occupy the spaces of security that separate and organize these two realms. The privatization of visa processing, border militarization, surveillance, and confinement of migrants at the border means that transnational corporations are highly invested in projects of fortification and separation that produce profit through

the coercion of migrants and refugees from the Global South (Riva, 2022). By analyzing the complex connections between the state and non-state actors, this article aims to contribute to a better understanding of the relations between sovereignty, neoliberalism, and migration management, as well as the wider implications for issues of accountability and responsibility to those who seek asylum.

This article has five parts. I start by outlining understandings of borders and sovereignty and argue that the mobility management trends in certain Western countries, taken together, operate as a transnational united front forming what I call a transnational sovereign assemblage. This assemblage thickens the border of the West as a whole, making it harder for refugees to reach safe countries while increasing the dangers of the journey and creating a distance between the refugee and the state. I then describe how I combine a transnational feminist lens, with a Critical Border Studies framework and the use of secondary sources to examine the mechanisms that amount to this transnational sovereign assemblage. This lens allows me to examine state power through the exploration of how bordering mechanisms work. I then move on to show how the border externalization measures that uphold this assembly rely on public-private partnerships that governments establish with private corporations and agreements with third countries. I first describe how neoliberalism has occupied migration management through border externalization, a realm formerly reserved to the state. And then I move on to describe some examples of the agreements between Western countries and countries from the Global South in order to exercise border control. In closing, I suggest that the depoliticization of the migration system diverts the attention from the underlying political projects of governance and belonging that exclude refugees and enable our current neocolonial migration apparatus to appear as inevitable.

Bordering the Global North

As other authors have addressed, border externalization practices produce new global spatial formations (Andersson, 2019; Frelick *et al.*, 2016; 193; Watkins, 2017). Border externalization is an overarching term that encompasses different technologies, processes, and practices that are used to push the border further away from refugees. Examples of border externalization practices are: exercising "remote control" over populations (Zolberg, 2003); the establishment of detention offshore processing and detention facilities; short-term stateless zones associated with transit used to isolate migrants before they disembark from planes or once they enter the airport; externalization of visa services (Infantino, 2015); stricter visa requirements (Loescher & Milner, 2003, 595; Menz, 2011, 117); interception practices at sea; confining people in centers located outside the nation-state (Mountz, 2010; Hyndman & Mountz, 2007, 82); cooperation with other countries in deportation procedures; surveillance of routes and carriers of migration, including economic sanctions for carriers that transport 'irregular' migrants; technical cooperation in border surveillance techniques; Safe Third Country agreements (Mountz, 2010, 123) that require those who seek asylum to file a refugee claim in the country of first presence provided that it is a signatory to basic international refugee treaties (Lavenex, 2006, 334); data sharing (Longo, 2018); and development, implementation, and/or training in technological security measures.

Part of the selection process that identifies 'desirable' immigrants occurs through screening that takes place offshore, where potential refugees will be less likely to be issued a visa. The imposition of domestic standards around the world via unilateral demands—for example, when the United States incorporated biometrics into its border technologies, the rest of the countries had to incorporate them too in order to travel in or through the United States—and data sharing between Australia, the EU, and the US (Mitsilegas, 2010) have enabled the transnational buffer zone. For instance, using electronic visas, or requiring air carriers to cooperate in the screening of passengers on behalf of the Australian government, has assisted Australia in regulating mobility through spaces over which it has no legitimate sovereign control (Wilson & Weber, 2002, 130). It is in this way, along with surveillance practices and information exchange with other countries, that the border has become delocalized. Behind these global measures lie surveillance and deterrence mechanisms intended to prevent 'unwanted' travelers from reaching Western regions and to transfer the responsibility of enforcement and containment to the Global South.

Closely connected to how borders function is the notion of sovereignty or the exercise of power by the state. As scholars have argued (Baldacchino & Milne, 2006; Mountz, 2010), it is no longer useful to understand sovereignty in regard to territoriality. Notions of sovereignty and its border delimitation have changed over time expanding from being understood as controlling the limits of one's own territory to transcending its physical borders within different domains—such as capital, humanitarianism, or migration governance (Lillie, 2010; Rudolph, 2005). Despite the change in the ways that borders are understood today, they are still the place where states evidence sovereignty and their capacity for control (Michalowski, 2015). Within immigration governance, sovereignty is no longer understood as authority over a territory, but rather "as the responsibility to protect a population" (Whyte, 2017, 309). A securitization narrative that justifies intervention outside the limits of one's territory to protect one's citizens (Parker & Adler-Nissen, 2012, 783)—in this case, from foreigners. Today, sovereignty, as defined by borders, can be thus conceptualized as an assemblage of processes and actions—or practices (Parker & Vaughan-Williams, 2009, 586). Since Australia, the EU and the US extend their powers and control beyond their territories and borders, these regions engage in the exercise of transnational sovereignty.

Transnational sovereignty—as authors have defined it (Ashutosh & Mountz, 2012; Collyer, 2012; Hiemstra, 2012; Martin, 2012; Samers, 2010)—is exercised through the externalization of the border. Even though this practice is not always executed by state actors, it is still a statehood practice that

connects sovereignty to territory (Beurskens & Miggelbrink, 2017, 752). Taking the European Union as an example, the number of actors involved in exercising sovereignty has brought scholars such as Corey Johnson (2017) to conceptualize this phenomenon as "parasovereignties." Johnson claims that the practices that take place in the European Union to control each country's borders belies the classical notion of sovereignty as well as the idea that territories are fixed. Similarly, Maribel Casas-Cortes, Sebastian Cobarrubias, and John Pickles' reference to European Union member states' capacity to operate in third countries and return migrants as an "ad hoc transnational bordering assemblage," where assemblage refers to institutions, state authorities, and policies (Casas-Cortes *et al.*, 2016, 243). Similarly, other authors have called for a conceptualization of sovereignty regimes rather than sovereignty (Beurskens & Miggelbrink, 2017, 751). The way sovereignty is practiced by Western countries today allows their actions to create spatial buffer zones that go beyond their territories, in some cases becoming overlapping jurisdictions (Longo, 2017).

Building on this work, I extend the geographical and material implications of the exercise of sovereignty through border control. I claim that it is necessary to look beyond single countries or particular regions—such as the EU—and think of a transnational sovereign assemblage that extends to the Global North as a whole. My work suggests the existence of what I call a transnational sovereign assemblage made up by the mutually reinforcing borders established by Australia, the European Union, and the United States that migrants and refugees from the Global South face as a monolith. The way, for instance, that Australia and the European Union are both operating via Frontex in the Middle East to prevent migrants from leaving their countries, prompts us to understand border externalization enforcement practices as creating a transnational regime of sovereignty (Watkins, 2017). The buffer zones within this regime keep the Global North 'protected' from the Global South. The commonality between the methods and corporations that operate the externalization of the border implies that this transnational regime of sovereignty presents a united form of exclusion of the 'other' from the West as a whole. This transnational sovereign assemblage reinscribes a neocolonial regime of limited mobility for those fleeing from violence. Additionally, this article shows how the border externalization measures that uphold this assembly rely on public-private partnerships that governments establish with private corporations; and agreements with third countries. The privatization of sovereignty then become the necessary conditions to exercise transnational sovereignty.

Transnational feminism and critical border studies

This article seeks to add a geographical and material perspective on the changing meanings of borders through an engagement with a transnational feminist lens and critical border studies as a backdrop for this piece. A transnational feminist theorizing of borders draws attention to the effects of bordering mechanisms and connects them historically to other processes that illuminate the long lineage of violence that people from the Global South have historically experienced—currently confinement and containment. My particular focus on how these practices affect displaced people goes in line with critical border studies as it both challenges the idea of borders as static and fixed—through the ways in which nation-states exercise sovereignty—and evidences the "present-day neocolonial global hierarchy" (Herr, 2014, 8) through the way in which it reinscribes a regime of limited mobility for some bodies.

Transnational feminism can be understood as an organizing instrument, as a tool or practice for knowledge production, or as a method for research. It is an anti-colonial lens that acknowledges the importance of intersectionality and how different dimensions of identity—such as gender, sex, race, class, sexuality, or ability—cross borders (Briggs *et al.*, 2008; Sudbury, 2005). In this paper, I want to extend its meaning from the study of different scales of activism to the exploration and consequences of how nation states exercise sovereignty via their borders.

A transnational feminist lens is a suitable tool for analyzing bordering mechanisms across the globe—and its outcomes—for several reasons. First, transnational "signals an alternative to the problematic of the 'global' and the 'international'" (Grewal & Kaplan, 2001, 666) which presupposes "existing configurations of nation-states as discrete and sovereign entities" (Alexander & Mohanty, 1997, xxix; Kaplan & Grewal, 2002, 73; Nagar & Swarr, 2010). Transnational feminism thus questions the legitimacy of contemporary nation-states and their borders, and acknowledges that some places are still colonized spaces. Second, it is a non-essentializing framework based on intersectionality that acknowledges that not everyone suffers the same level of oppression. This approach not only takes different dimensions of one's identity into account—such as gender, sex, race, class, sexuality, and so on—but it also considers how local processes inform global ones. Third, the privatization of public goods has taken place around the world due to neoliberalism, including migration management structures. Operations such as visa processing or immigration detention have been outsourced to private actors. A transnational feminist analysis seeks to find out the local effects of broader economic and socio-legal structures (Grewal & Kaplan, 1994). Fourth, since a transnational feminist framework illustrates the relations between the local and the global, people and economies, discourses and practices, nations and discourses (Herr, 2014), it is a pertinent methodology to make connections between colonial powers and ex colonies. Even though there is not enough room in this paper to address these relationships, this framework is attentive to the specific political, historical, economic and social conditions, and how the current inter-relations of each of these regions enable updated forms of racialized stereotyping of certain groups.

My understanding of the border as a mechanism, rather than a fixed institution is in line with Critical Border Studies (Kaiser, 2012, 323; Parker & Vaughan-Williams, 2012, 729; Van Houtum & Van Naerssen, 2002). Bordering "encapsulates national imperatives and politics as well as geopolitical

efforts to control and contain 'other' territories" (Conlon *et al.*, 2017, 8). Following Critical Border Studies, I use 'bordering mechanisms' to refer to the compilation of discourses and practices used to establish borders. I show that Western countries—through a variety of practices legitimized by discourses—engage in bordering techniques that thicken borders and result in the immobilization of people who seek asylum, despite clear international rules that mandate the reception of refugees. Borders are the result of historical events and transformations that expand the proverbial "line in the sand" (Parker & Vaughan-Williams, 2012) into a geographically dispersed assemblage. Understanding borders as assemblages of territorial and trans-territorial processes allows us to connect transnationally historical processes such as colonial and neocolonial relations (see Martin Lemberg-Pedersen, 2019) on the parallels between colonial practices during the transatlantic slave trade and externalization practices in Europe today). Many of the current global practices today (for instance, confining people who seek asylum) are aligned with colonial institutions such as slavery, the reservation system, the mission system, or internment camps. Critical border studies denaturalizes the border and sovereignty, marking them as contested, interrupted, and contradictory. Borders are seen as assemblages, as spaces of performance, and as constituted by violent bordering practices and resistance to those practices (Brambilla, 2015; Parker & Vaughan-Williams, 2012).

This piece is the result of critical engagement with secondary literature, academic research, analysis of news and media outlets, reports and policy analysis by governmental and non-governmental organizations. Additionally, I have used interpretive methods to critically assess discourses and how they operate alongside practices. By relying on secondary sources, I center the specific bordering mechanisms that enable the confinement and containment of people in the Global South and connect them across countries. Therefore, using a transnational feminist lens and a critical border studies perspective I seek to provide an understanding of the practices that constitute state power, as well show openings for the possibility for contestation.

Neoliberalism and the inclusion of non-state actors in border management

Australia, the European Union, and the United States engage in enormous efforts to keep refugees contained in the Global South (Frelick *et al.*, 2016; Hyndman, 2000). Although the result of these efforts is a monolithic buffer zone that excludes refugees, this assemblage is not a homogeneous structure, but one made up of different bordering mechanisms such as differently balanced dyadic relations between countries with more or less capacity to negotiate, deterrence mechanisms with disparate degrees of success, outsourcing and privatization of border management practices, and dehumanizing discourses about refugees. Border externalization measures that uphold this assembly rely on: First, public-private partnerships that governments establish with private corporations. Neoliberalism has enabled the inclusion of non-state actors into the border management regime and today public-private partnerships are so prevalent that I argue that is a condition for the exercise of sovereignty. Second, agreements that countries from the Global North establish with third countries (Neilson, 2010, 126) in order to carry out measures that keep refugees away from their territories. For instance, states reachable by boat or land have implemented different measures to avoid the reception of those who seek asylum. These practices would not be possible without formal and informal bilateral and regional agreements between countries. Arrangements include joint patrols, disruption of people smuggling operations, migrant policing (Casas-Cortés & Cobarrubias, 2019), technical training and support (Watkins, 2017, 966), and funding of detention centers in other nation-states (Gammeltoft-Hansen & Tan, 2017).

Neoliberalism is a political, economic, and social system that claims that the market should be out of the government's control as well as an ideology that affects subjectivities. Free-market ideology is supported by several practices and policies, including privatization, deregulation, flexibility, elimination of tariffs, fiscal austerity, *etcetera*. The interaction of non-state actors in border control is nothing new and has been studies by several authors (Infantino, 2021; Menz, 2011; Pacciardi & Berndtsson, 2022; Parker & Adler-Nissen, 2012). However, the presence of private actors has become so prevalent that sovereignty can no longer be understood as exclusively related to the state but as something the state does in partnership with non-state or third-state actors. For instance, the majority of visa externalization in the three regions considered here has been outsourced to two leading private service providers: VFS-Global and TLSContact (Infantino, 2015); detention is handled by private companies such as CoreCivic or GEO; carriers' control—who can board a plane, a train or a boat—is exercised by private airlines; and transportation of refugees from one detention center to another, or to deportation points in some cases, is done by the same companies that own corporations such as CoreCivic.

Another instance of public-private partnership is the pressure exerted by some countries on private companies to perform de facto immigration control. For instance, airline companies may reject a passenger without providing a reason. Meanwhile, rejection by an airline is not a public decision and therefore is not subject to national administrative regulations. People who are denied access to an airplane can be sent back to their home country, in principle, without leaving any trace (Gammeltoft-Hansen, 2013, 141). Through layers of private actors, the state manages to establish distance between itself and refugees, i.e., to thicken the border while increasing the vulnerability of those who seek asylum. A transnational feminist lens allows us to see how privatized migration management practices that take place around the world have material consequences on those who seek asylum. The privatization of bordering practices decreases accountability and transparency in the management of these populations and allows the state to circumvent its legal responsibilities by setting a distance between the state and the refugee through a private corporation—an institution external to the state (Doty & Wheatley, 2013; Flynn, 2014; Gammeltoft-Hansen, 2013; Guiraudon & Lahav, 2000; Infantino, 2015; Mitsilegas, 2010).

There are several reasons why states transfer public functions to private actors, especially in the context of migration control. According to Virginie Guiraudon (2000), state delegation shifts state sovereignty towards the supranational or local level, or the private sector. This shift is done to achieve policy goals, to reduce the cost of control, and to avoid the judicial constraints on a state's capacity to control migration. Therefore, shifting competence does not diminish the state's sovereignty, but improves its capacities (Guiraudon & Lahav, 2000; Infantino, 2015). Undoubtedly, by privatizing sovereignty the state extends its control through private companies and corporations. Without relying on private actors to implement off-shoring and out-sourcing bordering mechanisms it would not be possible for the state to implement externalization measures. I thus claim that privatizing border externalization has become a necessary condition for the state to exercise sovereignty.

Additionally, a transnational feminist lens illuminates how all the mechanisms that encompass violent practices towards people who seek asylum rely on discourses that dehumanize refugees. Political leaders reinforce the anti-immigrant sentiment by tapping into public fears about crime and insecurity (Koulish *et al.*, 2020). Foreigners are seen as job stealers, drug dealers, terrorists, thieves, rapists, and any other unidimensional identity that represents a threat to the nation. Narratives based on the politics of belonging include concrete political projects aimed at announcing who has the right to be at "home" (Yuval-Davis *et al.*, 2019, 7). The material effects of this rhetoric are a strong rejection to outsiders. The converging forms of punishment deployed globally emerge and are supported by a variety of gendered and racialized discourses articulated locally. These narratives are grounded in local geopolitical realities and rely on gendered and racialized tropes to establish how refugees threaten the receiving nation while hiding the violent political and socioeconomic circumstances that provoked those who seek asylum to flee, and Western connections to those circumstances. The criminalization of victims through racist narratives are among the mechanisms that thicken the border by depicting refugees as ineligible for asylum long before they leave their countries of origin. A transnational feminist lens evidences how migrants in some regions are perceived as criminals—for instance in the US, people from Central America are often viewed as smugglers, drug dealers and/or gang members. These stereotypes are built upon years of militarism, imperialism, and geopolitical intervention shaped by neocolonial racialized ideologies and become visible at the border. These narratives are then used to justify the confinement and punishment of certain populations (Riva, 2017). Meanwhile, in a European context, discourses have centered on male Muslim refugees and their alleged violent sexual mores and connection to terrorism in order to justify their confinement (Rettberg & Gajjala, 2016). Similarly, narratives about 'queue jumpers' and terrorist connections justify the confinement of refugees in Australia. While systems of confinement and containment converge transnationally, these processes are also securely rooted in local dynamics that rely on narratives of threat that utilize gendered and racialized controlling images indebted to domestic geopolitical processes.

Third countries agreements

Third party agreements are part and parcel of the transnational sovereign assemblage. For instance, agreements with member states among the EU allows police officers cross borders and operate inside the territory of a different member state. EU member states share information, equipment, databases, have joint border patrols, joint surveillance operations and joint investigation teams (Parker & Adler-Nissen, 2012, 789). Meanwhile, countries from the Global South seek to make the best possible deals with Western countries, using different negotiation skills, and even on occasion engaging in migration diplomacy—defined as "the strategic use of migration flows as a means to obtain other aims, and the use of diplomatic methods to achieve goals related to migration" (Tsourapas, 2017, 2370). A transnational feminist lens evidences how transnational enforcement practices that externalize the border create confinement regions outside the Global North but also transfer the risk from Western countries to those in the Global South (Andersson, 2014) while increasing the vulnerability of those who seek asylum.

To illustrate my argument, I now detail instances where border externalization practices are used as deterrence mechanisms to contain people in the Global South. I have chosen to focus on non-arrival mechanisms that prevent access to the territory of asylum states, such as boat interception and offshore asylum processing; confinement practices of people both in the Global North and the Global South; and refugee relocation in third countries, such as exchanging humans from one place to another, or resettling people in places without a choice. Even though the examples I list refer to Australia, the EU and the United States, I give more space to the Australian example since it has been relatively less explored that the other two regions (Watkins, 2017, 963).

Non-arrival measures: Boat interception and confinement

Non-arrival measures, such as maritime interdiction, is a measure used in Australia, the Mediterranean, and the United States. Australia has established agreements with Sri Lanka, Malaysia, and Indonesia for boat interception, and has funded detention centers in Nauru, and Papua New Guinea—which are not part of Australian sovereign territory (Chambers, 2015; Grewcock, 2013, 22; Kneebone, 2006; Mountz & Briskman, 2012). It is important to note that on another instance of cooperation with private actors, these are privatized detention centers. Additionally, since 2013 Australia has turned back 38 boats to Sri Lanka, Indonesia, and Vietnam (Refugee Council of Australia, 2023). Similarly, countries such as Thailand, Malaysia, and Indonesia pushed back boats carrying Rohingya and Bangladeshi refugees before agreeing to provide temporary protection (Gammeltoft-Hansen & Tan, 2017; HRW, 2015; Tisdall, 2015). In Europe, the EU border agency Frontex, as well as individual member states, carry out migration control in the Mediterranean (Cuttitta, 2018). In this context, a range of bilateral agreements has been signed between different countries—such as Italy and Libya, Spain and Morocco, and Senegal and Mauritania (FRA, 2013).

On another region, the United States has cooperated with Mexico to stem the flow of Central Americans through the establishment of check points along the transit passages (Frelick *et al.*, 2016, 200) and by having Mexico deport intercepted Central Americans directly. With agreements such as the Mérida Initiative or Operation Coyote the U.S. Department of Homeland Security aimed to stop the influx of people arriving in the U.S. by focusing efforts on the fight against human smuggling and human trafficking (Frelick *et al.*, 2016, 202; Seelke & Finklea, 2010). In 2014, Honduras launched a U.S.-supported operation aimed at intercepting families trying to cross into Guatemala. Through these programs, the United States outsources immigration enforcement to Mexico and assists these efforts by providing millions of dollars in surveillance equipment and training in order to detain and return refugees before they can reach the U.S. border (Torres, 2018).

Although research shows that immigration detention does not work as a deterrence mechanism (Cantor & Johnson, 2016, 2; Gammeltoft-Hansen & Tan, 2017; Heyman, 2014, 114; Sampson, 2013, 23; Slack *et al.,* 2015), the practice of locking people up before/once they reach the territory is still a common deterrence practice among the three regions I discuss here. In countries with a land border, such as the United States, many refugees who enter the country are confined in detention centers at the international border. There is an assumption that every border-crosser will disappear into the territory and live as an undocumented migrant—already understood as a 'criminal' in the United States due to racist and xenophobic stereotypes. However, empirical research shows that 90% of the people who are given a 'notice to appear' at the border—a document that summons the person to a court hearing closest to their destination town—show up at their hearing (Sampson *et al.*, 2011). Similarly, mandatory detention of people who seek asylum is common in Europe. Greece, Macedonia, Malta and Hungary have recently engaged in this practice (Gammeltoft-Hansen & Tan, 2017; Global Detention Project, 2015).

A different form of confinement involves locking up refugees in third states. Both Australia and the United States employ offshore processing asylum camps. From 2001–2007 and then 2012 until now, Australia has confined people in Nauru and Papua New Guinea to send the message that those arriving by boat will not be resettled in Australian territory. Similarly, the United States has historically locked people up in short-term detention centers located in Antigua, Dominica, Bahamas, Guam, and Panama, and a long-term detention center in Guantánamo, Cuba (Frenzen, 2010; Koh, 1994; Magner, 2004; Taylor, 2005). Confining people in third countries serves at least two purposes: first it aims to deter future refugees from making the journey; and second it relieves Western states of their responsibility towards these noncitizens. Even though the UNHCR strongly advises that confinement of those who seek asylum be used only as a last recourse, in practice this population is routinely locked up once they reach their destination countries. States argue that the confinement of refugees is necessary to verify their identities and prove they are not a threat to the country.

People swap

One of the most extreme mechanisms used by countries to deter those who seek asylum from reaching their shores is the 'refugee swap'. This measure is based on the premise that there will be no resettlement for those who make it to the country without proper documentation, thus eliminating the incentive to reach that country. The 'refugee swap' consists of an agreement between two countries to exchange refugees. Australia has engaged in this practice twice. The first attempt took place in July 2011. The Australian and Malaysian governments signed an agreement on refugee transfer and resettlement. This bilateral agreement—called the Malaysian 'People Swap', or the 'five-for-one deal'—allowed for the transfer of up to 800 unauthorized refugees to Malaysia in exchange for the acceptance of 4,000 refugees for resettlement in Australia over four years (Billings, 2013, 287; Grewcock, 2013, 20; McKenzie & Hasmath, 2013, 426). The High Court of Australia declared the plan invalid on two grounds: first, Malaysia is not a signatory of the 1951 UN Refugee Convention and other relevant human right instruments; and second, there were unaccompanied children among the unauthorized refugees, of whom Australia had become the legal guardian. As Malaysia is not a signatory of the 1951 Refugee Convention, the Australian government feared that something might happen to the unaccompanied minors, and thus these children could not be removed to Malaysia (Dickson, 2015, 441; Grewcock, 2013, 21).

A more successful 'people swap' negotiation took place between the Australian and U.S. governments during President Obama's administration. The US would take 1,200 refugees from Australia's two offshore detention centers and it was expected that Australia would take some Central American refugees—up to 50 (Davidson, 2018). The exchange had yet not taken place when the new president Donald Trump took office and ended up accepting the deal. As of June 2021, 968 of the refugees who were locked up in Nauru and Manus Island detention centers have already been transferred to the United States for possible resettlement, which is always up to the destination country to decide. News outlets have reported that in exchange, groups of refugees from El Salvador are being flown from Costa Rica to Australia (Higgins, 2019).

Resettlement

A precedent in migration management was the agreement Australia established with Cambodia to deter those who seek asylum by relocating them to a developing country with little to no capacity to meet their needs. In 2014 Cambodia and Australia signed a Memorandum of Understanding that provided for the permanent settlement of refugees held in Nauru by the Australian government in Cambodia. Cambodia agreed to the arrangement on a trial basis, beginning with three to four refugees. The first five refugees were resettled in Cambodia in 2015, a sixth was resettled in November 2016, and a seventh in May 2017. Australia agreed to pay the costs of the settlement and also provided AUD$55 million in development assistance to Cambodia over four years in exchange for its co-operation. All of the refugees have since returned to their country of origin (Sampson *et al.*, 2016).

This agreement forms part of the assemblage that acts to thicken the border reminding citizens of the Global South that they will not be relocated in a Western country. Rather than saying that refugees are not welcome, Australia refers to how the boats should be stopped to avoid the 'people-smuggling' business. Meaning that if refugees can reach the coasts of Australia by boat, it will encourage the trafficking of human-beings in the region. Additionally, Australia claims that the burden and the responsibility for those at fault for 'people-smuggling' should be shared regionally. The deal Australia made with Cambodia was thus portrayed as a way to share responsibility in the region, regardless of the two countries' unequal economic power. This negotiation was surrounded by secrecy and to date there no public source has revealed what the agreement really entailed (Gleeson, 2016). The Australia-Cambodia agreement established a precedent in refugee policy and resettlement whereby offshore processing policies are also used as a deterrence mechanism to teach refugees on their way to a Western country that they will only be resettled in the Global South.

Agreements reached between Western countries with third countries are usually balanced in favor of the former. These relationships vary in shape and form but most of them have colonialist overtones. The relationship between Australia and Nauru, for example, replicates power dynamics that are a legacy of colonialism (Billings, 2011, 273; Billings, 2013, 281; Chambers, 2015; Morris, 2019). This does not mean that countries from the Global South completely lack bargaining power (See, for instance, *Weapons of Mass Migration: Forced Displacement, Coercion and Foreign Policy* by Kelly Greenhill); however, these agreements only take place when a Western country—usually the benefiting party—needs a third country. Contemporary European examples of the bargaining power of countries from the Global South can be seen in how Morocco established its economic relations with Spain, how Ukraine acted as an extension of the European border before the war, or how Turkey handled the European refugee crisis. In this last example, the European Union provided Turkey with three billion euros for assisting with refugee protection and providing resettlement spaces to Syrian refugees in exchange for speeding up accession talks, and accelerating the implementation of visa liberalization (Gammeltoft-Hansen & Tan, 2017, 35). Despite the negotiation skills some of these nations might deploy, these agreements are still based on unbalanced relationships of power that contribute to the transnational sovereign assemblage. For instance, the EU deal with Turkey took place in 2016, and up to date there is no visa liberalization or accession talks. As authors have addressed, many EU partners lack of democratic legitimacy (Moreno-Lax & Lemberg-Pedersen, 2019, 17). As a result of these agreements, the burden of enforcement and risk is transferred to countries from the Global South. Not only do these countries become the places where refugees are literally confined for years, but also, through these relationships containment becomes a strategy to keep refugees in regions from the Global South.

In short, it is through agreements with third countries and public-private partnerships, as well as the discourses that accompany and proceed people who seek asylum, that the border thickens for those fleeing from violence. In short, dehumanizing practices—such as confinement—enable the containment of people from the Global South while disavow Western countries of the responsibility they contracted through international agreements.

Conclusion

The bordering mechanisms that Australia, the European Union, and the United States have put in place in regard to refugee management have created buffer zones that together constitute a transnational sovereign assemblage. This transnational sovereign assemblage is made possible through the privatization and contracting-out to corporations of a myriad of practices that make up sovereignty as border control, as well as the agreements that Western countries establish with third countries. The (neoliberal) privatization of border externalization is thus a necessary condition for the exercise of transnational sovereignty. Given externalization processes such as border security training and migration management assistance to governments, visa processes, maritime interception, and confinement practices, it is currently as hard for an Afghan citizen to reach Australia than it would be to reach the United States in search of a haven.

Analyzing the bordering practices of Australia, the European Union, and the United States illuminates the thickening of borders in the creation of an overarching transnational border that excludes refugees and insulates Western nations from the reach of people of color from the Global South. The measures these Western regions use to deter those who seek asylum transfers the "burden" of enforcement, risk, and containment to countries from the Global South. These pernicious and overarching bordering practices thicken the border by fortifying the West against humanitarian claims, concentrating displaced populations and refugees in the Global South, and increasing the vulnerability of those who seek asylum.

As other authors have already pointed out (Cuttitta, 2018), the way Global North migration systems are currently set up is depoliticized, thus deflecting attention from underpinning structures of border thickening. Border externalization processes free states from their international responsibilities by locating migration issues as bureaucratic ones. The migration field is structured in terms of security, making the measures to avoid refugees from reaching Western countries as inevitable. This set up occludes the underlying issues of the neocolonial structure that lies behind the migration apparatus. The combination of a transnational feminist and Critical Border Studies lens illuminates the political projects of governance and belonging that underlie the processes that uphold oppressive structures such as the transnational sovereign assemblage.

This article has examined the ways in which the border thickens for people who seek asylum. Through the analysis of the

outcome of the implementation bordering mechanisms, I have attempted to provide some 'pressure points' that could open up paths to change the way the current human mobility system is established today. By fleshing out the ways bordering mechanisms enable the Global North to armor itself against (the always racialized) refugees, and how these measures rely on public-private partnerships and agreements with third countries, this article points out to potential ways to dismantle a system that has very real material effects on the bodies of those who seek asylum.

Data availability

No data are associated with this article.

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The objective of the article is to study border externalization and its public-private partnerships, utilizing a transnational feminist and critical border studies frameworks. The article is interesting and topical, creating dialogue between feminist and border and migration studies as well as the rich literature of border externalization in political science and political geography. The study if based on the secondary literature, academic research, media outlets, reports and policy analysis by governmental and nongovernmental organizations. The examples focusing on the third-countries agreements are drawn from Australia, the EU and the United States (the Australian case is given more attention, however, as it is less explored). The discussed examples include non-arrival measures (boat interception and confinement), bilateral agreements of refugee exchange (called “people swap”) and resettlement.

The paper is well-written and contains many interesting perspectives. It could be developed further by highlighting its contribution to the literature on border externalization and offshore migration control, however. Please see my suggestions below how to strengthen the paper:

- The sub-title could be more informative, perhaps involving transnational feminist lens (to me transnational feminism reads as a fresh approach to border regimes and externalization) or alternatively third countries agreements that are discusses as examples.

- The Introduction section could be developed further to give a reader a better understanding of the structure and key argument of the paper.

- The theory sections could be strengthened. Would it be possible to take the third countries agreements as a point of departure for examining externalization and then discuss the formation of different partnerships, bilateral and public-private partnerships within this framework instead of starting with the emphasis on privatization?

- The contribution of the paper needs to be highlighted more. The author writes “This article is important because it evidences our racist and hypocritical system.” Yes, however, this notion of racist border regimes is nothing new as it has been discussed extensively in the

literature. Secondly, according to the author the paper "complements existing literature on the relationship between borders, externalization measures, and sovereignty, which deals almost exclusively with single countries or the EU region." (Page 3) I don't fully agree with the argument; there is rich research on EU and Schengen border and migration regimes, externalized border control, offshore asylum processing and camps etc. To show the novelty of this study, it needs to be highlighted even more what transnational feminist lens adds to the current knowledge and/or perspective on the border(ing) practice.

- The unequal relationship and international agreements between North and South countries and the externalization of borders in this content could be discussed more in relation to the empirical analysis and examples.

Other (minor) comments

- The author could discuss the work of Mathew Longo about border thickening more, including the question of public-private relations more and explain how this paper contributes to this field of research.

More critical and nuanced understanding of neoliberalism and borders would be welcomed. There is some literature of neoliberal borders that would be useful here, for example Sparke, M. B. (2006). A neoliberal nexus: Economy, security and the biopolitics of citizenship on the border. *Political geography*, *25*(2), 151-180.

- The author argues that "A transnational feminist lens evidences how migrants in some regions are perceived as criminals" (page 7); I do not fully understand how the lens evidences here? The criminalization and securitization of migration and migrants has been discussed a lot in critical border and migration research.

- Some arguments are formulated in a rather prompt manner. For example, the author argues that "It is no longer useful to study border regimes country by country". I would say we need both. Many countries have very specific border control and regulation mechanism that cannot be understood in terms of transnational (also Australia stands as a case here).

- In the introduction the author argues that border practices have been privatized, yet the empirical part discussed to a great extend what Australia (a state) does and what agreements it has with other countries such as Cambodia. Would it be more precise to say that most border practices are still enacted by border authorities and police but often in cooperation with other states and non-state actors. Even in the EU and Schengen areas the states have the authority and responsibility for controlling their territorial borders and they insist on their sovereignty.

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Is the work clearly and accurately presented and does it engage with the current literature?

Yes

Is the study design appropriate and is the work technically sound?

Partly

Are sufficient details of methods and analysis provided to allow replication by others?
Partly

Are all the source data and materials underlying the results available?
Yes

If applicable, is the statistical analysis and its interpretation appropriate?
Not applicable

Are the conclusions drawn adequately supported by the results?
Yes

Competing Interests: No competing interests were disclosed.

Reviewer Expertise: Human geography, political geography, migration and border studies

I confirm that I have read this submission and believe that I have an appropriate level of expertise to confirm that it is of an acceptable scientific standard, however I have significant reservations, as outlined above.

Author Response 16 Oct 2023

Sara Riva

Dear Eeva-Kaisa, first of all, I wanted to apologize for not having replied to you before. I am really sorry about that. I really wanted to thank you for the generous time that you have dedicated to my paper and for your very kind comments. THANK YOU. I am truly swamped with work right now, but as soon as I have some time, I will get back to this paper. Thanks a million for your help! sara

Competing Interests: No competing interests were disclosed.

Reviewer Report 03 July 2023

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Martin Klatt
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The manuscript promises an analysis of recent measures taken by US, EU and Australia to tackle

perceived challenges of international migration by thickening the borders (basically attempting to prevent migration), which the author interprets as a new form of transnational, privatization of sovereignty, using a transnational feminist lens and a Critical Border Studies framework. Interesting in its approach and also at least partly convincing in its conclusions, however, the manuscript has a few major deficiencies. The author's terminology to unite all migrants seeking to enter the Global North, regardless of individual motives, as "refugee", seems problematic in relation to different motives and political backgrounds of the "assemblage" and privatization strategies. The author's argument that this is done to avoid the risk of legitimization the perspective of the state (p. 3) is not convincing, not the least as sovereignty includes the political decision on who may enter a given territory.

In general, the manuscript is very normative and criticizes present policies addressing migration. This, of course, is legitimate, but needs a more sound study design and methodology.

Study design: the article summarizes existing literature on the topic in an academically sound way. It mainly draws on research within border studies applied to migration studies issues as well as a new understanding of sovereignty. The latter is the article's strength, but also here it is a bit unclear how far the author contributes to new knowledge or just combines existing knowledge of the different academic disciplines that have contributed to the topics.

This leads to the methodology, where the author only provides a very generic explanation of what was actually done. For the reviewer, it is more a summarizing of existing research supporting the author's thesis than actual empiric work.

The use, as well as relevance, of the concepts transnational feminism, as well as critical border studies, remains unclear and must be explained better, linking to empiric data. The author writes that "transnational feminism thus questions the legitimacy of contemporary nation states and their borders" - how and what is the alternative? - "and acknowledges that some places are still colonized spaces" (p.5) The latter is unquestionably true, but it is not transnational feminism alone that asserts this. From the work presented, I have difficulties to see how the author has applied a transnational feminist lens.

The same applies to the author's use of Critical Border Studies, a framework developed within Border Studies in the 2000s and 2010s. The author applies this concept, but not really innovative, and not really contributing anything new to it.

In the content section, the manuscript narrates different initiatives taken by different countries to contain migration from the Global South and demonstrates the similarities in these approaches. This is based on a broad selection of scientific literature, but it remains unclear where exactly this manuscript provides new information or new developments within the field of study as well as the used frameworks and concepts.

Is the work clearly and accurately presented and does it engage with the current literature?

Yes

Is the study design appropriate and is the work technically sound?

Partly

Are sufficient details of methods and analysis provided to allow replication by others?
No

Are all the source data and materials underlying the results available?
Yes

If applicable, is the statistical analysis and its interpretation appropriate?
Not applicable

Are the conclusions drawn adequately supported by the results?
Partly

Competing Interests: No competing interests were disclosed.

Reviewer Expertise: Minority studies and border studies

I confirm that I have read this submission and believe that I have an appropriate level of expertise to state that I do not consider it to be of an acceptable scientific standard, for reasons outlined above.

Author Response 16 Oct 2023

Sara Riva

Dear Martin, Dear Eeva-Kaisa, sorry for not having gotten back at you before. I am really sorry about that. I wanted to thank you for the time that you have dedicated to my paper and for your very comments, I know how time-consuming reviewing a paper is. THANK YOU. Even though you have suggested a rejection, do you think I could work on the paper to get it good enough to get it accepted? if not, I'd appreciate it if you'd let me know. Thanks again! sara

Competing Interests: No competing interests were disclosed.