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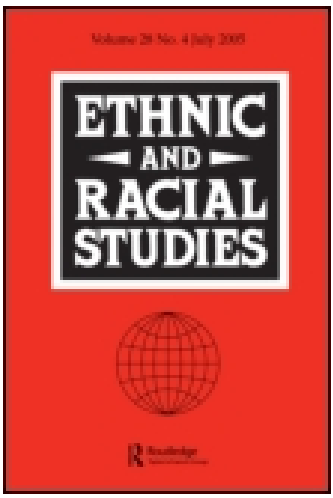

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Access denied: the anatomy of silence, immobilization and the gendered migrant

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Access denied: the anatomy of silence, immobilization and the gendered migrant

Katharine Sarikakis

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Abstract

This article argues that the status of migrant subjects is characterized by a loss of communication rights and locates the instances where this loss is most visible. It investigates the process of silencing and immobilization of migrants and the particular forms it takes for female migrants through the disenablement of communicative acts. In this process the detained migrant loses her status as an interlocutor, irrespectively of the instances and processes that allow her–or demand of her–to speak. The state of exceptionality assigned to detained migrants is supported in the criminalization of migration laws and securitization, which together with widespread policies of incarceration in the West have become the antipode of the fundamental principles of free movement and expression. Silence and immobilization constitute the 'standard' rather than exceptional conditions of people on the move that shadow them across every step of their way, geographically, politically, culturally, legislatively, socially.

Keywords: Communication rights; detention; gender; irregular migrants; silence; speech.

Introduction

Globalization has been accompanied by the narrative of freedom: for markets, flow of goods, services and capital; movement of ideas; from the boundaries of space and time, and identity. Globalization 'draws our enthusiasm because it helps us imagine interconnection, travel and sudden transformation. Yet it draws us inside its rhetoric until we take its claims for true descriptions' (Tsing 2001, p. 69). Communication, the indispensable element of globalization, has attained mythical dimensions for its impact on the human experience as one of

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liberation, self-determination and connection (Mosco 2004). However, the imagery of 'free movement' and 'connection' concerns only a small portion of humanity. The article aims to highlight some of the profound gaps in our thinking about communication, freedom and the silent majorities of migrants and to connect the broader context of *immobilization* of women migrants with the process of *silencing*. It argues that immobilization and silencing are two core rather than exceptional conditions for people who attempt to 'go elsewhere' that have accentuated consequences for women.

Epistemologically, the following discussion refers to women *in transit* who become *immobilized* through formal confinement in detention camps[1] or other restricting conditions.[2] I do not explore communication in relation to 'settled' diasporic, 'naturalized' or other groups with a level of legal entitlement of residency, although one could extrapolate some core elements of this discussion to these groups. Rather, I am interested in those 'failing' to gain *recognition*, those suspended in between worlds and without status. Female migrants'[3] experiences and knowledge as a subordinate class due to their position vis-à-vis institutionalized 'androcentric value patterns' (Fraser 2007) is determined by the international gender division of labour, institutional patriarchy and sexual violence. Gender 'intersects' with 'race', class and disability in the 'matrix of domination' accompanying women in transit. The process of transit is 'organized', at least analytically, around institutionally determined 'moments': *exit* from threatening spaces (death, rape, poverty), '*journey*', *arrival* at a transit space (borders) and either *detention* (and ultimately *removal*/ return to original start) or more seldom *authorized entry* to 'destination'. This discussion begins by contextualizing communicative aims to personhood, citizenship and legitimacy. It then connects those to the international political economies of migration, control over and incarceration of human beings by highlighting spaces and moments in the process of immobilisation and silencing of the female migrant.

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Personhood, communication and citizenship

'The abjection suffered in the camps horribly illustrates the threat of exclusion which weighs on all interlocution' (Lyotard 2002, p. 187).

The despair of which Lyotard speaks when referring to the Holocaust extinction camps is the fear and knowledge of exclusion, isolation, extermination and annihilation of the living being when her or his very existence is threatened. Through the denial of physical existence one is denied to be an interlocutor, to have an other partner in dialogue. Lyotard (1993, p. 147) asserts, in interlocution:

> a drama is played out between *me* and *you*, it is the drama of authorisation. The question or assertion that we address to others is invariably coupled with an entreaty: Deliver me from my abandonment, allow me to belong among you.

To speak and to be heard is a fundamental communication act through which the subject can derive certain benefits that only speech can provide. These are, for one, legitimacy of existence, as a human being (at any given time in any given location). Speech-only derived benefits are withdrawn when silencing takes place–and this silencing does not have to preclude people from uttering words (Maitra 2009).

Silencing produces a wrong. Communicative disablement takes place when the speaker 'is unable to fully and successfully perform her intended communicative act' (Maitra 2009, p. 327) because her intended audience fails to satisfy her intentions either (a) that her audience recognizes that she has an informative intention or (b) that recognition of her intention gives her audience reason to respond to the content of her communication by fulfilling it (Maitra 2009). In the context of undocumented migration, one such instance is when women are not given the right to speak about their condition, and their words are not taken seriously, hence failing to produce a response by their intended audience (immigration officers or the police, for example). The wrong caused by silencing results in injury when women do not receive fair treatment. The ability to communicate and to be recognized as an interlocutor is at the heart of human rights and social justice, not only a functional right to seek and impart information. The more complex qualitative level of communicative act is lost for human beings not considered equal *others* to be granted the role of interlocutor. This is an overpowering position in which migrants find themselves when incarcerated and immobilized in modern-day camps. Below, I show that migrants' right to communicative acts is illegitimately and unilaterally disabled through material, legal, procedural and political economic constraints. This is more so for women on the move whose level of vulnerability is exacerbated due to gendered causes and consequences of migration.

The politics of inclusion and participation are inextricably linked to that of recognition and citizenship, whereby 'institutionalized patterns of cultural value recognize some categories of social actors as normative and others as deficient or inferior' (Fraser 2000, p. 114). Although communication rights–as fourth-generation and second-order rights–may seem secondary in confinement–a state of exceptionality–they constitute the testing ground of civil liberties for 'recognized' citizens. The notion of 'voice' and legitimacy is what underscores 'communication rights' as a system of human rights provisions, including freedom of expression, access to information, the

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right to education and literacy, freedom of assembly, right to free movement and the right to dignity. Although not recognized as a separate legal format of rights, the framework of the right to communicate is process oriented, securing other rights (McIver, Birdsall and Rasmussen 2003; Birdsall 2008; Hamelink and Hoffmann 2008).[4] Claims for the recognition of the 'right to communicate' do not consider migrants specifically. Nevertheless, communication is considered:

> a fundamental social process, a basic human need and a foundation of all social organizations. Everyone, everywhere, at any time should have the opportunity to participate in communication processes and no one should be excluded from their benefits. (Civil Society Declaration to the WSIS 2003)

My interest here is not to analyse the adequacy or otherwise of a universalistic communication rights claim, but rather to juxtapose its universal political claim about the recognition of personhood to the politics of women migrants' loss of this right. Not only the *legality* of speech but also the *legitimacy* of speech, and the *authority* to speak are the elements of a right to speak. For Lyotard (2002), there are three levels of this right: the faculty of interlocution, the legitimation of speech, whereby 'something other'–that which one knows not–is announced, and legitimacy of speech, 'the positive right to speak, which recognises in the citizen the right to address the citizen' (Lyotard 2002, p. 185). Hence, the (ideal) republic encourages everyone to speak and forbids the arbitrary deprivation of speech: 'It discourages terror' (Lyotard 2002, p. 186).

The governance of the conditions of speech and communicative act is situated within the context of the politics of globalization and the 'republic' and the ways in which it relates to 'outsiders'. Today it 'securitizes' heterogeneity, whereby difference–'that which one does not know'–becomes 'too visible'. Irregular migrants 'personify' that which is not the norm, that which is not known. The republic's response is to render them 'deficient or inferior', dehumanize them, negate them recognition as civic beings, exceptionalize and ultimately silence them. The 'state-of-emergency' discourse signals the abrupt break with normal politics, decision-making bypasses democratic processes and the citizen is symbolically annihilated. The mechanism of exemption undermines the public sphere and compromises political recognition (Sarikakis 2006). The violence of annihilation takes on an almost literal dimension when non-citizens are concerned: the extension of *social* rights to non-citizens is abruptly interrupted with the securitization of western politics and the criminalization of the migrant

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(Arat-Koc 1999; Miller 2003; Picum 2007a, 2007b, 2009). Not only the 'polis' becomes an inaccessible communicative space for citizens, it also becomes dangerous to the outsider.

Illocutionary inclusion, being part of the 'polis', engaging in public speech, remains a core value of citizenship as in ancient Greece. Not only the core elements of participation in the political arena, as the dominant interpretation of the Athenian citizenship tells us, but other patterns of citizenship praxis become even more urgent in our era of global human mobilities. Not only men's role in the public domain, but also women's leadership in the family life, religion and social life of the 'polis' was recognized. Protection of the *citizen body* was a paramount element of citizenship extended to women through laws prohibiting physical assault, enslavement and punishment (Patterson 2009). The possibility for recognition and inclusion were inherent in laws enabling slaves to become free, and 'barbarians' 'affiliated' citizens, or *astoi*, with a share in the 'polis'. Today, some social and cultural dimensions of citizenship rights are by law required to be afforded to non-citizens, to enable them to maintain a sense of self-governance and on the basis of fundamental rights. International refugee and armed conflict law and human rights declarations[5] are juridical expressions of dimensions to protect the citizen body and safeguard the interlocutor. However, the state of exceptionality allows for hindering unwanted groups of people from moving and has subsequently constructed borders of extraordinary presence. Geographies of im/mobilization emerge through the concentration of immobilized persons, those who are related to migrants and in particular children, and the mobile disadvantaged classes (Sassen 2002; Yeoh and Lam 2007). Next, I explore the intersections and instances of physical and illocutionary immobilization.

Women in the international political economy of migration

'Whether we are willing to debate seriously and pay attention to the conditions of people who are not citizens or voters is a test of this House [of Commons] and a test of our humanity' Abbott (2010).

The 'space for speech' in the context of recognition consists of two dimensions: that of the 'Other' as the ability and capacity to voice one's own condition, and the space occupied by voices of the 'norm' speaking of the 'Other'. In Athenian terms, this is the speech of the 'barbarian', which matters insofar its communication is received speech that is heard as well as spoken. Speech *about* the Other is determined by a system of factors, which have to do with the position of the 'Other' or 'barbarian' in relation to political economic structures of global migration, and hegemonic discourses in the immaterial, cultural realms of the 'normal' citizens. Non-/citizenship

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is determined by the nexus of international political economy and 'immigration renationalising politics' (Sassen 1996). Media panics and electoral campaigns' rhetoric[6] draw a picture of 'asylum seekers' and 'illegal' immigrants 'flooding'[7] the West, despite the fact that migration is in absolute terms low, with net migration in Europe 1.4 migrants per 1,000 annually in 2005, or 4.2 per 1,000 in North America (UN Population Division 2006).[8] Media and political discourses about immigration and asylum represent people in transit as a threat, but these concern only certain 'races' and classes of unwanted 'barbarians' (Roth 1998; Danso and McDonald 2001; Sjöberg and Ingegerd 2008).[9] Even so, only a small proportion of the world's refugees, 2 million out of 13.5 million, are actually located in the developed countries (UN Population Division 2006),[10] while in the last quarter of 2009 in the EU, a colossal 73 per cent of asylum applications were rejected (Eurostat 2010, p. 7). The rate of *rejection* of asylum applications for the UK and Austria was 78 per cent, France 86.5 per cent, Germany 68 per cent, Greece 98.6 per cent, and Spain 90 per cent. These numbers are of particular significance when considering the gendered causes and character of migration across three core dimensions of human flow: who travels (and why), where to, and under which socio-legal conditions? As Sudbury (2004, p. 155) argues, when writing about imprisonment and confinement of the African diaspora:

> questions of mobility–who travels, who cannot, who sets sail, who stays home, who can cross borders, who is detained behind them–are deeply gendered . . . these questions are also infused with the politics of class, citizenship and the social construction of criminality.

The *feminization of migration* is changing the face of human flow and is accompanied by an expanded reach of *silencing* practices. Although already by 1960 women made up 47 per cent of migrants (Zlonik 2003; INSTRAW 2007a) women now migrate not only as spouses and family members of male migrants but as workers in their own right. They are also refugees of ethnic wars, and seek protection for their children from abusive relationships, harmful customs, rape and violence in conflict zones (Refugee Council 2010), in addition to avoiding persecution due to their political or religious beliefs. The causes for female migration are not to be found only in crises in countries of origin, but equally in crises in destination countries, such as the 'care crisis' of the western world that requires the labour of domestic or medical carers in houses, hospices and hospitals (INSTRAW 2007b) or seasonal labour in the agricultural sector. Although the global North needs the labour of women, it controls their mobility and voice by withholding their social rights in feminized jobs in the informal

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economies of care. Global labour chains in care provision are based on the gender division of labour, reproduced across centres to the periphery (INSTRAW 2007b). Hence, the recipients of precarious and poorly remunerated jobs are most typically disadvantaged women migrants whose 'options' for the pursuit of a better life in the global labour market range largely between servitude, as domestics in wealthy nations, and prostitution, as sex 'entertainers' (Mies 1998; Pittaway and Bartolomei 2001; Ong 2008; Rubin et al. 2008).

Globally, migration geographies are largely feminized as women outnumber men in their effort to reach the 'developed' world: in Indonesia and Sri Lanka, 68 and 75 per cent of migrants are women, respectively. In the USA, a receiving country, documented migrants have been predominantly female since 1930 (Borak 2005). Contrary to media representations of migrants costing the economy, overall, non-EU migrants make a significant contribution to labour input in the EU, accounting for 6.7 per cent of the labour force on average, compared with their share of 6 per cent in the total adult population (European Commission 2008). Their contribution to the labour force exceeds 10 per cent in Austria, Cyprus, Estonia, Latvia and Spain (European Commission 2008). However, in many Member States, the integration of recent female immigrants appears particularly problematic, with employment rate gaps relative to EU-born women exceeding 25 percentage points in Austria, Belgium, Finland, France, the Netherlands and Sweden (European Commission 2008).

The colonies or modern-day peripheries *as well as* the centres in the global North are managed in the production–accumulation cycle through the global operation of patriarchy, accumulation and the international division of labour on the basis of a gender division of labour (Mies 1998). It is the subordination of the periphery that fuels specific production models in the centres, including the 'humanization' of western women's conditions who can escape menial, low-esteem and poorly remunerated (or unpaid) work, such as caring for the elderly or cleaning jobs, by employing women from the periphery. Mies (1998, p. 142) maintains that the process of 'housewifization', under which women in post-industrial societies are controlled, coerced or conditioned to roles of consumption, is accompanied by the simultaneous 'housewifization' of women from developing countries, meaning their treatment as invisible producers, their work seen as *activity* and only supplementary. When seeking entry to western countries women are not seen as highly skilled workers, especially if they enter under family immigration (Bach 2009). Worldwide, their numbers as highly skilled workers are lower than men's, while more highly skilled women are occupied in low-skilled jobs than men (Rubin et al. 2008). The occupations of most migrant women in the West are as personal and protective service workers, sales and services elementary occupations,

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office clerks, models, salespersons and demonstrators (Rubin et al. 2008), often under slave-like labour conditions and with a lack of social rights.[11]

New borders and the anatomy of silence

The drama of authorization among interlocutors of which Lyotard (2002) speaks is visible when gender, race and class intersect. International law provides legitimacy, authorization for some and not others, as the journey of migration involves multiple levels of negotiation between the subjects who claim a right to interlocution and those who possess it: those who enter the new 'polis' and those who inhabit it (Pittaway and Bartolomei 2001). However, the law has in mind 'clean' narratives about those who seek to be heard, and complex matrices of domination cannot always be understood in practical and legal terms.

Securitization and criminalization of immigration policies in the global North (Miller 2003) has seen the integration of immigration law into criminal law, and the use of criminal law to deal with immigration challenges; the criminalization of the foreigner; the withdrawal of rights–economic, social, cultural–for migrants and those in detention; the increase in detention places; conflation of detention facilities with prisons and detention of irregular migrants in prisons; the introduction of the fast-track process for the deportation of applicants; and the use of military means to address requests for entry (Miller 2003; Fernández, Manavella and Ortuno 2009; Silveira Gorski, Fernández and Manavella 2009). Women and men are silenced by institutions through guards, the police and border officers. Women migrants are further silenced by ostensibly gender-blind international law, which fails to recognize their experience: only recently has rape been recognized as a war crime. Yet, no specific provision is made in cases of gender-based violence when handling asylum applications and women refugees are less likely to be granted full refugee status (Pittaway and Bartolomei 2001; Women Against Rape 2010). Culturally and institutionally, communication about sexual traumas in camps is often trivialized (Pittaway and Bartolomei 2001; Egharevba 2006). Speaking about sexual violence as part of a formal process becomes a form of torture for violence survivors, because their authority to speak is tested: a rejection of asylum application is a threat to their integrity *and* life. The confidential character of this communication is at odds with the context of interrogation, formality and demand to reduce complexity to names, dates, numbers and descriptions, repeatedly to one officer after another. To gain protection, the survivor is obliged to return to that from which she is escaping. 'Speaking' in the asylum interview context is not an act of

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interlocution in Lyotard's sense of citizen addressing citizen; *made* to speak under power relations is not a matter of free will or control over one's own personhood.

Volatile changes in the position of previously sender countries, such as the European peripheries of Greece, Italy or Spain, that have now become massive 'reception' centres for the whole of Europe have not been accompanied by material and social resources that would allow them to recognize a legitimate interlocutor in the face of 'barbarians'. As a response, 'foreigners camps' have sprung across Europe, and outside its borders, creating control zones to repel outsiders at the gates.[12] External camps mark the 'actual borders of the European Union: Morocco, Algeria, Ukraine' operate as 'European border watchdogs' (Migreurop 2009a). Periphery countries, such as Greece, function as the final 'frontier' for 'tidying up' the messy arrivals. Once 'deeper' in the EU (Germany, France, UK), migrants are immobilized in internal camps and then sent back to the first port of entry under the Dublin II agreement, even years after they have entered their destination. Europe immobilizes and silences its 'barbarians' to border zones and through indiscriminate expulsions (Migreurop 2009b).

A new map of borders and flow geographies emerges, based not on the migrant journey but on the processes of immobilization and silencing. Communication acts, self-governance and speech are the first victims in a long list of revoked rights as interlocution becomes de facto a site of constant struggle through territories of strange languages, systems, cultural and legal codes, and danger. This a journey haunted by *silence*:

> Because you have prepared mentally for the journey, it is hard and dangerous, and you hope that this time you will get through. But when [the police] catch you, you just collapse. You are depressed. If you start shouting as well, if you try to say something, they hit you. You know, we don't even ask them for some respect, but if they also hit you, you know . . .. You don't have the right to speak to them, nor the right to ask to go to hospital. If you do so, if you talk to them, they beat you. (Interview 2008 in Migreurop 2009b).

In these conditions, to know one's rights is paramount. Civil society organizations demand that asylum applicants are clearly informed of their various rights for information, representation and interpreters of the same gender (Asylum Aid 2007). However, 19 per cent of UK detainees had no access to legal assistance at the time of their interview (Bail for Immigration Detainees 2009). Immobilized women's capacity to change their status depends on use of their speech rights. In order for their social rights to be 'returned', it is necessary that communication processes and channels are open and enabling:

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> I am scared that I am becoming invisible and no-one knows I am here. I feel quite suicidal and only the thought of Fi keeps me going. It is shocking and very emotionally draining to be locked in the system, and locked up with your tools of communication taken away or blunted. (interview in Ross 2008).

The operation of the camps takes place away from public scrutiny: there is little access to camps and detainees for non-governmental organizations, journalists or other organizations (Brothers 2007; Migreurop 2009b).[13] As camps are often under the control of private companies, their contractual obligations, expectations and infrastructure affect the ways in which decisions are being made on a day-to-day basis at border control points (Weber and Gelsthorpe 2000; Bacon 2005). Additionally, laws of commercial confidentially do not allow the full spectrum of data on camps to become public. The consequences are manifold: migrants are being multiply silenced as they are kept away from public debate, their contacts to the outside world severed, their condition untold. Their non-existence status, as non-authorized speaking subjects, normalizes further their silencing under exceptionality.

The political economy of migration extends to the internal organizations of new borderlands. Their profits derive from contracts with the state, their financing by the public through taxation. They also derive from 'work' schemes for detainees whose pay lags behind the national minimum wage (Women Against Rape 2010); understaffing and substandard services, such as food below expected standards[14] (Bacon 2005; Taylor and Cooper 2002). The criminalization of irregular migrants 'delegitimizes' one's personhood: the citizen body is not protected; participation in the 'polis' is disabled; the speaker is silenced:

> . . . our minds have been lock and our hands cut off because we can't express anything fully about our cases. We do not have any approach to emails. We can't discuss anything with anybody as we are detained and telephones are much expensive which we can't afford. We are all going to be refused and there is no choice whether you have evidence or not because they are saying these documents are fake and not genuine (Cutler 2007, p. 2; see also: Bail for Immigration Detainees 2007, Bail for Immigration Detainees 2009).

Often, the ultimate act of speech is one that entails the ultimate act of refusal to speak, the risk of death: women have gone on hunger strikes, such as in the UK Yarl's Wood detention centre, in order to draw attention to their condition and have their voices heard (Silove, Steel and Mollica 2001; Brothers 2007; Migrants' Rights Centre Ireland

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2008; Travis 2009). Abjection and exclusion are materially manifested: without a safe physical and symbolic (communicative) space within which experiences, political claims and expectations are expressed, connecting with others is nearly impossible. Hence, a form of universality of fundamental freedoms for humanity must aim at the empowerment of marginalized groups in public discourse (Hansen 2009) without minoritizing, trivializing or relativizing women's voices. civil society organizations and migrants know it all too well; an effort to create the space for interlocution proves to be an indispensable political tool:

> The Women's group is a crucial opportunity for our clients to have a voice within a system that renders them powerless, and a safe space in which to share their experiences, concerns and ideas. This has included contributing to focus groups to influence the Home Office and the Department of Health. (Refugee Council 2010, p. 4)

In the silence and immobilization nexus, basic rights are systematically revoked (Silove, Steel and Mollica 2001; Miller 2003; Oberoi 2009); in many cases, the basic right to life is 'revoked'.[15] The 'polis' is 'cancelled' for those waiting in camps, the 'territory of exemption' (Fassin 2002, p. 228). Lack of public scrutiny and debate imposes silence on the experience and testimonies of thousands of 'people who simply want to go elsewhere' (Migreurop 2009b, p. 34). Moreover, when the 'barbarian' Other enters the public arena she is confronted with racist, xenophobic discourses, stereotypical (mis)representations (Van Dijk 1993; Ross 2000; Spoonley and Butcher 2009) that serve to undermine equal interlocution.

Concluding remarks

The world, while 'experientially shrinking', becomes claustrophobic for the immobilized and silenced migrant. Within the western political systems, the values of personal liberty, freedom of expression, equality before law and humanism are put to the test: to which degree do these values and rights apply to the Other? To what extent does the Other become a case of exemption from democratic processes and ceases to be the 'other than me' of interlocution? How does the confinement of people seeking to 'go elsewhere' reconcile with claims of world openness and interconnection? Today, the migrant subjects criminalised by punitive nation-state border agencies and removal centres, while the media and political discourse adopt 'practices and priorities of the criminal justice system' (Miller 2003, p. 613). The triangle of dehumanization consists of the privatization of the incarceration system, instrumental in the expansion of detention spaces; the

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criminalization of the migrant and development of punitive migration laws with the core aim to expel (Silveira Gorski, Fernández and Manavella 2009); and the gendered construction of normative standards of international law. The capability for communication is an indispensable part of personhood, however the legal frameworks protecting the person are undermined by policies of exemption and exclusion. It is precisely under these conditions that the right to speak, with authority, and be heard, is more important than ever.

Integral to the negotiation process of migratory experience is the relation of the subject to the means of symbolic existence, the range of possibilities for the finding and articulation of one's voice in cultural, political and legal terms. In law, this articulation is understood as the enjoyment of human rights, not only civil and political but also economic, social and cultural rights. Protests in detention camps come to remind us of our civic duty to recognize the human in those immobilized others. Women detainees hunger striking in UK's Yarl's Wood or sewing their lips with wire in Samos in Greece mobilize the non-citizen body so that it is recognized; sacrifice the body for its survival; silence themselves for the right to speak. They make the most powerful statement about the state of the republic. Speech as an element of the 'polis' requires to be legally and materially available to all voices or, as Lyotard (2002, p 187) argues 'the effort of translation must be endlessly renewed'. In the condition of 'emergency' and segregation of people into dehumanized invaders and legal citizens, being 'part of the polis' is the ultimate test of legitimacy for the republic itself.

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Notes

1. The article understands 'camps' to include locations that although 'open', inhibit movement due to conditions imposed on people (http://www.migreurop.org).
2. Human trafficking is most relevant in exemplifying the multiple manifestations of immobilization, exploitation and silencing of women and children and a major factor in migration. Indeed the whole article could have been written around this particular phenomenon and I thank an anonymous reviewer for suggesting its mention. In this discussion I concentrate on the contexts determined by formal, otherwise 'legitimate' and legal actors, such as states, policy makers, police, detention centre companies, border and immigration officers. All these actors are less than understanding or adequately sensitized to

deal with the social and individual harm and injustice on women caught in human trafficking.

3. This paper understands 'migrant' to be anyone who crosses borders, although invariably the discussion focuses on unwanted migrants. This usually means migrants from third conflict or poverty-ridden countries, although depending on national contexts even 'less' foreigners (such as inner European migrants) are treated as unwanted.

4. To this conclusion came d'Arcy (1969) in his article criticizing governments for concentrating on content instead of the process of communication. Although not clearly defined, the 'right to communicate' relates to the comprehensive material and symbolic availability of the means through which communication can take place. It put forth a claim to a more just world order in the 1970s and 1980s with the MacBride Report and the New World Information and Communication Order. The debate resurfaced during the World Summit of the Information Society (WSIS). Despite global grass roots and UNESCO support, the proposals for a specific provision were not included in the final declarations (Chakravartty and Sarikakis 2006; Hamelink and Hoffmann 2008).

5. For example, International Humanitarian Law, 1951 Refugee Convention, also see the UN refugee Agency (http://www.unhcr.org/cgi-bin/texis/vtx/home) etc.

6. In the UK 2010 electoral campaigns, the party leaders' debates very quickly turned to the 'need' to control immigration. Even the Liberal Democrats, whose political manifesto included the proposal to allow immigrants to live in the community instead of detention centres, retreated when faced with populist xenophobic discourses (see Flynn 2010; Grayson 2010; Kikrup 2010).

7. In Europe, increase in immigration has slowed; some countries (including Germany, Austria and the Netherlands) have seen a reduction in migration (Eurostat 2008).

8. Overall, global migration has increased by just 0.5 per cent since the 1960s (INSTRAW 2007; UN Population Division 2006).

9. Public discourse focuses on third countries' migration to Europe. However, British and German immigrants to EU countries are second only to Polish and Romanian immigrants according to Eurostat: nearly half of British citizen migrants went to Spain in 2006, while Australian (26,000) and South African citizens (16,000) in the same year were among the top five citizenships migrating to Britain (Eurostat 2008).

10. Asylum applications have fallen from 483,000 in 1990 to 282,000 in 2004 in the EU (Eurostat 2006).

11. The sex trade is a core source of illegal immigration and slave labour: the UN estimates that up to 600,000 women are brought to Europe illegally every year, with 80 per cent of them absorbed in the sex industry (Rubin et al. 2008).

12. On the political economic relations of extra-territorial camps, their politics, data and geographies (http://www.migreurope.org).

13. Even the Office of the United Nations High Commissioner for Refugees (UNHCR) is often not allowed access to camps or is presented with distorted pictures of life in camps (Brothers 2007).

14. See Taylor and Cooper 2002 for an extensive report on privatization of correctional facilities and the level of service to inmates. Also see 'Privatisation of Parklea. Analysis of the potential Operators. July 2009' (http://www.docstoc.com/docs/31829609/Private-Prisons-%E2%80%93-Company-Profiles) and 'Private detention centres reap mammoth profits' (http://www.abc.net.au/pm/stories/s215963.htm). Seven out of ten detention centres in the UK are managed by Global Solutions Ltd, a company involved in education, investment and prisons. Other private companies involved in the UK correctional system, the most privatized in Europe, are Wackenhut Corrections and Serco. See the report by Corporate Watch (http://www.corporatewatch.org.uk/?lid = 1838) and civil society organizations such as no-lager (http://www.nolager.org).

15. On the conditions of existence–and extermination–of refugees and 'illegal' immigrants, see the detailed report of Migreurop (2009b).

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