



# Deportation

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Deportation, as a mechanism for the expulsion of migrants, is not a topic addressed directly in Marx's writings. This is due principally to the relative novelty during the late nineteenth century, in the years immediately prior to Marx's death, of deportation as a legal 'remedy' or punishment for specific categories of migrants designated as 'unwanted', 'unwelcome', or 'undesirable'. This is not to suggest, of course, that there was not already a history of mass expulsions and coercive population transfers of various kinds. Indeed, deportation must be meaningfully situated in relation to the 'transportation' of convicts and the full genealogy of diverse forms of expulsion (Walters, 2002/2010). Nevertheless, as a specific juridically inscribed and ordinarily individualized mode of immigration enforcement, deportation was largely unknown during Marx's lifetime.

Consequently, there is very little indeed within Marx's corpus that lends itself directly to a Marxian theory of deportation. Rather than deportation, migrant mobility during Marx's lifetime was overwhelmingly subject to active processes of *importation*. In the mass exodus of the Irish fleeing the potato famine of 1846, for instance, Marx notably recognized what he characterized as 'a systematic process' that not only entailed 'a new way of spiriting a poor people thousands of miles away from the scene of its misery', but also served, in effect, as 'one of the most lucrative branches of [Ireland's] export trade' – exporting the labor-power of its surplus population while also mobilizing the migrants themselves as a source of remittances that not only subsidized those left behind but further fueled migration by financing the travel costs of subsequent generations of

migrants (1867/1976: 862). From the opposite vantage point of the USA, Marx discerned with respect to Irish labor migration a concomitant ‘importation of paupers’ (1867/1976: 939). Migration, in short, was inseparable from various forms of labor recruitment, and thus profoundly entangled with the global mobility of labor (De Genova, 2018). Immigration law – as a means for the orchestration, regimentation, and subordination of migrant labor – only emerged later, as a statist reaction formation responding to the primacy and relative autonomy of human mobility and as a mechanism for the legal mediation of the global capital–labor relation (cf. De Genova, 2016a).

Indeed, until the latter decades of the nineteenth century, migration had been largely unregulated and state borders were relatively open for the transnational mobility of labor. In the USA, for instance, provisions for the deportation of ‘undesirable’ migrants were only enacted as a means of enforcing the explicitly racist Page Act of 1875, specifically targeting Chinese migrants, whereupon the denial of admission at a US port of entry would trigger a deportation. Then, with the subsequent Chinese Exclusion Act of 1882, the purview of deportation was broadened to serve as a penalty for the lack of a certificate of legal residence (Ancheta, 1998; Chang, 1999; Hing, 1993; Kim, 1994; McKeown, 2008; Salyer, 1995; Saxton, 1971; cf. Calavita, 1984). Immigration law itself was virtually non-existent until precisely this era, which introduced a panoply of racial, religious, moral, criminological, public health, and political exclusions, prominently distinguished by the sorts of overtly racist laws, enacted across the Americas and beyond, which specifically sought to bar the migration of Chinese labor (McKeown, 2008).

In time, with a multiplication of the categories of migrant non-citizens who were rendered subject to deportation, and hence classed as deportable, there eventually emerged and was consolidated the figure of the migrant that could be more generically branded as ‘illegal’ (Calavita, 1984; De Genova, 2004, 2005: 213–50; Nevins, 2002; Ngai, 2004), or even ‘criminal’ (Dowling and Inda, 2013; Griffiths, 2015; Hasselberg, 2016; Kanstroom, 2012; Peutz, 2006/2010; Stumpf, 2006). Susceptibility to deportation becomes a defining if not definitive material and practical mechanism for enforcing the profound and ever deepening consequentiality of migrant ‘illegality’; an indefinite and usually prolonged sociopolitical condition of deportability becomes the pragmatic, actionable form of migrant illegalization (De Genova, 2002, 2010a, 2014). It is precisely in such ways that the social and legal fiction of migrant ‘illegality’ achieves its density as a real abstraction, ‘purely social in character, arising in the spatio-temporal sphere of human interrelations’ (Sohn-Rethel, 1978: 20), an abstraction that is ‘not ... a mere mask, fantasy, or diversion, but ... a force operative in the world’ (Toscano, 2008: 274). Thus, whereas migrant ‘illegality’ is a prominent example of the state’s deployment of the law as a tactic that serves to mediate the capital–labor relation and, more generally, to regiment social life, by producing juridical categories that are lived as unequal sociopolitical conditions of tremendous

consequence (De Genova, 2016a), deportation marks the conjuncture of that particular branded ‘foreign’-ness (De Genova, 2018) with its lived susceptibility to the material and practical recriminations of the law. Likewise, inasmuch as all non-citizens (‘legal’ and ‘illegal’ alike) eventually become more or less subject to deportation, given one or another conditionality or triggering contingency (Goldring and Landolt, 2013), the possibility or prospect of deportation comes to be a premier and rather enduring material and practical expression of the very distinction (and profound inequality) between citizen and non-citizen (Anderson et al., 2013).

If sovereignty has come, to a significant extent, to be predicated upon a state’s right to police its borders and control who may cross them, then the expulsion of those found to be in violation of such restrictions would appear to have arisen as an almost inexorable consequence (Kanstroom, 2007). Deportation, consequently, emerges as a technology of state power that refines and amplifies the capacity of borders to operate as means for the production of spatialized difference (De Genova, 2016a). Conversely, we should also therefore recognize that the institutionalization of deportation itself (and ensuing expansion of its purview) may be taken as one rather palpable sign of a critical historical threshold – the consolidation of what Nandita Sharma (2018) designates to be the veritable nationalization of state power (see also Mongia, 1999).

It is instructive, however, that deportation was first enacted not against all non-citizens, and therefore not primarily as a way to enact a partition between citizenship and non-citizenship, but rather as a technique for the exclusion of a particular, expressly racialized, and racially denigrated category of transnational human mobility. In a sense, the primacy of the racial obsession (Chinese exclusion) preceded and importantly prefigured what were still relatively inchoate notions of national identity and even citizenship. The service that deportation thereby did for hardening and clarifying the boundaries of nation-state space and citizenship is evident, but perhaps becomes much starker only in retrospect. What today appears to us as a kind of ‘deportation creep’ (Walters, 2018), whereby the purview of the deportation power continuously broadens to encompass ever more categories of migrants and other non-citizens and eventually comes to contaminate the presumptive security of citizenship itself, can thus be seen to have started much earlier – indeed, from the very outset. Beginning with a rather specific and circumscribed target among the full spectrum of non-citizen ‘foreigners’, deportation has advanced inexorably to encompass them all – to the point that now, on an effectively global scale, there is virtually no non-citizen (including the ostensibly ‘legal’ ‘permanent resident’) who is not potentially deportable, given the right combination of circumstances and triggering contingencies. Little surprise, then, that deportation increasingly sweeps up in its purview those putatively ‘suspect’ categories of citizens, again predictably prioritizing those who are racially affiliated with ‘foreignness’ (Stevens, 2011; cf. Kanstroom, 2012). As Sharma (2018) persuasively contends, the unprecedented introduction of border

and immigration controls, prominently including deportation, evident across the globe beginning in the latter part of the nineteenth century, was the premier form for enacting a nationalization of state sovereignty. Indeed, sovereignty itself has come to be ubiquitously associated with a state's power to control its borders and determine who, or what categories of people, may cross them, under what conditions, and with which stipulations. Borders may therefore be understood to be means of production, crucial for the sociopolitical (statist) production of spatial difference as well as the spatialization of the difference between distinct categories of people produced as the state's presumptive 'insiders' and 'outsiders' (De Genova, 2016a; cf. 2010a). Nonetheless, Daniel Kanstroom emphasizes that the mounting use of deportation law as a form of 'extended border control' also came to serve the ends of 'post-entry social control' (2007: 92).

If today we have come to customarily understand the susceptibility to deportation as a principal and defining distinction that separates citizenship and non-citizenship, we need nonetheless to remain vigilant against ever imagining that citizenship can be assumed to be somehow equated with any presumable 'safety' from various forms of coercive expulsion. After all, the other conventional association with the term 'deportation' – especially in many European contexts – is Nazism's herding of Jews and other 'enemies' into prison labor camps, which of course were eventually converted into death camps. So it seems to be perilous to become complacent about the idea that deportation could ever be exclusively reserved only for non-citizens. If nothing else, the meticulously legalistic proclivities of the Nazis demonstrate precisely that citizens can always be stripped of their legal personhood and subjected to any and every atrocity otherwise more routinely reserved for non-citizens. That is to say, rather than naively taking complacent recourse to the liberal proposition that 'no human being is "illegal"', a more sober assessment of the historical record would suggest that, subordinated by state power, ultimately, we are *all* (at least potentially) 'illegal'.

Indeed, over recent years and still today, we have witnessed reactionary statist campaigns against the spectral threat of 'migration' even in contexts where those who are made to stand in as the 'foreign' object of nativist contempt and suspicion are not in fact migrants or refugees at all. In particular, there has been an escalation of nativist convulsions against 'illegal immigrants' targeting native-born (racialized 'minority') fellow citizens. In the eastern borderlands of the Democratic Republic of the Congo, native-born Congolese citizens who are the descendants of Hutu and Tutsi people resident for generations on the Congolese side of the border have been derisively labeled 'Rwandans' and targeted for expulsion. Similarly, in the Dominican Republic, the native-born descendants of migrant workers who were recruited generations earlier from neighboring Haiti have been recast as 'Haitians', legally stripped of their birthright citizenship, and rendered stateless, denigrated as 'illegal immigrants' in the only land where they have ever lived. Meanwhile, in Myanmar (Burma), Rohingya Muslim native-born citizens have similarly been legally stripped of their citizenship, castigated

as ‘illegal immigrants’ from Bangladesh, and subjected to vicious pogroms, confined in virtual concentration camps, massacred, and driven across the border in the hundreds of thousands. In this instance, the susceptibility to deportation of alleged ‘illegal immigrants’ serves merely as an alibi for the genocidal alternating current of extermination and mass expulsion. Indeed, these examples are but a few of the more extraordinary among a proliferation on a global scale of new formations of nativism directed not merely at migrant ‘foreigners’ but rather toward minoritized fellow citizens who may be re-purposed as virtual or de facto ‘foreigners’ – indeed, often as outright ‘enemies’ – within the space of the nation-state (De Genova and Roy, 2020).

What emerges then in a still more stark way is the pivotal role of deportation in producing the conditions of possibility for sustaining the casual and callous disposability not only of migrant labor per se, but also the outright and abject disposability of human life. Whole categories of people are simply treated as superfluous and, although their illegalized (hence, ‘cheap’ and tractable) labor is plainly in great demand and truly desirable among many employers, their (racialized) bodies, their persons, their lives, and the wider communities in which they participate are branded as ‘undesirable’ and rendered virtual ‘waste’, human ‘garbage’ to be simply disposed of (De Genova, 2017a, 2017b). It is in this sense, perhaps, that deportation has assumed a paradigmatic quality in our era of neoliberal global capitalism (De Genova, 2010a; Peutz and De Genova, 2010).

Despite the extraordinary examples of outright mass murder and mass expulsion, however, these ubiquitous processes of subjecting migrants to the threat of deportation are far more commonly (and far more productively) implicated in their precaritization, and thus the subordination of their labor. There is a deep consonance between ‘national’ and racialized identities as manifestations of the naturalization of social and political inequalities that correspond to the (bordered) spatial differentiation and division of the planet according to a proliferation of distinct fields of force, working out the variously localized and historically specific compromises of the politics of the otherwise global capital–labor relation. This indeed is where a universalistic and ostensibly homogenizing ‘economic’ regime premised upon labor-in-the-abstract sustains and requires the ‘political’ production (and naturalization) of difference – racial, ‘cultural’, ‘national’, and so forth – as a basis for ever proliferating and exquisitely refined hierarchies of distinction and division in the material, practical, lived, and indeed embodied experience of living labor, as labor-for-capital (De Genova, 2018; cf. 2012, 2016b).

Hence, we must begin from an appreciation of immigration law and border enforcement as means of labor subordination (De Genova, 2002, 2013, 2016a). Relations of domination and subordination in the labor process itself are a precondition for capital accumulation. As Marx explains, because human beings realize our purposes in the materials of nature consciously, our work requires that we ‘subordinate [our] will’ to such tasks: ‘a purposeful will is required for the

entire duration of the work. This means close attention' (1867/1976: 284). Thus, labor subordination – and also the ensuing (political) problem of social domination, more broadly – is inextricable from the subordination routinely enacted through the everyday organization of work within the capitalist labor process, in which superintendence and management assume what Marx characterized as an inherently 'despotic' form (1867/1976: 44–50; cf. De Genova, 2006, 2010b). Yet, if domination and subordination are pervasive, indeed routine, these relations are precisely political in the most elementary sense: they are relations of unequal power, constituted in and of struggle. 'The establishment of a normal working day', Marx memorably notes, 'is ... the product of a protracted and more or less concealed civil war' (1867/1976: 412). In Marx's account, centuries of outright and extravagant violence devoted to the subordination of labor to capital – for which the state-form is instrumental, and through which it ultimately becomes rigidified and institutionalized – eventually secure what comes to appear as merely 'the silent compulsion of economic relations', and thus produce 'a working class which by education, tradition, and habit' has been conditioned to perceive 'the requirements of [the capitalist] mode of production as self-evident natural laws'. Only thereafter may the sorts of 'direct extra-economic force', which distinguish the repressive apparatuses of state coercion, come to be reserved for 'exceptional cases' (1867/1976: 899; cf. 915–16).

The dialectics of labor and capital are conventionally conceived in narrowly 'national' terms, but they correspond in fact to a larger dialectics between global capital (crudely identified with the 'economic') and the diverse spatial – and indeed, corporeal – particularizations of the social relations of struggle (which may thus be properly called the 'political') (Holloway, 1994). The effectively global regime of capital accumulation produces a systemic separation between the 'economic' and the 'political', whereby 'economic' relations (above all, wage-labor) appear in general to be strictly voluntary, contractual, impersonal, and free of direct coercion, and the means of organized violence and repression (the 'political') are supposed to be the exclusive purview of the state, reserved as a resource for the similarly impersonal Rule of Law. This separation entails a constitutive contradiction between a veritable world economy, predicated upon the universal abstraction of labor, and a global order of territorially defined (putatively 'national') states through which the expressly political relations of labor subordination and social order are orchestrated, regimented, and enforced, and in a manner that is rigorously differentiated by the borders of sovereignty and citizenship and the nationalized boundaries of identity.

Deportation, much like the border itself, is a productive power: it does not only punish illegalized migrants by evicting them from the space of one or another state, but also generates the very condition of possibility for the disposability and precarity of all those who are compelled to live under the horizon of possible arrest, detention, and deportation while yet remaining at large, un-deported, as labor branded as 'illegal' (De Genova, 2002; cf. 2018). In place of the palpable

sociopolitical relation of migrant labor to the state (a relation that is precisely mediated by state borders and the law), border policing and immigration law enforcement deliver the appearance of a categorical non-relation of the 'national' state and illegalized 'foreign' labor (De Genova, 2010a). Migrant border-crossers' ostensible 'illegality' thus requires the public, fetishized, and spectacular verification that appears to be revealed through deportations, raids, and other enforcement tactics. Indeed, if there were suddenly no more border patrols or inspections, no border policing or passport controls whatsoever, there would still be migrant 'illegality' as long as the law, its real point of production, were to remain unchanged. We can only be made to believe in that 'illegality', however, to take it seriously, once it appears as a thing-in-itself – reified as the supposed effect of the deliberate acts of a spectacular mass of sundry violators of the law transgressing a border. Therefore, we can begin to recognize that migrant 'illegality' emerges as the effect of one or another particular state's mediation of what is truly a global social relation of labor and capital, an antagonistic relation of conflict in the process of being fixed as a relation of subordination. The primary means for such mediation are the law and its enforcement. And among the various forms of immigration enforcement, deportation is exemplary. Nonetheless, while a spectacle of exclusion (whether through border patrols or deportation) is essential to this political process, subordination is always inherently a matter of inclusion and incorporation (De Genova, 2013).

The 'illegal' migrant is conscripted for the raw productive power and creative capacity of her human life, as living labor. This sheer productive and generative capacity of human life (the power to transform itself, as well as its always-already social configuration, by transforming its objective/external circumstances), this raw life-force, is immediately apprehensible as a constituent and constitutive power – (living) labor – which must be assiduously subordinated to the everyday mandates of capital accumulation, commodifiable, in Marx's telling formulation, as *labor-power*. Thus, it is precisely in the 'illegal' migrant's deportability that we may encounter anew the centrality and constitutive role of labor, actively recruited yet rendered eminently disposable (De Genova, 2010a). The exquisitely refined legal vulnerability of illegalized migrant labor – above all, materialized in its deportability – plainly serves to radically enhance the preconditions for its routinized subordination within the inherently despotic regime of the workplace. Here, then, we may recognize that it is precisely the Marxist theoretical arsenal that has been indispensable in advancing contemporary understandings of deportation. Likewise, it is deportation that provides a vital conceptual key for elaborating new Marxian insights, more generally, into migration and borders as legal and political questions of ever increasingly urgent global concern.

While the putative 'illegality' of migrants has become the single most prominent 'problem' for immigration and asylum law and policy on a global scale during recent decades, this does not mean that it is the sort of problem that is meant to be remedied. Instead, what I have called the legal production of

migrant ‘illegality’ (De Genova, 2002, 2004, 2005) is constantly provided the ostensible justification to continue apace, ever revising and refining the terms and conditions of further migrant illegalization. Hence, we witness the entrenchment and fortification of what is effectively a global deportation regime (De Genova and Peutz, 2010) as well as an accompanying expansion of migrant detention (Flynn and Flynn, 2017; cf. De Genova, 2017c). Deportation and other immigration enforcement practices confirm that migrant illegalization is never finished, once and for all time; rather than *faits accomplis*, the diverse and historically specific productions of migrant ‘illegality’ must continue to be re-produced through everyday struggles between migrant labor and capital as well as the ongoing state practices of (re-)bordering. Notably, these border-making and border-enforcing activities have been increasingly and pervasively relocated to sites within the ‘interior’ of migrant-receiving states, such that illegalized migrants are made, in effect, to carry borders on their very bodies (Khosravi, 2010: 97–120) as border enforcement comes to permeate the full spectrum of everyday life activities and spaces. Thus, as ‘problems’ for the government of transnational human mobility and migration ‘management’, these processes of illegalization remain the open-ended sites for migrant struggles and unforeseen disputes over immigration and refugee politics.

Nevertheless, ‘the silent compulsion of economic relations [that] sets the seal on the domination of the capitalist over the worker’, and allows for ‘direct extra-economic force’ to become ‘exceptional’ (Marx, 1867/1976: 899), ordinarily remains true even for those illegalized migrant workers subject to immigration raids and deportations. Although the spectacle of immigration enforcement is a persistent and pernicious reminder of the extraordinary vulnerabilities that suffuse the migrant predicament, raids and deportations are relatively exceptional instances of direct coercive intervention by state power into the everyday relations between capital and migrant labor. Even amidst heightened immigration policing or aggravated deportation campaigns, such exceptional extra-economic punitive and repressive measures on the part of the state merely intensify, to greater or lesser extents, what is otherwise a protracted and mundane condition of ‘unauthorized’ residence and illegalized labor. In other words, even within the relatively exceptional predicament of migrant workers’ ‘illegal’ status – which after all becomes a formative part of the ‘education, tradition, and habit’ inculcated into such workers – these more coercive (and plainly political) dimensions of their particular condition as migrant labor generally achieve a commonsensical banality as merely ‘economic’ ‘facts of life’, with the machinations of state power and the compulsions of the law rendered effectively routine by the normalization of each migrant’s ‘illegality’ as a kind of ‘private’ transgression and her deportability as something akin to an individualized disability.

While there should be no doubt that deportation is a profoundly punitive iniquity, and furthermore that deportation’s bureaucratic euphemization as an ostensibly ‘administrative’ or merely ‘procedural’ consequence of some presumptive

act of migrant transgression in fact represents an increasingly ubiquitous contemporary manifestation of what Hannah Arendt famously called ‘the banality of evil’ (1963/2006; cf. De Genova, 2014), the power of deportation is not purely ‘necropolitical’ but rather must be understood to be productive and disciplinary (De Genova, 2015, 2017a, 2017b). While deportation has this punitive and at times even potentially deadly character, it is precisely deportability – the susceptibility to deportation – that plays a distinctly disciplinary role in the production of the conditions of possibility for migrant labor-power to serve as a highly desirable commodity of choice for employers.

We must recognize the remarkable systematicity with which deportation ever increasingly supplies capital with the ever renewable resource of routinely disposable labor in the exquisite form of illegalized (hence, deportable) migrant labor. Even in the face of escalating deportations (in the USA and across the world), it is usually still the case that only a minority are actually deported while the great majority of those who are susceptible to deportation remain in a protracted condition of vulnerability to this profoundly punitive repercussion of the law. Importantly, this means that deportation, perhaps more than anything else, does a crucial work of subordination on the ‘inside’ of the space of the state. And then, on the ‘other’ side of the border, ‘outside’ the space of the deporting state – as the growing ethnographic literature on the aftermaths of deportation have shown (Khosravi, 2017) – there is life after deportation even if the deporting state imagines deportation to be a kind of closure, a seemingly conclusive act of dumping ‘undesirable’ migrants onto the ordinarily poor countries to which they are juridically affiliated by their (sometimes only apparent) citizenship (De Genova, 2017b). Furthermore, life after deportation often involves the re-mobilization of the deported migrants, the re-initiation of their migratory projects, often against all odds and under circumstances that may look more than ever like the flight of refugees from conditions in which life is truly inviable (Coutin, 2010; cf. Khosravi, 2017; Slack, 2019). But this reminds us that even under the worst of circumstances and within the very asphyxiating constraints of various regimes for governing human mobility, there are persistent manifestations of autonomy, which I have called the autonomy of deportation (De Genova, 2017a, 2017b; cf. De Genova et al., 2018).

If, as I have argued, the illegalization of migrant labor must be apprehensible as a form of labor subordination, whereby the policing of state borders and the enforcement of immigration law serve to politically and legally mediate a global relation between capital and labor, then deportation is plainly one of the premier tactics for the pursuit of capital’s (and the state’s) interests in that global relation of struggle. The direct deployment of deportation itself, however, is neither the most commonplace nor the most productive manifestation of that enforcement of the interests of capital in the subordination of labor. After all, capital is permanently and irreversibly dependent upon labor, particularly upon the vital powers and creative capacities of living labor as the source of value. Consequently, capital’s

principal stake in the subordination of labor is not in labor's exclusion or expulsion but rather in its effective subjection and subjugation within the labor process.

The agonistic and artificial division between 'native' (or citizen) labor and 'migrant' (or more precisely, non-citizen) labor is a perfect fabrication sustainable only with recourse to the tactics and technologies of borders for producing and upholding partitions between (nation-)state territories and their corresponding populations. These sociopolitical and juridical productions of the difference between 'national' (or 'native') labor and 'foreign' labor, of course, are politically useful and can be manipulated and exploited to foster antagonisms among working people, as well as to target and persecute specific categories of non-citizens. In this respect, deportation can likewise be mobilized as a weapon against particular groups for one or another political purpose. Yet deportation is ordinarily an individualized punishment directed at non-citizen individuals for specific reasons concerning their immigration status or some other violation of the law. Of course, while deportation has indeed been increasingly deployed against alleged migrant 'criminals' (including those who may have been previously 'legal' migrants but have been rendered subject to deportation by some other violation of the law), the susceptibility to deportation is pervasive for virtually all those migrants branded as 'unauthorized' and 'illegal'. Thus, far more than outright deportations, it is deportability that is ubiquitous. If the deportation power is one of the premier forms of the enforcement of capital's interests in the global subordination of labor, the productivity of that power resides above all in the capacity of that power to discipline migrant labor by relegating it indefinitely to a sociopolitical condition distinguished by deportation as its defining horizon.

Yet labor subordination is an ever unfinished business, because the capital-labor relation is intrinsically a relation of struggle, and therefore an irreconcilably antagonistic one.

The subordination of illegalized and deportable migrant labor, in particular, is inseparable from the primacy and sheer 'disobedience' of autonomous border-crossing itself, as well as the outright insubordination of migrant struggles. Recall the mass migrant protest mobilizations in the USA in 2006, when migrants, their children, and their allies marched in the millions in cities and towns all across the country to defeat what would have been the most punitive immigration law in US history. '¡Aquí estamos, y no nos vamos! Y si nos sacan, nos regresamos!' [Here we are, and we're not leaving! And if you throw us out, we'll come right back!]. So rang out the resounding affirmation of (Latino) migrant presence in the USA. What was plainly at stake in this chant was precisely the question of migrant 'illegality' and undocumented migrants' susceptibility to deportation. By implication, the millions of migrant protesters proclaimed, in effect: 'We're here, we're "illegal", catch us if you can!' In this spirit, migrants matched their affirmations of presence with the assurance that even if they were to be deported, they could never in fact be truly expelled and their presence could never be truly eradicated: they would come right back. I have written previously about the ubiquity and

emotive power of the ¡Aquí Estamos! chant in the context of the 2006 migrant protest mobilizations, in terms of what I consider to be a defiant politics of incorrigibility (De Genova, 2010c). The migrant protesters proclaimed, in effect: not only are we here, but also: we have no proper place within your normative or legal order, and there is nothing you can do about it – you can never get rid of us. This sensibility conveys both an implicit recognition of the legal production of migrant ‘illegality’ (the fact that the US immigration regime itself generates the conditions of possibility for ever more migrant ‘illegality’), as well as the more elementary dependency of a large cross-section of capitalist employers on the labor of illegalized migrants as a workforce of choice. Anticipating another slogan of the ensuing struggles over US immigration politics, associated mainly with the struggles of the undocumented but US-raised sons and daughters of migrants who brought them to the USA as small children (so-called DREAMers),<sup>1</sup> Latino migrants during the 2006 marches (in their millions) were boldly announcing that they were Undocumented, Unafraid, and Unapologetic – deportable, but insurgent nonetheless.

Thus, while the deportation power is a pernicious tool in the arsenal of contemporary statecraft, it is crucial to not allow for it to become yet another inducement for elegiac lamentations of the presumed ‘powerlessness’ and victimization of migrant labor or operatic denunciations of the ruthlessness of the state that become unwitting paeans to its sovereign power. Migrant labor – and especially illegalized migrant labor, so commonly inured to its multifarious sociopolitical disabilities – retains the intrinsically incorrigible subjectivity of all labor, and remains an always potentially disobedient, intractable, and insurgent force.

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Critical research into deportation has begun to constitute a distinctive area of inquiry within the wider field of migration studies. What ought to be apparent already is that the actual event of deportation, as a punitive act of administrative state power that ordinarily subjects people to grievous trauma and injustice, is commonly shielded from much judicial scrutiny or procedural oversight, and consequently is rather difficult (and often virtually impossible) to witness and observe. While there may be exceptions, this is an area of the exercise of state power that tends to be remarkably insulated from public view and largely enshrouded in secrecy. William Walters incisively identifies ‘the spatial, legal, bureaucratic, and material work of secretisation, the work of making deportation secret’ as a central but largely unexamined theme to which critical research must be addressed in order to interrogate the relations of bodies, space, and power at work in this elusive sociopolitical process (2020: 27). ‘We should take seriously the way secrecy is made and unmade’, Walters continues, ‘the fact it can take multiple forms, that it is not self-explanatory, and that there is a

complexity to the politics of secrecy' (2020: 30). The deliberate seclusion and segmentation of deportation from the purview of the public (including not only academic researchers but also investigative journalists and, perhaps most importantly, anti-deportation activists) nonetheless renders such enactments of state power, in and of themselves, to be inherently evasive of critical study.

Deportation is not reducible to the ostensible event of deportation alone, however. As may be inferred from the foregoing argument about deportability, and as ought to be already evident, deportation is better understood to encompass a variegated continuum of circumstances and contingencies that may or may not necessarily culminate in an actual deportation, but which impose deportation as the defining horizon for a more diffuse sociopolitical condition of susceptibility to deportation. This makes an interrogation of deportation indispensable for the critical study of migration, more generally. Even putatively 'legal' migrants are not immune to the menace of deportability inasmuch as deportation has increasingly become the ultimate supplemental punishment reserved expressly for non-citizens who are convicted for other 'criminal' offenses (Griffiths, 2015; Hasselberg, 2016; Peutz, 2006/2010). Likewise, sometimes long prior to the actual event of deportation, for those who have been issued an order of deportation, the legal battles of appealing and contesting a prospective deportation similarly provide a considerably more expansive context for investigating what precisely is entailed in deportation as a juridical procedure for the expulsion of those migrants who somehow manage to have occasion to plead their cases (Hasselberg, 2016). Furthermore, as a growing body of research has amply demonstrated, neither is the actual event of deportation a conclusive end to any given migratory project, and the study of migrants' post-deportation experiences and perspectives – above all, their not-uncommon renewed efforts to migrate again – has afforded scholarship with an abundance of new opportunities for researching deportation (Álvarez Velasco, 2019, n.d.; Bhartia, 2010; Brotherton and Barrios, 2011; Coutin, 2010; Kanstroom, 2012; Khosravi, 2017; Lecadet, 2013, 2017; Peutz, 2006/2010; Slack, 2019; Zilberg, 2004, 2007, 2011). Of course, neither is it the case that deportation ever ceases to produce enduring ramifications in the families, communities, and places from which deportees have been expelled, where their abrupt dislocation and absences continue to be palpable (Dreby, 2012, 2013; Drotbohm, 2015; Golash-Boza, 2013, 2015; Golash-Boza and Hondagneu-Sotelo, 2013; Hasselberg, 2016). Anti-deportation campaigns, moreover, have emerged as a crucial site of struggle redefining the politics of immigration as well as citizenship (Nyers, 2003/2010; 2019). Indeed, deportation regimes create a complex web of spatial and temporal interconnections across the planet through which migration and deportation increasingly entail a succession of serial multi-directional mobilities and repercussions (Álvarez Velasco, 2019, 2020, n.d.; Drotbohm, 2011; Khosravi, 2016; Lecadet, 2013, 2017). We therefore must transpose the critical perspective associated with the concept of the autonomy of migration into an appreciation of what I have designated to be the

autonomy of deportation (De Genova, 2017a, 2017b): the incorrigible subjective force that animates migration is not abruptly extinguished when confronted by the state's deportation power, but rather persists and sometimes defies deportation as the most coercive form of forced mobility, and subverts even the most oppressive constraints on human mobility.

At the very outset of his intellectual itinerary, Marx famously discerned in the incipient proletariat 'a class with *radical chains*' – a class bereft of property, with no standing in civil society, no historical entitlements, and no particular claims, which embodied not a one-sided and self-interested antithesis to modern conditions but rather a complete antithesis to the very premises of capitalism and the modern state. Thus, here was a class that was not an estate with a positive station within the social order, but rather one that was constituted only negatively, as an abject and 'foreign' but inextricable presence, inherently corrosive and always potentially subversive. This class alone revealed 'a universal character' and thus could invoke 'only a *human* title' (1844/1975: 186; emphases in original). Its very existence as a class was both a symptom and a harbinger of '*the dissolution of the existing world order*', and therefore its own abolition would be its existential vocation (1844/1975: 187; emphasis in original). Many years later, Marx identified 'the basis of the whole process' of the formation of the capitalist class to be those 'epoch-making' historical moments 'when great masses of men [and women] are suddenly and forcibly torn from their means of subsistence, and hurled onto the labor-market as free, unprotected, and rightless proletarians' (1867/1976: 876). Free. Unprotected. Rightless.

Radical chains were forged, therefore, of a treacherous sort of freedom. The freedom of movement is inseparable in practice from the movement of 'free' people, the mobility of free labor, which is, within the global regime of capital accumulation, a freedom that is distinctly circumscribed. This is the freedom to dispose of one's own labor-power as a commodity, as if one were the owner of a commodity like any other. At the same time, this is also the peculiar freedom of being unencumbered by any other means of production with which that elemental capacity for productive labor might be set in motion (1867/1976: 272–4). *Vogelfrei* – literally, free as a bird, expelled from any proper human community, entirely exposed and legally unprotected (1867/1976: 896n.). Deportation reminds us that the radical chains forged of a freedom without rights or protections may serve not simply to confine and fetter us in place, but also to drag us mercilessly to the ends of the earth, and back again. It is in this respect that migration and migrant labor may be taken to be paradigmatic of the more global condition of labor as such, and deportation is one of the premier forms for its subordination and disciplining. And yet the freedom of movement remains the freedom of life itself, not merely the mundane necessity to make a living but the freedom to truly live. Deportation, as a more or less juridical, more or less arbitrary, exercise of state power, is therefore an exquisitely concentrated abnegation of that freedom, one more usurpation by the state of the power of human life

itself. The freedom of movement, as an inherently unpredictable and definitively open-ended precondition for human self-determination, can only ever be a perpetual and troublesome affront to the self-anointed sovereignty of state power. Deportation, then, must be apprehensible as a site of unresolved struggle.

### Note

- 1 The 'DREAMer' moniker is derived from the abortive legislative bill, the Development, Relief and Education for Alien Minors Act, first introduced in the US Senate in 2001 (intentionally so named in order to be popularized as the DREAM Act). The original version of the bill was first introduced in the US House of Representatives earlier in 2001 with another title: the Immigrant Children's Educational Advancement and Dropout Prevention Act.

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