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A 'distributive regime': Rethinking global migration control

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ABSTRACT

International regimes govern how officials address specific issue areas in global politics. There is a deep and unresolved debate as to whether we can speak of an international migration regime. This article seeks to develop the theoretical language to resolve this debate. We introduce the concept of a 'distributive regime': a structure that coordinates movement and settlement control practices in ways that engender ideal distributions of populations across space. The paper demonstrates the discriminatory power of this concept by using it to shed light on analogous forms of movement and settlement control in the study of slavery and incarceration. We then suggest that we could resolve the extant debate about the status of the international migration regime by further exploring the hypothesis that contemporary migration control practices are coordinated in ways that achieve a distributive effect.

Is global migration under control or out of control? We know that migration control practices are broadly similar across the world. Government officials and agents defend borders, identify mobile populations, arrest unauthorized residents and detain and deport those without the right to remain. We also know that these enforcement practices have significant cumulative effects on global patterns of movement and settlement. Large numbers of people are detected, arrested, detained and deported every year. Significant numbers of people die attempting to reach their destination. A range of other groups lives out life in a condition of virtual purgatory, in states of transit or encampment. A wide array of other groups simply stay put, because they are all too aware that it will prove futile to attempt to migrate abroad.

Are these merely the unintended side effects of a range of individual efforts to control migration, or are they the sign of an emergent migration control regime? The jury is out. The 'doubters' say that there is no global migration regime (Betts, 2010; Hollifield, 1992; Koslowski, 2011). Other work points in the opposite direction: discovering traces of a powerful 'sedentarization' regime that shapes how various actors control migration (Bakewell, 2008; Hindess, 2000, Hyndman & Giles, 2011; Shamir, 2005, Glick Schiller & Salazar, 2013; Salter, 2004; Walters, 2002). These regime 'doubters' and 'discoverers' have not sought to engage one another in a formal scholarly debate. Hence, we have not made much progress towards resolving their differences.

This theoretical gap has potential real-world consequences. Each side of the debate suggests different ways of ameliorating the most undesirable effects of contemporary migration enforcement - the exploitation *en route*, the deaths at sea and the prolonged detentions that follow. The doubters tend to call for more cooperation and coordination amongst states (see esp. Ghosh, 2000; Sachs, 2016; Koser, 2010). Meanwhile, the discoverers suggest that further institutionalization of this emergent regime may only amplify the oppression and inequality we currently witness as a consequence of migration control policies and practices. As states have now adopted a Global Compact for Migration, it is increasingly important to clarify to what extent these formal commitments build upon or entrench existing principles of migration governance at the global scale and whether these developments are broadly speaking - positive or not. For these reasons, we would argue that developing ways of resolving this scholarly debate ought to have important implications for the types of migration governance reform and resistance we might advocate for. Our work thus provides the basis for a more compelling and common understanding, bridging different scholarly fields, of what is currently happening and what is at stake.

This article does not seek to definitively resolve debates on migration regimes, but to further specify and develop ways of empirically substantiating the most prominent claims regarding an emergent global regime. Regime discoverers collectively suggest that migration control practices have a cumulative sedentarizing effect at the global scale: to discourage or prevent large proportions of the world's population from leaving their country of origin. However, to this point the literature has not provided us with the resources to adequately adjudicate their claims. Put simply, theorists of sedentarization have neither clarified

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what their regime does, nor how it achieves that end. This is not an indictment of the literature, but an assessment of the magnitude of the conceptual problem they confront: how do you gauge the nature and power of a global political regime that is just taking shape?

A lot of the literature that claims to have discovered traces of a global regime avoids this challenge by narrowing their empirical focus, to specific migration control practices, sites and actors. We take a different route in this article, by trying to situate the hypothesised sedentarization regime in a broader historical and phenomenological context. In this respect, we draw inspiration from an interdisciplinary tradition of research, beginning with the early Critical Geopolitics literature, that tries to understand the evolution of geopolitical forms at the global scale (e.g. Agnew & Corbridge, 1995; Brenner, 2004). Our approach involves considering whether the sedentarization regime ought to be considered a member of a particular family of movement and settlement regimes that we call 'distributive regimes'. We define a distributive regime as the coordinated coercion of popular movement and settlement to conform with a specific distribution of people across space. We develop our case for this definitional move by identifying two potential examples of distributive regimes in parallel fields of inquiry: specifically in the study of slavery and incarceration. The efforts to prevent the flight and promote the return of enslaved peoples in pre-civil war United States and the racially discriminatory effects of the United States penal system both classify as potential examples of distributive regimes. Our discussions of these forms of movement control help us demonstrate and defend the value of a set of analytical criteria for discerning the relative power of an emergent distributive regime. We then offer some preliminary suggestions as to how these criteria might be deployed in empirically grounded research on global migration governance. These research strategies provide a way in which the extant and important research debate regarding the status of the global migration regime might be resolved.

1. Section one: is there a global migration regime?

1.1. The doubters: there is no global migration regime

Political Scientists and International Relations specialists were the first group of scholars to explore the prospects of a global migration regime. They quickly denied its existence. These scholars looked across several dimensions of migration governance, including policies relating to admission, control and integration, and concluded that a regime had yet to emerge. For example, in the early 1990s, James Hollifield argued, "we have yet to see the emergence of an effective international migration regime" (1992: 578). Christopher Mitchell broadly concurred with this position at the time, contending that "it is doubtful indeed that any interstate behaviour patterns dealing with migration reach the level of international "regimes"" (1989: 701). More recent work has been more definitive. Rey Koslowski says simply "there is no international migration regime" (2011: 1). Alexander Betts concurs, "[t]here is no UN Migration Organization and no international migration regime (2010: 1).

At first blush, this reads like a radical denial. The regime doubters adopt International Relations' standard definition of a regime: "implicit or explicit principles, norms, rules and decision-making procedures around which actors' expectations converge in a given area of international relations" (Krasner, 1983). All that would be required to satisfy this 'woolly' definition (Strange, 1982) would be a set of implicit principles around which actors' expectations converge. Is the governance of international migration so chaotic as to lack even such an embryonic form of order?

A closer look at the doubters' works reveals the potential for a more nuanced position. More specifically, their works contain substantial evidence of 'regime-like' properties in the practice of immigration control. For example, Mitchell refers to the state's claim to exclusive authority to control immigration as a point of consensus, noting, "all states assert immigration control as a central attribute of sovereignty" (1989: 694). Hollifield (1992: 580) refers us to the consistent tendency of states to respect certain limits on this claim, quoting Aristide Zolberg's argument that states have been remarkably compliant with at least one norm pertaining to global migration: "the principle of freedom of exit has come to be generally acknowledged as a desirable norm so that the states who violate it are, so to speak, on the defensive in relation to the international community" (1981: 6). Koslowski notes that states not only *tend* to cooperate in order to control migration but that they, in certain senses *must* cooperate: "states can unilaterally address the problem of individuals overstaying their visas with stepped up worksite and internal law enforcement. In contrast, reducing clandestine migration between ports of entry and smuggling through them are much more difficult without international cooperation" (2011: 22). Finally, Betts identifies more precisely how such cooperation is commonly achieved: "a dense set of bilateral agreements exist between states in the areas of migration – relating to reciprocal agreements on readmission, extradition, visa agreements, privileged access to temporary labour migration" (2010). These theorists appear to have encountered the rudiments of a global migration regime in the practices of migration control, but have stopped short of concluding that a regime exists, even if in embryonic form.

1.2. The discoverers: we see the emergence of a sedentarization regime

While the doubters have been hesitant to conclude that evidence of inter-state collaboration on migration control amounts to a regime, a range of other scholars have begun arguing precisely the opposite. Barry Hindess was perhaps the first to write of citizenship as part of an "international regime of population management" (2000: 1496). William Walters spoke of deportation as operating in relation to "a wider regime of practices including resettlement, voluntary return, political asylum, temporary protection and so on, which together can be said to comprise a global police of population" (2002: 282). Mark Salter wrote of a global mobility regime, that "endows the citizen with a right to exit their "home," a right to return "home", and a right to become a refugee, at which point other sovereigns have an obligation to permit admission" (2006: 175). Nicholas DeGenova and Natalie Peutz argued that the 'deportation regime' is "an exceedingly normalised and standardised technique of state power" (2010: 6). Ronen Shamir has traced the "emergence of a global mobility regime, oriented to closure and to the blocking of access" (2005: 199). Finally, Noel Salazar and Nina Glick-Schiller used the term 'mobility regimes' to denote "the role both of individual states and of changing international regulatory and surveillance administrations that affect individual mobility" (2013: 7).

The dramatically contrasting assessments of the doubters and the discoverers may be better understood if we pay attention to these groups' differing uses of the term 'regime'. This contrast has been neatly characterized by James Keeley as the difference between Liberal and Foucauldian approaches (1990). The Liberal approach defines regimes as "broadly voluntary, benevolent, cooperative, and legitimate associations" (Keeley James, 1990: 86) that correct some of the worst excesses of a global system characterized by anarchy. From this perspective, the goal of research is to investigate the ways in which regimes might generate greater collaborative - and by implication progressive - governance at the international level. The doubters' approach to regimes seems to be cast in this mold. For them, the absence of formal organization and law in the field of migration is a concerning gap. Since, there is no International Migration Treaty and no United Nations Organization for Migration, there is a lot of work to be done to make a satisfactory 'regime'.

In direct contrast, the discoverers – most of whom draw some inspiration from Foucault - don't regard 'regimes' as the product of centralized political organizations, but as heuristic devices for critically interrogating hidden - and primarily oppressive - social and political realities. Here, regimes are combinations of discourses and disciplinary

technologies that shape behaviour and delegitimize alternative courses of action. From this perspective, the goal of critical inquiry is to disassemble and reassemble social and political reality in ways that question the status of the regimes we take for granted, point out hidden alternate regimes, and demonstrate and critique the exclusions and silences generated by both. For this group, the absence of a formal international migration organization and treaty is not seen as an object of concern but as an opportunity to discover and critique the deeper and implicit principles that structure how migration is governed across multiple scales.

While their differing definitions of the concept of a 'regime' may help us understand why these scholars have come to such divergent assessments of the nature and status of global migration governance, their disagreement cannot be reduced to terminological or meta-theoretical preferences. A Foucauldian emphasis on the micro-political, place-specific and relational sources of power entails a deep scepticism of the Liberal image of top-down, and centralized understandings of institutions. However, this does not necessitate a denial of the significance of, or blanket disinterest in, political institutions beyond the local scale. Foucault was deeply interested in understanding how micro-political and place-specific dynamics concatenate to generate broader political and institutional effects, or as Bob Jessop puts it, how "diverse power relations come to be colonized and articulated into more general mechanisms that sustain more encompassing forms of domination" (2007: 36, see also Foucault, 1990: 92-4). It is partly for these reasons that Political Geographers have, as Anna-Kaisa Kuusisto-Arponen and Mary Gilmartin note, been attempting to document and theorize the change in the scalar focus of migration governance "… from the politico-territorial regulation of nation-state policies on immigration to supranational migration frameworks …" (2015: 143). While doubters and discoverers come at the global migration regime from different directions, they are both concerned with the same question: whether global migration is controlled in accordance with an identifiable principle – or set thereof.

Are migration control practices across the world shaped by any common principle, or do we only see a diverse array of competing and conflicting political actors and agendas? In this piece, we do not seek to determine whether the doubters or discoverers are right, but to offer some tools to facilitate the debate by providing the opposing camps with some criteria to settle their differences. Developing the interdisciplinary dialogues required to resolve these questions will invariably be stymied by a lack of, as Alexander Murphy describes it "appreciation of the nature and significance of the questions being asked on each side" (1999: 892). In our opinion, this only provides further reason to seek ways of promoting dialogue and debate.

We believe that we can move in the direction of more genuine discussion between regime doubters and discoverers by attempting to translate the discoverers' broad conceptual agreements into a bounded set of claims regarding what an emergent migration regime is and does. The regime discoverers have included a wide and varying set of practices and institutions within the scope of their inquiries - at times hypothesizing connections between migration governance and other realms of governance (cities, tourism, terrorism), while at other times narrowing in on specific migration control practices (deportations, detentions, border controls, identification) to the neglect of others. They do not attempt to settle on a characterization of what the global migration regime does, drawing selectively on one another's works but not attempting to compare and contrast the relative merits of their different portraits (as a deportation regime, international police of populations, global mobility regime, mobility regimes *etc.*).

While we do not want to shut down the practice of further discovering regime manifestations and variations, we also believe it is worth clarifying the principle(s) of the regime(s) that the literature has described thus far. Here, the best we can do is to establish broad commonalities. The first is a common focus on migration control practices, and specifically the practices of detention, deportation, border control and identification. At a minimum, these scholars attempt to provide an account of one or more of these practices. This is noteworthy, because it differs somewhat from more expansive understandings of what a global migration regime might cover, which might extend to efforts to regulate integration (how governments respond to international migrants once they have arrived) or migration dynamics (the underlying social and economic structures which encourage/discourage migratory decisions).

The second shared claim concerns the principle of *sedentarization*. With the important exception of De Genova, the regime discoverers have been primarily concerned with the manner in which migration control practices prevent certain populations from leaving home. To begin with, Hindess argues that the most pernicious dimension of the citizenship regime is the way in which it gives encouragement to the world's poorest to "stay at home and behave themselves" (2000: 1496). Walters claims that as an international police of populations, the deportation regime extends to the global scale the logic of "dividing and allocating populations to the territorial authorities deemed properly responsible for them". Shamir (2005) and Glick Schiller & Salazar (2013) provide a slightly different spin on the same concept. They emphasize the differential between those who are being encouraged to move and those who are made to stay home. Salter supported a similar line of inquiry, while being more sceptical of the idea that "an increasingly bifurcated global mobility regime" emanating from a North American core, had taken hold further afield (2004: 190).

Discriminating between the right of people to move across borders, and undermining the capacity of some to leave their own country, constitutes a core feature of the regime that this literature describes (see also Joppke, 1998, p. 6; Torpey, 1998). The implication of this growing corpus of work is that a key ideal of modern immigration control practices has been to keep people within a limited number of national territories, particularly within those that they hold citizenship. This 'sedentarization' principle potentially constitutes the basis for a telling critique of the regime doubters' denial that a migration regime exists at the global scale. We say a 'potentially' telling critique because the sedentarization principle requires more specification and empirical demonstration before it can be regarded as a substantive claim about an emergent global migration regime. The first question relates to the process of regime emergence. How do principles concerning where people move and settle emerge in political systems where they are not formally defined or proclaimed?

Political Geographers provide the empirical and theoretical resources to move in the direction of a plausible answer to this question. Their first contribution has been to demonstrate how migration control practices shape human mobilities in ways that go beyond exclusion from the territorial jurisdiction of the state. Many Political Geographers tend to begin their inquiries at the micro-scale, through efforts to describe identification, arrest, detention and deportation practices and the relationships that constitute them. They note how efforts to extend control beyond borders halt migrants for extended periods in detention centres, transit zones and camps (Hyndman & Mountz, 2008; Isleyen, 2018; Mountz, 2011); how increased control at the border leads migrants to move in alternate and often riskier ways and directions (Cornelius, 2001 cf.; Carling, 2007); how internal policing pushes migrants into hidden and underground urban spaces (Coutin, 2010; Franck, 2016; McDowell & Wonders, 2009); and how detention systems can simultaneously stop migrants in their tracks and keep them in constant motion (Gill, 2009).

Feminist Political Geographers have helped to articulate the manner in which these place-specific immigration control practices concatenate to form a macro-topographical form of territorial exclusion. The common core of this mode of inquiry is the principle of 'neo-refoulement': "the return of asylum seekers and other migrants to transit countries or regions of origin before they reach the sovereign territory in which they could make a claim" (Hyndman & Mountz, 2008: 250, cf. Malkki, 1992). Feminist research on neo-refoulement lends empirical

credence to the sedentarization hypothesis in at least two ways. First, it demonstrates how macro-scale principles of exclusion may be observed spreading transnationally across multiple sites. This includes the development of an enforcement archipelago consisting of island detention centres and semi-permanent refugee camps, which warehouse asylum seekers *en route* to places of refuge (Mountz, 2011). Second, their work demonstrates that such principles have filtered through the international migration regulatory structure, to define the work of major international coordinating agencies like the UNHCR and IOM (Ashutosh & Mountz, 2011; Shinn, 2017).

While demonstrating the sedentarization principle in action, these works have yet to fully clarify and demonstrate its potential power. There are two issues that are particularly pertinent. The first problem is that any global migration control principle will face powerful obstacles to institutionalization: a multi-layered collective action problem. In part, this is a recognition of the IR mantra that in the absence of world government, states will consistently struggle to act in concert. The fact that sending states and receiving states have very different ideas about what sorts of migration should be promoted and prevented constitutes a major challenge to any hypothetical regime. Put in its most simple terms, why would sending states participate in a regime that serves to deny them a crucial form of capital in the form of migrant remittances? The problem runs deeper than this, because – as Political Geographers' micro-scale work powerfully demonstrates - states are not the only important migration control actors. On the one hand, a wide variety of semi-autonomous actors - including independent bureaucratic agencies, private companies, transport operators, NGOs, semi-public officials, international organizations and private militia - all help determine how the state's formal prerogative to control global migration is exercised in practice (Conlon & Hiemstra, 2014; Lahav & Guiraudon, 2006; Lahav, 1998; Zolberg, 2003). On the other hand, research on migration control - taking inspiration from the work of Michael Lipsky - has suggested that individuals - particularly street-level bureaucrats - will consistently exert their discretionary authority to depart from the governing scripts we might expect them to follow (1980, cf. Bouchard & Carroll, 2002). What reasons do we have to expect that the sedentarization principle might overcome this multi-layered collective action problem: where national governments, an array of implementing actors and individual officials all possess the power and inclination to use migration controls in the service of their own agendas and interests?

The second challenge is to specify why we might expect a global regime to have significant consequences for potential migrants. For decades now, the broad consensus across the literature has been that border controls don't achieve purported outcomes, and that migrants consistently evade or circumvent enforcement efforts of even the most powerful states (e.g. Bonjour, 2011; Czaika & De Haas, 2013; Joppke, 1998). Why would we expect an even more loosely organized global control regime to generate significant impacts on migratory patterns when failure of control at the level of the state has been the norm up until now?

2. Section two: what is a 'distributive regime'?

Our efforts to answer these questions begin from the position that processes of regime formation are neither inevitable, nor completely generic, nor completely random. Instead, particular types of regimes will achieve particular effects in similar ways. We adopt a comparative historical approach to identify what these common characteristics might be. Instead of delving further into the fundamental essences or unique characteristics of the migration regime, this approach attempts to specify the nature of a particular phenomenon by considering the degree to which it displays common characteristics with a broader family of cases (Skocpol & Somers, 1980; Tilly, 1984). The approach begins by casting the net very wide, to identify possible cases – where it is possible but not certain that we will observe particular outcomes (Goertz & Mahoney, 2006). The next step involves drawing the circle tighter, to determine the characteristics that separate out those cases that fit within a specific population from those that do not. Invariably, this process will focus on the discussion of boundary cases because it is here where the discriminatory power of the characterization will be most clearly tested (Gerring & Barresi, 2003).

This approach may be less satisfying for readers who would like to see a more sustained discussion of contemporary migration politics or different migration regimes across history (cf. Torpey, 1998; Vigneswaran, 2013). Yet, our approach suggests that before we continue on in this vein, we need to address the conceptual and methodological problem we now face, where we have manifold descriptions of contemporary migration controls and an absence of consensus regarding what might qualify as a global migration regime.

So, to begin, in what set of contexts might it be possible to observe the emergence of something akin to a sedentarization regime? We argue that sedentarization falls within a broad category of coercive governance: ways of physically compelling people to move and remain. In adopting this definition, we build on themes within the mobilities literature. As Tim Cresswell has noted: "while there is a temptation to think of a mobile world as something that replaces fixities, we need to constantly consider the politics of obduracy, fixity, and friction" (2010: 29). Similarly, we do not think it makes sense to draw an ontological distinction between practices which shape patterns and processes of human mobility and practices which shape patterns and processes of human settlement: the two regularly go hand in hand. In part, this claim rests on principles of geometry and chronology. Residence implies physical presence. So, if I want to live in a particular place, I need to be able to move there. Similarly, if I can't reside in a given place, at some point I will have to move away.

Proceeding from these foundations, we believe that sedentarization ought to be studied in relation to all those practices that involve or imply the threat to stop people from moving, take them into custody, detain them in specific places and compel them to move elsewhere. A wide variety of political systems have featured practices that coerce movement and settlement. The list would include - but not be necessarily limited to - feudal bondage, serfdom, slavery, incarceration, quarantine, conquest, transportation, banishment, segregation, gentrification, *hukou,* Apartheid, public order policing and private property.

Having set the outer boundaries of possible cases, we now begin to draw the circle tighter. Sedentarization is not akin to all of these forms of movement and settlement control, but part of a smaller group that have a 'distributive principle'. Generally speaking, a principle can be understood as a rule or law that is usually followed, whether through moral socialization or legal enforcement. A principle then functions as a starting point or determining norm for regulating individual or collective behaviour (McDonald, 2009). A 'distributive principle' exists when human movement and settlement are coerced in conformity with a particular starting point or determining norm. Such a principle defines how a given population may be divided into discrete groups that respectively belong (or do not belong) in a particular place or territory, through an ideal distribution of the population across space (Vigneswaran, 2013; Tuan, 1977). A distributive principle may thus be seen as akin to the concept of a 'mental map': a radically simplified way of representing complex relationships between social phenomena and space.[1] The concept of a 'distributive principle' enables us to identify regulative norms guiding movement and settlement control practices as well as isolate and group empirical phenomena that share that common regulative element.

The next concept in our family of distributive concepts is 'distributive effect'. A 'distributive effect' refers to the way that coercive practices compel people to move in line with a distributive principle.

[1] We prefer this conceptualization over Mountz's idea of topography, because we believe it more accurately captures the way these images represent an ideal social reality, without necessarily making such realities materialize.

We argue that this form of classification may be used to isolate a specific distributive effect from the variety of other effects that movement and settlement controls might engender (discrimination, physical harm, dispossession etc.) as well as isolating distributive effects from other random or incidental effects on human mobility. This latter point is crucial because, as we shall see, some sets of coercive practices may be relatively easily classified as regimes for producing one type of distributive effect but less easily so for others.

The notion that isolated and individual practices of coercing human movement and settlement can generate distributive effects is not novel. Perhaps the best example of the consistent observation of this pattern is in the study of segregation effects in housing markets (e.g. Massey & Denton, 1993). When multiple property owners in a given part of a city lease or sell in a discriminatory fashion, this can have the aggregate effect of excluding certain racial groups from that part of town. Similar effects have been either observed or hypothesised across a wide variety of phenomena and scales. Again, race has been a consistent axis of discrimination.[2] For example, in the study of incarceration, research has suggested that discriminatory sentencing and policing laws have effectively removed large portions of the black, male population from inner-city areas (Wacquant, 2001, 2002, 2010). In the study of slavery in North America, research demonstrates how the systematic practice of capture, trafficking and incarceration of enslaved people, immediately and for longer periods reshaped the demographic landscapes of large parts of the Americas and Africa (Magee, 2009; Van Welie, 2008). We will return to these last two examples in the next section, to further demonstrate and develop our concept of a distributive regime.

It is important to stress that the concept of a 'distributive principle' - and by extension a 'distributive effect' - are first and foremost analytical constructs and only secondarily empirically observable ideas. In short, distributive regimes might exist in the absence of any formal or explicit statement of a given actor's intent or motivation. In some contexts, the statements, procedures and rulings of those engaged in controlling the movement of people might constitute the basis for deciding which principle to deploy to understand a given case. Perhaps, for example, we have specific evidence of scholarly or policy-maker efforts to depict specific population distributions - in planning documents, maps etc. - as ideal, with the specific goal of using these representations to shape how movement and settlement control practices are deployed. However, the merits of a given distributive principle do not depend primarily on its empirical manifestation but more on its heuristic value. In particular, a 'distributive principle' helps us to address the primary problem faced by the study of 'regimes': how do you characterize a form of governance that has yet to fully take shape? Do we have evidence to suggest that effects of practices of movement and settlement control align with that of a distributive principle? We suggest that such evidence might be considered as grounds to conclude that movement and settlement controls have had a distributive effect.

What makes the difference between an observed distributive effect and a distributive regime? There are two related criteria worth considering. The first issue is the question of whether practices of control are consistently exercised across space. When control is practiced consistently across space it has a totalizing effect, such that options for mobile subjects become radically curtailed. It is somewhat obvious to state that measures to incarcerate, contain and emplace human bodies consistently shape patterns of mobility. A somewhat less noted dynamic is that, when practiced consistently across space, measures to slow, stop, repel and propel human bodies can effectively eliminate people's freedom to choose where they reside. This not only captures the dynamic which sedentarization theorists have been hinting at, it specifies the significance of the finding that for decades now migration control practices have been moving away from the border line, along transit routes, into human settlements, across the thresholds of formerly private spaces and out across international space and into a new set of foreign jurisdictions (Lavenex, 2006). This geographic spread of coercive practices is not simply a way of compensating for the inadequacy of the border, but augments the potential for immigration controls to generate new types of distributive effect.

The importance of areal coverage to the achievement of a distributive effect only further amplifies the importance of the second criterion for distinguishing between a distributive principle and regime: coordination. We understand 'coordination' to be an observable outcome when multiple actors possessing both significant capacity to coerce people to move and settle, and powerful individual interests to behave in an alternate manner, nonetheless act in ways that engender a distributive effect. Whereas a distributive effect refers to the impact of movement control practices on human mobility and settlement, coordination refers to the factors that make movement control actors behave in concert. The concept of 'coordination' has been commonly used in the field of policy studies to explain how the actions of government agencies, officials and non-state governing actors are marshalled in support of explicit policy ideals. We follow other researchers in viewing coordination as a specific type of effect, which may be caused in multiple ways.

This type of idea is evident in Guy Peters' definition of policy coordination as "an end-state in which the policies and programmes of government are characterized by minimal redundancy, incoherence and lacunae" (1998: 296). We share with Peters' the notion that coordination is best seen as an effect, which may be produced by traditional Weberian hierarchy *or* what he dubs, more 'horizontal' processes. However, we are more open to the idea that coordination may not refer only to those effects that have been explicitly identified as a goal in policy or law. Instead, we move closer to the notion of coordination that has been deployed in Constructivist work on regimes in IR and Historical Institutionalist work in Political Science, where the goals of a regime are seen as diffusely generated and evolving ideas about the purpose of a set of practices that may or may not be made explicit in these ways (Kratochwil & Ruggie, 1986).

Coordination may take different forms. 'Agentic coordination' is observed when actors with the power to control movement and settlement are influenced or coerced by a specific actor, institution or set of thereof. 'Structural coordination' is observed when movement and settlement control actors have tended to act in concert and towards a distributive end, despite the fact that such behaviour does not necessarily comport with our understanding of their individual interests or preferences. Again, Constructivist work is known for its counterfactual methods of demonstrating these effects.

To summarize and simplify, a distributive principle helps us to isolate the sort of effects on human movement and settlement we are interested in: a distributive effect. Meanwhile, a distributive effect plus evidence of agentic or structural coordination equals a distributive regime. While this gives us a relatively simple procedure for identifying the regimes that we are interested in, it lacks empirical substantiation. So, we now move on to make the case for the relative utility of this family of distributive concepts - distributive principle, distributive effect, and distributive regime as a means of sharpening our understanding of empirical phenomena. More specifically, and following our comparative historical logic, we apply it to parallel efforts to explore the emergence of two types of population distribution in the study of slavery and incarceration. These discussions are not attempts to compare 'cases' in order to test a specific theory. Our aim is to gauge the elasticity and discriminatory power of our family of concepts: as tools for demarcating the boundaries of a population of cases, delineating the specific mechanisms through which the effects of movement and settlement controls are produced.

In selecting these two topics, we looked specifically for instances of uncertainty in the extant literature on potentially distributive regimes. Urban segregation and Apartheid are phenomena that would clearly fit

[2] Next to race, movement and settlement controls are often influenced by gendered discourses (e.g. Williams, 2011).

within our definition of a distributive regime. Both feature movement and settlement controls, generate distributive effects and exhibit evidence of coordination. In the case of segregation, the coordination is a structural effect of discriminatory practices and in the case of Apartheid the coordination is agentic – specifically involving active and formal coordination by the state. In contrast, North American slavery and racialized incarceration were 'boundary cases' in the sense that - much as we see in the case of the contemporary migration regime - it was more difficult to discern whether it made sense to speak of a coherent institution that was specifically engendering these observable effects on patterns of movement and settlement. We defend the strengths of the 'distributive' concepts by demonstrating how they help to provide these varying literatures with a common set of tools to differentiate between observed aggregate effects of movement and settlement control practices and phenomena that we might include within the category of 'distributive regime'. Empirically, the argument rests on two assessments of the utility of our concepts as heuristic devices. First, they may help to differentiate the forms of coordination in the North American slavery regime from their distributive effects. Second, they may help to clarify to what extent it makes sense to speak of the racially segregative outcomes of mass incarceration in the US as coordinated. On this basis, we argue that the concept of a distributive regime constitutes a potentially useful and not simplistically binary means of separating out a specific category of movement and settlement control. On these grounds, we argue in favour of deploying this set of concepts to the study of an emergent global migration control regime.

3. Section three: deploying the distributive regime concept empirically

3.1. North American plantation slavery

We begin to fill out the distributive regime concept by looking at North American plantation slavery as a form of movement and settlement control. The concept and institution of slavery encompasses a lot of different and interacting facets and characteristics. It has been referred to as an economic system of forced labour; a form of racial discrimination, repression and domination; and for our purposes a way of systematically controlling the movement and settlement practices of different populations (Magee, 2009; McKittrick, 2011; Mendieta, 2004). The way in which and degree to which slave owning societies controlled the mobility of enslaved populations varied widely across time and space (Eltis, 2000). For our purposes, we are specifically interested in exploring some of the distributive characteristics of slavery in North America – recognizing that this is clearly a non-representative example of the phenomenon as a whole (Newman, 2013).

Central to the purpose and *modus operandi* of slavery in the Americas was forced exploitation, for the use of 'human' services and thus, economic gain (Quirk, 2006, p. 570). In the system of the 'plantation-complex' the confined special settlement - and thus the restriction of movement of the enslaved population at the plantations - was perceived and acted upon as a key link in the economic system (Curtin, 1998). Labour exploitation would not have been conceivable without movement control, a distributive principle in which exploitation functioned by maintaining enslaved populations in captivity, in holding cells, on slave ships and most importantly on and around the plantation (Genovese, 1989).

This last distributive effect – the enclosure of enslaved populations on plantations – was subject to a relatively powerful and agentic form of coordination. In part, captivity was achieved and maintained by a disaggregated collection of individual actors. Individual traffickers and plantation owners put in place a variety of surveillance measures and punishments to prevent enslaved people from escaping. However, it is unlikely that the system would have been so powerful if it did not also have a set of laws and procedures for ensuring that society worked in a more collective fashion to prevent flight (Franklin & Schweninger, 1999). In the Southern states, slave owners could commonly rely on their fellow owners to assist in the surveillance, location, capture and return of fugitives. In order to assist this process, slave owners often collectively established, or the state government helped to fund, patrol units for the same purpose (Hadden, 2001; Hammond, 2012; Campbell, 2012). Flight from slavery was seen as such a grave threat to the economic and social system of the South that some governments sought to take control out of the hands of individual owners (Grant, 2015), proscribing the punishments to be meted out to runaways and ensuring that such punishment was delivered in those cases where slave owners were inclined instead towards leniency or forgiveness (Morris, 1996). In this way, a legal system backed the slave owners' dominant position and discriminating use of violence in suppressing the enforced slaves and their resistance (Franklin & Schweninger, 1999). By determining the legal status of the enslaved and defining their role in society, the power over their capacity to move was put in the hands of the plantation owners (O'Connell Davidson, 2017).

A small but important flaw within this comprehensive system of entrapment was its limited areal coverage. Not all of the Southern states cooperated fully with one another to extradite fugitives (Campbell, 2012). In the Northern states increasingly powerful anti-slavery lobbies sought to directly undermine the institution by providing sanctuary for and in some cases actively participating in the rescue of those seeking their freedom (Bordewich, 2005). However, even in the years leading up to the Emancipation Proclamation and Civil War, the Federal Government continued to assist Southern slave owners to maintain captivity by returning fugitives to their owners. A key instrument here was the Fugitive Slave Law of 1850, which provided for Southern slave owners to claim Federal Government assistance in the arrest and extradition of fugitives. Federal Government officials routinely met their legal obligations under this law in Northern states, often despite the resistance of angry mobs, local officials and Northern voters (Campbell, 2012). Right up until the period of emancipation we may say that there was a geographically limited but nonetheless impactful regime for achieving a specific distributive effect – that of maintaining the enslaved in captivity on Southern plantations (Curtin, 1998). This regime dissipated gradually across space and particularly as we begin to move into jurisdictions that were either agnostic or directly inimical towards slavery as an economic system and form of racial oppression. Nonetheless, the evidence of Northern states enforcing slavery laws right up until the period of the start of the civil war, is an example of the sort of agentic coordination that we have argued as characteristic of a distributive regime. Thereby, it can be noted that the movement and settlement control practices - in this case of slavery - were strongly linked to other facets of the institution, namely the economic system of forced labour at the plantations, and the formulation and enaction of racialized discriminatory norms. Moving forward, the spatial effects and discriminatory practices of the institution of North American plantation slavery can be connected to the following boundary case: incarceration (McKittrick, 2011; Mendieta, 2004).

3.2. American incarceration

The physical isolation and separation of the African American population is also the focal point of our next set of movement and settlement controls: incarceration. In the US, two separate distributive principles have been applied to the study of incarceration. One, which can be seen as the traditional and still prevailing, is the idea that the prison is designed to extract criminals from society at large. We might call this image the 'incapacitation' principle (Feeley & Simon, 1992, p. 468). The idea that most prison systems involve the hierarchical coordination of incapacitation is relatively unproblematic. It is the second distributive principle that is more contentious.

Several authors, with sociologist Loïc Wacquant taking the lead, have argued that the system is more racially biased than the concept of incapacitation would suggest, and that the American prison system

instead functions as an 'apparatus for the containment of lower-class African Americans' (Wacquant, 2001, p. 95, also; Loury, 2008; Mauer, 1999; Pager, 2007). African Americans are incarcerated at disproportionately high rates. There is strong empirical evidence that shows that this outcome cannot be explained by the higher crime rate of African Americans. To illustrate, since the middle of the nineteenth century the figures of the prison population have reversed from approximately 70 percent whites to almost 70 percent African Americans and Latinos. At the same time, the racial characteristics of criminal offenders have not drastically changed over this period, nor can these reversals be simply explained by changes in the overall ethnic composition of the population. Furthermore, the gap between the imprisonment of African American and white people has grown, with black people being confined after the commitment of a crime ten times more than their white fellow citizens in 10 of the 38 states (Wacquant, 2001, p. 96). These trends have been given increasing attention over the last fifteen years, such that they are now widely accepted axioms across large sections of the debate concerning criminal justice reform.

According to Wacquant, this over-representation is no accident but the outcome of a combination of white fear and a sequence of discriminatory policies and practices. Therefore, Wacquant suggests that the American carceral system is at some level organized to produce certain racially discriminatory distributive *effects*. As the ghetto began to lose its function in the 1960's because of unemployment and subsequent urban riots, the prison was enmeshed with it in order to regain control over the African American population. By controlling the movement and settlement of this group, their behaviour would also be controlled, or at least their outrage would be kept away from the white population. According to Wacquant, the expansion of prison policies since these events was not only stirred by white anxiety about black riots of the 1960's, but also by the powerlessness of the government to the stagflation of the 1970's and the weakening of social security that followed. As a consequence, the incarceration of African Americans increased sharply (Wacquant, 2010, p. 82). In a similar vein, Vesla Mae Weaver argues that opponents of the Black Civil Rights movement responded to these uprisings by defining "racial discord as criminal and [arguing] that crime legislation would be a panacea to racial unrest" (2007: 265).

Michelle Alexander has sought to further develop Wacquant's line of reasoning by exploring the manner in which ostensibly colour-blind drug enforcement laws have had racially discriminatory effects. Her argument focuses on the interplay between two causal factors. On the one hand, there is a racially defined discourse that inaccurately portrays young black men as the primary users and dealers of drugs. On the other hand, there is the wide range of discretion that police officers, prosecutors and judges have to determine who gets arrested and charged for a drug offence and who ends up getting sentenced to prison for such offences. While it is exceedingly difficult to demonstrate in individual cases how these two factors come together in order to ensure that young black males are disproportionately surveilled and arrested by police officers, charged, presented with inequitable plea bargains by their legal representatives and prosecutors, handed particularly harsh sentences by judges and then denied parole, the aggregate data suggests that this diverse array of officials use their discretion in racially discriminatory ways (Alexander, 2012).

It is not only state actors that work towards confining black people. Angela Davis (2003) argues that companies, universities, hospitals, the media, and other institutions profit and therefore support the perpetuation of the racialized 'prison industrial complex'. In this way, Davis illustrates that multiple actors can cooperate in order to serve divergent, yet colliding interests, in this case black confinement and the pursuit of profit.

The racially discriminatory distributive effect that Wacquant, Alexander and Davis (and others) detect in the US criminal justice system appears to be the product of what we have described as structural coordination. It is difficult, and to our minds wholly unnecessary to find evidence of a harder agentic form of coordination which involves lawmakers and policy makers actively seeking to promote higher incarceration rates of young black males. What matters is that, despite their often overt commitment to non-racial norms, these actors collectively act in a fashion which engenders a distributive effect, constituting another example of what we have described as a distributive regime.

3.3. Summary

In summary, we hope to have demonstrated that our set of 'distributive' concepts provides us with a useful means of discriminating amongst the various candidates for consideration as a movement and settlement control regime. To be brief, both slavery and incarceration have clearly had distributive effects. However, it is more difficult to determine whether and to what extent there has been coordination of those effects. In the case of North American slavery, we see that the US government's efforts to ensure that enslaved populations remained entrapped in plantation systems were impactful but that these impacts vary in geographic scope, scale and time. In the case of incarceration, we can see that a racially biased distributive effect can be discerned but due to structural as opposed to agentic coordination of the same. We believe that these discussions pay testimony to the discriminatory power of the set of concepts. First, not every case that resembles a distributive regime will ultimately deserve categorization as such. Second, applying these criteria helps us to determine the geographic scope and relative power of a given regime. Hence, the term 'distributive regime' clearly cannot be loosely applied to any or all instances of power over human movement and settlement. Unlike IR's 'woolly' definition of a regime, this provides us with more stringent criteria to apply to the study of global migration governance, and perhaps therefore one that has the potential to resolve the extant debate we have identified between regime doubters and discoverers.

4. Section four: how to further the study of a sedentarization regime

Having demonstrated that the idea of a distributive regime has both empirical referents and discriminatory power, we now move on to explore how its constitutive concepts might help settle the extant debate on the nature and status of a global migration regime. We believe that there are - at a minimum - three ways in which further exploration of the empirical purchase of this concept might decide whether sedentarization is a powerful principle shaping movement control practices at the global scale: through efforts to explain the historical spread of immigration control practices across the globe, through measurement of the cumulative effects of immigration controls on migrant decision-making, and through efforts to determine to what extent immigration control actors behave in a coordinated fashion. This section will discuss these three points in turn.

The idea of a distributive regime can help to isolate a focal point for research into an emergent migration control regime. In this respect, the value of this paper is to demonstrate that sedentarization is not simply a finding which repeatedly emerges out of the micro-empirical inquiries of Feminist and Foucauldian scholarship, but a potential example of a broader set of governance principles that have been observed in studies of other movement and control regimes: specifically in distributive regimes. While there is potentially much to be gained through further comparative study across distributive regimes, we believe that there is a great deal to be achieved by simply adding further structure to the study of migration control as a global phenomenon. Here, it is worth noting that we still lack a coherent account of why migration control practices became so consistent across the globe in the first place. Scholars have attempted to explain why migration control became an important feature of North American and European states' regulatory arsenals (e.g. Torpey, 1998; Hollifield, 2004). However, there have been few efforts to grapple with the fact that migration control

practices - passport controls, deportation protocols, border procedures *etc*. - became remarkably consistent throughout the world - North, South, East and West, in a relatively short space of time over the course of the twentieth century. This may not be an outcome that can be explained in terms of the interests of individual actors like particularly powerful states, but one that requires a more macro- or collective agenda or driving force. Here, we believe that the concept of sedentarization provides a potential hypothesis for this heretofore unexplained globalization of migration control: in short, an emergent sedentarization principle explains why the core constitutive practices of migration control became universally practiced in the interwar and post-WWII period. Bakewell makes an exemplary but nonetheless preliminary effort to explore this possibility in his colonial genealogy of the contemporary immigration policy and philosophy (2008). What is needed is a far more expansive and genuinely global study of whether sedentarization explains why the immigration control practices that we now regard as normal and inevitable became global norms when they did.

It may be the case that the sedentarization principle had little to do with the reasons why migration controls became widely practiced across the globe, but that it nonetheless explains why and how migration control is practiced today and the impacts it has on global patterns of mobility. According to our assessments above, determining whether this is the case would require that we demonstrate both a distributive effect and coordination of distributive practices. We will briefly attempt to explain how we might go about each of these tasks.

There is a small but nonetheless substantial body of macro-quantitative research that demonstrates that migration controls can have a substantial impact on migration patterns. Unfortunately, this work tends to define its objects of analysis in ways that are largely unsuitable for our purposes. More specifically, this research explores correlations between changes in individual state policies on immigration and regular migration flows (e.g. Hatton, 2009; Ortega & Peri, 2013). As we know, these assessments are not only limited by the fact that they fail to register whether migrants respond to more restrictive migration policies and practices by choosing different routes and migrating through informal channels (Cornelius, 2001). These works also do not explore the effects that sedentarization theorists have hypothesised: on those people who want to migrate, but never leave their country of residence.

Empirical work by Jorgen Carling and Ruben Andersson offer potential pathways forward. Carling's case study demonstrated that restrictive migration policies and practices in Europe have created a condition of 'involuntary immobility' in Cape Verde, where many people who aspired to leave were unable to do so (2002). Andersson's ethnographic work on the illegality industry along Europe's African frontier argues that restrictive migration policies enable a range of state and non-state actors to produce and profit from the illegal migrant (2014). He shows how this illegal immigrant, though stigmatized by attempted mobility, almost always stays immobile, with clandestine migration routes ending in border towns, deportation and repatriation, and death. The problem lies in developing the empirical resources to discern how the concerted exercise of immigration restriction impacts on aspiring migrants' ability to move. The absence of suitable measures of migration control policies and practices are the most significant stumbling block (Carling & Schewel, 2018). While some scholars have used visa restriction indices as proxies (Czaika & Hobolth, 2016), it is far from clear whether these adequately reflect the complex set of changes in migration control practice which sedentarization theorists have identified as the defining characteristic of this emergent regime. Indeed, given the potential difficulties in adequately measuring such practices or identifying suitable proxies, it may be that this sort of work will be best built through multiple and well-chosen micro-level case studies first, exploring how changes in migration control practices across small sets of sending and receiving countries shape the observed mobility of aspirant migrants.

While research on sedentarization effects may only generate payoffs over the longer term, relatively quick gains could be achieved in the short term on the issue of coordination. As we have noted above, Political Geographers, led by Feminist researchers have already done the empirical hard yards to demonstrate how sedentarizing principles like 'neo-refoulement' can be usefully deployed to understand recent developments in refugee and migration control practices across a transnational selection of research sites. Our addition to this research would merely be to suggest that these researchers begin to apply more formal tests of the power of these principles in shaping the identities and preferences of migration control actors. As we have noted above, in addition to the more conventional goals of the state, Foucauldian theorists and Political Geographers have offered a plethora of competing discourses, movement control objectives and principles, which might potentially guide the decision-making and behaviour of movement control actors. Different sets of literatures emphasize how capitalist imperatives (De Genova & Peutz, 2010; Heyman, 2004) and the interests of public-private rent-seeking coalitions (Doty & Wheatley, 2013; Gammeltoft-Hansen & Sorensen, 2013; Golash-Boza, 2009a,b) shape the discretionary decision-making of migration control actors. The onus is on sedentarization theorists to demonstrate to what extent the principle of sedentarization trumps these competing ideas and forces. Here, our approach would be guided by 'counter-factual' forms of testing outcomes in policy and practice. Put simply: can we demonstrate that in cases where states or officials may have had strong interests to not enforce migration laws, or enforce them in ways that would have reduced the likelihood of a distributive effect, they nevertheless acted in ways that produced powerful sedentarizing effects? This sounds like a particularly tricky sort of case to prove and in the way we have formulated it here, it may be. However, it has also been the 'bread and butter' of Constructivist research in International Relations for some time. The most obvious area in which quick wins could be gained here would be to explore migration control practices in sending countries. If migration and development discourse is to be believed, these countries have the least interest in participating in a hypothetical sedentarization regime, which would deprive them - at a minimum - of large sums of foreign exchange. Yet, with important exceptions, these states document their nationals before they depart, prevent them from leaving without authorization and assist migrant receiving countries in deporting them home (cf. Ellermann, 2008). It would seem that in explaining this record of complicity, sedentarization theorists could go some way to demonstrating the existence of coordination at the global scale.

5. Concluding remarks

Our formulation and investigation of the migration regime hypothesis is an attempt to open up and build further on the debate between what we have called regime 'discoverers' and 'doubters'. While regime discoverers have suggested that migration control practices have a cumulative sedentarizing effect at the global scale, doubters say that no such global migration regime exists. We have tried to respond to doubters' hesitancy towards the use of the term 'regime' by consolidating and formalizing the claims that the discoverers have made about sedentarization. We have then suggested that the concepts 'distributive principle' 'distributive effect', and 'coordination' provide the criteria for evaluating the strength of the sedentarization hypothesis about an emergent global migration regime. With the help of two boundary cases: slavery and incarceration, we have tried to illustrate the discriminatory power of the definitional concepts mentioned above. This empirical assessment has shown us that distributive effects can often be identified, but that fully specifying the nature of the coordination behind them is a secondary and more difficult task. In addition to opening up a more general and comparative discussion on distributive regimes, we believe that these concepts provide us with the means to design research to resolve the debate on an emergent global migration regime. The discussions show the different manifestations of

movement and settlement control practices and the applicability of the concept 'distributive regime' to a wide but not endless range of empirical phenomena.

This paper has attempted to foster an inter-disciplinary discussion on these issues. We are aware of the disciplinary and meta-theoretical reasons why scholars have yet to come to the table to discuss these common points of interest. We do not naively believe that our intervention will erase these problems or satisfy all participants. We only hope to have demonstrated that a debate is possible, resolvable and that – at a minimum – it ought to take place. This is not simply due to the fact that there are scholarly puzzles to be solved, but because there is a lot at stake in real-world terms. History has repeatedly pointed out that practices of movement and settlement control have put certain populations in particularly disadvantaged positions. Our empirical examples reveal how enslaved populations on plantations in North America and incarcerated lower-class African Americans in the US today have been subjected to violent controls on their movement and settlement. These outcomes were the result of a variety of surveillance measures, laws and punishments – but not always a top-down or centralized political institution. Similarly, migration control practices such as border controls, detentions and deportations tend to affect certain populations more than others. The set of distributive concepts presented here might provide a common language for discerning why we have such unequal effects and therefore discovering how we might do something about them.

Appendix A. Supplementary data

Supplementary data to this article can be found online at https://doi.org/10.1016/j.polgeo.2019.01.014.

References

Agnew, J., & Corbridge, S. (1995). *1995: Mastering space: Hegemony, territory and international political economy.* London: Routledge.

Alexander, M. (2012). *The new Jim Crow: Mass incarceration in the age of colorblindness.* New York: The New Press.

Andersson, R. (2014). *Illegality, Inc.: Clandestine migration and the Business of bordering Europe.* Berkeley: University of California Press.

Ashutosh, I., & Mountz, A. (2011). Migration management for the benefit of whom? Interrogating the work of the international organization for migration. *Citizenship Studies, 15*(1), 21–38.

Bakewell, Oliver (2008). 'Keeping Them in Their Place': The ambivalent relationship between development and migration in Africa. *Third world quarterly, 7*(29), 1341–1358.

Betts, A. (2010). *Global migration governance.* Oxford: Oxford University Press.

Bonjour, S. (2011). The power and morals of policy makers: Reassessing the control gap debate. *International Migration Review, 45*(1), 89–122.

Bordewich, F. M. (2005). *Bound for canaan: The underground railroad and the war for the soul of America.* New York: Amistad.

Bouchard, G., & Carroll, B. W. (2002). Policy making and administrative discretion: The case of immigration in Canada. *Canadian Public Administration, 45*(2), 239–257.

Campbell, S. W. (2012). *The slave catchers: Enforcement of the fugitive slave law, 1850-1860.* UNC Press Books.

Carling, J. (2002). Migration in the age of involuntary immobility: Theoretical reflections and Cape Verdean experiences. *Journal of Ethnic and Migration Studies, 28*(1), 5–42.

Carling, J. (2007). Migration control and migrant fatalities at the Spanish african borders. *International Migration Review, 41*(2), 316–343.

Carling, J., & Schewel, K. (2018). Revisiting aspiration and ability in international migration. *Journal of Ethnic and Migration Studies, 44*(6), 945–963.

Conlon, & Hiemstra (2014). Examining the everyday micro-economies of migrant detention in the United States. *Geographica Helvetica, 69*, 335–344.

Cornelius, W. A. (2001). Death at the border: Efficacy and unintended consequences of US immigration control policy. *Population and Development Review, 27*(4), 661–685.

Coutin, S. B. (2010). Confined within: National territories as zones of confinement. *Political Geography, 29*(4), 200–208.

Curtin, P. (1998). *The rise and fall of the plantation complex.* Cambridge, U.K.: Press Syndicate of the University of Cambridge.

Czaika, M., & De Haas, H. (2013). The effectiveness of immigration policies. *Population and Development Review, 39*(3), 487–508.

Czaika, M., & Hobolth, M. (2016). Do restrictive asylum and visa policies increase irregular migration into Europe? *European Union Politics, 17*(3), 345–365.

Davis, A. (2003). *Are prisons obsolete?* New York: Seven Stories Press.

De Genova, N., & Peutz, N. (2010). Introduction. In W. Walters, & G. Cornelisse (Eds.). *The deportation regime: Sovereignty, space, and the freedom of movement.* Durham: Duke University Press.

Doty, R. L., & Wheatley, E. S. (2013). Private detention and the immigration industrial complex. *International Political Sociology, 7*(4), 426–443.

Ellermann, A. (2008). The limits of unilateral migration control: Deportation and interstate cooperation. *Government and Opposition, 43*(2), 168–189.

Eltis, D. (2000). *The rise of african slavery in the Americas.* Cambridge University Press.

Feeley, M. M., & Simon, J. (1992). The new penology: Notes on the emerging strategy of corrections and its implication. *Criminology, 30*(4), 449–474.

Foucault, M. (1990). *The history of sexuality: An introduction, Vol. I*New York: Trans. Robert Hurley (Vintage).

Franck, A. K. (2016). A (nother) geography of fear: Burmese labour migrants in george town, Malaysia. *Urban Studies, 53*(15), 3206–3222.

Franklin, J. H., & Schweninger, L. (1999). *Runaway slaves. Rebels on the plantation.* Oxford University Press.

Gammeltoft-Hansen, T., & Sorensen, N. N. (2013). *The migration industry and the commercialization of international migration.* London: Routledge.

Genovese, E. (1989). *The political economy of slavery: Studies in the economy and society of the slave South.* Wesleyan University Press.

Gerring, J., & Barresi, P. A. (2003). Putting ordinary language to work a min-Max strategy of concept formation in the social sciences. *Journal of Theoretical Politics, 15*(2), 201–232.

Ghosh, Bimal (Ed.). (2000). *Managing migration: Time for a new international regime?*. OUP Oxford.

Gill, N. (2009). Governmental mobility: The power effects of the movement of detained asylum seekers around britain's detention estate. *Political Geography, 28*(3), 186–196.

Glick Schiller, N., & Salazar, N. B. (2013). Regimes of mobility across the globe. *Journal of Ethnic and Migration Studies, 39*(2), 183–200.

Goertz, G., & Mahoney, J. (2006). Negative case selection: The possibility principle. In G. Goertz (Ed.). *Social science concepts: A user's guide* (pp. 177–210). Princeton: Princeton University Press.

Golash-Boza, T. (2009a). The immigration industrial complex: Why we enforce immigration policies destined to fail. *Sociology Compass, 3*(2), 295–309.

Golash-Boza, Tanya (2009b). A confluence of interests in immigration enforcement: How politicians, the media, and corporations profit from immigration policies destined to fail. *Sociology Compass, 3*(2), 283–294.

Grant, D. (2015). "Civilizing" the colonial subject: The Co-evolution of state and slavery in South Carolina, 1670–1739. *Comparative Studies in Society and History, 57*(3), 606–636.

Hadden, S. E. (2001). *Slave patrols: Law and violence in Virginia and the carolinas.* Cambridge: Harvard University Press.

Hammond, J. G. (2012). Slavery, settlement, and empire: The expansion and growth of slavery in the interior of the North American continent, 1770-1820. *Journal of the Early Republic, 32*(2), 175–206.

Hatton, T. J. (2009). The rise and fall of asylum: What happened and why? *The Economic Journal, 119*(535), 183–213.

Heyman, J. McC. (2004). Ports of entry as nodes in the world system. *Identities-Global Studies in Culture and Power, 11*(3), 303–327.

Hindess, B. (2000). Citizenship in the international management of populations. *American Behavioral Scientist, 43*(9), 1486–1497.

Hollifield, J. F. (1992). Migration and international relations: Cooperation and control in the european community. *International Migration Review, 26*(2), 568–595.

Hollifield, James F. (2004). The emerging migration state 1. *International Migration Review, 3*(38), 885–912.

Hyndman, J., & Giles, W. (2011). Waiting for what? The feminization of asylum in protracted situations. *Gender, Place & Culture, 18*(3), 361–379.

Hyndman, J., & Mountz, A. (2008). Another brick in the wall? Neo-refoulement and the externalization of asylum by Australia and Europe. *Government and Opposition, 43*(2), 249–269.

Isleyen, B. (2018). Transit mobility governance in Turkey. *Political Geography, 62*, 23–32.

Jessop, B. (2007). From micro-powers to governmentality: Foucault's work on statehood, state formation, statecraft and state power. *Political Geography, 26*, 34–40.

Joppke, C. (1998). Why liberal states accept unwanted immigration. *World Politics, 50*(2), 266–293.

Keeley James, F. (1990). Toward a foucauldian analysis of international regimes. *International Organization, 44*(1), 83–105.

Koser, K. (2010). Introduction: International migration and global governance. *Global Governance: A Review of Multilateralism and International Organizations, 16*(3), 301–315.

Koslowski, R. (2011). Global mobility regimes: A conceptual framework. In R. Koslowski (Ed.). *Global mobility regimes*. Palgrave Macmillan.

Krasner, S. D. (1983). *International regimes.* Ithaca: Cornell University Press.

Kratochwil, F., & Ruggie, J. G. (1986). International organization: A state of the art on an art of the state. *International Organization, 40*(4), 753–775.

Kuusisto-Arponen, A. K., & Gilmartin, M. (2015). The politics of migration. *Political Geography, 48*, 143–145.

Lahav, G. (1998). Immigration and the state: The devolution and privatisation of immigration control in the Eu. *Journal of Ethnic and Migration Studies, 24*(4), 675–694.

Lahav, G., & Guiraudon, V. (2006). Actors and venues in immigration control: Closing the gap between political demands and policy outcomes. *West European Politics, 29*(2), 201–223.

Lavenex, S. (2006). Shifting up and out: The foreign policy of european immigration control. *West European Politics, 29*(2), 329–350.

Loury, G. C. (2008). *Race, incarceration, and American values.* Cambridge, MA: MIT Press.

Magee, R. V. (2009). Slavery as immigration. *USFL Rev, 44*(2), 1–33.

Malkki, L. (1992). National geographic: The rooting of peoples and the territorialization of national identity among scholars and refugees. *Cultural Anthropology, 7*(1), 24–44.

Massey, D. S., & Denton, N. A. (1993). *American Apartheid: Segregation and the making of the underclass.* Harvard University Press.
Mauer, M. (1999). *Race to incarcerate.* London: New Press.
McDonald, H. P. (2009). Principles: The principles of principles. *The Pluralist, 4*(3), 98–126.
McDowell, M. G., & Wonders, N. A. (2009). Keeping migrants in their place: Technologies of control and racialized public space in Arizona. *Social Justice, 36*, 54–72 2 (116.
McKittrick, K. (2011). On plantations, prisons, and a black sense of place. *Social & Cultural Geography, 12*(8), 947–963.
Mendieta, E. (2004). Plantations, ghetto's, prisons: US racial geographies. *Philosophy and Geography, 7*(1), 43–59.
Mitchell, C. (1989). International migration, international relations and foreign policy. *International Migration Review, 23*(3), 681–708.
Morris, T. D. (1996). *Southern slavery and the law, 1619-1860.* University of North Carolina Press.
Mountz, A. (2011). The enforcement archipelago: Detention, haunting, and asylum on islands. *Political Geography, 30*(3), 118–128.
Murphy, A. B. (1999). "Living together separately": Thoughts on the relationship between political science and political geography. *Political Geography, 18*(8), 887–894.
Newman, S. (2013). *A new world of labour. The development of plantation slavery in the British atlantic.* University of Pennsylvania Press.
O'Connell Davidson, J. (2017). The right to locomotion? Trafficking, slavery and the state. In P. Kotiswaran (Ed.). *Revisiting the law and governance of trafficking, forced labor and modern slavery* (pp. 157–178). Cambridge University Press Peters G (1998) Managing Horizontal Government: The Politics of Coordination. Public Administration 76(Summer): 295-311.
Ortega, F.c, & Peri, G. (2013). The effect of income and immigration policies on international migration. *Migration Studies, 1*(1), 47–74.
Pager, D. (2007). *Marked : Race, crime, and finding work in an era of mass incarceration.* Chicago: University of Chicago Press.
Quirk, J. F. (2006). The anti-slavery project: Linking the historical and contemporary. *Human Rights Quarterly, 28*(3), 565–598.
Sachs, J. D. (2016). Toward an international migration regime. *The American Economic Review, 106*(5), 451–455.
Salter, Mark B. (2004). And Yet It Moves: The global mobility regime. *Global Regulation: Managing Crises after the Imperial Turn* 177-90.
Shamir, R. (2005). Without borders? Notes on globalization as a mobility regime. *Sociological Theory, 23*(2), 197–217.
Shinn, C. (2017). *Protracted refugee situations: A feminist perspective on refugee depiction by unhcr.* University of Kansas.
Skocpol, T., & Somers, M. (1980). The uses of comparative history in macrosocial inquiry. *Comparative Studies in Society and History, 22*(2), 174–197.
Strange, S. (1982). Cave! Hic dragones: A critique of regime analysis. *International Organization, 36*(02), 479–496.
Tilly, C. (1984). *Big structures, large processes, huge comparisons.* New York: Russell Sage Foundation.
Tuan, Y.-F. (1977). *Space and place: The perspective of experience.* University of Minnesota Press.
Van Welie, R. (2008). Slave trading and slavery in the Dutch colonial empire: A global comparison. *New West Indian Guide/Nieuwe West-Indische Gids, 82*(1–2), 47–96.
Vigneswaran, Darshan (2013). *Territory, migration and the evolution of the international system.* Springer.
Wacquant, L. (2001). Deadly symbiosis when ghetto and prison meet and mesh. *Punishment & Society, 3*(1), 95–133.
Wacquant, L. (2002). From slavery to mass incarceration. *New Left Review, 13*(1), 41–60.
Wacquant, L. (2010). Class, race & hyperincarceration in revanchist America. *Daedalus, 139*(3), 74–90.
Walters, W. (2002). Deportation, expulsion, and the international police of aliens. *Citizenship Studies, 6*(3), 265–292.
Weaver, V. M. (2007). Frontlash: Race and the development of punitive crime policy. *Studies in American Political Development, 21*, 230–265.
Williams, J. (2011). Protection as subjection: Discourses of vulnerability and protection in post-9/11 border enforcement efforts. *City, 15*(3–4), 414–428.
Zolberg, A. (1981). International migration in political perspective. In E. Petras,, M. M. Kritz,, & C. B. Keeley, (Eds.). *Global trends in migration: Theory and research on international population movements*. New York: Center for Migration Studies.
Zolberg, A. (2003). The archaeology of "remote control". In A. Fahrmeir, O. Faron, & P. Weil (Eds.). *Migration control in the North Atlantic world. The evolution of state practices in Europe and the united States from the French Revolution to the inter-war period: 195-222.* Herndon: Berghahn Books.